

-----X

UNIFORM BAR EXAM

FOCUS GROUP

February 4, 2014
9:58 a.m.

Touro College
Jacob D. Fuchsberg Law Center
Central Islip, New York

-----X

MINUTES OF PROCEEDINGS

Susan Crane
Court Reporter

A P P E A R A N C E S:

FOCUS GROUP MEMBERS:

JAMES WICKS, Focus Group Moderator,
Partner, Farrell Fritz

JOHN GROSS, Focus Group Moderator,
Partner, Ingerman Smith, LLP

HON. GAIL PRUDENTI, Chief Administrative Law
Judge

MATTHEW KIERNAN, Special Counsel to Judge
Prudenti

HARVEY BESUNDER, Partner,
Bracken, Margolin, Besunder

ANDREW SIMONS, Vice Dean Emeritus,
St. John's University of Law

WILLIAM FERRIS, Bracken, Margolin, Besunder

HARRY TILIS, Associate Dean
Suffolk Academy of Law

LISA MONTICCIOLO, Associate Dean of Students
and Administration, Hofstra
Law School

DAVID BADANES, Private Practitioner

DOUGLAS GOOD, Partner,
Ruskin Moscou Faltischek, P.C.

KRISTI DIPAOLO, Associate,
Ingerman Smith, LLP

JOHN BUONORA, Director of the Criminal
Prosecution Clinic

ADAM RAFSKY, Associate, Farrell Fritz

1
2 MR. WICKS: We are going to get
3 started. We may have one or two others
4 join us. John and I want to thank you all
5 for participating in this. Some of you
6 were part of the focus group last year,
7 but this came up relatively suddenly and
8 we really appreciate everyone's
9 willingness to jump in, some of you last
10 minute, to help out on this project.

11 MR. GROSS: Why we are here grows
12 out of a meeting between the president of
13 the New York State Bar, past president of
14 the New York State Bar, and the chair of
15 The Judicial Institute, who is Paul
16 Saunders, the New York State Judicial
17 Institute on Professionalism of the Law
18 which grew out of the Craco Commission a
19 number of years ago.

20 Judge Kay established the
21 institute, and it has been continued by
22 Judge Lippman. So this is a joint venture
23 both by the state bar and the institute
24 asked for by the president of the state
25 bar and by Judge Rivera, who is heading up

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the task force looking at the UBE.

It grows peripherally out of the convocation we held last spring jointly of the State Bar and the Institute that produced a lot of information on legal education. We are here to solicit discussion and views from the practicing bar, as well as the representatives of the local academic institutions that educate our lawyers.

Before I go any further, I wanted to welcome Judge Prudenti who is here to participate with us, and very much appreciate her presence as well as the presence of Michelle Anderson who is the member of the task force -- Judge Rivera's task force to hear firsthand.

We will have a transcript. There is a hearing on February 26 in Rochester at which a representative of the Institute -- Jim and I are both members -- will be present to testify as to the statewide results of these focus groups. There are four focus groups: us, the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

City, and two Upstate in Albany and Rochester that will be occurring this month.

MR. WICKS: So this is one of the, I guess, so-called stakeholder groups, and the idea is really to solicit input and frank, candid discussion about the UBE. It will help Judge Rivera's study committee come to some conclusions.

Susan is our court reporter for today, so do keep your voices up. And unlike a deposition, I doubt we will be talking over each other. We appreciate Susan and Suzanne Hand for helping out on this. We are going to expedite the transcript and get it to Judge Rivera's committee by Monday or Tuesday.

It's being transcribed, but, please, frank, candid discussion is what we are looking for. Why don't we go around and introduce ourselves.

MR. WICKS: I'm Jim Wicks.

MR. GROSS: John Gross.

MS. MONTICCIOLO: Lisa Monticciolo

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

from Hofstra.

MR. WICKS: Maybe you can just say who you are affiliated with.

MS. MONTICCIOLO: Yes. Lisa Monticciolo, Associate Dean for Students and Administration at Hofstra Law School.

MR. BADANES: David Badanes, private practitioner.

MS. DiPAOLO: Kristi DiPaolo, I'm a associate at Ingerman Smith.

MR. HAMBURGER: Richard Hamburger, Hamburger Maxon.

MR. GOOD: Douglas Good, Ruskin, Moscou, Faltischek.

MR. BUONORA: John Buonora, past president of Suffolk County Bar and Director of the Criminal Prosecution Clinic.

MS. ANDERSON: I'm Michelle Anderson, Dean at CUNY Law School, and I also serve on the task force.

MR. RAFSKY: Adam Rafsky, associate with Farrell Fritz.

MR. TILIS: Harry Tilis. I'm an

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Associate Dean of the Suffolk Academy of Law and a director of the Bar Association.

MR. FERRIS: William Ferris, past president of the Suffolk County Bar Association with Bracken, Margolin, Besunder.

MR. SIMONS: Andy Simons. I'm the Vice Dean Emeritus at St. John's University of Law.

MR. BESUNDER: Harvey Besunder; Brackin, Margolin, Besunder.

MR. KIERNAN: Good morning. I'm Matt Kiernan, special counsel to Judge Prudenti.

HON. PRUDENTI: I'm Gail Prudenti from the much beloved court administration, and I sit on the task force along with Michelle, the dean of CUNY.

MR. WICKS: Thank you. Everybody was provided some materials, some background materials that hopefully that will help in discussion.

I guess to just gear up, John, do

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

you want to talk about the format, what it is going to be and how it differs for context here?

MR. GROSS: Sure. I'm sure everybody is aware of the relatively paradigm shift in the bar examination, the UBE, which will now test predominantly national issues that can be focused on the uniform laws.

It shifts away from the current structure, which includes five New York essays currently and 50 multiple choice New York questions, and some portions of the MPT on the first day, and it would shift under the UBE to six multistate essays and two multiple practice sets of questions.

They, too, would remain 200 multiple choice questions out of the multistate exam, and there's some question when the 50 multiple choice question New York focus test under the UBE will be given. I suspect it would be on day two as well. There will be a shift, a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

significant shift in grading away from the New York essays, which is now 40 percent, to the UBE more-general essays.

I think for purposes of our discussion, forgetting about the particularities of what goes on on what day, it is a paradigm time shift away from New York law leaving the test of New York law to 50 multiple choice questions.

Now certainly some of the UBE essay questions can be premised on New York law. Another interesting aspect is that the multiple choice questions -- forgive me, the essay questions -- New York Board of Law Examiners have traditionally had a multi-issue question, issues within a question so that the test-taker has to ferret out the issues which may be procedural, substantive, et cetera.

Apparently, and I have not seen the exam, but the UBE is more single-issue questions, not requiring the ferreting out of the different issues.

MR. WICKS: On the essay portion,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

John?

MR. GROSS: Yes, on the essay portion. A couple of other introductory descriptive comments: I'm also a member of the Legal Education Committee with Diane Bossey, who is the head of the Board of Law Examiners, was asked if there were any validity or reliability tests that have been developed -- or studies developed for the UBE. She said yes, she believes that those existed.

I have not seen them and the committee has not seen them. More importantly, however, is the 50-question New York proposed exam. There apparently are no validity, reliability studies. The reason validity and reliability are critical in educational testing is that the American Psychological Association has standards for educational testing, and this is educational testing like any other, the tests we have a major dispute in New York State over, the K-12 tests.

The concept of validity is: Does

1
2 the test test what it purports to test.
3 Does it really test legal reasoning, legal
4 knowledge. The New York State Bar exam,
5 the existing one, the 1993 one went
6 through an extensive validity analysis
7 over the course of a few years in the
8 Milman report and was determined by
9 psychometricians as well as attorneys and
10 law examiners to possess sufficient
11 validity that it tests appropriately and
12 relatively intensive legal reasoning and
13 legal knowledge.

14 We will leave aside the other
15 skills that remain on testing. That has
16 not been forthcoming because I'm not
17 sure - somebody here may know better than
18 I -- that the 50-question New York portion
19 has yet to be developed.

20 So we have an issue regarding,
21 again, just setting the table in terms of
22 the tests, an existing test falling short
23 perhaps of testing clinical skills, what
24 it takes to be a lawyer, but certainly
25 having sufficient validity and reliability

1
2 regarding reasoning and knowledge to be
3 replaced by a UBE that allegedly itself
4 has had validity reliability tests, but a
5 50-question New York test without any
6 proof or demonstration of validity and
7 reliability. So that's the test and
8 what's proposed to occur.

9 MR. WICKS: So the six essays, 30
10 minutes each is the way it is currently
11 and it tests 13 subject matters: business
12 associations, conflicts, constitutional
13 law contracts, torts, criminal law,
14 criminal procedure law, family law,
15 evidence, real property, torts, trusts and
16 estates, and UCC. Those are the current
17 subject matters.

18 So when you look at that list, it
19 is somewhat state law driven, probably
20 half of them are state law driven. That
21 is the proposed test. I thought before we
22 move into the discussion -- the rationale,
23 why are we thinking about this?

24 We are becoming more global as a
25 society. Things are more cross border.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

We are becoming a more-mobile society. It might help employment. These are just some of the proffered rationales.

Portability: That seems to be a buzz word that's being used in this context as well.

Analogies to the medical profession that since the '90s the medical profession has gone from a uniform testing system for medical students. So that's where the issue is.

MR. GROSS: Let me just throw out a question and perhaps open the debate on it. Being a former president of the Suffolk County Bar and this being the land of the single and two-person practitioners, what kind of impact would this have on the single practitioner?

What I would suggest, and even in today's Law Journal I think there is an article and some commentary that the portability issue that Jim raises or benefit, the ability of large firms to recruit outside of New York State reveals an often prejudice that I always find

1
2 troubling. And that is the focus on the
3 40 percent of the lawyers in New York
4 State who are in large firms and not the
5 60 to 70 percent that labor in the
6 vineyards by themselves.

7 So the question is: What impact
8 would this test in the shift to a national
9 standard, moving away from New York law,
10 have on the small and two-person
11 practitioner firms, the single
12 practitioner and small-group firms in
13 terms of their practice? Does anybody
14 want to comment?

15 MR. FERRIS: I will start. I'm
16 glad you raised that issue because to me
17 that is what stands out. Suffolk County
18 is primarily single solo practitioners.
19 There might be some small firms, medium
20 sized firms, and those firms might have
21 clients reaching beyond State of New York.
22 But essentially it is your small
23 practitioner.

24 And I dare say that going north of
25 New York City, except for maybe some of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the Rochester or Buffalo, that's pretty much it. So what is the primary focus of your practitioners here in Suffolk County? It is combination of New York State work as well as federal work.

So to me the shift away from examining students just out of law school to practice in New York to have them focus on analytical ability, which is fine, but to shift away from knowledge of New York law and the various issues -- and I think in one of the PowerPoint presentations of Diane Bossey, she made it clear that one of the areas not covered in the UBE is New York practice.

I don't know how any law firm certainly outside of the City of New York can get away without knowing New York practice whether it be a multiple choice question or essay. That will directly affect the practice in Suffolk County.

I'm going to follow up with a question here too: What is the purpose of the bar exam? Is it strictly portability:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

allow students from outside New York to come practice in New York? Does it allow New York practitioners to leave New York and go someplace else?

Who does that really benefit? I'm not sure it benefits the solo practitioner who practices outside of the State of New York. Certainly for Nassau, Suffolk, and the Upstate jurisdictions the practice is going to be within New York State. And so if it is purely portability, and I know this sounds extreme, why have a bar exam at all?

MR. GROSS: I want to ask Doug a question. As the former Nassau County Bar president, Doug, has Nassau County experienced what Suffolk has experienced, which is kids coming out of the law school, not getting a job, and hanging up a shingle?

MR. GOOD: Yes.

MR. GROSS: Is it valid for us to be worried that the ticket to admission may now shift away from knowledge of New

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

York law to national law in the context of a lot of kids coming out of law school hanging their shingle?

MR. GOOD: Let me say this: As I went through this, I wrote down on a piece of paper "cure without an illness." So I'm trying to understand what the problem is that this solution would resolve. I don't know that it affects people out here, people who want to be sole practitioners. They will take a bar exam and if they pass the bar exam, they will hang up their shingle.

But if New York wants to be more global and wants to enhance portability, it ought to do what other states have done and adopt uniform laws and we will be on the same page as everyone else.

I'm just saying that a person can take a bar exam in New York and get admitted in New York with UBE, and then want to move to California -- which is a bad example, not California -- move to Alabama where his UBE score or her UBE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

score might not be sufficient for admission there, have to be retested anyhow.

So I'm trying to understand what this is intended to do. I don't think it would impact people who want to practice in a solo or small-firm environment.

MR. GROSS: Let me now follow up with a question to Lisa on that point. Will adoption of the UBE lead to a substantial modification of curriculum pointed more towards the uniform laws and national perspective, thereby a young man or a young woman coming out of law school wanting to practice law singularly is not going to have that New York background? Is that valid concern?

MS. MONTICCIOLO: Yes, although back in the stone ages when I went to law school, I went to Hofstra and we did not have New York law. It was federally based. I did not learn New York law, I had to learn it before the bar exam.

I'm so grateful that we have

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

changed that and have started teaching New York law. I think it is very important for a student coming out of school in the state -- and let's be clear here: most of the students that come to New York to go to law school want to stay in New York.

They are not interested in having the person from Alabama get into New York because they are coming here working hard in New York so that they can practice in New York.

The shift in the curriculum that I'm concerned about is a reverse of what we currently are seeing, which is more towards experiential learning. Yeah, we have the substantive law, but let's teach them how to be a lawyer and how to practice, and in doing so we are using New York law and teaching them that.

I fear that that might change; you know, we might go back to the substantive law and shy away from the experiential.

MR. GROSS: Let's ask Dean Simons his perspective.

1
2 MR. SIMONS: It is interesting --
3 and it is nice to be here. Thank you,
4 John, Jim, Judge Prudenti, and all of the
5 bar leaders and practitioners and my
6 classmate John Buonora.

7 Let's take the EPTL for example:
8 Peggy Gerano teaches trusts and estates at
9 St. John's Law School, and she writes the
10 commentaries and she is an expert in EBTL.
11 She is facing a challenge now if this gets
12 adopted as to what extent she changes the
13 focus of her trusts and estates course;
14 four credit, heavy course, core course,
15 away from the EPTL which is very complex
16 and different from the uniform law, and
17 addresses the uniform laws and just
18 highlights the EPTL differences.

19 In chatting with the dean with whom
20 I have a close relationship -- he is my
21 son -- he said that he was explaining to
22 Diane Bossey that while we don't teach New
23 York law courses, we obviously cover -- I
24 teach torts.

25 New York is a great common-law

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

jurisdiction of torts, historically has been. We cover a lot of New York cases in torts. That is wonderful. To the extent that the bar exam gets away from testing New York law, there is going to be less New York law taught by the faculty and less New York law learned by the students.

New York Practice -- I teach New York Practice -- alums are very unhappy, alums from 20 or 30 years ago when I tell them New York Practice is not a required course. It is not even a core course, but everybody takes it. Why do they take it?

They want to practice law in New York, but more importantly because it is tested heavily on the bar exam. If we get away from testing it heavily on the bar exam, which I think the UBE does, fewer students are going to be interested in taking New York Practice.

That is scary from the point of view of people going out and hanging up their shingles and holding themselves out as prepared to practice law.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. WICKS: Harvey, what do you think.

MR. BESUNDER: I sit on character and fitness, so I interview the students who have passed the bar exam and I know what their debt is. Their debt is tremendous, and they have difficulty getting jobs.

The concern that I have in reading all the material that you gave is while portability might be good for students coming out of law school in New York and moving out of the jurisdiction, I think there would be a tremendous influx of out-of-state students coming to New York who have gone to non-New York law schools, coming to New York getting a 60 percent grade on the 50 short answers and then either hanging up a shingle or going into practice in New York.

The concern that I have is that the influx will have an impact upon the smaller law firms certainly on Long Island with an influx of many law graduates

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

coming into New York either hanging a shingle or at least competing for the jobs.

It is going to have an adverse impact, I think, upon New York law students graduating, trying to get jobs. Competition will increase. People will go to maybe less-expensive law schools. I think it might have an impact on the law schools in the State of New York.

I was trying to figure out what the benefit of the change in the bar exam would be to the legal profession in the State of New York as a whole. I wasn't able to find that.

MR. GROSS: Which is kind of Doug's question.

MR. TILIS: I think I agree with what everybody says, that there is a direct impact and for me as a solo. Essentially I have a very different cost structure to delivering service to my client when I'm facing an adversary who is experienced in New York law versus one who

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

has none.

The experience for me is more costly with someone who is less experienced or less expert or less tested in New York law, and that is unavoidably an experience that is passed on to the detriment of my client in real people cases.

I'm not going to cry so much if I'm looking for a Fortune 500 company 800,000 square foot lease. It is a lot more frustrating when I'm in the Family Court or the Surrogate's Court against an adversary who is less expert or less knowledgeable. It increases my costs.

