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**ANALYSIS OF THE
JULY 2007 GENERAL BAR EXAMINATION**

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SUMMARY

The July 2007 General Bar Examination (GBX) had two sections: the Multistate Bar Examination (MBE), a 190-item multiple choice test; and a Written examination composed of six essay questions and two Performance Test (PT) problems. There were 8115 applicants who completed both sections, 26% of whom had taken the GBX at least once before.

MBE raw scores (the number of questions answered correctly) were converted to scale scores that controlled for possible differences in average item difficulty from one administration of the examination to the next. The maximum possible MBE scale score was 2000 points. Essay and PT answers were graded on a 40 to 100 point scale. Scores on this scale were assigned in 5-point intervals. PT scores were multiplied by two (2) so that the maximum possible Written raw score was 1000 points.

Written raw scores were converted to the MBE's 2000 point scale. This was done to adjust for possible differences over time in the difficulty of the questions asked and the leniency with which the answers to them are graded. An applicant's Total score was computed using the formula below:

$$\text{Total Scale Score} = (.35 \times \text{MBE Scale}) + (.65 \times \text{Written Scale})$$

A three-phased grading process was used to determine an applicant's pass/fail status. In Phase 1, applicants were passed if their Total scale scores were at least 1440 and failed if they were less than 1390. All the remaining applicants (i.e., those with total scores between 1390 and 1439) went to Phase 2 where they had all their essay and PT answers read again. The second grader on an answer was a different person than the first grader, and the second grader did not have access to the grade assigned by the first grader.

If the scores assigned by the Phase 1 and 2 graders on an answer were no more than 10 points apart, then the final score on the answer was the average of the two graders' scores. However, if the scores assigned to an answer by the Phase 1 and 2 graders differed by more than 10 points and the applicant would fail based on these scores, the answer went to Phase 3 where the team leader for the question reviewed the answer and the Phase 1 and 2 scores, and then assigned a final grade to it. That grade could be higher but not lower than the one assigned by either regular grader.

All the applicants in Phases 2 and 3 had their total scale scores recomputed based on the final scores on their essay and PT answers. Applicants with total scores of 1440 or higher passed. Those with scores of 1439 or less failed.

The major findings with the applicants who had all of their answers read at least once and the group of 1079 applicants who had them read at least twice were as follows:

- After the first reading of all answers, 32.2% of the applicants failed and 54.5% passed. A total of 56.3% passed after the second reading and the grade resolution process.
- California applicants scored higher than the national average on four of the six MBE subjects.
- The reliability of the Written and Total scores (.79 and .88, respectively) was slightly higher (i.e., better) than normal for a July examination.
- The correlation between MBE and Written scores (.67) was in the normal range for a July examination.
- The phased grading cut off scores led to rereading the answers of the applicants who were most likely to benefit from this additional review.
- Males tended to earn higher scale scores on the MBE than on the Written section. The reverse was true for females. Racial and ethnic minority applicants tended to earn the same scale scores on the MBE as they did on the Written section.
- First-timers had a higher passing rate than second-timers who in turn had a higher rate than those taking the examination three or more times. The corresponding passing rates were 69%, 26%, and 16%.

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TEST SECTIONS

The examination had two sections: the Multistate Bar Examination (MBE), a 200-item multiple choice test; and a Written section composed of six (1-hour) essay questions and two (3-hour) Performance Test (PT) problems. The examination was administered over three consecutive days, with two 3-hour sessions per day. Day 1 consisted of essay questions 1 - 3 and PT problem A. Day 2 was devoted to the MBE. Day 3 consisted of essay questions 4 - 6 and PT problem B.

SCORING RULES, FORMULAS, AND PHASED GRADING

MBE raw scores (the number of MBE questions answered correctly) were converted by the American College Testing Program (ACT) to equated ("scaled") scores using an IRT methodology. This procedure adjusts the raw scores for possible differences in mean question difficulty from one administration of the MBE to another. California multiplied the scale scores by 10.

