Reflections from Past NCBE Chairs

For this issue of the Bar Examiner, to mark Erica Moeser’s retirement as president of NCBE, we invited a selection of former chairs of the NCBE Board of Trustees to share their reminiscences on their terms as chair and their observations about NCBE as an organization, including any reflections on Erica’s retirement. What follows is a collection of eight essays in which former chairs from 1994—the year in which Erica began her presidency—to 2015 share their thoughts, provide glimpses into NCBE’s past, and acknowledge Erica’s 23 years as president of NCBE.

1994–1995 NCBE Chair Robert L. Potts

Marvin Barkin and I worked as a team during our back-to-back terms as chair of NCBE during the period of 1993 to 1995—a period whose midpoint would mark a major transition in the leadership of the Conference. During our years of “apprenticeship” for the chair position as Board of Trustees members, we had become increasingly concerned that the Conference had grown stagnant in its approach, was not adapting to the changing needs of the jurisdictions, and more importantly, was not taking full advantage of the contributions that could be made to our organization and its constituents by the skilled bar admission administrators in the jurisdictions that used our products. For example, the Conference had been studying the development of a Multistate Performance Test for more than a decade, with chairs Armando Menocal from California and Guy Beatty from Tennessee and then–Director of Testing Jane Smith having worked on this test instrument for many years, and it appeared to us that it was time to “fish or cut bait.” Also, there had been an unwritten rule against bar admission administrators serving on the Board of Trustees, denying the Board their valuable expertise.

The absence of bar admission administrators on the Board was successfully addressed with our active support before our terms as chair had begun by the appointment of Kathryn Ressel, the bar admission administrator from Florida, to fill a vacant seat on the Board. We welcomed her contribution to the Board from her perspective as a highly talented and effective administrator. In analyzing the remaining needs of the Conference during Marvin’s term as chair, we felt that the best way to continue to move the organization forward in a dramatic way was to foster a smooth transition to a new president of the Conference, and at the same time work with the Board to take action on the development of the long-considered Multistate Performance Test. Both of these steps were initiated during Marvin’s term and came to fruition during mine, with the Board voting to proceed with the development and marketing of a Multistate Performance Test, and Erica Moeser taking office as the new president of the Conference. These I consider to be the highlights of my year as chair.

As a seasoned bar admission administrator from Wisconsin, the incoming chair of the ABA Section of Legal Education and Admissions to the Bar, and a recent participant in drafting the revised Recommended Standards for Bar Examiners, Erica—who also had a nationwide network of colleagues and acquaintances involved at the very highest
levels in legal education, psychometrics, the ABA, and bar examining—brought a unique skill set to the Conference. And what a ride it has been over these past 23 years. Her accomplishments for the Conference during her term as president I am sure will be detailed elsewhere in this issue of the *Bar Examiner*, but suffice it to say that she has greatly exceeded Marvin Barkin’s and my high expectations for her presidency.

Erica has taken the Conference to a totally different and higher level of quality and service to the jurisdictions, to the profession, and to the public. As she told the Board during her interview for the job, she was anxious to “get [her] grubby little hands” on the organization, and we are very pleased that she did! Also, she has fiercely and effectively defended bar examining and bar examiners from unjustified attacks that continue to this day.

Thanks, Erica, for your dedicated service. Your sterling contributions to our profession will go down in the history of the American bar as remarkable, enduring, and well done. We are proud of you and wish you many golden years in retirement.

Robert L. Potts, chair of the NCBE Board of Trustees from 1994 to 1995, is chancellor emeritus of Arkansas State University and president emeritus of the University of North Alabama.

2000–2001 NCBE Chair Gregory G. Murphy

When I was invited to contribute a 650-word essay to this issue of the *Bar Examiner*, I promptly answered, “Will do!” Then, with angst, I realized how daunting a task had been set for me. I have been associated with NCBE for 31 years. 650 words would allow me 21 words for each year. Not nearly enough. And the people—oh, the friends I’ve made through NCBE! To borrow from Will Rogers, I never met a bar examiner I didn’t like. (Well, there was one, but only one.) If merely one paragraph were to be devoted to each friend, the essay would run longer than the *Bar Examiners’ Handbook*, a tome occupying three and a half inches on my library shelf. Nevertheless . . .

