



The State Bar of California

OPEN SESSION
AGENDA ITEM IV.D.
AUGUST 2023
COMMITTEE OF BAR EXAMINERS

DATE: August 18, 2023

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst

SUBJECT: Action on Motion for Major Change – Amended Motion for Change of Headquarters – Western Sierra Law School

EXECUTIVE SUMMARY

At its June 2023 meeting, the Committee of Bar Examiners (committee) requested that Western Sierra Law School (Western Sierra) refile its major change of headquarters to better describe the status and suitability of its classroom space to fulfill its requirements as a registered, unaccredited fixed-facility law school.

In response, Western Sierra timely filed a motion that contained pictures of the planned classroom space, which appears large enough to conduct the in-person classes required based on the law school's current enrollment, though it is recommended that staff conduct the customary video verification of the space shown. (Attachment A).

BACKGROUND

Western Sierra Law School is a registered, unaccredited fixed-facility law school founded in San Diego in 1979 and purchased by the current owners in 2020.

Shortly after the purchase, the law school filed a request to move its headquarters to Oceanside California, approximately 40 miles north. Western Sierra properly sought advance approval of the move, but did not appear to include in the request the full details of the new space to which it was seeking to relocate. In its major change request, Western Sierra represented that the school would have its own office suite, with an additional suite to be added at a future date for use by the law school, and occasional use of a nearby community

college for overflow, such as meetings of the full study body. The committee approved the request.

At the law school's most recent inspection conducted on October 19, 2021, the consultant's observation of the space was not consistent with the information provided as part of the major change request. Instead of a separate suite, the space was shared with a law firm, and the school appeared to operate only in a conference room shared with the law firm. The second suite appeared to be a storage site. In addition, the law school does not receive mail at the facility, does not appear to have regular staffing at the facility, and objected to the consultant's request to advise as to staffing hours at the building. The law school represented that the alumni and storage purpose were temporary, and the space was no longer being used that way. Staff asked the law school to provide pictures in advance of the June 2023 committee meeting, but the law school did not do so, though pictures were included in its motion and some of those pictures are also on the law school's website.

After reviewing the consultant's findings regarding the law school's headquarters, the committee directed the law school to re-file its request for change of headquarters within 30 days,, specifically adopting the following motion: "it is further recommended that the law school's major change be received, filed, and denied, and that the law school refile its major change of administrative headquarters by July 24, 2023, describing the facilities that will be available at the start of the fall 2023 term."

The quick turnaround was necessary because the law school is transitioning from teaching classes online via an emergency waiver granted to address pandemic conditions to teaching classes in-person again in a physical classroom. Therefore, the committee wanted to ensure that the law school's space was compliant.

The committee hoped to better understand how the law school's space was being used, whether shared uses not previously disclosed were continuing, and whether the law school's space adequate and ready for students to physically come to the classroom and attend classes starting with the fall 2023 semester when the law school returned to teaching its fixed-facility classes in the classroom, consistent with the law school's fixed-facility category choice. The school submitted a timely request for major change.

DISCUSSION

The law school's major change request contains a diagram of the space as well as multiple photos. (Attachment A).¹ A hallway of private offices is also pictured, but the doors are closed,

¹ Along with the proposal, the law school also provided a written copy of its public comment provided at the June 2023 committee meeting in support of the law school's major change request that was rejected by the committee at that meeting. (Attachment B). Specifically, Western Sierra requested permission to remain in fixed-facility category but, in addition to offering classes in person, students be able to choose to attend via integrated synchronous online extension via meeting room software, such as Zoom or other similar platforms such that some or all students could participate remotely and/or the instructor could attend remotely. The committee rejected this request, and further rejected the law school's assertion that its proposal was already allowed under the current rules and guidelines without permission from the committee.

so it is not possible to tell whether they are used exclusively by the law school or if they are still shared with alumni attorneys or other partners. Even if these private offices are not available to the law school, the pictures appear to present a space that has sufficient room for the law school's current student body to attend classes in-person in this space.

The proposal does not directly address the previously viewed storage space for storage and co-location with another business. The proposal also does not explain why that use was not previously disclosed in the original request.

It is recommended that staff schedule a follow up video tour, as it normally does after any change of administrative headquarters to confirm the space usage.

RECOMMENDATIONS

It is recommended that the Committee of Bar Examiners receive and file Western Sierra Law School's amended motion for major change of administrative headquarters and 2021 Periodic Inspection Report of Western Sierra Law School and adopt all recommendations in the report.

It is further recommended that the law school's administrative headquarters be approved for fixed-facility teaching.

It is further recommended that staff conduct a confirming video visit to verify the space and report back at the October 2023 committee meeting.

PROPOSED MOTION

Should the Committee of Bar Examiners agree with staff recommendations, the following motion should be made:

MOVE, that the Committee of Bar Examiners receive and file Western Sierra Law School's amended motion for major change of administrative headquarters and 2021 Periodic Inspection Report of Western Sierra Law School and adopt all recommendations in the report.

FURTHER MOVE, that the law school's administrative headquarters be approved for fixed-facility teaching.

FURTHER MOVE, that the committee renew the law school's registered, unaccredited fixed-facility status, and set the law school's next inspection for spring 2024, unless the committee determines that one is required sooner.

FURTHER MOVE, that staff conduct a confirming video visit to verify the space and report back at the October 2023 committee meeting.

ATTACHMENTS LIST

- A.** Motion for Major Change – Administrative Headquarters – Western Sierra Law School
- B.** Summary of Written Public Comment, June 2023 CBE Meeting – Western Sierra Law School
- C.** Response to State Bar Staff Questions Regarding Western Sierra Law School Headquarters



2712 Loker Avenue West #1134
Carlsbad, CA 92010
<https://wslawschool.com>

Attn: Natalie Leonard
b/o Committee of Bar Examiners
State Bar of California
180 Howard Street
San Francisco, CA 94105
Natalie.Leonard@calbar.ca.gov

July 20, 2023
Via Email

Dear Natalie:

Western Sierra Law School is in receipt of your letter dated June 28, 2023, which letter summarized the actions taken by the Committee of Bar Examiners (the “Committee”) in its meeting on June 23, 2023, and in particular, requests, among other things, *“that the law school refile its major change of administrative headquarters by July 24, 2023 describing the facilities that will be available at the start of the fall 2023 term”* (hereinafter, the “CBE Instruction”).

