



The State Bar of California

OPEN SESSION
AGENDA ITEM O-300
DECEMBER 2020
COMMITTEE OF BAR EXAMINERS

DATE: December 4, 2020

TO: Members, Committee of Bar Examiners

FROM: Tammy Campbell, Program Manager

SUBJECT: Action on the Financial Impact of the Modified (2-Day) California Bar Examination Report

EXECUTIVE SUMMARY

The State Bar's Board of Trustees (BOT) directed staff to evaluate the financial impact of the California Bar Examination format change from a 3-day examination to a 2-day examination. Specifically, as a condition of its approval of the change in the exam format, the (BOT) requested that the financial and psychometric impact be evaluated after the 2-Day format had been in use for 2 years, i.e., *for four administrations* (i.e., two July and two February administrations). The psychometric impact was presented to the Committee of Bar Examiners at its December, 2019 meeting. This report pertains to the financial impact of the format change.

In July 2015, the State Bar's Board of Trustees (BOT) approved the change in format of the California Bar Examination from a 3-day to a 2-day examination. The first administration of the modified California Bar Examination (2-Day General Bar Examination and 1-Day Attorneys' Examination) took place in July 2017.

The evaluation intends to identify whether the conversion to a 2-day exam achieved anticipated cost-savings. The analysis involved review of all costs associated with administering the exam to determine whether the format change had any impact on the various costs, and if so in which specific areas. Although there are areas that could not result in cost-savings, such as the cost of purchasing the Multi-State Bar Examination (MBE), which is based on the number of applicants, there would be several areas of costs that were expected to decrease based on the reduction of testing days.

The following report on the Financial Impact of the Modified (2-Day) California Bar Examination will explore the differences between the February and July examinations. The examination administrations were separated to provide more accurate analysis, as the two administrations differ from year to year in the number of applicants. Obviously, the volume of applicants impacts the number of facilities and personnel required for the exam administration. The report identifies cost areas that did not result in cost savings as the number of exam days changed, as well areas where cost savings were realized.

DISCUSSION

None

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES OF THE STATE BAR

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: 5. Proactively inform and educate all stakeholders, but particularly the public, about the State Bar's responsibilities, initiatives, and resources.

Objective: d. Improve transparency, accountability, accessibility, and governance by increasing the availability of meeting materials and public access to meetings and records and reporting these efforts to stakeholders and the general public.

RECOMMENDATIONS

It is recommended that the Committee of Bar Examiners receive and file the Report on the Financial Impact of the Modified (2-Day) California Bar Examination set forth above.

PROPOSED MOTION

Should the Committee of Bar Examiners agree with staff recommendations, the following motion should be made:

MOVE, that the Report on the Financial Impact of the Modified (2-Day) California Bar Examination be approved.



The State Bar *of California*

Report on the Financial Impact of the Modified (2-Day) California Bar Examination

December 2, 2020

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EXECUTIVE SUMMARY

In 2015, the Board of Trustees, with the concurrence of the Committee of Bar Examiners (CBE), modified the format of the California Bar Examination. In early 2016, the Supreme Court of California approved of the modified format and the first administration of the examination in this format was conducted in July 2017. The modification reduced the number of essays and performance tests and adjusted the length of time for the remaining performance test. This resulted in a change from a 3-day examination to a 2-day examination. As part of the State Bar's strategic plan to ensure a timely, fair and appropriately resourced admission, discipline, and regulatory system for the more than 250,000 lawyers licensed in California, this report evaluates the cost impact of modifying the bar exam from 3-days to 2-days after two years of administering the exam in a 2-day format.

The California Bar Examination typically takes place in February and July of each year. The examination is typically administered at two different types of test centers. Standard test centers provide testing for a large population in one room at facilities that include convention centers, conference centers, hotel ballrooms, and fairgrounds. Testing accommodation (TA) test centers provide testing in hotels, utilizing meeting space and hotel sleeping rooms for applicants who have been granted accommodations, including extended time testing. The two exam administrations each year vary in population size. A February examination is administered to an estimated 5,500 applicants and a July examination is administered to an estimated 9,000 applicants. Because of these differences, this report compares the February 2016 exam to the February 2018 exam, and the February 2017 exam to the February 2019 exam. For July, the July 2015 exam is compared to the July 2017 exam and the July 2016 exam is compared to the July 2018 exam. This was done to ensure an accurate comparison regarding costs. This report does not take into account the increased costs and increased savings that might be attributable to the continuing use of remote, online exams, as it was specifically intended to review the cost implications of the four exams administered subsequent to the change to the 2-day format.

