

PRESIDENT'S PAGE

by Erica Moeser

It's that time of year again. The NCBE year begins with each August's Annual Meeting, and there is an air of excitement as each year starts to unfold. I think of shiny new leather school shoes before they become scuffed on the playground, plaid pleated skirts, and a lot of other things that would make today's schoolchildren cringe. But the sense of a new beginning is always there along with the crisp late-summer evenings that hint at fall.

The July 2012 bar examinations are receding into memory, although many bar examiners are barely into their enormous stacks of papers to grade. Here at NCBE our score reports are out and in the hands of the jurisdictions, and we are looking ahead to providing tests and services for next February's round of exams.

Somewhat to my surprise, the cohort that took the July 2012 MBE was the largest group on record—52,332 candidates took the test, beating the old record set in 2006. Add to that number all the test takers who transferred older MBE scores or who tested in the two jurisdictions that do not currently require the MBE, and you have a bumper crop. The record may stand for a while, as word from the law school admissions world is that applications have faltered. Even with new law schools coming on line every year, enrollment trends may well be down. We will know better about the 2012 entering class once the ABA completes its annual data collection sweep this fall.



The birth of the NCBE Number for identification purposes on test materials has gone smoothly. That number, which bar admission candidates obtain free of charge through a brief visit to the NCBE website, www.ncbex.org, is intended to supplant the Social Security number as an identifier and to assist in matching morning and afternoon MBE answer sheets, especially for those jurisdictions that do not currently instruct their candidates to provide critical identifying information

for an absolute match. (Having learned of the high incidence of cases in which understandably nervous candidates botch one or both of their answer-sheet grids, I believe even more firmly that the NCBE Number is a godsend.)

For a WOW! moment, consider that despite the short time that the NCBE Number has existed, it was used by 45% of all examinees—23,560, to be exact—who took the MBE this past July. Special kudos to New York, California, Pennsylvania, Virginia, New Mexico, New Hampshire, North Dakota, South Dakota, and the Virgin Islands for launching the use of the number with such remarkable success. You are definitely in the vanguard.

The Uniform Bar Examination continues to draw interest. Both Utah and Montana joined the ranks of UBE users this summer, and other jurisdictions are progressing toward adoption. We are now at 10—and counting.

This summer NCBE also ratcheted up its score scaling services for those jurisdictions that seek

greater certainty that their score combining methods are sound. NCBE performs score scaling at no charge for any jurisdiction that requests it. Sometimes jurisdictions that already have a system in place look to the NCBE staff for an additional level of comfort, and sometimes we are the only scoring service used. We have discovered through our work with jurisdictions that sometimes what was thought to be a tried-and-true system for local score combining isn't so true after all.

Our job this summer has been to bring more certainty and clarity to score combining, and the NCBE measurement staff has met that objective. UBE jurisdictions already submit their scores to NCBE for combining to be sure that transferred UBE scores are of the apples-to-apples variety, and that has gone extremely well.

On the education side, we are already painting the new canvas for the annual invitational event we hold each April. In 2013 the NCBE Annual Bar Admissions Conference will be held in Boston. The programming has been planned and speakers have accepted. We expect a good crowd. It has been hard to schedule a large conference in Boston in the past, so when this opportunity came along we jumped at the chance to visit the Bay Colony.

By the time this column appears, we will have already delivered our first educational effort of the year, the Testing, Grading, and Scoring event to which we invite one representative from every jurisdiction. While we encourage new graders to attend, we often get more experienced graders who seek advice about how to improve their grading skills. Over the years we have learned to spend time on basic testing concepts, because even the finest lawyer does not arrive with factory-installed evaluation knowledge and all the skills necessary for high-stakes testing in a licensing context.

In 2013 we will launch a relationship with a different testing agency for delivery of the Multistate Professional Responsibility Examination. The Law School Admission Council, which creates and delivers the Law School Admission Test, will assume responsibility for administration of the MPRE. Test development work, scoring, and reporting will be done by NCBE. We are very encouraged by the capability of the LSAC staff members with whom we have been working to assure a seamless transition.

The addition of Civil Procedure to the Multistate Bar Examination is proceeding beautifully. While it will be at least two years before items appear on the test because of our commitment to quality-control procedures, the material that our drafters are producing is tremendously encouraging.

The job analysis that was completed on schedule this past August as part of NCBE's Content Validity Study is now going to be the subject of intense consideration—and probably some debate—concerning what the future may hold for our tests. While we have found ample evidence of the validity of our current tests, we also see in the results of the analysis an invitation to take on more content and to figure out the feasibility of making changes and additions to our current test battery.

Finally, an update on CBAA leadership is in order: Dave Ewert of Iowa has returned as CBAA chair in an encore. He previously served in that capacity in 2010–2011 and, as Penny Miller of North Dakota cleverly phrased it, “it's *dévà vu!*” I look forward to working with him again.

So here I am, decked out in my new pair of school shoes, eagerly awaiting the beginning of another challenging—and probably unforgettable—year. Let the scuffling begin! 📖