

CONNECTICUT BAR EXAMINING COMMITTEE
REGULAR MEETING
HARTFORD, CONNECTICUT
JULY 7, 2017

The Chair, Hon. Anne C. Dranginis (Ret.), called the public portion of the meeting to order at 10:03 a.m. (EDT). Present were Hon. Nina Elgo, Gail E. McTaggart, Denise Martino Phelan, Robert D. Silva, Alix Simonetti, Hon. Elliot Solomon, and Michael J. Whelton. Present by invitation were: Jessica F. Kallipolites, Administrative Director; and Lisa Valko, Assistant Administrative Director.

Upon motion duly made by the Chair, seconded by Ms. Phelan, it was voted unanimously to accept and record, without amendment or correction, the minutes of the public session of the Regular Meeting of May 5, 2017. Judge Elgo and Judge Solomon abstained from voting.

The Administrative Director presented the projected versus actual budget for fiscal year 2016-2017. It was noted that while there was a decrease in exam applications, this was offset by the acceptance of UBE applications. It was also noted that the number of motion applications was higher than projected. The variance noted for staff salaries and benefits was due to an error in calculating the projected expense for this item.

At 10:08 a.m., member Hon. C. Ian McLachlan (Ret.) arrived.

The Strategic Planning Subcommittee presented its proposed regulation changes regarding bar exam application fees. The proposed changes institute two filing deadlines with two separate fees, and would be effective with the July 2018 bar exam. Upon motion duly made by Judge Solomon, seconded by Ms. Simonetti, it was voted unanimously to approve the proposed amendments to Articles I-4, III-1(A), and X of the CBEC Regulations.

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

Discussion was had regarding the petition for approval of Concord Law School. The consensus was that the Dean of Concord Law School should be invited to give a demonstration of an online law school class to the Committee at the Regular Meeting to be held on September 29, 2017.

The Chair reported on two petitions that were received from foreign trained lawyers, both licensed in New York, which sought a waiver of the LL.M. degree requirement found in Article II-3(B) of the CBEC Regulations. The consensus was that both petitions should be denied because the current regulation requires an LL.M. degree and does not provide for any exception. It was noted, however, that with the increased mobility and globalization of the practice of law, this issue may continue to arise in the future and should be monitored by staff.

The Administrative Director indicated that the preparations for the July 2017 exam are well underway and that the exam will be held at the Convention Center on July 25th and 26^h, 2017. It was noted that the number of applicants is up from last July, and the number of applicants requiring non-standard testing accommodations is down. The number of applicants that will be sitting in Connecticut for both days of the exam is much higher than previous administrations. This is likely due to the UBE requirement that an applicant sit for all portions of the test in the same jurisdiction in order to receive a portable UBE score. The Administrative Director also presented a chart that contains the UBE score information of applicants that have applied for admission by UBE Score Transfer, including whether the applicants failed the exam in the administering jurisdiction. The Committee asked that the Administrative Director continue to compile this information and present it to the Committee two times per year.

The Administrative Director presented two different proposals for changes to the language of Article III of the CBEC Regulations in order to accurately reflect that an applicant that obtains a passing UBE score administered in Connecticut can reuse that score if still valid under circumstances where the applicant must reapply after having his/her application deemed withdrawn. Proposal 1 keeps the term “transfer” and interprets it to mean transfer not only from one jurisdiction to another but also from one exam administration to another, and from one type of application to another. Proposal 2 removes all use of the term “transfer” in Article III. Proposal 2 also removes the term “transfer” from Article V for consistency. The question was raised as to what terminology is used by the NCBE. After review of the NCBE website, it was determined that the NCBE uses the term “transfer” in regards to score portability.

At 10:59 a.m., member Robert D. Silva left the meeting.

It was the consensus that the regulations should be consistent with the language used by the NCBE. Upon motion duly made by the Chair, seconded by Mr. Whelton, it was voted unanimously to adopt proposal 1 of the amendments to Article III of the CBEC Regulations.

At 11:01 a.m., member Robert D. Silva rejoined the meeting.

The Administrative Director announced that the Judges of the Superior Court adopted the Military Spouse Rule, which will be new Practice Book Section 2-13A, and is effective January 1, 2018. The Administrative Director proposed an amendment to Article X of the CBEC Regulations to add the fees for Military Spouse Temporary Licensing. The application and forms will be presented to the Committee at the next meeting. Upon motion duly made by the Chair, seconded by Judge Elgo, it was voted unanimously to adopt the amendment to Article X of the CBEC Regulations.

Upon motion duly made by the Chair, seconded by Ms. Phelan, it was voted unanimously to adjourn the public portion of the meeting at 11:04 a.m. (EDT) and to reconvene in the non-public portion of the meeting.

Respectfully submitted,

HON. NINA ELGO
Secretary *Pro Tem*