



The State Bar *of California*

**OPEN AGENDA
AGENDA ITEM O-100
MARCH 2021
COMMITTEE OF BAR EXAMINERS**

OPEN SESSION MINUTES

THE COMMITTEE OF BAR EXAMINERS
OF
THE STATE BAR OF CALIFORNIA

January 29, 2021

Zoom Meeting
State Bar of California Offices

A zoom meeting of the Committee of Bar Examiners of The State Bar of California convened in open session at 9:01 a.m., Friday, January 29, 2021, Vice-Chair Alexander C. Lawrence, Jr., presiding. Officers and members present were: Vice-Chair Alexander C. Lawrence, Jr., James A. Bolton, Ph.D., Robert S. Brody, Michael Cao, M.D., Alex H. Chan, James H. Efting, Kareem Gongora, Dolores Heisinger, Michael A. Iseri, Larry Kaplan, Paul A. Kramer, Bethany J. Peak, Vincent Reyes, Judge Shelly Torrealba, David A. Torres, and Don Ajené Wilcoxson, Members. Chair Esther P. Lin was absent during the open session. Member Judge James E. Herman was absent. State Bar staff members in attendance were: Donna Hershkowitz, Executive Director/Chief of Programs; Amy C. Nuñez, Director III, Admissions; Audrey Ching, Assistant Director, Admissions, Lisa Cummins, Program Manager III, Examinations, Christina Doell, Program Manager I, Examination Grading; Tammy Campbell, Program Manager I, Operations and Management; Tara Clark, Program Manager I, Moral Character; Natalie Leonard, Principal Program Analyst, Educational Standards; Kim Wong, Administrative Supervisor, Admissions; Caroline Holmes, Attorney II, General Counsel; Kenneth Holloway, Attorney III, General Counsel; David Lane, Attorney, Moral Character; and Devan McFarland, Sr. Administrative Assistant, Admissions. The open session portion was concluded at approximately 1:41 p.m. The meeting went into closed session at approximately 1:44 p.m. The closed session concluded at 3:28 p.m. The meeting went back into open session at approximately 3:29 p.m. The meeting adjourned at 3:29 p.m.

PUBLIC COMMENTS

The Committee of Bar Examiners received 2 written public comments and 11 public comments pertaining to the October 2020 California Bar Examination, Provisional Licensure Program, Accreditation status of JFK School of Law, Acceptance Acknowledgment Form, and submitting appeals to the Committee and Moral Character guidelines.

RECOGNITION OF OUTGOING MEMBER

It was moved, seconded and duly carried that the Committee's gratitude be extended to outgoing Committee member Angeli Agatep for her service on the Committee and that the following citation be presented to her:

This citation is presented to Angeli O. Agatep by the Committee of Bar Examiners of the State Bar of California in recognition of her retirement from the Committee of Bar Examiners after three years of service and her distinguished service to the legal profession in California.

Moved by Brody, seconded by Gongora.

The motion passed. Roll call vote:

Brody – yes

Cao – yes

Chan – yes

Efting – yes

Gongora – yes

Heisinger – yes

Iseri – yes

Kaplan – yes

Kramer – yes

Lawrence – yes

Peak – yes

Reyes – yes

Judge Torrealba – yes

Torres – yes

Wilcoxson – yes

OCTOBER 16, 2020 COMMITTEE OF BAR EXAMINERS AMENDED PUBLIC MEETING MINUTES

It was moved, seconded and duly carried that the amended minutes taken during the public session of the meeting on October 16, 2020, be approved.

Moved by Brody, seconded by Heisinger.

The motion passed. Roll call vote:

Brody – yes

Cao – yes
Chan – yes
Efting – yes
Gongora – yes
Heisinger – yes
Iseri – yes
Kaplan – yes
Kramer – yes
Lawrence – yes
Peak – yes
Reyes – yes
Judge Torrealba – yes
Torres – yes
Wilcoxson – abstain

DECEMBER 4, 2020 COMMITTEE OF BAR EXAMINERS
PUBLIC MEETING MINUTES

It was moved, seconded and duly carried that the minutes taken during the public session of the meeting on December 4, 2020, be approved.

Moved by Torres, seconded by Brody.

The motion passed. Roll call vote:

Brody – yes
Cao – yes
Chan – yes
Efting – yes
Gongora – yes
Heisinger – yes
Iseri – yes
Kaplan – yes
Kramer – yes
Lawrence – yes
Peak – yes
Reyes – yes
Judge Torrealba – yes
Torres – yes
Wilcoxson – abstain

NOVEMBER AND DECEMBER 2020 STATISTICAL INDICATORS

It was by common consent agreed that the November and December 2020 Key Indicators for the Office of Admissions/Committee of Bar Examiners be received and filed.

