

OCT 22 2024

Jorge Navarrete Clerk

S286827

ADMINISTRATIVE ORDER 2024-10-21-02

IN THE SUPREME COURT OF CALIFORNIA Deputy

En Banc

**ORDER ON THE STATE BAR OF CALIFORNIA'S REQUEST TO IMPLEMENT A
SCORING ADJUSTMENT ON [THE] 2025 CALIFORNIA BAR EXAMINATION
ADMINISTRATIONS AS INCENTIVE FOR EXPERIMENTAL STUDY
PARTICIPATION**

The Court is in receipt of the State Bar's Request to Implement a Scoring Adjustment on [the] 2025 California Bar Examination Administrations as Incentive for Experimental Study Participation, filed on September 9, 2024. The Court, having considered the request, approves it in part, and denies it in part without prejudice, as follows:

Participants in phase 1 of the proposed study, to be administered on November 8, 2024 and November 9, 2024, who meet a minimum threshold of performance will be eligible to receive a scaled score adjustment on the multiple-choice portion of the General Bar Examination on whichever of the 2025 administrations of the General Bar Examination they attempt first. The scaled score adjustment will be based on the participants' performance in phase 1 of the proposed study. No participant shall receive a scoring adjustment simply for participating in the proposed study.

The minimum threshold performance score will be determined by the Committee of Bar Examiners (Committee) after psychometric analysis of results of the proposed study evaluating the participants' motivation to perform.

The Committee shall determine the magnitude of the scaled score adjustment for phase 1, informed by psychometric analysis of results of the proposed study. Any such scaled score adjustment shall not exceed one standard error of measurement of the participant's total scaled score for the multiple-choice portion of whichever of the 2025 administrations of the General Bar Examination they attempt first.

Any scoring adjustments for participants shall only be made after the State Bar's scoring, scaling, weighting, and reappraisal procedures have been completed. The scoring adjustment, if applied, does not alter the maximum available points for the General Bar Examination or its passing score. Rather, the proposed study potentially provides participants with additional questions through which they may demonstrate competency.

The request for a scoring adjustment for phase 2 of the proposed study is denied without prejudice pending the results of phase 1 of the proposed study and further clarification of the number of test items to be utilized, their type, and the methodology

used to adjust for performance differences that might be attributable to the different testing modalities being explored in that proposed study.

GUERRERO

Chief Justice

CORRIGAN

Associate Justice

LIU

Associate Justice

KRUGER

Associate Justice

GROBAN

Associate Justice

JENKINS

Associate Justice

EVANS

Associate Justice