



The State Bar *of California*

OPEN AGENDA

June 2022

FULL COMMITTEE MEETING

OPEN SESSION MINUTES

THE COMMITTEE OF STATE BAR ACCREDITED AND REGISTERED SCHOOLS

FULL COMMITTEE MEETING

OF

THE STATE BAR OF CALIFORNIA

June 15, 2022

Zoom Teleconference Meeting

2151 River Plaza Drive, Suite 306 Sacramento, CA 95833

9800 S. La Cienega Blvd. 12th Floor Inglewood CA, 90302

100 W. Broadway, Ste. 600 Glendale, CA 91210

18000 Studebaker Rd #300, Cerritos, CA 90703

600 B Street, San Diego CA 92101

A Zoom Teleconference meeting of COMMITTEE OF STATE BAR ACCREDITED AND REGISTERED SCHOOLS (CSBARS) MEETING at 1:01 p.m., Wednesday, June 15, 2022, Chair Jay Frykberg presiding. Officers and members present were: Michael Clancey, Linda Keller, Jessica Park, George Leal. The meeting adjourned at 3:15 p.m.

Attendance

Frykberg — Yes
Clancey — Yes
Keller — Yes
Kramer — Absent
Murphy — Absent
Park — Yes
Leal — Yes

It was moved by Dean Keller, seconded by Dean Clancey, and duly carried by the following motion that the minutes from the CSBARS meeting that took place on April 20, 2022, be approved.

Frykberg — Yes
Clancey — Yes
Keller — Yes
Park — Yes
Leal — Yes

STAFF REPORT

1. Update on Provisional Licensure Program

Staff reviewed the Supreme Court's changes to this program, codified in amendments to Rule of Court 9.49 on the Court's website, as well as statistics about the program. Staff will review the demographics of licensure through this program versus licensure via bar exam to bring back to a future meeting.

2. Demonstration of Procedure for Filling Out Forms Used to Report the Minimum, Cumulative Five-Year Bar Exam Pass Rate Reporting for Accredited Law Schools under Accredited Rule 4.160(D)(6)

Staff shared the forms used for reporting and emphasized the need to use the formats provided in both the PDF and excel spreadsheet that are part of the reporting package.

3. Report on First-Year Law Students' Examination Multiple-Choice Exam Content Review Project

Staff and psychometrician Roger Bolus described the program and thanked the thirteen law

school reviewers who are assisting with the project, taking queries regarding the test questions that will be part of the First-Year Law Students' Examination that will be administered in October 2022.

4. Announcement of deadline to [apply to serve on CSBARS](#) – July 1, 2022

Be sure to use the form at the link in order to apply.

5. Call for Topics for Fall Law School Assembly (September 29, 2022) and Registrars' Meeting (September 20, 2022)

These meetings will take place via Zoom again this year. Law schools are invited to send general or detailed topic suggestions and questions to lawschoolregulation@calbar.ca.gov. The State Bar will address as many of these suggestions as possible at this all-day meeting.

Topics received so far are as follows:

- a. Review the wording in the AIMS portal that advises applicants that their law school must still certify their law study (Leal)
- b. Consider other process enhancements to inform and remind law schools to review examination preliminary allocation lists (Clancey, Leal)
- c. Intensive from eligibility (Leal)
- d. Consider adding Friday e-blast for the First-Year Law Students' Examination (Park)
- e. Best practices for filing an application for testing accommodations and monitoring the process (Park)

6. Announcement of Testing Accommodations [Stakeholder Input Forum \(June 29, 2022\)](#) - Invitations will be Sent to all California Law Schools, and the agenda and zoom link are posted at: [Meeting Agenda \(ca.gov\)](#).

7. Recent Developments

- a. The Board of Trustees received further modifications to the recommendations on a possible paraprofessional working group. The full details can be viewed online at the Board of Trustees agenda here at Item 700:
<https://board.calbar.ca.gov/Agenda.aspx?id=16651&tid=0&show=100032674&s=true#10041217>
- b. The Eligibility Team was available for a question and answer session and also described the process for reviewing the preliminary allocation lists and reminded law schools to track and encourage timely registration by law students.

MEETING TOPICS - COMMITTEE DECISIONS AND RECOMMENDATIONS

E. Call for Participation in the Planning for Presentation to the Committee of Bar Examiners on non-JD Law Programs

Staff will be preparing a presentation for the Committee of Bar Examiners on professional

law programs other than the JD degree. Law schools will have the opportunity to provide feedback about their programs and suggestions to share with the Committee at lawschoolregulation@calbar.ca.gov or by responding to a call in the newsletter.

