

CONNECTICUT BAR EXAMINING COMMITTEE
REGULAR MEETING
HARTFORD, CONNECTICUT
MAY 4, 2018

The Chair, Hon. Anne C. Dranginis (Ret.), called the public portion of the meeting to order at 10:00 a.m. (EDT). Present were Raymond L. Baribeault Jr., Hon. Nina Elgo, Eric M. Gross, Karen L. Karpie, Hon. C. Ian McLachlan (Ret.), David A. Moraghan, Denise Martino Phelan, Amir Shaikh, Robert D. Silva, Hon. Elliot Solomon, 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 Joseph J. Del Ciampo, Deputy Director, Legal Services.

The Chair announced the results of the February 2018 bar examination. Upon motion duly made by the Chair, seconded by Mr. Gross, it was voted unanimously to deem those 74 applicants who had obtained a passing score of 266 as having passed the February 2018 Connecticut bar examination. Upon motion duly made by the Chair, seconded by Ms. Phelan, it was voted unanimously to deem those 121 applicants who had failed to obtain a passing score of 266 as having failed to pass the February 2018 Connecticut bar examination. Upon motion duly made by the Chair, seconded by Ms. Phelan, it was voted unanimously that those applicants who had obtained a passing score on the February 2018 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 Connecticut Bar Examining Committee Regulations. Upon motion duly made by the Chair, seconded by Ms. Phelan, it was voted unanimously that the 4 applicants who had obtained a passing score on the February 2018 Connecticut bar examination, but whose applications disclosed issues concerning good character or fitness, be reviewed further pursuant to Article VI of the Connecticut Bar Examining Committee Regulations.

At 10:05 a.m., members Gail E. McTaggart and Alix Simonetti and Martin R. Libbin, Director, Legal Services arrived.

Upon motion duly made by Mr. Wax-Krell, seconded by Ms. Phelan, it was voted unanimously to accept and record the minutes of the public session of the Regular Meeting of February 16, 2018.

At 10:12 a.m., member Edward J. Gavin arrived.

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 Third Quarter (January – March 2018). Additionally, discussion was had regarding the proposed budget for the upcoming fiscal year (2018-2019).

Upon motion duly made by the Chair, seconded by Ms. Simonetti, it was voted unanimously to approve the Third Quarter financial report.

Upon motion duly made by the Chair, seconded by Ms. Simonetti, it was voted unanimously to approve the budget for the 2018-2019 fiscal year.

At 10:22 a.m., Adam Mauriello, Counsel, Legal Services arrived.

The Administrative Director presented proposed amendments to the application for admission by UBE score transfer relating to the recent regulation amendments permitting concurrent applications. Upon motion duly made by the Chair, seconded by Ms. Phelan, it was voted unanimously to approve the amendments to the application as proposed.

The Administrative Director presented for consideration whether applicant email addresses could be provided to bar associations. The authorization and release currently permits the release of an applicant's name and correspondence address to bar associations for the purposes of membership solicitation, educational opportunities and the like unless they opt out of having such information provided. Upon motion duly made by the Chair, seconded by Justice McLachlan, it was voted unanimously to amend the language of the authorization and release and opt out provision to include an applicant's email address in addition to his or her name and correspondence address.

Thereafter, the Administrative Director presented on a proposed amendment to the regulations which would deem withdrawn an applicant who failed to upload all of his or her laptop answer files by the deadline. Discussion was had regarding applicants who make legitimate attempts to upload before the deadline, but who experience technical problems and are unable to upload all answer files before the deadline. The consensus was that such individuals be permitted additional time rather than being deemed withdrawn. The Administrative Director will present proposed amendments at the July 2018 meeting which address this concern.

Finally, the Administrative Director provided a report on the upcoming July 2018 bar exam, noting that the office has received 281 applications and that the 121 individuals that were unsuccessful on the February 2018 exam have an additional three (3) weeks to file an application for the upcoming exam pursuant to Article III-1 of the CBEC Regulations.

At 10:35 a.m., Attorney Robert Langer from Wiggin & Dana arrived.

Attorney Langer addressed the Committee and presented on potential anti-trust issues, the FTC Staff Guidance on Active Supervision of State Regulatory Boards Controlled by Market Participants, and cases that have been recently filed and decided. Discussion was had regarding this guidance and recent cases, including the narrowing of immunity, the definition of a market participant and the types of review which are and are not acceptable.

At 11:09 a.m., Attorney Del Ciampo left the meeting.

At 11:22 a.m., Attorney Langer, Attorney Libbin, and Attorney Mauriello left the meeting.

The Administrative Director and Assistant Administrative Director presented information regarding the efforts being made to create a fully online application, electronic communications with applicants, and a new database. Information was presented regarding how documents requiring a signature and notarization are submitted electronically in other bar jurisdictions. Discussion was had regarding what the Judicial Branch permits to be electronically submitted through efilng as well as a project that the Real Estate Section of the Connecticut Bar Association has been working on regarding the electronic submission of documents. The Strategic Planning Subcommittee will work with the Administrative Office and will make recommendations regarding the electronic submission of documents requiring a signature and notarization at a future meeting.

Upon motion duly made by the Chair, seconded by Ms. Simonetti it was voted unanimously to adjourn the public portion of the meeting at 11:36a.m. (EDT) and to reconvene in the non-public portion of the meeting.

Respectfully submitted,

MATTHEW WAX-KRELL
Secretary