

**INFORMATION FOR UNSUCCESSFUL APPLICANTS
FEBRUARY 2002 GENERAL BAR EXAMINATION AND ATTORNEYS' EXAMINATION**

GRADE INFORMATION

If you took the General Bar Examination, your result letter includes your raw Multistate Bar Examination (MBE) subscores, your total raw (number of items correct) and scaled MBE scores, your raw scores on the eight parts of the written test, your total raw and scaled written scores, and your total scaled score.

The General Bar Examination consists of two sections: the written section including six essays and two performance tests (PT), and the 200-item MBE. An applicant can earn up to 100 raw points on each of six essays and up to 200 raw points on each PT. Scaled MBE scores are reported on a 2000-point scale. Scores on the written portion of the exam are scaled to the MBE and reported on a 2000-point scale. The written section is 65% of the total, the MBE is 35% of the total.

To pass the examination after one reading, an applicant must achieve a total scaled score of 1466 or above. To pass the examination after two readings, an applicant must achieve an average total scaled score of 1440 or above.

If you took the Attorneys' Examination, your letter includes your raw scores on the eight parts of the written test, your total raw score, and your total scaled score.

The Attorneys' Examination consists of the six essays and two PTs from the General Bar Examination. An applicant can earn up to 100 raw points on each essay and up to 200 raw points on each PT. Written scores are scaled to the MBE. To pass the examination after one reading, an applicant must achieve a total scaled score of 1466 or above. To pass the examination after two readings, an applicant must achieve an average total scaled score of 1440 or above.

The examinations are graded using a phased grading procedure. In Phase I, all parts of the examination are graded (essay, MBE, and PTs). Examinations with total scaled scores of 1466 and above pass, those with total scaled scores less than 1390 fail, and those with total scaled scores of at least 1390 but less than 1466 proceed to Phase II.

In Phase II, the essays and PTs are read a second time. The scores from the first and second readings are averaged, and those with averaged total scaled scores of 1440 and above pass, while those with averaged total scaled scores below 1412 fail. **Only the final averaged grade given to each written part of the examination is released to unsuccessful applicants. This is the grade used by the Committee of Bar Examiners (Committee) in its final decision. Since the single-read grades from which the averaged grade is derived are only a portion of the method used to calculate the final grade, they are not subject to disclosure. To ensure the accuracy of the averaging process, each score assigned to each written answer submitted by an applicant is cross-checked to eliminate error. Readers submit all grades in duplicate: one entry is processed manually; the other is entered directly into the data processing system. The manually recorded scores are then verified against the computer reports to ensure accuracy. Only then are final grades generated.**

If after two readings the averaged total scaled score is at least 1412 but less than 1440, or if the applicant received a single read total scaled score of at least 1440 but less than 1466, that applicant's examination is automatically sent to reappraisal, where a member of the Board of Reappraisers review the entire examination and determines whether it merits a pass or fail.

The scores reported to applicants whose examinations were reappraised are the averaged scores after two readings and do not reflect any adjustment made by the Reappraiser in reaching the final pass/fail decision.

Throughout the grading process, at least four decimal places are carried in all computations, and scores are not rounded before grading decisions are made. For example, a computed total score of 1439.9999 after Phase II is less than the 1440 required to pass and would not be rounded further before concluding that the applicant did not pass. Similarly, a total score of 1411.9999 is less than the 1412 needed to entitle the applicant to a reappraisal and a total scaled score of 1465.9999 is less than the 1466 necessary for an applicant to pass after Phase I.

These procedures are designed to make grading decisions consistent and fair. Consequently, the Committee will not entertain petitions for reconsideration based upon rounded score scenarios. Instead, it is the reappraisal process that provides an automatic review of those examinations close to the pass line.

To confirm your scores:

Scaled MBE score = $(8.7451)(\text{MBE raw}) + 301.8968$

Scaled written score = $(2.9995)(\text{Written raw}) - 515.5158$

If your answers were read twice, your scaled written score is the average of your first and second read scaled written scores.

Total scaled score:

If you took the General Bar Examination: Multiply your scaled MBE score by .35, multiply your scaled written score by .65 and add these two products together. The total is your total scaled score on the examination.