SCHEDULE FOR MARCH 26–27, 2021 COMMITTEE MEETING

It was by common consent agreed that the schedule for the March 26 and 27, 2021 Meeting, which will be held via a Zoom webinar, be received and filed.

EXAMINATIONS

2020 – 2021 EXAMINATIONS GOALS

It was moved, seconded and duly carried that the 2020 – 2021 Examinations goals be approved.

Moved by Heisinger, seconded by Bolton.

The motion passed. Roll call vote:

Bolton – yes

Cao – yes

Efting – yes

Gongora – yes

Heisinger – yes

Iseri – yes

Kramer – yes

Lawrence – yes

Peak – yes

Reyes – yes

Judge Torrealba – yes

Torres – yes

Wilcoxson – yes

OPERATIONS AND MANAGEMENT

REPORT ON OCTOBER 2020 CALIFORNIA BAR EXAM COST-ANALYSIS

It was moved, seconded and duly carried that the October 2020 California Bar Examination Cost Analysis be received and filed.

Moved by Brody, seconded by Cao.

The motion passed. Roll call vote:

Bolton – yes

Brody – yes

Cao – yes

Chan – yes

Efting – yes

Gongora – yes

Heisinger – yes

Iseri – yes

Kaplan – yes

Kramer – yes
Lawrence – yes
Peak – yes
Reyes – yes
Judge Torrealba – yes
Wilcoxson – yes

2020 – 2021 OPERATIONS AND MANAGEMENT GOALS

It was moved, seconded and duly carried that the 2020 – 2021 Operations and Management goals be approved.

Moved by Brody, seconded by Gongora.

The motion passed. Roll call vote:

Bolton – yes
Brody – yes
Cao – yes
Chan – yes
Efting – yes
Gongora – yes
Heisinger – yes
Iseri – yes
Kaplan – yes
Kramer – yes
Lawrence – yes
Peak – yes
Reyes – yes
Judge Torrealba – yes
Wilcoxson – yes

EDUCATIONAL STANDARDS

NOTICE OF NONCOMPLIANCE AND INSPECTION REPORT – JOHN F. KENNEDY UNIVERSITY SCHOOL OF LAW AT NORTHCENTRAL UNIVERSITY

It was moved, seconded and duly carried that the Committee of Bar Examiners place John F. Kennedy School of Law at Northcentral University on probation through July 1, 2022 and direct the school to take steps to come into compliance as soon as possible, and no later than July 1, 2022. Compliance is demonstrated by a 2021 or 2022 MPR, calculated after the release of results from the respective February bar exam, of 40 percent or greater, after which the Committee will act to end the probation. If the law school does not demonstrate compliance by this date, its accreditation may be terminated.

And that the law school be required, during its period of probation, to clearly and affirmatively communicate its probationary status to students, prospective students, and the public using the following language:

This law school has been placed on probation by its accreditor, The State Bar of California, through its Committee of Bar Examiners, due to reporting a five-year cumulative bar exam pass rate (MPR) of 39.7 for 2020, when a minimum of 40 percent is required under Rule 4.160(N); the law school must raise this MPR to 40 percent or more by July 1, 2022 or the law school's accreditation may be terminated. See [current MPR statistics for all accredited law schools](#) on the State Bar's website.

The language must be included prominently in: a communication to current students that must be acknowledged in writing by each student; any advertising, information or outreach to prospective students; the law school's disclosures and enrollment agreements; the law school's website home page; and the law school's accreditation or consumer information webpage. Where space limitations make this impossible, the law school may provide a clearly labeled live link to the information.

NOTICE OF NONCOMPLIANCE AND INSPECTION REPORT –
LINCOLN LAW SCHOOL OF SAN JOSE

It was moved, seconded and duly carried that the Committee of Bar Examiners place Lincoln Law School of San Jose on probation through July 1, 2022 and direct the school to take steps to come into compliance as soon as possible, and no later than July 1, 2022. Compliance is demonstrated by a 2021 or 2022 MPR, calculated after the release of results from the respective February bar exam, of 40 percent or greater, after which the Committee will act to end the probation. If the law school does not demonstrate compliance by this date, its accreditation may be terminated.

