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LETTER FROM THE CHAIR

Martin Luther King Jr. said: "Our lives begin to end the day we become silent about things that matter." What I have learned during my eight years of serving on the NCBE Board of Trustees, and since last August as its Chair, is that the professional work of the bar admissions community "matters," particularly in this time of uncertainty and change in the legal profession. I am proud to be associated with colleagues who speak up about these important issues and dedicate themselves to solving the problems and challenges we face.

Our friend and colleague John W. Reed noted in his March 2008 address to the Annual Convention of 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."

NCBE is fortunate indeed to be led by President Erica Moeser and her classy and capable staff, who attend faithfully to both the largest and the "smallest things." Those of you who attended the NCBE Annual Bar Admissions Conference in Savannah in April were fortunate to witness firsthand this attention to detail, for which staff members Deb Martin and Laurie Lutz deserve much of the credit. One of the primary purposes of the annual conference is to highlight the issues and challenges facing the bar admissions community. The conference this year covered a wide range of topics and was well received by those in attendance.

I am proud that during my year as Chair we have made significant headway on the following important initiatives, which fortunately are more in the nature of opportunities than problems: the Content Validity Study, the addition of Federal Civil Procedure as a content area to the MBE, and the Uniform Bar Examination (UBE).

The core of a bar examiner's mission is to test the knowledge and skills that a newly licensed lawyer should have in order to practice law without endangering the public. In my 30-plus years as a general practitioner, I have learned that practicing law, even at an entry level, requires a breadth

of knowledge and a skill set of such complexity that makes evaluation of minimum competency a challenging process. The purpose of the Content Validity Study is to develop a more comprehensive and valid set of data from which we can evaluate what a new lawyer really needs to know. The results of the Content Validity Study will be presented in June 2012 to the Long Range Planning Committee, so ably chaired by Diane Bosse and David Boyd. It is expected that incoming NCBE Chair Franklin Harrison will focus his year on evaluating the survey results in order to implement the changes deemed necessary and appropriate.



In developing the Content Validity Study survey instrument based on the job analysis process—which included phone interviews with newly licensed and experienced lawyers and a review of job logs completed by lawyers—it became apparent that both legal research and civil procedure were important knowledge and skill components for a newly licensed lawyer. The Board of Trustees recently made a decision to add the topic of Federal Civil Procedure to the MBE. I am pleased to report that a group of item writers led by Mary Kay Kane, the longtime dean at Hastings College of the Law, has met and has successfully drafted potential questions. It is anticipated that Federal Civil Procedure questions will be included on the MBE by no later than 2016. The inclusion of legal research in the test specifications was previously studied; I fully expect that it will continue to be seriously considered as a result of the Content Validity Study.

The UBE is an issue particularly near and dear to my heart. I believe it is a change that is sorely needed to assist graduates who often come out of law school weighted down with debt and uncertain

job prospects. Having a score that is portable and transferable to several jurisdictions enhances job prospects and provides flexibility for the employing law firm and its clients as well as for the individual lawyer. For these reasons, eight jurisdictions have adopted (and one jurisdiction has conditionally approved) the UBE, and interest continues to grow.

The Content Validity Study, the addition of Federal Civil Procedure to the MBE, and the UBE are only a few of the areas in which progress has been made by NCBE committees this last year. I wish to thank all committee chairs and committee members who affirmatively answered my call to volunteer. At every committee meeting I attended, I was impressed with the sincerity and seriousness expressed by the committee members. Hopefully, no one felt his or her time was wasted in providing these very valuable services to the NCBE Board of Trustees.

In closing, I wish to thank the Board of Trustees, including President Erica Moeser, the Executive Committee, and the committee chairs, who have provided me with their support, encouragement, and dedication this past year. We all join in wishing our best to Phil Madden, who will be leaving the Board after the August Annual Meeting in Burlington, Vermont. I very much look forward to serving with incoming Chair Franklin Harrison, who will exuberantly lead us with his special brand of common sense and humor. 📧

Best regards to all.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca S. Thiem".

Rebecca S. Thiem