Secondly, there is an impact on the judiciary because there will be a lot more -- for lack of a better phrase -- judge-teaching going on, which also has an impact on my client and on my relationship with my client. Why is the judge helping the other side so much?

I know the answer: Because that's where we have to get. But if I don't have

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the confidence going in that my adversary who might be new to the practice hanging up the shingle has the expertise or tested expertise, why would we go to something that hurts the population that we are serving which is our clients?

MR. GROSS: David, do you have anything to say?

MR. BADANES: Yes. I thought I was the only solo practitioner here. I guess I'm not. I see my New York Practice law professor sitting here across from me. I don't know if you remember, I had to run to the hospital when my child was being born during your class.

So I guess I want to take a step back. You mentioned the medical profession is taking uniform testing. Clearly, law is very different from medicine because we all have the same body, and whether you are a minute in Montana or New York State we are going to be treated the same.

Obviously, all the 50 states pretty

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

much have their own laws and I don't see how uniform testing helps the solo practitioner. And I did work for a mid-sized firm in New York City so I have the experience of both.

I would like to take a step back. I don't see how it helps our clients. I don't see how it helps students, the bar, or law firms of any size to go to this uniform testing, which I think really are the questions that should be answered. I agree what most of the people have said here.

Even as a solo practitioner, I have taken on interns from Touro and they all say the same thing in the last four or five years: Yes, it is very difficult to get a job but it seems eventually the interns do get a job in New York State. So maybe it is difficult for that first six months or a year but it seems eventually they do get a job with a New York State firm.

MR. WICKS: David, let me ask you,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

from an employer's standpoint doesn't it give you a greater pool?

MR. BADANES: No, because again, I want somebody who is going to know New York law. I mean, the only way to get to know that is if they have been in a New York law school like St. John's and they have and taken New York Practice, or Touro I assume has New York Practice, and they have to know the CPLR or at least the basic knowledge of it.

MR. TILIS: If I may, Jim.

MR. WICKS: Yes, Harry.

MR. TILIS: Yes, we have a greater pool of part or full-time associates to bring on, but the credentials they come with are far less valuable. That's exactly what he said.

MR. WICKS: In what sense?

MR. TILIS: Because I do not have the confidence that their basic knowledge of New York law is there.

MR. WICKS: Do you now?

MR. TILIS: I have a lot more

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

confidence now, yes. I have part-time people that I work with, all of who have passed the bar, and all of who have -- I'm doing this a quarter century, so they don't have that, but they have what I expect and I know what I'm getting. It allows me to more efficiently deliver services to real people clients.

MR. WICKS: Let me ask you this: Dean Simons referenced trusts and estates particularly. What about the student who has an interest in trusts and estates, and St. John's, for example, wouldn't eliminate the EPTL course, right, or are you saying it would?

DEAN SIMONS: You would have to focus on the uniform probate.

MR. WICKS: That's for sure, but couldn't that student who has an interest in trusts and estates take both?

DEAN SIMONS: What?

MR. WICKS: Couldn't they take both if they have an interest in trusts and estates?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DEAN SIMONS: It would be awfully close.

MS. MONTICCIOLO: That might be difficult to do.

MR. GROSS: Are you saying that we are going to be --

MR. WICKS: The assumption is that we would slowly see New York-based classes eliminated?

DEAN SIMONS: Reduced.

MR. GROSS: Are we going to see what's happening in K-12 education, teaching to tests?

MS. MONTICCIOLO: Yes.

DEAN SIMONS: Can I make a comment on that, John --

MR. GROSS: Sure.

DEAN SIMONS: -- I know that is your area of expertise. My wife is a very smart woman aside from the fact that she married me. She is on the faculty of Hofstra School of Education, and she teaches teachers how to teach math. And she is very knowledgeable about teaching

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

to the test in the sense of the teachers assessments in general and testing in general because those are hot issues that have fell out of focus in the school of education.

We were chatting last night and I told her that I was coming here. She said, "Why are they proposing this change?" I was explaining the reasons. She said, "Wait a minute, is there a testing company behind this?" And I said, "Probably. Probably."

If you think about the test changing, I don't pretend to know the details, but the test is going to be prepared by the National Board of Law Examiners, right, but not by them, by some organization that they contract with that prepares the test, I presume.

MR. GROSS: I'm not sure. I know the New York Board of Law Examiners, themselves, prepared the questions. I'm not sure of that.

DEAN SIMONS: I know that. But if

1
2 we go UBE, we are going to buy the
3 questions from the New York Board of Law
4 Examiners is my assumption. I presume
5 there is some organization that would
6 rather have 15 states taking the UBE
7 including 15,000 people in New York as
8 opposed to 14 states, the total of which
9 is probably less than 15,000.

10 MR. GROSS: Richard? Any thoughts.

11 MR. HAMBURGER: Well, if the
12 question is the how do you produce a
13 better informed lawyer on New York
14 Practice issues, obviously if you focus
15 the bar examination on New York law, you
16 are going to advance that objective.

17 There must be a number of
18 qualifications on that, one of which is
19 that you forget. I knew more about New
20 York Practice after taking the bar exam
21 the day I walked into the bar than I have
22 ever known ever, ever.

23 DEAN SIMONS: Me too, and I teach
24 it.

25 MR. HAMBURGER: Three years as an

1
2 assistant DA I forgot 80 percent of it,
3 and when I went into solo practice, I had
4 to learn it again. That is one point.
5 The other is, if the objective of the exam
6 is to establish analytical ability and
7 reasoning, than you don't need a New
8 York-based exam.

9 It is a strong argument that the
10 test focuses on analytical ability than
11 lawyering skills and thinking is as
12 valuable as the test in the long term that
13 focuses on particular contents.

14 I also think that we may be sitting
15 here in Nassau and Suffolk Counties, but
16 we shouldn't underestimate or minimize
17 portability. I know exactly what the
18 issues are. Frankly, we live in a world
19 which is global, where the law firms are
20 not only across the country but all over
21 the world. And New York State as a
22 state -- the same way as courts in
23 commercial divisions, for example --
24 should be welcoming to these cases and
25 treat them in a professional and efficient

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

manner, should not throw up obstacles to attorneys who want to engage in a multistate practice.

We shouldn't throw up those obstacles. To the extent we throw up those obstacles, it is not good for the states.

Finally, my experience -- I'm in a small firm, by Suffolk County standards I guess a midsize firm; nine, ten, lawyers, and even in my firm the trend is really specialization; really specialization. I think to the extent that we have lawyers that practice everything, I think that is going the way of the losing trend of history.

And even practitioners out here who are members of small firms, it is the small firm that primarily practices family law or the small firm that primarily practices a general sort of litigation and unsophisticated estate planning, but most lawyers especially to the extent the specialists who are kind of academic to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

whether it focuses on New York law or
general law.

I can favor on balance would be
toward the UBE which eliminates obstacles
for lawyers being admitted in New York so
that they can practice New York law.

MR. WICKS: Doug, I will follow up
with you in a second, but on the
portability issue I see two possible
issues here. I will throw this out for
discussion, and that is: Is it truly
portable because there is a time limit,
for one. Each state varies.

MR. GROSS: Two years usually.

MR. WICKS: Yea, it's anywhere from
18 months to five years, I think. And
then also the grading is different. Each
state gets to choose what is a passing
grade so is it truly portable?

MS. MONTICCIOLO: Can I actually
not answer that and put something else in
that? It also, I believe, might limit our
portability to Massachusetts and maybe New
Jersey and other states that don't have

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the UBE that students can now get into.

MR. WICKS: Oh, you think it might impact reciprocity from other states now?

MS. MONTICCIOLO: Correct.

MR. WICKS: Kristi?

MS. DiPAOLO: I have a comment in regards to portability. You know, I'm a fairly new graduate and my concern is now that the new graduates coming out taking the UBE, does that devalue my license that I worked hard to get and spent a lot of money to get? Now I'm only available to practice in New York, I didn't take the UBE so does it devalue my license?

MR. WICKS: Is your concern that you are less portable than the new graduate?

MS. DiPAOLO: Yes.

MR. GROSS: Let me raise a legal issue. We have people in the pipeline who are in school now who for a year or two have been studying the traditional curriculum. Is there any procedural due process issue here under the 14th

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Amendment? Is the failure to give appropriate notice certainly not substantive due process, but the acquisition of the license is a property interest. We have promised law students if you go to law school and you dutifully follow the curriculum that has been in place and you pass the exam, you are going to get that license.

Does this in any way -- does anybody have any thoughts as to whether that is a violation of federal procedural due process? I mean, it may be.

DEAN SIMONS: John, I actually don't think it is so long as it is implemented in an orderly fashion in '16 or in '17 or '18. But if you recall, the proposal, was to implement it in potentially 2015 --

MR. GROSS: That is my point.

DEAN SIMONS: -- this July, which was outrageous. The proposal comes out in November to change the bar exam away from a course of study that certainly the third

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

year law students or fourth year evening students are well into. Not only was that outrageous I thought, and very poor judgment and terribly unfair, but I think it colors the whole proposal.

I mean, it makes me wonder what the problem is that they are trying to cure here and why the rush to judgment. I don't think there is a due process long term, but if they tried to implement it this July.

MR. GROSS: John Buonora, do you have any thoughts?

MR. BUONORA: Yes, I have a couple of thoughts. I agree with the Dean and classmate. It is somewhat moot: the fact that implementation and discussion has been delayed might moot the argument about immediacy. That was one of my primary concerns when implementation was supposed to take effect with the July bar.

I do have one of two thoughts because as you know I teach in an experiential learning class which was

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

mentioned before. New York for better or worse seems to me with my limited exposure outside of New York and federal court is the most complex place to practice law that I'm aware of.

You talk to practitioners or judges in other jurisdictions and oftentimes they shake their head and say, You guys practice in New York, what a myriad of hoops you have to run through.

My point is this: With these experiential courses we are going towards trying to get the students to hit the ground running, and hit the ground running in New York State.

I agree with everything that Bill Ferris said. I think this whole discussion -- we don't want to pit ourselves against each other, but as lawyers, that is what we tend to do. I think the proposal may give a greater benefit to firms that practice more global kinds of areas of law than to the local practitioner.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I think that the idea is to -- the question is what is the cost benefit. I think, as you know, John, I was in a small firm for over 22 years before I went back into government. And also I saw the hiring issue from the government side as well, and it's tough for kids to get jobs.

When I used to do the interviewing for Tom, the DAs office, we would get students from all over the country looking for jobs in Suffolk County, and I presume in other counties in New York. I think this is going to hurt the majority of students who go to New York law schools who have no idea that they are ever going to practice anywhere than in New York State.

I'm from the school of if there is a problem with the New York State Bar -- because I read one of the hand-outs that you gave us talked about the whole history of problems trying to solve problems with the New York State Bar -- I think whatever the shortcomings might be can be remedied

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

in-house without going to a UBE.

MR. GROSS: Your point raises a question I will throw out to everybody: Does this effort really miss the point? If you look at the 20 years of study by New York State Bar, for example, going back from the Craco Commission, the failure of the New York State Bar, and I don't mean failure in its pejorative sense, the lack of testing of essentially clinical skills, the ability to function as a lawyer has been cited and urged to be added to the bar exam.

Certainly we do have the portion of the exam where you look at a case study and you have to come up with answers to it. But does this miss the point? It seems to me an argument can be made that the UBE focuses on legal reasoning and legal knowledge. The existing State Bar exam focuses on legal reasoning and knowledge. Are we really addressing the concern that has been espoused in our convocation last spring when Judge Lippman

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

spoke?

One of the major clarion calls was to increase skill training. Here we will have a paradigm shift to the extent of a new bar and we still ignore clinical testing. Is that an issue, Doug?

MR. GOOD: I don't want to say how many years ago I took the New York Bar exam.

MR. GROSS: You took it with the candle, right?

MR. GOOD: And the quill. I don't suppose I could pass the bar exam today. And like Richard, there's a lot of stuff I knew when I took the bar exam that I probably forgot. On the other hand, there's a lot of stuff I know now that I did not know then.

I think I'm a pretty damn good lawyer. For the record you can skip the damn, but I think I'm a pretty good lawyer. And so when I think about what made me a good lawyer, it wasn't studying to pass the bar exam.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Now we come up with this word "portability" and I scratch my head and I said -- because as I said, I read the materials because I have a second home in Massachusetts and I was thinking that maybe I would want to do some practice in Massachusetts.

There is reciprocity and there is reciprocity in a lot of places, and so the population for whom portability really means something is the recent bar entry, the recently admitted people who are going to move before they have accrued enough practice to earn reciprocity.

So how many people is it? Where is the study that say how many lawyers currently take two bar exams within the first three years out of law school, the first five years out of law school. And when you talk about portability, it's the wrong word. The word is moving.

It's not moving back and forth; take your law degree, go and practice in Illinois for three months and then go

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

practice in Alabama for six months and come back to New York and practice because nobody does that. Presumably there is not a lot of people who want to do that.

So this question of are we going to get more lawyers in; are we going to get more people to go to school in New York, be able to take a bar exam and move to Alabama, or more people graduating from school in Alabama who are going to want to come into the New York market.

So when I said what is the illness, what is the cure in the beginning, I just don't know; are we trying to help clients, are we trying to help law students, are we trying to help the bar, are we trying to help law schools? What is it that we are doing?

You know, what is the impetus because Jim used the word stakeholders. I don't know who the stakeholders are. I don't know who the intended beneficiaries are except for a small group of graduating students who are a friend of my

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

son-in-law, a colleague of my son-in-law.

His wife got a job in Chicago, and so they moved from the New York office to Chicago. You know, theoretically if he didn't have enough years and he was UBE and it was a state, you know, then he wouldn't have to take another exam. So how many people are there?

MR. TILIS: John, on your issue of clinical testing I want to share with, you if I can, a bit about what I see at the Suffolk Academy of Law. Our programs by and large deal with substantive topics. The uniform feedback we get from newly-admitted lawyers to people with decades of experience is: More practical; show me the form, show me the starting place.

If the UBE does not have that component, as the current testing doesn't -- I heard cure without an illness, to me it is solution without a problem, and no test in the world, no test in the world is going to get a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

newly-admitted lawyer or the crusty old lawyer past the clerk because it depends on that clerk that day, at least in terms of interacting with the court at that basic level: Did my complaint look right? Did my summons have the right words?

Moreover, I think about something like residential real estate. I grew up in Rochester. I started off with the monster size firm in the City. I started off with Proskauer, and then after a couple of years I went back to Rochester, did the small-firm thing, came in-house to a large client on Long Island and ultimately went out on my own.

So I want to reflect on real estate for a minute. When I tell people here that residential real estate of 4, 5, \$600,000 in Monroe County is held on a \$500 or \$1,000 deposit, they look at me like I'm from Mars. But that's clinical. That's the practical.

The test isn't going to test that. You know what is going to test that, is

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

young lawyers finding mentors, young lawyers, new lawyers being trained by more-experienced people. Certainly that is one of the things we emphasize at the academy and under the faculty, Bill Ferris's leadership.

Donna England, who is our president elect at the bar, there has been a huge emphasis on attracting younger -- when I say younger, less experienced members to make sure they forge the relationships with people with experience so they can call me up and say as one lawyer did yesterday, "How do you tell a client to get a bail bond?"

MR. GROSS: Just to tie up that point, we shouldn't worry about whether the current bar exam or the UBE tests clinical skills; that the heavy action in clinical skills is what we instruct through the academies, perhaps even during law school. Apropos of the shift to the UBE, that is a critical fact.

MR. TILIS: You summed it up in far

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

fewer words, yeah.

MR. WICKS: But the current bar doesn't test real clinical skills. They couldn't tell you on the current bar what the down payment is for the cost of a real estate closing in Monroe.

Richard, you raised a point: Are you really testing analytical skills. You asked what really is the purpose of the bar really. And I think, John, you seem to want somebody a little bit better trained out of law school. Is that --

MR. BUONORA: I don't think it is just me. I think that is the trend nationwide in law schools. The fact that students come out of law school not knowing where the clerk's office is, not knowing where the restroom in the courthouse is, but that is a reality.

MR. WICKS: I don't think you will see that question on any bar.

DEAN SIMONS: But it is critical knowledge.

MR. BUONORA: I have to share

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

something with Dean Simons: When the late Professor Siegel was a law practice professor, I just wowed him because I knew what a flag is. For those of you who are not dinosaurs, flags are what they used to call the county clerk certificate when you had to have a notarized document from out of state.

Nobody in the class new what a flag was. I knew because I was a clerk. In those days we didn't call them interns or externs. You only learned that out in the field. Today we are teaching that kind of stuff in the law schools by exposing these students to the real practice of law so that they --

MR. WICKS: Isn't that really more a function of getting profession-ready as opposed to pass the bar exam?

MR. BUONORA: Yes. Yes, because again it is not whether or not they pass the bar exam, it's whether or not they are able to practice law from day one at least in the initial sense.

