

Meeting of the Licensing Pathways Development Committee
Oregon State Board of Bar Examiners
Wednesday, March 1, 2023
Zoom Meeting – Invites are sent via Outlook Calendar
Open Session Agenda

(Items may not be discussed in the order listed or may be discussed in a workgroup session during the meeting)

Wednesday, March 1, 2023, 12:00 p.m. – 1:30 p.m.

1. Call to Order/Finalization of Agenda

- A. Roll of Attendees
- B. Finalize Agenda

2. Consent Agenda

A. Approval of prior meeting minutes

- i. October 19, 2022
- ii. November 2, 2022
- iii. November 16, 2022
- iv. November 30, 2022
- v. December 14, 2022
- vi. January 11, 2023
- vii. January 23, 2023
- viii. February 8, 2023

Action

- Exhibit 1**
- Exhibit 2**
- Exhibit 3**
- Exhibit 4**
- Exhibit 5**
- Exhibit 6**
- Exhibit 7**
- Exhibit 8**

3. New Business

- A. Discussion of rules related to portfolio work-product
 - i. Breadth of types/subjects of work product
 - ii. Definition of “meaningfully reflects the work of the applicant”
 - iii. Grading of work product

4. Adjourn

EXHIBIT 1

**Meeting of the Licensure Pathways Development Committee (LPDC)
Oregon State Board of Bar Examiners
October 19, 2022 - Open Session Meeting Minutes**

Wednesday, October 19, 2022, 12:00p.m. -1:00 p.m.

1. Call to Order/Finalization of Agenda - 12:05AM

A. Roll or Attendees:

Committee Members Attending: Joanna Perini-Abbott; Dr. Anthony Rosilez; Addie Tobin Smith; Dean Brian Gallini; Professor Deborah Merritt; Erin Biencourt; Helen Hierschbiel; J.B. Kim; Joanne Kane; Dean John Parry; Kateri Walsh; Matt Shields; Mohamad J. Shaer; Phylis C. Myles; Rebecca Ivanoff; Dean Stuart Chinn; Susan Grabe; Lee Ann Donaldson

Court Liaison Attending: Jason Specht

OSB Staff Attending: Troy Wood, Sarah Haugstad, Vickie Hansen

B. Finalize Agenda: Chair Joanna Perini-Abbot called the meeting to order at 12:05pm. There were no additions to the agenda. Each group provided an update and then each group went into the break out groups. Ten minutes will be scheduled at the beginning of the meeting with the full Committee, followed by work sessions with two of the three subgroups today; OEP and SPP. Members can switch from group to group at their discretion.

2. Consent Agenda

A. Approval of prior meeting minutes

See Exhibit 1

The minutes were approved with no corrections.

3. Old Business/Updates on Events/News/Developments of Interest

A. Each Lead BBX Member will report to group. After all reports, workgroups will report to their assigned Zoom.

i. Outreach Group

Update provided by Joanna Perini-Abbott: The Outreach group is up and running. They have been presenting and are working to push the LPDC website forward so those interested can find out more. Chair Perini-Abbott states she is completing one presentation a week. An article will be published in the December Bar Bulletin. The Outreach group has a plan that is being worked, so they will not be meeting today.

No Breakout meeting or Assigned Room for the Outreach group.

ii. SPP

Update provided by Addie Smith: The group is having interesting conversations regarding how does this alternative to the exam need to reflect the exam and how should it be very separate from the exam. They are having conversations around equity and access. Conversations surrounding how do we trust the professionalism of our supervising attorneys and new graduates while

providing enough guidance of minimum competency being displayed. Deborah Merritt has been taking all of the groups notes and feedback and integrating them into a new document. Deborah is making note of what they want to take from the February cohort program and how this program will differ.

iii. OEP

Update provided by Dr. Anthony Rosilez: Dean Galini facilitated the last discussion while Dr. Rosilez was out of the office. The entry aspects have been discussed and noted in detail. The discussion ended with the fact that it is now time to begin reviewing the parallel rules. The group now needs to add thought questions at the OEP level. Curriculum pieces will need more detailed discussions with the law schools.