I am a small-town lawyer in a state that did not pass a million residents until after the 2010 census. In 1986 I had been practicing law for fewer than six years and had been a bar examiner for only a year when I was invited by NCBE to be a member of the Multistate Bar Examination Committee. I was stunned. The opportunity to rub shoulders with outstanding lawyers from around the country and to work with them on questions affecting bar examining nationwide was exciting.

Jerry Hafter from Mississippi and I joined the MBE Committee at a meeting at the Tampa Bay Marriott Hotel. We were the “young blood” brought in by the lions of the Conference to help the transition to the future of NCBE. The inestimable Sumner Bernstein from Maine chaired the proceedings. Dick Julin, then-president of NCBE, Doug Roche from Michigan, and Arthur Karger from New York were present. What were the topics of conversation? Examination security, the quality of test items and how to improve testing, conducting quality reviews of proposed MBE test items, spreading the word about the good work NCBE does, and so on. As my friend Marvin Barkin of Florida quipped years later during deliberation of the NCBE Board of Trustees on some issue, “The more things change, the more they remain the same.” There is truth in that quip.
However, it should not be taken as a comment that things are not improved. The operations of NCBE and its testing products are vastly improved from the 1980s.

Thirty-one years of association with NCBE in a wide variety of roles has provided me with many different perspectives on the organization. I return from every encounter with NCBE staff and volunteers with my faith in the profession and in people’s innate goodness restored. It has been so gratifying to witness how those involved with NCBE, from top to bottom, have one agenda and one agenda only—improving bar examinations and the bar admissions process.

The leadership of any organization sets the tone. The Conference has been blessed in attracting the membership of the Board it has through the years. Then, of course, there is Erica Moeser, who took the helm in October 1994. Erica proved to be expert at the care and feeding of an organization of volunteers. She did far more. She built a staff of professionals providing first-class service to the Conference’s primary constituents, the jurisdictions that fund the Conference. She preached excellence, she demanded excellence, and she produced excellence.

For this essay, it was suggested that I discuss an important event in the life of the Conference that occurred while I was in the leadership. I was on the Board when Erica took the position of president, and I was in the leadership of the Board when the decision was made in the late 1990s to move the headquarters from Chicago to Madison. (Dave Boyd from Alabama and I were two primary advocates for the move.) The move was completed and the first Madison building was dedicated during my year as chair in 2000–2001. Many factors compelled the decision to move to Madison: (1) the expensive lease on the Michigan Avenue property in Chicago was coming to an end, and the rent was expected to escalate; (2) prudent management of finances had allowed the accumulation of enough capital to buy a building rather than lease; (3) Madison was home to a major research university with a strong faculty in psychometrics, and the Board and Erica desired to build in-house psychometric expertise rather than rely so heavily on an outside contractor; (4) the character and fitness investigations service of the Conference deserved serious restructuring and would benefit from concentrated on-site attention during that process; and (5) Erica was engaging in a long commute between Madison and Chicago, which I was concerned might become just too much over time. Erica never demanded the move. Indeed, she never even suggested it. Rather, the Board leadership of the Conference recognized how important it was to have her on site at the headquarters. The Board’s decision was a good one. NCBE has thrived at its Madison location.

I noted at the outset the many abiding friendships I have formed within NCBE—of which there are far too many to list here. I’ll just say that the great privilege of participating in the National Conference of Bar Examiners has been among the highlights of my professional career as well as my personal life. The truth is that the Conference and its people gave more to me than I ever contributed. What a great run it has been!

Gregory G. Murphy, chair of the NCBE Board of Trustees from 2000 to 2001, is the former chair of the Montana Board of Law Examiners. He has served NCBE continuously since 1986.
appreciate the opportunity to contribute a few words to this edition of the Bar Examiner, a special one in which will appear Erica Moeser’s last column. I joined the NCBE Board of Trustees in 1995, shortly after Erica had taken the reins as president. I had met her some years earlier when, while still running the Wisconsin bar admissions office, she’d consulted with the Alabama Board of Bar Examiners, of which I was chair, on our admissions process. Now I’ve spent 20-something years working closely with her and value her among my very best friends.

Before joining the NCBE Board, I’d been involved in bar admissions for several years, chairing the Alabama Board of Bar Examiners, serving on NCBE’s Multistate Professional Responsibility Examination Committee, and later serving on the Multistate Bar Examination Committee, of which I am still a member. I am grateful to my fellow Alabamian Robert Potts for introducing me to the organization and “sponsoring” me through the ranks. Robert has had a distinguished career as a lawyer and educator and helped usher NCBE into the modern era. His leadership role in bringing Erica to the Conference in 1994 was perhaps his greatest and most enduring contribution.