1
2 MS. MONTICCIOLO: I think part of
3 the concern I heard in the academy arena
4 is that we are moving towards that. We
5 are putting experiential learning within
6 the substantive law classes. We are
7 having more clinics and meaningful
8 mentorship programs and working with
9 hopefully the bar associations.

10 But the concern is that that stream
11 to go towards that direction will halt if
12 they go to the UBE, whether that is right
13 or wrong, because they believe they are
14 only going to be testing on these
15 substantive areas of law, and that
16 students will make the choice not to
17 participate in those clinics or not to
18 learn those areas of the law outside of
19 those main substantive areas, and that has
20 been the concern.

21 The students will make their own
22 choice; it is not that we won't have those
23 programs. And then once that happens, you
24 asked the dean if we could have the New
25 York wills, trusts and estates and the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

federal wills, trusts and estates. We have less and less students coming to law school. We don't have the funds or the faculty to offer all of those programs anymore.

MR. WICKS: Isn't it possible though, if there is a movement towards the UBE, that in fact it would encourage even more mentoring, more specific CLEs, academy programs to focus people on their practice areas as opposed to the reverse?

Let the outside bar groups do this and mentor programs and law firms, and let the law schools teach someone how to analyze.

MR. BADANES: But now you are making people pay twice in a sense. They paid enough to go to law school and now they have to pay twice now.

MR. WICKS: Well, we do already. We have 24-hour CLEs.

MR. BADANES: They may now have to take more CLEs to do that. There is no test that is going to test anything. But

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

if you go to a New York school, you know where to look and you have at least that basic knowledge.

Yes, the only way to get experience is to get experience. As I told my interns: I'm going to throw you in the pool, figure out where to swim. But they know where to look; they heard the terms; they have, you know, some knowledge where to go to. The UBE eventually is going to lead people not to have the New York-based knowledge.

MR. RAFSKY: I would like to dovetail off of that point. As a newly-admitted attorney going out on my fourth year and having been educated at St. John's, I would feel wholly unprepared to practice New York law, which is exceedingly difficult if I had studied for and taken the UBE.

There are just things that I wouldn't know, that I could not know. Even practicing commercial litigation at Farrell Fritz, had I not studied for and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

taken the current New York State Bar, I think that leaving the New York component, the 50 multiple choice questions, in no way tests someone's knowledge of New York law.

You can guess your way through that and pass theoretically. I just think that is a wholly inadequate way to say, Okay, you can practice in the state. Just the amount of knowledge that you need, that I felt I needed to feel comfortable as a first-day lawyer, it wouldn't have been possible had I not gone to St. John's and taken the New York bar exam.

DEAN SIMONS: I wanted to get back to the pedagogy of the bar exam and the purpose of the bar exam. Life would be wonderful if we didn't have to have a bar exam. You graduate from a law school, and you are admitted to practice if you can get past the character committee.

I did a site visit to Arizona Summit Law School, which in effect has open enrollment. They accept anybody.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

they pass the bar exam in Arizona at a pretty good percentage. Why? Because they have a very vibrant academic support program with ten faculty members just teaching kids from day one how to pass the bar exam.

What is the purpose of the bar exam? Yes, it is to test legal analysis and knowledge, but it's just a minimum threshold. You have to have at least this much ability and knowledge in order to get your license stamped that you can practice.

The current iteration of the bar exam stresses a lot of New York substantive and procedural law. John, you mentioned it at the outset, where we have multi-issue essay questions, which it will be a tort question or a contract question or a wrongful death question, but it will have New York Practice aspects in it.

It will have EPTL aspects in it that you have to be able to understand. The uniform bar exam is not going to do

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that. I think that detracts the measurement of the legal and analytical ability that the person taking the bar exam is taking.

There is one other aspect I want to mention on the pedagogy and testing: The proposed 50 multiple choice questions on New York law is not the same as the current 50 multiple choice questions on New York Law, because the current 50 multiple choice questions are fact based.

They are based on fact situations, and then you are given a series of multiple choice questions to try to build on your analysis of the fact pattern. My understanding of the proposal is that there are going to be 50 nonfact-based questions of black letter law, some of which will include the CPLR, so maybe there will be five or ten of those questions.

Statute of limitations and medical malpractice is 2.5 years, three years, five years, take your pick. Easy I think

1
2 to learn in a bar course; it's just
3 memorizing black letter law. I think that
4 is a huge step back from what I consider
5 the gold standard of bar exams, the
6 current issue of the New York Bar Exam.

7 MR. GROSS: Kind of bouncing off of
8 that and try to be a little bit
9 controversial: Is there anything wrong,
10 lacking in nobility, that New York has its
11 own exam because we are special, because
12 New York is the center of international
13 litigation where people clamor to come to
14 New York to litigate their cases without
15 any real connection at all to New York,
16 where efforts -- for example, New York
17 State Bar International Sections -- to
18 attract people, where people from out of
19 state endeavor to litigate in New York
20 because of the quality of our judiciary
21 and our attorneys?

22 Is there anything inappropriate
23 with saying we are going to have our own
24 exam? Does that factor into this?

25 MR. BESUNDER: We have always had

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

our own rules of professional conduct and I don't think so. Again, one of my concerns with the whole idea is, is there any empirical data that will establish that the competency level of the practicing lawyers in New York will be increased by virtue of this exam.

I'm a little proprietary about New York Law schools, but I would like to feel that New York has the finest law schools in the country. We go to law school to learn how to think like lawyers, not necessarily to pass a bar exam.

We take a bar review for that, and we all do. When you come out of a New York Law school I think that you have a certain level of competence and ability to practice in the State of New York that you might not have if you go to school -- not to be pejorative about other states -- but to go to school in Montana and come to New York. I think it is very different. New York is unique.

MR. WICKS: What if the goal,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Harvey, is to really produce the best and the brightest lawyers as opposed to like a trade school generating somebody who knows the skill?

MR. BESUNDER: I think that is the job of the law schools. And I think the law schools have the obligation and the charge to produce the best lawyers. I think New York Law schools can do that. I don't think other law schools in other states do.

MR. GROSS: I think we sparked some interest in Mr. Hamburger.

MR. HAMBURGER: Well, I think that "hits the ground running" is fiction. I don't think anybody hits the ground running after law school. I don't think that changes if you have a New York focus exam.

I worked for this guy to my left in private practice for my first job. I made a motion at his direction, which he read, but nobody told me, Buy an index number. I didn't know how much they were. I made

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

a motion to buy an index number and they decided it.

I think your point about not missing the point is missing the point. We need more mentoring; we need better CLEs, and perhaps more focused CLE requirements. I don't understand why law is not a profession where there is more certifications and specialization. I think that we need more clinical practice.

I think as a general matter, issue spotting is more important than issue determination. Issue spotting exam is more than adequate for me. I know in my practice I'm always looking things up just to make sure I got it right.

I get something in and I'm thinking about the statute of limitations. I look it up just to make sure: Is this a 17-day motion? Is the response due in one day or two days? We are always checking because you do that to make sure you don't screw it up.

I think the issue of a multistate

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

practice and not putting lawyers in situations where they will engage in the unlawful practice of law or the unauthorized practice of law is at issue.

New York has some archaic requirements like the home office requirement, you know, that is in our rules, that you have to have an office in New York in order to practice in New York, which means that if you are in New Jersey or Connecticut, you can't practice in New York without having some affiliation with a firm.

I mean, that is archaic. I think the obstacles should be removed. I think the notion of our exceptionalness, specialness of being New York lawyers to be mutually exclusive of being able to practice here is ridiculous.

MR. GOOD: John, I want to answer your question by saying CPLR. There's a lot of people around this table that practice in court. Is there anyone who believes that we should keep the CPLR

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

because it makes New York special when most of the states follow the federal rules.

And then Richard wouldn't have to look up 17 days because it wouldn't change; it wouldn't change from this file to that file? I think some of our specialness is really outmoded. The issues with national and international qualifications are real legitimate issues. This proposal I don't think deals with them at all.

MR. TILIS: John, if I may? When I was with the big firm, and we were asked to issue opinion letters in connection with a transaction, we needed somebody very special, and that special person's state isn't on the list of UBEs.

A Delaware lawyer gets to practice in one of the most exclusive courts in our country, in their Court of Chancery that deals with real internal corporate governments and corporate battle matters. That is a state of very little population

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that gets to say, We are the gold standard on this issue.

If we are saying New York is the gold standard for large scale meaningful litigation both commercial, criminal, and public interest, and our bar exam should stand apart for that reason, we can join the first state in the union in saying that, and we should because just like they earned it, we earned it, and the people in this room continue that tradition on those high-level, high-scale things.

Delaware is not on the list. And to me, to your point, that is the most comparable state and they say it. We needed the Delaware lawyer to give us the backup opinion on Delaware law before we opined about our Delaware-incorporated client.

MR. WICKS: Let's just shift a little bit to exam costs. We go from \$250 to anywhere from \$400 to \$1,200 for the exam costs. Does anybody see an issue with that or is that a nonissue?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. GROSS: Does it tie back to the Andy Simon's, Where is the corporation writing the exam.

DEAN SIMONS: The students are graduating in so much dept that this is not a consumer-friendly proposal. It is going to cost more money; we don't know how much. It is probably going to be multiples of what we think it might be.

And then there is a price tag for the alleged portability to get into Alabama or Nevada or North Dakota if anyone wants to be admitted there. It is going to cost \$500, \$1,000, \$1,500. That cost is going to have to be incurred in the first couple of years of practice.

As Doug was saying, I was contrasting this to reciprocity and reciprocity can make a lot of sense. If you have proven that you practice law without incident for five years in your particular jurisdiction, a lot of jurisdictions allow you to get waived in without a bar exam because you have

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

established that.

At least having practiced for five years and it goes on forever. The portability aspect I think is a ruse. It lasts for 18 months or up to five years. One state is forever, I think Utah. Most of them have a time limit. So unless you take advantage of the so-called portability and pay your thousand dollars to take the North Dakota aspect of law test, within three years it's not portable at all.

MR. BADANES: Can I just answer your question because, again, I hire a lot of interns, and that \$150 difference probably doesn't seem a lot to people in the room. I will tell you that a one dollar difference -- you know they bitch and moan about paying \$150.

MR. WICKS: You don't reimburse them?

MR. BADANES: No, I tried to send the bill to John. If they fail the test, now it's another \$400 or whatever. So I

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

think the extra cost is a concern to the students that don't have a lot of money in their pocket.

MR. WICKS: What about might it have some sort of disparate impact for minorities?

MR. GROSS: Typically disparate impact is measured these days again through psychometrics, administering the test to different control groups, and seeing the impact potentially on minority students. That has not been done.

Is there any validity to worry about that? I know the New York State Bar Association took a very strong position a number of years ago when Judge Kay had initially proposed raising the score on the bar exam, and it was supposed to be phased in over three years, and only the first phase was implemented. Any concerns in that area?

MS. MONTICCIOLO: I mean, I do have concern about that. I think that as you stated -- I haven't found anything that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

they have done any research in the other UBE states to see if there has been a negative impact on minorities. But again, that whole issue really goes back to before law school.

And so to say that it's based on the bar exam is kind of pushing the cart before the horse. We have to go backwards and start doing things in high school and college and in law school to help them, but I don't know that the bar exam is the place where we are going to make those distinctions. But I think there should be something done in the states that we have to see how it has impacted if at all.

MR. BADANES: I know the UBE states in general are not very diverse states, but --

MR. GROSS: Andy?

DEAN SIMONS: If there is a disparate impact of the current bar exam, this proposal certainly does not address that.

MR. GROSS: So there is kind of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

dead silence on the issue of disparate impact?

DEAN SIMONS: Right.

MR. GROSS: Let's now -- is there any lingering -- we have been calling on people. Is there anything lingering final statements, focused issues that you would like to address?

MR. FERRIS: Just one issue on UBE, Jim, in terms of being global in nature. I'm not really quite sure what that means. I go back earlier certainly in terms of practitioners outside of Manhattan who have some international business, but you go around the state, I mean when you are dealing in the State Supreme Court and dealing in Family Court and dealing on the criminal side in Federal Court, I don't really know what the purpose would be to make an exam more global in scope, because unless you change so many of the laws in New York State to make it compatible with the laws of the other states around the country, we are not there.

1
2 And I'm not sure we are ever going
3 to be there because there is a feeling
4 about New York being exclusive and great.
5 You have the common laws going back
6 centuries where other states do not.
7 There is a lot of history there. I don't
8 understand really how they can make the
9 bar exam more global in scope that is
10 going to really help most of the
11 practitioners in the State of New York.

12 MR. WICKS: I think the intent
13 seems not to be, you know, to create a
14 knowledge base in terms of specific
15 subject matter. It is more to test
16 someone's analytical skills to be a
17 lawyer. For example a franchise lawyer of
18 today; if you are a franchisee lawyer, you
19 represent franchisees, you could be hired
20 Arizona, Florida, many different
21 jurisdictions depending on where the
22 mandatory arbitration clause is in the
23 franchise agreement for the franchise
24 owner.

25 I have heard this from franchise

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

lawyers in particular, and this is just an example, because there have been ethic opinions across the state saying you can't participate in the arbitration because you are not admitted here.

This is the sort of thing, just as an example, the franchises for example, if they make -- I don't remember what the latest statistic is, but it is a huge number of businesses and there are a lot of lawyers that do just that. That is just one area, but it is an example of not that you are teaching specific subject matters on the bar exam or expect a knowledge base, it's more the analytical skills so they have a basic analytical skill to be a good lawyer.

MR. FERRIS: Isn't that being done already? You opened with that, John. The present bar exam is already addressing analytical skills. Even on the essays it is not a single focus, but more than a single focus on the essays so you are already addressing the issue of analytical

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ability.

MR. GROSS: Well, yes and at least the Milman study a number of years ago found New York Bar to possess sufficient content validity. Apropos of my invitation to throw ideas and questions out that we have not covered, I want to throw out a potentially controversial one and I ask, welcome members of the academy to comment on this.

Is it too extreme to think that the shift to the UBE will lead to the demise of some New York Law schools? If it is cheaper to get an education in Alabama, Utah, Montana, which it probably is, do you think we are going to lose some of our law schools over time?

MS. MONTICCIOLO: You pointed right at me.

DEAN SIMONS: I don't think so.

MS. MONTICCIOLO: I think there is always that possibility, but I don't think that people that are taking -- that's why I don't think this whole portability

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

reasoning has much validity.

I don't think -- I think the people who are taking the exams at law schools in Alabama want to stay in Alabama. They are not looking to come to the big city. The people in Utah, I think they are there for a reason.

I do think that there will be a few people who will come, but I don't think that that will be the reason that law schools will fail in New York.

MR. GROSS: I guess what I'm really wondering about is if I'm looking at a \$150,000 bill to go to Brooklyn Law, Cornell, Columbia, wherever, and in the beautiful state of Alabama -- nothing wrong with Alabama -- they are charging 50 grand, let's ask the younger associates: What do you think?

MR. RAFSKY: No-brainer, John. I'm being candid; It's a no-brainer. I don't know -- I can guarantee your income and classes will shrink.

MS. MONTICCIOLO: We are already.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

it's already happening.

MR. RAFSKY: Candidly, I was given the choice, seriously, I was, and money paid a large role in the law school process. I think it is naive to think that kids won't pay less --

MS. DiPAOLO: I agree. I mean, when I was in law school someone had mentioned to me to go to Florida and go to a state school in Florida; it is \$9,000 a year. That would be wonderful to have that little amount of debt, where now I have a great education but I could buy a house for what I owe in law school debt. If I could have reduced that and still come to New York and got my license, that would be the best.

MR. FERRIS: A law school, for the two and a half to three years that you go to law school is not just going online and taking courses. It is dialogue and discussing things, meeting challenges and reasoning. That is, part from my perspective, of what the bar exam should

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

take. I have no stake in a law school but I do have a stake in representation of clients; one who goes to law school and one that takes courses online just to pass the course and take a bar exam.

MS. MONTICCIOLO: I think you asked the people in the academy, in academia if we think that is, but why don't you ask the practitioners, Are you going to hire that person from Alabama who never stepped foot in New York, who didn't do their internship, who didn't mentor with people in New York. I think that would be what I would like to hear.

MR. TILIS: There is a reason why we put the law school on the resume. That is part of the professional credential we carry. There's a difference between law schools. Somebody looking to come to a small practice here in Suffolk County or in any of the other less-urban parts of the state, who is coming from a known-commodity law school has a leg up on someone coming from a school that might

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

well have given an equivalent education
but we don't know.

MR. GROSS: So we can perhaps
conclude that there might be nibbling
around the edges, but in large measure
probably not an impact from adoption of
the UBE on --

DEAN SIMONS: John, I think as I
heard, cost is very important and so is
scholarship aid, but so too is placement
rate. And applicants look at your
placement rate; where do your students get
jobs. I don't know where the students
from Alabama get jobs, but I know where
our students get jobs.

We have a network of 15,000 alumni,
12,000 of which are probably in the
greater metropolitan area, and there is a
huge reason why people want to come to
St. John's.

