

**SUPREME COURT MINUTES
TUESDAY, OCTOBER 22, 2024
SAN FRANCISCO, CALIFORNIA**

S286716**LACHER ON DISCIPLINE**

Order filed: cause suspended due to bankruptcy stay – PAMELA GAYLE LACHER

The court is in receipt of a notice from petitioner that a bankruptcy petition has been filed. Such notice operates as an automatic stay in this proceeding and the applicable time periods of rule 8.512(b) of the California Rules of Court are hereby suspended.

Counsel for the petitioner is directed to file quarterly reports with the Clerk of this court regarding the status of this bankruptcy action. At such time as this court receives proper notice terminating or granting relief from the bankruptcy stay of proceedings, the court will enter an order terminating the suspension of the applicable time periods of rule 8.512(b) and said time periods shall begin running anew from the date of that order.

S141519**PEOPLE v. HIN (MAO)**

Supplemental briefing ordered

The parties are directed to serve and file simultaneous supplemental letter briefs addressing the following question: Does double jeopardy apply in circumstances where evidence of a legally valid theory of murder liability was presented to the jury along with another theory that is later invalidated?

The parties are directed to serve and file simultaneous letter briefs on or before November 1, 2024. Any amicus curiae may serve and file a letter brief on or before that date. The parties may serve and file reply briefs on or before November 8, 2024. Absent further order of this court, the matter will be submitted, after the court has heard oral argument, on November 8, 2024. (Cal. Rules of Court, rule 8.524(h)(1).)

S136171**PEOPLE v. WESSON
(MARCUS DELON)**

Extension of time granted

Upon application of Deputy Attorney General Ian Whitney, an extension of time in which to serve and file respondent's supplemental respondent's brief is granted to December 2, 2024. Within 20 days after the supplemental respondent's brief has been filed pursuant to this order, appellant may thereafter serve and file a supplemental reply brief, not to exceed 25 pages in length.

S174227**PEOPLE v. GUERRERO
(JOSE)**

Extension of time granted

Upon application of counsel J. Wilder Lee, an extension of time in which to serve and file appellant's supplemental opening brief is granted to December 24, 2024. Within 30 days after any supplemental opening brief has been filed pursuant to this order, the People may serve and file a supplemental answering brief, not to exceed 50 pages in length. Appellant may thereafter serve and file a reply, not to exceed 25 pages in length, within 20 days after the People have filed their supplemental answering brief.

S242076**PEOPLE v. CONTRERAS
(DAVID REY)**

Extension of time granted

Based upon Deputy Attorney General Meredith S. White's representation that the respondent's brief is anticipated to be filed by December 10, 2024, an extension of time in which to serve and file that brief is granted to December 10, 2024. After that date, no further extension is contemplated.

An application to file an overlength brief must be served and filed no later than 60 days before the anticipated filing date. (See Cal. Rules of Court, rule 8.631(d)(1)(A)(ii) & (B)(ii).)

S285005**CABRERA (MIGUEL ANGEL)
ON H.C.**

Extension of time granted

On application of petitioner and good cause appearing, it is ordered that the time to serve and file the reply to informal response is extended to November 21, 2024.

S285440**RODRIGUEZ (PEDRO) ON
H.C.**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the informal response is extended to November 27, 2024.

S286264**LOS ANGELES COUNTY
EMPLOYEES RETIREMENT
ASSOCIATION v. COUNTY
OF LOS ANGELES**

Extension of time granted

On application of respondents and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 16, 2024.

S286297 H050122 Sixth Appellate District**PEOPLE v. COFER
(CHRISTOPHER LEE)**

Extension of time granted

On application of respondent and good cause appearing, it is ordered that the time to serve and file the opening brief on the merits is extended to December 2, 2024.

S141519

Order filed

PEOPLE v. HIN (MAO)

The request of counsel for appellant in the above-referenced cause to be allotted 45 minutes of oral argument time is hereby granted.

