

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: December 2016 – O-101

DATE: November 17, 2016

TO: Committee of Bar Examiners

FROM: Gayle Murphy, Senior Director, Admissions

SUBJECT: **Proposed 2016 – 2017 SUBCOMMITTEE GOALS**

BACKGROUND

At the beginning of each Committee year, the Committee of Bar Examiners' (Committee) subcommittees prepare their goals for the coming year.

DISCUSSION

During the October 2016 meeting of the Committee, the four Subcommittees of the Committee considered the draft 2016 – 2017 goals that had been prepared by staff. The various Subcommittees made some changes and approved the goals in principle, subject to the approval of the Committee. Attached are the goals as approved by the individual Subcommittees.

RECOMMENDATION

It is recommended that the proposed 2016 – 2017 Committee of Bar Examiners' Subcommittee Goals be adopted.

PROPOSED MOTION

If the Committee agrees with this recommendation, the following motion is suggested:

Move that the 2016 – 2017 Committee of Bar Examiners' Subcommittee Goals, in the form attached hereto, be adopted.

2016-2017 Goals
Educational Standards Subcommittee
12/2016

1. Consider proposed amendments to Guidelines 15.1–15.4 (Opening and Operating a Branch or Satellite Campus) of the *Guidelines for Accredited Law School Rules* to clarify the minimum administrative and operational requirements and policies need by a California-accredited Law School to receive Committee approval to operate a provisionally-approved branch campus and whether schools consisting of a primary law school with many branch campuses are an appropriate model for California-accredited law schools.

October 2016

2. Consider proposed amendments to *Guidelines for Accredited Law School Rules* and *Guidelines for Unaccredited Law School Rules* re additional disclosures required by statute.

October 2016/December 2016

3. Consider proposed amendments to Law School Rules re conforming them to the California Public Records Act.

October 2016

4. Consider additional amendments to the *Accredited Law School Rules* and *Guidelines for Accredited Law School Rules* that relate to implementation of the proposed amendments to the Rules, Statutes, and Guidelines to require the accreditation of unaccredited law schools and permit the accreditation of online law schools and better define elements necessary to move unaccredited law schools into accreditation.

January 2016/June 2016

5. Consider Board recommendation to require Committee regulated law schools to mandate a minimum of 6 units of experiential training.

April 2016

6. Consider TFARR Recommendations re mandatory Competency Training units as a condition of admission.

April 2016

7. Consider recommendations from the Committee's Advisory Committee on California Accredited Law School Rules.

Ongoing

8. Consider petitions and requests for prior approval received from both accredited and registered, unaccredited law schools seeking major changes and individual waivers of the Committee's policies, procedures, Rules and Guidelines.

Ongoing

9. Consider and take action regarding applications for provisional accreditation for existing registered law schools, applications for the registration of new law schools, the provisional approval of branch campuses and new law degree programs and submitted requests for prior approval of major changes.

Ongoing

10. Participate in law school visitations as scheduled and needed. Consider reports of periodic inspections of accredited and registered unaccredited law schools and inspections performed in response to the issuance of Notices of Noncompliance; generally monitor the compliant operation of both California-accredited and registered law schools and the overall educational requirements for applicants seeking to qualify to take and pass the California Bar Examination.

Ongoing

**2016 – 2017 Goals
Examinations Subcommittee
12/2016**

1. In conjunction with Subcommittee on Operations and Management, review reports on administration of the California First-Year Law Students' Examination.

December 2016 / August 2017

2. Edit and approve final versions of the essay questions and select performance test questions for administration on California Bar Examinations.

December 2016 / April 2017

3. Consider draft reports to the Supreme Court of California on February and July California Bar Examinations, which include analyses by psychometrician.

December 2016 / June 2017

4. Presentation from psychometrician on reviewing the examination, conducting studies and examination scaling, validity, reliability and fairness.

January 2017

5. Review the passing rates on the California Bar Examination and consider whether certain policies should be modified or studies undertaken.

January 2017

6. In conjunction with the Subcommittee on Operations and Management, review reports on administration of the California Bar Examination.

March 2017 / August 2017

7. Training from psychiatrist relating to testing accommodations for applicants with mental disabilities.

April 2017

8. Review and consider proposed Admissions Rules guidelines for examinations, testing accommodations, and any other rules that fall within the purview of the Subcommittee on Examinations.

June 2017

9. Training from Performance Test Drafting Team Member: Performance Test Drafting 101 (Basics).

August 2017

10. Continue to study examination grading process to determine whether bar examination results can be released earlier.

Ongoing

11. Review bar examination process, including scope, format, and grading, to determine whether changes to current process should be explored.

Ongoing

12. Consider conducting future psychometric studies to ensure the reliability, validity and fairness of examinations administered by the Committee of Bar Examiners.

Ongoing

13. Receive reports on the Uniform Bar Examination.

Ongoing

14. In conjunction with Subcommittee on Operations and Management, receive updates on progress of preparations for administration of the modified California Bar Examination effective July 2017.

Monthly (through June 2017)

15. Consider petitions seeking waivers of the Committee's examinations related policies, procedures and rules.

Monthly

16. Review appeals from applicants with disabilities who are appealing Senior Director, Admissions, decisions relative to their requests for testing accommodations.

Monthly

2016-2017 Goals
Operations and Management Subcommittee
12/2016

1. Review Proposed 2017 Admissions Fund Budget.

December 2016

2. In conjunction with Subcommittee on Examinations, review reports on administration of the California First-Year Law Students' Examination.

December 2016/August 2017

3. In conjunction with the Subcommittee on Examinations, review reports on administration of the California Bar Examination.

March 2017/August 2017

4. Review testing accommodations cost trends.

April 2017

5. Consider proposed guidelines for interpretation of the *Admissions Rules*, such as in the areas of eligibility and administration of examinations.

June 2017

6. Consider recommendations regarding fees for educational standards services.

Upon Receipt from ORIA

7. Receive report from Budget Working Group.

Monthly

8. In conjunction with Subcommittee on Examinations, receive updates on progress of preparations for administration of the modified California Bar Examination effective July 2017.

Monthly (through June 2017)

9. Consider petitions seeking waivers of the Committee's administrative related policies, procedures and rules.

Monthly

**Proposed 2016-2017 Goals
Moral Character Subcommittee
12/2016**

1. Consider proposed amendments to the *Admissions Rules* re processing of Moral Character Determination Applications.

October 2016

2. Consider proposed amendments to Moral Character Determination Application Declaration.

October 2016

3. Training regarding conducting informal conferences and the decision making process.

December 2016

4. Review Procedures Re Abeyance and Referral of Applicants to Lawyers Assistance Program.

January 2017

5. Receive presentation from State Bar Court department on the State Bar Court hearing process for moral character determination applicants.

April 2016

6. Meet with representative from the office of the Chief Trial Counsel for discussion of the handling of moral character determination by Trial Counsel when an applicant appeals a Committee denial.

June 2016

7. Receive additional trainings on topics such as the unauthorized practice of law, MJP, etc.

Ongoing

8. Conduct informal conferences and make recommendations with respect to Applications for Determination of Moral Character.

Monthly