



The State Bar of California

Committee of Bar Examiners Teleconference

Open Session Minutes
Friday, December 6, 2024
9:02 a.m. – 3:00 p.m.
5:05 p.m. – 5:07 p.m.

Time Meeting Commenced: The Committee of Bar Examiners meeting commenced in open session at 9:02 a.m. The Committee moved to closed session at 3:00 p.m. The Committee returned to open session at 5:05 p.m. The meeting adjourned at 5:07 p.m.

Time Meeting Adjourned: 5:07 p.m.

Chair: Alex Chan

Committee Coordinator: Devan McFarland

Members Present: James A. Bolton, Ph.D., Michael Cao, M.D, Alex H. Chan, Kareem Gongora, Larry Kaplan [joined late], Paul A. Kramer, Alexander C. Lawrence, Jr, Justice Shama H. Mesiwala [left early], Ashley Silva-Guzman, Judge Renee C. Reyna, Vincent Reyes, Alan Yochelson

Members Absent: Esther Lin, Bethany J. Peak

State Bar Executive Staff Present: Bridget Gramme, Leah Wilson

OPEN SESSION

ROLL CALL

The Committee of Bar Examiners meeting was called to order by Chair Chan. Roll call was taken and a quorum was established.

PUBLIC COMMENT

Chair Chan called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item. The following comments were provided to the Committee:

1. Benjamin Kohn
Benjamin Kohn raised concerns about the bar exam experiment's lack of psychometric validity. They criticized the delay in processing accommodations for disabled applicants, which led to underrepresentation in the experiment.
2. Katie Moran
Katie Moran highlighted technical challenges faced by applicants during the California Bar Examination process. They questioned whether all participants had an equal

opportunity and called for improvements to ensure fairness and accessibility in future exams.

3. Ray Hayden

Ray Hayden criticized the lack of transparency in the bar exam experiment. They emphasized the need for better communication with the public and advocated for greater involvement of community stakeholders in policy decisions.

4. Jessica Ditch

Jessica Ditch stressed the importance of clear communication about California Bar Examination policies. They voiced concerns about the experiment's impact on students and educators and urged the committee to improve information sharing.

5. Elizabeth Ecks

Elizabeth Ecks focused on issues of fairness and representation in the California Bar Examination Experiment. They called for more public engagement and emphasized the need for inclusive reforms.

6. Claire Solot

Claire Solot discussed challenges faced by non-traditional and diverse applicants. They advocated for reforms to reduce systemic barriers and encouraged more outreach to marginalized communities.

7. Taylor Israel

Taylor Israel, a professor and co-chair of an academic committee, provided written feedback on the California Bar Examination's future. They emphasized collaboration with educators and stakeholders in shaping policies.

8. Matt Cagle, ACLU of Northern California

Matt Cagle reiterated the ACLU's concerns about proposed reforms and expressed willingness to collaborate with the committee.

1. Chair's Report

1.1 Committee of Bar Examiners Workplan

Discussion and presentation only.

1.2 Planning Session Discussion: Workplan Changes to be Implemented in 2025, Training Topics for 2025, Upcoming Initiatives, Review of 2024 Accomplishments

Discussion and presentation only.

1.3 Discussion and Action on Next Steps on Development of the New California Bar Exam

Discussion and presentation only. Action moved to the January 31, 2025, meeting.

1.4 Memo - Moral Character Determinations and the Israeli-Palestinian Campus Protests

Discussion only.

2. Open Session Minutes

2.1 Approval of October 11, 2024, Open Session Minutes

RESOLVED, that the Committee of Bar Examiners approves and adopts the October 11, 2024, Committee of Bar Examiners revised public meeting minutes.

Moved by Cao, seconded by Kramer

Ayes – (10) Bolton, Cao, Chan, Gongora, Kramer, Lawrence, Mesiwala, Reyna, Reyes, Yochelson

Noes – (0)

Abstain – (1) Silva-Guzman

Recuse- (0)

Absent – (3) Kaplan, Lin, Peak

Minutes adopted.

2.2 Approval of Amendment to September 1, 2023, Open Session Minutes

RESOLVED, that the Committee of Bar Examiners approves and adopts the amended September 1, 2023, Committee of Bar Examiners public meeting minutes.

Moved by Kramer, seconded by Yochelson

Ayes – (8) Bolton, Cao, Chan, Gongora, Kaplan, Kramer, Lawrence, Yochelson

Noes – (0)

Abstain – (4) Mesiwala, Silva-Guzman, Reyna, Reyes

Recuse- (0)

Absent – (2) Lin, Peak

Minutes adopted.

3. Consent Calendar

This item was pulled from the consent calendar for a separate discussion.

3.1 Action on Major Change Request - Add JD Division Allowing Graduation in 2.5 Years in Extraordinary Circumstances - University of La Verne College of Law and Public Service

RESOLVED, that the Committee of Bar Examiners approves University of La Verne College of Law and Public Service's request to add a full-time JD division of 2.5 years in length as set forth in Attachment A effective immediately.

