

**MINUTES OF THE MEETING OF THE  
BOARD OF LAW EXAMINERS**

**JANUARY 15, 2021**

Due to the ongoing pandemic, this meeting was held remotely via Zoom as authorized by Order of Governor Greg Abbott, suspending Application of Tex. Gov't Code Sec. 551.127(b).

1. Call to order, determine quorum, and consider requests for excused absences.  
Chair Augustin Rivera, Jr., convened the meeting in Open Session at 9:04 AM. All Board Members were present.
2. Consider approval of minutes and certified agendas of Board Meetings, Hearings/Waiver Panels, Finance Committee, and TLC Committee.  
Board Members were provided with draft minutes of the 12/1/2020 meeting prior to the 1/15/2021 meeting. Orr offered a motion to accept the minutes as submitted. Massey offered a second to that motion. The minutes were approved unanimously.
3. Consider communications from the public, if any.  
Dean Michael Barry provided public comments.

At 9:14 AM, Chair Rivera called the meeting to Executive Session.

4. Report of General Counsel – Parks
  - a. Litigation Report (This review was conducted in executive session, pursuant to Tex. Gov't Code, Sec. 551.071.)

At 10:43 AM, Chair Rivera reconvened the meeting in Open Session.

At 10:44 AM, Chair Rivera paused the meeting for a break.

At 11:01 AM, the meeting resumed in Open Session.

5. Report of Accountant – Shaheen
  - a. Review investment reports  
Shaheen presented and the Board reviewed the Investment Report for the period ending 11/30/2020.
  - b. Review first quarter financial report  
Shaheen presented and the Board reviewed the Financial Report for the 9/1 – 11/30/2020, the first quarter of FY2021.
6. Report of Interim Executive Director – Hoang
  - a. Calendar update  
Hoang stated that there are no calendar updates. Meetings will continue via Zoom through the end of March. The Board will revisit in-person meetings at the March 2021 board meeting.  
  
Hoang asked that all Board Members attend the UBE grading workshop that will be hosted by the National Conference of Bar Examiners. All Board Members have been registered to attend remotely on Saturday, 2/27/2021, but the workshop will be available on-demand for anyone unable to attend the live presentation. All graders will also either attend remotely or participate on-demand at a later date.
  - b. General agency operations  
Hoang said that the entire staff continues to work remotely. The two newly hired licensure analysts are being trained remotely, which is working quite well. Licensure Analyst Chris Copeland has accepted the position of Legal Assistant effective 2/1/2021. The Licensure Analyst position vacated by Chris will be posted at a later date, as yet to be determined. Licensure Analyst Joy Charles has agreed to continue in her role with BLE until June 30, 2021.

- c. Report on Administratively-Determined Waiver Decisions  
Staff deferred this item to the March 2021 Board Meeting agenda.
7. Report of Director of Character and Fitness – Drish
- a. Recommendations of probationary licenses to be converted to regular licenses and for minor modifications to probationary licenses  
There were no recommendations requiring Board review for this period.
- b. Consent agenda: Proposed Agreed Order(s) recommended by Informal Settlement Conference Panels. Deliberation may be conducted in executive session on motion approved by the Board pursuant to Rules Governing Admission to the Bar, Rule 7(b) and Texas Gov't Code, Sec 82.003(c).  
One proposed Agreed Order was provided to Board Members for applicant WW. No discussion of the proposed Agreed Order was required, so the meeting stayed in Open Session. Orr submitted a motion to approve the proposed order for WW, which was seconded by Odom. The motion was approved unanimously.
8. Report of Director of Eligibility and Examination – Hoang
- a. Review Board Member coverage and confirm grader information for February 2021 examination.  
Hoang noted that the February 2021 examination will be administered remotely. All applicants have been notified of this update and have been provided information regarding that change. Applicants will continue to receive information regarding the administration as it becomes available. BLE is offering all applicants the opportunity to request courtesy accommodations, including a quiet location and/or reliable internet connectivity, for the February 2021 examination. Rivera agreed to act as the Board Member available on examination administration days for any issues that may arise.
- Hoang provided an update on graders..
- The Board considered Board Member grading assignments for the February 2021 examination. Rivera suggested that Hoang assign grading responsibilities. Rivera asked Board Members to correspond with Hoang regarding any grading issues and/or preferences they may have.
- Mackenzie asked the Board to consider BLE's regrading policy for the February 2021 examination, especially as it relates to the automatic regrade band. Ellis agreed that she would appreciate a discussion of this topic. Rivera noted that Massey has also brought up this topic in previous meetings, so said that it will be included on the next meeting's agenda.
9. Report on current NCBE events and activities – Rivera  
Rivera stated that he'd attended a 1/7/2021 webinar hosted by the National Conference of Bar Examiners regarding substantial changes that have been proposed to the bar exam materials they create. The majority of Board Members attended that meeting. As was relayed during the webinar, NCBE is considering transitioning to computer-based examination materials, as well as developing materials that are more integrated. Additional information will be forthcoming from NCBE regarding these proposed changes and action may be required by the Board as updates become available.
10. Consider participation in "Bar Exam Strategies and Stories" program by Mindsets in Legal Education (MILE) – Rivera  
The "Bar Exam Strategies and Stories" program by Mindsets in Legal Education (MILE) was presented to the Board during the 12/1/2020 board meeting. After the meeting, MILE submitted a proposal to the Board to create a partnership, which is being reviewed by Staff. Rivera stated that Staff have asked for additional time to review the materials.
11. Consider issues arising from Reports of Interim Executive Director, Director of Character & Fitness, Director of Eligibility & Examination, and General Counsel.  
No issues were raised concerning any of the reports provided during the meeting.

At 12:13 PM, Chair Rivera called the meeting to Executive Session.

12. Executive session for deliberation on appointment of new Executive Director, as authorized by Tex. Gov't Code Sec. 551.074(a)(1) with possible discussion and action in open session.

At 1:11 PM, Chair Rivera reconvened the meeting in Open Session.

Rivera noted that there were no actions resulting from the Executive Session.

Rivera noted the need to set aside a date for Executive Director interviews, so asked Board Members to review availability during the week of January 25, 2021. It was agreed that the afternoon of 1/27/21 should be held until a firm meeting date is confirmed.

Rivera also solicited dates for a board meeting in February. No date was agreed upon, so additional solicitation may be sent by Gonzales if it is determined that a meeting is required.

13. Adjourn.  
Rivera adjourned the meeting at 1:21 PM.

In addition to the agenda items completed during the 1/15/2021 Board Meeting, at 3:00 PM the Board conducted Formal Reviews for September and October 2020 examinees who did not pass the examination. Formal reviews were held via Zoom and not open to the public.

Respectfully Submitted,



Nahdiah Hoang  
Executive Director

Approved by:



Augustin Rivera, Jr.