

TITLE 3. PROGRAMS AND SERVICES

~~Adopted July 2007~~

Division 1. PROSPECTIVE LICENSEES

Chapter 1. ~~Practical Training of Certified~~ Law Students Program

Rule 3.1 ~~Practical Training of Law Students Program~~ Definitions

~~For the purposes of this chapter: Practical Training of Law Students is a program that allows a supervised law student certified by the State Bar to negotiate and appear on behalf of a client in the limited circumstances permitted by Rule of Court 9.42 and these rules.⁴~~

- (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.

⁴~~Rule of Court 9.42 (a).~~

Rule 3.2 Eligibility

- (A) To be eligible ~~considered~~ for the ~~State Bar program for Practical Training of Law Students~~ Certified Law Student Program, an applicant ~~law student~~ must meet the eligibility requirements of ~~Rule of Court 9.42(ed)~~ 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) ~~Other qualifications notwithstanding,~~ A person is ineligible to apply for certification ~~who~~ if:
- (1) they are ~~is~~ licensed to practice law in any United States ~~jurisdiction~~; ~~or~~
 - (2) they fail to take ~~has not taken~~ the first California Bar Examination for which they are ~~he or she is~~ 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), however, a law student who is certified by the State Bar and graduates or completes their studies during the period stated in the Notice of Law Student Certification 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 as permitted by 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 eligible 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 for admission to the practice of law in California;² and

² ~~Rule 4.3(G) defines "general applicant." Rule 4.16(B) explains the Application for Admission.~~

- (2) submit an Application for the Certified Practical Training of Law Students Program³ ~~and: with~~
- (a) the fee⁴ set forth in the Schedule of Charges and Deadlines;
 - (b) a current e-mail address, which will not ~~to~~ be disclosed on the State Bar's ~~web-site~~ 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 Declaration of Law School Official attesting that the law student meets the eligibility requirements of these rules and is qualified to be a certified law student, absent any subsequent notification to the contrary that the official agrees to provide, except that a law student who is studying law in a law office or judge's chambers and is not enrolled in a law school is exempt from this requirement; and the attorney who has been approved to currently supervises the applicant in the Law Office Study Program if the law student is studying law in a law office or judge's chambers, a Declaration from the attorney or judge who has been approved to supervise the law student's studies attesting that the law student meets the eligibility requirements of these rules and is qualified to be a certified law student, absent any subsequent notification to the contrary that the attorney or judge agrees to provide; and~~
 - (d) a Supervising Attorney Declaration of Supervising Attorney signed no more than 30 days prior to submission by the Supervising Attorney, attesting that:
 - ~~for a specified period the attorney will supervise the applicant as required by these rules.~~
 - (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.

³ ~~See Rule 4.16(B).~~

⁴ ~~Rule of Court 9.42(f).~~

- (B) ~~The State Bar will deem an Application for the Certified Practical Training of Law Students Program is not considered to be complete when until all required documentation has been submitted and deemed complete by the State Bar and applicable the required fees paid. The State Bar will notify the applicant if that 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. Applications that are submitted incomplete will be deemed abandoned if not brought to completed status within sixty days of the initial submission of the application. No refund of fees will shall be issued for an abandoned application.~~
- (C) Upon approval of the ~~Application for the Certified Law Student Program~~, the State Bar ~~will~~ issues a “Notice of Law Student Certification” (“notice”), which states ~~stating~~ that the applicant is ~~authorized to a certified~~ participate in the program ~~for Practical Training of Law Students~~ for ~~a specified the time~~ period, ~~stated in the notice.~~⁵
- (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 of Supervising Attorney pursuant to rule 3.3(A)(2)(d) from the new supervising attorney, attesting that for the remainder of the period stated in the Notice of Law Student Certification, the attorney will supervise the applicant as required by these rules.~~
- (B) ~~An applicant law student may add an additional Supervising Attorney at the time of initial application, or at any time during the period stated in the Notice of Law Student Certification by submitting a request to add a Supervising Attorney. For each additional Supervising Attorney, the applicant law student must submit a Supervising Attorney Declaration of Supervising Attorney from the added attorney and the fee set forth in the Schedule of Charges and Deadlines.~~

⁵~~See Rule 3.08.~~

- (C) ~~The State Bar will deem a request to change or add a Supervising Attorney is not considered to be complete when until all required documentation has been submitted and deemed complete by the State Bar and applicable the required fees 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. Requests that are submitted incomplete will be deemed abandoned if not brought to completed status within sixty days of the initial submission of the request. No refund of fees will shall be issued for an abandoned request.~~

Rule ~~3.5~~ **3.4** Permitted ~~A~~activities

- ~~(A)~~ A ~~C~~ertified ~~L~~aw ~~S~~tudent may engage only in the activities permitted by ~~r~~ule ~~of Court~~ 9.42~~(d)~~ of the California Rules of Court under the conditions prescribed by that rule.
- ~~(B)~~ ~~Nothing in this rule prohibits a certified law student from providing advice or representation that might be provided by anyone who is not a licensee of the State Bar of California.~~

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

Rule ~~3.6~~ **3.5** Duties of ~~C~~ertified ~~L~~aw ~~S~~tudent

A ~~C~~ertified ~~L~~aw ~~S~~tudent must:

- (A) act as a ~~C~~ertified ~~L~~aw ~~S~~tudent only during the period stated in the ~~ir~~ Notice ~~of Law Student Certification~~⁶;
- (B) at all times comply with ~~r~~ule ~~of Court~~ 9.42 of the California Rules of Court and these rules;
- (C) maintain a current e-mail address with the State Bar;
- (D) immediately upon becoming ceasing to be ineligible for the program, ~~promptly inform the State Bar and~~ cease any activities~~y~~ 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 ~~a certified law student is permitted to perform; and~~
- (E) not imply or claim in any way to be a licensee of the State Bar ~~of California~~⁷; 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.

