

House Bill 638 increases the size of the Vermont Board of Bar Examiners from nine persons to 11 voting members. This is based upon a request from the Vermont Board of Bar Examiners, of which I have the privilege to be Chair, so as to not require Board members to double grade bar exams. In July of 2016, Vermont administered for the first time the Uniform Bar Exam (hereinafter "UBE") as part of a nationwide movement towards the Uniform Bar Exam. As part of this adoption of the UBE, the Essay day¹ of the two day bar exam went from five essays and two Performance based tests to six essays and two performance based tests. Pursuant to the current makeup of the Board of seven lawyers and two lay members², that now requires a Board member and an Associate Board Member to grade two sets of bar exams. This is an unreasonable request for a fully volunteer Board. For the February exam we typically have about 50 applicants, for the July administration of the bar we have about 70 applicants, sometimes more. Asking a volunteer Board member and an Associate Board Member to grade this many exams is unduly burdensome on the time and good will of these volunteers. Increasing the Board size by two will allow each Board member to only grade one essay exam and allow for a spare Board member in case of sickness or other disability to be a substitute if necessary. There will be no cost to this measure as these are all volunteers.

¹ This is in addition to a full day multiple choice exam also administered, but not graded by the Board.

² As they are not trained lawyers, the lay members of our Board do not grade the essay exams.