



# The State Bar of California

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## Council on Access and Fairness Hybrid Zoom

Open Session Minutes  
Friday, August 25, 2023  
10:05 a.m.–12:19 p.m.  
12:30 p.m.-2:22 p.m.

<b>Time Meeting Commenced:</b>	The Council on Access and Fairness meeting commenced in open session at 10:05 a.m.
<b>Time Meeting Adjourned:</b>	2:22 p.m.
<b>Chair:</b>	Judge Kristin Rosi
<b>Committee Coordinator:</b>	Elizabeth Hom
<b>Members Present:</b>	Heather Anderson, Novella Coleman, Ryan Harrison, Judge Michael Rhoads, Chalak Richards, Judge Kristin Rosi
<b>Members Absent:</b>	Angelica Salceda, Stephanie Chu Santoro, Gonzalo Sal Torres
<b>Liaisons Present:</b>	Judge Judith Dulcich, Pamela Enslen, Sarah Good
<b>Liaisons Absent:</b>	Olga Diaz

## OPEN SESSION

### 1. Call to Order

The Council on Access and Fairness (COAF) was called to order by Chair Judge Rosi.

### 2. Roll Call

Roll call was taken and a quorum was established.

Chair Judge Rosi called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item. Chair Rosi noted that written comment was received prior to the meeting, however, because it was not with the purview of COAF's workplan. The public comments were also shared with the Committee of Bar Examiners (CBE) and staff in the Office of Admissions.

Four members of the public provided comments related to the bar exam and testing accommodations process.

1. Ray Haden provided a proposal to the bar exam on an alternative to the California bar exam.
2. Todd commented that the three-minute limit to provide public comment is inappropriate when the committee is scheduled to meet for several hours, and opined that there was a lack of public access to the State Bar. Todd also commented on the grievance he has with the Peoples Colleges of Law and their refusal to offer fourth year classes, which is preventing him from graduating. Todd shared the Peoples Colleges of Law informed the State Bar of its intended repudiation more than a year in advance and the State Bar did not intervene. Todd urged that the council consider his comments and assist with the issue.
3. Benjamin Kohn commented on bar exam testing accommodations and the related proposed rules revisions. Kohn commented that the latest version made one minor change but substantively rejects most reforms requested by the disability rights community. Kohn urges that COAF make comments during the next public comment period urging further amendments, and if needed make a separate recommendation to the Board of Trustees.
4. Nat Brown asked if COAF would provide public comment on the May report or on bar exam testing accommodations. Chair Rosi explained that COAF would not comment on either topic as the council's work is determined by a workplan that is approved by the Board of Trustees, and those items are not a part of the COAF work plan.

### **3. Approval of Minutes**

#### **3.1 Open Session Minutes: June 2, 2023**

**RESOLVED**, that the Council on Access and Fairness approves the June 2, 2023, meeting minutes.

*Moved by Rhoads, seconded by Richards.*

*Ayes – (5) Coleman, Harrison, Rhoads, Richards, Rosi*

*Noes – (0)*

*Abstain – (0)*

*Absent – (4) Anderson, Salceda, Santoro, Torres*

*Motion carries.*

### **4. Report from the Chair**

Chair Judge Rosi provided an oral report.

## **5. Report from the Directors of the Office of Access & Inclusion**

Program Director Elizabeth Hom provided an oral report.

### **REGULAR CALENDAR**

## **6. Regular Calendar**

### **6.1 Presentation and Discussion on Data Related to Rule of Professional Conduct Rule 8.4.1 (Goal 1)**

**Presenter:** George Cardona, Chief Trial Counsel, Office of Chief Trial Counsel

Presentation and discussion only.

### **6.2 Update and Discussion on Further Work on the Future of the Bar Exam (Goal 2)**

**Presenter:** Audrey Ching, Program Director, Office of Admissions  
Jackie Gardina, Chair, Alternative Pathway Working Group  
Susan Bakshian, Working Group Member, Alternative Pathway Working Group

Presentation, discussion, and vote.

**RESOLVED**, that the Council on Access and Fairness delegates authority to the chair and vice-chair to develop written comment on the Proposal for a Portfolio Bar Examination to Demonstrate Minimum Competence, as discussed at its August 25, 2023, meeting to submit to the Board of Trustees.

*Moved by Harrison, seconded by Richards.*

*Ayes – (5) Anderson, Coleman, Harrison, Rhoads, Richards, Rosi*

*Noes – (0)*

*Abstain – (0)*

*Absent – (3) Salceda, Santoro, Torres*

*Motion carries.*

### **6.3 Update and Discussion on the DEI Leadership Seal Program (Goal 2)**

**Presenter:** Danielle MacRae, Lead Analyst, Office of Access & Inclusion

Presentation and discussion only.

**6.4 Update and Discussion on Addressing Retention in the Legal Profession through Law School Loan Repayment (Goal 2)**

**Presenter:** Elizabeth Hom, Program Director, Office of Access & Inclusion  
Kristin Rossi, Chair, COAF

Presentation and discussion only.

**6.5 Update on Early Pipeline to the Profession Outreach Materials Development (Goal 2)**

**Presenter:** Elizabeth Hom, Program Director, Office of Access & Inclusion

Presentation only.

**6.6 Update on Licensee Resource Page, including Imposter Syndrome Resources (Goal 3)**

**Presenter:** Alexa Montalvo, Program Analyst, Office of Access & Inclusion

Presentation only.

**6.7 Update on Implicit Bias Online MCLE Module (Goal 3)**

**Presenter:** Elizabeth Hom, Program Director, Office of Access & Inclusion

Presentation only.

**6.8 Discussion of Additional Diversity, Equity, and Inclusion Initiatives**

**Presenter:** Lauren McGary, Senior Program Analyst, Office of Access & Inclusion

Presentation and discussion only.

**6.9 Review 2023 COAF Work Plan**

**Presenter:** Kristin Rosi, Chair, COAF

Judge Rosi noted that COAF would discuss the 2024 work plan at the December meeting.

## **7. Liaison Reports**

### **7.1 California Lawyers Association (CLA) Report on Diversity and Inclusion Initiatives**

**Presenter:** Olga Diaz, Initiatives Manager, California Lawyers Association

No update.

### **7.2 California Leadership Access Workforce (LAW) Report on Diversity and Inclusion Initiatives**

**Presenter:** Pamela Enslen, California Leadership Access Workforce (LAW)

Presentation and discussion only.

### **7.3 Judicial Council of California Report on Diversity and Inclusion Initiatives**

**Presenter:** Judge Judith Dulcich, Judicial Council of California

Presentation and discussion only.

**ADJOURN**