

**ANALYSIS OF THE JULY 2022
CALIFORNIA GENERAL BAR EXAMINATION**

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December 12, 2022

SUMMARY

The July 2022 General Bar Examination (GBX) had the following three sections: (a) a standard 200-item multiple-choice test (“MBE”), (b) five essay questions, and (c) one Performance Test (PT) problem. The exam was administered in-person. The combination of the essay and PT sections constituted the “Written” portion of the exam. There were 6,990 applicants who completed all three sections, 22.0% of whom had taken the GBX at least once before.

“MBE” raw scores are the number of MBE questions answered correctly. These scores were converted to “scale” scores to control for possible differences in average item difficulty across administrations of the examination. Essay and Performance Test (PT) answers were graded on a 40 to 100-point scale. Scores on this scale were assigned in 5-point intervals. The PT score was multiplied by two (2) so that the maximum possible Written raw score was 700 points.

Written raw scores were converted to the same scale of measurement as was used on the MBE. This was done to adjust for possible differences over time in the difficulty of the questions asked and the leniency with which the answers to them are graded. An applicant's Total Scale Score was computed using the formula below:

$$\text{Total Scale Score} = (.50 \times \text{MBE Scale}) + (.50 \times \text{Written Scale})$$

The major findings for the 6,990 applicants¹ who had all of their answers read at least once and the subgroup of 684 applicants who had them read at least twice were as follows:

- After the first reading of all answers 52.2% of the applicants passed and 38.0% failed. An additional 1.5% passed after the second reading. Overall, 53.7% of the applicants passed the examination².
- The reliability of the Written and Total scores were .78 and .92 respectively, meeting standards for a high-stakes licensing examination.

¹ Applicants who had completed all sections of the examination, including the MBE. Note that the manner in which the scaling formulas, data analytics, and technical reports are done for each examination uses only complete sets of applicant scores. By definition, a “complete set of scores” for these purposes would not include any applicants who have a grade of less than 40 on any of the 6 written questions on the examination or a missing MBE score. In contrast, the manner in which numbers are reported for purposes of “Allocation of Applicants, Production of Examination Statistics and Law School Lists” and the Report to the Supreme Court on the California Bar Examination uses a definition of applicants who “completed” the exam that also includes applicants who have a grade of less than 40 (i.e., zeros) on any of the 6 written questions, so long as they are in attendance for the entirety of the exam. Thus, that latter number will be larger in comparison to the former number, as it is more inclusive. For the July 2022 GBX, 7,164 applicants sat for the exam. There were 174 applicants who had one or more zeros in their set of 6 written questions or did not take the MBE. Accordingly, there were 6,990 applicants who completed the GBX for purposes of the exam statistics (7,164 - 174).

² The bar passage rate for all 7,164 applicants taking the GBX, including those without complete scores was 52.4%. The passage rate for the 379 applicants taking the Attorney’s exam was 49.1%.

- The correlation between MBE and Written scores was .73, which remains among the highest level ever for a July administration.
- Fully, 106 (9.8%) of the 684 applicants who went into regrade passed the examination. Only 8 applicants in the lower 10-point portion (i.e., < 1360) of the regrade range passed.
- Relative to the previous July administration, the gap in written score performance between men and women remained the same as July 2021 (12 vs. 11 points). However, the gap in MBE performance shrunk substantially (44 vs. 29 points). With respect to racial/ethnic groups, Whites continue to outscore all other racial/ethnic groups on both exam sections, the gap between Asian and White has continued to get smaller.
- 68.1% of the 4,902 first-time takers passed the exam, while 19.8% of the 2,088 repeating the exam for the first time passed. The chances of passing for those taking the exam for the 4th and 5th time were significantly smaller (16.6% and 14.1%), while only 7.3% taking the exam for more than a 5th time passed (see Table A below).
- The Appendices at the end of the report continue key statistics for each of the two annual administrations of the bar examination going back to the early 1990's.

