



The State Bar *of California*

OPEN SESSION AGENDA ITEM O-201 AUGUST 2022 COMMITTEE OF BAR EXAMINERS

DATE: August 19, 2022

TO: Members, Committee of Bar Examiners

FROM: Christina Doell, Program Manager

SUBJECT: Approval of Report on 2022 Examination Goals

EXECUTIVE SUMMARY

Below are the Examinations Subcommittee goals and accomplishments for the Committee's approval.

BACKGROUND

The Examinations Subcommittee's goals are listed below with a summary of accomplishments toward those goals.

1. Edit and approve final versions of the essay questions and select performance test questions for administration on California Bar Examinations.

COMPLETED & ONGOING

Questions reviewed and approved as scheduled.

2. In conjunction with Operations and Management, review reports on administration of the California First-Year Law Students' Examination.

COMPLETED

To be presented at the Committee's August 2022 meeting.

3. Training from Subject Matter Expert on the Principles of Scaling Written Test Scores on the California Bar Examination to the Multistate Bar Examination.

COMPLETED

In January 2022, the Committee received training from the Committee's psychometrician, Roger Bolus Ph.D., on the principles of scaling the written scores of the California Bar Exam to the MBE.

4. Consider draft reports to the Supreme Court of California on the July 2021 and February 2022 California Bar Examinations.

COMPLETED

In January 2022, the Committee approved the report to the Supreme Court on the July 2021 California Bar Exam. The report to the Supreme Court on the February 2022 California Bar Exam was approved by the Examinations Subcommittee at its July 2022 meeting; the approved report is being shared with the CBE at this meeting as agenda item O-200.

5. In conjunction with Operations and Management, review reports on the administration of the California Bar Examination.

The report on the administration of the February 2022 California Bar Exam was reviewed at the June meeting. The July 2022 Bar Exam will be reviewed at the Committee's October 2022 meeting.

6. Training from Subject Matter Expert on Substantive Issues in Determining Accessibility and Disability for Purposes of Testing Accommodations

To be presented at the Committee's October 2022 meeting.

7. Consider next steps with regard to conducting additional studies relative to the content, format and scope of the California Bar Examination, including any recommended by the Blue Ribbon Commission on the Future of the California Bar Exam and other studies as mandated by the California Supreme Court.

ONGOING

This process is ongoing and will continue to be placed on the Examinations Subcommittee Goals for the foreseeable future.

8. Work with the State Bar's Office of Access & Inclusion and the Council on Access and Fairness to develop processes and procedures in Examination Development and Examination Grading that advance the Mission of the State Bar to support efforts for greater access to, and inclusion in, the legal system; including, but not limited to, participating in the Differential Item Functioning (DIF) Working Group in its charge to review flagged items from the DIF Analysis Report and to develop guiding principles to mitigate against DIF prospectively.

ONGOING

This work is ongoing and included broadened outreach to the legal community, loosening geographic restrictions for graders, mandatory implicit bias training during grader and proctor orientation, and increased monitoring of grader statistical analysis to ensure fairness and equity in the scoring process.

9. Consider petitions seeking waivers of the Committee's examinations-related policies, procedures and rules.

ONGOING

Such petitions, if any, were considered and decided as they were submitted by staff for review.

10. Review appeals from applicants with disabilities who are appealing the Director for Admissions' decisions with respect to their requests for testing accommodations.

ONGOING

Testing Accommodation appeals were considered and decided by the Committee in connection with the regularly scheduled meetings; or by the Examinations Subcommittee, as duly delegated, in connection with the regularly scheduled conference calls.

FISCAL/PERSONNEL IMPACT

None

RECOMMENDATION

It is recommended that the Committee of Bar Examiners approve the report on 2022 Examination Subcommittee goals set forth above.

PROPOSED MOTION

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

MOVE, that the report on 2022 Examination Subcommittee goals be approved.