MR. WICKS: Are the Florida
students missing out on internships, as
you mentioned, working in law firms,
mentor programs?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. GROSS: Any other dangling
participle issues you want to raise?
Comments.

MR. BESUNDER: This may be making a
quantum leap, but I would have a concern
back to what I said before about the
competency level. And I wonder whether
somebody going to school in another state
coming to New York and hanging out the
shingle because they can't get a job, what
that will do to the ultimate grievance
process, and whether they will be more
susceptible to having grievances filed
against them.

MR. GROSS: Well, I understand
having talked to various people involved
in the disciplinary process, there is a
high number of disciplinary cases arising
from the model of the student who leaves
Kansas to get a job and hangs out a
shingle, so I suppose if indeed there is a
greater flow from outside of the state
into New York into solo practice, you
might see an uptick in grievances.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BESUNDER: I go back to what I said originally: The issue is supply and demand and the ability to obtain employment. If we have an influx of those people from out of state, you are going to increase the supply, but the demand will be the same. It is going to be harder for those kids to get jobs.

MR. WICKS: Anybody else? Final comments?

MR. GROSS: Judge, do you want to say anything?

HON. PRUDENTI: Pure observation. First of all, I would like a clarification for everyone to know in the room that I have no vote with regard to whether the UBE will be implemented or not. I'm not on the State Board of Examiners; I'm not on the Court of Appeals. They will make that ultimate determination.

I find myself in a very unique position, and I think it is important to disclose this to you. I did not go to any New York Law school. Actually, I did

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

not go to a law school in the country. I went to a law school, one of the four universities in Scotland.

When I came back, when I got home, I thought it was going to be great; this international lawyer who was going to practice in London and Edinburg or whatever. When I became incredibly homesick and wanted to come home -- and I again, I applied to law schools here; I applied to Hofstra, I grew up in Blue Point but decided to go to law school in Scotland.

So when I came home to take the bar exam, I had to -- I wasn't -- I didn't practice in Scotland for five years, I had to -- at that time, I believe this was 35 years ago, I had to petition the Court of Appeals to take the bar examination. They came back with the determination that said yes, I can take the exam and work for one year.

I did that and I took a great bar exam, and I had a great tutor who is my

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

husband now of 35 plus years who went to the University of Buffalo undergraduate and law school, and so I come to this and I think from a very unique perspective.

Anyway, to make a long story short, I was the first student of the multistate examination, and some of the discussions we are having today I'm sure took place when the multistate part of the New York Bar was implemented. I took the first year of the multistate examination.

I remember many, many people telling me, There is no way that you are going to pass this examination. Anyway, the rest is history: I did take the examination. I did pass the examination, but one thing I can tell you is at that time it was as a whole. You passed the multistate part and the rest of it as a whole.

In the UBE -- and this is just an observation -- you would have to pass each section. As an outsider looking in, what I'm seeing -- and I think the reason that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Judge Rivera's group, study group is so important is that to get the input of everybody and what I'm hearing is maybe it's not the UBE, itself, that needs to be implemented or doesn't need to be implemented.

Maybe it's the entire bar examination that needs to be looked at in a whole, okay. Again, considering the world we are living in, considering different times and places, considering law school survival. Number one, I remember my first job out of law school was with Judge Signorelli, and there are many people that may not remember him.

And I remember him telling me, "Gail, don't feel bad you didn't go to law school in New York. Law students are useless when they come out of law schools wherever they may go." But I think the law schools have done a fabulous job over the years with their clinical programs and making sure that you lawyers are trained and are well trained.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

So I think that clinical programs are fabulous. On the other hand I have many friends at University of Hong Kong, University of Aberdeen, University of Edinburg all of which are saying that their survival, okay, in the world that we live in is not only clinical programs. They do diploma programs so you are ready to practice, but at this time is also foreign students. It is also the influx of foreign students.

And I can see many, many foreign students wanting to come to New York and wanting to practice law in Hong Kong, as well as have a license here in New York, as well as work for a firm or be counsel or do something like that.

So when I look at the UBE, what I'm hearing, I'm hearing that more time is needed, okay. I'm hearing that maybe the entire bar examination, maybe to study the area, and how people are being prepared for it, and what it is testing needs to be looked at.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I'm hearing the scope of programs, clinical programs. And I see it firsthand in the court system how important they have become to the people that we hire for the court system.

And what I would like to think after my decade at the appellate division and as a consensus builder, I'm also hearing as I always hear when people have different points of view is emotional response to change, which is normal when you are talking about human nature.

I'm hearing the emotional response, and John brought it up and I thought it was a good point, the gold standard and our egos, are they getting involved in this. I'm telling you if you go to a university or college in London, they will tell you that that is the center of the legal world and that is the gold standard.

It's nice to go to New York, but why didn't you stay in Europe, because if you stay here, you can practice anywhere in the European economic community. So

1
2 taking all of those things together, I
3 think it is important that we continue to
4 have our hearings around the state, we
5 continue to have focus groups and
6 hopefully -- and once again I repeat it is
7 not for me to make the final
8 determination -- but hopefully we can
9 reach a consensus that everyone has a
10 comfort level with, that we have the
11 highest standard of lawyers that serve our
12 community, that the law schools will be
13 able to thrive, will be able to not just
14 have a focus on passing grade, but focus
15 on preparing people for the practice of
16 law.

17 Again, maybe there will also be the
18 benefit of international and open exchange
19 of ideas of students, which I think is a
20 good thing, and all of these things coming
21 together. But I think what the professor
22 said that really struck home was the
23 concern that was raised that this was just
24 going to be immediately implemented
25 without a good hard look that I think

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

everybody around the room is saying that they would like to be done.

That is what I come away with today, and that's my point of view for what it is worth. I would like to say for the record that it is my personal point of view. I don't speak on behalf of the Chief Judge; I don't speak on behalf of Judge Rivera's committee. This is the world according to Gail having practiced in New York for all of this time, and having been in private practice for more than a decade, having been a trusts and estates lawyer, also with Professor Torano in the highest regard, but having been somebody that really got taught how to practice law in the courthouse and in private practice.

Saying all of that, I think these discussions are great, and it is my great hope that we will come to some sort of consensus in New York in what is the very, very best way we can test individuals so that they have the requisite character as

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

well as academic ability to practice law.

MR. GROSS: And I know it would be inappropriate to ask you to comment substantively, but I certainly think it is appropriate if you want to say a few words as a member of the task force, Ms. Anderson.

MS. ANDERSON: Sure, I appreciate the opportunity. I want to say that the themes that this body has articulated certainly echo through the hearings that we have held and through other focus groups on this issue. The gold standard question is one that is raised repeatedly and debated on all sides.

The question of possible disparate impact I think is a real focus for many people who testified in front of us. And I think the question of clinical skills and how the bar exam currently or under the proposal does or does not effectively test that also are very live issues.

Some of the concerns I think that have been articulated are mirrored, that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

they are concerns about the current bar exam as well as the proposed changes with the Uniform Bar Exam, so we are going to have to sort through a lot of those issues.

But the concerns of practitioners throughout the state are deeply important to us on the task force, and I very much appreciate your willingness to come out in the snow and congregate and think about these things and help us deliberate in our work, so I really appreciate it.

MR. GROSS: Anyone else? If not, thank you.

DEAN SIMONS: May I just interject one personal note. We heard a lot about the gold standard. I would like to congratulate Judge Prudenti on the record, who is going to be the recipient of the gold medallion from the Nassau County Bar Association for distinguished service on May 9 at a dinner dance, and I hope you all will join us.

HON. PRUDENTI: Thank you. You are

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

very kind.

MR. GROSS: Thank you.

MR. WICKS: I think we should thank Kristi. She really handled the logistics of everything that went on today to make this happen.

MR. GROSS: Yes, in extremely short order.

MR. WICKS: Yes, and we really do appreciate that.

MR. GROSS: Thank you all for participating.

(Time noted: 11:35 a.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATION

I, SUSAN CRANE, a Notary Public in
and for the State of New York, do hereby
certify:

THAT the foregoing is a true and
accurate transcript of my stenographic
notes.

IN WITNESS WHEREOF, I have
hereunto set my hand this 8th day
of February, 2015.

SUSAN CRANE

<hr/> \$ <hr/>	35 76:18 77:2	academia 72:8	24:15 25:2
\$1,000 45:21 62:15	<hr/> 4 <hr/>	academic 4:10 33:25	adverse 23:5
\$1,200 61:23	4 1:6 45:19	53:4 83:2	affect 15:22
\$1,500 62:15	40 9:3 14:3	academies 46:22	affects 17:10
\$150 63:16,20	<hr/> 5 <hr/>	academy 2:14 7:2	affiliated 6:4
\$150,000 70:15	5 45:19	44:13 46:6 49:3	affiliation 59:13
\$250 61:22	50 8:13,22 9:10	50:11 69:10 72:8	against 24:14 38:20
\$400 61:23 63:25	22:19 25:25 52:4	accept 52:25	74:15
\$500 45:21 62:15	54:8,10,11,18	according 82:11	ages 18:20
\$600,000 45:20	70:18	accrued 42:14	ago 3:19 21:11 41:9
\$9,000 71:11	500 24:11	accurate 86:6	64:17 69:4 76:19
<hr/> 1 <hr/>	50-question 10:15	acquisition 36:5	agreement 67:23
11:35 85:14	11:18 12:5	across 25:13 32:20	aid 73:11
12,000 73:18	<hr/> 6 <hr/>	68:4	Alabama 17:25 19:9
13 12:11	60 14:5 22:18	action 46:20	43:2,10,11 62:13
14 31:8	<hr/> 7 <hr/>	actually 34:21 36:15	69:15 70:5,17,18
14th 35:25	70 14:5	75:25	72:11 73:15
15 31:6	<hr/> 8 <hr/>	Adam 2:22 6:23	Albany 5:2
15,000 31:7,9 73:17	80 32:2	added 40:14	alleged 62:12
16 36:17	800,000 24:11	address 65:23 66:9	allegedly 12:3
17 36:18 60:6	8th 86:9	addresses 20:17	allow 16:2,3 62:24
17-day 58:20	<hr/> 9 <hr/>	addressing 40:23	allows 28:8
18 34:17 36:18 63:6	9 84:23	68:21,25	already 50:21
1993 11:5	9:58 1:6	adequate 58:15	68:20,21,25 70:25
<hr/> 2 <hr/>	90s 13:8	administering 64:10	71:2
2.5 54:24	<hr/> A <hr/>	administration 2:15	alumni 73:17
20 21:11 40:6	a.m 1:6 85:14	6:7 7:18	alums 21:10,11
200 8:19	Aberdeen 79:5	Administrative 2:6	Amendment 36:2
2014 1:6	ability 13:23 15:10	admission 16:24	American 10:20
2015 36:20 86:10	32:6,10 40:12	18:3	amount 52:11 71:13
22 39:5	53:12 54:4 56:18	admitted 17:22 34:6	Analogy 13:7
24-hour 50:22	69:2 75:4 83:2	42:13 52:21 62:14	analysis 11:6 53:9
26 4:20	able 23:16 43:9	68:6	54:16
<hr/> 3 <hr/>	48:24 53:24 59:19	adopt 17:18	analytical 15:10
30 12:9 21:11	81:13	adopted 20:12	32:6,10 47:9 54:3
		adoption 18:11 73:7	67:16
		advance 31:16	68:16,17,22,25
		advantage 63:9	analyze 50:16
		adversary 23:24	Anderson 4:16

<p>6:20,21 83:8,9</p> <p>ANDREW 2:11</p> <p>Andy 7:8 62:3 65:20</p> <p>answer 24:24 34:22 59:21 63:14</p> <p>answered 26:12</p> <p>answers 22:19 40:17</p> <p>anybody 14:13 36:12 52:25 57:17 61:24 75:10</p> <p>anyhow 18:4</p> <p>anymore 50:6</p> <p>anyone 59:24 62:14 84:14</p> <p>anything 25:9 50:25 55:9,22 64:25 66:7 75:13</p> <p>Anyway 77:6,15</p> <p>anywhere 34:16 39:17 61:23 80:24</p> <p>apart 61:8</p> <p>apparently 9:21 10:16</p> <p>Appeals 75:20 76:20</p> <p>appellate 80:8</p> <p>applicants 73:12</p> <p>applied 76:11,12</p> <p>appreciate 3:8 4:15 5:14 83:9 84:10,13 85:11</p> <p>appropriate 36:3 83:6</p> <p>appropriately 11:11</p> <p>Apropos 46:23 69:6</p> <p>arbitration 67:22 68:5</p> <p>archaic 59:6,15</p> <p>area 29:20 64:22 68:13 73:19 79:23</p> <p>areas 15:15 38:24</p>	<p>49:15,18,19 50:12</p> <p>arena 49:3</p> <p>argument 32:9 37:19 40:19</p> <p>arising 74:19</p> <p>Arizona 52:23 53:2 67:20</p> <p>article 13:21</p> <p>articulated 83:11,25</p> <p>aside 11:14 29:21</p> <p>aspect 9:13 54:6 63:5,11</p> <p>aspects 53:22,23</p> <p>assessments 30:3</p> <p>assistant 32:2</p> <p>associate 2:13,15,19,22 6:6,11,23 7:2</p> <p>associates 27:16 70:19</p> <p>Association 7:3,6 10:20 64:16 84:22</p> <p>associations 12:12 49:9</p> <p>assume 27:10</p> <p>assumption 29:8 31:4</p> <p>attorney 51:16</p> <p>attorneys 11:9 33:3 55:21</p> <p>attract 55:18</p> <p>attracting 46:10</p> <p>available 35:13</p> <p>aware 8:6 38:6</p> <p>away 8:11 9:2,8 14:9 15:7,11,19 16:25 19:23 20:15 21:5,18 36:24 82:4</p> <p>awfully 29:2</p>	<p style="text-align: center;">————— B —————</p> <p>background 7:23 18:17</p> <p>backup 61:18</p> <p>backwards 65:9</p> <p>bad 17:24 78:18</p> <p>Badanes 2:17 6:8 25:10 27:4 50:17,23 63:14,23 65:17</p> <p>bail 46:16</p> <p>balance 34:4</p> <p>bar 1:2 3:13,14,23,25 4:5,9 6:17 7:3,5 8:7 11:4 13:15 15:25 16:13,16 17:12,13,21 18:24 20:5 21:5,17,18 22:6 23:13 26:9 28:4 31:15,20,21 36:24 37:22 39:20,24 40:7,9,14,21 41:6,9,14,16,25 42:12,18 43:9,17 46:9,19 47:3,5,11,22 48:20,23 49:9 50:13 52:2,15,17,18,19 53:2,7,8,15,25 54:4 55:2,5,6,17 56:14,15 61:7 62:25 64:15,19 65:8,12,22 67:9 68:15,21 69:5 71:25 72:6 76:15,20,24 77:11 78:8 79:22 83:21 84:2,4,21</p> <p>base 67:14 68:16</p> <p>based 18:23 54:12,13 65:7</p>	<p>basic 27:12,22 45:6 51:4 68:17</p> <p>battle 60:24</p> <p>beautiful 70:17</p> <p>became 76:9</p> <p>become 80:5</p> <p>becoming 12:24 13:2</p> <p>beginning 43:14</p> <p>behalf 82:8,9</p> <p>behind 30:12</p> <p>believe 34:23 49:13 76:18</p> <p>believes 10:12 59:25</p> <p>beloved 7:17</p> <p>beneficiaries 43:23</p> <p>benefit 13:23 16:6 23:13 38:23 39:3 81:18</p> <p>benefits 16:7</p> <p>best 57:2,9 71:18 82:24</p> <p>Besunder 2:9,10,12 7:7,11,12 22:4 55:25 57:6 74:5 75:2</p> <p>better 11:17 24:19 31:13 38:2 47:12 58:6</p> <p>beyond 14:21</p> <p>bill 38:17 46:6 63:24 70:15</p> <p>bit 44:12 47:12 55:8 61:22</p> <p>bitch 63:19</p> <p>black 54:19 55:3</p> <p>Blue 76:12</p> <p>Board 9:15 10:7 30:17,22 31:3 75:19</p> <p>body 25:22 83:11</p>
--	---	---	---

