



The State Bar *of California*

Office of Admissions

**Committee of Bar Examiners
Planning Meeting**

December 2023

Committee of Bar Examiners Planning Items

- Committee of Bar Examiners
- Testing Accommodations and Eligibility
- Examinations
- Moral Character Determinations
- Educational Standards, including CSBARS and LSC



2024 Committee Work Pending Supreme Court



Blue Ribbon
Commission
recommendations



Possible rules revision
on reciprocity for
attorneys admitted in
other US jurisdictions
(BRC recommendation)



Portfolio Bar Exam:
Bar exam alternative
pilot for 2020
“original” Provisionally
Licensed Lawyers





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Testing Accommodations and Eligibility

Work Plan for 2023-2024

Ashley Silva-Guzman, Subcommittee Vice-Chair
Christina Doell, Program Manager

December 2023

2022-2023 Accomplishments and Ongoing Initiatives

- Review and revise Admissions Rules relevant to Testing Accommodations
 - Pending Supreme Court approval
- Review and revise Admissions Rules relevant to Eligibility and Special Admissions
 - Pending Board of Trustees approval to circulate for Public Comment
- Consider petitions seeking waivers of the Committee's eligibility related policies, procedures, and rules
- Consider testing accommodations requests for review (appeals) from applicants



Current Work Plan

Testing Accommodations

- Implement the revised rules and related changes

Eligibility

- Continue rule change process: Special Admissions, Eligibility, Law Office Study, and Practical Training of Law Students



Additions to Current Work Plan

- Continue to explore ways to make remote testing accommodations secure





Training Topics for 2023-2024

- Presentation on Substantive Issues on Evaluating TA Request
- Presentation from Admissions' staff on the various special admissions programs

Other Suggestions?





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Examinations

Work Plan for 2023-2024

Kareem Gongora, Subcommittee Chair

Amy Nuñez, Program Director

Tammy Campbell, Program Manager

December 2023

2022-2023 Accomplishments

- Provided CBE response, as needed, to the recommendations and narrative of the California's Blue Ribbon Commission Final Report on the Future of the CBX
- Provided input for the Board of Trustees review of examination and application fees
 - Approved by the BOT for Implementation in January 2024
- Reviewed and revised Admissions Rules relevant to Grading
 - Pending Supreme Court approval
- Review and revise Admissions Rules relevant to Exam Administration
 - Pending CBE approval to circulate for Public Comment
- Completed Pilot CA Bar Exam Experiment
- Approved Eliminating the essay portion of the First-Year Law Students' Examination and/or Revisit Exam Weights



2022-2023 Ongoing Initiatives Continued

- Provided input for the Board of Trustees review of examination and application fees, and on the Blue Ribbon Commission Report and Recommendations
- Reviewed and revised Admissions Rules relevant to Chapter 6 (Exam Administration), Grading Rules, and the Processing of Fees
- Considered appeals seeking waivers of the Committee's Exam Related policies, procedures, and rules
- Edited and approved final versions of the essay questions and select performance test questions for administration on California Bar Examinations
- Reviewed reports on administrations of the California First-Year Law Students' and California Bar Examinations



Current Work Plan

- Continue rule change process: Exam Administration
- Consider conducting a standard-setting study to determine whether the passing score for the First-Year Law Students' Examination should be raised or lowered
- Consider draft reports to the Supreme Court of California on the July 2023 California Bar Examinations and October 2023 First-Year Law Student's Examination
- Develop recommendations regarding certain components of exam delivery: remote vs. in-person; open-book vs. closed book; time limit on questions (informed by the AccessLex Study)
- Examine specific testing accommodations to ensure that they meet applicant needs, ensure we meet ADA requirements, and are cost-effective, such as investigating what constitutes a semi-private room



Additions to Current Work Plan

- Develop detailed recommendations related to reciprocity to assist the Supreme Court in responding to the likely recommendation of the BRC
- Review of current MPRE cut score
- Evaluate whether to phase out handwriting options for non-TA applicants on bar exam





Training Topics for 2023-2024

- Presentation from Performance Test (PT) Drafting Team Member on the Basics of PT Development
- Presentation from Examination Development and Grading (EDG) Team on the Basics of Essay Question Development
- Basics on Scaling of the California Bar Examination (CBX)

Other Suggestions?





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Moral Character Determinations

Work Plan for 2023-2024

Alexander Lawrence, Subcommittee Chair

Christian Harvey, Program Manager

David Lane, Attorney

December 2023

2022-2023 Accomplishments and Ongoing Initiatives

- Review and revise Admissions Rules relevant to Moral Character
 - Pending CBE approval to circulate for second round of Public Comment
- Training on the Unauthorized Practice of Law
- Conduct administrative reviews of adverse moral character determinations and make final determinations with respect to Applications for Determinations of Moral Character



Current Work Plan

- Continue rule change process: Moral Character
- Continue Trainings



Additions to Current Work Plan

- Presentation on Governing Law and State Bar Court Cases Relevant to Moral Character Determinations
- Moral Character Case Studies - Ethical Conduct





Training Topics for 2023-2024

- Lawyer Assistance Program
- Rehabilitation Related to a Moral Character Determination

Other Suggestions?





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Educational Standards - Including CSBARS and LSC

Work Plan for 2023-2024

Paul Kramer, Subcommittee Chair

Natalie Leonard, Principal Program Analyst

December 2023

2022-2023 Accomplishments and Ongoing Initiatives

- Collaborated with the Office of Research and Statistics to present the Law School Performance Report.
- Completed three-year roll out of enhanced demographic data collection as part of Annual Compliance Reporting.
- Engaged Law Schools through CSBARS, Law School Council, Annual Registrars' Meeting, and Law School Assembly focused on online education as well as artificial intelligence, supplemented with e-blasts and eNewsletter.
- Reviewed petitions for registration and accreditation, as well as existing registered and accredited law schools' petitions for changes. Three non-performing schools closed; one school monitored through probation.
- Reviewed Minimum, Cumulative Five-Year Bar Pass Rate statistics from accredited law schools for compliance. Transferred two schools to unaccredited status based on MPR performance.



Current Work Plan

- Consider mandatory accreditation for unaccredited (registered) law schools
- Review Unaccredited Law School Rules
- Implement Jointly Accredited Status Application process for qualifying law schools
- Ongoing review of applications for accreditation, registration, and changes
- Ongoing review of inspection reports



Additions to Current Work Plan

- Review measures to include on Annual Law School Performance Report
- Review Annual Report formats and contents of 2025 Law School California Business and Professions Code disclosure





Training Topics for 2023-2024

- Update from Regional Accreditor
- Review of non-JD programs

Other Suggestions?



Tentative Training Calendar 2023-2024

January: (ES) Review of non-JD programs

March: (TA) Presentation on Substantive Issues on Evaluating TA Requests

April: (MC) Rehabilitation related to a Moral Character Determination

June: (Exams) Presentation from Performance Test (PT) Drafting Team Member on the Basics of PT Development

August: (Exams) Presentation from Examination Development and Grading (EDG) Team on the Basics of Essay Question Development

October: (ES) Update from Regional Accreditor

December: (MC) Lawyer Assistant Program

