

TITLE 3. PROGRAMS AND SERVICES

Division 1. PROSPECTIVE LICENSEES

Chapter 1. Certified Law Student Program

Rule 3.1 Definitions

For the purposes of this chapter:

- (A) A “Certified Law Student” is an applicant who meets the requirements of rule 9.42(d) of the California Rules of Court and whose Application for the Certified Law Student Program has been approved by the State Bar.
- (B) The “Certified Law Student Program” is the legal education program established by rule 9.42 of the California Rules of Court and administered by the State Bar of California under this chapter.
- (C) The “Law Office Study Program” is the legal education program regulated under rule 4.29 of the Rules of the State Bar.
- (D) A “Notice of Law Student Certification” or “Notice” is the notice issued by the State Bar of California to an applicant approving their participation in the Certified Law Student Program.
- (E) “Receipt” of a document that the State Bar sends to an applicant is:
 - (1) calculated as the date of electronic transmission or 5 days from the date of mailing to a California address; 10 days from the date of mailing to an address elsewhere in the United States; and 20 days from the date of mailing to an address outside the United States; or
 - (2) when the State Bar delivers a document physically by personal service or otherwise.
- (F) A “Supervising Attorney” is an attorney who meets the requirements of rule 9.42(a)(4), of the California Rules of Court and who supervises a Certified Law Student.

Rule 3.1 adopted effective July 1, 2010.

Rule 3.2 Eligibility

- (A) To be eligible for the Certified Law Student Program, an applicant must meet the requirements of rule 9.42(d) of the California Rules of Court and this chapter.

- (B) An applicant who graduates from a juris doctor (J.D.) program, completes one year in a master of laws (LL.M.) program, or completes their law study in a law office through the Law Office Study Program is eligible to apply for the Certified Law Student Program within 30 days of completing their law studies.
- (C) A person is ineligible to apply for certification if:
 - (1) they are licensed to practice law in any United States jurisdiction;
 - (2) they fail to take the first California Bar Examination for which they are eligible, as determined by the State Bar; or
 - (3) they have previously taken the California Bar Examination, except as specified in rule 3.9(B).
- (D) A person may not concurrently participate in the Certified Law Student Program and the Law Office Study Program if they are studying law in a judge's chambers.

Rule 3.2 adopted effective July 1, 2010.

Rule 3.3 Application

- (A) To apply to be a Certified Law Student, an applicant must:
 - (1) submit an Application for Registration to register as a general applicant, pursuant to rule 4.16(B), with the required documentation and the fee set forth in the Schedule of Charges and Deadlines; and
 - (2) submit an Application for the Certified Law Student Program and:
 - (a) the fee set forth in the Schedule of Charges and Deadlines;
 - (b) a current email address, which will not be disclosed on the State Bar's website or otherwise to the public without the applicant's consent, unless required by law;
 - (c) a declaration, signed no more than 30 days prior to submission, attesting that the applicant meets the requirements of rule 9.42 of the California Rules of Court and these rules, from either a law school dean, registrar, or their designee or the attorney who currently supervises the applicant in the Law Office Study Program; and
 - (d) a Supervising Attorney Declaration signed no more than 30 days prior to submission by the Supervising Attorney, attesting that:

- (i) the Supervising Attorney meets the requirements under rule 9.42 of the California Rules of Court;
 - (ii) the Certified Law Student will be supervised as specified in rule 9.42 of the California Rules of Court and this chapter; and
 - (iii) the Supervising Attorney will assume professional responsibility for any work performed by the Certified Law Student under rule 9.42 of the California Rules of Court and this chapter.
- (B) The State Bar will deem an Application for the Certified Law Student Program complete when all required documentation has been submitted and the required fees paid. The State Bar will notify the applicant if an application has been deemed incomplete. The applicant must cure all deficiencies within 60 days of receipt of the notification or the application will be deemed abandoned, absent a showing of good cause. No refund of fees will be issued for an abandoned application.
- (C) Upon approval of the Application for the Certified Law Student Program, the State Bar will issue a Notice of Law Student Certification, which states that the applicant is authorized to participate in the program for a specified time period.
- (D) An Application for the Certified Law Student Program will be denied if the applicant fails to meet the requirements of rule 9.42 of the California Rules of Court or this chapter, or makes a material misrepresentation of fact in their application.

Rule 3.3 adopted effective July 1, 2010.

Rule 3.4 Change or Addition of Supervising Attorney

- (A) A Certified Law Student may request to change their Supervising Attorney during the period of certification without submitting a new application. To change their Supervising Attorney, the Certified Law Student must submit the request to change their Supervising Attorney with:
 - (1) the fee set forth in the Schedule of Charges and Deadlines; and
 - (2) a Supervising Attorney Declaration pursuant to rule 3.3(A)(2)(d).
- (B) An applicant may add an additional Supervising Attorney at the time of initial application, or at any time during the period stated in the Notice by submitting a request to add a Supervising Attorney. For each additional Supervising Attorney, the applicant must submit a Supervising Attorney Declaration from the added attorney and the fee set forth in the Schedule of Charges and Deadlines.