<p>bond 46:16</p> <p>border 12:25</p> <p>born 25:16</p> <p>Bossey 10:7 15:14 20:22</p> <p>bouncing 55:7</p> <p>Bracken 2:10,12 7:6</p> <p>Brackin 7:12</p> <p>brightest 57:3</p> <p>bring 27:17</p> <p>Brooklyn 70:15</p> <p>brought 80:15</p> <p>Buffalo 15:2 77:3</p> <p>build 54:15</p> <p>builder 80:9</p> <p>Buonora 2:21 6:16 20:6 37:13,15 47:14,25 48:21</p> <p>business 12:11 66:15</p> <p>businesses 68:11</p> <p>buy 31:2 57:24 58:2 71:14</p> <p>buzz 13:5</p> <hr/> <p style="text-align: center;">C</p> <hr/> <p>California 17:23,24</p> <p>candid 5:8,20 70:22</p> <p>Candidly 71:3</p> <p>candle 41:12</p> <p>carry 72:19</p> <p>cart 65:8</p> <p>case 40:16</p> <p>cases 21:3 24:9 32:24 55:14 74:19</p> <p>center 1:8 55:12 80:20</p> <p>Central 1:9</p> <p>centuries 67:6</p>	<p>century 28:5</p> <p>certain 56:18</p> <p>certainly 9:11 11:24 15:18 16:9 22:24 36:3,25 40:15 46:4 65:23 66:13 83:5,12</p> <p>certificate 48:7</p> <p>CERTIFICATION 86:1</p> <p>certifications 58:10</p> <p>certify 86:4</p> <p>cetera 9:20</p> <p>chair 3:14</p> <p>challenge 20:11</p> <p>challenges 71:23</p> <p>Chancery 60:22</p> <p>change 19:21 23:13 30:10 36:24 60:7 66:22 80:12</p> <p>changed 19:2</p> <p>changes 20:12 57:19 84:3</p> <p>changing 30:15</p> <p>character 22:4 52:22 82:25</p> <p>charge 57:9</p> <p>charging 70:18</p> <p>chatting 20:19 30:7</p> <p>cheaper 69:15</p> <p>checking 58:22</p> <p>Chicago 44:3,5</p> <p>Chief 2:6 82:9</p> <p>child 25:15</p> <p>choice 8:13,20,22 9:10,14 15:20 49:16,22 52:4 54:8,10,12,15 71:4</p> <p>choose 34:19</p>	<p>cited 40:13</p> <p>city 5:2 14:25 15:18 26:5 45:11 70:6</p> <p>clamor 55:13</p> <p>clarification 75:15</p> <p>clarion 41:3</p> <p>class 25:16 37:25 48:10</p> <p>classes 29:9 49:6 70:24</p> <p>classmate 20:6 37:17</p> <p>clause 67:22</p> <p>CLE 58:7</p> <p>clear 15:14 19:5</p> <p>Clearly 25:20</p> <p>clerk 45:3,4 48:7,11</p> <p>clerk's 47:18</p> <p>CLEs 50:10,22,24 58:7</p> <p>client 23:24 24:8,21,22 45:15 46:15 61:20</p> <p>clients 14:21 25:7 26:8 28:9 43:15 72:4</p> <p>Clinic 2:21 6:19</p> <p>clinical 11:23 40:12 41:6 44:11 45:22 46:20,21 47:4 58:11 78:23 79:2,8 80:3 83:20</p> <p>clinics 49:7,17</p> <p>close 20:20 29:3</p> <p>closing 47:7</p> <p>colleague 44:2</p> <p>college 1:8 65:11 80:19</p> <p>colors 37:6</p> <p>Columbia 70:16</p>	<p>combination 15:5</p> <p>comes 36:23</p> <p>comfort 81:10</p> <p>comfortable 52:12</p> <p>coming 16:19 17:3 18:15 19:4,10 22:13,16,18 23:2 30:8 35:10 50:3 72:23,25 74:10 81:20</p> <p>comment 14:14 29:16 35:7 69:11 83:4</p> <p>commentaries 20:10</p> <p>commentary 13:21</p> <p>comments 10:5 74:4 75:11</p> <p>commercial 32:23 51:24 61:6</p> <p>Commission 3:18 40:8</p> <p>committee 5:10,18 10:6,14 52:22 82:10</p> <p>common 67:5</p> <p>common-law 20:25</p> <p>community 80:25 81:12</p> <p>company 24:11 30:12</p> <p>comparable 61:16</p> <p>compatible 66:23</p> <p>competence 56:18</p> <p>competency 56:6 74:8</p> <p>competing 23:3</p> <p>Competition 23:8</p> <p>complaint 45:6</p> <p>complex 20:15 38:5</p> <p>component 44:21</p>
--	--	--	---

<p>52:3</p> <p>concept 10:25</p> <p>concern 18:18 22:10,22 35:9,16 40:24 49:3,10,20 64:2,24 74:6 81:23</p> <p>concerned 19:14</p> <p>concerns 37:21 56:4 64:21 83:24 84:2,7</p> <p>conclude 73:5</p> <p>conclusions 5:10</p> <p>conduct 56:2</p> <p>confidence 25:2 27:22 28:2</p> <p>conflicts 12:12</p> <p>congratulate 84:19</p> <p>congregate 84:11</p> <p>Connecticut 59:12</p> <p>connection 55:15 60:16</p> <p>consensus 80:9 81:9 82:23</p> <p>consider 55:4</p> <p>considering 78:10,11,12</p> <p>constitutional 12:12</p> <p>consumer-friendly 62:7</p> <p>content 69:6</p> <p>contents 32:13</p> <p>context 8:4 13:6 17:2</p> <p>continue 61:12 81:3,5</p> <p>continued 3:21</p> <p>contract 30:19 53:20</p> <p>contracts 12:13</p> <p>contrasting 62:19</p> <p>control 64:11</p> <p>controversial 55:9</p>	<p>69:9</p> <p>convocation 4:4 40:25</p> <p>core 20:14 21:13</p> <p>Cornell 70:16</p> <p>corporate 60:23,24</p> <p>corporation 62:3</p> <p>Correct 35:5</p> <p>cost 23:22 39:3 47:6 62:8,15,16 64:2 73:10</p> <p>costly 24:4</p> <p>costs 24:16 61:22,24</p> <p>counsel 2:8 7:14 79:17</p> <p>counties 32:15 39:13</p> <p>country 32:20 39:11 56:12 60:22 66:25 76:2</p> <p>county 6:17 7:5 13:15 14:17 15:4,22 16:16,17 33:10 39:12 45:20 48:7 72:21 84:21</p> <p>couple 10:4 37:15 45:13 62:17</p> <p>course 11:7 20:13,14 21:13 28:15 36:25 55:2 72:6</p> <p>courses 20:23 38:13 71:22 72:5</p> <p>court 1:22 5:11 7:17 24:13,14 38:4 45:5 59:24 60:22 66:17,18,19 75:20 76:19 80:4,6</p> <p>courthouse 47:20 82:18</p> <p>courts 32:22 60:21</p> <p>cover 20:23 21:3</p> <p>covered 15:15 69:8</p>	<p>CPLR 27:11 54:20 59:22,25</p> <p>Craco 3:18 40:8</p> <p>Crane 1:22 86:2,13</p> <p>create 67:13</p> <p>credential 72:18</p> <p>credentials 27:17</p> <p>credit 20:14</p> <p>criminal 2:21 6:18 12:13,14 61:6 66:19</p> <p>critical 10:19 46:24 47:23</p> <p>cross 12:25</p> <p>crusty 45:2</p> <p>cry 24:10</p> <p>CUNY 6:21 7:20</p> <p>cure 17:7 37:8 43:14 44:22</p> <p>current 8:11 12:16 44:21 46:19 47:3,5 52:2 53:15 54:10,11 55:6 65:22 84:2</p> <p>currently 8:13 12:10 19:15 42:18 83:21</p> <p>curriculum 18:12 19:13 35:24 36:8</p> <hr/> <p style="text-align: center;">D</p> <hr/> <p>DA 32:2</p> <p>Dakota 62:13 63:11</p> <p>damn 41:20,22</p> <p>dance 84:23</p> <p>dangling 74:2</p> <p>dare 14:24</p> <p>DAs 39:10</p> <p>data 56:5</p> <p>David 2:17 6:8 25:8 26:25</p>	<p>day 8:15,24 9:8 31:21 45:4 48:24 53:6 58:21 86:9</p> <p>days 48:12 58:22 60:6 64:9</p> <p>dead 66:2</p> <p>deal 44:14</p> <p>dealing 66:17,18</p> <p>deals 60:12,23</p> <p>dean 2:11,13,15 6:6,21 7:2,9,19 19:24 20:19 28:11,17,22 29:2,11,16,19 30:25 31:23 36:15,22 37:16 47:23 48:2 49:24 52:16 62:5 65:21 66:4 69:21 73:9 84:16</p> <p>death 53:21</p> <p>debate 13:13</p> <p>debated 83:16</p> <p>debt 22:7 71:13,15</p> <p>decade 80:8 82:14</p> <p>decades 44:17</p> <p>decided 58:3 76:13</p> <p>deeply 84:8</p> <p>degree 42:24</p> <p>Delaware 60:20 61:14,17,18</p> <p>Delaware- incorporated 61:19</p> <p>delayed 37:19</p> <p>deliberate 84:12</p> <p>deliver 28:8</p> <p>delivering 23:23</p> <p>demand 75:4,7</p> <p>demise 69:13</p>
--	---	--	--

<p>demonstration 12:6 depending 67:21 depends 45:3 deposit 45:21 deposition 5:13 dept 62:6 descriptive 10:5 details 30:16 determination 58:14 75:21 76:21 81:8 determined 11:8 detracts 54:2 detriment 24:8 devalue 35:11,15 developed 10:10,11 11:19 dialogue 71:22 Diane 10:7 15:14 20:22 difference 63:16,19 72:19 differences 20:18 different 9:24 20:16 23:22 25:20 34:18 56:23 64:11 67:20 78:12 80:11 differs 8:3 difficult 26:18,21 29:5 51:20 difficulty 22:8 dinner 84:23 dinosaurs 48:6 dipaolo 2:19 6:10 35:7,19 71:8 DiPaolo 6:10 diploma 79:9 direct 23:21 direction 49:11 57:23</p>	<p>directly 15:21 director 2:21 6:18 7:3 disciplinary 74:18,19 disclose 75:24 discussing 71:23 discussion 4:8 5:8,20 7:24 9:6 12:22 34:12 37:18 38:19 discussions 77:8 82:21 disparate 64:6,8 65:22 66:2 83:17 dispute 10:23 distinctions 65:14 distinguished 84:22 diverse 65:18 division 80:8 divisions 32:23 document 48:8 dollar 63:19 dollars 63:10 done 17:17 64:13 65:2,15 68:19 78:22 82:3 Donna 46:8 doubt 5:13 Doug 16:15,17 34:8 41:7 62:18 Douglas 2:18 6:14 Doug's 23:17 dovetail 51:15 driven 12:19,20 due 35:24 36:4,14 37:10 58:21 during 25:16 46:22 dutifully 36:7</p>	<p style="text-align: center;">————— E —————</p> <p>earlier 66:13 earn 42:15 earned 61:11 Easy 54:25 EBTL 20:10 echo 83:12 economic 80:25 edges 73:6 Edinburg 76:8 79:6 educate 4:10 educated 51:17 education 4:7 10:6 29:13,23 30:6 69:15 71:14 73:2 educational 10:19,21,22 effect 37:22 52:24 effectively 83:22 efficient 32:25 efficiently 28:8 effort 40:5 efforts 55:16 egos 80:17 either 22:20 23:2 elect 46:9 eliminate 28:15 eliminated 29:10 eliminates 34:5 else 16:5 17:19 34:22 75:10 84:14 Emeritus 2:11 7:9 emotional 80:11,14 emphasis 46:10 emphasize 46:5 empirical 56:5 employer's 27:2</p>	<p>employment 13:3 75:5 encourage 50:9 endeavor 55:19 engage 33:3 59:3 England 46:8 enhance 17:16 enrollment 52:25 entire 78:8 79:22 entry 42:12 environment 18:8 EPTL 20:7,15,18 28:15 53:23 equivalent 73:2 especially 33:24 espoused 40:24 essay 9:11,15,25 10:3 15:21 53:19 essays 8:13,17 9:3,4 12:9 68:22,24 essentially 14:22 23:22 40:11 establish 32:6 56:5 established 3:20 63:2 estate 33:23 45:9,17,19 47:7 estates 12:16 20:8,13 28:11,13,21,25 49:25 50:2 82:15 et 9:20 ethic 68:3 Europe 80:23 European 80:25 evening 37:2 eventually 26:19,23 51:11 everybody 7:21 8:6 21:14 23:20 40:4</p>
---	---	---	---

<p>78:4 82:2</p> <p>everyone 17:19 75:16 81:9</p> <p>everyone's 3:8</p> <p>everything 33:15 38:17 85:6</p> <p>evidence 12:15</p> <p>exactly 27:19 32:17</p> <p>exam 1:2 8:21 9:22 10:16 11:4 15:25 16:13 17:12,13,21 18:24 21:5,17,19 22:6 23:13 31:20 32:5,8 36:9,24 40:14,16,22 41:10,14,16,25 43:9 44:8 46:19 48:20,23 52:15,17,18,20 53:2,7,9,16,25 54:5 55:6,11,24 56:8,14 57:20 58:14 61:7,22,24 62:4,25 64:19 65:8,12,22 66:21 67:9 68:15,21 71:25 72:6 76:16,22,25 83:21 84:3,4</p> <p>examination 8:7 31:15 76:20 77:8,12,15,17 78:9 79:22</p> <p>examiners 9:16 10:8 11:10 30:18,22 31:4 75:19</p> <p>examining 15:8</p> <p>example 17:24 20:7 28:14 32:23 40:7 55:16 67:17 68:3,8,13</p> <p>exams 42:18 55:5 70:4</p> <p>exceedingly 51:20</p>	<p>except 14:25 43:24</p> <p>exceptionalness 59:17</p> <p>exchange 81:18</p> <p>exclusive 59:19 60:21 67:4</p> <p>existed 10:12</p> <p>existing 11:5,22 40:21</p> <p>expect 28:7 68:15</p> <p>expedite 5:16</p> <p>experience 24:3,7 26:6 33:9 44:17 46:13 51:5,6</p> <p>experienced 16:18 23:25 24:5 46:11</p> <p>experiential 19:16,23 37:25 38:13 49:5</p> <p>expert 20:10 24:5,15</p> <p>expertise 25:4,5 29:20</p> <p>explaining 20:21 30:10</p> <p>exposing 48:15</p> <p>exposure 38:3</p> <p>extensive 11:6</p> <p>extent 20:12 21:4 33:6,14,24 41:5</p> <p>externs 48:13</p> <p>extra 64:2</p> <p>extreme 16:13 69:12</p> <p>extremely 85:8</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>fabulous 78:22 79:3</p> <p>facing 20:11 23:24</p> <p>fact 29:21 37:17 46:24 47:16 50:9 54:12,13,16</p>	<p>factor 55:24</p> <p>faculty 21:7 29:22 46:6 50:5 53:5</p> <p>fail 63:24 70:12</p> <p>failure 36:2 40:9,10</p> <p>fairly 35:9</p> <p>falling 11:22</p> <p>Faltischek 2:18 6:15</p> <p>family 12:14 24:13 33:20 66:18</p> <p>Farrell 2:4,22 6:24 51:25</p> <p>fashion 36:17</p> <p>favor 34:4</p> <p>fear 19:21</p> <p>February 1:6 4:20 86:10</p> <p>federal 15:6 36:13 38:4 50:2 60:3 66:19</p> <p>federally 18:22</p> <p>feedback 44:15</p> <p>feel 51:18 52:12 56:10 78:18</p> <p>feeling 67:3</p> <p>fell 30:5</p> <p>felt 52:12</p> <p>ferret 9:19</p> <p>ferreting 9:23</p> <p>Ferris 2:12 7:4 14:15 38:18 66:10 68:19 71:19</p> <p>Ferris's 46:7</p> <p>fewer 21:19 47:2</p> <p>fiction 57:16</p> <p>field 48:14</p> <p>figure 23:12 51:8</p> <p>file 60:7,8</p>	<p>filed 74:14</p> <p>final 66:7 75:10 81:7</p> <p>Finally 33:9</p> <p>finding 46:2</p> <p>fine 15:10</p> <p>finest 56:11</p> <p>firm 15:17 26:5,24 33:10,11,12,20,21 39:5 45:11 59:14 60:15 79:17</p> <p>firms 13:23 14:4,11,12,19,20 22:24 26:10 32:19 33:19 38:23 50:14 73:24</p> <p>first 8:15 26:21 42:19,20 57:22 61:9 62:17 64:21 75:15 77:7,11 78:14</p> <p>first-day 52:13</p> <p>firsthand 4:18 80:3</p> <p>fitness 22:5</p> <p>five 8:12 26:18 34:17 42:20 54:21,25 62:22 63:3,6 76:17</p> <p>flag 48:5,10</p> <p>flags 48:6</p> <p>Florida 67:20 71:10,11 73:22</p> <p>flow 74:23</p> <p>focus 1:3 2:2,3,5 3:6 4:24,25 8:23 14:2 15:3,9 20:13 28:18 30:5 31:14 50:11 57:19 68:23,24 81:5,14 83:13,18</p> <p>focused 8:9 58:7 66:8</p> <p>focuses 32:10,13 34:2 40:20,22</p>
---	---	--	---