This report identified the increased costs from administering the examination at the TA test centers due to the increased resources required to administer the examination to the TA applicants. The accommodations differ depending on the applicant, but the most common testing accommodation is for extended time. The amount varies from an additional 15 minutes to double time. Administering the examination to TA applicants usually requires one proctor per hotel room with only 1-2 applicants per room. The non-TA applicant, or “standard site” applicant, takes the examination in a large room with one proctor monitoring dozens of applicants at the same time. In the modified 2-day examination, a schedule change for extended day TA applicants resulted in an increased number of extended day TA applicants on the extra days of testing. This change was made as it was determined that it was not reasonable to extend the time on the first two days for an applicant’s schedule to have over nine hours of testing in one day.

The key findings emerging from this analysis include the following:

- Costs were reduced with the format change. The February administrations achieved significantly more savings from the change than the July administrations. The February examinations reduced costs by 19.2 percent whereas the July examinations only reduced costs by 6.3 percent. The cumulative savings between all four exams before the format change to the four exams after the format change was 11.8 percent. The total amount saved was 1.3 million dollars.
- TA applicants have a significant impact on the cost to administer the examination and the increased number of these applicants was the single biggest factor in the reduced savings from the modification to a 2-day format in the July examinations.
- Proctors and facilities remain the two largest expenditures for the administration of the examination and the State Bar may achieve savings if it moves towards a more virtual administration as was done for October 2020 and will be done for February 2021.

These conclusions show that the bar exam costs are impacted by various reasons and expenses cannot be attributed to any single factor. The ability to achieve savings in the future depends on the population of examinees and size of the in-person examination.

INTRODUCTION & BACKGROUND

In this report, costs related to the bar exam are broken down into two main components: administration and personnel. Administration include costs related to facilities, printing, electricity, and hardware at the site of the bar exam. The largest administration cost is facilities. For the July examination, the Bar contracts with five or six facilities in Northern California and nine or ten facilities in Southern California. The smaller February examination requires four facilities in Northern California and six or seven facilities in Southern California. Facilities are generally provided in the following regions: San Diego, Los Angeles, Sacramento, and San Francisco/Oakland area. Locations of facilities are selected based on the vicinity of law schools, proximity to food, and hotel accommodations. If larger facilities are not available for a given administration, multiple sites may be required to accommodate the expected number of test takers. If the number of applicants increase for a given administration, additional space is required. Computer costs include copiers for staff at all test centers and extra computer equipment provided by the State Bar to TA applicants as part of an approved accommodation. There was a significant increase in accommodations granted over this same time period that required the State Bar to provide computer equipment. The reduction in days did not have an impact on the per computer rental cost, as the weekly rate was still the more cost-effective rate in comparison to the daily rate. Additional administration costs include ExamSoft and AV equipment.

Personnel costs are related to State Bar staff, proctors, security, and grading. Proctors are the single largest personnel cost for the examinations. Proctors monitor the test takers during the administration of the examination. Overtime expenses are incurred for proctors and non-exempt State Bar staff who are dispatched to the exam sites and often must work in excess of the standard 40-hour work week. Hotel accommodations for staff needed while administering

the examination are included as part of personnel costs. Off-duty officers secure the various testing locations and typically require two officers per location. These positions tend to be filled by retired police or peace officers. Expenses relating to grading the examinations are for preparation fees paid to graders in order to prepare for each answer file to be graded.

One of the main objectives of the Office of Admissions is to develop, administer and grade the two Bar Examinations, two first-year law student examinations and one biennial administration of the Legal Specialization examination. The largest administrative effort is the administration of the February and July examinations. Staff does not associate their time to any specific examination, but all staff contribute directly or indirectly to the administration. The personnel and indirect cost expenses for the Office of Admissions in the 2018 budget, the most recent full year of exams studied in this report, was 14.3 million. If you attributed half of that directly to the February and July Bar exams, which it is likely much more, then you would have 7.15 million in Bar staff expenses. For contrast, the combined expenses in this report for the February and July 2018 examinations was 5 million. Since these costs could not be attributed to any single administration, and there was not any reduction in these staff due to the change in format, they are not included in the cost analysis, but are brought up here to have a full understanding of the costs necessary to put on the Bar examination.

