



The State Bar of California

**OPEN SESSION
AGENDA ITEM
4.4 MARCH 2025
COMMITTEE OF BAR EXAMINERS**

DATE: March 14, 2025

TO: Members, Committee of Bar Examiners

FROM: Ashley Silva-Guzman, Committee of Bar Examiners
Bethany Peak, Committee of Bar Examiners
Tara Clark, Program Director, Operations
Christina Doell, Program Manager, Eligibility and Testing Accommodations
David Lane, Attorney, Moral Character Determinations

SUBJECT: Action on Revisions to the Practical Training of Law Students and Law Office Study Rules: Recommendation to Circulate Revised Rules for Public Comment

EXECUTIVE SUMMARY

In 2022 and 2023, proposed revisions to the Practical Training of Law Students (PTLS) and Law Office Study (LOS) rules were circulated for public comment and approved by the Committee of Bar Examiners (CBE) and the Board of Trustees (Board). In July 2023, the revised rules were submitted to the California Supreme Court for review and approval. On September 20, 2023, the Court denied the proposed changes to the rules. In January 2024, the revised PTLS rules were brought to the CBE to address the possible conflict of those studying under a judge through the LOS Program and participating in PTLS. The effort to revise the rules was subsequently abated while the State Bar developed a barwide process to review proposed rule changes, and ensure consistency and high quality of all rule proposals.

The effort to revise the PTLS and LOS rules has resumed, and they have been further revised. The attached redline versions of the rules show both the prior revisions that the Committee previously approved, and additional amendments. This staff report recommends CBE approval to submit the proposed rule revisions to the Board.

RECOMMENDED ACTION

The CBE working group recommends that the CBE ask the Board to circulate the proposed rules revisions set forth in Attachments B–H for a 60-day public comment period. The working group further requests that the CBE authorize staff to make nonsubstantive, grammatical changes to the proposed revisions set forth in Attachments B–H, if necessary, before the Board reviews the proposal.

DISCUSSION

Generally, the proposed rule revisions are intended to eliminate outdated barriers to participation in the PTLs and LOS programs, ensure consistency within the rules, and transition to gender-neutral pronouns. Please see the prior staff reports for discussions of the most substantive revisions previously proposed, which the working group has generally maintained in the current iteration of the proposal. Substantive changes to the proposal since CBE’s last review are discussed below.

FURTHER AMENDMENTS

In response to feedback included in the Supreme Court order regarding the prior proposal and other rule proposals, the working group made refinements to the proposal to ensure consistent use of defined terms, include cross-references to other rules, and incorporate the names of applications.

The working group made further amendments to ensure consistency between the rules that govern how an LOS application and PTLs application will be considered complete, incomplete, or abandoned. (Rules of the State Bar, rules 3.3(B), 4.29(C).)

Practical Training of Law Students

The working group proposes further amendments to California Rules of Court, rule 9.42, to make it clearer and more consistent with the rules governing other special admissions programs, including adding “Supervision” and “Application” subsections, and reordering and renaming various subsections. Definitions for the “Certified Law Student Program” and the “Law Office Study Program” were added to the current proposal for Rules of Court, rule 9.42.

The working group also proposes additional amendments to the Rules of the State Bar regarding PTLs, including renaming the program the “Certified Law Student Program” (CLSP), to align with Rules of Court, rule 9.42. Definitions for the “Certified Law Student Program,” the “Law Office Study Program,” and a “Notice of Law Student Certification” were also added to the current proposal for rule 3.1 of the Rules of the State Bar. Proposed rules 3.2(B) and 3.2(C)(3) of

the Rules of the State Bar clarify the intent of the existing rules by stating explicitly that an applicant who graduates from a juris doctor program, completes one year in a master of laws program, or completes their law study in the LOS Program, is eligible to apply for the CLSP within 30 days of completing their law studies, and may not enter the program after they take the first Bar Examination for which they are eligible and the exam results are released. The current rules may be misinterpreted as allowing an applicant to enter the program after they fail the first Bar Examination for which they were eligible.

Law Office Study

The working group proposes further amendments to the LOS Rules to make them clearer and ensure participants' success.