- (C) The State Bar will deem a request to change or add a Supervising Attorney complete when all required documentation has been submitted and the required fee paid. The State Bar will notify the applicant if a request has been deemed incomplete. The applicant must cure all deficiencies within 60 days of receipt of the notification or the request will be deemed abandoned, absent a showing of good cause. No refund of fees will be issued for an abandoned request.

Rule 3.5 Permitted Activities

A Certified Law Student may engage only in the activities permitted by rule 9.42(f) of the California Rules of Court.

Rule 3.4 adopted effective July 1, 2010; amended effective January 25, 2019.

Rule 3.6 Duties of Certified Law Student

A Certified Law Student must:

- (A) act as a Certified Law Student only during the period stated in their Notice;
- (B) at all times comply with rule 9.42 of the California Rules of Court and these rules;
- (C) maintain a current email address with the State Bar;
- (D) immediately upon becoming ineligible for the program, cease any activities that require certification under rule 9.42 of the California Rules of Court or these rules, and notify the State Bar within 30 days of becoming ineligible;
- (E) not imply or claim in any way to be a licensee of the State Bar; and
- (F) if they are or have been employed, interned, externed, received academic credit, or volunteered in the legal field, or participated in the Law Office Study Program, inform their Supervising Attorney of the name of the firm(s) or organization(s) with which they are or were affiliated and the name(s) of the individuals who have supervised them in that capacity.

Rule 3.5 adopted effective July 1, 2010; amended effective January 25, 2019.

Rule 3.7 Duties of a Supervising Attorney

- (A) A Supervising Attorney must:

- (1) supervise the permitted activities of a Certified Law Student as specified by rule 9.42(e) of the California Rules of Court;
- (2) provide a Supervising Attorney Declaration to an applicant who is applying for the Certified Law Student Program, prior to the applicant starting activities as a Certified Law Student;
- (3) personally assume professional responsibility for any activity a Certified Law Student performs pursuant to rule 9.42 of the California Rules of Court or these rules;
- (4) concurrently supervise no more than 5 Certified Law Students, or, if employed full-time to supervise law students in a law school or government training program, no more than 25 Certified Law Students; and
- (5) notify the State Bar within 30 days if:
 - (a) they no longer meet the requirements of rule 9.42 of the California Rules of Court or these rules; or
 - (b) their supervision of a Certified Law Student is ending before the period stated in the Certified Law Student's Notice.

Rule 3.6 adopted effective July 1, 2010; amended effective January 25, 2019.

Rule 3.8 Designation as Certified Law Student

- (A) A Certified Law Student may not use any title other than "Certified Law Student" in connection with activities performed as a Certified Law Student.
- (B) On written materials prepared pursuant to rule 9.42 of the California Rules of Court and these rules, a Certified Law Student must use the title "Certified Law Student" with their name and provide the name of their Supervising Attorney.

Rule 3.7 adopted effective July 1, 2010.

Rule 3.9 Duration of Certification

- (A) Subject to the exceptions set forth in this rule, a Certified Law Student may perform an activity that complies with rule 9.42 of the California Rules of Court and these rules only:
 - (1) for the period stated in the Notice; and
 - (2) while the Supervising Attorney identified in the application supervises the Certified Law Student.

- (B) A Certified Law Student who graduates from a J.D. program, completes their studies in a law office through the Law Office Study Program, or completes one year of study in an LL.M. program during the period stated in the Notice and then takes the first California Bar Examination for which they are eligible after graduating or completing their studies, may participate in the program until the State Bar releases results for that examination.
- (C) Certification terminates before the end of the period stated in the Notice if:
 - (1) the Certified Law Student no longer meets the eligibility requirements of rule 9.42 of the California Rules of Court or these rules;
 - (2) in the case of a Certified Law Student studying law through the Law Office Study Program, the Certified Law Student is placed on suspended status for failure to comply with all requirements set forth in rule 4.29;
 - (3) the Certified Law Student requests that certification terminate on an earlier date;
 - (4) the Certified Law Student fails to take the first California Bar Examination for which they are eligible, as defined by the State Bar; or
 - (5) the State Bar revokes certification.

Rule 3.8 adopted effective July 1, 2010.

Rule 3.10 Revocation of Certification

The State Bar may revoke certification for noncompliance with any applicable rule or law, including rule 9.42 of the California Rules of Court and these rules. The State Bar will provide the Certified Law Student, the Supervising Attorney, and the law school dean, registrar, or their designee, if applicable, a written notice of revocation. The revocation is effective one day from the date of receipt of notification of revocation.

Rule 3.9 adopted effective July 1, 2010.

Rule 3.11 Request for Reconsideration

A Certified Law Student whose certification has been revoked may request reconsideration of the revocation. The request must be in writing and submitted to the State Bar within 15 days of the applicant's receipt of the notice of revocation. Any arguments or evidence in support of the request must be submitted with the request. Within 60 days of receipt of the request, the State Bar will provide the applicant with a written decision. The decision constitutes the final action of the State Bar.

Rule 3.10 adopted effective July 1, 2010.