

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: January 2016 – O-100

DATE: January 22, 2016

TO: Committee of Bar Examiners

FROM: Gayle Murphy, Senior Director, Admissions

SUBJECT: **Committee Planning Session – Presentation from Roger Bolus, Ph.D., Psychometric Consultant, on Modified Examination Decisions re Weighting of the Performance Test, Scheduling of Essay and Performance Test and Grading Timetable**

During its meeting on July 24, 2015, the Board of Trustees approved the Committee of Bar Examiners' (Committee) proposal to modify the California Bar Examination as follows:

RESOLVED, that the Board of Trustees approves the Committee of Bar Examiners' proposed modifications to the California Bar Examination, which would result in a General Bar Examination consisting 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 Multistate Bar Examination), and in an Attorneys' Examination consisting of one-day of the essay and Performance Test questions administered during the General Bar Examination, effective with the July 2017 administration; that during the grading process of the modified examination the written and MBE portions of the examination be weighted equally; that notice of the intended changes immediately be circulated; and that final implementation continue to be subject to consideration by the California Supreme Court.

That two exams after the changes are implemented, CBE return to the BOT with a report back about the changes and impact of those changes, and will also seek public input from the community, law schools and academic leaders about the impact of these changes.

DISCUSSION

Planning for implementation of the modified examination format is under way. Staff has met with the Committee's psychometric consultant, Roger Bolus, Ph.D., and determined

a schedule of tasks that need to be completed in order to successfully implement the modified examination, Performance Test (PT) Team members spent time at their December 2015 meeting editing questions to conform to a 90-minute time frame and staff will also be meeting soon to discuss the administrative changes that need to take place in order to facilitate a successful administration.

There are a few additional actions that the Committee needs to take, however, with regard to the modified examination. These are: 1) to determine when the written portion will be administered; 2) to finalize the order in which the examination will be administered; and 3) the weighting of the PT portion of the examination. After review of the possibilities, staff is recommending that the first day of the examination be administered on Tuesday beginning at 9:00 a.m. for a three-hour session, during which three essay questions will be administered, and an afternoon session that begins at 2:00 p.m. for a three and one-half hour session, during which two essay questions and one PT will be administered. Staff is also recommending that the PT should be given twice the amount of weight as an essay question, which is how it is currently weighted, albeit today it is a 180-minute PT as compared to the 90-minute PT that will be included in the modified examination. Dr. Bolus has conducted several analyses and it does not appear that these recommendations will materially impact the overall passing percentages or any particular group of applicants taking the examination. Dr. Bolus will be present at the Committee's January meeting to discuss these matters in more detail.

The Committee also was interested in learning more about the length of time it takes to grade the examination and whether the time can be shortened, which Dr. Bolus will also discuss during his presentation.

RECOMMENDATION:

It is recommended that staff's recommendations be accepted with regard to the order and weighting of the components of the modified examination, which is scheduled for implementation in July 2017.

PROPOSED MOTION

Should the Committee agree with the above recommendation, the following motion would be appropriate:

Move that, effective with administration of the modified California Bar Examination in July 2017, the examination begin at 9:00 a.m. on Tuesday, with a three-hour session during which three, one-hour essay questions be administered and an afternoon session beginning at 2:00 p.m. for a three and one-half hour session during which two, one-hour essay questions and one 90-minute PT be administered; that the Multistate Bar Examination portion be administered on Wednesday; and that a Performance Test score be given twice the amount of weight as an essay question score.