

Supreme Court of California

JORGE E. NAVARRETE
CLERK AND EXECUTIVE OFFICER
OF THE SUPREME COURT

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April 27, 2020

SENT VIA USPS AND EMAIL

Alan K. Steinbrecher, Chair
State Bar of California, Board of Trustees
180 Howard Street
San Francisco, CA 94105
asteinbrecher@steinbrecherspan.com

RE: Options for the Supreme Court's Consideration Regarding the June 2020 First-Year Law Students' Examination and the July 2020 California Bar Examination

Dear Mr. Steinbrecher,

This letter provides the court's approved course of action concerning the administration of the June 2020 First-Year Law Students' Examination and the July 2020 California Bar Examination.

The court has reached its determinations upon due consideration of submissions reflecting various stakeholder views. These include your April 15, 2020 letter outlining the recommendations of the Board of Trustees of the State Bar of California; the substantial public comment that was presented at the meetings conducted by the Committee of Bar Examiners and the Board of Trustees; and letters submitted by the deans of California's law schools, graduating law students, law school faculty, repeat examinees, and attorneys licensed in other states seeking admission to the California bar.

The court also has taken into account the health and safety issues presented by the COVID-19 pandemic, and the enormous challenges this public health crisis has placed before those who seek admission to the California bar, including the graduating law school class of 2020. These circumstances, the court has concluded, require that the bar adjust its examination procedures in the manner set forth below. These adjustments recognize and will advance the manifest public interest in maintaining access to justice through competent and qualified legal services.

Therefore, pursuant to its authority under Rule 9.6 of the California Rules of Court, the court hereby approves the following course of action for the administration and format of the June 2020 First-Year Law Students' Examination and the July 2020 California Bar Examination:

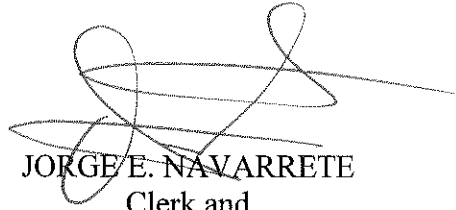
1. The administration of the July 2020 California Bar Examination is postponed to September 9-10, 2020. The State Bar shall make every effort possible to administer that examination online with remote and/or electronic proctoring.
2. The State Bar shall work with the National Conference of Bar Examiners to facilitate the online administration of the September 2020 Multistate Bar Examination (MBE), or some variation thereof.
3. In order to provide graduates and other examinees with the most flexibility in planning and preparing for the September 2020 administration of the California Bar Examination, the State Bar will allow registrants until September 8, 2020 to withdraw from the examination with a full refund of testing fees.
4. The State Bar shall undertake every effort possible to speed the grading and final results of the September 2020 California Bar Examination such that results will be disclosed to examinees no later than December 31, 2020.
5. The State Bar shall proceed with efforts to administer the June 2020 First-Year Law Students' Examination online with remote and/or electronic proctoring. To accommodate the current circumstances, the State Bar shall enact rule changes permitting students four opportunities, instead of the current limit of three, to pass the First-Year Law Students' Examination in order to be eligible for law school credit beyond the first year.
6. The State Bar shall use the experience in administering the June First-Year Law Students' Examination online to ensure a smooth online administration of the September 2020 California Bar Examination.
7. The State Bar shall postpone the October 2020 First-Year Law Students' Examination to November 2020 to maximize grading resources for the September 2020 California Bar Examination.
8. The State Bar shall submit to the court no later than May 11, 2020, a workplan, containing planned goals, milestones, and beta-testing or other simulations, for the online administration of the June 2020 First-Year Law Students' Examination and the September 2020 California Bar Examination.
9. The court will continue to explore other options as circumstances develop or change. Should a determination subsequently be made that the administration of the September 2020 California Bar Examination, as set forth above, is infeasible, the court may consider altering or amending these directives.

April 27, 2020

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The court thanks the Committee of Bar Examiners, the Board of Trustees, the deans of the California law schools, the students, and all the other public commenters for their input, including offering alternatives to the bar examination. Before the current pandemic, possible alterations to the bar examination were on the court's agenda for consideration and remain so as studies concerning the examination continue to reach their conclusion. The court remains committed to making an informed judgment concerning the future of the bar examination when the circumstances are appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jorge E. Navarrete', with a long horizontal line extending to the right.

JORGE E. NAVARRETE
Clerk and
Executive Officer of the Supreme Court

cc: Rec.