



The State Bar of California

OPEN SESSION AGENDA ITEM O-404 AUGUST 2022

DATE: August 19, 2022

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst, Office of Admissions

SUBJECT: Action on 2022 MPR Compliance Reporting for Accredited Law Schools

EXECUTIVE SUMMARY

California Accredited Law Schools (CALS) must maintain a Minimum, Cumulative Five-Year Bar Pass Rate (MPR) of 40 percent or more, calculated using the formula set forth in rule 4.160(D)(6) of the Rules for Accredited Law Schools.

Sixteen of eighteen California accredited law schools have continued to report a compliant MPR of 40 percent or more, as set forth in Attachment A. Staff recommends that these sixteen schools' reports be accepted as evidence of full compliance.

Two California accredited law schools have reported an MPR below 40 percent, as they did in 2020 and 2021: Lincoln Law School of San Jose and San Francisco Law School. These law schools will each be considered for an extension of their probation or termination of their accreditation today under separate agenda items.

BACKGROUND

Each law school accredited by the State Bar of California must maintain a five-year cumulative minimum bar passage rate (MPR) of at least 40 percent. By way of comparison, unaccredited law schools do not need to maintain a minimum pass rate, while law schools approved by the American Bar Association's Section of Legal Education and Admission to the Bar must maintain a pass rate of 75 percent for each individual graduating class within two years after graduation.

The 2022 MPR calculation includes the bar exam results for those who graduated from an accredited law school during the five-year reporting period between August 1, 2016, and July 31, 2021, and took the bar exam at least once during that same period. These graduates' results from the February 2022 bar exam are also included for the subset of students who graduated in March 2017 or later during the reporting period; this would mean that these applicants graduated within 10 administrations of that examination. The MPR formula ensures that each graduate included in the calculation has had at least two opportunities to take the bar exam before being included in the calculation, but no graduate has more than ten opportunities to take the bar exam included in the calculation. (See Rule 4.160(D)(6) for full calculation).

The MPR calculation is then further adjusted to address these graduates' participation in the Provisional Licensure Program's (PLP) pathway not licensure as described in California Rules of Court 9.49.1. (All further references to the PLP are to this expanded pathway only and not to the original version of the program.) Specifically, the final MPR calculation excludes those graduates who were participating in the PLP as of July 1, 2022 and places those graduates who completed the alternative pathway by July 1, 2022 into the MPR calculation in both the numerator and the denominator, just as would be done for those who passed the bar exam.¹

Each year, accredited law schools send in their compliance reports by July 1. Staff collaborate with the law schools to verify the preliminary report prior to any adjustment for participation in the PLP. Then the PLP adjustment is applied for each law school and the MPR value is finalized. The MPR figures are published on the State Bar's website and incorporated into the law schools' web disclosures posted pursuant to California Business and Professions Code section 6061.7(a).

DISCUSSION

The 2022 MPR statistics are set forth in Attachment A along with the prior four-year history of MPRs by law school. Only those graduates who earned their JD's between August 1, 2016 and July 31, 2021 and sat for a bar exam during the period (or the February 2022 bar exam in certain circumstances) have their bar results included in the 2022 MPR.

MPR values were relatively similar to what was reported last year. Compliant MPR values reported ranged 42.0 percent (John F. Kennedy School of Law at Northcentral University) percent to 76.3 percent (San Joaquin College of Law).

¹ The MPR calculation is adjusted for those who pursue the alternative pathway because those graduates do not need to take the bar exam again in order to become licensed, when they otherwise would have done so; therefore, the MPR calculation is adjusted accordingly so the law schools are not penalized when these graduates do not take a bar exam again. Graduates who participate in the original PLP program must still take and pass the bar exam to become licensees, so no MPR calculation adjustment is needed for these participants.

Two CALS continued to report MPR values below 40 percent, as they have since 2020. The MPR values for both law schools decreased this year versus last year.

- Lincoln Law School of San Jose reported a 2022 MPR of 36.1 percent compared with 36.5 percent in 2021 and 31.5 percent in 2020.
- San Francisco Law School reported a 2022 MPR of 35.4 percent compared with 39.0 percent in 2021 and 36.0 percent in 2020.