My year as NCBE chair was 2004–05, during which the Board met in Telluride, Colorado; Monterey, California; Anchorage, Alaska; and Point Clear, Alabama. By this time, the organization had moved to Madison and, having been under Erica’s management for a decade, was well into the maturation process that resulted in the high-functioning, respected, and influential organization we know today.

Lasting memories of that year are both happy and sad. On the happy end, I fortuitously met my wonderful wife Toni while on an NCBE committee meeting trip in June 2005. Sadly, only a few weeks earlier I had represented the Board at funeral services for two incumbent Board colleagues, Erias Hyman of Washington, DC, and John Oliver of Missouri, who passed away within some 10 days of each other in May. They were talented and accomplished lawyers, dedicated Board members, and special friends. Their loss was felt intensely by the entire NCBE family.

During my year as chair, the Conference prepared for the trial of its landmark copyright lawsuit against a bar review company that had systematically harvested MBE questions by sending bogus examinees into live bar examinations to copy or memorize items that would be reproduced in the company’s commercial materials. The case was tried in February 2006, resulting in a multi-million-dollar judgment and eventual recovery by the Conference. I was chairing the MBE Committee at the time and, with Erica, attended part of the trial.

When I consider the accomplishments of the Conference during the 30-plus years during which I’ve been involved in some capacity, and especially during my years on the Board and as a committee chair, a few stand out as transformative. The relocation of NCBE headquarters from Chicago to Madison, a project on which I worked closely with my trusted friend Greg Murphy of Montana, was foundational. The assembly over time of a professional staff of measurement experts—psychometricians—positioned the organization to better support user jurisdictions, to engage in important research, and ultimately to bring NCBE’s testing programs in-house. Along the way, all the NCBE test products have been significantly improved, and NCBE has achieved high credibility in the world of high-stakes testing. Building human infrastructure has not been limited, however, to the measurement professionals. The entire staff, top to bottom, now consists of talented and dedicated individuals who excel in a challenging and supportive workplace. These
and many other accomplishments have been made possible by wise stewardship of the Conference’s resources. Indeed, Erica, her staff, and the Board members who have supported them over the past two decades have moved the organization from uncertainty not merely to stability, but to a very high level of financial security that protects the jurisdictions that depend on NCBE.

It has been a privilege and honor to work with the Conference over the years, during which I have made friendships and shared experiences that have enriched my life immeasurably. I love this organization and am so grateful to have been invited to serve it.

2006–2007 NCBE Chair Diane F. Bosse

The Oxford Dictionary defines milestone as “an action or event marking a significant change or stage in development.” Milestones mark the important events in our lives and should be acknowledged and, indeed, celebrated.

The National Conference of Bar Examiners has marked many milestones in its now 86-year history. Perhaps principal among them are the adoption of the Multistate Bar Examination in 1972; the move of the corporate headquarters to Madison in 2000, which provided the impetus for the growth and professional development of the organization; and the introduction of the Uniform Bar Examination in 2009.

I was privileged to chair the Board of Trustees of the Conference during 2006–07, a year in which (no credit to me) a number of milestones were marked. In the fall of 2006, we celebrated the 75th anniversary of the Conference at a gathering of the Board in Bonita Springs, Florida, with many former chairs of the Conference in attendance. During the weekend, we captured the experiences and wisdom of our former chairs in videotaped group conversations. The resulting tapes and transcripts of those conversations are rich in history and replete with remembrances of the people, places, and events that formed the mosaic of the years of service of these remarkable former leaders of the Conference.

Another milestone of note during my year as chair of the Conference was the establishment of a special committee to consider the concept of a uniform bar exam. The work of that committee led ultimately to the creation of the UBE and its adoption in 28 jurisdictions to date.

We broke ground during my tenure as chair on the beautiful building that is now the home of the Conference—a building suited to task and buzzing with the energy and enthusiasm of the Conference’s capable and dedicated staff.

This year we mark another major milestone in the history of the Conference with the retirement of Erica Moeser, who has so ably served as the president of the organization for 23 years. Erica’s contributions to the work and dedication to the mission of the Conference cannot be overstated. Under her
sound leadership, the Conference has achieved a status and stability that could not have been imagined by the group of bar examiners who met in 1931 in Atlantic City to form the organization.