Proposed subdivision (E) states the requirements for an applicant to receive credit for a six-month study period. Additionally, proposed rule 4.29(F) improves clarity by stating explicitly that an applicant will not receive credit for hours of study completed before the State Bar approves the applicant's Application for the Law Office Study Program and that credit will be provided in six-month increments.

Proposed subdivision (G) clarifies the hours required for synchronous and in-person supervision in the LOS Program for each six-month study period. Additionally, proposed subdivision (G)(3) requires the attorney or judge under whom the applicant is studying to attest, for each six-month study period, whether the applicant has or has not demonstrated sufficient academic progress to proceed to the next six-month period. Proposed subdivision (M) states what will occur if the supervisor attests that the applicant has not demonstrated sufficient academic progress to advance or fails to provide the attestation. The attestation concept was initially brought to the CBE in October 2023 as part of the Eligibility Rules revisions, proposed rule 4.29.5 ([Item IV.B.](#)).

Proposed subdivisions (L) and (M) include that an applicant who is not compliant with the semi-annual report requirement for a year, or whose supervisor does not attest that they have demonstrated sufficient academic progress to proceed to the next six-month study period, will be terminated from the LOS Program. Proposed subdivision (N) ensures that applicants terminated from the LOS Program will still retain credit for study already recognized by the State Bar.

Applicable excerpts from Rules of the State Bar, Appendix A: Schedule of Charges and Deadlines (Attachment H) have been updated to reflect the proposed revisions to the PTLS and LOS rules. The proposed new LOS fees have been updated proportionally to reflect the 2024 fee increases.

PREVIOUS ACTION

October 14, 2022, CBE meeting [Item IV.B.](#)
November 17–18, 2022, Board meeting [Item 706](#)
March 24, 2023, CBE meeting [Item III.B.](#)
May 18–19, 2023, Board meeting [Item 705](#)
October 13, 2023, CBE meeting [Item IV.B.](#)
January 26, 2024, CBE meeting [Item III.A.](#)

FISCAL/PERSONNEL IMPACT

If these proposals are adopted, the working group anticipates an increase in the number of PTLs and LOS applications, and that the increase in workload will be managed by current resources. The changes to the rules will also necessitate changes to the Admissions Information Management System, as well as the State Bar’s public website, impacting both the Office of Information Technology and the Office of Strategic Communications & Stakeholder Engagement.

AMENDMENTS TO RULES

California Rules of Court, rule 9.42

Title 3, Division 1, Chapter 1, rules 3.1–3.10

Title 4, Division 1, Chapter 3, rule 4.29

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

None – core business operations

RESOLUTIONS

It is recommended that the Committee of Bar Examiners request that the Board of Trustees circulate for a 60-day public comment period the rule revisions reflected in Attachments B–H. It is further recommended that the Committee of Bar Examiners authorize staff to make nonsubstantive, grammatical changes to the proposed rule revisions set forth in Attachments B–H, if necessary, before the Board of Trustees reviews the proposed rule revisions.

Should the Committee of Bar Examiners agree with the working group’s recommendation, the following motion should be made:

RESOLVED, that the Committee of Bar Examiners recommends to the Board of Trustees to circulate the proposed rule revisions set forth in Attachments B–H for a 60-day public comment period.

FURTHER RESOLVED, that the Committee of Bar Examiners authorizes staff to make nonsubstantive, grammatical changes to the proposed rule revisions set forth in Attachments B–H, if necessary, before the Board of Trustees reviews the proposed rule revisions.

ATTACHMENTS LIST

- A.** September 20, 2023, Supreme Court Order and Letter
- B.** California Rules of Court, rule 9.42 (PTLS redline)
- C.** California Rules of Court, rule 9.42 (PTLS clean)
- D.** Rules of the State Bar, Title 3, Division 1, Chapter 1 (PTLS redline)
- E.** Rules of the State Bar, Title 3, Division 1, Chapter 1 (PTLS clean)
- F.** Rules of the State Bar, Title 4, Division 1, Chapter 3, rule 4.29 (LOS redline)
- G.** Rules of the State Bar, Title 4, Division 1, Chapter 3, rule 4.29 (LOS clean)
- H.** Appendix A: Schedule of Charges and Deadlines