<p>foot 24:12 72:12</p> <p>force 4:2,17,18 6:22 7:19 83:7 84:9</p> <p>foregoing 86:5</p> <p>foreign 79:11,12,13</p> <p>forever 63:4,7</p> <p>forge 46:12</p> <p>forget 31:19</p> <p>forgetting 9:6</p> <p>forgive 9:14</p> <p>forgot 32:2 41:17</p> <p>form 44:18</p> <p>format 8:2</p> <p>former 13:14 16:16</p> <p>forth 42:23</p> <p>forthcoming 11:16</p> <p>Fortune 24:11</p> <p>fourth 37:2 51:17</p> <p>franchise 67:17,23,25</p> <p>franchisee 67:18</p> <p>franchisees 67:19</p> <p>franchises 68:8</p> <p>frank 5:8,20</p> <p>Frankly 32:18</p> <p>friend 43:25</p> <p>friends 79:4</p> <p>Fritz 2:4,22 6:24 51:25</p> <p>front 83:19</p> <p>frustrating 24:13</p> <p>Fuchsberg 1:8</p> <p>full-time 27:16</p> <p>function 40:12 48:19</p> <p>funds 50:4</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>Gail 2:6 7:16 78:18</p>	<p>82:11</p> <p>gear 7:25</p> <p>general 30:3,4 33:22 34:3 58:12 65:18</p> <p>generating 57:4</p> <p>Gerano 20:8</p> <p>gets 20:11 21:5 34:19 60:20 61:2</p> <p>getting 16:20 22:9,18 28:7 48:19 80:17</p> <p>given 8:24 54:14 71:3 73:2</p> <p>glad 14:16</p> <p>global 12:24 17:16 32:19 38:23 66:11,21 67:9</p> <p>goal 56:25</p> <p>gold 55:5 61:2,5 80:16,21 83:14 84:18,21</p> <p>gone 13:9 22:17 52:14</p> <p>government 39:6,7</p> <p>governments 60:24</p> <p>grade 22:19 34:20 81:14</p> <p>grading 9:2 34:18</p> <p>graduate 35:9,18 52:20</p> <p>graduates 22:25 35:10</p> <p>graduating 23:7 43:10,24 62:6</p> <p>grand 70:19</p> <p>grateful 18:25</p> <p>great 20:25 67:4 71:14 76:6,24,25 82:21</p> <p>greater 27:3,15</p>	<p>38:22 73:19 74:23</p> <p>grew 3:18 45:9 76:12</p> <p>grievance 74:12</p> <p>grievances 74:14,25</p> <p>Gross 2:5 3:11 5:24 8:5 10:3 13:12 16:15,23 18:9 19:24 23:17 25:8 29:6,12,18 30:21 31:10 34:15 35:20 36:21 37:13 40:3 41:11 46:17 55:7 57:13 62:2 64:8 65:20,25 66:5 69:3 70:13 73:4 74:2,16 75:12 83:3 84:14 85:3,8,12</p> <p>ground 38:15 57:16,17</p> <p>group 1:3 2:2,3,5 3:6 43:24 78:2</p> <p>groups 4:24,25 5:6 50:13 64:11 81:5 83:14</p> <p>grows 3:11 4:3</p> <p>guarantee 70:23</p> <p>guess 5:6 7:25 25:11,17 33:11 52:7 70:13</p> <p>guy 57:21</p> <p>guys 38:9</p> <hr/> <p style="text-align: center;">H</p> <hr/> <p>half 12:20 71:20</p> <p>halt 49:11</p> <p>Hamburger 6:12,13 31:11,25 57:14,15</p> <p>hand 5:15 41:17 79:3 86:9</p> <p>handled 85:5</p> <p>hand-outs 39:21</p> <p>hang 17:14</p>	<p>hanging 16:20 17:4 21:23 22:20 23:2 25:3 74:10</p> <p>hangs 74:21</p> <p>happen 85:7</p> <p>happens 49:23</p> <p>hard 19:10 35:12 81:25</p> <p>harder 75:8</p> <p>Harry 2:13 6:25 27:14</p> <p>Harvey 2:9 7:11 22:2 57:2</p> <p>haven't 64:25</p> <p>having 11:25 19:8 49:7 51:17 59:13 63:3 74:14,17 77:9 82:11,13,14,16</p> <p>head 10:7 38:9 42:3</p> <p>heading 3:25</p> <p>hear 4:18 72:15 80:10</p> <p>heard 44:22 49:3 51:9 67:25 73:10 84:17</p> <p>hearing 4:20 78:4 79:20,21 80:2,10,14</p> <p>hearings 81:4 83:12</p> <p>heavily 21:17,18</p> <p>heavy 20:14 46:20</p> <p>held 4:4 45:20 83:13</p> <p>help 3:10 5:9 7:24 13:3 43:15,16,17,18 65:11 67:10 84:12</p> <p>helping 5:15 24:22</p> <p>helps 26:3,8,9</p> <p>hereby 86:3</p> <p>hereunto 86:9</p>
--	---	--	--

<p>high 65:10 74:19</p> <p>highest 81:11 82:16</p> <p>high-level 61:13</p> <p>highlights 20:18</p> <p>high-scale 61:13</p> <p>hire 63:15 72:10 80:5</p> <p>hired 67:19</p> <p>hiring 39:7</p> <p>historically 21:2</p> <p>history 33:17 39:22 67:7 77:16</p> <p>hit 38:14,15</p> <p>hits 57:16,17</p> <p>Hofstra 2:15 6:2,7 18:21 29:23 76:12</p> <p>holding 21:24</p> <p>home 42:5 59:7 76:5,10,15 81:22</p> <p>homesick 76:10</p> <p>HON 2:6 7:16 75:14 84:25</p> <p>Hong 79:4,15</p> <p>hoops 38:11</p> <p>hope 82:22 84:23</p> <p>hopefully 7:23 49:9 81:6,8</p> <p>horse 65:9</p> <p>hospital 25:15</p> <p>hot 30:4</p> <p>house 71:15</p> <p>huge 46:9 55:4 68:10 73:20</p> <p>human 80:13</p> <p>hurt 39:14</p> <p>hurts 25:6</p> <p>husband 77:2</p>	<p style="text-align: center;">————— I —————</p> <p>idea 5:7 39:2,16 56:4</p> <p>ideas 69:7 81:19</p> <p>ignore 41:6</p> <p>Illinois 42:25</p> <p>illness 17:7 43:13 44:23</p> <p>I'm 5:23 6:10,20,25 7:8,13,16 8:5 10:5 11:16 14:15 15:23 16:6 17:8,20 18:5,25 19:14 23:24 24:10,13 25:12 28:4,7 30:21,23 33:9 35:8,13 38:6 39:19 41:20,22 45:22 51:7 56:9 58:16,18 66:12 67:2 70:13,14,21 75:18,19 77:9,25 78:4 79:19,20,21 80:2,9,14,18</p> <p>immediacy 37:20</p> <p>immediately 81:24</p> <p>impact 13:17 14:7 18:7 22:23 23:6,10,21 24:17,21 35:4 64:6,9,12 65:4,22 66:3 73:7 83:18</p> <p>impacted 65:16</p> <p>impetus 43:20</p> <p>implement 36:19 37:11</p> <p>implementation 37:18,21</p> <p>implemented 36:17 64:21 75:18 77:11 78:6,7 81:24</p> <p>important 19:3 58:13 73:10 75:23 78:3 80:4 81:3</p>	<p>84:8</p> <p>importantly 10:15 21:16</p> <p>inadequate 52:9</p> <p>inappropriate 55:22 83:4</p> <p>incident 62:22</p> <p>include 54:20</p> <p>includes 8:12</p> <p>including 31:7</p> <p>income 70:23</p> <p>increase 23:8 41:4 75:7</p> <p>increased 56:8</p> <p>increases 24:16</p> <p>incredibly 76:9</p> <p>incurred 62:16</p> <p>indeed 74:22</p> <p>index 57:24 58:2</p> <p>individuals 82:24</p> <p>influx 22:15,23,25 75:5 79:11</p> <p>information 4:6</p> <p>informed 31:13</p> <p>Ingerman 2:5,20 6:11</p> <p>in-house 40:2 45:14</p> <p>initial 48:25</p> <p>initially 64:18</p> <p>input 5:7 78:3</p> <p>institute 3:15,17,21,23 4:5,22</p> <p>institutions 4:10</p> <p>instruct 46:21</p> <p>intended 18:6 43:23</p> <p>intensive 11:12</p> <p>intent 67:12</p>	<p>interacting 45:5</p> <p>interest 28:13,20,24 36:6 57:14 61:7</p> <p>interested 19:8 21:20</p> <p>interesting 9:13 20:2</p> <p>interject 84:16</p> <p>internal 60:23</p> <p>international 55:12,17 60:10 66:15 76:7 81:18</p> <p>interns 26:16,20 48:12 51:7 63:16</p> <p>internship 72:13</p> <p>internships 73:23</p> <p>interview 22:5</p> <p>interviewing 39:9</p> <p>introduce 5:22</p> <p>introductory 10:4</p> <p>invitation 69:7</p> <p>involved 74:17 80:17</p> <p>Island 22:24 45:15</p> <p>Islip 1:9</p> <p>isn't 45:24 48:18 50:7 60:19 68:19</p> <p>issue 11:20 13:11,22 14:16 34:10 35:21,25 39:7 41:7 44:10 55:6 58:12,13,14,25 59:5 60:16 61:3,24 65:5 66:2,10 68:25 75:3 83:14</p> <p>issues 8:9 9:17,19,24 15:12 30:4 31:14 32:18 34:11 60:10,11 66:8 74:3 83:23 84:6</p> <p>iteration 53:15</p> <p>it's 5:19 34:16 39:8 42:21,23 48:23</p>
--	--	---	--

53:10 55:2 63:12,25 65:7 68:16 70:22 71:2 78:5,8 80:22	Judicial 3:15,16 judiciary 24:18 55:20 July 36:22 37:12,22 jump 3:9 jurisdiction 21:2 22:14 62:23 jurisdictions 16:10 38:8 62:24 67:21	44:14 45:15 61:5 71:5 73:6 last 3:6,9 4:4 26:17 30:7 40:25 lasts 63:6 late 48:2 latest 68:10 law 1:8 2:6,11,14,16 3:17 6:7,21 7:3,10 9:9,10,12,16 10:8 11:10 12:13,14,19,20 13:20 14:9 15:8,12,17 16:19 17:2,3 18:15,16,20,22,23 19:3,7,17,20,23 20:9,16,23 21:6,7,8,15,25 22:13,17,24,25 23:6,9,10,25 24:6 25:12,20 26:10 27:6,8,23 30:17,22 31:3,15 32:19 33:21 34:2,3,7 36:6,7 37:2 38:5,24 39:15 42:19,20,24 43:16,18 44:13 46:23 47:13,16,17 48:3,15,16,24 49:6,15,18 50:3,14,15,19 51:19 52:6,20,24 53:17 54:9,11,19 55:3 56:10,11,12,17 57:7,8,10,11,18 58:8 59:4,5 61:18 62:21 63:11 65:6,11 69:14,18 70:4,11,15 71:5,9,15,19,21 72:2,4,17,19,24 73:24 75:25 76:2,3,11,13 77:4 78:13,14,18,19,20,	22 79:15 81:12,16 82:18 83:2 laws 8:10 17:18 18:13 20:17 26:2 66:22,24 67:5 lawyer 11:24 19:18 31:13 40:13 41:21,23,24 45:2,3 46:14 52:13 60:20 61:17 67:17,18 68:18 76:7 82:15 lawyering 32:11 lawyers 4:11 14:3 33:11,14,24 34:6 38:21 42:17 43:7 44:16 46:2,3 56:7,13 57:3,9 59:2,18 68:2,12 78:24 81:11 lead 18:11 51:12 69:13 leaders 20:5 leadership 46:7 leap 74:6 learn 18:23,24 32:4 49:18 55:2 56:13 learned 21:8 48:13 learning 19:16 37:25 49:5 lease 24:12 least 23:3 27:11 45:4 48:24 51:3 53:11 63:3 69:3 leave 11:14 16:4 leaves 74:20 leaving 9:9 52:3 leg 72:24 legal 4:6 10:6 11:3,12,13 23:14 35:20 40:20,21,22 53:9 54:3 80:21 legitimate 60:11
<hr/> J <hr/>	<hr/> K <hr/>		
Jacob 1:8 JAMES 2:3 Jersey 34:25 59:11 Jim 4:22 5:23 13:22 20:4 27:13 43:21 66:11 job 16:20 26:19,20,23 44:3 57:7,22 74:11,21 78:14,22 jobs 22:9 23:4,7 39:8,12 73:14,15,16 75:9 John 2:5,21 3:4 5:24 6:16 7:25 10:2 20:4,6 29:17 36:15 37:13 39:4 44:10 47:11 53:17 59:21 60:14 63:24 68:20 70:21 73:9 80:15 John's 2:11 7:9 20:9 27:8 28:14 51:18 52:14 73:21 join 3:4 61:8 84:24 joint 3:22 jointly 4:4 Journal 13:20 judge 2:7,8 3:20,22,25 4:13,17 5:9,17 7:14 20:4 24:22 40:25 64:17 75:12 78:2,15 82:9,10 84:19 judges 38:7 judge-teaching 24:20 judgment 37:5,9	K-12 10:24 29:13 Kansas 74:21 Kay 3:20 64:17 kids 16:19 17:3 39:8 53:6 71:7 75:9 Kiernan 2:8 7:13,14 kinds 38:24 knew 31:19 41:16 48:4,11 knowledge 11:4,13 12:2 15:11 16:25 27:12,22 40:21,23 47:24 51:4,10,13 52:5,11 53:10,12 67:14 68:16 knowledgeable 24:16 29:25 known 31:22 known-commodity 72:24 Kong 79:4,15 Kristi 2:19 6:10 35:6 85:5		
	<hr/> L <hr/>		
	labor 14:5 lack 24:19 40:11 lacking 55:10 land 13:15 large 13:23 14:4		

<p>less 21:6,8 24:4,5,15 27:18 31:9 35:17 46:11 50:3 71:7</p> <p>less-expensive 23:9</p> <p>less-urban 72:22</p> <p>let's 19:5,17,24 20:7 61:21 66:5 70:19</p> <p>letter 54:19 55:3</p> <p>letters 60:16</p> <p>level 45:6 56:6,18 74:8 81:10</p> <p>license 35:11,15 36:5,10 53:13 71:17 79:16</p> <p>Life 52:18</p> <p>limit 34:13,23 63:8</p> <p>limitations 54:23 58:19</p> <p>limited 38:3</p> <p>lingering 66:6,7</p> <p>Lippman 3:22 40:25</p> <p>Lisa 2:15 5:25 6:5 18:10</p> <p>list 12:18 60:19 61:14</p> <p>litigate 55:14,19</p> <p>litigation 33:22 51:24 55:13 61:6</p> <p>little 47:12 55:8 56:9 60:25 61:22 71:13</p> <p>live 32:18 79:8 83:23</p> <p>living 78:11</p> <p>LLP 2:5,20</p> <p>local 4:10 38:24</p> <p>logistics 85:5</p> <p>London 76:8 80:19</p> <p>long 22:24 32:12 36:16 37:10 45:15 77:6</p>	<p>lose 69:17</p> <p>losing 33:16</p> <p>lot 4:6 17:3 21:3 24:12,18 27:25 35:12 41:15,18 42:10 43:5 53:16 59:23 62:20,23 63:15,17 64:3 67:7 68:11 84:5,17</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>main 49:19</p> <p>major 10:23 41:3</p> <p>majority 39:14</p> <p>malpractice 54:24</p> <p>man 18:14</p> <p>mandatory 67:22</p> <p>Manhattan 66:14</p> <p>manner 33:2</p> <p>Margolin 2:10,12 7:6,12</p> <p>market 43:12</p> <p>married 29:22</p> <p>Mars 45:22</p> <p>Massachusetts 34:24 42:6,8</p> <p>material 22:11</p> <p>materials 7:22,23 42:5</p> <p>math 29:24</p> <p>Matt 7:14</p> <p>matter 58:12 67:15</p> <p>matters 12:11,17 60:24 68:15</p> <p>MATTHEW 2:8</p> <p>Maxon 6:13</p> <p>may 3:3 9:19 11:17 16:25 27:13 32:14 36:14 38:22 50:23 60:14 74:5</p>	<p>78:16,21 84:16,23</p> <p>maybe 6:3 14:25 23:9 26:21 34:24 42:7 54:20 78:4,8 79:21,22 81:17</p> <p>mean 27:6 36:14 37:7 40:10 59:15 64:23 66:16 71:8</p> <p>meaningful 49:7 61:5</p> <p>means 42:12 59:11 66:12</p> <p>measure 73:6</p> <p>measured 64:9</p> <p>measurement 54:3</p> <p>medallion 84:21</p> <p>medical 13:7,8,10 25:18 54:23</p> <p>medicine 25:21</p> <p>medium 14:19</p> <p>meeting 3:12 71:23</p> <p>member 4:17 10:5 83:7</p> <p>members 2:2 4:22 33:19 46:11 53:5 69:10</p> <p>memorizing 55:3</p> <p>mention 54:7</p> <p>mentioned 25:18 38:2 53:18 71:10 73:24</p> <p>mentor 50:14 72:13 73:25</p> <p>mentoring 50:10 58:6</p> <p>mentors 46:2</p> <p>mentorship 49:8</p> <p>metropolitan 73:19</p> <p>Michelle 4:16 6:20 7:19</p>	<p>midsize 33:11</p> <p>mid-sized 26:5</p> <p>Milman 11:8 69:4</p> <p>minimize 32:16</p> <p>minimum 53:10</p> <p>minorities 64:7 65:4</p> <p>minority 64:12</p> <p>minute 3:10 25:22 30:11 45:18</p> <p>minutes 1:13 12:10</p> <p>mirrored 83:25</p> <p>miss 40:5,18</p> <p>missing 58:5 73:23</p> <p>moan 63:20</p> <p>model 74:20</p> <p>Moderator 2:3,5</p> <p>modification 18:12</p> <p>Monday 5:18</p> <p>money 35:13 62:8 64:3 71:4</p> <p>Monroe 45:20 47:7</p> <p>monster 45:11</p> <p>Montana 25:23 56:22 69:16</p> <p>month 5:4</p> <p>months 26:22 34:17 42:25 43:2 63:6</p> <p>Monticciolo 2:15 5:25 6:5,6 18:19 29:4,15 34:21 35:5 49:2 64:23 69:19,22 70:25 72:7</p> <p>moot 37:17,19</p> <p>more-experienced 46:4</p> <p>more-general 9:4</p> <p>more-mobile 13:2</p> <p>Moreover 45:8</p>
--	--	--	--