In response, Western Sierra Law School respectfully submits to the Committee that:

1. On May 7, 2020, and with supplement on June 29, 2020 (both during the pandemic-related closures), Western Sierra Law School submitted a Notice and Major Change Request to the Committee that, *inter alia*, requested to change the law school’s address of physical facilities to 3548 Seagate Way, STE 110, Oceanside, CA 92056 (business and administrative offices) and 3548 Seagate Way, STE 250, Oceanside, CA 92056 (classroom and library). See **“Appendix 1”, attached.**

2. On August 21, 2020 (during the regular meeting of the Committee) it was moved and adopted by the Committee that “...*the application of Western Sierra Law School seeking major changes to ... change the location to 3548 Seagate Way, Oceanside, California, Suites 110 and 250 ... be received and filed; that the requests be granted ...*” See “**Appendix 2**”, attached.

CBE Instruction to Re-File Major Change

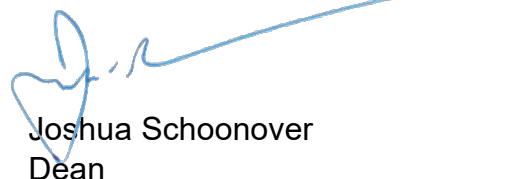
To be clear, the law school is not requesting to change its address of facilities. We believe the Committee may be misinformed concerning the facilities of the law school. We take this opportunity to clarify that there is no intended change to the address of the physical facilities as previously adopted and approved by the Committee on August 21, 2020.

Notwithstanding the foregoing, in attempt to use best efforts to comply with the CBE Instruction, the law school is re-filing its previous request for major change, which is attached herewith and labeled as “**Appendix 1**”, along with the Committee’s subsequent approval, which is attached herewith and labeled as “**Appendix 2**”; the entire contents of each of which is hereby incorporated by reference for all purposes.

In effort to provide further clarity, please also find copies of floor plans and photographs describing the law school’s physical facilities that are available now and will be used in Fall 2023, which copies are attached herewith and labeled as “**Appendix 3**”.

Western Sierra Law School has made a diligent attempt to address the request of the Committee “*that the law school refile its major change of administrative headquarters by July 24, 2023 describing the facilities that will be available at the start of the fall 2023 term.*” We trust the response and details provided in this letter, and in the attached Appendices, is sufficient to quell any outstanding concerns of the Committee concerning the law school’s physical facilities.

Best Regards,

A handwritten signature in blue ink, appearing to read "Joshua Schoonover", with a long horizontal flourish extending to the right.

Joshua Schoonover
Dean

dean@wslawschool.com

Appendix 1

Requests for Major Change – WSLs May 7, 2020 / June 29, 2020

Appendix 1



WESTERN SIERRA LAW SCHOOL
3548 Seagate Way, Suite 110
Oceanside, CA 92056
(760) 855-3137
Email: wslawschool@gmail.com

Committee of Bar Examiners
State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

May 7, 2020

Re: Notice of Major Change & Request for Approval

Dear Committee Members:

I am writing to inform you of a series of recent changes at Western Sierra Law School that are set to take effect as of May 31, 2020, which changes necessitate proper notice under Rule 4.246.

Background

It is with a heavy heart that I write to inform you that John O. Meyers, former dean at Western Sierra Law School, has recently passed. Mr. Meyers' passing has placed a heavy burden on the school's owner, Angela Saldarriaga, who was married to Mr. Meyers. The school's faculty has come together for the Spring 2020 quarter in support of Angela, and the educational program has remained largely unaffected, except for certain issues imposed by the recent pandemic, for example, the school's physical classrooms have temporarily closed and courses have transitioned to an online format. Now, due to a need to wind down her husband's affairs and spend more time with her family, Ms. Saldarriaga has elected to sell the law school effective Summer quarter 2020 (May 31, 2020). This sale and transfer of ownership, and circumstances that come with the sale of a business, bring about several changes that are required to be disclosed, which are detailed in the following information.

Ownership

Beginning on May 31, 2020, Western Sierra Law School LLC (a California limited liability company) will assume full ownership of the Western Sierra Law School.

Western Sierra Law School LLC was formed with the California Secretary of State on May 6, 2020 and is owned by Erika C. Schoonover, M.S., J.D. and Joshua S. Schoonover, Esq. (the members of the LLC).

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The law school will remain a for-profit business.

The foregoing change of ownership will have no effect on the law school's compliance with the Rules.

Dean of Students

On May 31, 2020, Mike Herrin will step down and no longer serve as dean of Western Sierra Law School.

Also, on May 31, 2020, Joshua Schoonover will become the new dean at Western Sierra Law School.

The nature of this change relates to the change of the school's ownership. Dean Mike Herrin has done an excellent job and is terminated only to facilitate the new ownership transition.

Joshua Schoonover is a competent dean and meets the requirements under the Rules.

The foregoing change of dean will have no effect on the law school's compliance with the Rules.

Registrar

On May 31, 2020, Angela Saldarriaga will step down as president & registrar.

Also, on May 31, 2020, Erika Schoonover will become the new assistant dean, administrator and registrar at Western Sierra Law School. Erika will dedicate substantial time to working with students and faculty in matters relating to the law school's JD program.

The nature of this change relates to the change of the school's ownership. Angela Saldarriaga has done an excellent job and is stepping down and selling the school in order to tend to her family in the wake of her husband's passing.

Erika Schoonover is competent under the Rules to assume the duties of each of assistant dean, administrator, and registrar of the law school.

The foregoing change of the administrator and registrar will have no effect on the law school's compliance with the Rules.

Physical Address

To facilitate the change of ownership, on May 31, 2020 the physical address of the school will change to:

**WESTERN SIERRA LAW SCHOOL – Business Office
3548 Seagate Way, Suite 110
Oceanside, CA 92056**

**WESTERN SIERRA LAW SCHOOL – Classrooms
3548 Seagate Way, Suite 250
Oceanside, CA 92056**

The new location is 34.5 miles, approximately a 38-minute drive according to Google Maps, from the current school location. While this may impose a mild impact on some of the students with respect to commute to the school, other students will find themselves with a reduced travel burden.

In addition, many jobs in the legal profession have moved to north San Diego county, resulting in the availability of more faculty near the new location.

The San Diego Superior Court, North County Division, is located 4.8 miles from the new location. This new location is convenient for student attendance at public trials and events offered at the court.

The San Diego County Public Law Library is also located 4.8 miles from the new location, affording students an opportunity to access legal research materials and other resources.

The new location will enable the school to satisfy the needs of students in San Diego county as well as southern Orange and Riverside counties (ex: San Clemente, Temecula, Murrieta).

There are many colleges and universities in the vicinity of the new location, including, *inter alia*: California State University San Marcos, MiraCosta College, Palomar College, Mt. San Jacinto College, Saddleback College, San Diego Mesa College, Grossmont College, Miramar College, and others.

The new business office will be located in a separate suite but within the same building as the new location of classrooms.

The foregoing change of physical address will have no effect on the law school's compliance with the Rules.