Each essay answer was graded in 5-point intervals on a 40 to 100-point scale. The same procedure was used to grade each PT answer. PT scores were then multiplied by 2 so that the maximum possible Written raw score was 1000 points (6 essays at 100 points each plus 2 PT problems at 200 points each). Written raw scores were converted to a score distribution that had the same mean and standard deviation as the applicants' MBE scores. This scaling was done using the MBE and Written scores of a random sample of over 1,000 applicants from among those who had their Written answers graded first. The formula used to convert Written raw scores to scale scores was:

$$\text{Written Scale} = (3.2097 \times \text{Written Raw}) - 568.7649$$

An applicant's Total scale score was a weighted combination of that applicant's MBE and Written scale scores. The formula for computing Total scale scores was:

$$\text{Total Scale Score} = (.35)(\text{MBE Scale}) + (.65)(\text{Written Scale})$$

A three-phased grading process was used to determine an applicant's pass/fail status. In Phase 1, applicants passed if their Total scale score was 1440 or higher and failed if it was less than 1390. The remaining applicants, i.e., those with total scale scores of 1390 to 1439, had their essay and PT answers read again. The second grader on an answer was a different grader than the first grader and the second grader did not know the score assigned by the first grader. If the scores assigned by the Phase 1 and 2 graders were no more than 10 points apart, then the final score on the answer was the average of the two graders' scores. However, if the scores differed by more than 10 points and the applicant would fail based on these scores, then the answer went to Phase 3 where the reading team leader for the question reviewed the answer and its Phase 1 and 2 scores, and then assigned a final grade to it. That grade could be higher but not lower than the one assigned by either regular grader.

All the applicants who had their answers reread had their total scale scores recomputed based on the final scores on their essay and PT answers. Applicants with total scores of 1440 or higher passed. Those with scores of 1439 or less failed.

SAMPLE

Analyses were conducted with the 8115 applicants who had both an MBE and a Written score. This sample contained 6028 applicants who were taking the examination for the first time and 2087 repeaters. The General Statistics Report contains data on the number of first timers and repeaters by school type.

MULTISTATE BAR EXAMINATION (MBE)

Table 1 shows California applicants scored higher than the national average on four of the six MBE subtests. California's mean Total scale score (on the MBE's 200-point scale) was almost 2 points higher than the national average (which included California scores).

Table 1 - NATIONAL AND CALIFORNIA MEAN MBE SCORES AND THE DIFFERENCE BETWEEN THESE MEANS

Test Score	Number Of Items	National Mean	California Mean	Difference
Constitutional Law	31	21.23	21.23	0.00
Contracts	33	21.27	18.57	-2.70
Criminal Law	31	20.59	21.83	1.24
Evidence	31	18.77	21.54	2.77
Real Property	31	20.69	21.10	0.41
Torts	33	23.71	24.54	0.83
NCBE/ACT Scale	190*	143.73	145.87	2.14

* Applicants also answered 10 items that were being pre-tested for future forms of the test. The applicants' responses to these items did not affect their MBE scores.

WRITTEN SECTION

There were 1079 applicants who had their answers read at least twice. On the average, an applicant's total Written raw score on the first reading was 5.5 points higher than it was on the second reading.

SUMMARY STATISTICS

Table 2 provides summary statistical data on each section after all readings. There was a .673 correlation between MBE and Written scores. The mean and standard deviation of Law School Admission Test (LSAT) scores among the 5126 ABA first timers were 160.2 and 6.78, respectively; and 160.8 and 6.62 when the school was the unit. The correlation between LSAT and GBX total scores was .41 when the applicant was the unit and .94 when the school was the unit.

Table 2 - SUMMARY TEST STATISTICS AFTER ALL READINGS

Test Statistic	MBE Scale	Written Raw	Total Scale
Mean Score	1458.68	630.39	1455.22
Standard Deviation	157.98	49.08	145.43
Reliability	.900	.785	.875

The MBE's reliability was computed by ACT using national data.

SUBGROUP ANALYSES

On the average, women scored 28 points higher on the Written section than on the MBE whereas there was a 37 point mean difference in the opposite direction for male applicants (Table 3). On the average, racial and ethnic minority groups scored about as well on the Written section as they did on the MBE.

Table 3 - MEAN SCALE SCORES WITHIN RACIAL/ETHNIC AND GENDER GROUPS AND THE NUMBER OF APPLICANTS AND PERCENTAGE OF MALES WITHIN EACH GROUP*

Test	Racial/Ethnic Group				Gender	
	Anglo	Asian	Black	Hispanic	Female	Male
Written	1477	1444	1336	1406	1468	1440
MBE	1489	1432	1350	1406	1439	1476
Total	1481	1439	1341	1406	1458	1453
N	4622	1491	459	776	3847	4255
% Male	54	47	47	51	0%	100%

* There were 757 applicants who did not fall in one of the four largest racial/ethnic groups or were missing demographic data.