Erica’s accomplishments as president are too numerous to chronicle here, but a few merit highlighting. Erica saw the need for the Conference to develop its own psychometric expertise and hired a staff of measurement experts who have contributed enormously to the improvement of the battery of tests offered by the Conference and their reliability in making judgments about the candidates who take them. The research staff Erica has assembled studies issues of critical importance to bar admissions and the profession more broadly.

Under Erica’s leadership, the Conference expanded its educational offerings. The Bar Admissions Conference, formerly a biennial occurrence, has since become an annual must-attend event for hundreds of state supreme court justices, bar examiners, and bar admission administrators, with programming both suiting the day-to-day needs of the bar admissions community and offering guidance and insight on the larger issues of our times. Mini-seminars, workshops, and other conferences focus on discrete issues in bar admissions or are geared toward segments of the bar admissions world, such as new administrators or UBE user jurisdictions.

Erica gave legs to the idea of a uniform bar examination and has tirelessly promoted its benefits for law students and new lawyers. She reached out to law schools, creating workshops on academic support and multiple-choice question drafting and developing practice exams so that those charged with the education of our future examinees have whatever assistance the Conference can offer.

Her prudent fiscal management has placed the Conference on sound financial footing, enabling it to invest in projects and programs that suit its mission, while maintaining reasonable costs for the tests it offers.

Erica led the Conference with vision, commitment, skill, and judgment. She leaves the Conference in solid shape, grounded in the good work of the past, responsive to the concerns of the present, and poised to tackle the challenges of the future.

Many milestones are yet to be marked as the important work of the Conference continues. There are challenges ahead as we consider how we can better the process of bar admissions so as to assure as best we can by imperfect means that those admitted to practice law are competent and worthy of the public’s trust. I have abundant confidence in Judy Gundersen, the newly appointed president of the Conference, and tremendous optimism for the future.

Diane F. Bosse, chair of the NCBE Board of Trustees from 2006 to 2007, is chair of the New York State Board of Law Examiners and chair of NCBE’s Multistate Essay Examination/Multistate Performance Test Committee. Bosse is of counsel to the Buffalo law firm of Hurwitz & Fine PC.
I took the bar exam in Colorado in July 1973. It was the second year of the Multistate Bar Examination. Ninety-two percent of the July examinees in Colorado passed the exam, which remains a historical high-water mark for bar passage rates in Colorado. But I doubt that we were a preternaturally gifted group of examinees. Later I heard that the reason for the high pass rate was that the bar examiners had had to discard one of the essay questions because it tested so poorly. I think I can guess which question that was: 44 years later, I recall a question about coal-mining rights. Not a subject covered at Columbia Law School or the bar refresher course. My answer was probably some drivel invoking principles of equity, since I didn’t—and still don’t—know anything about coal-mining rights. That kind of thing would never occur these days. I doubt that Colorado scaled its essay scores to the MBE in those days, either.

Like many lawyers, I thought that the bar exam was firmly in the rearview mirror, but I was asked later to grade bar exams and in the 1990s was appointed to the Colorado Board of Law Examiners: I had become a bar examiner. I served two five-year terms. We in Colorado thought we were pretty progressive and enlightened: we calibrated our essay grading and consulted with a psychometrician (a profession I knew nothing about before bar examining) about our examination practices.

Looking back, I can see that while the MBE was a relative constant, producing the essay questions for the bar examination was a twice-a-year cottage industry. It was like a shoemaker getting out his lasts and tools twice a year to produce eight pairs of shoes, and then putting the apparatus away in the attic for the rest of the year. The members of the Board were assigned to write essay questions in selected areas, including a model answer and score sheet for use by the graders. We could develop new questions or sift through the question bank, an archive of offerings solicited from question writers over the years. With each year, the archive became a little mustier as the picked-over items usually did not gain new luster and the question bank did not receive regular infusions of new questions. And since we were all busy practicing lawyers, question drafting had to find a place on one’s list of priorities. I am sure that our questions were of somewhat uneven quality, despite the best efforts and energies of the Board members.

Colorado is now a Uniform Bar Examination state, one of the majority of states that have decided that the UBE makes sense: score portability benefits the UBE examinees, life for the state’s bar examiners is a little easier, and confidence in the process of bar examinations and admissions is high.

