

**Meeting of the Alternatives to the Exam Task Force
Oregon State Board of Bar Examiners
September 21, 2021
Zoom Meeting – Invites are sent via Outlook Calendar
Open Session Agenda**

Tuesday, September 21, 2021, 1:00 p.m.

1. Call to Order/Finalization of Agenda.

A. Roll of Attendees.

Present: Stuart Chinn, Maya Crawford-Peacock, Elizabeth Davis, Meagan Flynn, Stanton Gallegos, Brian Gallini, Kevin Gleim, Susan Grabe, Ekua Hackman, Helen Hirschbiel, JB Kim, Kendra Matthews, Joanna Perini-Abbott, Tony Rosilez, Peter Sabido, Jason Specht, David Wade, Kateri Walsh.

Admissions Staff: Troy Wood, Vickie Hansen, Sarah Haugstad.

B. Report by the Chair [Jo Perini-Abbott].

Ms. Perini-Abbott welcomed the attendees, and noted many task force members were not in attendance. Ms. Perini-Abbott asked that Troy Wood send an email to those unable to attend today offering them the opportunity to continue to participate in the task force.

2. Charge of the Court

A. Review letter from Justice Flynn

Exhibit 1

Ms. Perini-Abbott asked Justice Flynn to talk about the Court's letter and how it came about. Justice Flynn explained colleagues had asked her questions regarding the proposals she could not answer. This included questions about what the UBE is intended to measure. The questions regarding the UBE will be addressed by BBX and OCLEAB in November. Peter Sabido was a member of the portfolio group which did discuss whether the UBE weighs competency and if the proposals provide similar measurements.

B. Review public comment

Exhibit 2

The two-month public comment period garnered a number of responses. Some reflected a misunderstanding as to who was on the task force; questioning why active bar members were not included when the majority of the task force were active attorneys.

Kendra Matthews suggested defining what is meant by minimal competence, as that was a recurring question related to consumer protection. It was suggested that the IAALS Report would

be a helpful guide. Some comments seem to indicate they didn't believe there were any measures or standards.

David Wade pointed out many comments made by attorneys were from the perspective of market participants concerned about competition, rather than consumer protection.

Troy Wood, having reviewed all comments, indicated they could be organized into categories for review. Many of the categories involve issues that were beyond the scope of the Supreme Court's charge, and should not require an in-depth response from the task force. One such category were the commenters who view the bar exam as an important rite of passage. Many of the concerns will be addressed through the answers to the Court's questions and others will be resolved during the implementation phase of the proposals.

Mr. Wood addressed the timeline for responding to the Court's letter by the December 1, 2021 deadline. The BBX will need to discuss this at their November 12, 2021 meeting, so the principal draft will need to be completed before that date.

3. Subcommittees

Justice Flynn volunteered to assist in categorizing the public comments, Helen Hirschbiel and Troy Wood volunteered to assist with this task.

Tony Rosilez and Maya Crawford-Peacock agreed to continue to serve as chairs of the earlier subcommittees. They will confirm continuing participation of members returning to the subcommittees. Members will email Mr. Wood to volunteer if not previously assigned a committee. Mr. Wade suggested the subcommittees not meet in person, but rather have the chairs assign tasks and then meet after comments have been reviewed. Dean Davis requested that each law school be allowed to address comments pertaining to law school.

4. Schedule Recurring Meetings and Set Timetable for Process

Ms. Matthews, Mr. Sabido and Ms. Perini-Abbott will meet to answer questions number one and two by November 10th to allow the BBX to review their work at the November 12th BBX meeting.

The full task force should meet again on October 19th to be sure all concerns are being addressed. A final meeting the first week of November will be needed to finalize the task force's response before the BBX meeting. Mr. Rosilez stated that if comments can be categorized by September 28th, this work can be completed on schedule.

Mr. Wade moved that subcommittee chairs give assignments to members, that questions one and two be addressed by Ms. Matthews, Mr. Sabido and Ms. Perini-Abbott, that comments be

categorized, and that this group meet again to review the work of the subcommittees. The motion was seconded by Ms. Matthews. Meeting adjourned at 2:07.