

# **ACOMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM**

**AGENDA ITEM:** June 2014 – O-301

**DATE:** June 17, 2014

**TO:** Subcommittee on Operations and Management

**FROM:** Greg Shin, Director, Operations and Management

**SUBJECT: OCTOBER 2013 FIRST-YEAR LAW STUDENTS' EXAMINATION  
AND FEBRUARY 2014 CALIFORNIA BAR EXAMINATION  
COSTS**

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## **BACKGROUND**

As part of the on-going process to monitor the costs related to administering the First-Year Law Students' Examination (FYLSX) and the California Bar Examination (CBX), please see below for a cost analysis of the October 2013 FYLSX and the February 2014 CBX. Attached is more detail with regard to the various expenses associated with administering the examinations. Tracking this information over time should reveal trends for the major expense categories that should allow for proactive management and control of expenses.

## **DISCUSSION**

The total cost for administering the October 2013 FYLSX was \$113,683.92 for 492 applicants.

Here are a few highlights from the cost analysis:

1. Approximately 65% of the facility capacity was used to administer this examination.
2. Costs for facility rental, electrical and proctors make up roughly 75% of the total costs.
3. While the 24 applicants who took the examination at the Testing Accommodations test centers made up only 5% of the total number of applicants, the cost to administer the examination to those applicants was approximately 50% of the total cost.
4. It costs approximately \$118 to administer the FYLSX to an applicant taking the examination at a general test center compared to approximately \$2,314 for each applicant taking the examination at a Testing Accommodations test center.

The total cost for administering the February 2014 CBX was \$1,454,414.78 for 5,089 applicants.

Here are a few highlights from the cost analysis:

1. Approximately 79% of the facility capacity was used to administer the CBX.
2. 85% of our total costs are made up costs related to facility rental, electrical and proctors.
3. It costs approximately \$146 to administer the CBX to an applicant taking the examination at a general test center compared to approximately \$2,856 for each applicant taking the examination at a Testing Accommodations test center.

Broadly speaking, given the relatively higher cost per applicant, it will be important to continually monitor the cost to administer the FYLSX and CBX to applicants taking examinations at Testing Accommodations test centers. Administering examinations at Testing Accommodations test centers involve higher costs because of the type of facility that must be used, i.e., hotel instead of a conference center to be able to provide semi-private/private rooms, additional proctor requirements, specialized equipment/software, etc. If more applicants with disabilities are granted accommodations in the future, overall costs will start to trend higher. It's also important to note that these figures don't include 'soft' costs for staff time and actual costs for medical experts/consultants to review testing accommodations petitions. Both of which will also increase if volumes increase.

Finally, this is all independent of the projected declines in the number of applicants taking the FYLSX and CBX as a result of the enrollment declines at law schools and the anemic state of the legal job market. A combination of shrinking revenue and increasing costs is clearly not a preferred scenario and Staff will continue to monitor this situation closely.

## **RECOMMENDATION**

It is recommended that this report be received and filed.

## **PROPOSED MOTION**

If the Subcommittee agrees, the following motion is suggested:

Move that the report on costs for administering the October 2013 First-Year Law Students' Examination and the February 2014 California Bar Examination be received and filed.