That Colorado and other jurisdictions have been able to emerge from the cottage-industry phase of creating bar examinations is due, in no small part, to the emergence of the National Conference of Bar Examiners over the past 20 years as a source of guidance, support, and leadership in our somewhat arcane field of bar admissions. The Conference’s examinations—the MBE, MEE, MPT, and MPRE—have come to be recognized as excellent high-stakes test products, developed with great care and attention to detail and managed with integrity. The Conference has been able to add valuable services, such as psychometric consulting, character and fitness investigation services, workshops, and educational programs, which are available to the jurisdictions as resources.

Even as the Conference’s influence in bar admissions has grown, and bar examiners in UBE states have come to accept the examination grades rendered by other UBE states, the Conference remains respectful of the fact that each jurisdiction is responsible for determining who shall be admitted to practice law therein. Each jurisdiction guards its
autonomy, with varying degrees of jealousy, from usurpation by or surrender to outside authority and may be wary of outside influence. At the same time, no jurisdiction is immune from the larger forces at play in the legal profession or the challenges faced by law schools and law students—or from the push for greater lawyer mobility reflecting a shrinking globe and the interest of nonlawyers in identifying and outsourcing matters which need not be performed by a licensed lawyer. The profession and the public have begun to demand more from bar examiners; bar examiners, in turn, have needed additional resources, often beyond the resources of any single jurisdiction, to meet these challenges.

In this environment, the Conference has grown by gaining the trust and confidence not only of the jurisdictions (i.e., the state supreme courts as well as the administrators), which are its core constituency, but also of the law schools, law students, and the organized bar. The Conference’s success to date in this ongoing process is a credit to the dedication, vision, and energy of its president, Erica Moeser, who, I believe, has devoted every waking moment since her appointment in 1994 to the betterment of bar admissions and building the capabilities of the Conference. I could detail the many ways, large and small, in which the Conference has buttressed the integrity of the bar examination and admissions processes, but space is limited, and you get the idea. We’ll all miss Erica, but she leaves a capable, respected organization with a unique profile in bar admissions.

Frederick Y. Yu, chair of the NCBE Board of Trustees from 2008 to 2009, is a former member of the Colorado Board of Law Examiners and chair of NCBE’s Diversity Issues Committee. He practiced law in Denver, Colorado, from 1973 until 2015.

2011–2012 NCBE Chair Rebecca S. Thiem

Frankly, until I became a member of the NCBE Board of Trustees, I was clueless about the depth and breadth of the responsibilities of the Conference. Sure, I knew something about the organization, having regularly attended its annual educational conferences as an 18-year member of the North Dakota Board of Law Examiners. These ambitious programs inspired me to think globally about a bar examiner’s role not only in protecting the public, but also in educating our licensees about the professional and ethical demands of being an attorney.

Nevertheless, there was a huge learning curve once I became a member of the Board under the chairmanships of my mentors, David Boyd of Alabama and later Diane Bosse of New York. It quickly became apparent that NCBE was a growing, high-powered, and highly successful organization, with a capable and professional staff led by president Erica Moeser.

Erica epitomizes what our brilliant friend and colleague John W. Reed, longtime member of the faculty of the University of Michigan Law School and frequent keynote speaker at NCBE’s Annual Bar Admissions Conferences, noted in a March 2008 address to the International Society of Barristers: “Most problems are solved, most barriers are surmounted, most opportunities are realized not by monumental acts of flashing insight and daring, but by an accumulation of little acts. We achieve our greatest purposes by attending faithfully to the smallest things.” This is not to say that Erica does
not have “flashing insight and daring,” as evidenced in her eloquent presentations. But Erica’s greatest gift is her steady, diligent, and unrelenting attention to the details of problem solving.

I am particularly proud that during my time as chair of the Board from August 2011 to August 2012, we were able to make serious headway on a number of important initiatives and opportunities. The Conference’s Content Validity Study was completed, whose purpose was to develop a comprehensive and valid set of data in order to evaluate what a newly admitted lawyer really needs to know. Federal Civil Procedure was added as a content area to the Multistate Bar Examination, after careful evaluation of its feasibility in the MBE format.

