



The State Bar *of California*

Report to the Supreme Court on the July 2023 California Bar Examination

Committee of Bar Examiners

January 26, 2024

JULY 2023 CALIFORNIA BAR EXAMINATION

Report Pursuant to Title 4. Admissions and Educational Standards, Division 1. Admission to Practice Law in California, Chapter 5. Examinations, Rule 4.60 (B) of the *Rules of the State Bar of California*

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REPORT ON THE JULY 2023 CALIFORNIA BAR EXAMINATION

The State Bar of California received applications from 9,263 applicants to take the July 2023 California Bar Examination, which was administered on July 25 and 26, 2023. A total of 7,911 applicants completed¹ the exam and received results. Of those, 7,555 applicants completed the General Bar Examination and 3,890 passed (51.5 percent); 356 attorney applicants completed the Attorneys' Examination and 170 passed (47.8 percent). Applicants taking the Attorneys' Exam included attorneys in good standing admitted to practice law in other jurisdictions for four or more years prior to the date of testing, and disciplined attorneys. Six of the 21 disciplined attorneys who took the exam as a condition of reinstatement passed the exam.

The two-day General Bar Exam included the following: three one-hour essay questions administered in the morning, and two one-hour essay questions, and one 90-minute Performance Test (PT) in the afternoon. The 200-item multiple-choice Multistate Bar Exam (MBE) was provided by the National Conference of Bar Examiners. The one-day Attorneys' Exam included the same five one-hour essay questions and one 90-minute PT.

The July bar exam was administered at 17 test centers throughout the state², which included handwriting, laptop, and testing accommodations centers. In order to participate in the Laptop Computer Program, applicants were required to pay an additional fee and download special security software in advance. Following conclusion of the exam, applicants who completed their answers using their laptops were required to upload their answer files to a secure server no later than noon the day after the exam. The electronic answer files were downloaded from the ExamSoft secure server into the State Bar's Admissions Information Management System (AIMS) for electronic grading. A total of 7,590 applicants (95.9 percent) took the exam using a laptop computer.

A total of 730 applicants with disabilities were granted accommodations. Of those, 714 applicants were assigned to take the exam at testing accommodations test centers, while 12 were granted accommodations at standard test centers. Forty-six applicants who were granted accommodations either withdrew their applications, had their application abandoned, or were not eligible to take the exam. Of the 730 applicants who were granted accommodations, 33 did not show up for the exam.

Six grading groups, each consisting of up to 12 experienced and apprentice graders, were selected to grade the essay and PT answers. A member of the Exam Development and Grading (EDG) team supervised each group of graders. The groups convened through a videoconference for two calibration sessions in August and one in September. Members of the Committee of Bar Examiners were invited to attend the second calibration session.

¹ To be considered as having completed an exam, an applicant must have been in attendance for its entirety and have a complete set of scores for the six written questions, which may include zeros. In addition, for the California General Bar Exam, the applicant must have submitted answers to the Multistate Bar Examination (MBE) portion.

² For the July 2023 CA Bar Examination administration, two additional test sites were needed for applicants with testing accommodations; the Los Angeles State Bar office and Hyatt Regency Newport Beach provided additional space for unique testing accommodations.

At the first calibration session, the EDG team led a discussion designed to reach agreement on which issues should be discussed in an answer and what tentative weights should be assigned to each issue. To determine proper calibration, each grader was given a copy of the same 15 answers to their assigned question. Each grader read and graded the first answer in the set. The grade assignments were discussed until the group arrived at a consensus grade for the first answer. This process was repeated for each of the remaining answers in the set of 15, with consensus being achieved for each answer.

After the first calibration session, each grader was given an additional 25 answers to independently grade. This second round of grading was designed to determine the level of calibration achieved by the grader panel, and to what degree, collectively and individually, there was agreement among the group on the relative quality of the second set of answers.

At the second calibration session, the EDG team distributed and discussed the grading guidelines that had been drafted based on the discussion at the first meeting. Graders received statistical information concerning their independent grading of the 25 answers distributed at the first meeting and discussed any answers that yielded significant disagreement. An additional 10 answers were read, graded, and discussed before a consensus grade was assigned to each answer. The groups were then given their first grading assignments.

During the third calibration session, held midway through the grading cycle, graders discussed any problems they had been experiencing with the answers they reviewed. The group graded an additional set of 15 answers, arriving at a consensus for each, to assure their continued adherence to the established guidelines.

The July 2023 California Bar Exam was graded using California's two-phased grading system. All written answers are read at least once before pass-fail decisions are made. Applicants with total scaled scores after the first read of 1,390 or higher were considered as having passed the exam, and applicants with total scaled scores of 1,349.9999 or lower failed the exam. Applicants with total scaled scores of 1,350-1,389.9999 had all of their written answers read a second time by a different set of graders (second read or Phase II). The averages of the first and second-read grades were used in the calculation of the total scaled scores.

The scores on the written portion of the July 2023 exam were scaled to the MBE – that is, the written scores were converted to a score distribution with the same mean and standard deviation as the MBE score distribution. This procedure ensures that the difficulty of the exam remains consistent from one exam administration to the next. For the July exam, the mean scaled MBE score in California was 1389 compared with the national average of 1,405. The scaled written score accounts for 50 percent of the total score, and the scaled MBE score accounts for the other 50 percent.

Results were made available to applicants through the Admissions Applicant Portal on November 9, 2023, and were made available to the public on November 12, 2023. Instructions for completing the State Bar registration card (also known as oath card) were sent by email on November 14 to the successful applicants who completed all requirements for admission to practice law in California.