

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: December 2016 – O-409

DATE: November 28, 2016

TO: Subcommittee on Educational Standards

FROM: Gayle Murphy, Senior Director, Admissions

SUBJECT: **Proposed Amendments to *Guidelines for Accredited Law School Rules* re Competency Training Opportunities**

BACKGROUND

During last month's meeting of the Committee of Bar Examiners' Advisory Committee on California Accredited Law Schools Rules (RAC), proposed language to amend the *Guidelines for Accredited Law School Rules* drafted by Dean Mitchel Winick of Monterey College of Law was discussed. The new language would require California-accredited law schools to "provide the opportunity for students in the JD degree program to complete a minimum of fifteen (15) units of practice-based skills and competency training." The RAC voted to agree in principle with the concept and referred the proposed language to staff to prepare a final version for further consideration. Dean Winick has submitted revised language, which is attached.

DISCUSSION

Since the last meeting of the RAC, the Board of Trustees has referred the Task Force on Admissions Regulation Reform's (TFARR) 15-unit competency training proposal to the Committee of Bar Examiners (Committee) for review. In addition, it directed the Committee to "consider adopting rules requiring a minimum of 6 units of competency training as part of the curricula of the law schools it regulates, which rules will be subject to the approval of the Board of Trustees."

Rather than proceed at this time with a 15-unit opportunity, it would seem more prudent to consider what RAC is suggesting along with other proposals concerning competency training. Review of these matters should be done in a thoughtful way so as to ensure that whatever moves forward is cohesive, understandable and clearly defined. For instance, Dean Winick advised that in his proposal how competency training was defined from the American Bar Association's and TFARR's definitions. Those differences should be researched and discussed in more detail. The Committee may also want to determine whether competency training units should be mandated before it determines that opportunities to acquire those units must be available – or vice versa.

RECOMMENDATION

It is recommended that the report on the proposed amendments to *Guidelines for Accredited Law School Rules* regarding competency training opportunities as approved in principle for recommendation to the Committee by the RAC be received and filed.

PROPOSED MOTION

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

Move, that the report on the proposed amendments to *Guidelines for Accredited Law School Rules* regarding competency training opportunities as approved in principle for recommendation to the Committee by the RAC be received and filed.