Table 1. Examination Costs 2015-2019

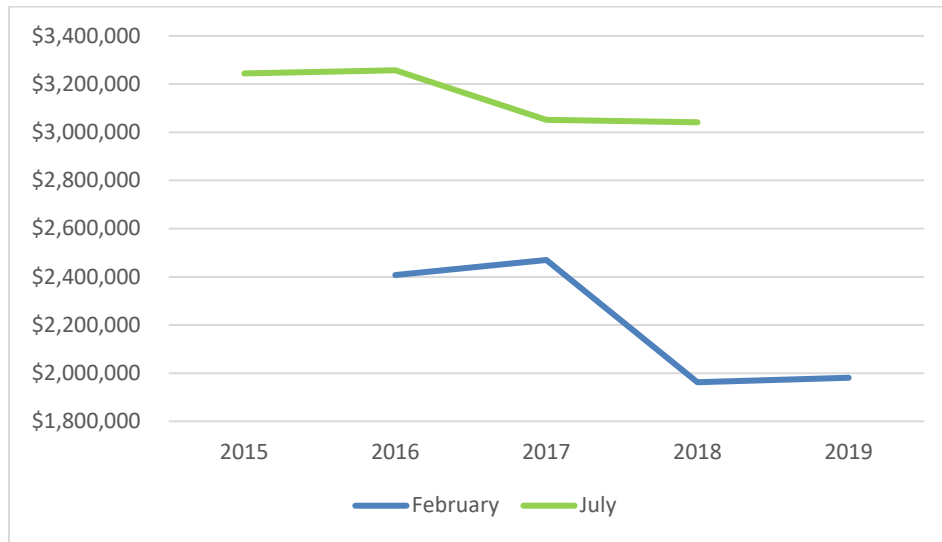
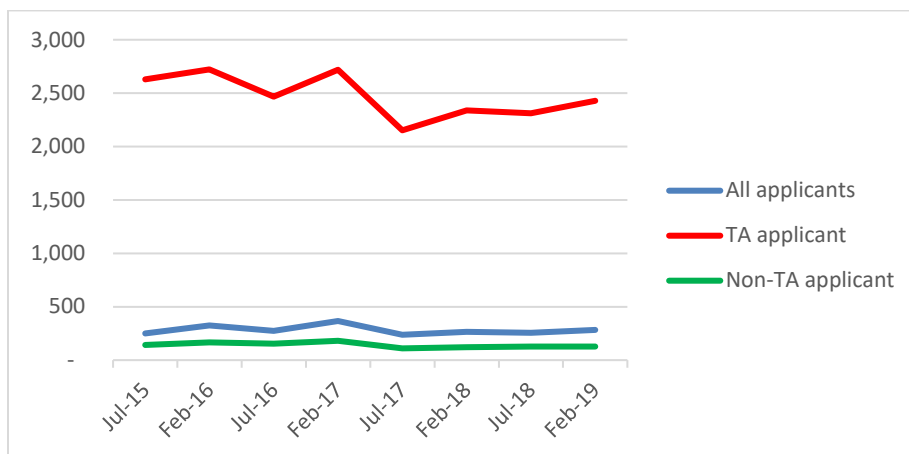


Table 1 provides an overview of total examination costs. The table shows the July costs slight reduction and the February costs dropping significantly after the format change in 2017.

The reduction in costs from the July 2015 to July 2017 examinations was \$192,000. The reduction in cost from the February 2016 to February 2018 was over two times as much at \$445,000. The July 2016 to 2018 comparison saw a slight increase, showing \$215,000 reduction. The February 2017 to 2019 comparison shows a slight increase in savings to \$489 thousand. The cumulative savings over the four examinations was \$1.3 million.

Table 2. Average Cost per Applicant 2015-2019*



*excludes ExamSoft, printing and grading related expenses

Table 2 shows the average cost per applicant for all examinations covered in this report. This table shows a reduction in the number of TA applicants for the July 2017 administration and a steady rise after that examination, an important statistic considering the considerably higher costs attributable to TA applicants.

Table 3. TA applicant population

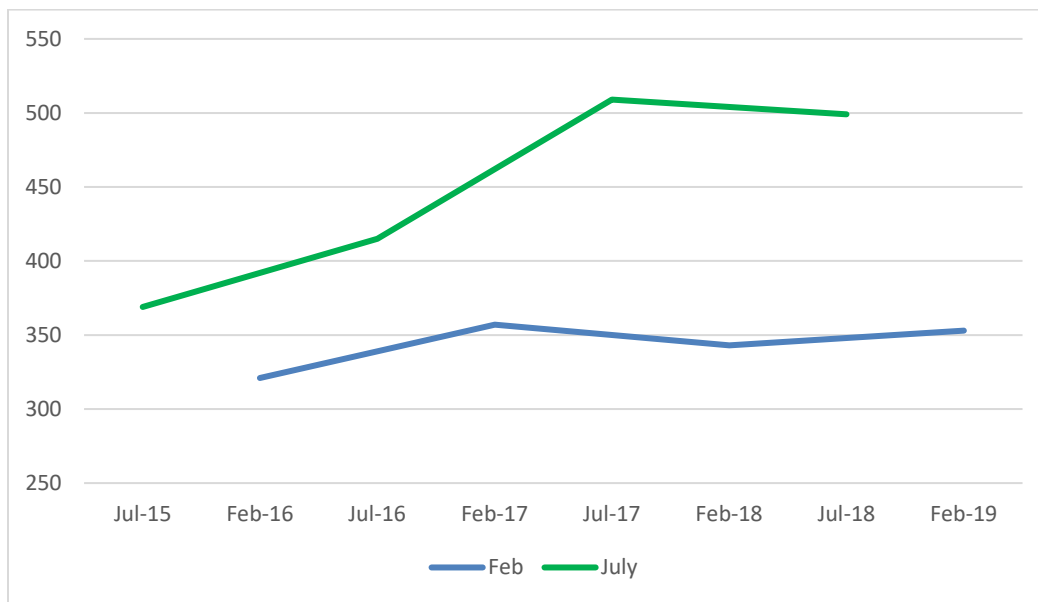


Table 3 shows the large increase in TA applicants for the July examination while the February population remained relatively stable after a small increase from 2016 to 2018. This large increase in TA applicants in the July administrations was a key factor as to why the July administration resulted in a smaller savings than the February examinations.

