

UNIVERSITY *of* MISSOURI

SCHOOL OF LAW
OFFICE OF THE DEAN

March 6, 2015

The Honorable Jenny Rivera
Associate Judge
State of New York Court of Appeals
Court of Appeals Hall
Albany, New York 12207

Dear Judge Rivera:

Thanks for your letter of February 17, 2015 regarding data collection for the Uniform Bar Examination (UBE). In response to your request, I have reviewed our files to see what data we might have that would be relevant to your request.

With regard to bar passage rates pre-UBE, the file is incomplete (and predates my tenure here as dean), but here are some results for first-time takers of the July Missouri bar from the University of Missouri:

2008 92%
2004 89%
2002 89%
2001 75%
2000 87%

Post-UBE results, from our webpage are listed below:

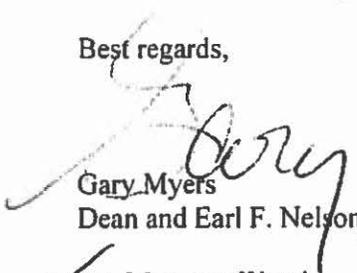
2014 92%
2013 94%
2012 96%

As you can see, our students do well on our state bar exam!

We do not maintain bar passage information by race or ethnicity. Please let me know if we can be of any further assistance.

I also want to extend an invitation to you – I realize we are a bit of a trip from New York, but if you would be interested in coming to speak at our law school, I hereby extend the invitation.

Best regards,


Gary Myers
Dean and Earl F. Nelson Professor of Law

cc: Margaret Wood



[REDACTED]

From: Hannah Arterian <arterian@law.syr.edu>
Sent: Friday, February 27, 2015 5:59 AM
To: Hon. Jenny Rivera; Margaret Nyland Wood
Subject: Fw: Please tell us your experiences

Sent from my BlackBerry 10 smartphone.

From: [REDACTED]
Sent: Friday, February 27, 2015 5:58 AM
To: Geu, Thomas; Rand, Kathryn
Cc: Strickland, Corky; Hannah Arterian; Michelle Anderson; [REDACTED]; [REDACTED]; Geu, Thomas
Subject: Re: Please tell us your experiences

Thank you Tom. I am forwarding this to the Chair of the Committee, Judge Jenny Rivera
Sent from my BlackBerry 10 smartphone.

From: Geu, Thomas
Sent: Thursday, February 26, 2015 11:47 PM
To: Rand, Kathryn
Cc: Strickland, Corky; Hannah Arterian; Michelle Anderson; mvega@faulkner.edu; dwippman@umn.edu; Geu, Thomas
Subject: Re: Please tell us your experiences

Dear Michelle and Hannah,

South Dakota has not adopted the uniform bar exam. It does, however, use all three parts of the multistate bar exam. I understand the difference is that the state bar has the ability to select essays from a menu of essays as opposed to the UBE which does not provide for such a choice. From summer 2013 to summer 2014 our pass rate dropped approximately 15%. From around 90% to around 75%. I hope you find this information helpful and if you have any questions please do not hesitate contacting me.

Best personal regards,

Tom Geu
Dean and Professor, University of South Dakota school of Law.

Sent from my iPhone

On Feb 26, 2015, at 3:45 PM, Rand, Kathryn <[REDACTED]> wrote:

Hi, all –

Thanks, Michelle and Hannah, for continuing to encourage this communication. Like Corky, our school responded regarding the data on minority pass rates.

As to the larger issues we discussed at the Deans' Workshop (and again, thanks to all for the thoughtful and useful content!), I have been hesitant to connect our pass rates directly to North Dakota's adoption of the UBE since, as Barry pointed out, the UBE should have been a seamless transition in states that

already relied entirely on multistate testing tools (as did North Dakota). Further, we've of course had some dips in pass rates before the UBE. Additionally, with our small class size, our test takers are a relatively small sample, so that one or two additional fails can have a large impact on our pass rates. But, for what it's worth, here are some facts:

In 2008, UND first-time pass rate in ND was 91.4%.

2009, 90.4%

2010, 76%

2011, adoption of the UBE for both Feb and July exams, and first-time pass rate of 78%

2012, 78%

2013, 75%

2014, 56%

Based on our graduates' historical performance on the bar exam, I would have expected that the pass rate in 2010 would rebound within a year or two to our more usual pass rates in the 80s and low 90s. As I lamented at our meeting, I feel strongly that I don't have sufficient information to address this issue effectively for our students. We'll continue to make the best decisions we can with the information we have.