The status of the probationary terms for each of these law schools will be presented to the Committee for discussion as separate items on the agenda today.

RECOMMENDATIONS

Staff recommends that the 2022 MPR compliance report set forth in Attachment A be published on the State Bar's website with any modifications needed as to the status of Lincoln Law School of San Jose and San Francisco Law School, and that those law schools reporting a value of 40 percent or more be considered to have demonstrated compliance with 4.160(D)(6). It is further recommended that all California Accredited Law Schools be directed to add their 2022 MPR figure to their disclosure documents immediately, including the web disclosure required pursuant to California Business and Professions Code section 6061.7(a).

PROPOSED MOTION

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

MOVE, that the Committee of Bar Examiners receive and file the 2022 MPR compliance report as set forth in Attachment A, as modified by any action taken today in relation to Lincoln Law School of San Jose and San Francisco Law School, direct that it be published on the State Bar's website and further direct that each California accredited law school add its 2022 MPR value to its disclosure documents immediately, including the web disclosure required pursuant to California Business and Professions Code section 6061.7(a), and find that the law schools reporting an MPR value of 40 percent or more be found to be in compliance with this requirement.

ATTACHMENT LIST

- A. 2022 Minimum Cumulative Five-Year Bar Examination Pass Rates for California Accredited Law Schools



The State Bar of California

OFFICE OF ADMISSIONS

2022 Minimum Cumulative Five-Year Bar Examination Pass Rates for California Accredited Law Schools (MPR)

Five-Year Reporting Period for Graduates Completing JD: August 1, 2016–July 31, 2021

California Accredited Law Schools (CALS) must “maintain a minimum, [five-year] cumulative bar examination pass rate” of 40 percent or more, as calculated under Rule 4.160(D)(6) of the Accredited Law School Rules. CALS report this minimum pass rate (MPR) on July 1 and the State Bar posts these figures in August after they are verified and presented to the Committee of Bar Examiners.

Unaccredited law schools are not required to maintain a minimum bar pass rate.

Law schools approved by the American Bar Association’s Section of Legal Education and Admissions to the Bar must maintain a 75 percent two-year cumulative pass rate under [standard 316](#).

California Accredited Law School	2018 MPR (%)	2019 MPR (%)	2020 MPR (%)	2021 MPR (%)	2022 MPR (%)
Cal Northern School of Law	72.9	73.9	71.1	75.7	67.5
Concord Law School at Purdue University Global	NA	NA	NA	56.3	58.5
Empire College School of Law	55.4	46.9	46.1	59.3	58.2
Glendale University College of Law	66.7	62.2	64.3	77.1	71.1
Humphreys College Laurence Drivon School of Law	45.6	41.9	46.0	52.3	54.1
Lincoln Law School of Sacramento	66.7	60.8	60.1	66.3	69.6
Lincoln Law School of San Jose*	56.1	44.1	31.5	36.5	36.1
Monterey College of Law	47.9	54.3	53.7	53.8	55.1
Northwestern California University School of Law	NA	NA	NA	58.3	65.0
Northcentral University, John F. Kennedy School of Law	48.8	44.4	39.7	41.9	42.0
San Francisco Law School*	46.2	41.7	36.0	39.0	35.4
San Joaquin College of Law	77.4	72.4	68.8	77.7	76.3
Santa Barbara and Ventura Colleges of Law	58.9	57.7	58.0	65.4	62.4
St. Francis School of Law	NA	NA	NA	59.3	66.6
Thomas Jefferson School of Law	70.5	67.4	61.7	65.6	65.7
Trinity Law School	44.6	44.7	44.1	47.3	47.3
University of La Verne College of Law	...	69.0	66.0	75.1	72.4
University of West Los Angeles	54.1	50.0	41.8	49.4	49.3

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*Must raise MPR to at least 40 percent by July 1, 2022 under the terms of its probation, or the school's accreditation may be at risk. If accreditation is terminated, the law school may apply to operate as an unaccredited law school.