⁶~~See Rule 3.98.~~

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~~ 3.6 Duties of a Supervising Attorney

~~(A) “Supervising Attorney” is an active licensee of the State Bar of California in good standing who agrees to supervise a certified law student as required by these rules.² A licensee who is inactive, suspended, or subject to discipline, or who has resigned or been disbarred may not be a Supervising Attorney. In these rules, “Supervising Attorney” may also refer to a government agency who meets all requirements for a Supervising Attorney and whom the Supervising Attorney delegates to supervise the permitted activities of certified law student.~~

(A) A Supervising Attorney must:

- ~~(1) be an active licensee of the State Bar of California who has been an active licensee in good standing and has practiced law in California or taught law in a law school as a full-time occupation for at least the two years before supervising a certified law student;~~
- (1) supervise the permitted activities of a ~~C~~ertified ~~L~~aw ~~S~~tudent as specified by ~~r~~ule 9.42(~~de~~) 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 ~~C~~ertified ~~L~~aw ~~S~~tudent performs pursuant to rule 9.42 of the California Rules of Court or these rules;
- ~~(4) provide training and counsel that prepares a certified law student to satisfactorily perform an activity permitted by these rules in a manner that best serves the interest of a client;~~
- ~~(5) read, approve, and sign any document prepared by the certified law student for a client;~~

²~~Rule of Court 9.42(a)(2).~~

(4) concurrently supervise ~~at one time~~ no more than 5 five Certified Law Students, or, ~~twenty-five~~ 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) ~~promptly~~ notify the State Bar within 30 days ~~that if:~~

(a) ~~they he or she~~ no longer meets the requirements of rule 9.42 of the California Rules of Court or these rules; or ~~that~~

(b) ~~their his or her~~ supervision of a Certified Law Student is ending before the period stated in the Certified Law Student's Notice ~~of Certification~~.

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

Rule 3.8 ~~3.7~~ Designation as Certified Law Student

- (A) A Certified Law Student may not use ~~the any~~ title other than "Certified Law Student" ~~and no other~~ 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 ~~his or her~~ their name and provide the name of ~~his or her~~ their Supervising Attorney.

Rule 3.7 adopted effective July 1, 2010.

Rule 3.9 ~~3.8~~ 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 ~~of Law Student Certification~~ and
- (2) ~~only~~ while the Supervising Attorney identified in the application supervises the ~~student~~ Certified Law Student. ~~A request to change the supervising attorney requires a new application.~~
- (B) A Certified Law Student who graduates from a J.D. program law school, completes their studies in a law office through the Law Office Study Program or judge's chamber, or completes one year of study in an LL.M. program during the period stated in the Notice ~~of Law Student Certification~~ and then takes the first California Bar Examination for which ~~they are he or she is~~ 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 ~~of Law Student Certification~~ if:

- (1) the ~~C~~ertified ~~L~~aw ~~S~~tudent 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 ~~C~~ertified ~~L~~aw ~~S~~tudent ~~who is studying in a law office through the Law Office Study Program or judge's chambers~~, the ~~student~~ Certified Law Student is placed on suspended status for failure to comply with all requirements set forth in ~~r~~ule 4.29;
- (3) the ~~C~~ertified ~~L~~aw ~~S~~tudent requests that certification terminate on an earlier date;
- (4) the ~~C~~ertified ~~L~~aw ~~S~~tudent fails to take the first California Bar Examination for which ~~he or she is~~ they are eligible, as defined by the State Bar; or
- (5) the State Bar revokes certification.⁹

Rule 3.8 adopted effective July 1, 2010.

Rule ~~3.10~~ 3.9 Revocation of ~~C~~ertification

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.⁹ The State Bar will ~~must~~ provide the ~~C~~ertified ~~L~~aw ~~S~~tudent, the Supervising Attorney, and the law school dean, registrar, or their designee, if applicable, a written notice of revocation which will be transmitted by email to the student, the supervising attorney or attorneys, and the law school official, where applicable, to the email provided in the application to participate in the program. The revocation is effective ~~ten days~~ one day from the date of receipt of notification of revocation ~~the date of its transmission.~~

Rule 3.9 adopted effective July 1, 2010.

Rule ~~3.11~~ 3.10 Request for Reconsideration ~~review of revocation~~

A ~~C~~ertified ~~L~~aw ~~S~~tudent whose certification has been revoked may request reconsideration ~~review~~ of the revocation. The request must be in writing and submitted to ~~received by~~ the State Bar ~~no more than~~ within 15 fifteen days of the applicant's receipt from the date of transmission of the notice of revocation. Any arguments or evidence in support of the request must be submitted together with the request. Within 60 sixty days of receipt of the request, the

⁹ See Rule 3.109.

⁹ Rule of Court 9.42(e).

State Bar ~~will~~ must provide the applicant ~~certified law student~~ with a written decision ~~determination affirming or denying the revocation~~. The decision ~~determination~~ constitutes the final action of the State Bar.

Rule 3.10 adopted effective July 1, 2010.