My year also included the further evolution and expansion of the Uniform Bar Examination. The UBE is an issue particularly near and dear to my heart, as I have believed for a long time that we need to assist law school graduates who are weighted down with debt in an uncertain job market. Having a uniform score that is portable and transferable to other jurisdictions enhances job prospects and also provides flexibility for the law firm employer and its clients. When I was chair, 10 jurisdictions had adopted the UBE. Currently, there are 28 UBE jurisdictions and growing.

The UBE is still my passion, as I served until recently with Greg Murphy of Montana as co-chair of NCBE’s Special Committee on the Uniform Bar Examination. I still remember meeting Greg from my sister state of Montana at one of my earliest annual conferences. I was struck by the fact that at his very young age, Greg had already served as chair of the Conference. Greg and I have “aged” together in this organization, although he is still younger than I am. I guess I can’t change that.

There are so many heroes of the UBE that it would be difficult to provide a complete list. However, I am particularly pleased to honor the work of incoming committee chair Cindy Martin, incoming NCBE chair Rebecca Berch, and Diane Bosse for promoting its adoption in the states of Missouri, Arizona, and New York. Missouri was the first state, Arizona was the first sun-belt state, and New York was the largest state. I am sure there will be continued success for the UBE, because it just makes sense.

In these times of uncertainty in the world and in the legal profession, I am proud to have served NCBE with colleagues and friends who speak up about important issues and dedicate themselves to solving problems and facing challenges. As Martin Luther King Jr. said, “Our lives begin to end the day we become silent about things that matter.”

Rebecca S. Thiem, chair of the NCBE Board of Trustees from 2011 to 2012, is the former president of the North Dakota Board of Law Examiners. Thiem practices law in Bismarck, North Dakota.
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y year as chair of NCBE was even more exciting than I had anticipated. It began when Erica Moeser, because of a conflict, was unable to attend the inaugural International Conference of Legal Regulators. The burden fell on me to travel to London!

It was truly an eye-opening experience to learn firsthand of the many different approaches in the different jurisdictions to bar admissions and regulation. Needless to say, when you have regulators from over 30 jurisdictions comparing notes, you discover an ocean of difference in their approaches. Not surprisingly, some representatives had a difficult time understanding the logic in our 50+ jurisdictions with different bar exams, different pass/fail lines, and different admission standards. The conference left me with a deep appreciation for the role that NCBE plays in encouraging communication among our U.S. jurisdictions and providing the information and assistance that they need to successfully fulfill their roles as gatekeepers of the profession. It also left me with renewed confidence in the future of our profession worldwide and a renewed awareness of the challenges facing regulators in both admissions and oversight.

The excitement during my term as chair continued. The 2013 Annual Bar Admissions Conference was scheduled to be held in Boston on April 18–21. Yes, that’s right: Boston, April 2013, site of the bombings at the finish line of the Boston Marathon just three days before the conference was to begin. NCBE had to make a decision as to whether to pull the plug on the conference or proceed as planned. As is so often the case during the immediate hours following such horrific events, it was difficult to determine from the news accounts what was actually transpiring in the city. As was to be expected, Erica Moeser and NCBE staff leapt into action in an effort to evaluate whether the meeting could proceed as planned. On the eve of the conference, having been assured by the hotel, the Boston mayor’s office, and the officials at Logan Airport that all was safe and that Boston was “open for business,” Erica and her staff made the decision to proceed with the conference.

Those of us who arrived in Boston on Thursday found the city fully functioning but with a large police presence. After the shootings on Thursday night of one of the suspects and of a police officer, the situation intensified. The “sheltering-in-place” of Boston on Friday was a surreal experience. No public or private transportation was running. All businesses, restaurants, and stores were closed. Except for law enforcement, which clearly had control of the city, the streets were empty. With the arrest of the second suspect on Friday, the city came back to life. The Red Sox won the game at Fenway that Saturday afternoon, but the celebration of Boston Strong at the game is what all will remember. It was an emotional celebration honoring those who had been killed or injured and recognizing law enforcement personnel and Boston Marathon runners and volunteers. It was topped off with an impromptu singing of “Sweet Caroline” by Neil Diamond. Everyone was in tears.

It is no surprise to me, nor would it be to anyone associated with NCBE and its capable staff, that the Boston conference, despite the challenging circumstances, was a success and went off without a hitch. During my term as chair and throughout the years, I have been constantly amazed at the knowledge, competency, and enthusiasm of the Conference staff. There is no hill they would not climb or have not climbed under the unfailing leadership of Erica Moeser. They all exhibit the dedication to the mission of the Conference that is also shared by NCBE’s many volunteers.