PHASED GRADING

A three-phased grading process was used to focus grader time on the applicants who were just below passing. Table 4 presents the number and percentage of applicants in each pass/fail category at each phase. Overall, 4571 (56.3%) of the applicants passed. There were 230 applicants who had their final scores on one or more answers resolved by a team leader for a question and 16 of them passed; i.e., they would have failed were it not for the resolution process.

Table 4 - NUMBER AND PERCENTAGE OF APPLICANTS WHO PASSED AND FAILED IN EACH PHASE OF THE MULTIPHASED GRADING PROCESS

Phase	Fail		Pass		Total	
	Number	Percent	Number	Percent	Number	Percent
1	2612	32.2	4424	54.5	7036	86.7
2	718	8.8	131	1.6	849	10.5
3	214	2.6	16	0.2	230	2.8
Total	3544	43.7	4571	56.3	8115	100.0

Table 5 shows the strong relationship between Phase 1 scores and final pass/fail status. These data also indicate that the width of the reread band (1390 - 1439) was about right in that only a very small percentage of the applicants with relatively low initial total scores passed as a result of reread.

Table 5 - NUMBER OF REREAD APPLICANTS WHO PASSED AND FAILED RELATIVE TO THEIR TOTAL SCORES AFTER THE FIRST READING

Score after the first reading	Number of Applicants			Percent passing
	Fail	Pass	Total	
1430 – 1439	150	89	239	37
1420 – 1429	192	29	221	13
1410 – 1419	172	16	188	9
1400 – 1409	216	7	223	3
1390 – 1399	202	6	208	3
Total	932	147	1079	14

Table 6 provides information about the answers that had more than a 10-point difference between the first and second grader's scores. These data indicate that the number of answers going to resolution varied somewhat by question and that the resolution score usually fell about halfway between the scores assigned by the first and second grader. Moreover, only 251 (3%) of the 8632 answers that were read twice needed to go to Phase 3.

Table 6 – DATA ON ANSWERS GOING TO RESOLUTION GRADING

Question	Number of answers	Mean on 1 st Reading	Mean on 2 nd reading	Mean after resolution
1	26	69	64	66
2	40	69	60	65
3	29	70	62	68
4	17	71	61	64
5	38	65	64	63
6	53	70	58	64
PT-A	25	64	57	60
PT-B	23	69	63	66

APPENDIX A: SUMMARY TEST STATISTICS ON JULY EXAMINATIONS

Exam	N	Percent Passing	Mean MBE Scale Score	Written Raw Score		
				Mean	Reliability	Correlation with MBE
1991	3685	51	1430	667	.68	.58
1992	3907	51	1432	663	.69	.60
1993	3682	45	1418	666	.73	.59
1994	3638	44	1421	657	.68	.59
1995	3488	42	1412	653	.74	.60
1996	3834	44	1417	646	.67	.58
1997	4103	49	1434	651	.66	.59
1998	3871	40	1412	650	.70	.60
1999	4309	41	1416	642	.65	.55
2000	4447	40	1415	638	.66	.57
2001	4461	38	1405	640	.72	.58
2002	4030	34	1396	633	.71	.53
2003	4162	38	1398	611	.68	.58
2004	4363	36	1392	625	.72	.50
2005	4458	41	1407	607	.72	.62
2006	4758	39	1402	621	.77	.58
2007	5109	37	1398	611	.75	.59

APPENDIX B: SUMMARY TEST STATISTICS ON JULY EXAMINATIONS

Exam	N	Percent Passing	Mean MBE Scale Score	Written Raw Score		
				Mean	Reliability	Correlation with MBE
1990	6963	58	1451	684	.76	.67
1991	7219	55	1454	674	.75	.67
1992	7108	60	1464	674	.71	.64
1993	7018	59	1465	671	.77	.68
1994	7027	64	1482	672	.76	.70
1995	7109	60	1471	660	.75	.68
1996	7445	56	1458	667	.76	.70
1997	7678	62	1478	655	.75	.68
1998	7548	53	1446	656	.74	.65
1999	7684	51	1449	644	.75	.66
2000	7603	56	1460	645	.74	.62
2001	7585	57	1468	637	.77	.64
2002	7477	51	1445	632	.72	.64
2003	7732	50	1443	634	.73	.67
2004	8020	49	1434	621	.75	.67
2005	8310	49	1437	630	.79	.68
2006	8858	52	1452	630	.80	.65
2007	8115	56	1459	630	.79	.67