Mailing Address

To facilitate the change of ownership, available immediately, but proposed to become effective on May 15, 2020, the mailing address of the law school will change to:

**WESTERN SIERRA LAW SCHOOL
P.O. Box 748
Bonsall, CA 92003**

The foregoing change of mailing address will have no effect on the law school's compliance with the Rules.

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Correspondence

To facilitate the change of ownership, on May 31, 2020 the following contacts will become updated as follows:

Primary Administrative Office / Head Administrator / Registrar

Erika C. Schoonover, MS, JD
Assistant Dean, Administrator and Registrar
Western Sierra Law School

Phone: (760) 855-3137
Facsimile: (858) 408-3339
Email: wslawschool@gmail.com
Physical Address: 3548 Seagate Way, Suite 110, Oceanside, CA 92056
Mailing Address: P.O Box 748, Bonsall, CA 92003

Dean of Students

Joshua S. Schoonover, Esq.
Dean of Students
Western Sierra Law School

Phone: (858) 565-4730
Facsimile: (858) 408-3339
Email: jschoonover@coastalpatent.com
Physical Address: 3548 Seagate Way, Suite 110, Oceanside, CA 92056
Mailing Address: P.O Box 748, Bonsall, CA 92003

The foregoing change of correspondence will have no effect on the law school's compliance with the Rules.

Website

This is to indicate that no change will be made to the domain name associated with the law school's website; i.e. <http://wslawschool.com>. Because there will be no change to the website, this will have no effect on the law school's compliance with the Rules.

Inspection

Western Sierra Law School is due for inspection in 2021.

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Based on the change of ownership, and other changes described above, we welcome an opportunity for an inspection this year, or whenever the committee's resources are sufficiently available.

The inspection will provide a means for the new ownership to build a rapport with the committee and encourage expeditious organization and compliance with the Rules.

We understand that the COVID-19 pandemic has placed an unanticipated burden on the committee, namely w/r/t to the bar examinations; however, please contact us to schedule an inspection, or to communicate the next steps deemed appropriate by the committee given the information presented above, for example, perhaps the school should conduct a self-audit and provide a report to the committee prior to the forthcoming inspection. Alternatively, please communicate an intent to allow the law school to continue business until the committee has an opportunity to schedule and conduct an inspection. In the meantime, we will work to organize records and build internal procedures during the transfer of ownership and in anticipation of a forthcoming inspection. We have a copy of the Rules and Guidelines, and believe we are capable of interpreting these documents and ensuring substantial compliance therewith.

We note this request is required to be accompanied by fees under Rule 4.245; however, the fees appear to be stated as \$275/hour. We are enclosing payment of \$275 for one hour of time to review this letter and provide the committee's response. Should more fees be required, please indicate such in a subsequent correspondence.

Please accept this letter as the required Notice under Rule 4.246.

Please contact us if you have any questions or require further information.

Please approve the referenced changes in accordance with the committee's procedures.

Sincerely,

Erika C. Schoonover, MS, JD
Assistant Dean

Joshua S. Schoonover, Esq.
Dean

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WESTERN SIERRA LAW SCHOOL
3548 Seagate Way, Suite 110
Oceanside, CA 92056
(760) 855-3137
Email: wslawschool@gmail.com

Committee of Bar Examiners
State Bar of California
180 Howard Street
San Francisco, CA 94105-1639

June 29, 2020

Re: Supplemental Response and Plan for Continued Compliance

Dear Committee Members:

Please accept this letter as Western Sierra Law School's supplemental response to our letter of May 8, 2020, and further identification of the school's plan for continued compliance with the Unaccredited Law School Rules and Guidelines for Unaccredited Law School Rules, as well as CRC 9.30, and California Business & Professions Code 6060.

Request for Immediate Full or Conditional Approval of Changes

In our letter of May 8, 2020, we identified a number of changes for which we seek the approval of the State Bar of California, Committee of Bar Examiners ("Committee"); namely, changes of (i) ownership, (ii) dean, (iii) assistant dean and registrar, (iv) physical address of classroom and business office, and (v) mailing address. (See letter of May 8, 2020, the contents of which are hereby incorporated by reference).

It is our understanding that the Committee is presently encumbered with an urgent need to develop protocol for and to administer the September 2020 bar exam (remotely), and that resources for an immediate inspection and formal approval of all requested changes may be limited.

Moreover, COVID-19 has had a particularly special and serious impact on Western Sierra Law School as we believe Angela Saldarriaga's husband passed away from this horrible disease in a sudden and unexpected manner. This untimely loss imposed burdens on the school and the school's owner, and required an immediate shift in the school's daily operations and delegation of duties; namely, the collective efforts of faculty, and Erika and Joshua Schoonover (the "Purchasers"), to step in and ensure continued operations and provision of legal education to the students. Ms. Saldarriaga, the faculty, and the Purchasers have, and continue to work together to ensure that the students of the law school receive, without interruption, legal instruction in accordance with the above-identified Rules and Code.

Taking into consideration the unfortunate events which have impacted Western Sierra Law School, and the students' need for continued and uninterrupted legal education, we respectfully ask for special consideration, waiver where necessary, and expedited approval of

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the requested changes, or at the very least, a temporary, conditional approval of the requested changes, until a formal inspection can be completed, or otherwise as may be deemed appropriate by the Committee.

Continued Compliance

Western Sierra Law School provided the Committee a self-study report on February 1, 2016 ("Self-Study Report"). A copy of the Self-Study Report is enclosed herewith.

The Purchasers have reviewed, and indeed have become familiar with, each of: the Self-Study Report, the Unaccredited Law School Rules and Guidelines for Unaccredited Law School Rules, as well as CRC 9.30, and California Business & Professions Code 6060.

The plan for continued compliance is to maintain all practices, including, *inter alia*, documents and procedures as described in the Self-Study Report, except as explicitly provided herein or in our letter of May 8, 2020.

With reference to the Self-Study Report, using numerical identifiers corresponding therewith, in the following paragraphs we will identify those sections where changes are anticipated, and indicate the corresponding details of such changes to the extent they are presently available. With respect to other sections of the Self-Study Report, where explicit change is omitted herein or otherwise identified as "No material changes," such is intended to indicate that compliance will be maintained as previously described in the Self-Study Report.

Rule 4.240 (A) – LAWFUL OPERATION

2. Business License (Self-Study Report, pg.3)

Western Sierra Law School is in process of obtaining a business license covering the proposed new location. A copy of the business license can be provided upon receipt thereof from the city of Oceanside. The city of Oceanside has now reopened (from closure due to COVID-19) and we expect to obtain a business license within weeks of this letter.