FEBRUARY EXAMINATION

The February examination is much smaller than July. Over the eight examinations reviewed by this report, the February population was on average 40 percent smaller than July. The TA subset of this population was 25 percent smaller in February. Overall, the expenses related to the administration of the February 2016 compared to the February 2018 examinations experienced a reduction from \$2.4 million to \$2 million, resulting in a reduction of 18 percent.

The change from February 2017 to 2019 resulted in a similar 20 percent reduction in costs. These savings were spread over the administration and personnel components of the examinations.

ADMINISTRATION

As compared to the February 2016 exam, the 2018 examination achieved a 19 percent reduction in administration costs. The largest reduction was in the facilities expenses. The change in format from 3 days to 2 days reduced by one-day the number of days required for facility rentals at non-TA facilities from 4 days to 3 days¹. Renegotiated contracts and site changes to more inexpensive locations added to the savings at non-TA facilities. The total reduction at non-TA facilities was 43 percent.

By contrast, the facility cost savings related to TA facilities was much less. The change in format reduced the hotel room rental for TA applicants testing from a maximum of 6 days to a maximum of 4 days². The TA site cost dropped from \$396,000 in 2016 to \$362,000 in 2018, a little under a 9 percent reduction. With the TA population increasing from one exam to another, the addition of multiple hotel rooms over several days for each additional TA applicant quickly diminished savings from the format changes. In addition, rooms for TA applicants that have their accommodations approved closer to the examination - after the initial room block has been reserved - generally come at a higher rate.

¹Non-TA facilities are rented for one day prior to the administration to conduct inventory, set up exam materials and hold orientation for the proctors.

² TA Facilities require two days to conduct inventory, set up exam materials and hold proctor orientation. Many of the TA applicants require a third day. The population for the fourth day is generally much smaller.

Table 4. February 2016-2019 Facilities Costs

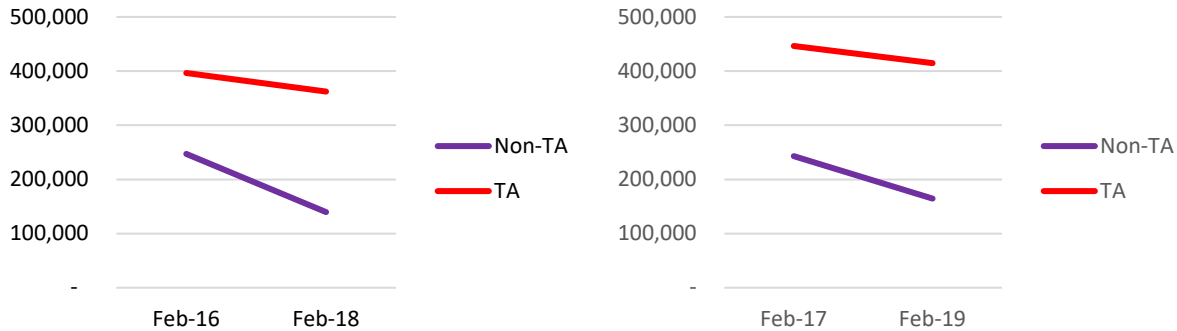


Table 4 shows the increased costs for TA applicants as compared to non-TA applicants. The flatter red line indicates a minimal decrease due to the format changes as compared to non-TA applicants.

Facility costs dropped from the February 2017 to February 2019 administration from \$446,000 to \$414,000 or just under 8 percent for TA sites. The non-TA sites reduced costs from \$243 thousand in 2017 to \$164 thousand in 2019, which was a 48 percent reduction. These numbers make clear the elimination of one day at a convention center or ball room had a large impact on overall cost savings. It was mitigated by not substantially decreasing the number of TA hotel rooms. The number of TA applicants in 2019 reduced by 4. This relative stability in the number of TA applicants requiring extra days is in sharp contrast to the July examination findings discussed later in this report. Overall, the facilities savings from February 2017 to 2019 was \$110 thousand or a 16 percent reduction.

