

2.1 Update on the July 2025 Bar Examination; Discussion and Authorization for Testing Center Locations, Software Provided by ExamSoft Worldwide LLC, and Use of Software for Multiple Choice Questions for the Administration of the July 2025 Bar Examination



# The State Bar of California

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## **OPEN SESSION**

## **AGENDA ITEM**

**2.1 APRIL 2025**

## **COMMITTEE OF BAR EXAMINERS**

**DATE:** April 8, 2025

**TO:** Members, Committee of Bar Examiners

**FROM:** Amy Nuñez, Program Director, Office of Admissions

**SUBJECT:** Update on the July 2025 Bar Examination; Discussion and Authorization for Testing Center Locations, Software Provided by ExamSoft Worldwide LLC, and Use of Software for Multiple-Choice Questions for the Administration of the July 2025 Bar Examination

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### **EXECUTIVE SUMMARY**

Based on the action taken by the Committee of Bar Examiners (committee) on March 14, following the direction from the Supreme Court that the State Bar plan for in person administration of the July 2025 bar exam, this staff report requests that the committee approve the geographic areas selected for test sites for the July 2025 bar exam, the use of ExamSoft as the software for delivery of the exam, and the functionality for applicants to enter multiple-choice answers within the software for the July 2025 California Bar Exam. Because time is of the essence to approve contracts for test sites and the software vendor, on April 2, the Board of Trustees approved contract amounts for the vendors listed below, contingent on this committee's subsequent approval of the software vendor and geographic areas for the test sites.

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### **RECOMMENDED ACTION**

Staff recommends that the committee approve the identified testing locations in this report and the selected exam software provider, ExamSoft (see table 1), for administering the exam. If the committee concurs, staff further requests authorization to use the exam software for hosting the multiple-choice questions.

## **DISCUSSION**

In the recent State of the Judiciary address, the Chief Justice emphasized the Committee of Bar Examiners' (CBE) expected role in exam budgeting matters. These remarks followed the Court's decision on [September 18, 2024](#), to return the 2025 bar exam petitions, citing the need for explicit committee approval of Meazure Learning as a vendor and Kaplan Exam Services for question drafting. With these developments in mind, staff recommended that the Board approve facility and exam software contracts at its April 2 meeting, contingent on committee authorization. Typically, the committee would meet first to set the parameters for such contracting, followed by the Board's approval of the contracts. However, as a Board meeting was already set for April 2 to consider this committee's recommendation regarding provisional licensure, and since we were unable to get a quorum of this committee prior to that date, the order of events was switched.

### **VENDOR FOR SOFTWARE DELIVERY**

Prior to the transition to remote exams and the contract with Meazure Learning for February 2025, the State Bar had consistently contracted with ExamSoft for delivery of in person exam since 2002. The software allows test takers to compose and submit their written answers for grading; hardcopies of the questions and physical scratch paper are handed out to all test takers.

The COVID-19 pandemic moved exams remote (or hybrid) for many states, including California, for October 2020, February 2021, and July 2021. With the concurrence of the National Conference of Bar Examiners (NCBE), California contracted with ExamSoft for the remote delivery of the exam as well. Before the COVID-19 pandemic and after in-person exams resumed in 2022, test takers were given books with the multiple-choice questions, and the answers were recorded on paper Scantron forms per NCBE policy. During the pandemic, the questions were loaded in ExamSoft and the applicants entered their responses online. Not only were applicants able to mark the selected answer, but the functionality also allowed them to mark the incorrect answers to visually help them narrow their choices. Surveys subsequent to the administration of the remote exams indicated significant support for this method of delivering the multiple-choice. In addition to the preference of test takers for online delivery of multiple-choice questions and answers, using Scantrons presents risks, including misaligned answers, accidental damage from erasing too hard, or misplaced answer sheets.

Since the State Bar is no longer dependent on NCBE questions, we now have the flexibility to deliver multiple-choice questions through ExamSoft, eliminating the need for paper-based forms. In light of this, ExamSoft submitted two bids:

- \$1.12 million (\$110 per test taker), which includes using of the software for the multiple-choice questions in addition to the essays and performance test.
- \$1.02 million (\$100 per test taker) for a paper-based multiple-choice administration.

Note that the Board of Trustees approved both options pending the committee's determination..<sup>1</sup>

Staff also secured a bid of \$809,0000 from ILG, a vendor used by 19 exam jurisdictions for the delivery of their bar exam. That bid includes the cost of loading the multiple-choice questions and answers into the system. Although the ILG bid is slightly less than the ExamSoft bid, in light of the shortened time to put on this in person exam and the desire to ensure a smooth administration, staff believe the wisest course of action is to go with the known vendor.

