

PUBLIC MINUTES

THE COMMITTEE OF BAR EXAMINERS

OF

THE STATE BAR OF CALIFORNIA

December 4 and 5, 2015

State Bar of California Offices
180 Howard Street
San Francisco, California

A meeting of the Committee of Bar Examiners of The State Bar of California convened in open session at 12:35 p.m., Friday, December 4, 2015, in a meeting room at the State Bar offices in San Francisco, Lee H. Wallach, Chair, presiding. Officers and members present were: Lee H. Wallach, Chair; Alan S. Yochelson, Vice-Chair; James H. Aguirre, Zeny M. Agullana, Traci C. Belmore, James A. Bolton, Ph.D., Karen M. Goodman, Erika Hiramatsu, Alexander C. Lawrence, Jr., Martha Pruden-Hamiter, Larry Sheingold, David A. Torres, Jeanne C. Vanderhoff and Patricia M. Villalobos, Members. Members Michelle Domingo, KV Kumar, Joel S. Miliband and Sandhya Ramadas were absent. State Bar staff members in attendance were Gayle E. Murphy, Senior Director, Admissions, George C. Leal, Director for Educational Standards, Lisa Jeong Cummins, Director for Examinations, Greg S. Shin, Director for Operations and Management, Kelly M. O'Haire, Director for Moral Character Determinations, Kim Wong, Administrative Specialist, and Rachel S. Grunberg, Senior Assistant General Counsel and Board of Trustees member Joanna Mendoza, liaison to the Committee. Also in attendance were Leah Wilson, Chief Operating Officer, and Vanessa Holton, General Counsel, who were present for portions of the meeting, Dean Dean Barbieri, Dean Greg Brandes, Dean Sandra Brooks, Dean Carole Buckner, Interim Dean Larry David, Dean Jane Gamp, Dean Heather Georgakis, Dean Patrick Piggott, Dean Ellen Sampong, Dean James Schiavenza, Dean Myron Steeves and Dean Mitchel Winick. The session concluded at approximately 2:00 p.m., and was reconvened into closed session at 2:40 p.m. until 3:15 p.m., at which time Donald Steedman, Senior Attorney with the Chief Trial Counsel's office, joined the meeting. Only members of the Committee and staff were present for the closed session portion of the meeting. Meetings of the Committee's subcommittees began at approximately 3:15 p.m. and were held throughout the afternoon. The meeting was reconvened in closed session beginning at 9:10 a.m. on Saturday, December 5, 2015. All Committee members, Board member and staff, except Ms. Wilson and Ms. Holton, in attendance on Friday were present on Saturday, including Michelle Domingo and excluding Alexander Lawrence and Martha Pruden-Hamiter. Also in attendance were members of the Examination Development and Grading (EDG) Team: Sarah Cohen, Christopher Frick, Thomas Haran, David Kelley, Dennis Peter Maio, Laura Meyers, Amanda Roze, and Paul Webb. The meeting went into open session at 10:00 a.m., at which time Dean Greg Brandes entered the meeting and the EDG Team members left the meeting. The meeting went into closed again at 10:45 a.m. and was adjourned at 11:25 a.m.

COMMITTEE MEETING PUBLIC MINUTES

It was moved, seconded and duly carried that the minutes taken during the public session of the meeting on October 16 and 17, 2015 be approved.

PRESENTATION FROM CALIFORNIA ACCREDITED LAW SCHOOLS

It was by common consent agreed that the Committee's appreciation be extended to Dean Sandra Brooks, Cal Northern School of Law, Dean James Schiavenza, Lincoln Law School of Sacramento and Dean Mitchel Winick, Monterey and San Luis Obispo College of Law for their presentations on California Accredited Law Schools.

PRESENTATIONS ON ONLINE LEGAL EDUCATION

It was by common consent agreed that the Committee's appreciation be extended to Dean Carole Buckner, St. Francis School of Law, Interim Dean Larry David, Concord School of Law of Kaplan University and Dean Ellen Sampong, California Southern School of Law for their presentations on Inside Distance Learning Legal Education.

ORAL REPORTS ON DECEMBER 2015 ADMISSION CEREMONIES

It was by common consent agreed that the oral reports from members representing the Committee at the December 2015 Admission Ceremonies, which were held for applicants who had passed the July 2015 California Bar Examination and met all other requirements for admission, be received.

OCTOBER 2015 KEY INDICATORS

It was by common consent agreed that the October 2015 Key Indicators for the Office of Admissions/Committee of Bar Examiners be received and filed.

SCHEDULE FOR JANUARY 29 AND 30, 2016 COMMITTEE MEETING

It was by common consent agreed that the schedule for the January 29 and 30, 2016 Committee Planning Meeting, which will be held at the Hyatt Regency Monterey Hotel in Monterey, California, be received and filed.

AMERICAN BAR ASSOCIATION RESOLUTION RE
MORAL CHARACTER REVIEW AND MENTAL HEALTH QUESTIONS

It was moved, seconded and duly carried that the resolution from the American Bar Association recommending that bar examiners not include mental health questions on their admission applications be received and filed.

