

PUBLIC MINUTES

THE COMMITTEE OF BAR EXAMINERS

OF

THE STATE BAR OF CALIFORNIA

June 19 and 20, 2015

State Bar of California Offices
845 S. Figueroa Street
Los Angeles, California

A meeting of the Committee of Bar Examiners of The State Bar of California convened in open session at 1:05 p.m., Friday, June 19, 2015, in a meeting room at the State Bar offices in Los Angeles, Patricia P. White, Chair, presiding. Officers and members present were: Patricia P. White, Chair; Lee H. Wallach, Vice-Chair; James H. Aguirre, Zeny M. Agullana, James A. Bolton, Ph.D., Michelle Domingo, Karen M. Goodman, Erika Hiramatsu, KV Kumar, Alexander C. Lawrence, Jr., Joel S. Miliband, Sandhya Ramadas, Sandra L. Salazar, M.D., Larry Sheingold, Patricia M. Villalobos and Alan S. Yochelson, Members. Members Traci C. Belmore, Martha Pruden-Hamiter and Jeanne C. Vanderhoff were absent. State Bar staff members in attendance were Gayle E. Murphy, Senior Director, Admissions, Gina Crawford, Director for Administration, Debra Murphy Lawson, Director for Moral Character Determinations, 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, and Rachel S. Grunberg, Senior Assistant General Counsel. Also in attendance were Roger Bolus, Ph.D. and Joseph Carlucci. The session went into closed session at 1:30 p.m. until 2:00 p.m., at which time meetings of the Committee's subcommittees were held. The meeting was reconvened in closed session beginning at 9:30 a.m. until 10:15 p.m. on Saturday, June 20, 2015. All Committee members, including Jeanne C. Vanderhoff, and staff in attendance on Friday were present on Saturday. The meeting went into open session at 10:15 a.m., at which time Board of Trustees Member Dan Dean, Professor Greg Brandes and Dean George Dezes joined the meeting. The meeting was adjourned at 10:40 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 April 24 and 25, 2015 be approved.

RECOGNITION OF CONTRIBUTIONS OF RETIRED DIRECTORS

It was by common consent agreed that the service of retiring Office of Admissions Executive Staff members Debra Murphy Lawson and Gina Crawford, be recognized and that certificates be prepared and presented to them acknowledging their many years of outstanding service on behalf of the Committee.

MODIFIED CALIFORNIA BAR EXAMINATION

It was moved, seconded and duly carried that the previously approved modifications to the General Bar Examination be implemented beginning with administration of the July 2017 California Bar Examination; that the Attorneys' Examination also be modified to consist of the one-day of essay and Performance Test questions administered during the General Bar Examination, effective with the July 2017 administration; that if during its July 2015 meeting the Board of Trustees approves the proposal to modify the General Bar Examination to consist of: 1) One morning session during which three, one-hour essay questions would be administered, 2) One afternoon session during which two, one-hour essay questions and one, 90-minute Performance Test would be administered, 3) Morning and afternoon sessions consisting of three hours each, during which 100 multiple-choice items for each session would be administered (the MBE) and that during the grading process of the reconstructed examination the written and MBE portions of the examination be weighted equally, notice of the intended changes immediately be circulated; and that final implementation continue to be subject to consideration by the California Supreme Court.

REPORTS FROM COMMITTEE REPRESENTATIVES PARTICIPATING IN JUNE 2015 ADMISSION CEREMONIES

It was by common consent agreed that oral reports received from Committee representatives who participated in the June 2015 admission ceremonies for February 2015 California Bar Examination successful applicants who had met all requirements for admission be received.

LAW SCHOOL COUNCIL MEETING

It was by common consent agreed that the oral report on the June 2, 2015 Law School Assembly Meeting, which was held in the Los Angeles State Bar offices, be received.

APRIL AND MAY 2015 KEY INDICATORS

It was by common consent agreed that the April and May 2015 Key Indicators for the Office of Admissions/Committee of Bar Examiners be received and filed.

SCHEDULE FOR AUGUST 28 AND 29, 2015 COMMITTEE MEETING

It was by common consent agreed that the schedule for the August 28 and 29, 2015 Committee Meeting, which will be held at The State Bar of California Offices in San Francisco, California, be received and filed.

SUBCOMMITTEE ON EXAMINATIONS

TENTATIVE DATES FOR CONFERENCE CALL MEETINGS

It was by common consent agreed that tentative conference call meetings of the Subcommittee on Examinations be scheduled for noon on July 1, 2015, July 10, 2015 and on July 17, 2015 to consider testing accommodation petition appeals filed in connection with administration of the July 2015 California Bar Examination.

SUPREME COURT REPORT ON THE FEBRUARY 2015 CALIFORNIA BAR EXAMINATION

It was moved, seconded and duly carried that the draft Supreme Court Report on the February 2015 California Bar Examination be finalized and submitted to the Court.

ANALYSIS OF THE FEBRUARY 2015 GENERAL BAR EXAMINATION PREPARED BY PSYCHOMETRIC CONSULTANT FOR INCLUSION WITH REPORT TO THE SUPREME COURT ON THE EXAMINATION

It was moved, seconded and duly carried that the Analysis of the February 2015 General Bar Examination prepared by Roger Bolus, Ph.D. be approved for inclusion in the Report to the Supreme Court on this particular examination and otherwise authorized for publication.

2014 – 2015 SUBCOMMITTEE GOALS

It was by common consent agreed that the 2014 – 2015 goals for the Subcommittee on Examinations be received and filed.

SUBCOMMITTEE ON OPERATIONS AND MANAGEMENT

APRIL 2015 FINANCIAL ANALYSIS REPORT

It was by common consent agreed that the Financial Analysis Report as of April 30, 2015 for the Admissions Fund, be received and filed.

