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HOW THE STATE BAR ADMISSIONS PROCESS REALLY WORKS

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The reader will no doubt find this section, nothing less than shocking. The State Bar admissions process functions in reliance on a rudimentary premise which is as follows. The State Bars WANT every single Applicant to file an application that contains some false, misleading or incomplete information. You may ask, why would they desire such? What possible incentive could the State Bars have for WANTING all Applicants to submit an application containing false, misleading or incomplete information. The reason is as follows. Once the Applicant submits any false, misleading or incomplete information in response to an inquiry, the State Bar acquires the power to deny admission. The accumulation of power is what the State Bars are all about. Hypothetically, if it were even possible for an individual to submit an absolutely truthful application, and that application contained no adverse character information, the State Bar would LACK the power to deny admission. A fair, just and rational application form is therefore inimical to the State Bar goal of accumulating power. There is a strong correlation between increasing the power of State Bars to select their own members, and maximizing the probability that every single Applicant files an application containing some false, misleading or incomplete information. Once the State Bar acquires the power to deny admission, they can exercise that power by admitting Applicants who they subjectively like, and deny admission to Applicants they subjectively dislike. The power they have acquired, is a Power to Exercise Arbitrary Discretion in rendering the admissions decision.

Now the second question. How does the State Bar accomplish its goal of maximizing the probability that all Applicants submit an application containing false, misleading or incomplete information? The answer is actually simple. All the State Bar has to do is to formulate an application form that is logistically impossible for any human being to complete in an absolutely truthful manner. This is accomplished by utilization of varying State Bar techniques in drafting the application questions. The basic categories of questions used to accomplish the State Bar's goals are as follows:

1. QUESTIONS REQUIRING THE APPLICANT TO RECALL EVENTS REMOTE IN TIME, STRETCHING BACK MANY YEARS; SINCE THE PROBABILITY OF ONE RECOLLECTING INCORRECTLY INCREASES AS THE PERIOD OF TIME BETWEEN RECOLLECTING AN EVENT AND THE EVENT'S OCCURRENCE LENGTHENS
2. QUESTIONS REQUIRING THE APPLICANT TO PROVIDE TOO MUCH DETAIL, SINCE THE MORE DETAIL THAT IS REQUIRED, THE GREATER IS THE PROBABILITY SOME DETAIL WILL BE OMITTED
3. QUESTIONS THAT ARE VAGUE OR AMBIGUOUS DESIGNED TO CREATE UNCERTAINTY AS TO WHAT INFORMATION IS REQUIRED; SINCE THIS ALLOWS THE BAR TO INTERPRET THE QUESTION'S SCOPE SUBSEQUENT TO SUBMISSION OF THE ANSWER

4. QUESTIONS THAT ARE HIGHLY PERSONAL IN NATURE; SINCE THE APPLICANT HAS AN INCENTIVE TO NOT DISCLOSE EMBARRASSING PERSONAL INFORMATION
5. A CATCH-ALL QUESTION FOR THOSE APPLICANTS NOT CAUGHT BY (1) - (4) above.

The first four question types above, which are utilized by the State Bars to accomplish their goal can be summarized as follows. Questions focusing on Time, Detail, Vagueness and Personal information. By asking questions that require the Applicant to dig deep back into their memory over a long period of years, provide extensive detail with respect to matters that are far remote in time, respond to vague inquiries and provide extensive personal information, the State Bars generally succeed in achieving the goal that Applicants submit false, misleading or incomplete information. The remaining small percentage of Applicants who are not successfully subjugated by the foregoing tactics are ultimately entrapped by the final "catch-all" question. The catch-all question makes the following type of inquiry of the Bar Applicant :

"Is there any other incident(s) or occurrence(s) in your life, which is not otherwise referred to in this application, which has bearing, either directly or indirectly, upon your character and fitness for admission to the Bar?"

It is a question that no human being on this earth, could possibly answer truthfully, accurately, and completely. The catch-all question ensures the State Bar that every single Applicant will submit an application form containing at least some false, misleading or incomplete disclosure. The Bar admissions process is irrefutably one of the last remaining vestiges of McCarthyism in this country. The manner in which the admissions process functions is almost identical to how the congressional committees investigating communism functioned during the McCarthy era. It has been summarized as follows :

"The committee delighted in entrapment. Arnold explained : "The policy of the McCarran Committee is first to have the witness in secret session, get him to testify to the best of his recollection as to events from five to ten years ago, then bring him on at a public hearing, ask him if he did not so testify at the secret session and then give him some letter to which he has not previously been given access which shows that he is wrong. This then is branded as an untruth." According to Arnold, the committee "long ago gave up all idea of proving <name> was a Communist. Instead they spend weeks of time in trying to catch him up in contradictions and give the impression that he is an evasive and untruthful witness." Predictably . . . <name> was indicted for perjury."¹⁴

That is essentially the State Bar admissions process in a nutshell.