

## **PUBLIC MINUTES**

THE COMMITTEE OF BAR EXAMINERS

OF

THE STATE BAR OF CALIFORNIA

April 28 and 29, 2017

State Bar of California Offices  
180 Howard Street  
San Francisco, California

A meeting of the Committee of Bar Examiners of The State Bar of California convened in closed session at 2:30 p.m., Friday, April 28, 2017, in a meeting room at the State Bar offices in San Francisco, Karen M. Goodman, Chair, presiding. Officers and members present were:, Karen M. Goodman, Chair, Jeanne C. Vanderhoff, Vice-Chair, Traci C. Belmore, Robert S. Brody, Michelle Domingo, James H. Efting, Dolores Heisinger, Erika Hiramatsu, Martha Pruden-Hamiter, Larry Sheingold, Patricia M. Villalobos, and Lee H. Wallach, Members. Member Paul A. Kramer entered the meeting at 3:25 p.m. Members James A. Bolton, Ph.D., Alexander C. Lawrence, Jr., Sandhya Ramadas, and David A. Torres were absent. State Bar staff members in attendance were Gayle E. Murphy, Senior Director, Admissions, George C. Leal, Director for Educational Standards, Lisa Jeong Cummins, Director for Examinations, Greg S. Shin, Director for Operations and Management, Kim Wong, Administrative Specialist, Destie Overpeck, Assistant General Counsel. Also in attendance were Douglas Tucker, M.D. The meeting concluded at approximately 3:30 p.m., at which time the Committee's subcommittees met. The meeting was reconvened in closed session beginning at 9:05 a.m. on Saturday, April 29, 2017. All Committee members and staff, excluding Dr. Tucker, and including member David Torres, were in attendance on Friday were present on Saturday. Also in attendance were members of the Examination Development and Grading (EDG) Team: Amy Gee, David Kelley, Dennis Peter Maio, Kathryn Meola, Laura Meyers, Amanda Roze, and Paul Webb. The meeting went into open session at 10:10 a.m., at which time the EDG Team members left the meeting and Dean Mitch Winick and Greg Brandes entered the meeting. The meeting went into Closed Session again at 10:50 a.m., at which time Dean Winick and Mr. Brandes left the meeting. The meeting was adjourned at 11:25 a.m.

### **COMMITTEE MEETING PUBLIC MINUTES**

It was moved, seconded and duly carried that the minutes taken during the public session of the meeting on March 17, 2017, be approved.

### **ADDITIONAL SPECIAL MEETINGS**

It was by common consent agreed that notice of the special meeting scheduled for July 31, 2017 and the change in the August 2017 meeting from the 25<sup>th</sup> to the 31<sup>st</sup> be taken.

**RECOGNITION OF RETIRING EXAMINATION DEVELOPMENT  
AND GRADING TEAM MEMBERS**

It was moved, seconded and duly carried that the service of outgoing Examination Development and Grading (EDG) Team Chair, Dennis Peter Maio, and EDG Team Member, Christopher Frick, be recognized and that certificates be prepared and presented to them acknowledging their over 16 years of outstanding service on behalf of the Committee and their many positive contributions associated with the development and grading of the California Bar Examination and the First-Year Law Students' Examination.

**MARCH 2017 KEY INDICATORS**

It was by common consent agreed that the March 2017 Key Indicators for the Office of Admissions/Committee of Bar Examiners be received and filed.

**SCHEDULE FOR JUNE 23 AND 24, 2017 COMMITTEE MEETING**

It was by common consent agreed that the schedule for the June 23 and 24, 2017 Meeting, which will be held at the State Bar of California Offices in Los Angeles, California, be received and filed.

**SUBCOMMITTEE ON EXAMINATIONS**

**CALIFORNIAN BAR EXAMINATION STATISTICS**

It was moved, seconded and duly carried that beginning with the February 2017 administration of the California Bar Examination applicants who did not complete all portions of the examination not be included in the pass/fail statistics published at the time results from the examination are published; and that for an examination to be considered complete, applicant must have achieved a grade of at least 40 on their answers to each question on the examination.

**2016 – 2017 SUBCOMMITTEE GOALS**

It was by common consent agreed that the 2016 – 2017 goals for the Subcommittee on Examinations be received and filed.

**SUBCOMMITTEE ON OPERATIONS AND MANAGEMENT**

**FEBRUARY 28, 2017 FINANCIAL ANALYSIS REPORT**

It was moved, seconded and duly carried that the Financial Analysis Report as of February 28, 2017 for the Admissions Fund be received and filed.

2016 – 2017 SUBCOMMITTEE GOALS

It was by common consent agreed that the 2016 – 2017 goals for the Subcommittee on Operations and Management be received and filed.