F. Report on Research Related to Best Practices for Preservation of Student Records in Connection with a Law School Closure

Tabled due to time constraints to August 2022 CSBARS meeting.

G. Discussion of CSBARS' Recommendation to Amend Unaccredited Law School Guideline 1.11 - First-Year Law Students' Examination and Bar Examination Courses Permitted – Limitations:

CSBARS completed a consensus draft proposal to amend unaccredited guideline 1.11 to allow registered law schools to offer courses for credit focused on preparing students for State Bar exams. A draft was presented for comment and discussion. The redline changes to that draft are listed below in Attachment A. A clean copy of the final recommendation created after the discussion at the meeting is listed below as Attachment B. Attachment B will be presented to the Committee of Bar Examiners at its August 2022 meeting for discussion and possible adoption.

It was the consensus of CSBARS that there should not be a limitation on the number of units due to concerns regarding a definition that can be fairly and consistently implemented and that it is unnecessary given other standards/guidelines requiring other and additional elements in the curriculum. Should the Committee find it appropriate to impose a limitation, against CSBARS recommendation, then it is recommended that a cap of 12 semester units or 15 percent of total credits be imposed, as noted in the bracketed section below.

Attachment A

Redline of Proposed Amendment to Unaccredited Guideline 1.11 Recommended by CSBARS:

First-Year Law Students' Examination and California bar examination test preparation courses are defined as containing both of the following: 1) the review of materials previously covered within the curriculum and 2) the primary focus on the unique particularity of examinations administered by the State Bar of California (i.e. standardized, timed, closed book, examinations that focus on general principles of legal doctrine) ~~and which may be taught by a law school or a commercial preparation company).~~

A law school may offer and charge for courses designed to help law students prepare to take and pass exams required by the State Bar. Any such test preparation course may be part of the credit requirements to obtain a JD degree.

Law schools must not compel students to attend any particular commercial external review course unless required as part of the JD program; ~~and in the interest of consumer protection, if a law school grants credit for any particular external commercial review course, a law school must~~

disclose to students any ownership interest ~~or other financial interest~~ of the law school, its owners, administrators, instructors and staff, ~~in any commercial review course~~. [[A law school may ~~grant~~require a maximum of twelve (12) semester units or the equivalent (15 percent). This limit does not restrict a law school from covering legal analysis or exam practice in other courses.]]

A ~~test review or~~ preparation course for which credit is granted may be taught by law school faculty or by an external commercial ~~preparation~~ company, provided the law school provides oversight of the course to ensure that it meets the requirements of the Unaccredited Law School Rules and Guidelines, including 2.2 (Honesty Regarding Finances), 2.9 (Fairness in Academic Standards and Student Assessment), 5.1 (Academic Program), 5.3 (Minimum Requirements for Award of Juris Doctor (JD) Degree), 5.9 (Quantitative Academic Requirements) and 5.11 (Balanced and Comprehensive Course of Study) ~~and it is part of an overall sound educational program~~.

Attachment B

Clean Copy of Proposed Amendment to Unaccredited Guideline 1.11 Recommended by CSBARS:

First-Year Law Students' Examination and California bar examination test preparation courses are defined as containing both of the following: 1) the review of materials previously covered within the curriculum and 2) the primary focus on the unique particularity of examinations administered by the State Bar of California (i.e., standardized, timed, closed book, examinations that focus on general principles of legal doctrine).

A law school may offer and charge for courses designed to help law students prepare to take and pass exams required by the State Bar. Any such test preparation course may be part of the credit requirements to obtain a JD degree.

Law schools must not compel students to attend any particular external commercial review course unless required as part of the JD program. In the interest of consumer protection, if a law school grants credit for any particular external commercial review course, a law school must disclose to students any ownership interest of the law school, its owners, administrators, instructors and staff. [[A law school may grant a maximum of twelve (12) semester units or the equivalent (15 percent). This limit does not restrict a law school from covering legal analysis or exam practice in other courses.]]

A test preparation course for which credit is granted may be taught by law school faculty or by an external commercial review course, provided the law school provides oversight of the course to ensure that it meets the requirements of the Unaccredited Law School Rules and Guidelines, including 2.2 (Honesty Regarding Finances), 2.9 (Fairness in Academic Standards and Student Assessment), 5.1 (Academic Program), 5.3 (Minimum Requirements for Award of Juris Doctor (JD) Degree), 5.9 (Quantitative Academic Requirements) and 5.11 (Balanced and Comprehensive).

