

2008 Annual Report

THE COMMITTEE OF BAR EXAMINERS OF THE STATE BAR OF CALIFORNIA

■ The names of 7,216 applicants were placed on motions to the Supreme Court of California certifying their eligibility for admission to practice law in California. In 2007, 6,729 applicants were certified.

■ Administered the California Bar Examination, which is composed of the General Bar Examination and the Attorneys' Examination, to 13,901 law students and out-of-state attorneys (4,911 in February and 8,990 in July), which were fewer than the 14,033 that were tested in 2007. Almost 70 percent of the applicants, 9,788, took the examination on their laptop computers, which had special security software installed prior to administration of the examination. Of the total number taking the examination, 516 applicants with disabilities were granted testing accommodations. In February, 39.6 percent of the applicants passed the examination, a slightly higher pass rate than in February 2007 when 37.5 percent passed. In July, the pass rate was 61 percent, a higher pass rate than in July 2007 when 55.3 percent passed. The July 2008 General Bar Examination pass rate of 61.7 percent was the highest it has been since the 1997 administration when 62.9 percent passed.

■ Two major incidents occurred during the July 2008 administration of the California Bar Examination: an earthquake in southern California during the morning session of the first day of the examination and a power outage during the third day of the examination at the testing accommodations test center located in San Diego, California. As a result, special protocols and procedures were developed and implemented to ensure applicants impacted by the incidents were treated fairly. In some cases, additional points were added to applicants' scores to address the negative impact of the incidents. The formulas, protocols and procedures were developed with the input of several expert measurement consultants retained by the Committee of Bar Examiners. All applicants were treated as fairly as possible under the circumstances. Otherwise, the grading of the examination was completed under the standard policies and procedures and results were released on time.

■ Administered the First-Year Law Students' Examination to 1,438 law students (785 in June, 653 in October). Sixty (60) fewer law students took the examination in 2008 compared to 2007. Out of the total number of law students taking the examination, 30 law students with disabilities took the examination at testing accommodations test centers. In June, 25.9 percent of the law students passed, compared to 18.4 percent who passed in 2007. In October, 14.7 percent passed, compared to 19.0 percent who passed in 2007.

■ Eight thousand, five hundred and seventy-five (8,575) moral character determination applications were received from applicants seeking admission to practice law in California. This number is more than the number received in 2007, which was 8,453. One hundred and seventy-four (174) moral character determination applications were

submitted by attorneys seeking to register under the Multijurisdictional Practice rules. This compares to the 157 applications received in 2007. With the continued emphasis on concluding the processing as timely as possible given the constraints involved, the number of moral character determination applications that were pending more than one year was reduced from 45 to 27 in 2008. In addition, as a result of the new pre-processing procedures that were implemented the year before, the time it took to complete the pre-processing of files was reduced from 162 days in 2006 to 120 days in 2008. The number of investigation reports, reviewed by the Committee of Bar Examiners decreased from 283 in 2007 to 243 in 2008. During 2008, 97 informal conferences were held with moral character determination applicants, compared to 112 that were held in 2007. The number of applicants receiving adverse moral character determinations also decreased, from 44 in 2007 to 38 in 2008. The decreases were basically due the reduction of a slight backlog in 2007, which caused more files than usual to be processed during that year.

- Implemented new rules, guidelines and fees relative to the registration of unaccredited law schools, effective January 1, 2008. Office of Admissions staff conducted visitations to six unaccredited law schools. Office of Admissions staff drafted revised rules for the accredited law schools, which converted the old rules to the State Bar's plain English standards, circulated the revised rules for public comment and the Committee of Bar Examiners adopted, and the Board of Governors approved, the revised rules, with an effective date of January 1, 2009. Adjustments to the law school fees for unaccredited law schools also were adopted by the Committee of Bar Examiners and approved by the Board of Governors in 2008. Office of Admissions staff drafted proposed *Guidelines* to interpret the revised *Accredited Law School Rules*, held meetings to receive input from the law school community, revised the draft *Guidelines* as a result of those meetings, and with the Committee of Bar Examiners' approval, circulated the proposed rules for public comment, which included conducting one formal public hearing. Adoption of the final version of the proposed *Guidelines* by the Committee of Bar Examiners remains pending. Office of Admissions staff and Committee of Bar Examiners members visited three accredited law schools in 2008.

- Implemented revised admissions rules that were modified to conform to the State Bar's plain English standards, which required modification of existing software applications, AS400 programs and bulletins maintained by the Office of Admissions.

- Implemented an online moral character determination application, which in addition to being more customer friendly should reduce the amount of time for pre-processing as much of the information formally entered in the AS400 by staff is now completed by the applicants and uploaded into the system.

- Continued outreach efforts to law schools, which included conducting a Law School Assembly (all California law school deans) meeting in October 2008, several Office of Admissions staff meetings and training sessions with law school registrars and associate deans, and presentations by Office of Admissions Executive Staff at 11 law schools in 2008.