5. Entity / Articles

The new ownership entity will be Western Sierra Law School, LLC (California). Information about the entity, including a downloadable copy of the Articles and other documents, is available at the secretary of state's website. For convenience, a copy of the Articles is attached herewith, marked as "**Exhibit A**".

Rule 4.240 (B) – INTEGRITY

No material changes.

Rule 4.240 (C) – GOVERNANCE

11. Organizational Chart

Attached and labeled as "**Exhibit B**" is a chart of all administrative positions at Western Sierra Law School.

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12. Resumes of Administrative Persons

Attached and labeled as “**Exhibit C**” is a resume of proposed new dean Joshua S. Schoonover, Esq. (CA Bar No. 290,321).

Attached and labeled as “**Exhibit D**” is a resume of proposed new assistant dean, administrator & registrar, Erika C. Schoonover, M.S., J.D.

14. List of Members of Board of Directors

Upon CBE approval, the informal board will consist of Dean J. Schoonover, Asst. Dean E. Schoonover, and at least one faculty by volunteer each quarter, presently Robert H. Turner (CA Bar No. 211,268). Questions raised will be carried from Asst. Dean E. Schoonover to each of them jointly and severally as needed. The informal board will meet before class Monday-Thursday and jointly on an as-needed basis.

Rule 4.240 (D) – DEAN AND FACULTY

No material changes.

Rule 4.240 (E) – EDUCATIONAL PROGRAM

No material changes.

Rule 4.240 (F) – SCHOLASTIC STANDARDS

No material changes.

Rule 4.240 (G) – ADMISSIONS

No material changes.

Rule 4.240 (H) – LIBRARY

41. List of items in the library collection.

The Purchasers will receive and physically maintain all volumes currently in the Western Sierra Law School library at the site of the proposed new location. The library comprises physical volumes of CA Reports, CA Appellate Reports, Deering’s CA Codes, and West CA Law Digest, as well as a current treatise or text for each course offered by the law school. The library presently requires an update to bring the CA Reports, CA Appellate Reports, Deering’s CA Codes, and West CA Law Digest current; to this end we note that maintenance of the library is ongoing. The CA Reports and CA Appellate Reports are cumulative; however, Deering’s CA Codes and West CA Law Digest are not. Therefore, we will add new volumes to update the CA Reports and CA Appellate Reports and bring current, whereas we will purchase new volumes of the Deering’s CA Codes and West CA Law Digest. We have inquired with Thompson and Lexis regarding these updates and to begin a purchase order; however, due to COVID, some items are currently unavailable, estimated to arrive in Fall 2020.

Rule 4.240 (I) – PHYSICAL RESOURCES

45. Diagram of physical facilities.

Attached and labeled as “**Exhibit E**” is a floor plan of suite 250 at 3548 Seagate Way, Oceanside, CA 92056 (the classroom and library).

Attached and labeled as “**Exhibit F**” is a floor plan of suite 110 at 3548 Seagate Way, Oceanside, CA 92056 (the offices).

These facilities are sufficient to accommodate the law school's current students (14 total; 2*1L, 7*2L, 3*3L, and 2*4L). Additionally, these facilities are sufficient to accommodate up to: 15 students and 1 instructor per course (with minor changes to furniture arrangements), or up to 45 students total.

We have identified a backup option, should the number of students exceed 15 in any given course being offered, which includes leasing on a short-term basis (example, ten weeks) a classroom from MiraCosta College (<http://www.miracosta.edu/administrative/facilities/facilitiesrental.html>) that is 2.2 miles from the proposed new location of the law school and located at: 1 Barnard Drive, Oceanside, CA 92056.

46. Lease of the physical facilities

The proposed location is leased by the law school. The lease is for ten years beginning June 1, 2020, with a ten-year option to renew at fair market terms. The material terms include a rent of \$2500 per month, security deposit of \$2500, lessee to maintain general liability insurance suitable for the business, improvements require lessor's approval, lessee to pay utilities (electric and internet service). A copy of the lease is enclosed and marked “**Exhibit G**”.

Rule 4.240 (J) – FINANCIAL RESOURCES

48. Statement of assets/liabilities, financial statement, describe claims or civil actions

Western Sierra Law School presently holds assets in the amount of \$96,859.86 and liabilities in the amount of \$85,150.00; please see the enclosed Balance Sheet marked as “**Exhibit H**”.

The law school has sufficient assets to update the library and execute operations thru end of year 2020.

Moreover, the law school has access to two lines of credit, one in the amount of \$50,000 and another in the amount of \$60,000, should additional resources be required to fund law school operations.

There are no present or anticipated claims or civil actions against Western Sierra Law School.

49. Financial projections

The Purchasers are enclosing three years of financial projections according to currently available information, and assuming six (6) new students per year. We believe these numbers to be extremely conservative, based on existing data and subject to uncertainty due to the current COVID-19 pandemic. Please see the anticipated financials enclosed and marked as “**Exhibit I**”.

Rule 4.240 (K) – RECORDS AND REPORTS

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51. Maintenance of law school's records and reports.

No current changes. However, we intend to immediately begin efforts to scan all paper records, upload PDF copies of the scanned documents to a secure server such as dropbox.com or an equivalent, and eventually shred the paper files that are more than 5 years old after confirming integrity and security of an electronic backed-up copy.

Rule 4.240 (L) – EQUAL OPPORTUNITY AND NON-DISCRIMINATION

No Material Changes.

Other / COVID-Related Changes

On or about March 23, 2020, Western Sierra Law School transitioned from physical classroom instruction to online (virtual) classroom instruction pursuant to The Committee of Bar Examiners' letter concerning Item O-400 "*Waiver Allowing Temporary Transition to Online Classes and Discretion to Adopt Pass-Fail Grading through August 31, 2020 at Accredited and Unaccredited Law Schools to Address Issues Related to COVID-19*", dated March 30, 2020. The virtual classroom instruction was provided in substantially the same format as physical classroom instruction, for example: case briefing and Socratic method between instructors and students, albeit via online video conferencing. All required hours of instruction were provided to students in each course during the law school's Spring 2020 quarter. Please find a summary of courses offered and students attending during Spring 2020 quarter, enclosed and marked as "**Exhibit J**".

Since June 8, 2020, and throughout the remainder of the summer quarter, all instruction has been and will continue to be provided via online classroom instruction using ZOOM (<https://zoom.us>). Instruction continues to be provided as the study of cases, case briefing and Socratic method discussion in a (virtual) classroom setting. Instructors are recording and certifying attendance by way of an attendance record. Please find a summary of courses offered and students attending during Summer 2020 quarter, enclosed and marked as "**Exhibit K**".

We anticipate the CBE will update all law schools regarding any further changes or reversion to policies concerning physical (in person) fixed facility instruction; however, to the extent necessary, we hereby respectfully request special consideration concerning all requirements related to 'physical' classroom instruction during the COVID-19 pandemic.

