



THE STATE BAR OF CALIFORNIA

OFFICE OF ADMISSIONS
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MEMORANDUM

DATE: November 6, 2008

TO: Members, Regulation, Admissions and Discipline Oversight Committee

FROM: Gayle Murphy

SUBJECT: REPORT TO THE BOARD OF GOVERNORS REGARDING PENDING COMMITTEE OF BAR EXAMINERS AND OFFICE OF ADMISSIONS ACTIVITIES

July 2008 California Bar Examination Results

For your information, the results from the July 2008 administration of the California Bar Examination will be mailed to examinees on schedule, which is November 21, 2008. Beginning at 6:00 p.m. that day, examinees will be able to determine whether their names appear on the pass list. In accordance with long standing Board of Governors and Committee of Bar Examiners policies, results on that day are only available to those who took the examination. A press release, which will contain information regarding the overall pass rate and whether there was an impact on examinee performance because of the earthquake that occurred in southern California toward the end of the first session of the examination, will be posted at that same time. Everyone can access the pass list online through the State Bar's Webpage beginning Sunday, November 23, 2008, at 6:00 a.m. Applicants who passed the examination and who have met all the other requirements (a positive moral character determination, a passing score on the Multistate Professional Responsibility Examination and not in arrears with family support obligations) will be eligible to take the attorney's oath of office on Monday, November 24, 2008. Most applicants, however, will participate in admissions ceremonies that are arranged through the Office of Admissions or by applicants' law schools, which will be held in December. If applicants get sworn in before December 1, 2008, they will be charged State Bar dues for one-half year. If they are sworn in between December 1 and 31, 2008, their dues will be waived. Thank you to all the Board members who have agreed to participate in the admission ceremonies next month.

Admissions Day

A schedule for "Admissions and Professional Competence Day" is attached. The program is scheduled to begin at 10:00 a.m. and conclude around 3:00 p.m. (although you can stay longer if you wish to visit the Committee of Bar Examiners subcommittee meetings that will be in progress and that are scheduled to conclude around 5:00 p.m.) so that participants may fly in and out on the same day.

Key Indicators

The Key Indicators for August, September and October 2008 for the Committee of Bar Examiners/Office of Admissions are attached.

Proposed *Guidelines for Accredited Law School Rules*

For your information, the Committee of Bar Examiners (Committee) is currently in the process of finalizing *Guidelines for Accredited Law School Rules*. Earlier this year, the Board of Governors approved the proposed *Accredited Law School Rules*, which will become effective January 1, 2009. According to Title 4, Division 2, Chapter 1, Rule 4.103 of the *Rules of the State Bar of California (Accredited Law School Rules)*:

The Guidelines for Accredited Law School Rules, as adopted by the Committee of Bar Examiners, govern the interpretation and application of these rules. The Committee has the authority to amend the guidelines, subject to a reasonable comment period and after consideration of any comments received.

Over a year ago, Office of Admissions Staff began the process of drafting guidelines that would interpret the *Accredited Law School Rules*. During a meeting in August 2007 with law school deans, which was held to discuss the proposed *Accredited Law School Rules*, the California Accredited law school (CALS) Deans were invited to submit their comments regarding possible changes to the guidelines that would interpret the rules regulating accreditation. Several deans submitted comments. A first draft of the proposed *Guidelines*, which was prepared by staff, was circulated to interested parties in late March 2008. Staff met with several deans for two hours to obtain input on that draft on April 17, 2008. A second draft of the proposed *Guidelines*, which contained several changes as a result of the first meeting, was circulated to interested parties in May 2008. Staff met again with several deans for two hours to obtain input on the second draft on June 3, 2008.

A third draft, which included additional changes as a result of the prior meeting, was considered by the Committee during its June 27-28, 2008 meeting. Comments were received from interested parties on this draft. The CALS Deans made a presentation to the Educational Standards Subcommittee and the Committee during their June 27 and 28, 2008 meetings. The Committee approved releasing the proposed *Guidelines* for a 60-day public comment period. The public comment period ended on September 19, 2008. During the public comment period the Committee held a two-hour public hearing on the proposed guidelines on August 22, 2008.

Following the close of the public comment period, the Committee decided at its meeting on October 3 and 4, 2008 to hold another meeting with interested parties to obtain input on the proposed guidelines. This two-hour meeting was held on November 3, 2008. In preparation for that meeting, a summary of the 103 comments received on the proposed guidelines during the public comment period, a copy of each comment, and a summary of the comments on specific proposed guidelines and staff's response to each substantive comment were sent to all deans and other interested parties. One additional substantive comment was also sent to all law schools.

