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LETTER FROM THE CHAIR

It is my hope that those who attended NCBE's Annual Bar Admissions Conference in San Francisco in late April came away with a lot of food for thought. The range of subject matter on the program was extensive, as is our practice, but even so it did not match the true breadth of issues that confront today's bar examiners.

Once again almost every U.S. jurisdiction was represented in what has become an educational essential for many state boards. NCBE subsidizes the participation of four representatives from each jurisdiction, recognizing that in lean times many state budgets cannot fund attendance otherwise. It was heartening to see so many additional attendees—in some cases, entire boards—joining the underwritten designated representatives.

San Francisco, a gem of a city in my home state of California, turned out to be an ideal venue for the event. The spring weather was close to perfect, and the city and its environs proved inviting. Evaluations of the program were strongly positive and give our Education Committee useful guidance as the next Annual Conference takes shape. It won't be long before we welcome bar examiners to next year's invitational event, to be held April 19–22 in Savannah.

In San Francisco, as on three previous occasions, NCBE was fortunate to feature Professor John W. Reed of the University of Michigan as a keynote speaker. Professor Reed is as accomplished a public speaker as you will ever get to see, and his remarks are consistently thought-provoking, entertaining, and inspiring. This issue features the text of his remarks in response to the demand we always receive for copies of his words. Previous issues of this magazine have carried his earlier remarks. They are to be savored and shared.

I have trouble picking out the parts of the programming that appealed the most to me. One especially thoughtful session was the opening plenary

that asked us to consider the types of educational and practical opportunities available to introduce new lawyers to the practice of law. As bar examiners, we sit at the transition point between law school and competent legal practice. The gates we tend are important ones for the consumers of legal services, many of whom are unsophisticated and vulnerable when it comes to law, or when it comes to needing law at the time of a difficult life passage such as the death of a loved one, a divorce, or the acquisition (or sadly, these days, the foreclosure) of a home.

The session that treated this transition featured four speakers. Justice Randy Holland explained the rationale underlying the skills portfolio requirement for new Delaware lawyers, noting the “scavenger list” of experiences that every new lawyer must complete before being admitted to the bar. These practical exposures meet an important need. Chief Justice Rebecca Berch described the development of course materials that are now part of Arizona’s new motion admission requirement. The goal of the educational effort in Arizona is to ensure that incoming lawyers are familiar with the significant local distinctions in Arizona law.

Judge Cindy Martin explained a similar approach to that taken in Arizona, but with a different purpose in mind. As the nation’s first Uniform Bar Examination jurisdiction, Missouri cast about for a mechanism whereby local law distinctions would be brought to the attention of incoming lawyers. The result has been the production of online materials posted on the Supreme Court’s website coupled



with an online test. And John Marshall of Georgia rounded out the session by describing Georgia’s successful mentoring program for new lawyers that has been a model for state bars around the country.

Taken together, these presentations suggested that there are ways to move new lawyers into practice with strategies that increase the likelihood that they will “first do no harm” in the early years when what they did not learn in law school could adversely affect the public.

All credit for the San Francisco Annual Conference goes to Justice Berch and her Education Committee, and to Deb Martin and Laurie Lutz of the NCBE staff, who make the difficult look easy. 🍷

Best regards to all.

Sincerely,

A handwritten signature in cursive script that reads "Philip M. Madden".

Philip M. Madden