Specifically, we request the CBE to define the term "classroom" as may be used in the Unaccredited Law School Rules and Guidelines for Unaccredited Law School Rules, as well as CRC 9.30, and California Business & Professions Code 6060 to mean "a room, including any physical or virtual room, in which a course is taught to students," at least until restrictions of the current pandemic are lifted by the applicable state and federal government authorities.

We make this request because: (i) any student who believes that he/she may have been exposed to a person with COVID-19 has a duty to protect his or her classmates and instructors by isolating in quarantine for a period of at least fourteen (14) days, but is entitled to continue legal education that may be easily provided online via a virtual classroom; (ii) any student who is ill should stay home, and if feeling well enough, should participate in his/her legal education

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online via a virtual classroom; and (iii) any student traveling for work or to assist family, particularly the elderly, during the pandemic should have an option to participate in legal study online via a virtual classroom. In contrast, requiring physical attendance during the pandemic is likely to spread the disease and unnecessarily place others at health risks. Because we have successfully adopted ZOOM for delivery of virtual classroom instruction, and we believe that we are successful using ZOOM, it is reasonable to extend the physical classroom to a virtual classroom using ZOOM for those who cannot (or should not) attend physical in-class sessions. To this end, we are able to install audio/video equipment for integrating the physical and virtual classrooms as one, such that professors and students can interact much like they would in an exclusively physical class session.

Requests for Committee Approval

1. *Please approve the ownership change of Western Sierra Law School from current owner Angela Saldarriaga to new owner Western Sierra Law School LLC (California).*
2. *Please approve the new Western Sierra Law School offices, library and classroom location at 3548 Seagate Way, Suites 110 and 250, Oceanside, CA 92056. All prior addresses will be discontinued (i.e. this is a relocation, not a second location).*
3. *Please approve Joshua S. Schoonover, Esq. as the new dean of Western Sierra Law School.*
4. *Please approve Erika C. Schoonover, M.S., J.D. as the new assistant dean, administrator & registrar of Western Sierra Law School.*
5. *Please approve the new mailing address for Western Sierra Law School as: P.O. Box 748, Bonsall, CA 92003.*
6. *Please approve the new phone number for Western Sierra Law School's primary administrative office as: (760) 855-3137.*
7. *Please approve or adopt, as far as the Committee's interpretation, an expanded definition of "classroom" as used in the Unaccredited Law School Rules and Guidelines for Unaccredited Law School Rules, as well as CRC 9.30, and California Business & Professions Code 6060 to mean "a room, including any physical or virtual room, in which a course is taught to students," at least until restrictions of the current pandemic are lifted by the applicable state and federal government authorities.*

Conclusion

We believe the above information is complete, accurate, and sufficient to enable the Committee to authorize the requested changes. Therefore, please approve the requested changes at the Committee's earliest convenience, or at least indicate a temporary, conditional approval, subject to further inspection. We anticipate a return to in-person classes beginning August 31, 2020, at the proposed new location, and therefore we respectfully request an expedited approval of the requests herein, such that there will be no interruption in the legal education offered to students.

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Sincerely,

Erika C. Schoonover, MS, JD
Assistant Dean

Joshua S. Schoonover, Esq.
Dean

Appendix 2

Committee's Approval of Requests for Major Change – WSLS August 21, 2020



The State Bar
of California

180 Howard Street, San Francisco, CA 94105

OFFICE OF ADMISSIONS

natalie.leonard@calbar.ca.gov
415-538-2118

August 21, 2020

Dean Joshua Schoonover
Western Sierra Law School
PO Box 748
Bonsall, CA 92003

RE: Committee Action on Major Change Request – New Ownership

Dear Dean Schoonover:

At its meeting on August 21, 2020, the Committee of Bar Examiners (Committee) considered the action on the major change request filed by Western Sierra Law School.

The Committee took the following action:

MOVED, that the application of Western Sierra Law School seeking major changes to transfer ownership of the school to Western Sierra Law School, LLC and change the location to 3548 Seagate Way, Oceanside, California, Suites 110 and 250 and the mailing address to PO Box 748, Bonsall, California, 92003, be received and filed; that the requests be granted conditioned upon the school advising the State Bar within 30 days of the date of the closing of the purchase and again with 30 day of the date of the facility move, and consenting to undergo a periodic inspection during as soon as practical in 2021 subject to the fees stated in the Schedule of Charges and Deadlines. This permission will lapse if the purchase is not concluded within one year from this date.

Please advise when the transaction has closed, so that a videocall confirmation can be scheduled.

The invoice related to this request is enclosed and payable within 30 days.

