

CONNECTICUT BAR EXAMINING COMMITTEE
REGULAR MEETING
HARTFORD, CONNECTICUT
JULY 10, 2015

The Chair, Hon. Anne C. Dranginis (Ret.), called the public portion of the meeting to order at 10:00 a.m. (EDT). Present were Richard F. Banbury, Raymond L. Baribeault, Jr., Kevin C. Connors, Hon. Nina Elgo, Eric M. Gross, Sharon A. Peters, Denise Martino Phelan, 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 Lisa Valko, Assistant Administrative Director.

Upon motion duly made by Mr. Whelton, seconded by Ms. Simonetti, it was voted unanimously to accept and record, without amendment or correction, the minutes of the public session of the Meeting of May 8, 2015.

The Administrative Director presented a comparison of the Committee's projected versus actual income and expenses from the previous fiscal year (2014-2015).

At 10:05 a.m., member Gail E. McTaggart arrived.

At 10:08 a.m., members Hon. C. Ian McLachlan (Ret.) and Hon. Elliot Solomon arrived.

Discussion was had concerning the Uniform Bar Examination (UBE) given its recent adoption in New York. The Chair appointed a Subcommittee to review the impacts that adoption of the UBE in Connecticut may have upon the local bar and the provision of legal services in Connecticut and to make a recommendation to the full Committee at a future meeting. The Subcommittee consists of Ms. McTaggart, Justice McLachlan (Ret.), Ms. Peters, Ms. Phelan, Judge Solomon, and Mr. Ury.

At 10:21 a.m., member Edward J. Gavin arrived.

Discussion was had concerning foreign trained and licensed lawyers. Information was provided regarding the policies in other states in the northeast and discussion was had regarding the acceptance of foreign degrees in the past in Connecticut and the reasons that foreign degrees stopped being accepted. Issues such as the ability to determine whether foreign documentation was authentic and the low pass rate of foreign applicants in the past were discussed. The Chair appointed a subcommittee to continue to review the policy on foreign trained and licensed lawyers and to make a recommendation to the full Committee at a future meeting. The Subcommittee will be chaired by Mr. Wax-Krell, with more members to be added.

The Deputy Director reported the results of a listserve sent to jurisdictions without conditional admission. The focus of the inquiry was on how these jurisdictions handle applicants with character and fitness issues that may be offered conditional admission in other jurisdictions, such as Connecticut. The results indicate that jurisdictions

without conditional admission handle such cases in a variety of ways and include denial of the application or the decision can be deferred until a later date to allow the applicant to meet certain conditions.

The Chair addressed the pending ABA resolution regarding mental health inquiries on bar admission applications. This resolution will be considered by the ABA House of Delegates at the 2015 Annual Meeting in August.

The Administrative Director provided a report for the upcoming July 2015 bar examination. There are currently 457 applications pending with 378 registered to sit for the MBE in Connecticut. Nonstandard testing accommodations will be provided to 15 applicants and it is expected that 2 additional applicants will receive courtesy accommodations. Laptop registration closed with 390 registered applicants, or approximately 85% of pending applicants.

The Administrative Director presented on the difficulties experienced regarding the current process for obtaining FBI background checks for bar exam and motion applicants and potential changes to this process. The Deputy Director and Administrative Director met with representatives from the Connecticut State Police Department of Emergency Services & Public Protection in June regarding the Committee's ability to obtain FBI background checks through the State Police in the future. Upon motion duly made by the Chair, seconded by Mr. Ury, it was voted unanimously to amend the bar application beginning with the February 2016 examination to reflect the requirement that FBI and Connecticut background checks are to be obtained through the Connecticut State Police and that applicants are to pay any required fees.

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

Respectfully submitted,

IRVING H. PERLMUTTER
Secretary