4. New Business

None discussed.

5. Adjourn, 1:00PM

EXHIBIT 2

**Meeting of the Licensure Pathways Development Committee (LPDC)
Oregon State Board of Bar Examiners
November 2, 2022 - Open Session Meeting Minutes**

Wednesday, November 2, 2022, 12:00p.m. -1:00 p.m.

1. Call to Order/Finalization of Agenda - 12:01 PM

A. Roll or Attendees:

Committee Members Attending: Joanna Perini-Abbott; Dr. Anthony Rosilez; Addie Tobin Smith; Dean Brian Gallini; Hon. Darleen Ortega; Professor Deborah Merritt; Erin Biencourt; Helen Hirschbiel; Joanne Kane; Dean John Parry; Kelsie McDaniel; Lee Ann Donaldson; Logan Cornett; Megan Hinzdel; Rebecca Hanley; Dean Stuart Chinn; Sandy Patrick; Yvana Mols

Court Liaison Attending: Jason Specht

OSB Staff Attending: Troy Wood, Kellie Baumann

B. Finalize Agenda: Chair Joanna Perini-Abbot called the meeting to order at 12:01pm. There were no additions to the agenda. Each group provided an update and then each group went into the break out groups. Ten minutes will be scheduled at the beginning of the meeting with the full Committee, followed by work sessions with two of the three subgroups today; OEP and SPP. Members can switch from group to group at their discretion.

3. Old Business/Updates on Events/News/Developments of Interest

A. Each Lead BBX Member reported to group. After all reports, workgroups reported to their assigned Zoom.

i. Outreach Group

Update provided by Joanna Perini-Abbott: The Outreach group is up and running. Recently, Chair Perini-Abbot met with OCDLA. The OEP received good feedback and will receive more feedback from attendees from this meeting through a survey. The Outreach group has a plan that is being worked, so they will not be meeting today.

No Breakout meeting or Assigned Room for the Outreach group.

ii. OEP

Update provided by Dr. Anthony Rosilez: Last meeting was really productive because we were able to work through a lot of items. We've worked through the Admissions piece and we are really close on the curricular elements. Our next big task is to dig into the Capstone work. We are moving right along.

iii. SPP

Update provided by Addie Smith: The group is working right through things. Our next big meeting is this Friday. We are working through Section 8 today and we will do Sections 8 – 18 on Friday. We're extending the deadline for comments on 8-18 to noon on Thursday. Even if you can only

flag things for discussion or list concerns that would be very helpful. Warm welcome to anyone who hasn't joined us before, you're welcome to come join the SPP on Friday.

4. New Business

Chair Perini-Abbot mentioned that a big discussion point for the last OEP meeting was the definition of "independent work product." Since the definition will likely span both groups, we may want it to be consistent. She recommended everyone that can attend on Friday, do so. Also maybe a small group of both sides should get together to see if it is possible to make the definition consistent. Addie said that the SPP has tackled that question and their strong preference is that the supervisors send on their cover sheet validation that it is primarily the work of the Provisional Licensee, but that it is unrealistic in the real world to expect that people will have completely independent work that they are able to submit. Part of the process of being a lawyer is receiving feedback and making edits. Happy to meet with Tony or get a small group together to discuss.

5. Adjourn, 12:10PM

EXHIBIT 3

**Meeting of the Licensure Pathways Development Committee (LPDC)
Oregon State Board of Bar Examiners
November 16, 2022 - Open Session Meeting Minutes**

Wednesday, November 16, 2022, 12:00p.m. -1:00 p.m.

