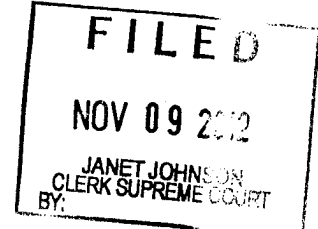


KEN BENNETT
SECRETARY OF STATE
STATE OF ARIZONA



RECEIVED
NOV - 9 2012
CLERK SUPREME COURT

November 9, 2012



Arizona Supreme Court
Hon. Rebecca W. Berch, Chief Justice
1501 West Washington
Phoenix, Arizona 85007

Re: Petition R-12-0002

Dear Chief Justice Berch:

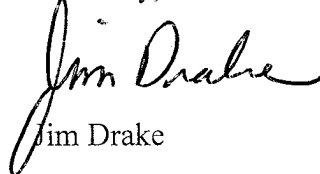
On November 1, 2012, the Attorney Regulation Committee voted 4 to 3 to recommend approval as a pilot program R-12-0002. However, there were 3 additional "no" votes who could not attend that meeting. I believe that it is important for you to understand that had John Tuchi, Benny Click and I been in attendance the outcome might have been markedly different with a 4 to 6 disapproval recommendation.

Furthermore, I agree with all of the statements of concern made in Judge O'Neil's letter of November 9, 2012. Particularly, I would emphasize the likely positive impact on law school rankings generated to the detriment of the educational experience and the delegation of Arizona Supreme Court's authority.

I've included a statement written by Georgia administrators regarding their state's experience with early testing. This statement and testimonial regarding their experience was provided to the Supreme Court by the Director of the Office of Bar Admissions for Georgia. The same statement had previously been provided to the State Bar of Arizona by the American Bar Association.

I feel that this is a very poor idea that should not be adopted.

Sincerely,


Jim Drake

CHANGE IN "EARLY BAR" RULE

In 1994 the Supreme Court of Georgia acted upon a request from the Board of Bar Examiners and entered an order changing the "early bar" rule. This rule permitted all third year law students to take the bar examination in February of their third year of law school, prior to completion of their legal studies. The Court changed the rule to require graduation before taking the bar examination.

The reasons the Court changed the rule are as follows:

- Georgia was the only state in the U.S. that permitted all third year students to take the exam early (some allow for hardship waivers on a case-by-case basis);
- the third year of law school was severely disrupted by students studying for the bar exam rather than attending and participating in class;
- law schools were forced to adjust their course schedules and curriculum in response to the effects of this rule (i.e. more "core" courses in the first two years; scheduling spring break for February);
- the students were missing educational experiences, including clinical opportunities, which had been determined to be important professionally;
- after the exam, the students were exhausted both physically and psychologically and had difficulty adjusting back to the law school routine; and,
- the Board of Bar Examiners also believed that performance on the exam would improve if students take it in July after they have graduated and had full-time to prepare without the demands of classroom preparation.

Ultimately, the Supreme Court and the Board of Bar Examiners believe that the sacrifice to a student's legal education far outweighs any head start these students obtained by taking the bar exam early, a benefit which they could not obtain in any other state. Therefore, the Court changed the rule and as of July 1, 1995 the Rules Governing Admission to the Practice of Law in Georgia require law school graduation before sitting for the bar examination.