

CONNECTICUT BAR EXAMINING COMMITTEE
REGULAR MEETING
HARTFORD, CONNECTICUT
JANUARY 25, 2019

The Chair, Hon. Anne C. Dranginis (Ret.), called the public portion of the meeting to order at 10:00 a.m. (EST). Present were Raymond L. Baribeault, Jr., Erick I. Diaz, Hon. Nina Elgo, Karen L. Karpie, Hon. C. Ian McLachlan (Ret.), Gail E. McTaggart, Amir Shaikh, Matthew Wax-Krell, and Perry Zinn Rowthorn. Present by invitation were: Kathleen B. Harrington, Deputy Director, Attorney Services; Jessica F. Kallipolites, Administrative Director; Lisa Valko, Assistant Administrative Director; and Martin Libbin, Temporary Administrator, Legal Services.

Upon motion duly made by the Chair, seconded by Mr. Zinn Rowthorn, it was voted unanimously to accept and record the minutes of the public session of the Special Meeting of October 26, 2018.

At 10:02 a.m., members Robert D. Silva and Hon. Elliot Solomon arrived.

The Administrative Director presented a comparison of the Committee's income and expenses from the current fiscal year to the previous fiscal year for the First Quarter (July – September 2018).

Upon motion duly made by the Chair, seconded by Mr. Wax-Krell, it was voted unanimously to move into Executive Session, pursuant to General Statutes § 1-200 (6) (B), to discuss the negotiations concerning pending claims involving the mental health questions on the bar application.

At 10:11 a.m., member Alix Simonetti arrived.

At 10:46 a.m., Mr. Libbin left the meeting.

Upon motion duly made by the Chair, seconded by Mr. Wax-Krell, it was voted unanimously to move out of Executive Session.

At 11:02 a.m., Mr. Silva left the meeting.

The Administrative Director presented a comparison of the Committee's income and expenses from the current fiscal year to the previous fiscal year for the Second Quarter (October – December 2018).

At 11:06 a.m., Mr. Silva rejoined the meeting.

The Chair presented information from the recent NCBE UBE Forum that she attended. Due to the partial Federal government shutdown, it is unknown if Washington, D.C. will administer the February 2019 bar examination. The Chair informed the Committee that she has extended the application filing deadline for the February 2019 Connecticut bar

examination to February 8, 2019, for any applicant that timely filed an application to take the February 2019 bar examination in Washington, D.C.

Judge Elgo presented the report of the nominations subcommittee and its recommendation that current Treasurer, Denise Martino Phelan, be nominated to fill the vacant position of Vice Chair. Upon motion duly made by the Chair, seconded by Judge Solomon, it was voted unanimously to elect Ms. Phelan to the position of Vice Chair. The subcommittee nominated the current Secretary, Matthew Wax-Krell, to fill the position of Treasurer. Upon motion duly made by Judge Solomon, seconded by Ms. Simonetti, it was voted unanimously to elect Mr. Wax-Krell to the position of Treasurer. The subcommittee nominated Karen L. Karpie to fill the position of Secretary. Upon motion duly made by Justice McLachlan, seconded by Ms. Simonetti, it was voted unanimously to elect Ms. Karpie to the position of Secretary.

The Chair reported on the Rules and Regulations Subcommittee. The subcommittee will be reviewing and evaluating the rules and regulations to determine if any changes or revisions should be considered by the Committee.

Discussion was had regarding an admission without examination applicant's request for a waiver of the MPRE requirement under Article IV of the CBEC Regulations. Upon motion duly made by Judge Solomon, seconded by Ms. Simonetti, it was voted unanimously to deny this applicant's request for a waiver of the MPRE requirement.

The Administrative Director provided a report for the upcoming February 2019 bar examination. There are currently 179 applications pending, which is fewer than February 2018, but similar in number to February 2017. The number of examinees receiving nonstandard testing accommodations has increased from last February, with 14 applicants scheduled to receive accommodations for the upcoming examination. Laptop registration closed with 74% of applicants opting to take the examination using a laptop. Sixty-six percent of examinees are repeat applicants, as compared to approximately 50% in February 2018, and 45% in February 2017.

The Assistant Administrative Director presented proposed amendments to the application and forms to incorporate revisions to Article V of the CBEC Regulations previously adopted by the Committee. These amendments remove the option to transfer an MBE score from a prior or concurrent administration of the bar examination. Upon motion duly made by the Chair, seconded by Ms. Simonetti, it was voted unanimously to approve the proposed amendments to the application and forms.

The Administrative Director presented proposed amendments to the bar examination application form 1E, which include amendments to question 34, and the removal of questions 36 and 37, and the preamble to those questions. Proposed amendments were also included in Forms 4, 10, 11, 27a, and the removal of Form 8. These amendments were also proposed for corresponding application questions and forms for Admission without Examination, Uniform Bar Examination score transfer, Authorized House Counsel, Foreign Legal Consultant, and Military Spouse Temporary Licensing applicants. Upon motion duly made by the Chair, seconded by Ms. Simonetti, it was voted unanimously to

approve the proposed forms with modifications to proposed question 34. Question 34 will read as follows:

34. Within the past five years, have you engaged in any conduct that: (1) resulted in an arrest, discipline, sanction, or warning; (2) resulted in termination, or suspension from school or employment; (3) resulted in loss or suspension of any license; (4) resulted in any inquiry, any investigation, or any administrative or judicial proceeding by an educational institution, government agency, professional organization, or licensing authority, or in connection with an employment disciplinary or termination procedure; ~~or~~ (5) endangered the safety of others, breached fiduciary obligations, violated the confidentiality of information, or constituted a violation of workplace or academic conduct rules; or (6) resulted in your being asked or encouraged to resign or withdraw by an employer, supervisor, teacher or other educator based on your truthfulness or your excessive absences? If so, explain on Form 2 and include any asserted defense or claim in mitigation or as an explanation of your conduct ~~and, if applicable to your explanation, Form 8.~~

The Assistant Administrative Director provided an update regarding law school admission numbers for the local law schools. It was noted that admission numbers are down slightly from last year, but still up from 2015 and 2016.

The Assistant Administrative Director presented information regarding the number of applicants transferring a UBE score for admission to Connecticut who failed the UBE in the jurisdiction in which it was administered.

Upon motion duly made by the Chair, seconded by Mr. Wax-Krell, it was voted unanimously to adjourn the public portion of the meeting at 11:46 a.m. (EST).

Respectfully submitted,

KAREN L. KARPIE
Secretary