

MINUTES OF THE MEETING OF
THE BOARD OF LAW EXAMINERS

SEPTEMBER 16, 2021

1. Call to order, determine quorum, and consider requests for excused absences

At 2:00 PM, Chair Augustin Rivera, Jr., called the meeting to order. A quorum was present. Board Members Rivera, Ereon Giltner, Soltero, Massey, Orr, and Odom attended in person, while Board Members Ellis, Mackenzie, and Mckim attended via Zoom. No members were absent.

2. Presentation on St. Mary's University School of Law new ABA-approved part-time, online JD program

Dean Patricia Roberts provided the Board with an overview of the first-of-its-kind ABA-approved, fully online, pilot JD program that will be offered by St. Mary's University School of Law. Dean Roberts expressed gratitude to the BLE for its support.

3. Consider communications from the public, if any

Member of the public Bob Bennett was present and commented that he thought the Board should schedule more applicants for Informal Settlement Conferences, and that ISCs were an efficient way to handle character and fitness matters for some applicants.

4. Consider approval of minutes and certified agendas of board meetings, panel hearings, and waiver meetings

There were no minutes presented for review during this meeting.

5. Report of Accountant – Shaheen

a. Review investment reports

Shaheen submitted the investment report for the quarter ending 8/31/2021.

b. Discuss Renewal of Austin Telco Federal Credit Union Share Certificate

Shaheen provided the Board with information regarding the Austin Telco Federal Credit Union Share Certificate that automatically renewed on 7/8/2021. Massey suggested revisiting this issue as the automatic renewal for 2022 draws nearer, as higher interest rates may be available if not auto-renewed. Rivera suggested having the Finance Committee address the auto-renewals during an upcoming meeting.

6. Report of Executive Director – Hoang

a. General agency operations

The Supreme Court approved the FY2022 budget--.

The February 2022 bar exam was originally planned for Houston only, at the George R. Brown Convention Center. However, noise concerns have arisen, and the main site for the exam will now be Palmer Events Center in Austin. In order to allow for social distancing, staff is looking for a second site as well. Staff will keep the Board updated on scheduling as contracts are confirmed.

Hoang attended a recent UPLC meeting. Of particular interest was discussion of discipline of Foreign Legal Consultants (FLCs). During the UPLC meeting it was clarified that the BLE should be handling discipline of FLCs. The BLE will now need to develop procedures for discipline of FLCs. Hoang is working on a draft and will forward that document to the appropriate subcommittee.

Hoang revisited scheduling of the previously discussed January 2022 retreat. The Board directed Hoang to move forward with scheduling of the retreat.

A photographer has been hired for the November 15th board meeting to take updated headshots and group photographs.

Ky Strunc has been named CBAA Technology Committee Vice Chair.

Kendelyn Schiller has been named CBAA Crossing the Bar Vice Chair.

The November 2021 Swearing-In Ceremony will be virtual. Rivera called for volunteers to film a brief video to be broadcast at that event. Massey volunteered.

b. Recognition of Staff Service – Val Lopez (5 years)

Hoang and Rivera congratulated Licensure Analyst Val Lopez for five years of service with the agency.

c. Report on July 2021 Texas Bar Exam administration

d. The BLE received notification from 1 examinee from the July 2021 examination of a positive Covid test after completion of the exam. Report on amendment to Rules

Hoang provided the Board with an overview of recent approved changes to the Rules, specifically those regarding felony convictions and deferred adjudication and how those impact eligibility as outlined in Rule 4.

e. Complaint Resolution Report

Hoang presented the Complaint Resolution Report to the Board, Soltero and Ellis asked that an agenda item be added to the November meeting to discuss Informal Settlement Conferences (ISCs).

f. Administratively-Determined Waivers Report

Hoang presented the Administratively-Determined Waivers Report to the Board.

g. Articles of Interest

Hoang provided the Board with articles regarding Oregon's recent study regarding bar exam alternatives.

Rivera called for a break of the meeting at 3:30 PM.

Rivera returned the meeting to open session at 3:38 PM.

7. Report of Director of Character and Fitness

Drish said she will provide year-end Character and Fitness statistics for FY2021 during the November board meeting. It will include data for ISCs.

Drish confirmed that there were no probationary licensees to be converted to regular licenses for review.

8. Report of Director of Admissions

a. Report on grading of July examination and grading workshop.

Sullivan thanked the Board for its efforts in grading. He mentioned that grades would be released no later than mid-October.

b. Report on applications received and plan for administration of February 2022 examination.

Sullivan relayed that staff would like to schedule a short training session for Board members and graders at the beginning of each grading session, to review the grading software, post-calibration procedures, grading timelines, etc. Staff, including Hoang, Sullivan, and Strunc, would host this session most likely the Friday after the February 2022 bar exam. Sullivan also reported that he is working on a revamp of grading policies and procedures and anticipates providing a draft version of that to the Bar Exam Subcommittee. Sullivan estimates that there will be approximately 1,100 examinees for February 2022.

9. Report of General Counsel – Parks

a. Annual report on Testing Accommodations

Parks provided the Board with the report of FY2021 Testing Accommodations.

10. Consider issues arising from reports of Executive Director, Director of Character & Fitness, Director of Admissions, and General Counsel

No issues were raised by the Board.

11. NCBE update—Chair

Rivera provided the Board with a handout regarding test design, content scope, and next generation bar exams that he received from NCBE. He encouraged all Board Members to sign up for NCBE email updates, as they provide comprehensive information on topics of interest to the Board.

At 3:55 PM, upon motion submitted to the Board by Odom and seconded by Soltero, the Board voted unanimously to close the meeting to executive session. Rivera closed the meeting to Executive Session pursuant to Tex. Gov't Code §551.074(a)(1) and Tex. Gov't Code §551.071.

12. Consider personnel matters, including salaries for Fiscal Year 2022.

13. Litigation Report

At 4:43 PM, Chair Rivera called the Board back into Open Session. Soltero excused himself from the meeting.

A motion was submitted by Orr to approve the benefits and salary schedule for BLE staff as presented during closed session, which was seconded by Massey. The Board unanimously approved the motion.

A motion was submitted by Massey to approve the stipend request as presented in executive session for a BLE staff member, which was seconded by Ereon Giltner. The Board unanimously approved the motion.

14. Adjourn—Chair

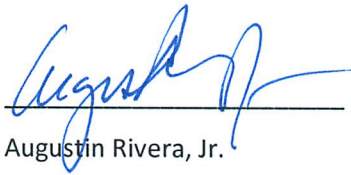
The Chair adjourned the meeting at 4:46 PM.

Respectfully Submitted,



Nahdiah Hoang, Executive Director

Approved by:


Augustin Rivera, Jr.

1-14-22
Date