Thanks,
kathryn

Kathryn R.L. Rand
Dean & Floyd B. Sperry Professor
University of North Dakota School of Law
215 Centennial Drive, Stop 9003
Grand Forks, ND 58202-9003
701 777 2104


We're under construction! Follow our progress: <http://law.und.edu/build/>

From: Strickland, Corky [Redacted]
Sent: Saturday, February 21, 2015 3:40 PM
To: Hannah Arterian
Cc: Michelle Anderson; [Redacted] Rand, Kathryn; [Redacted]
Subject: Re: Please tell us your experiences

Michelle & Hannah:

Given the limited information we receive from bar authorities, I have very little information to share about Alabama's move to the UBE. As I recall, the email I received from the task force last week merely asked for data relating to the impact of the change on minority pass rates. I replied just to the sender that we don't have data on that issue.

As for our over all experience, my school's pass rate on the AL exam had been consistently 90%-94% prior to 2013. Our pass rate dropped in 2013 (the year before the shift to full UBE) to about 85%. Our pass rate the following year, 2014--when UBE was used--was nearly the same. Our rate did not go back up to our usual higher rate, but it also did not drop.

I think the overall state rate dropped some, but I'll have to look at the data, which I don't have with me. Of course, the comparison is difficult because 2014 was also the year with the ExamSoft and NCBE issues.

I'll be glad to discuss further or answer any questions

Thank you both for your very helpful contributions to this week's conference.

--Corky

Henry C. Strickland
Dean and Ethel P. Malugen Professor of Law
Cumberland School of Law

205-726-2704 | office
[REDACTED]
cumberland.samford.edu
800 Lakeshore Drive, Birmingham, AL 35229

On Feb 21, 2015, at 3:03 PM, "Hannah Arterian" <[REDACTED]> wrote:

Yes, Thank you, Michelle for sending this out. We had a communication to the list serv earlier and there were no responses
Hannah

From: Michelle Anderson [REDACTED]
Sent: Saturday, February 21, 2015 2:56 PM
To: [REDACTED]
Cc: Hannah Arterian
Subject: UBE: Please tell us your experiences

Dear David, Henry, Kathryn, Thomas, and Matthew,

As you heard at the ABA Deans' Conference in D.C., Dean Hannah Arterian and I are on the Task Force in New York poised to make a recommendation on whether New York should adopt the UBE.

I am writing to urge you to share with the Task Force, even very informally, your experiences of moving from the Alabama, Minnesota, South Dakota, or North Dakota State Bars to the UBE. Our deadline is March 4.

You can send your letter to the chair of the Task Force, Judge Jenny Rivera at:
[REDACTED]

Her assistant, who you should cc, is:

[REDACTED]

Thank you!
Michelle

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Michelle J. Anderson
Dean and Professor of Law
<image001.gif>
2 Court Square
Long Island City, NY 11101-4356
(718) 340-4201 phone

[REDACTED]

From: Douglas Sylvester (Dean) <[REDACTED]>
Sent: Tuesday, February 17, 2015 4:24 PM
To: Margaret Nyland Wood
Subject: RE: Request for information -- Uniform Bar Exam
Attachments: Feb 07 AZ Bar.pdf; Feb 08 AZ Bar.pdf; Feb 09 AZ Bar.pdf; Feb 10 AZ Bar.pdf; Feb 11 AZ Bar.pdf; Feb 12 AZ Bar.pdf; Feb 13 AZ Bar.pdf; Feb 14 AZ Bar.pdf; July 07 AZ Bar.pdf; July 08 AZ Bar.pdf; July 09 AZ Bar.pdf; July 10 AZ Bar.pdf; July 11 AZ Bar.pdf; July 12 AZ Bar.pdf; July 13 AZ Bar.pdf; July 14 AZ Bar.pdf

Dear Judge Rivera:

We do not keep data on demographic bar passage. I am attaching, however, our bar passage results for the February and July Bar examinations in Arizona from 2007 through 2014—we did not compile data on pre and post UBE passage but you are welcome to compile that data and report the results. AZ adopted the UBE in 2012 so you should have 5 pre and 3 post year results to compare. One caveat—the strength of our students, in terms of LSAT and GPA, went up considerably between the classes of 2007-2011 and 2012-2014 (indeed, our rapid rise in entering credentials corresponds quite closely to adoption of the UBE—so results might not be relevant).

I look forward to hearing the results, please let me know if we can be of any more aid.

Best,

Doug Sylvester