A comparison of specific TA facility year over year costs demonstrates the impact described above. The Sheraton Mission Valley had 41 TA applicants in 2017 at a cost of \$46 thousand dollars. In 2019, the hotel had 39 TA applicants at a cost of \$44 thousand dollars, which is a savings tied to the number of applicants and not the format change of the examination. Similar findings were present upon the examination of the Doubletree Hotel Orange. In 2017, the hotel had 89 TA applicants at a cost of \$105 thousand. In 2019, the hotel had 103 TA applicants at a cost of \$115 thousand, which indicates an increase in applicant costs and nearly no offset by the format change.

Table 5. Other Administration Costs

Date	Tables & Chairs	Electrical	Parking	Water	AV	Phones	Computers	ExamSoft	Printing	Shipping
Feb-16	71,973	139,767	27,211	5,370	30,856	11,117	8,676	278,194	115,262	20,743
Feb-18	56,232	130,256	20,379	3,181	22,069	2,176	10,413	241,715	69,146	19,920
% change	-22%	-7%	-25%	-41%	-28%	-80%	20%	-13%	-40%	-4%
Feb-17	79,839	159,480	21,552	5,339	37,643	5,885	8,465	266,170	91,358	21,866
Feb-19	46,207	124,876	19,594	1,728	35,346	3,649	9,518	239,572	30,160	23,005
% change	-42%	-22%	-9%	-68%	-6%	-38%	12%	-10%	-67%	5%

The next largest administration cost is for ExamSoft. ExamSoft provides the software that is required when an applicant takes the examination on a laptop computer. The reduction from February 2016 to 2018 was 13 percent and 2017 to 2019 was 10 percent. As ExamSoft license fees are charged per applicant, this reduction was due to a reduced price per applicant and not to any change in format.

The third largest expense is for electrical and there were savings due to the format modification. The cost reductions are tied to the reduction in standby days for an electrician as the number of outlets will be relatively stable, with small variances when locations change year over year. The savings between February 2016 and 2018 was 7 percent while cost dropped 22 percent between the February 2017 and 2019. The savings between the 2017 and 2019 were a result of changes in facilities and renegotiated prices.

Printing costs showed a large reduction across all examinations. The reduction from February 2016 to 2018 was 40 percent. This was due to the reduction of one performance test question and one essay and contracting with a new vendor for reduced pricing. The 67 percent reduction between the February 2017 and 2019 administrations was due to another vendor change as well as the format modification.

Shipping of the testing materials to and from the examination sites increased slightly over the comparison period. Although the number and weight of items shipped (e.g. the number of exam books, scratch paper) shipping is a fixed cost and was not anticipated to be affected by the modification to the exam format. There were savings to the parking expense. The savings were greater in the February 2016 to 2018 comparison (25 percent) than the 2017 to 2019 (9 percent). This larger savings in 2018 was a result of a facility change from the Sacramento Convention Center which charged for parking to Cal Expo that did not charge for parking. A policy change to the number of phones between the February 2016 and February 2017 examination, unrelated to the changed format, was primarily responsible for the savings for this item. Facilities were set up with a phone in the workroom and phone at the staff table. In a cost-saving measure, the phone at the worktable was eliminated.

In addition to these administration related costs, requests for testing accommodations are generally evaluated by specialized consultants to provide expert opinion on the proposed accommodation. Over the 5-year period explored by this report, the State Bar spent \$1.3 million on TA-consultant fees. At this time, we were unable to allocate these fees to a specific examination as applicants are encouraged to apply for their accommodation well in advance of their sitting for the bar exam, but it is a significant cost that impacts the overall cost of the bar exam.

PERSONNEL

The largest personnel cost is proctors. Proctors are divided into two groups, TA proctors and non-TA proctors. At the October 2017 meeting of the Committee of Bar Examiners, a 5 percent pay raise for proctors was adopted which had a minor impact on the amount of savings described below. The switch of format provided a 12 percent savings on proctors between 2016 and 2018. The reduction of proctor costs between the 2017 and 2019 examinations was 17 percent. The main difference between the two comparisons was 2018 saw an increase of 7 percent in TA applicants while 2019 had a reduction of 1 percent in TA applicants.

