

SAN DIEGO LAWYER®

DIVERSITY

PLUS:

Latina Equal Pay Day —
There Is Still Work to Be Done

California Bar Examination —
A Journey of Change, Hope,
and Success

Working for Myself
During COVID-19

CONTENTS



COLUMNS

- | | |
|--|--|
| <p>8</p> <p>PRESIDENT'S COLUMN
2020: Reflecting on a Year of Challenges and Opportunities
by Johanna Schiavoni</p> | <p>41</p> <p>SAN DIEGO LAW LIBRARY
2020 Witkin Award Ceremony — A Virtual Success
by Valerie Gragg</p> |
| <p>11</p> <p>LAW SCHOOL COLUMN
Judicial Externships — Where Law School Meets Reality
by Daniel Rosen</p> | <p>45</p> <p>WHY I BELONG
Get to Know Fred Taylor</p> |
| <p>12</p> <p>ETHICS
Can't I Tell Them?
by Edward McIntyre</p> | <p>45</p> <p>WHAT TO DO WHEN ...
You Don't Know What You Don't Know
by Jonah A. Toleno</p> |
| <p>14</p> <p>TECHNOLOGY
Tech Tips and Tidbits
by Bill Kammer</p> | <p>46</p> <p>MEET YOUR BAR-ISTA
Phil Schneider,
Chief Financial Officer</p> |
| <p>19</p> <p>SAN DIEGO COUNTY BAR FOUNDATION
Meet Alreen Haeggquist, the 2021 President of the San Diego County Bar Foundation</p> | <p>47</p> <p>DISTINCTIONS
Community members honored for their achievements</p> |
| <p>38</p> <p>TUMULTUOUS TERMS
A Sporting Good Time
by George W. Brewster Jr.</p> | <p>49</p> <p>SAN DIEGO BAR FOUNDATION EVENTS PHOTO GALLERY</p> |

FEATURES

- | | |
|--|---|
| <p>16</p> <p>WORKING FOR MYSELF DURING COVID-19
by Brenda Lopez</p> | <p>37</p> <p>ANTHONY M. MEDINA'S LEGACY REDEFINES LAW WITH PEOPLE'S LEGAL SERVICES
by Michelle Luna Reynoso</p> |
| <p>17</p> <p>HOW COVID-19 PLAYED A ROLE IN GOING SOLO
by Stephanie Sandler</p> | <p>43</p> <p>CALIFORNIA BAR EXAMINATION
A Journey of Change, Hope, and Success
by Jeremy M. Evans</p> |
| <p>35</p> <p>REMEMBERING JUSTICE JAMES A. MCINTYRE
by William M. Low</p> | |

DIVERSITY

- | | |
|---|---|
| <p>21</p> <p>DIVERSITY FELLOWSHIP PROGRAM
The Tree That Bends Does Not Break!
by Bhashini Weerasinghe</p> | <p>29</p> <p>THE COMPOUNDING ISSUES OF SOCIOECONOMICS AND COVID-19
by Whitney Hodges</p> |
| <p>22</p> <p>DIVERSITY FELLOWSHIP PROGRAM PARTICIPANTS
Employers and fellows share their experiences</p> | <p>30</p> <p>A PATH TO THE PRACTICE OF SPECIAL EDUCATION LAW
My Inspiration, the Practice, and the Effect of COVID-19
by Matthew Storey</p> |
| <p>28</p> <p>DIVERSITY INCLUSION
An Invitation to Lean Into Multicultural Experiences
by Gayani Weerasinghe</p> | <p>32</p> <p>LATINA EQUAL PAY DAY
There Is Still Work to Be Done
by Marisol Swadener</p> |



CALIFORNIA BAR EXAMINATION

A JOURNEY OF CHANGE, HOPE, AND SUCCESS

By Jeremy M. Evans

The October 2020 California Bar Examination was administered like no other bar exam in the state's history and likely in the history of administering bar examinations. California, long known to have one of the toughest bar exams in the country, if not the world, based on its former three-day length and passage rate, has and is changing. Law school graduates who took the exam this past October were the first to take the exam during a pandemic, with many changes.

In July 2020, the Supreme Court of California issued a letter to the State Bar of California, an administrative arm of the Court founded in 1927, stating that several rule changes would be in effect for the October 2020 bar exam. Before getting into those changes, it is important to note that several years ago, the California Bar Exam was moved from its traditional three-day exam to a two-day exam. The three-day exam included three one-hour essays and one three-hour performance test on day one; 200 multiple choice questions (Multistate Bar Examination (MBE)/MBE's) issued by the National Conference of Bar Examiners (NCBE) on day two; and a repeat of day one on day three (with different questions). The current California Bar Exam includes five one-hour essays and one 90-minute performance test on day one, then 200 MBEs on day two (with breaks between the sections).¹ Regardless of the length of the exam, pass rates remain low: 26.8% of those who took the February 2020 California Bar Exam passed.²

The October 2020 California Bar Exam changes adjusted to the needs of law school graduates during (and after) an ongoing pandemic. As for the changes, first, there were 100 MBE questions versus 200. Second, there is a permanently-implemented lower cut score required to pass the exam (down to 1,390 from 1,440). Third, those who graduated in 2020 and are in good standing are able to practice certain areas of law through a provisional license program under the supervision of a California licensed attorney. However, these individuals must eventually pass the California Bar Exam to become a fully licensed attorney by June 1, 2022 (e.g., the February 2022 Bar Exam). Fourth, the exam, normally held in February and July of each year (with results arriving in May and November, respectively) was held on October 5-6, three months after the regularly scheduled date.

Lastly, those taking the exam did so from home in an online, proctored format.

In addition, the State Bar of California sent an electronic communication to attorney members on August 4, 2020, stating the Blue Ribbon Commission on the Future of the California Bar Exam (a joint commission convened by the Court and the State Bar) will discuss the vision for content and administration of the exam going forward.³ The State Bar of California and the Court, along with the California Lawyers Association, have focused their efforts on diversity and inclusion, civics education, and making sure there is fairness in the administration of justice (and on the exam). The State Bar of California welcomed public comment on the provisional license program in August.

It is of note that some states (like Utah) have allowed for diploma privilege (e.g., law school graduates are able to practice law without having to pass a bar exam). However, the state of Wisconsin, for example, offered diploma privilege prior to the pandemic to law school graduates of American Bar Association-accredited law schools located in the state. Other states did not offer a bar exam of any kind because of the pandemic (e.g., Washington, Oregon, and Utah). Indeed, it is a journey of change, from law school to bar exam preparation, with a hopeful wish of success to all bar exam takers.



Jeremy M. Evans (Jeremy@CSLlegal.com) is the Founder & Managing Attorney at California Sports Lawyer™, representing entertainment, media, and sports clientele based in Los Angeles.

Footnotes

1. State Bar of California, Examinations (<https://www.calbar.ca.gov/Admissions/Examinations>)
2. State Bar of California, February 2020 California Bar Exam results (<http://www.calbar.ca.gov/About-Us/News/News-Releases/state-bar-of-california-releases-results-of-february-2020-bar-exam#:~:text=Today%20the%20State%20Bar%20released,passed%20the%20General%20Bar%20Exam.&text=The%20mean%20scaled%20Multistate%20Bar,down%20from%201370%20last%20year>)
3. "The State Bar of California: Progress update on key initiatives underway at the State Bar," electronic communication, August 4, 2020