It is impossible to quantify Erica Moeser’s influence on bar admissions in every jurisdiction. She
Erica Moeser has led NCBE with vision and clarity of purpose for years. Erica is tough, honest, and a good judge of character and ability. She’s not one to pick a fight with. She always does her homework and can be very persuasive. I have more respect for her ability and leadership than for anyone I have ever known. She leaves the Conference in good shape—it is indeed the house that Erica built. Her leadership will be missed, but we are all confident in the future under the leadership of NCBE’s new president, Judy Gundersen. After all, she was hired and trained by Erica Moeser herself. The future looks very bright for NCBE.

Franklin R. Harrison, chair of the NCBE Board of Trustees from 2012 to 2013, is an emeritus member and former chair of the Florida Board of Bar Examiners, and chair of NCBE’s Multistate Bar Examination Committee. He is a partner in the Panama City firm of Harrison Sale McCloy.

2014–2015 NCBE Chair Bryan R. Williams

From August 2014 to August 2015, I had the privilege to serve as chair of the Board of Trustees of the National Conference of Bar Examiners. Serving as chair was the culmination of a journey that started eight short years earlier in August 2006, when I was named as a member of the Board. Though I had already been a bar examiner for some 20 years when I joined the NCBE Board, my experience on the Board was truly eye-opening in coming to understand how different jurisdictions approached bar admissions and the incredible work that NCBE performs to serve those jurisdictions.

During my time as chair, the Board met in a variety of locations: Indianapolis, Indiana; San Juan, Puerto Rico; New York City; and Wilmington, North Carolina. Each of these places, unique in its own way, was also special to me for different reasons. I selected these locations for our quarterly meetings to give my fellow Board members the opportunity to experience their variety and to get a sense of their importance to me.

We had several challenges during my tenure as chair, many of which continue to be issues in the bar examining community today. The fall of 2014 was the first year when we started to see a decrease in the passing rate on the bar examination in many jurisdictions. This led to discourse in the legal education community on the cause of the decrease and a questioning of the equating process of the Multistate Bar Examination. The decrease in scores also led to more attention being paid to the scores that predict success in law school, the number of students entering law school, the number of students who take the LSAT but decide not to attend law school, and the implications of these factors for the profession. In addition to the decrease in scores and the decrease in law school enrollment, the increase in student debt, the admission of foreign-trained lawyers, and the use of computerized testing were all hot-button issues that continue to be dissected and discussed today.

One of the most exciting developments during my tenure as chair was the continued expansion of the Uniform Bar Examination. In the spring of 2015, it was announced that New York, the state with the largest number of annual bar exam takers in the country, would join the ranks of UBE jurisdictions,
becoming the 16th state to adopt the UBE—a watershed moment for the exam. In just two short years from New York’s announcement, the UBE has grown from 16 jurisdictions to 28.

During my time as a member of the Board of Trustees and certainly during my year as chair, the three things that never changed were the commitment and hard work of the volunteer Board members and committee chairs who gave their time and effort to help guide NCBE’s many activities; the dedication of the wonderful NCBE staff in Madison who executed their work with professionalism and skill; and the excellent leadership of NCBE’s president, Erica Moeser, who made everything happen.

Erica’s leadership cannot really be put into words. In her years as president, Erica has grown NCBE into the preeminent expert organization in legal licensure. Under her leadership, the organization has not only found ways to help make the traditional bar exam better but has looked to the future to explore ways to test practical skills, legal research, and legal writing. Because of the foundation that Erica has established, NCBE will continue to identify issues and find answers to questions that will keep it on the cutting edge of professional licensure testing.

Erica’s knowledge of bar examining, her relationships with the bar admissions community, and her attention to detail cannot be matched. It was not really until I became chair that I truly understood what Erica means to NCBE. Though her rest is well deserved, she will truly be missed by the National Conference of Bar Examiners and the bar admissions community. I was proud to serve under Erica’s leadership as both a member and chair of the Board, and I wish her all success and happiness in her retirement.

Bryan R. Williams, chair of the NCBE Board of Trustees from 2014 to 2015, is a member of the New York State Board of Law Examiners. He is a partner in the Manhattan law firm Pettus & Williams PLLC.