



# The State Bar *of California*

180 Howard Street, San Francisco, CA 94105

[www.calbar.ca.gov](http://www.calbar.ca.gov)

## OPEN SESSION MINUTES

### THE COMMITTEE OF STATE BAR ACCREDITED AND REGISTERED SCHOOLS OF THE STATE BAR OF CALIFORNIA TELECONFERENCE

April 21, 2021

A meeting of the State Bar of California's Committee of State Bar Accredited and Registered Schools (CSBARS) convened in open session at 1:00 p.m. on Wednesday, April 21, 2021 via Zoom teleconference, Chair Jackie Gardina presiding.

The open session portion of the meeting concluded at approximately 3:00 p.m., at which time the meeting adjourned. There was no closed session.

#### **A. WELCOME AND ROLL CALL**

Chair Jackie Gardina called the meeting to order.

Members Present: Michael Clancey, Jay Frykberg, Paul Kramer, Martin Pritikin, Greg Murphy, and Jessica Park.

Staff Present: Amy Nuñez, Audrey Ching, Natalie Leonard, Ken Holloway, and Ashlie Koehn

#### **B. CALL FOR PUBLIC COMMENT**

Chair Gardina called for public comment in connection with each item as it was discussed.

#### **C. APPROVAL OF MINUTES**

The minutes from the CSBARS meeting of March 24, 2021 were approved without amendment after a motion made by Dean Jessica Park and seconded by Mr. Paul Kramer. The minutes were then approved unanimously.

## **D. STAFF REPORT**

1. Review of Best Practices for Completing State Bar of California Registration Card/Oath Cards for Attorney Licensure

Advice for holding oath ceremonies and filling out oath cards can be found via the State Bar's [Virtual Oath packet](#) page.

2. Review of Administrative Best Practices for Law Schools and Applicants Regarding Moral Character Determination Application Procedures

Staff attended in case there were questions related to the moral character determination application in connection with the applications for the Provisional Licensure Program. Deans reported that they believe the program is proceeding smoothly and they are eager to hear about the program's progress.

3. Review of Registration Process for Bar Strategies and Stories Program

The Bar Strategies and Stories Program will again be offered free of charge to applicants for the July 2021 Bar Exam. Applicants can register while registering for the bar exam or by using the link sent to the applicants on a periodic basis after they register for the bar exam. Because this program was designed by an interdisciplinary team of professors and is offered as part of an academic study, the program data is transmitted only to the researchers who designed the program and will be interpreting the results. Results may be shared with the State Bar and with law schools later this year.

4. Report on State Bar Day Webinar for Law Students

Over 200 students from 29 law schools attended this webinar designed to acquaint them with the various departments at the State Bar of California. A similar session is planned for Fall 2021.

## **E. ACTION ON RECOMMENDATION REGARDING PROPOSED AMENDMENTS TO PROPOSED REVISED RULES FOR ACCREDITED LAW SCHOOLS**

The Committee on State Bar Accredited and Registered Schools reviewed several staff amendments to the rules proposals that had been presented to the Committee of Bar Examiners at its March 26, 2021 meeting.

CSBARS moved to recommend to remove “, among other sanctions it deems appropriate,” from Rule 4.172(A) from Proposed Amendments to Proposed Accredited Rules.

The members asked that the Committee be informed that this change was being recommended because the phrase repeated what was stated in the prior rule and could create confusion and regulatory ambiguity.

Moved by Dean Pritikin and seconded by Mr. Murphy.

The motion passed, roll call vote:

Michael Clancey – abstain

Jay Frykberg – yes

Paul Kramer – yes

Greg Murphy – yes

Jessica Park – abstain

Martin Pritikin – yes

Jackie Gardina – yes

#### **F. ACTION ON RECOMMENDATION REGARDING FEEDBACK ON GUIDELINES FOR ACCREDITED LAW SCHOOL RULES**

Time did not allow for further discussions on this item. The document that has been used to guide the discussion regarding the guidelines since January will be posted to the January 27, 2021 CSBARS meeting agenda for reference, and discussion will conclude at the CSBARS June 2021 meeting.

#### **G. ACTION ON RECOMMENDATION REGARDING THE CALCULATION OF THE MINIMUM, CUMULATIVE BAR EXAMINATION PASS RATE UNDER GUIDELINE 12.1 FOLLOWING THE CREATION OF AN ALTERNATIVE PATHWAY TO LICENSURE**

The Committee on State Bar Accredited and Registered Schools, after reviewing staff's proposed modifications to the Minimum, Cumulative [Five-Year] Bar Examination Pass Rate (MPR) moved to recommend an alternative proposal to the Committee of Bar Examiners as follows, and as originally presented as Option Two in a public comment from Dean Sandra L. Brooks sent on behalf of California Accredited Law Schools as follows:

$$\frac{N1 + N4}{(T1 - N2) + N4} = \text{MPR}$$

N1 = number of general bar exam passers at 1440 (1390 as of 10/2020), *plus*

N4 = number of qualified takers who enroll in the PLL program

T1 = number of qualified takers, *minus*

N2 = number of qualified takers who scored 1390-1439 from July 2015-February 2020, *plus*

N4 = number of qualified takers who enroll in the PLL program

The CSBARS further indicated that the proposal was intended to adopt the definitions related to the Provisional Licensing Program adopted by the Council to the Section on Legal Education and Admission to the Bar of the American Bar Association (ABA), and to the extent it was inconsistent with that proposal, it should be adjusted.

[Subsequent to the CSBARS meeting, it was confirmed that the ABA will be classifying all PLP participants who qualified for the program through their graduation date based on their bar

exam results; the ABA will be classifying PLP participants who qualified for the program through earning 1390-1439 on a qualifying bar exam by adding them to the numerator and denominator of the ultimate pass rate calculation upon being accepted into the PLP program, regardless of whether they ultimately complete the alternative pathway to licensure that is part of the program for these PLP participants.]

Moved by Dean Pritikin and seconded by Dean Clancey.

The motion passed, roll call vote:

Michael Clancey – yes

Jay Frykberg – yes

Paul Kramer – abstain

Greg Murphy – absent for this vote

Jessica Park – yes

Martin Pritikin – yes

Jackie Gardina – yes

#### **H. ADJOURNMENT**

The meeting moved to adjournment at 3:00 p.m. The next meeting will take place via Zoom on Wednesday, June 16, 2021, 1:00 p.m. - 3:00 p.m.

End Open Session

No Closed Session

#### **MEETING ADJOURNED**