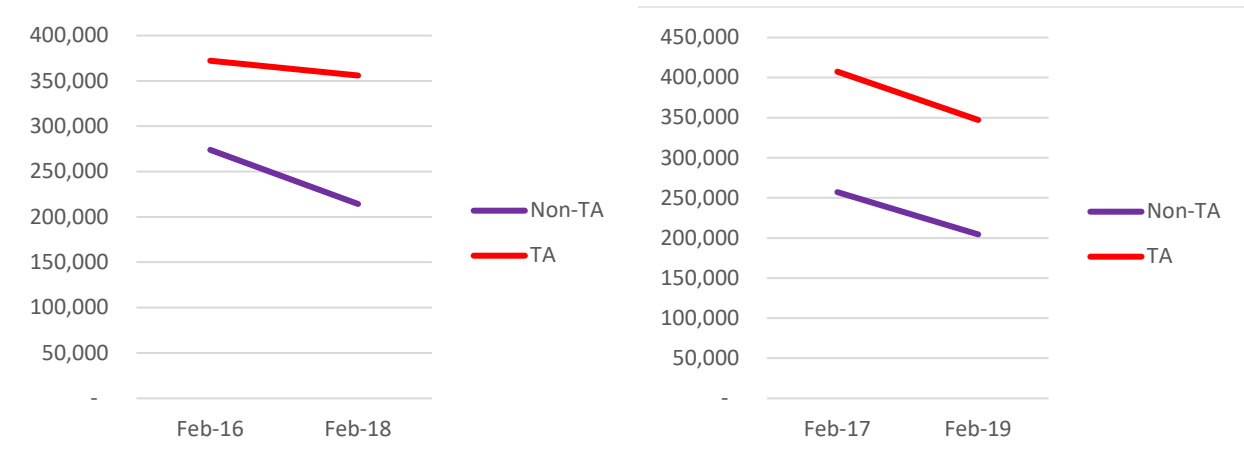
Table 6. Proctor Costs

Table 6 shows the increased costs associated with TA applicants and non-TA applicants and how that impacts overall savings on proctors resulting from the change in format. The TA line is flatter in the 2016 and 2018 comparison because of the increase in TA applicants, while the line is more sloped in 2017 to 2019 comparison since the number of TA applicants was relatively flat over the comparison period.

Table 7. Other Personnel Costs

Date	Grading	Staff Rooms & Parking	Off-Duty	Overtime
Feb-16	254,885	39,558	53,273	60,909
Feb-18	204,249	26,658	42,694	41,107
% change	-20%	-33%	-20%	-33%
Feb-17	248,064	39,774	58,568	71,851
Feb-19	203,494	31,054	42,224	39,271
% change	-18%	-22%	-28%	-45%

Grading achieved significant savings due to the 25 percent reduction in the number of questions reviewed by the graders. This reduction in written answers reduced the number of graders required. Since graders are paid a flat fee for preparation, the reduction in the number of graders also reduced the preparation fees. The total reduction for grading related expenses was \$51,000. The increase in the size of the testing population partially offset these savings.

The format modification saw a decrease in the staff hotel accommodations needed and their concomitant cost, as well as parking costs for staff which are typically charged per day. Together, the State Bar saw a 33 percent reduction in these other personnel costs from the 2016 to the 2018 examination. This savings is the result of fewer hotel rooms needed due to the modified 2-day exam and the change in venues to facilities with cheaper rooms. Another area of personnel costs is off duty officers, which experienced a 20 percent drop in costs between the 2016 to 2018 examinations due to the reduced number of days required for these security officers.

The February 2017 and 2019 examination experienced similar savings due to the format modifications. Grading was reduced by \$45 thousand. Staff rooms and parking were 22 percent less in 2019. A 28 percent reduction in cost for off-duty security was a combination of the modification to the 2-day format and a decrease in the number of sites to secure.

JULY EXAMINATION

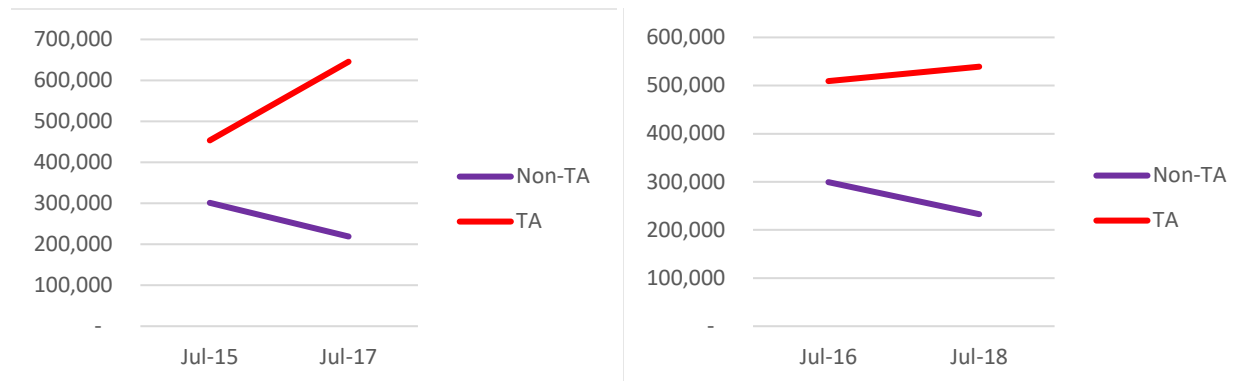
The July examination is considerably larger, requiring more facilities and personnel to support the increased numbers of applicants. During the four July examinations studied for this report, the TA applicant pool went from 369 in July of 2015 to 499 in July of 2018, an increase of 35 percent. Contrast this with the four February examinations where the TA applicants increased 10 percent from 321 in 2016 to 353 in 2019. As noted in table 2, the most recent February 2019 average cost was \$2,428 for a TA applicant and \$126 for a non-TA applicant. Multiplying 130 additional TA applicants by the average cost provides an explanation as to why the July examination was not able to achieve the same percentage of savings as the February administration. The overall expenses for the exam bear this out: the total costs for July 2015 and July 2017 dropped from 3.2 million to 3.0 million, a reduction of only 5.9 percent. The change from July 2016 to 2018 resulted in a slightly larger 6.6 percent drop in costs.