If you took the Attorneys' Examination: Your total scaled score is equal to your written scaled score.

RECONSIDERATION

The Committee believes that its grading and administrative systems afford each applicant a full and fair opportunity to take the examination and a fair and careful consideration of all his or her examination answers on the bar examination and that no useful purpose would be served by further consideration by the Committee.

For this reason, the Committee will entertain requests for reconsideration only when an applicant establishes that one of the following resulted in failure or prevented the examination from being reappraised:

1. an arithmetical error in the calculation of the total written score from the final grades assigned to the written questions or in the calculation of the total MBE score; or
2. a clerical error.

The Committee will not extend reconsideration based on challenges to its grading system or the judgments of its professional graders.

INSPECTION OF EXAMINATION PAPERS

Unsuccessful applicants may inspect their examination papers in the Office of Admissions nearest the location at which they took the examination from June 17, 2002 through October 18, 2002, except from July 29 through August 2, 2002.

MBE: Appointments to inspect your MBE papers must be made in advance. Appointments for a period of three (3) hours, in a proctored situation (no notes permitted) will be made on a first-come, first-served basis from June 17, 2002 through October 18, 2002, except from July 29, 2002 through August 2, 2002. EACH APPLICANT IS LIMITED TO A SINGLE APPOINTMENT. All who may wish to inspect their MBE papers cannot be accommodated at the same time as only ten applicants may be accommodated at each office during each three-hour session. To make an appointment, call the appropriate Office of Admissions, (415) 538-2303 in San Francisco and (213) 765-1500 in Los Angeles. Appointment hours are from 9:00 a.m. to noon and 1:30 to 4:30 p.m.

ESSAY AND PERFORMANCE TEST: Requests for return of your original essay answers and performance test answers will be honored from June 17, 2002 through October 18, 2002. The original answers may be picked up at the State Bar's Office of Admissions nearest the location at which you took the examination, or you may request that they be sent to you by certified mail, return receipt requested. Complete the form, which is the last page of this document, and bring it with you; or have it notarized and send it with a check for \$10.00, payable to the State Bar of California, to the Office of Admissions nearest the location at which you took the examination. If you intend to pick up your answers from the San Francisco Office of Admissions, you must call the day before you intend to do so. Arrangements will be made so you can pick them up at the office on the intended day either between 10:00 a.m. - 11:00 a.m. or 2:00 p.m. - 3:00 p.m.

You may request copies of your essay answers and performance test answers instead of originals. Complete the form which is the last page of this document. Specify "copies." Bring the form with you and a check for \$40.00, or have it notarized and send it with a check for \$40.00 to the Office of Admissions nearest the location at which you took the examination. Requests of this nature will require additional time to process and will be mailed to you.

FEBRUARY 2002 ESSAY AND PERFORMANCE TEST SUBJECT COVERAGE

<u>Question Number</u>	<u>Subject</u>		<u>Tasks</u>
1.	Civil Procedure	PT-A	Draft memorandum of points and authorities
2.	Remedies		
3.	Corporations	PT-B	Draft two objective memoranda
4.	Trusts		
5.	Constitutional Law		
6.	Evidence		

The above table indicates the fields of law of the main problems in each question. However, the questions often contain points in other fields, too. The questions are not labeled in the examination itself.

PERCENTILE EQUIVALENTS

An assessment of your performance relative to the performance of the other February 2002 examinees, is available by accessing the State Bar's Home Page through the Internet (<http://www.calbar.ca.gov>) or upon request from the State Bar's Office of Admissions.

PRACTICAL TRAINING OF LAW STUDENTS — Termination of Certification

Certification under the Rules Governing the Practical Training of Law Students is terminated when an applicant is unsuccessful on or fails to take the first General Bar Examination for which he/she is eligible.

TRANSFER OF MBE SCORES TO OTHER JURISDICTIONS

Arrangements have been made with the National Conference of Bar Examiners (NCBE) to have that organization communicate MBE scores to Bar Examiners or admitting authorities in other jurisdictions upon **written** request. If you wish to have another jurisdiction notified of your California MBE score, you should make a **written** request to MBE Score Transfer Department, Operations/82, P. O. Box 168, Iowa City, IA 52243-0168. Please do not telephone. Provide the examination date (month and year), location (state), social security number and jurisdiction to which you wish the score mailed. The Conference requires a fee of \$25.00 for **each** transfer, search or request for verification or advisement of an MBE score. Checks should be made payable to the National Conference of Bar Examiners.