Should you have any questions, please do not hesitate to contact me

Sincerely,

Natalie Leonard

Natalie Leonard
Principal Program Analyst

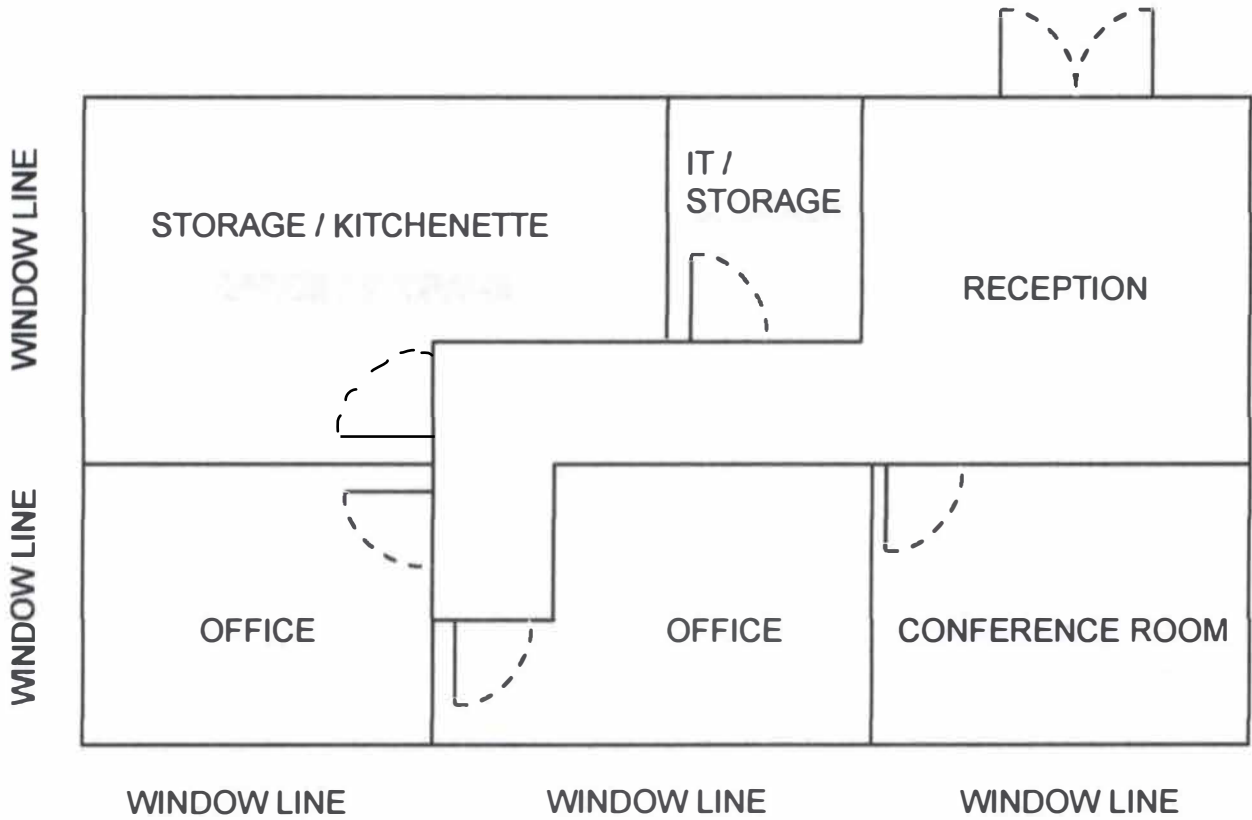
cc: Angela Saldarriaga

Enclosure

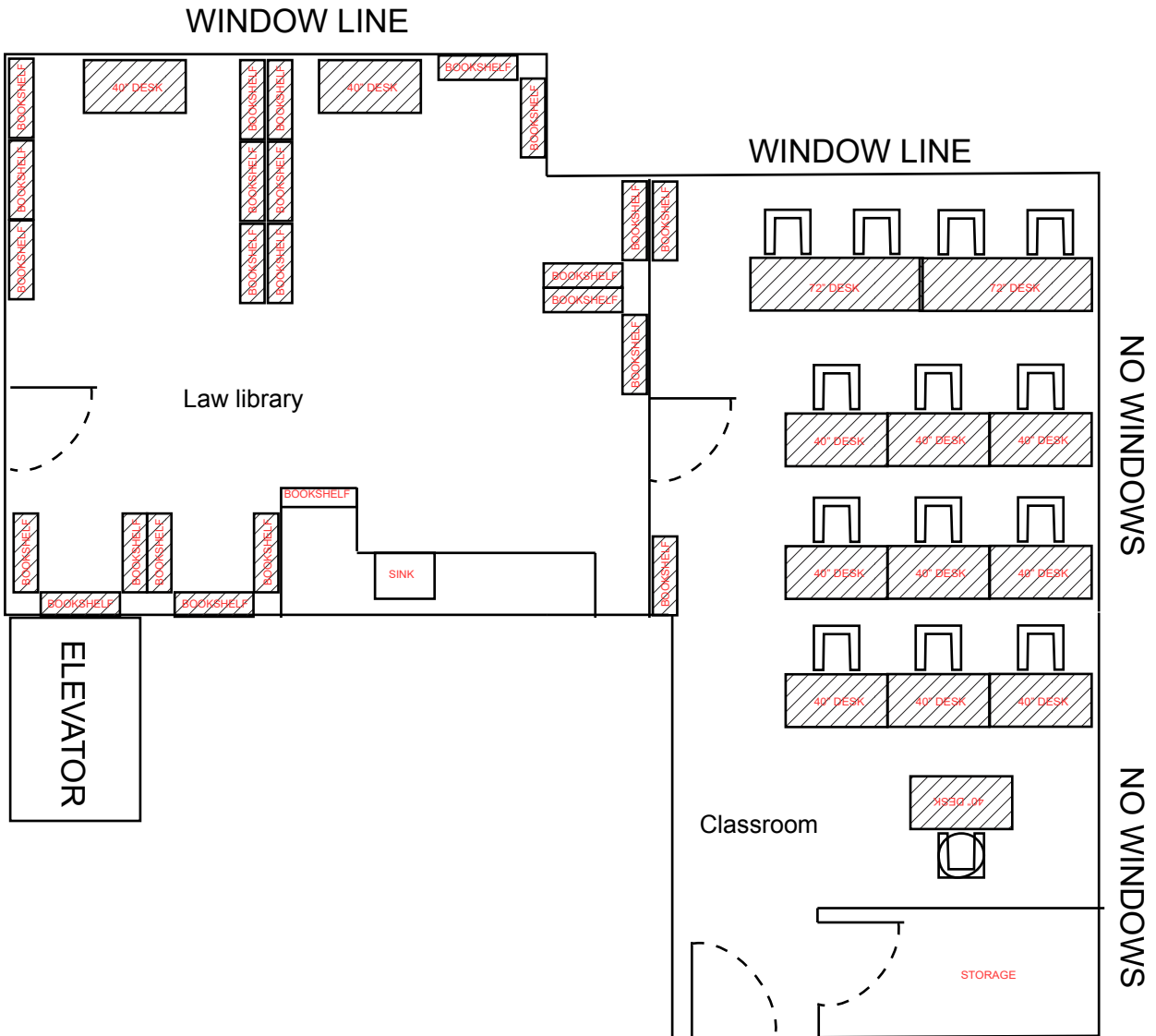
Appendix 3

Further Description of Law School's Facilities - WSLS

Appendix 3
SUITE 110



Appendix 3
SUITE 250



Appendix 3

Photographs of 3548 Seagate Way, Oceanside, CA 92056 (Building)