**SUBCOMMITTEE ON EDUCATIONAL STANDARDS**

**PROPOSED AMENDMENTS TO THE LAW SCHOOL REGULATION STATUTES  
AND RULES RE MANDATORY ACCREDITATION OF LAW SCHOOLS**

It was moved, seconded and duly carried that the proposed amendments to the California Rules of Court, Rule 9.30; law school study in schools accredited by the Committee of Bar Examiners; to the California *Business & Professions Code*, Sec. 6046.7; Sec. 6060 and Section 6060.7; to the *Accredited Law School Rules* and the *Guidelines for Accredited Law School Rules*, in the form attached to these minutes as "[Item 1](#)", be approved in principle and that they be forwarded to the Board of Trustees' Committee on Admissions and Education with a request to circulate the proposed amendments for a 45-day public comment period.

**TASK FORCE ON ADMISSIONS REGULATION REFORM PROPOSALS  
AND MANDATORY COMPETENCY TRAINING FOR LAW SCHOOLS  
REGULATED BY THE COMMITTEE**

It was moved, seconded and duly carried that at this time consideration of the Task Force on Admissions Regulation Reform proposal regarding mandated competency training admission requirements be deferred for further consideration pending the results of the bar examination related studies currently underway; and that proposed amendments to the *Accredited Law School Rules* and the *Unaccredited Law School rules* that require students to complete a minimum of 6 units of competency training as part of the curriculum be drafted for consideration by the Committee during its next meeting.

**PROPOSED AMENDMENTS TO GUIDELINE 6.9 OF THE GUIDELINES  
FOR ACCREDITED LAW SCHOOL RULES**

It was moved, seconded and duly carried that the proposed amendments to Guideline 6.9 of the *Guidelines for Accredited Law School Rules* in the form attached to these minutes as "[Item 2](#)", which would require law schools accredited by the Committee to provide the opportunity for students in their J.D. programs to complete a minimum of fifteen (15) units of practice based skills and competency training, be adopted in principle, subject to a 45-day public comment period and further consideration by the Committee.

PACIFIC COAST UNIVERSITY SCHOOL OF LAW – INSPECTION REPORT

It was moved, seconded and duly carried that the Periodic Inspection Report of the Pacific Coast University School of Law, conducted in April, 2016 by an Inspection Team composed of Committee of Bar Examiners member Traci Belmore, Dean Barbieri, Dean, John F. Kennedy University College of Law, and George Leal, Director for Educational Standards, be received and filed; that the response submitted by Dean Andrea Lua on behalf of the law school be received and filed; that the mandatory and suggested recommended actions made in the Report be adopted; that the law school be required to report on its efforts taken to address all such recommendations within 30 days of the date of this action by the Committee; that accreditation of the law school be continued; and that the next periodic accreditation inspection of the law school be scheduled for the spring of 2021, unless earlier visitation is found to be necessary by the Committee of Bar Examiners.

SAN FRANCISCO INTERNATIONAL UNIVERSITY COLLEGE OF LAW –  
INSPECTION REPORT RE APPLICATION FOR REGISTRATION AS  
UNACCREDITED CORRESPONDENCE LAW SCHOOL

It was moved, seconded and duly carried that the Report of Inspection in connection with the Application for Registration submitted by the San Francisco International University College of Law as a California unaccredited, correspondence law school be received and filed; and that, pursuant to Rule 4.223(C), the law school be registered for two years, subject to a further visitation of the law school to be scheduled within six months prior to the expiration of that time to confirm its continued compliance with the *Unaccredited Law School Rules and Guidelines for Unaccredited Law School Rules*.

TRINITY LAW SCHOOL – MAJOR CHANGE REQUEST/PETITION FOR  
WAIVER OF GUIDELINE 7.11

It was moved, seconded and duly carried, pursuant to Rules 4.105(K), 4.164 and 4.165(E) of the *Accredited Law School Rules and Guidelines* 13.1 and 13.2 of the *Guidelines for Accredited Law School Rules*, that the request of Trinity Law School (TLS) for approval of a major change, which would allow TLS to use distance-learning technology to teach some or all 30 units of its Masters of Law Degree program, be granted, and that the request for a waiver of the 12-unit limitation on the use of such technology in its Masters of Law Degree program under Guideline 7.11 of the *Guidelines for Accredited Law School Rules*, also be granted.

2016 – 2017 SUBCOMMITTEE GOALS

It was by common consent agreed that the 2016 – 2017 goals for the Subcommittee on Educational Standards be received and filed.

**SUBCOMMITTEE ON MORAL CHARACTER**

**THE UNAUTHORIZED PRACTICE OF LAW AND THE PROCESSING OF  
MORAL CHARACTER DETERMINATION APPLICATIONS**

It was unanimously agreed that the Committee's appreciation be extended to Robert Henderson, Supervising Attorney, Office of Enforcement, for his presentation on the Unauthorized Practice of Law and the Processing of Moral Character Determination Applications.

**2016 – 2017 SUBCOMMITTEE GOALS**

It was by common consent agreed that the 2016 – 2017 goals for the Subcommittee on Moral Character be received and filed.

**ADJOURNMENT**

Having concluded all the business scheduled for consideration during the open and closed sessions of the meeting, the meeting was adjourned at 11:25 a.m., Saturday, April 29, 2017.