TABLE A

PASS vs. FAIL STATISTICS BY NUMBER OF PREVIOUS EXAMS TAKEN

Decision	0	1	2	3	4	5	>5	Total
Fail	1,563	406	402	204	152	116	394	3,237
Pass	3,339	142	142	50	30	19	31	3,753
Total Takers	4,902	548	544	254	182	135	425	6,990
% Passing	68.1%	25.9%	26.1%	19.7%	16.5%	14.1%	7.3%	53.7%

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TEST SECTIONS, TIME LIMITS, AND SCHEDULE

The examination had three parts: the Multistate Bar Examination (MBE), the California essay section, and the California Performance Test (PT). The combination of the Essay and PT sections constitute the “Written” section.

The MBE is a six-hour, 200-item multiple choice test, but only 175 of its items are scored. The applicants’ responses to other MBE items were analyzed for possible use on future exams.

As of this administration, the essay portion of the exam consists of one morning three-hour bloc and one afternoon two-hour blocs of five (5) essay questions. A single PT is given 90 minutes at the end of the afternoon session. The whole examination (MBE + Essay + PT) is administered over two consecutive days, with Day 1 dedicated to the Written Section. Day 2 is devoted to the MBE; 100 items given in a 3-hour morning session and the other 100 items given in a 3-hour afternoon session.

SCORING RULES, FORMULAS, AND PHASED GRADING

MBE raw scores (the number of multiple-choice questions answered correctly) were converted by the National Conference of Bar Examiners (NCBE) to equated ("scaled") scores using Item Response Theory (IRT) methodology. This procedure adjusted the raw scores for possible variation in average question difficulty from one administration of the MBE to another. California multiplies the MBE scale scores by 10.

Each essay answer was graded in 5-point intervals on a scale ranging from 40 to 100-points. The same procedure is used to grade each PT answer. The PT score was then multiplied by 2 so that the maximum possible Written Raw Score is 700 points (5 essays at 100 points each plus 1 PT item at 200 points).

Written Raw Scores were converted to a score distribution that had the same mean and standard deviation as the applicants' MBE scores. This scaling used the MBE and Written scores of 6,853 applicants who had their written answers graded first. The formula used to convert July 2022 Written Raw Scores to scale scores:

$$\text{Written Scale} = (4.5926 \times \text{Written Raw}) - 581.4888$$

An applicant's Total Scale Score was a weighted combination of that applicant's MBE and Written Scale Scores. The formula for computing Total scale scores is:

$$\text{Total Scale Score} = (.50 \times \text{MBE Scale}) + (.50 \times \text{Written Scale})$$

A two-phased grading process was used to determine an applicant's pass/fail status. In Phase 1, applicants passed if their Total scale score was 1390 or higher and failed if it was less than 1350³. The remaining applicants, i.e., those with total scale scores of 1350 to 1389.99, then have their essay and PT answers read again. The second Grader was a different Grader than the first one and did not know the score assigned by the first Grader. The final score for these applicants was the average of the two graders.

ANALYSIS

Analyses were conducted with the 6,990 applicants who had both an MBE score and a complete set of Written scores. This sample contained 4,902 applicants who were taking the examination for the first time (70% of all takers) and 2,088 repeaters (30% of all takers). The General Statistics Report, available online on the State Bar's website, contains data on the number of first timers and repeaters by school type.

SUMMARY STATISTICS

Table 1 provides summary statistical data on each section after all readings. There was a .73 correlation between MBE and Written scores which is among the highest value since correlation statistics were calculated. Fully 53.7% of the applicants passed the exam, identical to July 2021. The comparability can be attributed primarily to the similar average MBE scores for both administrations.

