



Analysis of the July 2023  
California General Bar Exam  
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## SUMMARY

The July 2023 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) question. The combination of the essay and PT sections constituted the "Written" portion of the exam. There were 7,425 applicants who completed all three sections, 32.7% 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) responses 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 responses 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 7,425 applicants<sup>1</sup> who had all their answers read at least once and the subgroup of 699 applicants who had them read at least twice were as follows:

- After the first reading of all answers 39.8% of the applicants failed and 50.8% passed. An additional 1.6% passed after the second reading. Overall, 52.4% of the applicants passed the examination<sup>2</sup>.
- The reliability of the written and total scores were .78 and .92 respectively, meeting standards for a high-stakes licensing examination.
- The correlation between MBE and written scores was .71, which was higher than the correlation for the prior July administration.
- 118 (16.9%) of the 699 applicants who went into regrade passed the examination. Five applicants in the lower 10-point portion (i.e., < 1360) of the regrade range passed.

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<sup>1</sup> Applicants who had completed all sections of the examination, including the MBE. This report includes information about only those who had a complete set 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 2023 GBX, 7,911 applicants sat for the exam, and there were 486 applicants who had one or more zeros in their set of 6 written questions or did not have an MBE score. Accordingly, there were 7,425 applicants who completed the GBX for purposes of the exam statistics (7,911-486).

<sup>2</sup> The bar passage rate for all 7,911 applicants taking the GBX, including those without complete scores was 51.3%. The passage rate for the 356 applicants taking the Attorney's exam was 47.8%.

- Females performed better than males on the written sections (1403 vs 1381) and males outperformed females on the MBE (1414 vs. 1380) and on total scale score (1397 vs 1391). With respect to racial/ethnic groups, those identifying as Black or African American had the lowest total scale score (1322), while the group identifying as White had the highest total scale score (1448).
- 65.9% of the 4,996 first-time takers passed the exam, while 26.6% of the 594 applicants who took the exam for the second time passed. The overall chances of passing after 6 or more attempts were relatively low (10.1%); however, there were 44 applicants in the range of 7 to 15 attempts who passed. None of the 57 applicants with more than 18 attempts passed (see Table 1 below). The number of attempts for applicants on this administration ranged from 1 to 68.
- The Appendices at the end of the report continue key statistics for each of the two annual administrations of the bar examination since 1990.

*Table 1 - Pass vs. Fail Statistics by Number of Exams Taken*

<b>Decision</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>&gt;6</b>	<b>Total</b>
Fail	1,705	436	509	212	173	109	393	3,537
Pass	3,291	158	256	72	45	22	44	3,888
Total Takers	4,996	594	765	284	218	131	437	7,425
<b>% Passing</b>	<b>65.9%</b>	<b>26.6%</b>	<b>33.5%</b>	<b>25.4%</b>	<b>20.6%</b>	<b>16.8%</b>	<b>10.1%</b>	<b>52.4%</b>

## 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.

The written section of the exam consists of two sessions: one three-hour session in the morning, and a three and a half-hour session in the afternoon. Essays are administered in the morning and for the first two hours of the afternoon session. The remaining 90 minutes at the end of the afternoon session is allotted for the PT. The whole examination (MBE + Essay + PT) is administered over two consecutive days. Day 1 is dedicated to the written sections and Day 2 is devoted to the MBE. One hundred MBE items are administered in a 3-hour morning session and the other 100 items are administered 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 response. 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 7,364 applicants who had their written answers graded first. The formula used to convert the July 2023 Written Raw Scores to scale scores follows:

$$\text{Written Scale} = (4.3264 \times \text{Written Raw Score}) - 456.4637$$

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 1350<sup>3</sup>. 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 7,425 applicants who had both an MBE score and a complete set of written scores. This sample contained 4,996 applicants who were taking the examination for the first time (67.3% of all takers) and 2,429 repeaters (32.7% 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 2 provides summary statistics on each section after all readings. There was a .71 correlation between MBE and written scores which is among the highest value since correlation statistics have been calculated. 52.4% of the applicants passed the exam. This rate is approximately 1% lower than the average July rate since 1990 and is the lowest pass rate since 2019. The mean MBE score of 1394 is the lowest recorded July score since 1990.

*Table 2 - Summary Statistics After All Readings*

Test Statistic	MBE Scale	Written Raw	Total Scale
Mean Score	1394	428	1394
Standard Deviation	172	40	159
Reliability	.94	.79	.92

<sup>3</sup> 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.

## SUBGROUP ANALYSES

Women performed better than men on the written section (1403 vs 1381) and men performed better than women on the MBE (1414 vs. 1380). Men also outperformed women by total scaled score although by only 6 points. With respect to racial/ethnic groups, Whites continue to outscore all other racial/ethnic groups on both exam sections. Black applicants scored the lowest on all sections and the scale score difference between Black and White applicants was 126 points (see Table 3 below).

*Table 3 - Mean Scale Scores with Racial/Ethnic and Gender Groups, Number of Applicants in Each Group, and the Percentage of Males in Each Group*

Test	Racial/Ethnic Group					Gender	
	Asian	Black	Hispanic	White	Other	Female	Male
Scaled Written Score	1346	1318	1369	1448	1407	1403	1381
Scaled MBE Score	1354	1325	1363	1449	1380	1380	1414
Total Scaled Score	1350	1322	1366	1448	1394	1391	1397
Number of Applicants	1804	506	1510	2887	470	4326	2950
% Male	35%	41%	37%	43%	46%	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 699 applicants who had their answers read at least twice. The mean written raw score on the first reading (428.5) was 8 points higher than their mean on the second reading (420.7). The difference is higher than observed on the February 2023 administration.

Table 4 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 was 3,770 and 50.8%, respectively. During the 2<sup>nd</sup> Phase, only 118 additional examinees (1.6% of all applicants) passed; a similar proportion to the February 2023 administration (see Table 4 below).

*Table 4 - Number and Percentage of Applicants Who Passed and Failed in Each Phase of the Grading Process*

Read Phase	Fail		Pass		Total	
	Number	Percent	Number	Percent	Number	Percent
1	2,956	39.8%	3,770	50.8%	6,726	90.6%
2	581	7.8%	118	1.6%	699	9.4%
<b>Total</b>	<b>3,537</b>	<b>47.6%</b>	<b>3,888</b>	<b>52.4%</b>	<b>7,425</b>	<b>100.0%</b>

Table 5 illustrates the relationship between phase 1 scores and final pass/fail status. Applicants who were within 10 scale score points of passing after the first read were much more likely to pass after their essays were regraded than applicants who were between 11 and 39 points of passing. Only 3% of applicants in the lowest regrade range ultimately earned a passing score (see Table 5 below).

*Table 5 - Number of Reread Applicants Who Passed and Failed Relative to Their Total Scores After the First Reading*

<b>Group</b>	<b>Number of Applicants</b>			<b>Percent Passing</b>
<b>Score After First Read</b>	<b>Fail</b>	<b>Pass</b>	<b>Total</b>	
1380 – 1389	98	53	151	35%
1370 – 1379	142	35	177	20%
1360 – 1369	153	25	178	14%
1350 – 1359	188	5	193	3%
<b>Total</b>	<b>581</b>	<b>118</b>	<b>699</b>	<b>17%</b>

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
2023	3,700	33	1325	413	.76	.64

\* 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
2023	7,425	52	1394	428	.79	.71

\* 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.