

**Comprehensive Competency Study  
MN Board of Law Examiners  
Working Groups**

**Group 1 – Bar Examination Method**

In January 2021, the National Conference of Bar Examiners (NCBE) announced that as the result of a comprehensive three-year study, changes will be made to the bar examination. Implementation of these changes is anticipated to be in 2026. As a Uniform Bar Examination (UBE) jurisdiction, Minnesota is reviewing the recommendations put forth by the NCBE regarding the [NextGen](#) examination. As part of this study, Group 1 will look at the recommended changes as well as any critiques of the revised examination as one of the models of the bar examination method. The group will also consider whether Minnesota should consider a state specific component (versus testing general principles of law). We would also ask this group to discuss the long-standing history of the bar exam component to attorney licensure and its level of importance moving forward, including how it has evolved and the expectations as it moves forward.

Name	Additional Information
David Schultz, Co-Chair	Hamline; Minnesota State Bar Association (BAAC)
Wil Fluegel, Co-Chair	Fluegel Law Office; MN Board of Law Examiners (BAAC)
Chase Andersen	Lawyers Concerned for Lawyers
Debbie Shapiro	University of St. Thomas, School of Law (BAAC)
Dena Sonbol	Mitchell Hamline School of Law (BAAC)
Joel Nichols	University of St. Thomas (BAAC)
Kim Ronning	University of Minnesota (BAAC)
Landon Ascheman	Ascheman Law; Minnesota State Bar Association (BAAC)
Nicholas Ryan	Law Office of Eric T. Cooperstein, PLLC; HCBA – New Lawyers Section
Robb Enslin	Trial Group North, Duluth, MN; Lawyer
Shawne Monahan	MN Board of Law Examiners – Public Member (BAAC)

BLE Staff: Emily Corson

BLE: Staff: Emily Eschweiler

BLE Comprehensive Competency Committee Chair: Tom Boyd, Winthrop and Weinstein - MN Board of Law Examiners (BAAC)

John Koneck, *ex officio* – President, Minnesota Board of Law Examiners

## Group 2 - Experiential/Clinic Method

Group 2 will undertake an in-depth review of potential models that focus on experiential or hands-on methods to licensure (e.g. apprenticeships) during law school. Components to consider when evaluating models utilizing this method include: use of portfolios to show progress, time commitment by law professors and law students, standard rubric for grading purposes, set baseline for law students to enter experiential program, etc. As part of this group's work, we would ask Group 2 to also consider the "diploma privilege" method of licensure. When studying this method, the group will consider what an ABA degree means, in-state versus out-of-state law schools, and variations between law schools.

Name	Additional Information
Cresston Gackle, Co-Chair	Cresston Law LLC; New Lawyer
Hon. Juan Hoyos, Co-Chair	Hennepin County Judge; MN Board of Law Examiners (BAAC)
Andrew Rhoades	Transportation Security Administration; Lawyers' Professional Responsibility Board – Public Member
Dean Anthony Niedwiecki	Mitchell Hamline (BAAC)
Frank Aba-Onu	Prime Therapeutics; Minnesota Association of Black Lawyers (MABL)
Jonathon Nelson	Dedicated Commercial Recovery, Inc.; HCBA - New Lawyers Section
Kate Kruse	Mitchell Hamline
Lisa Montpetit Brabbit	University of St. Thomas (BAAC)
Lynn LeMoine	Mitchell Hamline (BAAC)
Tom Nelson	Stinson; Former MSBA President
Lisa Peralta	Lawyer; Minnesota Women Lawyers
Michael Studer	Harbott, Knutson, Larson, & Holten, Crookston, MN; New Lawyer

BLE Staff: Natasha Melchionne

BLE: Staff: Emily Eschweiler

BLE Comprehensive Competency Committee Chair: Tom Boyd, Winthrop and Weinstein - MN Board of Law Examiners (BAAC)

John Koneck, *ex officio* – President, Minnesota Board of Law Examiners

### **Group 3 – Supervised Practice Method**

Group 3 will undertake an in-depth review of post-graduation, supervised practice with a Minnesota licensed attorney. During this review, the following components may be considered: number of supervision hours, documentation of progress, set standards or objectives for the adequate completion of supervision/program, how to verify that the individual is competent as a generalist and not just in one area of law, whether there is enough support in the legal community to provide a substantial number of practitioners to participate in this program each year, etc.

Name	Additional Information
Carol Chomsky, Co-Chair	University of Minnesota Law School
Megan Miller, Co-Chair	Winthrop and Weinstine; New Lawyers
Anjie Flowers	Anoka-Hennepin School District; MSBA (BAAC)
Bruce Williams	The Law Office of Bruce R. Williams, Virginia, MN
Dana Mitchell	Assistant Ramsey County Attorney; Minnesota Association of Black Lawyers (MABL)
Jennifer Peterson	Office of Lawyers Professional Responsibility
John Koneck	Fredrickson & Byron; President of the MN Board of Law Examiners (BAAC)
Julian Zebot	Mason LLP; Lawyer's Professional Responsibility Board - Lawyer Member
Leanne Fuith	Mitchell Hamline (BAAC)
Lori Thompson	White Earth Tribal Court; Minnesota Judicial Branch – Committee of Equality & Justice
Monica Gould	University of St. Thomas (BAAC)
Pat Beety	League of MN Cities; MN Board of Law Examiners (BAAC)
Scott Swanson	Retiree (formerly University of St. Thomas)

BLE Staff: AJ Dordel

BLE: Staff: Emily Eschweiler

BLE Comprehensive Competency Committee Chair: Tom Boyd, Winthrop and Weinstine - MN Board of Law Examiners (BAAC)

John Koneck, *ex officio* – President, Minnesota Board of Law Examiners

### **BASELINE CRITERIA (applicable to all groups):**

All working groups will use this list of criteria as the framework for each of their discussions and research in order to provide a comprehensive and thorough review to the larger working group at the end of May 2022.

1. Ensure that members of the bar are worthy of public trust with regard to their professional competence.
2. Evaluate applicant's ability to satisfy the Essential Eligibility Requirements under Rule 5A of the Rules for Admission to the Bar, including:
  - an understanding of threshold knowledge in core subjects;
  - an understanding of legal processes and sources of law;
  - an ability to reason, recall complex factual information, and integrate that information with complex legal theories;
  - the ability to determine the importance of the information to the overall client matter;
  - the ability to communicate with a high degree of clarity and organization;
  - the ability to interact effectively with clients; and
  - the ability to conduct legal research;
3. Accounting for diversity in the age, race, ethnicity, gender, geographic location, and practices of applicants and the clients who rely on Minnesota lawyers for their legal needs.
4. Ensuring equal access to the practice of law and working to eliminate inequitable barriers to the practice of law on the basis of socio-economic status, race, gender, disability status, etc.
5. Law student and lawyer well-being.
6. Evaluating feasibility in terms of scalability, flexibility, and costs and resources required for implementation: e.g., to applicants, law schools, administration, the bar, regulators, MBE staff, etc.
7. Ability of law schools to implement, the flexibility of curriculum and any ABA-Accreditation concerns
8. Reliability of standards to determine meaningful, objective, and consistent results.
9. Available data regarding prior use of method/particular model
10. Other considerations raised by key stakeholders