SUBCOMMITTEE ON EXAMINATIONS

APPROVAL OF 2015 – 2016 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2015 – 2016 goals for the Subcommittee on Examinations be adopted.

SUBCOMMITTEE ON OPERATIONS AND MANAGEMENT

SEPTEMBER 2015 FINANCIAL ANALYSIS REPORT

It was by common consent agreed that the Financial Analysis Report as of September 30, 2015 for the Admissions Fund, be received and filed.

APPROVAL OF 2015 – 2016 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2015 – 2016 goals for the Subcommittee on Operations and Management be adopted.

SUBCOMMITTEE ON EDUCATIONAL STANDARDS

**PROPOSED AMENDMENTS TO ACCREDITED LAW SCHOOL RULES
RE ADDITIONAL LAW SCHOOL FEES – RETURN FROM PUBLIC COMMENT**

It was moved, seconded and duly carried that following a period of public comment during which no comments were received, the amendment to Rule 4.161 of the *Accredited Law School Rules* and to the Law School Fees Charges and Deadlines in the form below be approved and forwarded to the Board of Trustees with a request that they be approved:

(A) A law school subject to these rules must submit an Annual Compliance Report using the form prescribed by the Committee. The deadline and fee for submission of the report are set forth in the Schedule of Charges and Deadlines.

(B) A law school with an approved branch or satellite campus must submit an annual fee for each additional campus as set forth in the Schedule of Charges and Deadlines.

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Schedule of Charges and Deadlines

4.161(A)	Annual Compliance Report	\$1,650.00	November 15
4.161(B)	<u>Annual Branch Campus Fee</u>	<u>\$1,000.00</u>	<u>November 15</u>
4.161(B)	<u>Annual Satellite Campus Fee</u>	<u>\$ 800.00</u>	<u>November 15</u>

PROPOSED AMENDMENTS TO LAW SCHOOL RULES RE ADDITIONAL DISCLOSURES – RETURN FROM PUBLIC COMMENT

It was moved, seconded and duly carried that following a period of public comment during which two comments were received and considered, the following proposed amendment of Rule 4.241(A) of the *Unaccredited Law School Rules*, which will require unaccredited law schools to provide attrition rates in their disclosure statements, be adopted:

- (10) In the format required by the Committee, the attrition rates of students who are enrolled in the school and do not matriculate into subsequent years of law study. This information must be provided for the past five years or since the establishment of the law school, whichever time is shorter.

And that the adopted amendment be forwarded to the Board of Trustees for approval.

PROPOSED AMENDMENTS TO GUIDELINES 15.2 – 15.3 OF THE GUIDELINES FOR ACCREDITED LAW SCHOOL RULES (OPENING AND OPERATING BRANCH OR SATELLITE CAMPUSES

It was by common consent agreed that consideration of the proposed amendments to Guidelines 15.2 and 15.3 of Division 15 (Opening and Operating Branch and Satellite Campuses) to the *Guidelines for Accredited Law School Rules* be deferred until the next meeting of the Committee.

SAN FRANCISCO LAW SCHOOL – MAJOR CHANGE REQUEST

It was moved, seconded and duly carried that the Request for Approval of Major Change submitted by the San Francisco, pursuant to Rules 4.164 and 4.165(B) the *Accredited Law School Rules*, regarding the relocation of its campus and classrooms to One Beach Street, San Francisco be received and filed; and that the request be granted.

TRINITY LAW SCHOOL – REQUEST FOR MAJOR REQUEST

It was moved, seconded and duly carried that the request submitted by Trinity Law School (TLS) for approval of a Major Change, which would permit TLS to offer and award a Master of Legal Studies (MLS) degree, and the Committee's acquiescence to

award the degree be received and filed; that the requests be granted, which will allow the TLS to begin offering a MLS degree on a date of its choosing; and that, the law school must include, without alteration and as set forth in Guideline 13.3, the necessary disclaimer in its course catalog and website that the degree does not qualify the recipient to take the California Bar Examination or satisfy the requirements for admission to practice law in California.

**CALIFORNIA DESERT TRIAL ACADEMY COLLEGE OF LAW –
MAJOR CHANGE REQUEST**

It was moved, seconded and duly carried that the Request for Approval of a Major Change submitted by the California Desert Trail Academy College of Law pursuant to Rule 4.245 of the *Unaccredited Law School Rules*, regarding its move to its new facility, be received and filed; and that the request be granted.

APPROVAL OF 2015 – 2016 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2015 – 2016 goals for the Subcommittee on Educational Standards be adopted.

SUBCOMMITTEE ON MORAL CHARACTER

APPROVAL OF 2015 – 2016 SUBCOMMITTEE GOALS

It was by common consent agreed that the proposed 2015 – 2016 goals for the Subcommittee on Moral Character be adopted.

ADJOURNMENT

Having concluded all the business scheduled for consideration during the open and closed sessions of the meeting, the meeting was adjourned at 11:25 a.m., Saturday, December 5, 2015.