Fewer took the February bar exam and results went down among all demographics

Fewer people took the bar exam in February, but a greater percentage failed, compared to last year, according to a report released Friday.

4205 people took the exam this year. That's 435 less than last year. 31.4% passed in 2019, compared to 26.8% this year.

The report breaks down performance rates by race and law school.

The passage rates have gone down in all categories compared to February 2019, according to the data.

Among black students enrolled in ABA-accredited law schools, 20 people took the exam, and 1 person passed. Hispanics had 15 people passing, with 49 people taking the exam. 74 of the 143 white students passed the exam and 19 out of the 45 Asians taking the exam passed.

The University of San Diego School of Law had a passage rate of 43%, among the highest in the state, when combining both first-time takers and repeat takers. Last year the school had a passage rate of 55%. 63 people from the school took the exam.
Stephen C. Ferruolo, dean at University of San Diego School of Law, noted that the February bar exam results tend to vary because fewer people take the exam.

"It's no surprise. It reflects the usual volatility and variability that we see from year to year," Ferruolo said. "But it highlights the disparate impact on California's high cut score, particularly with respect to African Americans."

The difference in passage rate between California-accredited schools and ABA-accredited schools continues to remain high. Among ABA-accredited schools, 42.6% passed and only 16.4% of first-time takers attending California-accredited school passed.

Monterey College of Law is a California-accredited school. The school had 12 people taking the exam for the first time, with two people passing in February. According to Dean Mitchel L. Winick, the exam scoring system in California is broken.

"The exam is supposed to measure the 'minimum competency for the first-year practice of law," Winick said. "However, 61% of licensed, experienced attorneys who have been practicing in other states for more than four years failed the February exam. If six out of 10 experienced lawyers cannot pass an exam that is supposed to measure only the basic first-year practice skills, there must be something seriously wrong with the exam or the exam scoring."

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