Table 1 - SUMMARY TEST STATISTICS AFTER ALL READINGS

Test Statistic	MBE Scale	Written Raw	Total Scale
Mean Score	1404	432	1403
Standard Deviation	172	37	159
Reliability	.94	.78	.92

SUBGROUP ANALYSES

Relative to the previous July administration, the gap in written score performance between men and women remained the same as July 2021 (12 vs. 11 points). However, the gap in MBE performance shrunk substantially (44 vs. 29 points). The net Total Score difference shrunk to 11 points (see Table 2). With respect to racial/ethnic groups, Whites continue to outscore all other racial/ethnic groups on both exam sections. On the MBE the differences ranged from 143 points for Blacks to 87 points for Asians. Differences were

³ The decision rules were modified by the CA Supreme Court and first applied during the Fall 2020 administration. The passing score was lowered to 1390, the regrade range was changed to 1350 to 1389.99, and the resolution grading phase was eliminated.

similar on the written section. Of note is the fact that the gaps in average performance between Asian and White examinees shrunk by 16 points from July 2021.

Table 2 - MEAN SCALE SCORES WITHIN RACIAL/ETHNIC AND GENDER GROUPS AND THE NUMBER OF APPLICANTS AND PERCENTAGE OF MALES WITHIN EACH GROUP

Test	Racial/Ethnic Group					Gender	
	Asian	Black	Hispanic	White	Other	Female	Male
Written	1367	1307	1346	1451	1423	1407	1396
MBE	1370	1314	1344	1457	1411	1391	1420
Total	1369	1311	1345	1454	1417	1399	1408
N	1423	507	963	2,541	1,330	1,673	1,344
% Male	36%	42%	40%	44%	43%	0%	100%

PHASED GRADING

A two-phased grading process was used to focus additional grader time on the applicants who were just below passing. There were 684 applicants who had their answers read at least twice. On the average, their mean Written raw score on the first reading (422.9) was 4.6 points higher than their mean on the second reading (418.3). The difference is .9 points lower than observed on the last July administration.

Table 3 presents the number and percentage of applicants in each pass/fail category at each phase. The number and percentage of applicants that passed in the first phase were 3,647 and 55%, respectively. During the 2nd Phase, only 106 addition examinees (1.5% of all applicants) passed; a similar proportion to the February 2022 administration.

Table 3 - NUMBER AND PERCENTAGE OF APPLICANTS WHO PASSED AND FAILED IN EACH PHASE OF THE MULTIPHASED GRADING PROCESS

Phase	Fail		Pass		Total	
	Number	Percent	Number	Percent	Number	Percent
1	2,659	38.0%	3,647	52.2%	6,306	90.2%
2	578	8.2%	106	1.5%	684	9.8%
Total	3,237	46.3%	3,753	53.7%	6,990	100.0%

Table 4 illustrates continuing strong relationship between Phase 1 scores and final pass/fail status. In addition to the recent reduction in the passing standard to 1,390, the regrade band was tightened by 10 points; moving from 50 points (1390 - 1439) to 40 points (1350-1389). Because this is a July administration, there tends to be more examinees in the lower levels of the regrade range. On this administration only 8 examinees out of 168 (5%) with an initial total scale score in the lowest regrade range (1350 to 1359) passed. Compare these to those examinees in the top of the regrade range (1380-1389) where 56 of 169 (33%) passed.

Table 4 - NUMBER OF REREAD APPLICANTS WHO PASSED AND FAILED RELATIVE TO THEIR TOTAL SCORES AFTER THE FIRST READING

Score after the first reading	Number of Applicants			Percent passing
	Fail	Pass	Total	
1380 – 1389	113	56	169	33%
1370 – 1379	136	27	163	17%
1360 – 1369	169	15	184	8%
1350– 1359	160	8	168	5%
Total	578	106	684	16%