## TESTING FACILITIES

As with the software vendor, due to the shortened period to put together the July administration, the desire for a smooth administration, and the anticipated increase in the number of test takers, staff believe it is best, to the greatest extent possible, to select facilities that we have used in the past that we know have the ability to meet our needs. We also recommend maintaining the same general geographic distribution of bar exam facilities across the state. As such, staff is recommending the following:

<b>Standard Test Locations</b>	<b>Sites for Test Takers with Accommodations</b>
Greater Los Angeles Area <ul style="list-style-type: none"><li>• Pasadena Convention Center (1800 seats)</li><li>• Ontario Convention Center, San Bernardino County (2350 seats)</li><li>• Anaheim Convention Center (1080 seats)</li></ul>	Greater Los Angeles Area <ul style="list-style-type: none"><li>• Hotel Fera, Anaheim, Orange County (125 seats)</li><li>• Pasadena Convention Center (180 seats)</li></ul>
Bay Area <ul style="list-style-type: none"><li>• Oakland Convention Center (1200 seats)</li></ul>	Bay Area <ul style="list-style-type: none"><li>• Golden Gate University (250 seats)</li><li>• Oakland Convention Center (150 seats)</li></ul>
Sacramento Area <ul style="list-style-type: none"><li>• @The Grounds (2160 seats)</li></ul>	Sacramento Area <ul style="list-style-type: none"><li>• Hilton Sacramento Arden West (80 seats)</li></ul>
San Diego Area <ul style="list-style-type: none"><li>• Chula Vista Elite Athletic Training</li></ul>	San Diego Area <ul style="list-style-type: none"><li>• Sheraton Mission Valley (75 seats)</li></ul>

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<sup>1</sup> ExamSoft offered a reduced per test taker cost of \$100 per exam taker with multiple-choice questions delivered through the platform or \$75 per test taker without offering the multiple-choice questions via the platform for a contract through the end of 2026. However, because of the interest in a hybrid administration, and because the Supreme Court's order applied only to the July 2025 administration, staff do not think it is appropriate to bind California to a longer-term in person administration at this time.

Center (600 seats)	
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These facilities can accommodate 10,050 applicants (9,190 without accommodations and 860 with accommodations), representing nearly all July 2025 examinees. However, additional facilities will be needed to accommodate an estimated 11 percent requiring accommodated testing space. Staff believe it is prudent to seek these additional seats within these same geographic regions. To the extent additional locations are identified subsequent to the posting of this staff report but prior to the committee meeting, staff will bring information about the additional locations to the meeting.

The amount for securing the above space, including costs for workroom space, audiovisual equipment, tables, and chairs totals \$1,390,800.00.

## PREVIOUS ACTION

[At the April 2024 Committee of Bar Examiners meeting](#), the committee recommended to the Board of Trustees that the State Bar contract with Kaplan for the development of multiple-choice questions. The Board of Trustees approved a combined amount for the February and July 2025 bar exams of \$4.1 million at its [September 19, 2024 meeting](#). That amount was based on a quote from Meazure Learning to conduct the exams in a hybrid (remote and in person) model. Supreme Court direction issued on March 4, the [March 5 meeting of the Board of Trustees](#), and the [March 14 meeting of the Committee of Bar Examiners](#) affirmed the move back to a traditional in-person July 2025 bar exam delivery.

## FISCAL/PERSONNEL IMPACT

The Board of Trustees approved a \$4.1 million master services agreement with Meazure Learning at its September 19, 2024, meeting. That amount assumed a \$2.4 million cost for administration of the July 2025 bar exam. Although the Board had since been presented with information that that amount would need to increase, staff includes it here as that was the amount budgeted. With the vendors brought forward for authorization today, as well as other anticipated expenses associated with the return to in-person exam administration, including in-person proctor compensation, the July 2025 exam is now projected to cost at least \$4.75 million, more than \$2.3 million in excess of the originally budgeted amount.

## AMENDMENTS TO RULES

None

## AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

## **STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS**

None – core business operations

## **RESOLUTIONS**

**Should the Committee of Bar Examiners concur, it is:**

**RESOLVED**, that the Committee of Bar Examiners approves the use of ExamSoft as the software provider for the July 2025 bar exam; and it is

**FURTHER RESOLVED**, that the Committee of Bar Examiners approves the use of the exam software for delivery of the multiple-choice questions and logging of answers, except as approved for test takers as part of testing accommodations; and it is

**FURTHER RESOLVED**, that the Committee of Bar Examiners approves the selection of the geographic areas listed in this staff report for the in-person administration of the July 2025 bar exam.

## **ATTACHMENT LIST**

None