Appendix 3



Appendix 3

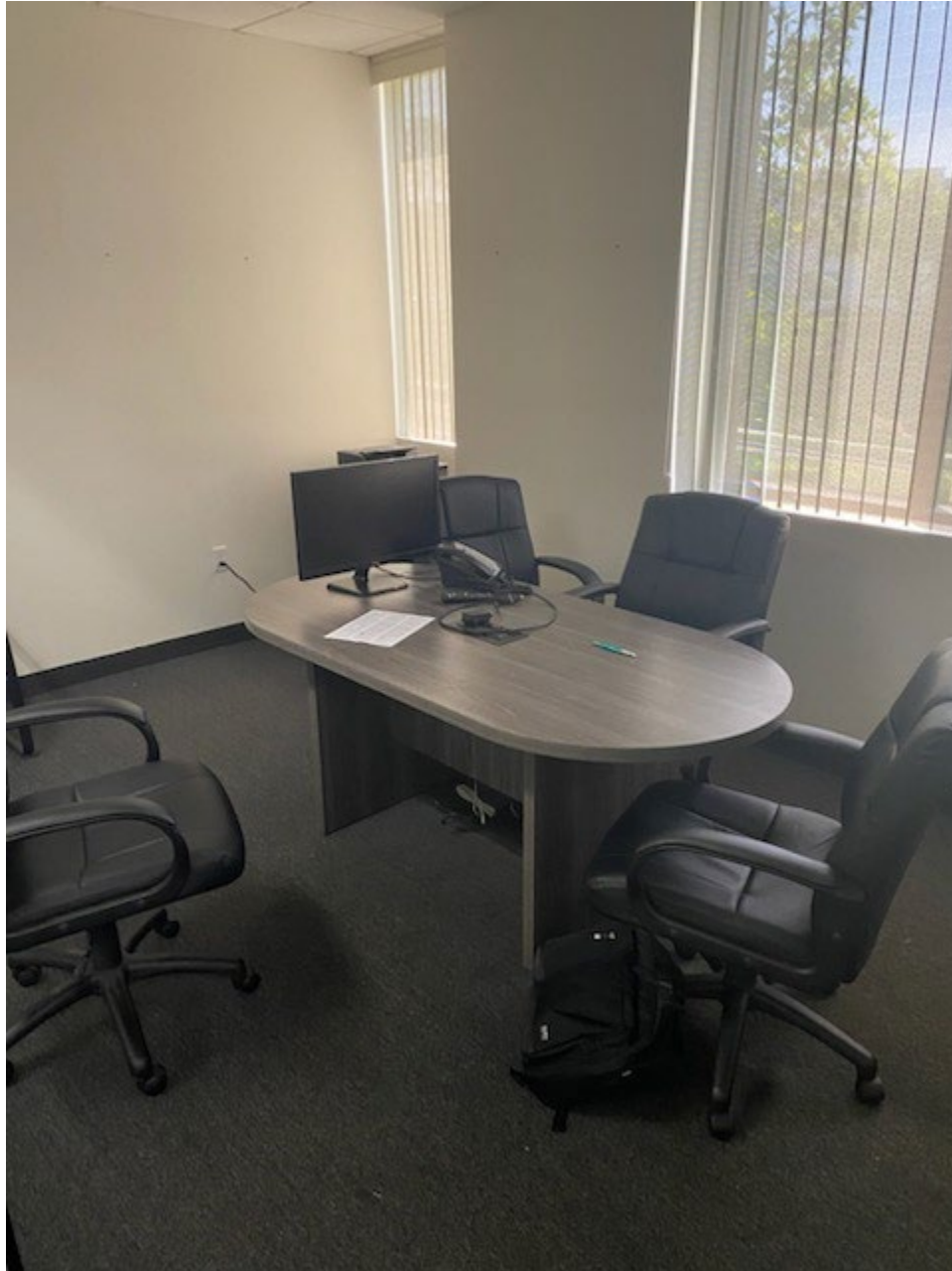
Photographs of STE 110 (Business & Administration Offices)



Appendix 3



Appendix 3



Appendix 3



Appendix 3



Appendix 3



Appendix 3

Photographs of STE 250 (Classroom and Library)



Appendix 3



Appendix 3



Appendix 3



Appendix 3





2712 Loker Avenue West #1134
Carlsbad, CA 92010
<https://wslawschool.com>

Attn: Natalie Leonard
b/o Committee of Bar Examiners
State Bar of California
180 Howard Street
San Francisco, CA 94105
Natalie.Leonard@calbar.ca.gov

July 20, 2023
Via Email

Dear Natalie:

In furtherance of the Friday, June 23, 2023 Committee of Bar Examiners' meeting, and more particularly, in furtherance of the related action items concerning Western Sierra Law School's Inspection Report, outstanding petition and requests for guidance concerning the Rules and Guidelines as they related to the provision of blended physical and distance education content, and the alternative request for major change as presented by the law school, please find for your records a copy of the public statement that I read during the five (5) minute public comment period addressing these issues, which is attached herewith and labeled "Appendix 1".

Best Regards,



Joshua Schoonover
Dean
dean@wslawschool.com

Appendix 1

Public Comment – Statement of Dean Schoonover

I am Dean Joshua Schoonover of Western Sierra Law School.

I will read a statement given limited time.

My first point.

Western Sierra Law School's registration should be approved, with the next inspection to occur in Fall 2026 (or 5 years).

State Bar Staff propose renewal with another inspection to occur in spring of next year, which is too soon. As grounds, the State Bar Staff cite: (a) inexperience of new ownership, (b) low bar pass rates, and (d) alleged large number of inspection report recommended actions.

- a. As to alleged inexperience.
 - i. the law school continues to retain the prior faculty and advising staff, having collectively over 100 years of legal education experience. Any lack of experience of owners is negated by retention of experienced faculty and advisors.
 - ii. MPR (minimum bar pass rates) are going up substantially since new owners have assumed authority of the law school, evidencing significant competence.
 - iii. The law school has received no complaints.
- b. About the MPR:
 - i. The law school's cumulative 5-year MPR is 50%.
 - ii. More importantly, the law school's 3-year Cumulative bar pass rate, since I have assumed role as Dean, is 62.5%.
- c. Regarding Number of inspection report recommended actions.
 - i. Of the thirty (30) recommended actions:
 - 1. none are of material compliance; all are based on recommendations for "further compliance"! what is further compliance? A review suggests the recommendations are not related to Unaccredited Rules/Guidelines, but rather are based on Rules/Guidelines for Accredited law schools. In sum, they don't apply to Western Sierra Law School! They should all be removed from the report.
 - 2. The majority of actions are policy/publication/website related. They are *de minimus* in nature. Notwithstanding, the law school has adopted and implemented each of them without contest and has supplied documents to state bar staff indicating the same.
 - 3. Many of the items are factually incorrect, moot, or the cited Rule is misapplied.
 - 4. We emphasize that throughout the inspection report, it is indicated that the law school is in compliance or at least minimal compliance, and that all of these suggested actions are to place the school in "*further compliance*".

The CBE is respectfully requested to renew the Law School's registration for 5 years.

My Second point.

A major change should properly be denied, because one is unnecessary under the Rules/Guidelines. In the alternative, at the CBE's discretion, the major change may be considered and authorized.

Here are the facts:

1. WSLs is a registered, fixed facility law school, and wishes to continue as such.
2. WSLs returned to the physical classroom nearly a year ago, for classes in Fall of 2022.
3. WSLs conducts its instruction principally in the physical classroom facilities.
4. The instructor is present in the physical classroom.
5. A majority of students attend the physical classroom.
6. Classroom instruction is also broadcast over a synchronous online classroom extension via Zoom room technology.
7. Additionally, our library contains hundreds of physical volumes and is located in the physical facilities.

These are the facts.