FEBRUARY 2015 CALIFORNIA BAR EXAMINATION COST ANALYSIS

It was by common consent agreed that the report on costs for administering the February 2015 California Bar Examination be received and filed.

ADMISSIONS CEREMONIES UPDATE

It was by common consent agreed that the report on Admissions Ceremonies prepared by Greg Shin, Director for Operations and Management, be received and filed.

2014 – 2015 SUBCOMMITTEE GOALS

It was by common consent agreed that the 2014 – 2015 goals for the Subcommittee on Operations and Management be received and filed.

SUBCOMMITTEE ON EDUCATIONAL STANDARDS**PROPOSED AMENDMENTS TO ACCREDITED LAW SCHOOL RULES
RE ADDITIONAL CAMPUSES AND LAW SCHOOL FEES –
REQUEST FOR PUBLIC COMMENT**

It was moved, seconded and duly carried that the amendment to Rule 4.161 of the *Accredited Law School Rules* (Rules) and to the Law School Fees Charges and Deadlines in the form noted below, be approved in principle; that the proposed amendment to the Rules be forwarded to the Board of Trustees with the request that it be circulated for a 45-day public comment period; and that following a period of public comment and review of any comments received, a final version of the proposed amendment be considered by the Committee for adoption, subject to the approval of the Board of Trustees.

Rule 4.161 of the Rules

(A) A law school subject to these rules must submit an Annual Compliance Report using the form prescribed by the Committee. The deadline and fee for submission of the report are set forth in the Schedule of Charges and Deadlines.

(B) A law school with an approved branch or satellite campus must submit an annual fee for each additional campus as set forth in the Schedule of Charges and Deadlines.

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Schedule of Charges and Deadlines

Rule	Description	Amount	Deadline
4.161	Annual Compliance Report	\$1,650	November 15
<u>4.161(A)</u>	<u>Annual Branch Campus Fee</u>	<u>\$1,000</u>	<u>November 15</u>
	<u>Annual Satellite Campus Fee</u>	<u>\$ 800</u>	<u>November 15</u>

AMENDMENTS TO GUIDELINE 7.11 (DISTANCE-EDUCATION CREDIT)
OF THE GUIDELINES FOR ACCREDITED LAW SCHOOL RULES –
REQUEST FOR PUBLIC COMMENT

It was moved, seconded and duly carried that the proposed amendment to Guideline 7.11 (Distance-Education Credit) of the *Guidelines for Accredited Law School Rules* in the form attached hereto as “[Item 1](#)” to these minutes, be approved in principle; that the proposed amendment be circulated for a 45-day public comment period; and following receipt of any public comments, the proposed amendment to Guideline 7.11 be referred to the RAC prior to the Committee’s final action on the matter.

PROPOSED AMENDMENTS TO GUIDELINE 8.4 (LIBRARY CONTENT)
OF THE GUIDELINES FOR ACCREDITED LAW SCHOOL RULES –
RETURN FROM PUBLIC COMMENT

It was moved, seconded and duly carried that following a 45-day comment period during which no comments were received, the proposed amendments to Guideline 8.4 (Library Contents) of the *Guidelines for Accredited Law School Rules*, in the form attached hereto as “[Item 2](#)” to these minutes, be adopted, effective June 20, 2015.

CALIFORNIA DESERT TRIAL ACADEMY COLLEGE OF LAW –
INTERIM INSPECTION REPORT

It was moved, seconded and duly carried that the Interim Inspection Report of the California Desert Trial Academy College of Law (CDTA), which was conducted on November 11-12, 2014, be received and filed; that the response of Sue Steding, Dean of Students of CDTA, be received and filed; that the Report’s recommended, mandatory actions be adopted; that registration of the law school be continued; and that the first periodic inspection of the law school be scheduled for the fall of 2017, unless an earlier inspection is found by the Committee to be necessary.

UNIVERSITY OF SAN LUIS OBISPO SCHOOL OF LAW – TERMINATION OF
REGISTRATION AND CLOSURE OF LAW SCHOOL

It was moved, seconded and duly carried that pursuant to Rule 4.268 of the *Unaccredited Law School Rules*, the registration of the University of San Luis Obispo School of Law as an unaccredited, fixed-facility law school be terminated, effective July 1, 2015.

2014 – 2015 SUBCOMMITTEE GOALS

It was by common consent agreed that the 2014 – 2015 goals for the Subcommittee on Educational Standards be received and filed.

SUBCOMMITTEE ON MORAL CHARACTER

PROPOSED ADMISSIONS RULES AMENDMENTS

It was moved, seconded and duly carried that following a 45-day public comment period during which no comments were received, the following proposed amendments to Rules 4.47 and 4.49 of the *Rules of the State Bar of California* be adopted, subject to approval of the State Bar of California Board of Trustees:

Rule 4.47 Appeal of adverse determination of moral character

- (A) An applicant notified of an adverse determination of moral character may file a request for hearing on the determination with the State Bar Court in accordance with the Rules of Procedure of the State Bar on Moral Character Proceedings. The request must be filed with the fee set forth in the Schedule of Charges and Deadlines within sixty days of the date of service ~~receipt~~ of the notice of adverse determination.

Rule 4.49 New application following adverse determination of moral character

The Committee may permit an applicant who has received an adverse moral character determination to file another Application for Determination of Moral Character two years from the date of the ~~Committee's~~ final determination or at some other time set by the Committee, for good cause shown, at the time of its adverse determination.

2014 – 2015 SUBCOMMITTEE GOALS

It was by common consent agreed that the 2014 – 2015 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 10:40 a.m., Saturday, June 20, 2015.