1. Call to Order/Finalization of Agenda - 12:03 PM

A. Roll or Attendees:

Committee Members Attending: Joanna Perini-Abbott; Dr. Anthony Rosilez; Addie Tobin Smith; Akriti Bhargava; Dean Brian Gallini; Professor Deborah Merritt; Erin Biencourt; JB Kim; Dean John Parry; Justice Meagan Flynn; Kateri Wash; Kendra Matthews; Matthew Shields; Phylis C. Myles; Rebecca Ivanoff; Rebekah Hanley; Sandy Patrick; Dean Stuart Chinn; Susan Grabe; Tung Yin

OSB Staff Attending: Kellie Baumann, Vickie Hansen

B. Finalize Agenda: Chair Joanna Perini-Abbot called the meeting to order at 12:03pm. There were no additions to the agenda. Approval of meeting minutes was pushed to the next meeting due to lack of quorum. Each group provided an update and then each group went into the break out groups. Ten minutes will be scheduled at the beginning of the meeting with the full Committee, followed by work sessions with two of the three subgroups today; OEP and SPP. Members can switch from group to group at their discretion.

3. Old Business/Updates on Events/News/Developments of Interest

A. Each Lead BBX Member reported to group. After all reports, workgroups reported to their assigned Zoom.

i. Outreach Group

Update provided by Joanna Perini-Abbott: The Outreach group is working on more outreach before the holidays. They are trying to get in the eyeballs and ears of any lawyer in Oregon that will listen to us. She also said SPP is very close to draft to share with whole group. Would like to use next meeting to have the SPP present to the group. The OEP will be able to take a lot of their work. Kendra Matthews said we may need two meetings – one to take in what they are doing and the second to be able to fully discuss it.

No Breakout meeting or Assigned Room for the Outreach group.

ii. SPP

Update provided by Addie Smith: The group is really close. Our document has, for the most part, incorporated all of the conversations that we've had. There is a lot of technical things we are trying to tackle today. I've flagged where there is anticipated pushback. Addie had a question about the public records law and how it applies to emails. Kendra Matthews confirmed that Addie can email a draft to members, but they cannot email to collaborate without running afoul of the public meeting requirements.

iii. OEP

Update provided by Dr. Anthony Rosilez: The OEP has been very productive in our last few meetings. At this point, we are going to bifurcate our process. Troy and Tony are going to work on taking what the SPP has done and how we can use it on the OEP side. Dean Gallini will be able to work with the law school people to shore up the remaining pieces of that, including the Capstone and portfolio. Then we can come together more quickly. Today's meeting will be run by Dean Gallini.

4. New Business

None.

5. Adjourn, 12:14PM

EXHIBIT 4

**Meeting of the Licensure Pathways Development Committee (LPDC)
Oregon State Board of Bar Examiners
November 30, 2022 - Open Session Meeting Minutes**

Wednesday, November 30, 2022, 12:00p.m. -1:00 p.m.

1. Call to Order/Finalization of Agenda - 12:05 PM

A. Roll or Attendees:

Committee Members Attending: Joanna Perini-Abbott; Dr. Anthony Rosilez; Addie Tobin Smith; Dean Brian Gallini; Danette McKinley; Professor Deborah Merritt; Erin Biencourt; JB Kim; Joanne Kane; Dean John Parry; Kellie Early; Kendra Matthews; Matt Shields; Phylis Myles; Rebecca Hanley; Rebecca Ivanoff; Dean Stuart Chinn; Sandy Patrick; Tom Ryan; Tung Yin

Court Liaison Attending: Jason Specht

OSB Staff Attending: Troy Wood, Kellie Baumann, Jenni Abalan, Sarah Haugstad

B. Finalize Agenda: Chair Joanna Perini-Abbot called the meeting to order at 12:05pm. There were no additions to the agenda.