WSLS intends to continue as it has been operating. We respectfully ask the committee to indicate that no major change is necessary under the rules given the foregoing set of facts, and the authority I will cite in a moment.

The Authority.

1. A "fixed facility" law school is defined in Rule 4.204 (J)(3) as "a law school that conducts its instruction principally in physical classroom facilities."
2. Guideline 1.5: "Law schools in each category may provide educational programming in either or both of the other two categories" The law school is expressly authorized to blend delivery formats under the Rules & Guidelines.

State bar staff have indicated that distance law schools have a higher hour requirement than physical fixed facility schools. This is false and misleading. Additionally, this argument fails because our program requires about 1200 hours per year of instruction when considering out of class preparation, substantially exceeding the 864 hours required of distance schools.

In closing:

Arguably, one of the top educational institutions in the world, Harvard University, from which I recently received a graduate degree in Biotechnology, also utilizes technology to extend learning from a physical classroom facility to a synchronous online classroom extension. I believe that most institutions now do the same.

Even this very meeting is being conducted principally in physical facilities and extended via a synchronous online extension. This is undeniably the way of the future.

There is compelling reason and rational basis for providing such a mode of instruction, whether it is to accommodate students in need, or to mitigate the spread of infectious diseases.

Most importantly, **the Rules and Guidelines expressly permit blended formats.**

In the alternative, with respect to major change, the CBE has precedent as previously approving similar blended formats for schools, such as the California Desert Trial Academy College of Law, Humphreys School of Law, and others.

Thank you, I am happy to address any questions.

[This Public Statement was read by Dean Joshua Schoonover on June 23, 2023 to the Committee of Bar Examiners]



2712 Loker Avenue West #1134
Carlsbad, CA 92010
wslawschool.com

Attn: Natalie Leonard
b/o Committee of Bar Examiners
State Bar of California
180 Howard Street
San Francisco, CA 94105
Natalie.Leonard@calbar.ca.gov
c.c.: lawschoolregulation@calbar.ca.gov

August 10, 2023
Via Email

Re: WSL's Supplemental Response Concerning Facilities

Dear Natalie:

In response to email communication received from the state bar on August 9, 2023, requesting further information and clarification regarding use of Western Sierra Law School's facilities, please find the following remarks:

Q1: Part of the reason for re-filing the motion was for the Committee to fully understand the space available, and whether/how the uses of storage room and space for alumni or any other uses continued, or when they ended. Please advise.

Response 1:

It is unclear exactly what is being asked here. However, in attempt to provide further clarification, the law school respectfully submits that its storage areas are used

to store things like equipment (e.g., computer monitors, portable carts, books and office supplies), marketing assets (e.g., pop up booth, banners, flyers) and other traditional items for maintaining law school facilities (e.g., vacuum, broom, ladder, hand tools, step stool, etc.). Alumni do not use the law school's storage areas, but they sometimes use office areas and the conference room as further detailed below.

Q2: Can you please confirm whether any alumni, law firms, or attorneys are using the law school space any longer? If so, which portions are they using? If not, when did they vacate, or do they have continued access to the space?

Response 2:

Alumni are rarely, but on occasion, using the classroom, library and office areas of the law school space with the approval and supervision of law school administration and/or faculty. The state bar previously asked law schools to accommodate students, where possible, that need a steady internet connection for purposes of taking online-administered bar examinations. We have encountered an occasional student or alumni need to facilitate a quiet space for study, away from home, and have in these instances welcomed students and alumni to use the law school space for study and taking exams provided that such use does not interfere with regular class times. On occasion we have permitted alumni to use the classroom, library and office areas of the law school space for tutoring current students. Our law school has built a community of law students and alumni that often help one another in a collegial manner.

There is no law firm use of the space.

Many of the law school's instructors and administration are practicing and retired attorneys. So that we are clear, yes there are attorneys using the space, including the classroom, library and office areas. It is not uncommon to find one or more attorneys on site at the law school, but they are there in capacity as law school faculty and administration staff. However, to the extent that you may be asking if attorneys are practicing law on site, the answer is 'No'. Attorneys utilize the space for law school purposes, such as to prepare for classes and conduct instruction to law students, meet

with students outside of class as office hours, and to meet and confer with other attorney instructors and the administration for a variety of law school related purposes.

Western Sierra Law School respectfully submits that, in accordance with Guideline 7.1, **the law school maintains “exclusive occupancy of office and library facilities at all times and of classrooms during, and for a reasonable time, before and after class.”**

Q3: In one of the photos, a corridor with offices is shown. Are these offices used, whether temporarily or permanently, for any business purpose other than the law school, or will they plan to be used for any other business purpose in the 2022-2023 school year?

Response 3:

These offices are not used, either temporarily or permanently, for any business purpose other than the law school. There is no plan to use these offices for any business purpose other than the law school.

Q4: Because the items retain the earlier dates when the materials were originally filed, can you please confirm the dates of the photos and whether they represent the law school’s headquarters as it looks and is available today?

Response 4:

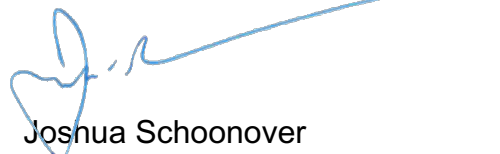
The photos of the business and administration offices (Suite 110) were taken on June 30, 2023 after request from the state bar staff. The photos of the classroom and library (Suite 250) are believed to have been taken some time in 2021. All photos and floorplans as provided represent the law school’s headquarters as it looked at least as early as September 9, 2022 (when the law school resumed physical instruction at its facilities) and continue to represent the law school’s headquarters as it looks today and as it is expected to look in the foreseeable future. While no substantial changes to the facility have occurred or are anticipated, it should be appreciated that minor changes, such as movement of a chair or boxes, might occur with normal use.

Conclusion

As indicated multiple times to state bar staff, I believe there is misinformation or misunderstanding at the state bar concerning the law school's facilities or use thereof. The law school does not understand the basis for the state bar's information requests, or as best understood, where the apparent misinformation is coming from. As such, it is difficult to address the underlying concern(s). I have provided as much detail and information as possible and hope this letter helps to resolve any outstanding issues.

In light of the foregoing, **Western Sierra Law School respectfully proposes that state bar staff remove the agenda item labeled “Action on Motion for Major Change – Amended Motion for Change of Headquarters – Western Sierra Law School” that is posted in relation to the upcoming meeting of the Committee of Bar Examiners on August 18, 2023, since, there is no request for major change presented by the law school, and, even if *sua motu* offered by the state bar staff, the item is moot.** Western Sierra Law School is NOT asking to amend or change its headquarters.

Best Regards,



Joshua Schoonover
Dean
dean@wslawschool.com