And that the law school be required, during its period of probation to clearly communicate its status to students, prospective students, and the public using the following language:

This law school has been placed on probation by its accreditor, The State Bar of California, through its Committee of Bar Examiners, due to reporting a five-year cumulative bar exam pass rate (MPR) of 30.9 for 2020, when a minimum of 40 percent is required under Rule 4.160(N); the law school must raise this MPR to 40 percent or more by July 1, 2022 or the law school's accreditation may be terminated. See [current MPR statistics for all accredited law schools](#) on the State Bar's website.

The language must be included prominently in: a communication to current students that must be acknowledged in writing by each student; any advertising, information or outreach to prospective students; the law school's disclosures and enrollment agreements; the law school's website home page; and the law school's accreditation or consumer information webpage. Where space limitations make this impossible, the law school may provide a clearly labeled live link to the information.

RESPONSE TO NOTICE OF NONCOMPLIANCE AND INSPECTION REPORT –
SAN FRANCISCO LAW SCHOOL

It was moved, seconded and duly carried that the Committee of Bar Examiners place San Francisco Law School on probation through July 1, 2022 and direct the school to take steps to come into compliance as soon as possible, and no later than July 1, 2022. Compliance is demonstrated by a 2021 or 2022 MPR, calculated after the release of results from the respective February bar exam, of 40 percent or greater, after which the Committee will act to end the probation. If the law school does not demonstrate compliance by this date, its accreditation may be terminated.

And that the law school be required, during its period of probation to clearly communicate its status to students, prospective students, and the public using the following language:

This law school has been placed on probation by its accreditor, The State Bar of California, through its Committee of Bar Examiners, due to reporting a five-year cumulative bar exam pass rate (MPR) of 36.0 for 2020, when a minimum of 40 percent is required under Rule 4.160(N); the law school must raise this MPR to 40 percent or more by July 1, 2022 or the law school's accreditation may be terminated. See [current MPR statistics for all accredited law schools](#) on the State Bar's website.

The language must be included prominently in: a communication to current students that must be acknowledged in writing by each student; any advertising, information or outreach to prospective students; the law school's disclosures and enrollment agreements; the law school's website home page; and the law school's accreditation or consumer information webpage. Where space limitations make this impossible, the law school may provide a clearly labeled live link to the information.

Moved by Brody, seconded by Cao.

The motion passed. Roll call vote:

Bolton – yes

Brody – yes

Cao – yes

Chan – yes

Efting – yes

Gongora – no

Heisinger – yes

Iseri – yes

Kaplan – yes

Kramer – yes

Lawrence – yes

Peak – yes

Reyes – yes

Judge Torrealba – no

Wilcoxson – yes

REPORT ON NEW ADMINISTRATIVE LEADERSHIP AT LAW SCHOOLS

It was by common consent agreed that the notices from John F. Kennedy School of Law that the law school has completed its merger with Northcentral University, and its headquarters has moved to La Jolla, California as previously approved by the Committee of Bar Examiners (The law school's new name is John F. Kennedy School of Law at Northcentral University.); from American Heritage University School of Law of the appointment of Rosa M. Mosley as the Dean; and from Trinity Law School of the appointment of Myron Steeves as the Dean be received and filed.

2020 – 2021 EDUCATIONAL STANDARDS GOALS

It was moved, seconded and duly carried that the 2020 – 2021 Educational Standards goals be approved.

Moved by Brody, seconded by Cao.

The motion passed. Roll call vote:

Bolton – yes

Brody – yes

Cao – yes

Chan – yes

Efting – yes

Gongora – yes

Heisinger – yes

Iseri – yes

Kaplan – yes

Kramer – yes

Lawrence – yes

Peak – yes

Reyes – yes

Judge Torrealba – yes

Wilcoxson – yes

2020 – 2021 MORAL CHARACTER GOALS

It was moved, seconded and duly carried that the 2020 – 2021 Moral Character goals be approved.

Moved by Heisinger, seconded by Cao.

The motion passed. Roll call vote:

Bolton – yes

Brody – yes

Cao – yes

Chan – yes

Efting – yes

Gongora – yes
Heisinger – yes
Iseri – yes
Kaplan – yes
Kramer – yes
Lawrence – yes
Peak – yes
Reyes – yes
Judge Torrealba – yes
Wilcoxson – yes

ADJOURNMENT

Having concluded all the business scheduled for consideration during the open and closed sessions of the meeting, the meeting was adjourned at 3:29 p.m., Friday, January 29, 2021.