<p>morning 7:13</p> <p>Moscou 2:18 6:15</p> <p>motion 57:23 58:2,21</p> <p>move 12:22 17:23,24 42:14 43:9</p> <p>moved 44:4</p> <p>movement 50:8</p> <p>moving 14:9 22:14 42:22,23 49:4</p> <p>MPT 8:15</p> <p>multi-issue 9:17 53:19</p> <p>multiple 8:13,17,20,22 9:10,14 15:20 52:4 54:8,10,12,15</p> <p>multiples 62:10</p> <p>multistate 8:16,21 33:4 58:25 77:7,10,12,20</p> <p>mutually 59:19</p> <p>myriad 38:10</p> <p>myself 75:22</p> <hr/> <p style="text-align: center;">N</p> <hr/> <p>naive 71:6</p> <p>Nassau 16:9,16,17 32:15 84:21</p> <p>national 8:9 14:8 17:2 18:14 30:17 60:10</p> <p>nationwide 47:16</p> <p>nature 66:11 80:13</p> <p>necessarily 56:14</p> <p>negative 65:4</p> <p>network 73:17</p> <p>Nevada 62:13</p> <p>newly-admitted 44:16 45:2 51:16</p>	<p>nibbling 73:5</p> <p>nice 20:3 80:22</p> <p>night 30:7</p> <p>nine 33:11</p> <p>nobility 55:10</p> <p>nobody 43:4 48:10 57:24</p> <p>no-brainer 70:21,22</p> <p>none 24:2</p> <p>nonfact-based 54:18</p> <p>nonissue 61:25</p> <p>non-New 22:17</p> <p>normal 80:12</p> <p>north 14:24 62:13 63:11</p> <p>notarized 48:8</p> <p>Notary 86:2</p> <p>note 84:17</p> <p>noted 85:14</p> <p>notes 86:7</p> <p>nothing 70:17</p> <p>notice 36:3</p> <p>notion 59:17</p> <p>November 36:24</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>objective 31:16 32:5</p> <p>obligation 57:8</p> <p>observation 75:14 77:23</p> <p>obstacles 33:2,6,7 34:5 59:16</p> <p>obtain 75:4</p> <p>obviously 20:23 25:25 31:14</p> <p>occur 12:8</p> <p>occurring 5:3</p> <p>offer 50:5</p>	<p>office 39:10 44:4 47:18 59:7,9</p> <p>oftentimes 38:8</p> <p>Oh 35:3</p> <p>okay 52:9 78:10 79:7,21</p> <p>old 45:2</p> <p>online 71:21 72:5</p> <p>open 13:13 52:25 81:18</p> <p>opened 68:20</p> <p>opined 61:19</p> <p>opinion 60:16 61:18</p> <p>opinions 68:4</p> <p>opportunity 83:10</p> <p>opposed 31:8 48:20 50:12 57:3</p> <p>order 53:12 59:10 85:9</p> <p>orderly 36:17</p> <p>organization 30:19 31:5</p> <p>originally 75:3</p> <p>others 3:3</p> <p>ought 17:17</p> <p>ourselves 5:22 38:20</p> <p>outmoded 60:9</p> <p>out-of-state 22:16</p> <p>outrageous 36:23 37:4</p> <p>outset 53:18</p> <p>outside 13:24 15:18 16:2,8 38:4 49:18 50:13 66:14 74:23</p> <p>outsider 77:24</p> <p>owe 71:15</p> <p>owner 67:24</p> <hr/> <p style="text-align: center;">P</p> <hr/>	<p>P.C 2:18</p> <p>page 17:19</p> <p>paid 50:19 71:5</p> <p>paper 17:7</p> <p>paradigm 8:7 9:8 41:5</p> <p>participate 4:14 49:17 68:5</p> <p>participating 3:5 85:13</p> <p>participle 74:3</p> <p>particular 32:13 62:23 68:2</p> <p>particularities 9:7</p> <p>particularly 28:12</p> <p>Partner 2:4,5,9,18</p> <p>part-time 28:2</p> <p>pass 17:13 36:9 41:14,25 48:20,22 52:8 53:2,6 56:14 72:5 77:15,17,23</p> <p>passed 22:6 24:7 28:4 77:19</p> <p>passing 34:19 81:14</p> <p>past 3:13 6:16 7:4 45:3 52:22</p> <p>pattern 54:16</p> <p>Paul 3:15</p> <p>pay 50:18,20 63:10 71:7</p> <p>paying 63:20</p> <p>payment 47:6</p> <p>pedagogy 52:17 54:7</p> <p>Peggy 20:8</p> <p>pejorative 40:10 56:21</p> <p>people 17:10,11 18:7 21:23 23:8 24:8 26:13 28:3,9 31:7 35:21 42:13,16</p>
---	---	---	--

<p>43:5,8,10 44:9,16 45:18 46:4,13 50:11,18 51:12 55:13,18 59:23 61:11 63:17 66:7 69:24 70:3,7,10 72:8,13 73:20 74:17 75:6 77:13 78:16 79:23 80:5,10 81:15 83:19</p> <p>percent 9:3 14:3,5 22:18 32:2</p> <p>percentage 53:3</p> <p>perhaps 11:23 13:13 46:22 58:7 73:4</p> <p>peripherally 4:3</p> <p>person 17:20 19:9 54:4 72:11</p> <p>personal 82:7 84:17</p> <p>person's 60:18</p> <p>perspective 18:14 19:25 71:25 77:5</p> <p>petition 76:19</p> <p>phase 64:21</p> <p>phased 64:20</p> <p>phrase 24:19</p> <p>pick 54:25</p> <p>piece 17:6</p> <p>pipeline 35:21</p> <p>pit 38:19</p> <p>placement 73:11,13</p> <p>places 42:10 78:12</p> <p>planning 33:23</p> <p>please 5:20</p> <p>plus 77:2</p> <p>pocket 64:4</p> <p>point 18:10 21:22 32:4 36:21 38:12 40:3,5,18 46:18 47:8 51:15 58:4,5</p>	<p>61:15 76:13 80:16 82:5,7</p> <p>pointed 18:13 69:19</p> <p>points 80:11</p> <p>pool 27:3,16 51:8</p> <p>poor 37:4</p> <p>population 25:6 42:11 60:25</p> <p>portability 13:5,22 15:25 16:12 17:16 22:12 32:17 34:10,24 35:8 42:3,11,21 62:12 63:5,10 69:25</p> <p>portable 34:13,20 35:17 63:12</p> <p>portion 9:25 10:4 11:18 40:15</p> <p>portions 8:14</p> <p>position 64:16 75:23</p> <p>possess 11:10 69:5</p> <p>possibility 69:23</p> <p>possible 34:10 50:7 52:14 83:17</p> <p>potentially 36:20 64:12 69:9</p> <p>PowerPoint 15:13</p> <p>practical 44:17 45:23</p> <p>practice 8:17 14:13 15:9,16,20,22 16:3,10 18:7,16 19:11,19 21:9,10,12,15,21,2 5 22:21 25:3,12 27:9,10 31:14,20 32:3 33:4,15 34:7 35:14 38:5,10,23 39:17 42:7,15,24 43:2,3 48:3,16,24 50:12 51:19 52:10,21 53:14,22 56:19 57:22</p>	<p>58:11,16 59:2,4,5,10,12,20, 24 60:20 62:17,21 72:21 74:24 76:8,17 79:10,15 80:24 81:15 82:13,18,19 83:2</p> <p>practiced 63:3 82:11</p> <p>practices 16:8 33:20,22</p> <p>practicing 4:8 51:24 56:7</p> <p>practitioner 2:17 6:9 13:18 14:11,12,23 16:7 25:11 26:4,15 38:25</p> <p>practitioners 13:17 14:18 15:4 16:4 17:12 20:5 33:18 38:7 66:14 67:11 72:10 84:7</p> <p>predominantly 8:8</p> <p>prejudice 13:25</p> <p>premised 9:12</p> <p>prepared 21:25 30:17,23 79:23</p> <p>prepares 30:20</p> <p>preparing 81:15</p> <p>presence 4:15,16</p> <p>present 4:23 68:21</p> <p>presentations 15:13</p> <p>president 3:12,13,24 6:17 7:5 13:14 16:17 46:8</p> <p>Presumably 43:4</p> <p>presume 30:20 31:4 39:12</p> <p>pretend 30:15</p> <p>pretty 15:2 25:25 41:20,22 53:3</p> <p>price 62:11</p>	<p>primarily 14:18 33:20,21</p> <p>primary 15:3 37:20</p> <p>private 2:17 6:9 57:22 82:13,19</p> <p>probably 12:19 30:13 31:9 41:17 62:9 63:17 69:16 73:7,18</p> <p>probate 28:18</p> <p>problem 17:8 37:8 39:20 44:24</p> <p>problems 39:23</p> <p>procedural 9:20 35:24 36:13 53:17</p> <p>procedure 12:14</p> <p>PROCEEDINGS 1:13</p> <p>process 35:25 36:4,14 37:10 71:6 74:13,18</p> <p>produce 31:12 57:2,9</p> <p>produced 4:6</p> <p>profession 13:7,8 23:14 25:19 58:9</p> <p>professional 32:25 56:2 72:18</p> <p>Professionalism 3:17</p> <p>profession-ready 48:19</p> <p>professor 25:13 48:3,4 81:21 82:15</p> <p>proffered 13:4</p> <p>program 53:5</p> <p>programs 44:13 49:8,23 50:5,11,14 73:25 78:23 79:2,8,9 80:2,3</p> <p>project 3:10</p> <p>promised 36:6</p>
--	--	--	---

<p>proof 12:6</p> <p>property 12:15 36:5</p> <p>proposal 36:19,23 37:6 38:22 54:17 60:12 62:7 65:23 83:22</p> <p>proposed 10:16 12:8,21 54:8 64:18 84:3</p> <p>proposing 30:9</p> <p>proprietary 56:9</p> <p>Prosecution 2:21 6:18</p> <p>Proskauer 45:12</p> <p>proven 62:21</p> <p>provided 7:22</p> <p>Prudenti 2:6,8 4:13 7:15,16 20:4 75:14 84:19,25</p> <p>Psychological 10:20</p> <p>psychometricians 11:9</p> <p>psychometrics 64:10</p> <p>public 61:7 86:2</p> <p>Pure 75:14</p> <p>purely 16:12</p> <p>purports 11:2</p> <p>purpose 15:24 47:10 52:18 53:8 66:20</p> <p>purposes 9:5</p> <p>pushing 65:8</p> <p>putting 49:5 59:2</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualifications 31:18 60:11</p> <p>quality 55:20</p> <p>quantum 74:6</p> <p>quarter 28:5</p> <p>question 8:21,22</p>	<p>9:17,18 13:13 14:7 15:21,24 16:16 18:10 23:18 31:12 39:3 40:4 43:6 47:22 53:20,21 59:22 63:15 83:15,17,20</p> <p>questions 8:14,18,20 9:10,12,14,15,23 26:12 30:23 31:3 52:4 53:19 54:8,10,12,15,19,2 2 69:7</p> <p>quill 41:13</p> <p>quite 66:12</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>Rafsky 2:22 6:23 51:14 70:21 71:3</p> <p>raise 35:20 74:3</p> <p>raised 14:16 47:8 81:23 83:15</p> <p>raises 13:22 40:3</p> <p>raising 64:18</p> <p>rate 73:12,13</p> <p>rather 31:6</p> <p>rationale 12:22</p> <p>rationales 13:4</p> <p>reach 81:9</p> <p>reaching 14:21</p> <p>reading 22:10</p> <p>ready 79:9</p> <p>real 12:15 24:8 28:9 45:9,17,19 47:4,6 48:16 55:15 60:11,23 83:18</p> <p>reality 47:20</p> <p>really 3:8 5:7 11:3 16:6 26:11 33:12,13 40:5,23 42:11 47:9,10,11 48:18 57:2 60:9</p>	<p>65:5 66:12,20 67:8,10 70:13 81:22 82:17 84:13 85:5,10</p> <p>reason 10:18 61:8 70:8,11 72:16 73:20 77:25</p> <p>reasoning 11:3,12 12:2 32:7 40:20,22 70:2 71:24</p> <p>reasons 30:10</p> <p>recall 36:18</p> <p>recent 42:12</p> <p>recently 42:13</p> <p>recipient 84:20</p> <p>reciprocity 35:4 42:9,10,15 62:19,20</p> <p>record 41:21 82:7 84:19</p> <p>recruit 13:24</p> <p>reduced 29:11 71:16</p> <p>referenced 28:11</p> <p>reflect 45:17</p> <p>regard 75:17 82:16</p> <p>regarding 11:20 12:2</p> <p>regards 35:8</p> <p>reimburse 63:21</p> <p>relationship 20:20 24:21</p> <p>relationships 46:12</p> <p>relatively 3:7 8:6 11:12</p> <p>reliability 10:9,17,18 11:25 12:4,7</p> <p>remain 8:19 11:15</p> <p>remedied 39:25</p> <p>remember 25:14 68:9 77:13 78:14,16,17</p>	<p>removed 59:16</p> <p>repeat 81:6</p> <p>repeatedly 83:15</p> <p>replaced 12:3</p> <p>report 11:8</p> <p>reporter 1:22 5:11</p> <p>represent 67:19</p> <p>representation 72:3</p> <p>representative 4:21</p> <p>representatives 4:9</p> <p>required 21:12</p> <p>requirement 59:8</p> <p>requirements 58:8 59:7</p> <p>requiring 9:23</p> <p>requisite 82:25</p> <p>research 65:2</p> <p>residential 45:9,19</p> <p>resolve 17:9</p> <p>response 58:21 80:12,14</p> <p>rest 77:16,20</p> <p>restroom 47:19</p> <p>results 4:24</p> <p>resume 72:17</p> <p>retested 18:3</p> <p>reveals 13:24</p> <p>reverse 19:14 50:12</p> <p>review 56:15</p> <p>Richard 6:12 31:10 41:15 47:8 60:5</p> <p>ridiculous 59:20</p> <p>Rivera 3:25</p> <p>Rivera's 4:17 5:9,17 78:2 82:10</p> <p>Rochester 4:20 5:3 15:2 45:10,13</p> <p>role 71:5</p>
--	---	---	---