FURTHER RESOLVED, that the law school provide the State Bar with an updated copy of the manual describing the program by January 31, 2025.

FURTHER RESOLVED, that the law school be required to submit progress reports as to the utilization, retention, and licensure rates of those students in the 2.5- year full-time division as compared to its three-year full-time division and parttime division, and to include those reports with its annual periodic compliance report until further notice.

Motion moved by Yochelson, seconded by Bolton

Ayes – (12) Bolton, Cao, Chan, Gongora, Kaplan, Kramer, Lawrence, Mesiwala, Silva-Guzman, Reyna, Reyes, Yochelson

Noes – (0)

Abstain – (0)

Recuse- (0)

Absent – (2) Lin, Peak

Motion passes.

3.2 Report on Administrative Updates Regarding Law Schools

RESOLVED, that the Committee of Bar Examiners receive and file the Report of Administrative Updates Regarding Law Schools.

RESOLVED, that the Committee of Bar Examiners approve the consent calendar.

Consent calendar moved by Kramer, seconded by Mesiwala

Ayes – (11) Bolton, Cao, Chan, Kaplan, Kramer, Lawrence, Mesiwala, Silva-Guzman, Reyna, Reyes, Yochelson

Noes – (0)

Abstain – (0)

Recuse- (0)

Absent – (3) Gongora, Lin, Peak

Motion passes.

4. Business

4.1 Action on Revisions to the Admissions Rules and Guidelines Pertaining to Examination Conduct Violations: Recommendation to Circulate for Public Comment

RESOLVED, that the committee approve the proposed changes to the Chapter 6 Conduct Violation Decisional Matrix and Guidelines as reflected in Attachments A and B.

Motion moved by Kramer, seconded by Yochelson

Ayes – (11) Bolton, Cao, Chan, Kaplan, Kramer, Lawrence, Mesiwala, Silva-Guzman, Reyna, Reyes, Yochelson

Noes – (0)
Abstain – (0)
Recuse- (0)
Absent – (3) Gongora, Lin, Peak

Motion passes.

4.2 Discussion on Unaccredited Law School Rules Review and Proposed Rule Revisions

Discussion only.

5. Director's Report

5.1 Report on October 2024 First-Year Law Students' Examination

Becky Romero provided a presentation and oral report.

5.2 Update on Content Validation Panels

Amy Nunez provided a presentation and oral report.

5.3 Update on the November 8 & 9 Phase One Experimental Exam

Cody Hounanian provided a presentation and oral report.

5.4 Fee Bill Updates Related to Committee Work

Bridget Gramme provided a presentation and oral report.

5.5 Board of Trustees Updates Related to Committee Work

Bridget Gramme provided a presentation and oral report.

CLOSED SESSION

1. Closed Session Minutes

1.1. Approval of October 11, 2024, Closed Session Minutes

**Closed pursuant Business and Professions Code § 6026.7(c)(3)-(4) and Government Code §§ 11126(c)(1) and 11126(e)(1)]*

2. Closed Session Consent Calendar

2.1 Report of Staff Moral Character Determinations

**Closed pursuant to Business and Professions Code § 6026.7(c)(4)]*

2.2 Report on State Bar Court Decisions

**Closed pursuant to Business and Professions Code § 6026.7(c)(4)]*

2.3 Report on Status of Pending Moral Character State Bar Court Cases

**Closed pursuant to Business and Professions Code § 6026.7(c)(4)]*

3. Closed Business

3.1 Conference Discussion and Approval of Written Questions for Inclusion on February 2025 California Bar Examination [Special Set for Saturday, December 7 in Closed Session]

**Closed pursuant to Business & Professions Code § 6026.7(c)(3) and Government Code § 11126(c)(1).]*

3.2 Discussion of Initial Findings for Phase One of the California Bar Exam Experiment

**Closed pursuant to Business & Professions Code § 6026.7(c)(3) and Government Code § 11126(c)(1)]*

3.3 Discussion and Action on Additional Administration and Grading for Phase One of the California Bar Exam Experiment

**Closed pursuant to Business and Professions Code § 6026.7(c)(3) and Government Code § 11126(c)(1)*

3.4 Update Relating to the Administration, Preparation of Examination Materials, and Security of Test Administration for the 2025 California Bar Examinations

**Closed pursuant to Business and Professions Code § 6026.7(c)(3) and Government Code § 11126(c)(1)*

3.5 Presentation on California Bar Examination Performance Test Question Development

**Closed pursuant to Business and Professions Code § 6026.7(c)(3) and Government Code § 11126(c)(1)]*

3.6 Action on Operation & Management Appeals

**Closed pursuant to Business and Professions Code § 6026.7(c)(3) and Government Code § 11126(c)(1)]*

3.7 Action on Testing Accommodation Appeals

**Closed pursuant to Business and Professions Code § 6026.7(c)(3)(4) and Government Code § 11126(c)(1)]*

3.8 Action on Moral Character Cases Pending Administrative Review

**Closed pursuant to Business and Professions Code § 6026.7(c)(4)]*

ADJOURNMENT