The Deans attending the November 3, 2008 meeting were advised that as a result of the public comment that had been received, another draft of the proposed *Guidelines* would be prepared and submitted to the Committee for consideration during its December 5 and 6, 2008 meeting. The Committee will consider whether to release the revised *Guidelines* for an additional period of public comment, which is most likely since many of the proposed changes are substantive. If the Committee approves circulating the revised version for another period of public comment, it will only be after considering the comments received during the second public comment period that the Committee will determine whether to adopt the *Guidelines for Accredited Law School Rules*, which will replace the existing *Factors and Comments Governing the Interpretation and Application of the Standards*. The Committee has yet to consider or determine when any new guidelines would go into effect and other related transition issues.

The Board Committee will continue to be updated on the progress of the proposed *Guidelines*.

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Attachment

A Day in the Life of the State Bar of California's
Office of Admissions
and Office of Professional Competence

December 5, 2008

10:00 am - 10:05 am	Welcome and Introductions
10:05 am - 10:25 am	Overview of the Committee of Bar Examiners, Office of Admissions, Relationship with Law Schools, the Board of Governors, Supreme Court of California, the California State Legislature; Statutory and Supreme Court Rule Requirements; Strategic Plan Goals; and, the Admissions Fund and Budget
10:25 am - 10:40 am	Educational Qualification and Law School Opportunities in California
10:40 am - 10:55 am	Examination Development, Format and Examination Scope
10:55 am - 11:10 am	Examination Administration
11:10 am - 11:20 am	Testing Accommodations
11:20 am - 11:30 am	Break
11:30 am - 11:45 am	Grading of Examinations
11:45 am - 12:10 pm	Moral Character Process, Policies and Procedures and Informal Conferences
12:10 pm - 12:30 pm	Office of Special Admissions, including Practical Training of Law Students, Foreign Legal Consultants, Multijurisdictional Practice Programs
12:30 pm - 1:30 pm	Lunch with the Committee of Bar Examiners (Followed by Committee of Bar Examiners Subcommittee Meetings)
1:30 pm - 2:00 pm	Professional Competence Programs: Ethics Hotline; Publications; Ethics Information Online; MCLE programs
2:00 pm - 2:45 pm	Professional Competence Committees: COPRAC; and the Commission for the Revision of the Rules of Professional Conduct
2:45 pm - 3:00 pm	Ethics Hotline Tour

**AUGUST/SEPTEMBER/OCTOBER 2008 KEY INDICATORS
OFFICE OF ADMISSIONS/COMMITTEE OF BAR EXAMINERS**

Applicants for Admission Placed on Motions to the Supreme Court:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 85	2237	Aug: 74	2252
Sept: 131	2368	Sept: 86	2338
Oct: 123	2491	Oct: 243	2581

Registrations Received:

Attorneys:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 52	943	Aug: 41	903
Sept: 86	1029	Sept: 104	1007
Oct: 240	1269	Oct: 311	1318

Law Students:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 1054	4533	Aug: 1089	4822
Sept: 1167	5700	Sept: 1284	6186
Oct: 1087	6787	Oct: 1228	7334

Applications Received:

General Bar Examination:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 0	9706	Aug: 0	9300
Sept: 0	9706	Sept: 0	9300
Oct: 1219	10925	Oct: 1608	10908

Attorneys' Examination:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 0	509	Aug: 0	478
Sept: 0	509	Sept: 0	478
Oct: 132	641	Oct: 180	658

First-Year Law Students' Examination:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 316	1475	Aug: 485	1644
Sept: 237	1712	Sept: 131	1775
Oct: 1	1713	Oct: 0	1775

Moral Character Determination:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 286	6164	Aug: 428	5998
Sept: 387	6551	Sept: 403	6401
Oct: 422	6973	Oct: 563	6964

Moral Character Determination Extension:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 54	430	Aug: 39	370
Sept: 91	521	Sept: 53	423
Oct: 50	571	Oct: 71	494

Multijurisdictional Practice (MJP) Moral Character Applications:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 7	114	Aug: 14	70
Sept: 19	146	Sept: 22	118
Oct: 12	158	Oct: 11	120

Committee of Bar Examiners' Actions*:

Petitions Considered by the Committee of Bar Examiners:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 0	13	Aug: 1	25
Sept: 0	13	Sept: 0	25
Oct: 4	17	Oct: 6	31

Moral Character Reports Considered by the Committee of Bar Examiners:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 38	168	Aug: 24	206
Sept: 0	168	Sept: 0	206
Oct: 30	198	Oct: 31	237

Testing Accommodations Appeals:

2008 Monthly	2008 YTD	2007 Monthly	2007 YTD
Aug: 6	46	Aug: 14	69
Sept: 0	46	Sept: 0	69
Oct: 0	46	Oct: 3	72

* There were no meetings of the Committee in September 2007 and September 2008.