

CONNECTICUT BAR EXAMINING COMMITTEE
REGULAR MEETING
HARTFORD, CONNECTICUT
MAY 10, 2013

The Chair, Hon. Anne C. Dranginis (Ret.), called the public portion of the meeting to order at 10:00 a.m. (EDT). Present were Cynthia Baer, Raymond L. Baribeault, Jr., Kevin C. Connors, Earl F. Dewey II, Hon. Nina Elgo, Edward J. Gavin, Eric M. Gross, Karen L. Karpie, Gail E. McTaggart, David A. Moraghan, Irving H. Perlmutter, Hon. Barbara M. Quinn, Alix Simonetti, Frederic S. Ury and Michael J. Whelton. Present by invitation were: Howard E. Emond, Jr., Deputy Director, Attorney Services; Kathleen B. Harrington, Administrative Director; Jessica F. Kallipolites, Assistant Administrative Director; and Denise Poncini, Counsel, Legal Services.

The Chair, on behalf of the Committee, welcomed new member, Cynthia Baer, to the Committee.

The Chair then announced the results of the February 2013 bar examination. Upon motion duly made by the Chair, seconded by Ms. Simonetti, it was voted unanimously to deem those 219 applicants who had obtained a passing score of 264 as having passed the February 2013 Connecticut bar examination. Upon motion duly made by the Chair, seconded by Mr. Dewey, it was voted unanimously to deem those 85 applicants who had failed to obtain a passing score of 264 as having failed to pass the February 2013 Connecticut bar examination. Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously that those 103 applicants who had obtained a passing score on the February 2013 Connecticut bar examination and who had complied with the rules and regulations governing admission to the bar of the State of Connecticut be recommended to the judges of the Superior Court for admission to the bar. Upon motion duly made by the Chair, seconded by Mr. Connors, it was voted unanimously that those 114 applicants who had obtained a passing grade of 264 on the February 2013 Connecticut bar examination, but whose applications were incomplete or contained other technical defects, be recommended to the judges of the Superior Court for admission to the bar of the State of Connecticut upon remedying the defects, unless further examination was required pursuant to Article VI of the regulations of the Connecticut Bar Examining Committee. Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously that the 2 applicants who had obtained a passing grade on the February 2013 Connecticut bar examination, but whose applications disclosed issues concerning good character or fitness, be reviewed further pursuant to Article VI of the regulations of the Connecticut Bar Examining Committee.

Upon motion duly made by Mr. Perlmutter, seconded by the Chair, it was voted unanimously to accept and record, without amendment or correction, the minutes of the public session of the Regular Meeting of January 25, 2013. Upon motion duly made by Mr. Perlmutter, seconded by the Chair, it was voted unanimously to accept and record, without amendment or correction, the minutes of the non-public session of the Regular Meeting of January 25, 2013.

The Administrative Director delivered the Second Quarterly Financial Report (FY 2012-2013). Upon motion duly made by Mr. Perlmutter, seconded by Judge Quinn, it was voted unanimously to accept the report. The Administrative Director delivered the Third Quarterly Financial Report (FY 2012-2013). Upon motion duly made by Mr. Perlmutter, seconded by Ms. Karpie, it was voted unanimously to accept the report. Additionally, the Administrative Director presented the Proposed Budget for the upcoming fiscal year (2013-2014). Upon motion duly made by Mr. Perlmutter, seconded by the Chair, it was voted unanimously to accept and approve the proposed budget. Finally, the Administrative Director presented a financial review related to the implementation of the Multistate Performance Test on the February 2014 bar examination and indicated that the plan will move forward.

The Cut Score Study Subcommittee presented an update on the work that it has conducted in reviewing pass rates for individuals sitting concurrently in Connecticut and Massachusetts, as well as reviewing the passing scores for attorneys that have recently been subject to professional discipline. The Subcommittee recommended that the passing score remain unchanged at this time.

Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously to amend Article V-7 of the CBEC Regulations to require that an applicant must have been successful on each examination for which an MBE score was originally achieved in order to use that score.

Upon motion duly made by the Chair, seconded by Mr. Whelton, it was voted unanimously to adopt a new Article V-8 and renumber Articles V-8, V-9 and V-10 of the CBEC Regulations to require applicants to attend all sessions of the bar examination as scheduled or entry will be denied and the applicant will be deemed withdrawn.

The Committee tabled proposed amendments to the non-standard testing forms to ensure compliance with state law. The Administrative Office was instructed to review state law and amend the forms and/or informational posting as necessary. Additionally, the Committee tabled proposed amendments to the bar, motion and foreign legal consultant applications to expand the general disclosure requirements to include administrative proceedings. The Administrative Office was instructed to improve the wording of the proposed amendments and to perhaps to create an entirely new question to address this issue.

Upon motion duly made by Mr. Whelton, seconded by Mr. Dewey, it was voted to amend Section XII of the bar application, Section XI of the motion application and Section XI of the foreign legal consultant application to require submission of an FBI criminal record check by applicants. The vote was 15-1 with Ms. Simonetti voting in opposition.

The Assistant Administrative Director reported on the April 2013 Annual Conference sponsored by the National Conference of Bar Examiners.

Upon motion duly made by the Chair, seconded by Mr. Dewey, it was voted unanimously to adjourn the public portion of the meeting at 11:50 a.m. (EDT) and to reconvene in the non-public portion of the meeting.

The public portion of the meeting was reconvened at 12:15 p.m. (EDT) to discuss the pass rates for individuals using laptops on the essay portion of the exam and the upcoming retirement of Mr. Emond – noting that this would be his final Committee meeting and thanking him for his hard work and dedication over the years.

Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously to adjourn the reconvened portion of the meeting at 12:25 p.m. (EDT).

Respectfully submitted,

IRVING H. PERLMUTTER
Secretary