

Mariposa County Bar Association

Volume 4, Issue 34

www.MariposaBar.org

MCBA@MariposaBar.org

February 2021

President's Column

Casey Archer, MCBA President

The Mariposa County Bar Association ("MCBA") in-person meetings have been suspended since April 2020 due to COVID-19. We look forward to resuming our meetings sometime in 2021 at the Miner's Roadhouse 140. In the interim, anyone with information regarding free MCLE webinars, or who would like to submit a news article of general interest, is invited to email the information to MCBA@MariposaBar.org for inclusion in our monthly newsletters.



MCBA Membership is \$35.00 and includes a listing on the MCBA website at www.MariposaBar.org. We recently updated our website to include a "Resources" page, and invite members to provide input regarding additional information to include on our website. We are also working to provide access to MCLE credits for our members throughout 2021. For new members, you may download an application from our website and send it to our PO Box with the yearly dues. If current members would like to maintain membership including their listing on our website, they should send their annual \$35.00 dues to MCBA, PO Box 628, Mariposa, CA 95338.



State Bar of California Releases Results of October 2020 Bar Exam

The State Bar has released the results of the October 2020 California Bar Exam and announced that 5,292 people (60.7 percent of applicants) passed the General Bar Exam. If those who passed satisfy all other requirements for admission, they will be eligible to be licensed by the State Bar to practice law in California. The October 2020 General Bar Exam pass rate is the highest in more than a decade, since July 2008.

"We heartily congratulate the 5,292 applicants who passed the General Bar Exam and the 323 candidates who passed the Attorneys' Exam in this tremendously challenging year. We are pleased that the first-ever remote bar exam will result in such a large influx of new attorneys at a time when more people than ever need legal help. We hope to welcome all those who passed to California's legal profession very soon," said Donna Hershkowitz, Interim Executive Director of the State Bar.

The October bar exam was unprecedented in several ways:

- It was administered to a near-record number of examinees, 9,301, the largest cohort since 2013.
- It was the first-ever to be administered online remotely. Of the total cohort, 8,920 took the exam online.
- It was the first exam graded under the new cut score of 1390, reduced from 1440 by the California Supreme Court on July 16, 2020.

Civil Rights Committee Objects to Facial Recognition Technology with Remote Bar Exam

The October 2020 Bar Exam was the first time in history that the California Bar conducted the Bar Exam online. To ensure the continued identification of applicants during the Exam, the Bar Examiners contracted with ExamSoft, who used Facial Recognition Technology (FRT).

The Lawyers' Committee for Civil Rights Under Law is now threatening to sue the California State Bar unless it agrees to stop using FRT with online bar exams.

The Committee is concerned that the use of FRT discriminates against women, people of color, those with disabilities, or those wearing religious garments. Several test takers of color reported being shut out of the October 2020 online exam because the FRT did not recognize them.

“It is by now well-established by experts in that field that FRT is disproportionately inaccurate in identifying women and people of color,” the Lawyers' Committee for Civil Rights Under Law said in a February 10, 2021 letter to the California State Bar. “As a result, its use will have an unlawful disparate impact on examinees of color and women examinees.”

The Committee states it “will be forced to take legal action” if the Bar does not take “immediate steps” to stop using FRT in future exams.



State Bar Results (continued)

- It was the first exam graded under a streamlined two-phase grading system, approved by the Committee of Bar Examiners in August 2020 to increase efficiency and shorten the grading timeline.

October 2020 General Bar Exam preliminary statistics

- Completed the exam: 8,723 applicants
- First-time applicants: 4,990 (57.2 percent of total)
- Pass rate for first-time applicants: 74.0 percent overall
- Repeat applicants: 3,733 (42.8 percent of total)
- Pass rate for repeat applicants: 43.0 percent overall

Family Law News

by Casey Archer, President, Merced County Bar Association Family Law Section

The Family Law Section of the San Luis Obispo County Bar Association has announced the 5th Annual SLO Minor's Counsel Training - Virtual Seminar on March 26th, 27th and 28th. Any attorneys interested in obtaining or maintaining their qualification as minor's counsel are invited to attend this outstanding training opportunity.

The program will provide a total of 12 hours MCLE credit, including ethics and elimination of bias. The symposium will satisfy the annual 8-hour and 12-hour training requirement of Rule 5.242 of the California Rules of Court.

The cost is \$100 for current minor's counsel who need to attend March 27th and 28th to renew, or \$125 for new minor's counsel who need to attend all three days.

For more information, go to www.slobar.org > MCLE & Events > Events Calendar, or email Casey@MercedDivorce.com.

2021 MCBA Officers



Casey Archer
President



Anita Starchman Bryant
Vice-President



Ed Johnson
Secretary



Skye Emery
Treasurer



MCBA Membership List

The MCBA extends its thanks to the members who have paid their 2021 dues.

Alexandria Albertoni	Thomas Cooke
Ashley Albertoni	Beau C. Correia
Susan Albertoni	Steven W. Dahlem
Casey Archer	Skye Emery
Kevin B. Briggs	Kimberly G. Flores
Marvin Brown	Edward J. Johnson
Anita Starchman Bryant	Andrew S. Kucera
Aaron Castleton	Cindy R. Morse
Jeffrey Castleton	Elizabeth E. Waldow
Russell D. Cook	Walter Wall

If your name is not included in the 2021 membership list and you would like to renew your membership and maintain your listing on the MCBA website, you may do so by sending your \$35.00 annual dues to our PO Box. For new members who wish to join and have their information listed on the MCBA website, a Membership Application may be mailed with your dues to MCBA, PO Box 628, Mariposa, CA 95338.

MCBA 2021 Meetings

Our meetings are traditionally held on the second Thursday of each month at the Miner's Roadhouse 140 banquet room. However, they are currently suspended due to COVID-19. We will keep you posted on when they will resume.

State Bar Commission on Judicial Nominees Evaluation (JNE)

The State Bar has asked the MCBA to provide the following information to our members:

The State Bar seeks members for the statewide Commission on Judicial Nominees Evaluation (JNE). If you are an active California attorney in good standing, a former judicial officer, or member of the general public, the State Bar invites you to apply. The 38 member JNE commission assists the Governor in the judicial candidate vetting process by providing independent, comprehensive, and fair candidate evaluations. The ideal candidate has the skills and experience necessary to conduct an investigation, assess qualifications for service on the bench and provide timely and well-written reports.

Time Commitment: There are six two-day meetings per year (currently held via Zoom), in addition to a mandatory two-day orientation meeting to be held January 28–29, 2022, and a minimum of 20 to 40 hours of investigation/evaluation work per month.

Please share this information with your friends, colleagues, organizations with which you are affiliated, and any other likely source of interested and qualified candidates. The deadline for filing an application is **Friday, March 19, 2021**. Questions? Contact us at appointments@calbar.ca.gov.