

April 17, 2020

Hon. Tani G. Cantil-Sakauye, Chief Justice of California  
Associate Justices of the California Supreme Court  
350 McAllister Street, 5th Floor  
San Francisco, CA 94102-4797

Dear Chief Justice Cantil-Sakauye and Associate Justices of the California Supreme Court,

We have seen the letter sent to you on April 15, 2020, from the Chair of the Board of Trustees of the California Bar, Alan K. Steinbrecher. We write as the deans of the ABA-accredited law schools in California to express our concern with these recommendations.

The Board of Trustees recommends that the July bar be postponed to September 9 and 10. We are very concerned that the public health situation will still not allow for the bar to be administered in its traditional manner on those dates. We think that uncertainty about the ability to go forward on those dates will cause great difficulty for our students, many of whom are suffering significant hardships.

We therefore recommend that the Court not plan to go forward with a live administration of the bar on those dates. An on-line bar exam administration, on that date or otherwise, might be possible and we encourage the Court to consider that possibility in consultation with the law school deans. But we have been told by Judy Gunderson, the Executive Director of the National Conference of Bar Examiners, that it is unlikely that an on-line bar exam can be developed and administered that soon. We therefore have concerns about any degree of reliance on that possibility.

We therefore urge that the Court create a form of provisional licensing for those who were going to take the July 2020 bar exam. This was suggested as a possibility in Mr. Steinbrecher's letter. We favor that it be provisional licensing for a period of time long enough to permit our graduates some degree of flexibility and the ability to launch their careers, available for those who practice under the supervision of a licensed lawyer and who meet the other requirements for admission to the California bar. We would suggest that there be representation of law school deans on any committee developing plans for this.

If it would be helpful, we would be happy to discuss this possibility or others in further detail. Thank you very much for considering our views.

Sincerely,

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