

CONNECTICUT BAR EXAMINING COMMITTEE
REGULAR MEETING
HARTFORD, CONNECTICUT
OCTOBER 2, 2015

The Vice-Chair, Michael J. Whelton, called the public portion of the meeting to order at 10:00 a.m. (EDT). Present were Richard F. Banbury, Raymond L. Baribeault, Jr., Hon. Nina Elgo, Edward J. Gavin, Eric M. Gross, Karen L. Karpie, Hon. C. Ian McLachlan (Ret.), Denise Martino Phelan and Matthew Wax-Krell. Present by invitation were: Kathleen B. Harrington, Deputy Director, Attorney Services; Jessica F. Kallipolites, Administrative Director; Lisa Valko, Assistant Administrative Director; and James O'Connor, Counsel, Legal Services.

Mr. Whelton then announced the results of the July 2015 bar examination. Upon motion duly made by Mr. Whelton, seconded by Ms. Phelan, it was voted unanimously to deem those 323 applicants who had obtained a passing score of 264 as having passed the July 2015 Connecticut bar examination. Upon motion duly made by Mr. Whelton, seconded by Mr. Gross, it was voted unanimously to deem those 109 applicants who had failed to obtain a passing score of 264 as having failed to pass the July 2015 Connecticut bar examination. Upon motion duly made by Mr. Whelton, seconded by Mr. Banbury, it was voted unanimously that those applicants who had obtained a passing score on the July 2015 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 Mr. Whelton, seconded by Ms. Phelan, it was voted unanimously that the 8 applicants who had obtained a passing grade on the July 2015 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., Mr. O'Connor left the meeting.

Upon motion duly made by Mr. Banbury, seconded by Mr. Wax-Krell, it was voted unanimously to accept and record, without amendment or correction, the minutes of the public session of the Regular Meeting of July 10, 2015.

At 10:11 a.m., members Alix Simonetti and Hon. Elliot Solomon arrived.

Discussion was had regarding a comparison of the Committee's income and expenses from the current fiscal year to the previous fiscal year. Upon motion duly made by Ms. Phelan, seconded by the Mr. Whelton, it was voted unanimously to approve the Fourth Quarterly Report (April – June 2015). Additionally, upon motion duly made by Ms. Phelan, seconded by Mr. Whelton, it was voted unanimously to accept and approve the Annual Report (2014 – 2015).

The Final Report by the Advisory Committee on the Uniform Bar Examination (UBE) from New York was provided to the Committee for review. It was noted that the recently appointed UBE Subcommittee will report at a future meeting and that circulate of this report was requested for informational purposes.

The Committee was provided with the revised ABA resolution regarding mental health inquiries on bar admission applications that was adopted at the 2015 ABA Annual Meeting in August. It was noted that language was added to the original draft providing that “reasonable and narrowly-tailored follow-up inquiries” are permissible when an applicant’s mental health is implicated by his/her conduct or behavior.

The Committee was provided with the dates and location of the upcoming NCBE Annual Bar Admissions Conference, which will be held April 14-17, 2016 at The Grand Hyatt Washington in Washington, D.C. Members interested in attending were encouraged to advise the Chair of their interest.

At 10:23 a.m., member Robert D. Silva arrived.

The Administrative Director presented a proposed amendment to the admission without examination application to require FBI and Connecticut background checks through the Connecticut State Police. This is now required of bar examination applicants as well. Additionally, proposed amendments were presented for changes to Questions 13 and 14 for consistency and to clarify that affidavits from non-Connecticut attorneys do not have to be licensed in the same jurisdiction as the applicant. Upon motion duly made by Justice McLachlan, seconded by Mr. Wax-Krell, it was voted unanimously to amend the admission without examination application to require FBI and Connecticut background checks through the Connecticut State Police and to amend Questions 13 and 14 for consistency and to provide that affidavits from non-Connecticut attorneys do not have to be licensed in the same jurisdiction as the applicant.

The Administrative Director also discussed Article V-8 of the Connecticut Bar Examining Committee Regulations and recommended that additional notice be provided to applicants about the requirements when changing the designation of the MBE location. The recommendation was to provide additional notice on the Committee’s website and in mailings to applicants that changes to such designation must be made by a date certain as set by the Administrative Director. The Committee agreed that additional notice is appropriate, but also instructed the Administrative Office to present a proposed regulation change to clarify the consequences of failing to comply with the regulation.

Upon motion duly made by Ms. Phelan, seconded by Ms. Simonetti, it was voted unanimously to adjourn the public portion of the meeting at 10:42 a.m. (EDT) and to reconvene in the non-public portion of the meeting.

Respectfully submitted,

IRVING H. PERLMUTTER
Secretary