3. Old Business/Updates on Events/News/Developments of Interest

A. Each Lead BBX Member reported to group. After all reports, workgroups reported to their assigned Zoom. Members can switch from group to group at their discretion.

i. Outreach Group

Update provided by Joanna Perini-Abbott: The Outreach group is up and running. Recently, the group did an interview with the Bar Bulletin which will be the cover story in either the February/March edition or the March/April edition. The fact that public comment on our work will be open at the moment the Bulletin story hits desks is pretty important. The Outreach group will not be meeting today.

No Breakout meeting or Assigned Room for the Outreach group.

ii. OEP

Update provided by Dr. Anthony Rosilez: We continue to plug away. As I mentioned at the last meeting, we have broken it down into 2 different sections where Troy and I are working on the sections that are a lot more of what we call admin administrative in nature and we've updated those on a shared document. I've started the update on those based off of the last document I've received from adding on the SPP, because, as we've shared, we want to try to have these rules be as consistent as possible and then the big items that we're going to continue to finish up hopefully within the next few meetings, actual portfolio requirements in the capstone piece. There's a lot of work done over the last month on the curricular and experiential requirements, and I think those last two will be the big ones to tackle.

iii. SPP

Update provided by Addie Smith: We have a new liaison with us from LSAC, Kellie Early. It's nice to have a familiar face with us. Our group met over the holiday week for an additional hour because we just can't get enough. We do plan on wrapping it up today, having a final draft circulated before the next meeting, and having some form of cheat sheet, probably a Powerpoint, that hits the highlights as well as a note page which will describe the major changes. I would suggest that for our next meeting, if you have a limited amount of time to prepare, to read the notes document that will be circulated because it describes sort of the hot ticket items and the discussions that we had at great length coming to our determinations in the subcommittee.

4. New Business

No new business

5. Adjourn, 12:17PM

EXHIBIT 5

**Meeting of the Licensure Pathways Development Committee (LPDC)
Oregon State Board of Bar Examiners
December 14, 2022 - Open Session Meeting Minutes**

Wednesday, December 14, 2022, 12:00p.m. -1:30 p.m.

1. Call to Order/Finalization of Agenda - 12:07 PM

A. Roll or Attendees:

Committee Members Attending: Joanna Perini-Abbott; Dr. Anthony Rosilez; Addie Tobin Smith; Brook Reinhard; Carol Chomsky; Danette McKinley; Hon. Darlene Ortega; Professor Deborah Merritt; Erin Biencourt; JB Kim; Joanne Kane; Dean John Parry; Kellie Early; Kendra Matthews; Lee Ann Donaldson; Matt Shields; Justice Meagan Flynn; Phylis Myles; Rebekah Hanley; Rebecca Ivanoff; Dean Stuart Chinn; Sandy Patrick; Tom Ryan; Tomas Hernandez; Tung Yin

Court Liaison Attending: Jason Specht

OSB Staff Attending: Troy Wood, Kellie Baumann, Jenni Abalan, Vickie Hansen

B. Finalize Agenda: Chair Joanna Perini-Abbot called the meeting to order at 12:07pm. There were no additions to the agenda. There will be no Breakout Sessions at this meeting.

2. Old Business/Updates on Events/News/Developments of Interest

Joanna Perini-Abbott: First wanted to discuss potentially cancelling our next meeting scheduled in the week between Christmas and New Year's. Attendance will likely be dismal. So I'd like to move that meeting to the following week and sort of reset off of that. I think that makes sense I was assuming a lot of people are going to be on vacation. Another scheduling issue I wanted to bring up is before a vote is taken on the SPP and OEP rules, we present the rules to the faculty of the law schools. That way, the deans can feel as if they are properly representing the law schools and their interests when we vote. I don't see Brian here I'll reach out to Brian separately to see if he'd want the same commitment.

3. New Business

Addie Smith began by confirming that today's meeting will be spent going over the SPP's draft of proposed rules and if time permits, discussion can begin after the full overview. At the next meeting, the Committee can dig into places where people are interested in having more conversation. Addie and the Committee reviewed the SPP draft rules and notes document.

