

**MINUTES OF THE MEETING OF THE
BOARD OF LAW EXAMINERS
JANUARY 15, 2016**

1. Call to Order/Determination of Quorum/Excused Absences. The meeting of the Board of Law Examiners was convened in open session by Sandra Zamora, Chair, on Friday, January 15, 2016, at 9:02 a.m. in the Conference Room located on the first floor of the Tom C. Clark Building, 205 W. 14th Street, Suite 500, Austin, Texas.

Members present and constituting a quorum were: Sandra Zamora, Al Odom, Augustin Rivera, Jr., Teresa Ereon Giltner, Barbara Ellis, Anna McKim, Cynthia Orr and Alfred Mackenzie.

Board member John Cayce, Jr. was absent and excused from the meeting.

2. Approval of Minutes and Certified Agendas. Upon motion made and seconded, the Board voted to approve the minutes and/or certified agendas of the following meetings: November 13, 2015 UBE Evaluation Committee; and November 13, 2015 Board Meeting.

3. Review Audit Report. Rod Shaheen introduced Adam McCane, Partner with Weaver & Tidwell LLP, accounting firm, who recently performed the audit. Mr. McCane presented the Independent Auditor's Report, which indicated that BLE received an unqualified "clean" opinion with the highest level of attestation available and found that BLE's Annual Financial Report fairly represents its financial activity in all respects. Mr. McCane also advised that BLE is in full compliance with PFIA, and that no management letter was issued as there were no management issues identified.

Sandra Zamora thanked Mr. McCane and he departed the Board meeting at 9:19 a.m.

4. Investment Report. Rod Shaheen summarized, and the Board reviewed, the Investment Report dated November 30, 2015.

5. Financial Reports. Rod Shaheen explained, and the Board reviewed, the Financial Reports for the period September 1, 2015 through November 30, 2015.

6. Report of Executive Director.

a) Calendar Update. Ms. Henricks reported that the February 12, 2016 Panel Hearings will be combined or possibly canceled. The Accommodation Review Committee (ARC) is currently scheduled to meet that day, and Kristin Bassinger will advise Committee members if the ARC will need to convene to consider any appeals or waiver requests.

b) Sunset Review. Ms. Henricks explained that the Sunset Review report should be received in mid-March with a public hearing before the Sunset Advisory Commission to follow in May or June.

- c) Agency Operations. Ms. Henricks reported that staff has been working with the Office of Court Administration (OCA) to contract IT services for the BLE. If the new licensing system is approved, OCA will be a valuable resource to assist the BLE in setting up the new system within the next six months. The agreement with OCA is also expected to be less expensive and provide improved functionality.

Ms. Henricks announced that new cubicles for Analysts will be installed in May, with staff being displaced approximately one week. Training on the new electronic bar admission system may be scheduled during the installation period, if possible.

- d) NCBE Conference. The Spring NCBE Meeting will be held in Washington, D.C. April 14 - 17, 2016. Board members registered are Barbara Ellis and Alfred Mackenzie, who will attend as designated representatives. Board members Sandra Zamora, Al Odom, Augustin Rivera, Anna McKim and Cynthia Orr also indicated that they plan to attend, as well as Supreme Court Liaison Don Willett and several staff members. Ms. Henricks reminded Board members that Becky Henly will assist with travel arrangements if needed.

At approximately 9:40 a.m., Jeremy B. Mazur, Deputy Chief of Staff and Legislative Director for Senator Van Taylor's office, arrived to observe the Board meeting.

- e) Response to Request for Offer for Electronic Bar Admission System. Ms. Henricks presented the two proposals received for implementation of the new Electronic Bar Admission System. Bids were received from ILG Information Technologies and Ambonare. Ms. Henricks intends to present an amendment to the current fiscal year budget if purchase of the new system is approved. Ms. Henricks reviewed the pros and cons of each proposal. The executive staff unanimously recommended acceptance of the offer by ILG. ILG has an existing product in use by seven other state bar admission agencies. Favorable references from current users of the ILG system were confirmed. Implementation of the ILG system will require less staff time and resources than development of an entirely new custom system as proposed by Ambonare. Also, ILG will provide applicant support but Ambonare will not work directly with applicants who may need assistance with the electronic admission system. Board members expressed concern regarding the location of technical support in China (Ambonare), or Turkey (ILG) and want to ensure that disaster planning is in place with the new system. After discussion by the Board, and upon motion made and seconded, the Board unanimously approved awarding the contract to ILG Information Technologies.

7. Report of Director of Character and Fitness.

- a) Probationary Licenses. Lori Adelman summarized the report on the conversion of Probationary Licensees to Regular Licensees, as contained in the meeting book.

8. Report of Director of Examination and Eligibility

a) Board Coverage of Austin Exam Site-February 2016. Nahdiah Hoang, Director of Eligibility & Examination, summarized the February 2016 bar exam enrollment. More applicants have applied for the February exam this year than last year. Board members Barbara Ellis, Augustin Rivera and Alfred Mackenzie expressed interest in attending the February exam in Austin. Ms. Ellis advised she is available all three days if needed. Ms. Ellis, Mr. Rivera and Mr. Mackenzie will split coverage and advise Ms. Hoang of their schedule.

b) Online Filing of Declarations. Nahdiah Hoang reported that the conversion to online Declaration filings was working and that 400 (38%) of the 1,044 eligible declarants filed and paid fees online, among those who filed before the October 1, 2015 deadline.

c) Regrade procedure. Ms. Hoang reviewed the current regrading process and 2007 report by Stephen Klein and Roger Bolus. Ms. Zamora advised that this subject had been discussed at previous meetings. After a brief discussion, the Board members declined to make any motion to revise the regrade procedure.

d) Embedded Calibration of February 2016 Exam. Ms. Hoang advised Board members that embedded calibration will start with the February 2016 grading cycle to improve quality control of grading. Board members and their graders will calibrate approximately ten answers. Staff will randomly embed those answers in the exams to be graded by the graders, so that the grading can be compared to the calibrated answers.

9. Report of Staff Attorney. Bruce Wyatt summarized the Litigation Update Memo contained in the Meeting book. He reported that the U.S. Fifth Circuit Court of Appeals had rejected Jamar Osborne's appeal from dismissal of his claims against Julia Vaughan and Travis County.

At approximately 10:00 a.m., Sandra Zamora called for a break and asked Board Members to reconvene at 10:10 a.m. for question review.

10. Question Review. At 10:10 a.m. Sandra Zamora declared the meeting closed to the public, pursuant to the provisions of Sec. 82.003(b), Texas Government Code, whereupon the Board proceeded to meet in executive session for the purpose of reviewing and editing the questions to be used on future Texas Bar Examinations. All members, except John Cayce, Jr., were present.

11. Adjournment/Formal Reviews. There being no further business, the executive session of the Board of Law Examiners was concluded at 11:45 a.m., the meeting was reconvened in open session, and adjournment was called at 11:45 a.m. The Chair reminded the Board members about their responsibilities beginning at the conclusion of this meeting in conducting Formal Reviews of certain applicants' performance on the July 2015 Bar Exam. *(Formal reviews are not conducted in a "meeting" of the Board; only one Board member and*

one or more applicants are present.) See attached¹ list of July 2015 examinees, identified by examination number only, participating in Formal Reviews.

Respectfully submitted,



Susan Henricks,
Executive Director

APPROVED:



Sandra Zamora, Chair

¹ Formal Review list of July, 2015 examinees