

CONNECTICUT BAR EXAMINING COMMITTEE  
REGULAR MEETING  
HARTFORD, CONNECTICUT  
OCTOBER 3, 2014

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, Richard F. Banbury, Raymond L. Baribeault, Jr., Kevin C. Connors, Earl F. Dewey II, Eric M. Gross, Karen L. Karpie, Hon. C. Ian McLachlan (Ret.), Gail E. McTaggart, David A. Moraghan, Irving H. Perlmutter, Robert D. Silva, Alix Simonetti, Frederic S. Ury, Matthew Wax-Krell, and Michael J. Whelton. Present by invitation were Kathleen B. Harrington, Deputy Director, Attorney Services, Jessica F. Kallipolites, Administrative Director, and James O'Connor, Counsel, Legal Services.

The Chair then announced the results of the July 2014 bar examination. Upon motion duly made by the Chair, seconded by Mr. Ury, it was voted unanimously to deem those 353 applicants who had obtained a passing score of 264 as having passed the July 2014 Connecticut bar examination. Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously to deem those 104 applicants who had failed to obtain a passing score of 264 as having failed to pass the July 2014 Connecticut bar examination. Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously that those applicants who had obtained a passing score on the July 2014 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, unless further evidence warrants review pursuant to Article VI of the CBEC Regulations. Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously that the 8 applicants who had obtained a passing grade on the July 2014 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.

Mr. O'Connor left the meeting at 10:04 a.m.

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 July 11, 2014.

The Chair announced the hiring of two individuals for the Administrative Office and thanked Mr. Banbury for his assistance with the process. Additionally, the Chair also discussed a recent editorial in the Connecticut Law Tribune discussing the character and fitness process followed by the Committee. There will be no response to the editorial.

Mr. Gross and Mr. Wax-Krell, on behalf of the Nominating Subcommittee, presented a proposed amendment to Article I-2 of the CBEC regulations, which provides for the election of officers. Under the proposal, elections would take place at the first rather than the last meeting in the calendar year and officers would serve two year terms without an overall limit on service. There was discussion concerning the restrictiveness

of the current term limits, the favorable performance of each of the current officers, the fact that the current officers were no longer eligible to continue serving in their current capacities, and the lack of nominations by or for other members to serve as officers. Further discussion focused on the need to have a workable overall limit for service as an officer that was not as restrictive as the current limit. Upon motion duly made by Mr. Gross, seconded by Ms. Simonetti, it was voted unanimously to adopt the proposed amendment with the following changes: terms shall be three years, as opposed to two years, and there shall be an overall service limit of twelve years, as opposed to no overall service limit. The Administrative Office was directed to publish the amendment in the Connecticut Law Journal. Since the amendment will be effective ninety days after publication, the election of officers will be held at the January 30, 2015 regular meeting.

The issuance of a settlement agreement between the Department of Justice and Louisiana Supreme Court was noted.

The Administrative Director advised the Committee that the National Conference of Bar Examiners (NCBE) is now requiring use of the NCBE number as opposed to the social security number for identification purposes on the Multistate Bar Examination (MBE). Until now, it has been optional for jurisdictions to require applicants to obtain such a number from the NBCE (which is free) and to report it on the MBE answer sheet. However, this will now be a requirement for proper completion of that document. Upon suggestion by the Administrative Director, the Committee advised the Administrative Office that providing a properly issued NCBE number on a bar examination application is now mandatory and failure to obtain and provide this information no less than seven (7) days before the bar exam will result in the application being rejected, which means the person will be prohibited from sitting for the exam. The Committee also instructed the Administrative Office to post notice of this deadline on the website and to include an express statement explaining the consequences for the failure to comply by the deadline.

The Deputy Director presented proposed amendments to the application and forms for admission without examination in light of the amendments to such admission that will be effective on January 1, 2015. Upon motion duly made by the Chair, seconded by Justice McLachlan, it was voted unanimously to adopt the proposed amendments to Form M1. Upon motion duly made by Mr. Perlmutter, seconded by the Chair, it was voted unanimously to adopt the proposed amendments to Form M8. Upon motion duly made by Justice McLachlan, seconded by the Chair, it was voted unanimously to adopt the proposed amendments to Form M15. Upon motion duly made by Mr. Perlmutter, seconded by Mr. Gross, it was voted unanimously to adopt the proposed amendments to Form M21, now Form M19, with the understanding that the amendments will be made to the proper version of the current form. Upon motion duly made by the Chair, seconded by Mr. Perlmutter, it was voted unanimously to adopt the proposed amendments to Form M22, now Form M20. Upon motion duly made by the Chair, seconded by Ms. Simonetti, it was voted unanimously to adopt the proposed amendments to the following forms: Form M22A, now Form M20A; Form M33, now Form M31; and Form M54A, now Form M52A.

Member Mr. Dewey left the meeting at 10:45 a.m.

The Administrative Director presented supplemental information to the Committee concerning a variance granted by the American Bar Association for William Mitchell College of Law for a hybrid law program. There was discussion about this being the “wave of the future” and questions about how California handles this issue as that jurisdiction has approved degrees from online and/or distance learning law schools. A subcommittee was appointed to look into this issue and to report back to the full Committee. Justice McLachlan was named Chair and the following members volunteered to serve: Mr. Connors, Ms. Karpie and Ms. Simonetti.

Mr. Ury announced that the American Bar Association has created a Commission on the Future of Legal Services and that he has been appointed to serve. The Commission’s primary task is to develop a model that meets the needs of the underserved by identifying innovative practices to deliver legal services and by improving access to justice. He will provide updates on the Commission’s work as available.

Upon motion duly made by Mr. Perlmutter, seconded by Ms. Simonetti, it was voted unanimously to adjourn the public portion of the meeting at 11:20 a.m. (EDT) and to reconvene in the non-public portion of the meeting.

Respectfully submitted,

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IRVING H. PERLMUTTER  
Secretary