S286827 **ADMIN. 2024-10-21****IMPLEMENT A SCORING
ADJUSTMENT ON 2025
CALIFORNIA BAR
EXAMINATION
ADMINISTRATIONS AS
INCENTIVE FOR
EXPERIMENTAL STUDY
PARTICIPATION**

Order filed

The Court is in receipt of the State Bar's Request to Implement a Scoring Adjustment on [the] 2025 California Bar Examination Administrations as Incentive for Experimental Study Participation, filed on September 9, 2024. The Court, having considered the request, approves it in part, and denies it in part without prejudice, as follows:

Participants in phase 1 of the proposed study, to be administered on November 8, 2024 and November 9, 2024, who meet a minimum threshold of performance will be eligible to receive a scaled score adjustment on the multiple-choice portion of the General Bar Examination on whichever of the 2025 administrations of the General Bar Examination they attempt first. The scaled score adjustment will be based on the participants' performance in phase 1 of the proposed

study. No participant shall receive a scoring adjustment simply for participating in the proposed study.

The minimum threshold performance score will be determined by the Committee of Bar Examiners (Committee) after psychometric analysis of results of the proposed study evaluating the participants' motivation to perform.

The Committee shall determine the magnitude of the scaled score adjustment for phase 1, informed by psychometric analysis of results of the proposed study. Any such scaled score adjustment shall not exceed one standard error of measurement of the participant's total scaled score for the multiple-choice portion of whichever of the 2025 administrations of the General Bar Examination they attempt first.

Any scoring adjustments for participants shall only be made after the State Bar's scoring, scaling, weighting, and reappraisal procedures have been completed. The scoring adjustment, if applied, does not alter the maximum available points for the General Bar Examination or its passing score. Rather, the proposed study potentially provides participants with additional questions through which they may demonstrate competency.

The request for a scoring adjustment for phase 2 of the proposed study is denied without prejudice pending the results of phase 1 of the proposed study and further clarification of the number of test items to be utilized, their type, and the methodology used to adjust for performance differences that might be attributable to the different testing modalities being explored in that proposed study.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S287231 ADMIN. 2024-10-21

**RENEWED PROPOSED
MODIFICATIONS TO THE
CALIFORNIA BAR
EXAMINATION**

Order filed

The Court is in receipt of the State Bar of California's Renewed Request That the Supreme Court Approve Proposed Modifications to the California Bar Examination, filed on October 4, 2024.

The Court, having considered the State Bar's request, approves the modifications below beginning with the February 2025 General Bar Examination.

The General Bar Examination will be administered commencing on the last Tuesday in February and the last Tuesday in July of each calendar year remotely and/or in-person at vendor-run or State-Bar run test centers.

The first day of the General Bar Examination will constitute the written portion of the examination and will be comprised of five one-hour essay questions and one 90-minute Performance Test.

The second day of the General Bar Examination will constitute the multiple-choice portion of the examination and will consist of 200 multiple-choice questions administered over four 90-minute sessions.

The first day of testing will also constitute the Attorneys' Examination. Qualified attorney applicants are not required to take the multiple-choice portion of the exam but may opt to do so by enrolling for and taking the full General Bar Examination.

The length of each session, the order of testing, and the overall length of the examination may be modified for applicants granted certain testing accommodations.

The answers to the written portion will be graded on the basis of 700 possible raw points - representing up to 100 raw points for each of the five essay questions and up to 200 raw points for the 90-minute Performance Test question.

During the grading process, the written and multiple-choice portions will be scaled and weighted equally (50 percent assigned to each). Applicants who take the Attorney Examination will have their scores scaled, and the answers to the five essays and the Performance Test questions will be weighted at 100 percent.

The passing score for the General Bar Examination and Attorneys' Examination will be a total scaled score of 1390 or better out of 2000 points.

This order supersedes the Court's March 16, 2016, and May 19, 2022 orders. The Court will revise or supersede this order, as necessary, regarding this and future administrations of the General Bar Examination.

Votes: Guerrero, C. J., Corrigan, Liu, Kruger, Groban, Jenkins, and Evans, JJ.

S287198

**DENOS (DEBRAH) v. S.C.
(CALIFORNIA COMMUNITY
HOUSING AGENCY)**

Transferred to Court of Appeal, First Appellate District

The above-entitled matter is transferred to the Court of Appeal, First Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.