

CONNECTICUT BAR EXAMINING COMMITTEE
REGULAR MEETING
HARTFORD, CONNECTICUT
FEBRUARY 16, 2018

The Chair, Hon. Anne C. Dranginis (Ret.), called the public portion of the meeting to order at 10:00 a.m. (EST). Present were Richard F. Banbury, Raymond L. Baribeault, Jr., Kevin C. Connors, Hon. Nina Elgo, Edward J. Gavin, Eric M. Gross, Karen L. Karpie, Hon. C. Ian McLachlan (Ret.), Timothy P. Pothin, Amir Shaikh, Robert D. Silva, 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; Lisa Valko, Assistant Administrative Director; Dean Martin Pritikin (Concord Law School); Dean Jennifer Brown (Quinnipiac University School of Law); Professor Sheila Hayre (Quinnipiac University School of Law); Denia Perez (Quinnipiac University School of Law); and Monte Frank (Connecticut Bar Association).

Upon motion duly made by the Chair, seconded by Mr. Ury, it was voted unanimously to take the items on the agenda out of order such that Item VI would be addressed first, followed by Item V.

A motion was duly made by the Chair, seconded by Mr. Connors, to support the amendment as proposed for purposes of discussion.

Professor Hayre addressed the Committee regarding the proposed amendment to Practice Book § 2-8(1). Professor Hayre explained the reason the amendment was being proposed, the language used in the proposed amendment, and additional language that may be included. The proposed amendment is illustrative of what is permitted under the Rule and would serve to clarify that certain categories of immigrants would meet the requirements of the rule. Dean Brown, Ms. Perez and Attorney Frank also spoke in support of the proposed amendment.

Upon motion duly made by Justice McLachlan to call the question, seconded by Mr. Whelton, it was voted unanimously to recommend the amendment as originally proposed to the Rules Committee at its next meeting.

At 10:41 a.m., Dean Brown, Professor Hayre, Ms. Perez, and Attorney Frank left the meeting.

At 10:59 a.m., member Alix Simonetti arrived.

Mr. Ury began the report of the subcommittee reviewing the petition submitted by Concord Law School for approval under Article II-1(B) of the CBEC Regulations. Ms. Karpie, Justice McLachlan and Mr. Banbury also presented on the subcommittee's recommendation not to approve Concord Law School at this time. Discussion was had regarding the cost of law school and accessibility of law school to those in Connecticut. Further discussion was had regarding whether Concord Law graduates could sit for bar

examinations in other jurisdictions, whether the online experience provides an ample opportunity for communication with peers the way that a brick and mortar law school does, and the possible acquisition of Concord Law School and Kaplan University by Purdue University.

Dean Pritikin addressed the Committee regarding the concerns voiced by members in attendance and also addressed the affordability and accessibility of law schools as compared to Concord Law School. Dean Pritikin also presented information regarding the student population at Concord Law School and indicated that approximately two-thirds of the student population was located outside of California, the state in which Concord Law School is based. The students are typically older and due to work and family obligations must remain where they are located. The student population has included service members serving in Afghanistan.

Upon motion duly made by Mr. Ury, seconded by Judge Elgo, a majority voted against approving Concord Law School by a vote of 7 to 9 with the Chair, Mr. Baribeault, Mr. Connors, Judge Elgo, Mr. Shaikh, Mr. Ury, and Mr. Wax-Krell voting in favor.

At 11:23 a.m., Dean Pritikin left the meeting.

The Chair presented information from the recent NCBE UBE Committee meeting that she attended. There are plans to reconstitute this committee to make it smaller as it has grown as more jurisdictions have adopted the UBE.

Upon motion duly made by the Chair, seconded by Mr. Ury, it was voted unanimously to accept and record the minutes of the public session of the Regular Meeting of September 29, 2017.

Discussion was had regarding 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 2017) and Second Quarter (October – December 2017). Upon motion duly made by Justice McLachlan seconded by Ms. Simonetti, it was voted unanimously to approve the First Quarterly and Second Quarterly Reports.

Upon motion duly made by Judge Elgo, seconded by Ms. Simonetti, it was voted unanimously to elect the following persons to serve as officers of the Committee for three years or until their successors are elected:

Chair:	Hon. Anne C. Dranginis
Vice-Chair:	Michael J. Whelton
Treasurer:	Denise Martino Phelan
Secretary:	Matthew Wax-Krell

Mr. Wax-Krell presented the report of the strategic planning subcommittee and its recommendation that concurrent UBE applications be permitted. Concurrent applications would permit those sitting for the UBE in another UBE jurisdiction to apply for admission by UBE score transfer before the applicant receives his or her score from

the jurisdiction in which the UBE was administered. Upon motion duly made by Mr. Wax-Krell, seconded by Mr. Connors, it was unanimously voted to approve the proposed amendments to Article III-1(B) to permit concurrent UBE applications.

At 11:41 a.m., Mr. Whelton left the meeting.

The Administrative Director provided a report for the upcoming February 2018 bar examination. There are currently 215 applications pending with 205 registered to sit for the MBE in Connecticut. Laptop registration closed with 166 applicants opting to take the examination using their laptop computers. Nonstandard testing accommodations will be provided to 9 applicants.

At 11:44 a.m., Mr. Whelton rejoined the meeting.

The Administrative Director provided an update regarding the background checks required of all bar examination, motion, and UBE score transfer applicants. Previously, fingerprints were required of all applicants. Due to issues involved in that process, the Committee permitted the administrative staff to utilize an alternative background search procedure for a period of one year beginning in January 2017. The Administrative Director indicated that the alternative procedure was effective and was without the issues experienced when requiring fingerprints of all applicants. Upon motion duly made by Mr. Whelton, seconded by Justice McLachlan, it was voted unanimously to continue utilizing the alternative procedure.

At 11:47 a.m., Mr. Silva left the meeting.

The Assistant Administrative Director provided an update regarding law school admission numbers for the local law schools. It was noted that the schools are not required to provide the number of part and full time students when reporting and so this information is not available for all of the local law schools.

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.

At 11:51 a.m., Mr. Silva rejoined the meeting.

The Administrative Director presented a proposed reapplication form for those seeking admission under the military spouse temporary licensing rule. The reapplication form requires information that is necessary to determine whether the applicant continues to meet the requirements of the rule. Upon motion duly made by the Chair, seconded by Mr. Whelton, it was voted unanimously to approve the proposed form with the correction that Question 49 should be renumbered as Question 10.

Upon motion duly made by the Chair, seconded by Mr. Connors, it was voted unanimously to adjourn the public portion of the meeting at 11:52 a.m. (EST) and to reconvene in the non-public portion of the meeting.

Respectfully submitted,

MATTHEW WAX-KRELL
Secretary