<p>room 61:12 63:18 75:16 82:2</p> <p>rules 56:2 59:9 60:4</p> <p>run 25:14 38:11</p> <p>running 38:15 57:16,18</p> <p>ruse 63:5</p> <p>rush 37:9</p> <p>Ruskin 2:18 6:14</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>Saunders 3:16</p> <p>saw 39:6</p> <p>scale 61:5</p> <p>scary 21:22</p> <p>scholarship 73:11</p> <p>school 2:16 6:7,21 15:8 16:20 17:3 18:15,21 19:4,7 20:9 22:13 27:8 29:23 30:5 35:22 36:7 39:19 42:19,20 43:8,11 46:23 47:13,17 50:4,19 51:2 52:20,24 56:12,17,20,22 57:4,18 65:6,10,11 71:5,9,11,15,19,21 72:2,4,17,24,25 74:9 75:25 76:2,3,13 77:4 78:13,14,19</p> <p>schools 22:17 23:9,11 39:15 43:18 47:16 48:15 50:15 56:10,11 57:7,8,10,11 69:14,18 70:4,12 72:20 76:11 78:20,22 81:12</p> <p>scope 66:21 67:9 80:2</p>	<p>score 17:25 18:2 64:18</p> <p>Scotland 76:4,14,17</p> <p>scratch 42:3</p> <p>screw 58:23</p> <p>second 34:9 42:5</p> <p>Secondly 24:17</p> <p>section 77:24</p> <p>Sections 55:17</p> <p>seeing 19:15 64:12 77:25</p> <p>seem 47:11 63:17</p> <p>seems 13:5 26:19,22 38:3 40:19 67:13</p> <p>seen 9:21 10:13,14</p> <p>send 63:23</p> <p>sense 27:20 30:2 40:11 48:25 50:18 62:20</p> <p>series 54:14</p> <p>seriously 71:4</p> <p>serve 6:22 81:11</p> <p>service 23:23 84:22</p> <p>services 28:9</p> <p>serving 25:7</p> <p>sets 8:17</p> <p>setting 11:21</p> <p>shake 38:9</p> <p>share 44:11 47:25</p> <p>shift 8:7,16,25 9:2,8 14:8 15:7,11 16:25 19:13 41:5 46:23 61:21 69:13</p> <p>shifts 8:11</p> <p>shingle 16:21 17:4,14 22:20 23:3 25:4 74:11,22</p> <p>shingles 21:24</p> <p>short 11:22 22:19</p>	<p>77:6 85:8</p> <p>shortcomings 39:25</p> <p>shrink 70:24</p> <p>shy 19:23</p> <p>sides 83:16</p> <p>Siegel 48:3</p> <p>significant 9:2</p> <p>Signorelli 78:15</p> <p>silence 66:2</p> <p>Simons 7:8 19:24 28:11 48:2</p> <p>Simon's 62:3</p> <p>SIMONS 2:11 7:8 20:2 28:17,22 29:2,11,16,19 30:25 31:23 36:15,22 47:23 52:16 62:5 65:21 66:4 69:21 73:9 84:16</p> <p>single 13:16,18 14:11,18 68:23,24</p> <p>single-issue 9:22</p> <p>singularly 18:16</p> <p>sit 7:18 22:4</p> <p>site 52:23</p> <p>sitting 25:13 32:14</p> <p>situations 54:13 59:3</p> <p>six 8:16 12:9 26:22 43:2</p> <p>size 26:10 45:11</p> <p>sized 14:20</p> <p>skill 41:4 57:5 68:18</p> <p>skills 11:15,23 32:11 40:12 46:20,21 47:4,9 67:16 68:17,22 83:20</p> <p>skip 41:21</p> <p>slowly 29:9</p> <p>small 14:10,19,22</p>	<p>33:10,19,20,21 39:4 43:24 72:21</p> <p>smaller 22:24</p> <p>small-firm 18:8 45:14</p> <p>small-group 14:12</p> <p>smart 29:21</p> <p>Smith 2:5,20 6:11</p> <p>snow 84:11</p> <p>so-called 5:6 63:9</p> <p>society 12:25 13:2</p> <p>sole 17:11</p> <p>solicit 4:7 5:7</p> <p>solo 14:18 16:7 18:8 23:21 25:11 26:3,15 32:3 74:24</p> <p>solution 17:9 44:23</p> <p>solve 39:23</p> <p>somebody 11:17 27:5 47:12 57:4 60:17 72:20 74:9 82:17</p> <p>someone 24:4 50:15 71:9 72:25</p> <p>someone's 52:5 67:16</p> <p>someplace 16:5</p> <p>somewhat 12:19 37:17</p> <p>son 20:21</p> <p>son-in-law 44:2</p> <p>sort 33:22 64:6 68:7 82:22 84:5</p> <p>sounds 16:13</p> <p>sparked 57:13</p> <p>speak 82:8,9</p> <p>special 2:8 7:14 55:11 60:2,18</p> <p>specialists 33:25</p>
--	---	---	--

<p>specialization 33:13 58:10</p> <p>specialness 59:18 60:9</p> <p>specific 50:10 67:14 68:14</p> <p>spent 35:12</p> <p>spoke 41:2</p> <p>spotting 58:13,14</p> <p>spring 4:4 40:25</p> <p>square 24:12</p> <p>St 2:11 7:9 20:9 27:8 28:14 51:18 52:14 73:21</p> <p>stake 72:2,3</p> <p>stakeholder 5:6</p> <p>stakeholders 43:21,22</p> <p>stamped 53:13</p> <p>stand 61:8</p> <p>standard 14:9 55:5 61:2,5 80:16,21 81:11 83:14 84:18</p> <p>standards 10:21 33:10</p> <p>standpoint 27:2</p> <p>stands 14:17</p> <p>start 14:15 65:10</p> <p>started 3:3 19:2 45:10,11</p> <p>starting 44:18</p> <p>state 3:13,14,16,23,24 4:5 10:24 11:4 12:19,20 13:24 14:4,21 15:5 16:8,11 19:5 23:11,15 25:23 26:20,24 32:21,22 34:14,19 38:16 39:18,20,24</p>	<p>40:7,9,21 44:7 48:9 52:2,10 55:17,19 56:19 60:19,25 61:9,16 63:7 64:15 66:16,17,23 67:11 68:4 70:17 71:11 72:23 74:9,23 75:6,19 81:4 84:8 86:3</p> <p>stated 64:25</p> <p>statements 66:8</p> <p>states 17:17 25:25 31:6,8 33:8 34:25 35:4 56:21 57:12 60:3 65:3,15,17,18 66:24 67:6</p> <p>statewide 4:24</p> <p>statistic 68:10</p> <p>statute 54:23 58:19</p> <p>stay 19:7 70:5 80:23,24</p> <p>stenographic 86:6</p> <p>step 25:17 26:7 55:4</p> <p>stepped 72:11</p> <p>stone 18:20</p> <p>story 77:6</p> <p>stream 49:10</p> <p>stresses 53:16</p> <p>strictly 15:25</p> <p>strong 32:9 64:16</p> <p>struck 81:22</p> <p>structure 8:12 23:23</p> <p>student 19:4 28:12,20 74:20 77:7</p> <p>students 2:15 6:6 13:10 15:8 16:2 19:6 21:8,20 22:5,12,16 23:7 26:9 35:2 36:6 37:2,3 38:14</p>	<p>39:11,15 43:16,25 47:17 48:16 49:16,21 50:3 62:5 64:3,13 73:13,14,16,23 78:19 79:11,12,14 81:19</p> <p>studied 51:20,25</p> <p>studies 10:10,17</p> <p>studying 35:23 41:24</p> <p>stuff 41:15,18 48:15</p> <p>subject 12:11,17 67:15 68:14</p> <p>substantial 18:12</p> <p>substantive 9:20 19:17,22 36:4 44:14 49:6,15,19 53:17</p> <p>substantively 83:5</p> <p>suddenly 3:7</p> <p>sufficient 11:10,25 18:2 69:5</p> <p>Suffolk 2:14 6:17 7:2,5 13:15 14:17 15:4,22 16:9,18 32:15 33:10 39:12 44:13 72:21</p> <p>suggest 13:19</p> <p>summed 46:25</p> <p>Summit 52:24</p> <p>summons 45:7</p> <p>supply 75:3,7</p> <p>support 53:4</p> <p>suppose 41:14 74:22</p> <p>supposed 37:21 64:19</p> <p>Supreme 66:17</p> <p>sure 8:5 11:17 16:7 28:19 29:18 30:21,24 46:12 58:17,20,23 66:12</p>	<p>67:2 77:9 78:24 83:9</p> <p>Surrogate's 24:14</p> <p>survival 78:13 79:7</p> <p>Susan 1:22 5:11,15 86:2,13</p> <p>susceptible 74:14</p> <p>suspect 8:24</p> <p>Suzanne 5:15</p> <p>swim 51:8</p> <p>system 13:9 80:4,6</p> <hr/> <p style="text-align: center;">T</p> <hr/> <p>table 11:21 59:23</p> <p>tag 62:11</p> <p>taking 21:21 25:19 31:6,20 35:10 54:4,5 69:24 70:4 71:22 81:2</p> <p>talk 8:2 38:7 42:21</p> <p>talked 39:22 74:17</p> <p>talking 5:14 80:13</p> <p>task 4:2,17,18 6:22 7:18 83:7 84:9</p> <p>taught 21:7 82:17</p> <p>teach 19:17 20:22,24 21:9 29:24 31:23 37:24 50:15</p> <p>teachers 29:24 30:2</p> <p>teaches 20:8 29:24</p> <p>teaching 19:2,20 29:14,25 48:14 53:6 68:14</p> <p>ten 33:11 53:5 54:21</p> <p>tend 38:21</p> <p>term 32:12 37:11</p> <p>terms 11:21 14:13 45:4 51:9 66:11,13 67:14</p> <p>terribly 37:5</p>
---	--	---	---

<p>test 8:8,23 9:9 11:2,3,22 12:5,7,21 14:8 30:2,14,16,20 32:10,12 44:24 45:24,25 47:4 50:25 53:9 63:12,24 64:11 67:15 82:24 83:23</p> <p>tested 21:17 24:5 25:4</p> <p>testified 83:19</p> <p>testify 4:23</p> <p>testing 10:19,21,22 11:15,23 13:9 21:5,18 25:19 26:3,11 30:3,12 40:11 41:7 44:11,21 47:9 49:14 54:7 79:24</p> <p>tests 10:9,23,24 11:11,22 12:4,11 29:14 46:19 52:5</p> <p>test-taker 9:18</p> <p>thank 3:4 7:21 20:3 84:15,25 85:3,4,12</p> <p>that's 12:7 13:6,10 15:2 24:24 27:18 28:19 45:22,23 69:24 82:5</p> <p>themes 83:11</p> <p>themselves 14:6 21:24 30:23</p> <p>theoretically 44:5 52:8</p> <p>thereby 18:14</p> <p>there's 8:21 41:15,18 59:22 72:19</p> <p>third 36:25</p> <p>thoughts 31:10 36:12 37:14,16,23</p> <p>thousand 63:10</p>	<p>threshold 53:11</p> <p>thrive 81:13</p> <p>throughout 84:8</p> <p>throw 13:12 33:2,5,6 34:11 40:4 51:7 69:7,9</p> <p>ticket 16:24</p> <p>tie 46:17 62:2</p> <p>Tilis 2:13 6:25 23:19 27:13,15,21,25 44:10 46:25 60:14 72:16</p> <p>today 5:12 41:14 48:14 67:18 77:9 82:5 85:6</p> <p>today's 13:20</p> <p>Tom 39:10</p> <p>topics 44:14</p> <p>Torano 82:15</p> <p>tort 53:20</p> <p>torts 12:13,15 20:24 21:2,4</p> <p>total 31:8</p> <p>tough 39:8</p> <p>Touro 1:8 26:16 27:9</p> <p>toward 34:5</p> <p>towards 18:13 19:16 38:13 49:4,11 50:8</p> <p>trade 57:4</p> <p>tradition 61:12</p> <p>traditional 35:23</p> <p>traditionally 9:16</p> <p>trained 46:3 47:13 78:24,25</p> <p>training 41:4</p> <p>transaction 60:17</p> <p>transcribed 5:19</p> <p>transcript 4:19 5:17 86:6</p>	<p>treat 32:25</p> <p>treated 25:24</p> <p>tremendous 22:8,15</p> <p>trend 33:12,16 47:15</p> <p>tried 37:11 63:23</p> <p>troubling 14:2</p> <p>true 86:5</p> <p>truly 34:12,20</p> <p>trusts 12:15 20:8,13 28:11,13,21,24 49:25 50:2 82:14</p> <p>try 54:15 55:8</p> <p>trying 17:8 18:5 23:7,12 37:8 38:14 39:23 43:15,16,17</p> <p>Tuesday 5:18</p> <p>tutor 76:25</p> <p>twice 50:18,20</p> <p>two-person 13:16 14:10</p> <p>Typically 64:8</p> <hr/> <p style="text-align: center;">U</p> <hr/> <p>UBE 4:2 5:8 8:8,16,23 9:4,11,22 10:11 12:3 15:15 17:22,25 18:11 21:19 31:2,6 34:5 35:2,11,15 40:2,20 44:6,20 46:19,24 49:12 50:9 51:11,21 65:3,17 66:10 69:13 73:8 75:18 77:22 78:5 79:19</p> <p>UBEs 60:19</p> <p>UCC 12:16</p> <p>ultimate 74:12 75:21</p> <p>ultimately 45:16</p> <p>unauthorized 59:5</p>	<p>unavoidably 24:6</p> <p>underestimate 32:16</p> <p>undergraduate 77:3</p> <p>understand 17:8 18:5 53:24 58:8 67:8 74:16</p> <p>understanding 54:17</p> <p>unfair 37:5</p> <p>unhappy 21:10</p> <p>uniform 1:2 8:10 13:9 17:18 18:13 20:16,17 25:19 26:3,11 28:18 44:15 53:25 84:4</p> <p>union 61:9</p> <p>unique 56:24 75:22 77:5</p> <p>universities 76:4</p> <p>university 2:11 7:10 77:3 79:4,5 80:19</p> <p>unlawful 59:4</p> <p>unless 63:8 66:22</p> <p>unlike 5:13</p> <p>unprepared 51:18</p> <p>unsophisticated 33:23</p> <p>upon 22:23 23:6</p> <p>Upstate 5:2 16:10</p> <p>uptick 74:25</p> <p>urged 40:13</p> <p>useless 78:20</p> <p>usually 34:15</p> <p>Utah 63:7 69:16 70:7</p> <hr/> <p style="text-align: center;">V</p> <hr/> <p>valid 16:23 18:18</p> <p>validity 10:9,17,18,25 11:6,11,25 12:4,6 64:14 69:6 70:2</p>
--	--	--	---

<p>valuable 27:18 32:12 varies 34:14 various 15:12 74:17 venture 3:22 versus 23:25 vibrant 53:4 Vice 2:11 7:9 view 21:23 80:11 82:5,8 views 4:8 vineyards 14:6 violation 36:13 virtue 56:8 visit 52:23 voices 5:12 vote 75:17</p> <hr/> <p style="text-align: center;">W</p> <hr/> <p>Wait 30:11 waived 62:24 walked 31:21 wasn't 23:15 41:24 76:16 welcome 4:13 69:10 welcoming 32:24 whatever 39:24 63:25 76:9 WHEREOF 86:8 wherever 70:16 78:21 whether 15:20 25:22 34:2 36:12 46:18 48:22,23 49:12 74:8,13 75:17 whole 23:15 37:6 38:18 39:22 56:4 65:5 69:25 77:19,21 78:10 wholly 51:18 52:9</p>	<p>whom 20:19 42:11 Wicks 2:3 3:2 5:5,23 6:3 7:21 9:25 12:9 22:2 26:25 27:14,20,24 28:10,19,23 29:8 34:8,16 35:3,6,16 47:3,21 48:18 50:7,21 56:25 61:21 63:21 64:5 67:12 73:22 75:10 85:4,10 wife 29:20 44:3 William 2:12 7:4 willingness 3:9 84:10 wills 49:25 50:2 WITNESS 86:8 woman 18:15 29:21 wonder 37:7 74:8 wonderful 21:4 52:19 71:12 wondering 70:14 work 15:5,6 26:4 28:3 76:22 79:17 84:13 worked 35:12 57:21 working 19:10 49:8 73:24 world 32:18,21 44:24,25 78:11 79:7 80:21 82:11 worried 16:24 worry 46:18 64:14 worse 38:3 worth 82:6 wowed 48:4 writes 20:9 writing 62:4 wrong 42:22 49:13 55:9 70:18</p>	<p>wrongful 53:21 wrote 17:6</p> <hr/> <p style="text-align: center;">Y</p> <hr/> <p>Yea 34:16 yesterday 46:15 yet 11:19 York 1:9 3:13,14,16 8:12,14,23 9:3,9,12,15 10:16,24 11:4,18 12:5 13:24 14:3,9,21,25 15:5,9,11,16,18,19 16:2,3,4,9,11 17:2,15,21,22 18:17,22,23 19:3,6,7,9,11,12,2 0 20:23,25 21:3,6,7,8,9,10,12, 16,21 22:13,16,17,18,21 23:2,6,11,15,25 24:6 25:12,23 26:5,20,24 27:6,8,9,10,23 30:22 31:3,7,13,15,20 32:21 34:2,6,7 35:14 38:2,4,10,16 39:13,15,17,20,24 40:7,9 41:9 43:3,8,12 44:4 49:25 51:2,19 52:2,3,5,15 53:16,22 54:9,11 55:6,10,12,14,15,1 6,19 56:7,10,11,17,19,2 3,24 57:10,19 59:6,10,13,18 60:2 61:4 64:15 66:23 67:4,11 69:5,14 70:12 71:17 72:12,14 74:10,24 75:25 77:10 78:19 79:14,16 80:22</p>	<p>82:12,23 86:3 York-based 29:9 32:8 51:12 young 18:14,15 46:2 younger 46:10,11 70:19</p>
---	---	---	--