

**Board
of
Law
Examiners**

1996 Membership:

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Honorable James M. Munley
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Staff:

Amy C. Dynda, Executive Director
Joseph Rengert, Esq., Counsel
Melody Greish-Richardson, Office Manager

Legal Authorization:

Pa. Constitution Article V, § 10(c)
Pa. B.A.R. 104 (c) (3)

5035 Ritter Road
Suite 1100
Mechanicsburg, PA 17055
(717) 795-7270

History/Background

The Pennsylvania Board of Law Examiners holds the responsibility of recommending the admission of persons to the bar and thus the practice of law in Pennsylvania. Such responsibility includes reviewing admission applications for those who wish to sit for the bar examination and for practicing attorneys in other states seeking admittance to the bar without sitting for the exam, along with administering the bar exam itself.

Seven members of the Pennsylvania Bar of the Supreme Court comprise the Board of Law Examiners. They serve regular terms of three years each and may be reappointed to a second term.

The board office staff includes the executive director, counsel to the board, an office manager and six administrative clerks. The board also employs eight examiners and one supervising examiner, who are responsible for writing and grading the Pennsylvania Bar Essay Examination, and eight readers, who assist the examiners in grading the essay answers.

Bar Procedures

The Board of Law Examiners administers the bar exam over two days twice a year, on the last Tuesday and Wednesday in February and July. In February it is held in King of Prussia and in Pittsburgh. In July it is held in King of Prussia, Pittsburgh and Mechanicsburg.

The exam is comprised of two parts, the multiple choice Multistate Bar Examination and an eight-question essay section. To pass the exam, applicants must pass both sections with scores of 135 or greater.

The most recent results of the exam can be found on the Administrative Office's home page at <http://www.courts.state.pa.us>.

At the conclusion of each bar exam,

board staff send copies of the essay questions and the examiners' proposed analyses and grading guidelines to representatives from each of the Commonwealth's law schools. The representatives circulate the questions and analyses to the respective professors who teach the subject material covered by the questions and solicit comments and suggestions from each. These comments and suggestions are then shared with the examiners and the board. The examiners use this feedback to revise their analyses and grading guidelines in order to grade the applicants' essay answers in the fairest and most equitable manner possible.

Application Approval/Denial and Hearing Process

In addition to passing the bar exam, prospective members of the bar of Pennsylvania must meet certain requirements relating to character and prior conduct. To aid the board in determining whether applicants have met such requirements, candidates must file with the board office a written application setting forth those matters the board deems necessary. This includes background information pertaining to character, education and employment. Board office staff then review the applications, occasionally investigating further, to determine an applicant's fitness and qualifications.

If upon initial review, the board's executive director finds that the applicant does not appear to possess the fitness and general qualifications requisite for a member of the bar, the applicant is notified in writing. Unless the denial was for scholastic reasons, the applicant then has 30 days to request a hearing appealing the denial. Present at the hearing are the applicant; the applicant's counsel, if he/she has retained counsel; and a board member who serves as the hearing officer. A stenographer is also present to record the hearing.

The length of each hearing varies, depending on the issues set forth; the number

of issues involved; and the number of witnesses, if any, that testify. Only one applicant is considered at a hearing, and only applicants who are denied permission to sit for a bar examination or certification recommending admission, may request one.

Approximately 40 hearings were held in 1996.

1996 Activities

Statistics for 1996, including a comparison with 1995's figures, can be found in Table 3.2.1. Chart 3.2.2 on page 42 details the percentage of those who have passed the bar since 1987 while Chart 3.2.3 on page 43 is a comparison of the number of persons who have sat for the exam versus the number who have passed it over the past ten years.

The board met eleven times in 1996 to review bar admission rules and recommend specific rule changes, review proposed essay questions and analyses, approve examination results, and set policy.

It made the following recommendations to the Supreme Court in 1996:

Recommendation No. 1: Amendment to Pa.B.A.R. 213, changing hearing procedures.

Recommendation No. 2: Amendment changing Pa. B.A.R. 203(a)(3) to 203(b)(2).

Recommendation No. 3: Amendment requiring a score of 75 on Multistate Professional Responsibility Exam for admission.

Recommendation No. 4: Amendment changing Pa. B.A.R. 205 from five of seven years practice of law to five of eight years.

All four recommendations were approved by the Court.

The board also held two semiannual meetings, one each following the February and July bar examinations. These meetings were attended by the board members, the examiners and readers, board staff, and representatives from each of Pennsylvania's law schools and were held to review the essay examination questions, analyses and proposed grading guidelines.