APPENDIX A: SUMMARY TEST STATISTICS ON FEBRUARY EXAMINATIONS*

Exam	N	Percent Passing	Mean MBE Scale Score	Written Raw Score		
				Mean	Reliability	Correlation with MBE
1991	3,685	51	1430	667	.68	.58
1992	3,907	51	1432	663	.69	.60
1993	3,682	45	1418	666	.73	.59
1994	3,638	44	1421	657	.68	.59
1995	3,488	42	1412	653	.74	.60
1996	3,834	44	1417	646	.67	.58
1997	4,103	49	1434	651	.66	.59
1998	3,871	40	1412	650	.70	.60
1999	4,309	41	1416	642	.65	.55
2000	4,447	40	1415	638	.66	.57
2001	4,461	38	1405	640	.72	.58
2002	4,030	34	1396	633	.71	.53
2003	4,162	38	1398	611	.68	.58
2004	4,363	36	1392	625	.72	.50
2005	4,458	41	1407	607	.72	.62
2006	4,758	39	1402	621	.77	.58
2007	5,109	37	1398	611	.75	.59
2008	4,497	40	1405	614	.78	.55
2009	4,051	34	1383	608	.79	.58
2010	4,193	37	1392	612	.74	.57
2011	4,309	43	1414	606	.72	.56
2012	4,334	43	1407	614	.77	.57
2013	4,362	42	1413	604	.75	.58
2014	4,529	46	1423	596	.77	.61
2015	4,709	40	1400	605	.78	.65
2016	4,678	36	1386	601	.77	.61
2017	4,439	34	1379	607	.78	.61
2018	4,654	28	1357	417*	.74	.64
2019	4,574	31	1373	418	.75	.61
2020	4,139	27	1361	416	.71	.60
2021	3,019	38	1344	415	.82	.67
2022	3,056	35	1338	426	.76	.69

* Beginning in July 2017, the raw score was based on 5 essays and 1 PT. 2021 was the first February administration to have 1390 as the passing score. Previous to this administration, the passing score was 1440.

APPENDIX B: SUMMARY TEST STATISTICS ON JULY EXAMINATIONS*

Exam	N	Percent Passing	Mean MBE Scale Score	Written Raw Score		
				Mean	Reliability	Correlation with MBE
1990	6,963	58	1451	684	.76	.67
1991	7,219	55	1454	674	.75	.67
1992	7,108	60	1464	674	.71	.64
1993	7,018	59	1465	671	.77	.68
1994	7,027	64	1482	672	.76	.70
1995	7,109	60	1471	660	.75	.68
1996	7,445	56	1458	667	.76	.70
1997	7,678	62	1478	655	.75	.68
1998	7,548	53	1446	656	.74	.65
1999	7,684	51	1449	644	.75	.66
2000	7,603	56	1460	645	.74	.62
2001	7,585	57	1468	637	.77	.64
2002	7,477	51	1445	632	.72	.64
2003	7,732	50	1443	634	.73	.67
2004	8,020	49	1434	621	.75	.67
2005	8,310	49	1437	630	.79	.68
2006	8,858	52	1452	630	.80	.65
2007	8,115	56	1459	630	.79	.67
2008	8,590	62	1476	623	.80	.68
2009	8,607	59	1463	616	.78	.69
2010	8,521	55	1454	622	.80	.66
2011	8,412	55	1458	618	.78	.71
2012	8,664	56	1460	613	.82	.66
2013	8,822	56	1461	593	.80	.66
2014	8,428	49	1436	610	.83	.67
2015	8,236	47	1426	612	.83	.70
2016	7,648	44	1423	596	.82	.73
2017	8,546	50	1432	429*	.79	.72
2018	7,943	41	1408	419	.80	.71
2019	7,678	51	1431	426	.78	.71
2020	8,640	61	1431	424	.85	.71
2021	7,389	54	1409	426	.85	.76
2022	6,990	54	1403	432	.78	.73

* Beginning in July 2017, the raw score was based on 5 essays and 1 PT. The 2020 examination was administered in October rather than July. Beginning with that administration, the passing score was dropped from 1440 to 1390 and the third phase of grading was eliminated.