

2.1 Approval of April 8, 2025, Open Session Minutes



The State Bar of California

Committee of Bar Examiners Teleconference

Open Session Minutes
Tuesday, April 8, 2025
9:04 a.m.–10:25 a.m.

Time Meeting Commenced: The Committee of Bar Examiners meeting commenced in open session at 9:04 a.m. The meeting adjourned at 10:25 a.m.

Time Meeting Adjourned: 10:25 a.m.

Chair: Alex Chan

Committee Coordinator: Devan McFarland

Members Present: James A. Bolton, Ph.D., Alex H. Chan, Kareem Gongora, Paul A. Kramer, Justice Shama H. Mesiwala, Bethany J. Peak, Ashley Silva-Guzman, Alan Yochelson

Members Absent: Michael Cao, M.D, Larry Kaplan, Alexander C. Lawrence, Jr., Esther Lin, Judge Renee C. Reyna, Vincent Reyes

State Bar Executive Staff Present: Donna Hershkowitz, 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. Katie Moran, Associate Professor, Co-director of Academic and Bar Exam Success, USF School of Law:
Raised concerns about Kaplan's multiple-choice questions, urged the use of subject-matter experts for vetting for the July 2025 exam, and recommended providing paper copies of exam materials to maintain fairness.
2. Zack Defazio-Farrell:
Called for provisional licensure, reconsideration of the Portfolio Bar Exam, and licensure for attorneys barred in other US jurisdictions to address February 2025 bar exam failures,

criticized reliance on psychometric adjustments, and urged reforms to ensure fairness and transparency in licensing.

3. Ray Hayden:
Supported expanding the Provisionally Licensed Lawyer program without requiring a new exam, proposing a short, low-cost training pathway using existing materials and assessments.
4. Benjamin Kohn:
Opposed renewing the ExamSoft contract, citing past technical failures, recommended using ILG or Extegrity and allowing applicants with disabilities to test remotely; called for remedies for applicants with testing accommodations who were denied access to the November experiment and stronger disability accommodations and remedies.
5. Nadine Mazard:
As an attorney applicant, requested a one-time motion admission or reciprocity for February 2025 bar exam applicants barred in other U.S. jurisdictions and advocated for refunds of exam and technology fees due to exam administration failures.
6. Mary Basick, Assistant Dean of Academic Skills, UCI School of Law:
Raised concerns that the content map for multiple choice questions added 55 new topic areas / rules without proper statutorily required notice, asserting it undermined fairness and minimum competency standards.
7. Nydia Johnson, Associate Dean for Academic Success and Bar Preparation, Southwestern School of Law:
Urged a return to paper-based multiple-choice testing to rebuild trust and ensure exam predictability and reliability following February 2025 bar exam disruptions.
8. Joseph Figo:
As president of ILG Exam360, asserted that ILG's bid would have been \$300,000 lower than ExamSoft, is used in 19 other states, and better service record; requested consideration for administering future in-person bar exams.

1. Chair's Report

No oral report was provided by Chair Alex Chan or Vice-Chair Alan Yochelson.

2. Business

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

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.

Motion moved by Bolton, seconded by Mesiwala

Ayes – (8) Bolton, Chan, Gongora, Kramer, Mesiwala, Peak, Silva-Guzman, Yochelson

Noes – (0)

Abstain – (0)

Recuse- (0)

Absent – (6) Cao, Kaplan, Lawrence, Lin, Reyna, Reyes

Motion passes.

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

Motion moved by Kramer, seconded by Mesiwala

Ayes – (7) Bolton, Chan, Kramer, Mesiwala, Peak, Silva-Guzman, Yochelson

Noes – (1) Gongora

Abstain – (0)

Recuse- (0)

Absent – (6) Cao, Kaplan, Lawrence, Lin, Reyna, Reyes

Motion passes.

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 for handwriters and as approved for test takers as part of testing accommodations.

Motion moved by Kramer, seconded by Peak

Ayes – (7) Bolton, Chan, Kramer, Mesiwala, Peak, Silva-Guzman, Yochelson

Noes – (1) Gongora

Abstain – (0)

Recuse – (0)

Absent – (6) Cao, Kaplan, Lawrence, Lin, Reyna, Reyes

Motion passes.

CLOSED SESSION

1. Business

1.1 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).*

Item withdrawn.

ADJOURNMENT