ADMINISTRATION

The July 2017 administrative costs decreased by just 1.3 percent over July 2015. The reason for this increase is tied directly to the numbers of TA applicants, which increased 31 percent from 369 in 2015 to 485 in 2017. The facilities costs for 2017 increased by \$110 thousand over 2015, an increase of 15 percent, attributable in part to the need for another Southern California TA site being added. An examination of the TA applicant pool at the Doubletree Hotel Westside shows the dramatic impact these increases had on costs. In 2015, the hotel had 120 TA applicants at a cost of \$140 thousand and in 2017 had 175 applicants at a cost of \$222 thousand. Whatever savings might have been realized by a reduction in the number of hotel room days needed for the exam was dwarfed by the increase in costs attributable to the growing number of TA exam takers. The overall increase for TA facilities from 2015 to 2017 was 42 percent.

The July 2017 exam was the first administration of the 2-day examination and staff made projections regarding the number of facilities and room accommodations, based on their best estimates of what would be required. The needs outpaced the projections, requiring late amendments to facility contracts to add hotel rooms at higher rates, contributing to the increased costs in 2017. After the experience in July 2017, State Bar staff were better able to project the need and realized greater facility savings in subsequent years.

Table 8. July 2015-2018 Facilities Costs



As table 8 shows, the comparison of the July 2016 and 2018 examinations also showed an increase in costs for facilities hosting TA applicants, but at only 5.9 percent. This modest increase coupled with the savings at standard facility sites resulted in an overall reduction in facilities expenditures in 2018 by 5 percent. Total administrative costs decreased by 6 percent between 2016 and 2018 examinations. The TA applicant expenses from the facilities cost in table 8 show an increase in costs. This contrasts with the slight decrease in TA applicant facilities costs previously discussed in table 4. These tables offer insight into why the savings that were achieved in the February examinations were not realized in the July administrations.

Table 9. Other Administrative Costs

Date	Tables & Chairs	Electrical	Parking	Water	AV	Phones	Computers	ExamSoft	Printing	Shipping
Jul-15	92,896	226,148	30,857	9,750	63,812	13,905	8,960	485,670	150,289	32,392
Jul-17	92,880	204,355	30,477	11,929	42,937	5,745	14,230	453,564	93,479	41,950
% change	0%	-10%	-1%	22%	-33%	-59%	59%	-7%	-38%	30%
Jul-16	78,226	216,731	31,882	14,090	56,597	11,707	7,919	484,239	143,902	43,361
Jul-18	89,711	225,769	29,505	11,583	41,078	6,144	15,118	426,027	97,891	42,000
% change	15%	4%	-7%	-18%	-27%	-48%	91%	-12%	-32%	-3%

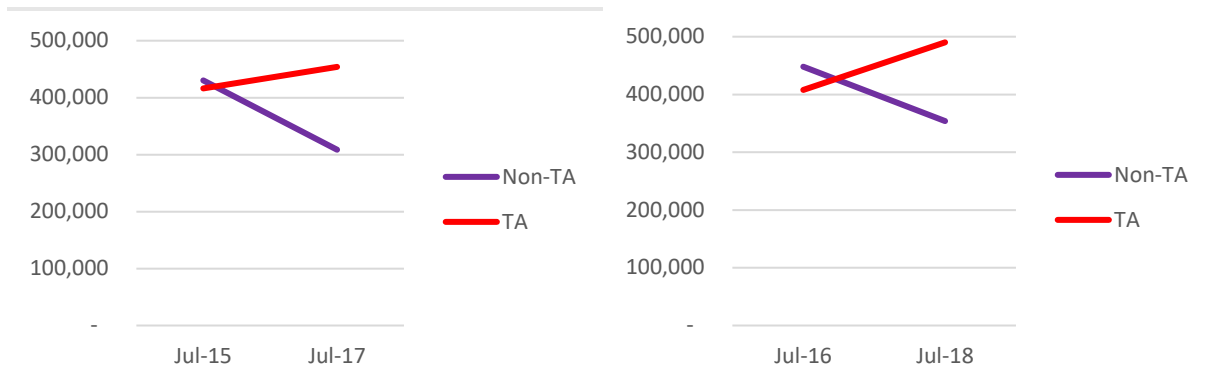
The cost for electrical reduced between 2015 and 2017 by 10 percent. A change in facilities in San Diego contributed to the decreased costs. Due to a scheduling conflict, the San Diego Concourse was not available in 2015. The San Diego convention center was used and the cost for electrical was \$45 thousand. In 2017, the examination moved back to the San Diego Concourse and the electrical was \$18 thousand. Even considering that the number of test takers in San Diego was not the same year over year, this example shows that the reduction between the two examinations had more to do with facility change than a reduction in the length of the exam. The increased expenditures on electrical between the 2016 and 2018 examination is primarily attributable to the increasing number of examinees, resulting in more