BAR EXAMINATION STUDY AIDS

The Committee has received numerous requests to provide materials that might be of assistance to applicants in determining what the Committee desires in an answer to a bar examination question. In response, the Committee has made available the following:

1. **Essay Questions and Selected Answers.** Booklets are available for July 2000 through February 2002 examinations at a cost of \$5.00 per booklet.
2. **Performance Tests and Selected Answers.** Booklets are available for July 2000 through February 2002 examinations at a cost of \$8.00 per booklet.
3. **Multistate Bar Examination Questions.** The National Conference of Bar Examiners publishes this booklet. The cost is **\$20.00**.

If materials will be sent to a jurisdiction outside of the United States, include an additional \$5.00 for postage. All sales are final.

Commencing with the July 2001 examination the essay questions, performance tests and selected answers for that and future examination are available free of charge on the State Bar of California's website at www.calbar.ca.gov.

Selected Answers from the February 2002 examination are expected to become available approximately two weeks after the announcement of results from that examination.

**REQUEST FOR RELEASE OF ESSAY AND PERFORMANCE TEST ANSWERS FOR THE
FEBRUARY 2002 GENERAL BAR EXAMINATION AND ATTORNEYS' EXAMINATION**

INSTRUCTIONS: COMMENCING June 17, 2002 THROUGH October 18, 2002 if you wish:

1. **To pick up your answers** in person, complete this form and take it to the Office of Admissions nearest the location at which you took the examination. If you intend to pick up your answers from the San Francisco Office of Admissions, you must call the day before you intend to do so. Arrangements will be made so you can pick them up at the office on the intended day either between 10:00 a.m. - 11:00 a.m. or 2:00 p.m. - 3:00 p.m. **Photo identification, i.e. drivers license or passport, is required.**
2. **To have another person pick up your answers**, that person must be in possession of a notarized copy of this form or possess your power of attorney. If using a power of attorney, this form must be completed and a copy of the power of attorney attached.
3. **To have your original answers mailed** to you, complete this form, have it notarized, enclose a check for \$10.00, and mail it to the office nearest the location at which you took the examination.
4. **To obtain copies of your answers**, complete this form. Specify copies. Take this form with you and a check for \$40.00, or have it notarized and send it with a check for \$40.00 to the Office of Admissions nearest the location at which you took the examination. Requests of this nature require additional time to process and will be mailed to you.

1149 South Hill Street
Los Angeles, CA 90015-2299

OR 180 Howard Street
San Francisco, CA 94105-1639

Social Security:

Number: _____

Name _____

Applicant Number: _____

Address _____

Code Number: _____

(The above numbers are indicated on your result letter.)

Phone # _____

BY MAIL: I hereby request that the Office of Admissions mail my **February 2002** examination answers to me. I understand that the Office of Admissions will send my answers certified mail, return receipt requested; however, by my signature I assume the risk of loss in mail.

Original: \$10.00 Copies: \$40.00

If I choose to take custody of my actual examination answer books (instead of copies thereof), I understand that I am waiving any rereading or re-evaluation of said answer books for purposes of any appeals, petitions, or requests for reconsideration concerning the grading process which have been or may be filed on my behalf.

Signature

Notary: State of _____, County of _____. On this _____ day of _____, in the year _____, before me, _____, a notary public, personally appeared _____, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged that he or she executed the same.

Notary Signature

IN PERSON: I hereby acknowledge receipt of my **February 2002** examination answers:
I hereby request **copies** of my **February 2002** examination answers instead of originals: \$40.00.

If I choose to take custody of my actual examination answer books (instead of copies thereof), I understand that I am waiving any rereading or re-evaluation of said answer books for purposes of any appeals, petitions, or requests for reconsideration concerning the grading process which have been or may be filed on my behalf.

Date

Signature

Identification

Clerk