Filing Fees

The filing fees charged for processing applications remained unchanged in 1996 and are as follows:

- \$400 first-time filing fee
- \$400 reexamination fee
- \$500 for admission on motion.

Application revenues for fiscal year 95-96 totaled approximately \$1.3.

Admission applications	approx. 3,300
Sitting for February exam	809
Change from 1995	341 73%
Persons passing February exam	472
Persons failing February exam	337
Passing percentage	58%
1995 Passing Percentage	48%
Sitting for July exam	2,065
Change from 1995	(59) (3%)
Persons passing July exam	1,475
Persons failing July exam	590
Passing percentage	71%
1995 Passing Percentage	69%

Table 3.2.1

Looking Ahead to 1997

The chair and executive director plan to design an informational brochure for law school

students and potential students regarding the bar admissions process. They will also be available to speak to the students at each of the Pennsylvania law schools. Additionally, the board has formed an ad hoc committee to review its current character and fitness policies and procedures and to make recommendations to the board regarding the same.

Contact Person

Anyone having questions about the Board of Law Examiners or the bar exam can contact Executive Director Amy Dynda by calling (717) 795-7270 or by writing to her at 5035 Ritter Road, Suite 1100; Mechanics-burg, PA 17056

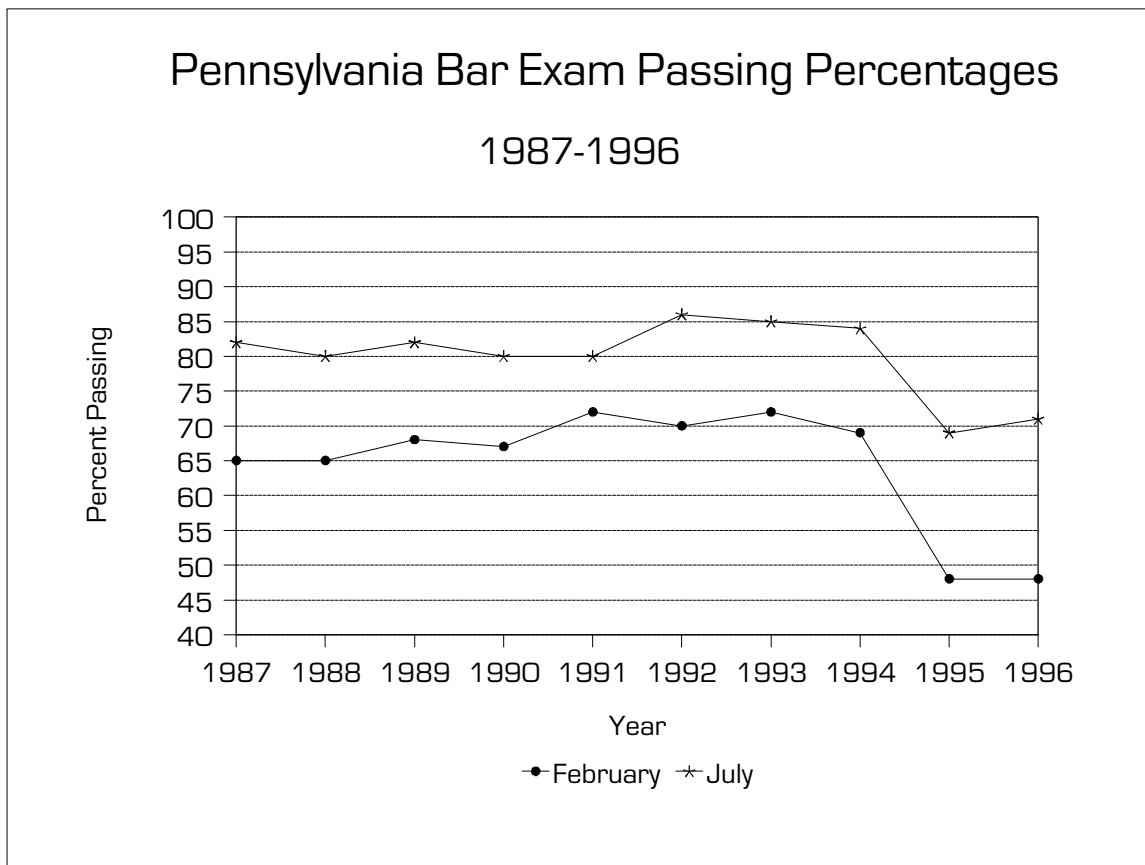


Table 3.2.2