outlets required. The number of non-TA applicants increased 5 percent between 2016 and 2018. Expenditures on AV equipment, which includes microphones to make announcements and conduct proctor orientation and projector screens, showed consistent reduction over both comparisons, as the number of days for which the equipment needed to be rented from the facility was directly related to the number of days over which the exam was conducted. As a result, the State Bar experienced 33 percent reduction in these costs in 2017 and a 27 percent reduction in 2018. Computer costs for the July examination also increased due to reasons explained previously in this report.

There were only minimal savings in the parking expenses as the increased number of examinees required a greater number of proctors, even though each proctor may have had fewer days in which parking costs were incurred. The savings in 2017 was 1 percent and 2018 reduced further to 7 percent. The increased cost in shipping between the 2015 and 2017 examination was due to a change to a more secure Saturday delivery and the Bar's shipping provider now requiring cargo insurance. The other costs remained relatively stable for all the other July comparisons.

PERSONNEL

Unlike the February administration, the proctor costs for non-TA and TA were similar prior to the change to the 2-day format. Table 8 shows these costs and the impact of the change from 3-days to 2-days. The reduction of days resulted in significant savings from the non-TA proctors. The cost for TA proctors continued to rise as the TA population increased during the four July examinations.

Table 10. Proctors Personnel Costs

Between 2015 and 2017 proctor costs dropped by 10 percent. The savings from the non-TA proctors was enough to offset the increase in TA proctor costs. In the analysis of 2016 and 2018, the savings dropped to just 1 percent as the number of TA applicants continued to rise.

Table 11. Other Personnel Costs

Date	Grading	Staff Rooms & Parking	Off-Duty	Overtime
Jul-15	361,743	42,221	68,745	76,655
Jul-17	293,640	45,893	62,279	63,238
% change	-19%	9%	-9%	-18%
Jul-16	343,961	55,017	70,719	75,655
Jul-18	273,149	57,841	63,352	58,597
% change	-21%	5%	-10%	-23%

Like the February examinations, the State Bar saw a 19 percent reduction in the costs of grading the exams in 2017 and a 21 percent reduction in 2019 as a result of the reduced number of exam answers that required scoring. Costs for staff accommodations and parking increased for both comparisons of July Examinations. This increase was the result of the increase in the number of facilities needed, as a result of increased in the number of exam takers. In 2015 and 2016, the July examination took place at 14 sites over Northern and Southern California. In

2017 and 2018, the examinations took place over 16 sites throughout the state. More staff was also needed for the increasing population size of the examination. The increase in the number of locations also explains the smaller savings seen in the July administrations as compared to the February examinations for Off-Duty officer costs. Overtime costs dropped in line with the February examinations. Non-exempt staff earn double time for seven consecutive days worked. The modification to the two days examination meant that a lot less staff hit that seventh consecutive day and thus did not earn double time.

CONCLUSION

The impact of the modified 2-day bar exam was significant, but offset by other increasing costs. The monetary savings were realized more in the February examinations due to the relatively stable testing population compared with the July examinations, especially in the TA population. The report did not project the potential rise in costs that would have resulted in a continued 3-day examination from July 2017 and beyond, but staff can confidently predict the costs would have increased, especially with the TA applicant population increasing.

The review of expenditures revealed that the single largest factor impacting the savings realized from the change to a 2-day exam is the size of the TA applicant population. The substantial increase in TA applicants offset the savings that might have been realized in the July examinations. The State Bar will continue to meet its obligations to applicants with disabilities requiring testing accommodations. A review of the processes involved in granting such accommodations is in order, however, to ensure the process is efficient, effective, and accurate.

With the two largest costs related to proctors and facilities, a remote, online examination would cut costs considerably. The October 2020 examination was mostly online, and the Bar will learn a lot of what future administrations will look like by reviewing the costs for this unique examination. There will likely always be a need for in-person examination space for individuals with specific needs, but the size of that population is relatively small. If the State Bar

were to significantly reduce the reliance on in-person facilities, and the proctors and other personnel that go along with that, overall costs would likely be significantly reduced and may permit the reduction of fees assessed to the applicants.