We will meet again the second week of January so there is plenty of time for everyone to sit down and carefully read the rules and the memos and take a closer look before we meet again.

At the next meeting, we will plan to discuss and close out as many of the remaining issues as we can and then go from there.

5. Adjourn, 1:34PM

EXHIBIT 6

EXHIBIT 7

**Meeting of the Licensure Pathways Development Committee (LPDC)
Oregon State Board of Bar Examiners
January 25, 2023 - Open Session Meeting Minutes**

Wednesday, January 25, 2023, 12:00p.m. -1:30 p.m.

1. Call to Order/Finalization of Agenda - 12:05 PM

A. Roll or Attendees:

Committee Members Attending: Joanna Perini-Abbott; Dr. Anthony Rosilez; Addie Tobin Smith; Akriti Bhargava; Dean Brian Gallini; Carol Chomsky; Danette McKinley; Professor Deborah Merritt; Helen Hierschbiel; JB Kim; Joanne Kane; Dean John Parry; Kellie Early; Phylis Myles; Rebekah Hanley; Dean Stuart Chinn; Sandy Patrick; Tung Yin

Court Liaison Attending: Jason Specht

OSB Staff Attending: Troy Wood, Kellie Baumann, Kateri Walsh

B. Finalize Agenda: Chair Joanna Perini-Abbot called the meeting to order at 12:05pm. There were no additions to the agenda. There will be no Breakout Sessions at this meeting.

2. New Business

A. The Committee discussed the remaining “big ticket items” from the SPP’s draft rules, including:

1. MPRE

- a. Are we okay with ethics assessments other than the MPRE?
- b. If we are okay with ethics assessments other than the MPRE, are we okay with the ones proposed?

2. Legal Work

- a. How are we defining "legal work"
- b. What does it mean for legal work to meaningfully reflect the work of the applicant?
- c. Do judicial clerkships count (particularly federal clerkships where the judge may not be barred in Oregon)

3. Hours

B. Vote on name changes for the pathways

1. The Committee voted to change the names of the pathways for this program to:
 - a. OEPE = Oregon Experiential Portfolio Examination
 - b. SPPE = Supervised Practice Portfolio Examination

3. **Adjourn, 1:40 PM**

EXHIBIT 8

**Meeting of the Licensure Pathways Development Committee (LPDC)
Oregon State Board of Bar Examiners
February 8, 2023 - Open Session Meeting Minutes**

Wednesday, February 8, 2023, 12:00p.m. -1:30 p.m.

1. Call to Order/Finalization of Agenda - 12:03 PM

A. Roll or Attendees:

Committee Members Attending: Joanna Perini-Abbott; Dr. Anthony Rosilez; Addie Tobin Smith; Akriti Bhargava; Dean Brian Gallini; Carol Chomsky; Danette McKinley; Professor Deborah Merritt; Erin Biencourt; JB Kim; Joanne Kane; Dean John Parry; Kellie Early; Kendra Matthews; Lee Ann Donaldson; Logan Cornett; Justice Meagan Flynn; Phylis Myles; Rebecca Ivanoff; Rebekah Hanley; Dean Stuart Chinn; Sandy Patrick; Tom Ryan

Court Liaison Attending: Jason Specht

OSB Staff Attending: Kellie Baumann

B. Finalize Agenda: Chair Joanna Perini-Abbot called the meeting to order at 12:03 pm. The approval of meeting minutes will be pushed to the next meeting. There will be no Breakout Sessions at this meeting.

2. New Business

A. The Committee discussed the remaining “big ticket items” from the SPP’s draft rules, including:

1. Legal Work

- a. How are we defining “legal work”
- b. What does it mean for legal work to meaningfully reflect the work of the applicant?
- c. Do judicial clerkships count (particularly federal clerkships where the judge may not be barred in Oregon)

2. Hours - 675 hours

- a. What counts?
- b. Do hours time out?
- c. Does work product time out?

3. Adjourn, 1:34 PM