

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



# The State Bar of California

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**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

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## 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.

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## **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

SUPREME COURT  
FILED

SEP 20 2023

Jorge Navarrete Clerk

S281003

ADMINISTRATIVE ORDER 2023-09-20-02

Deputy

**IN THE SUPREME COURT OF CALIFORNIA**

EN BANC

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ORDER RE REQUEST FOR APPROVAL OF AMENDMENTS TO CALIFORNIA  
RULES OF COURT, RULE 9.42, AND RULES OF THE STATE BAR OF  
CALIFORNIA PERTAINING TO MORAL CHARACTER, LAW OFFICE STUDY,  
AND THE PRACTICAL TRAINING OF LAW STUDENTS (STATE BAR RULES 3.2-  
3.11, 4.3, 4.5, 4.6, 4.29, 4.40-4.52)

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On July 18, 2023, the State Bar of California filed a request to approve amendments to California Rules of Court, rule 9.42, and Rules of the State Bar of California pertaining to Moral Character, Law Office Study, and the Practical Training of Law Students (State Bar Rules 3.2-3.11, 4.3, 4.5, 4.6, 4.29, 4.40-4.52). The request is denied.

It is so ordered.

GUERRERO

*Chief Justice*

CORRIGAN

*Associate Justice*

LIU

*Associate Justice*

KRUGER

*Associate Justice*

GROBAN

*Associate Justice*

*Associate Justice*

EVANS

*Associate Justice*



## Supreme Court of California

JORGE E. NAVARRETE  
CLERK AND EXECUTIVE OFFICER  
OF THE SUPREME COURT

EARL WARREN BUILDING  
350 McALLISTER STREET  
SAN FRANCISCO, CA 94102  
(415) 865-7000

September 20, 2023

### **SENT VIA USPS AND EMAIL**

Leah T. Wilson  
Executive Director  
State Bar of California  
180 Howard Street  
San Francisco, California 94102

RE: S281003: Request that the Supreme Court of California Review and Approve Proposed Amendments to California Rules of Court, rule 9.42, and State Bar Rules 3.2–3.11, 4.3, 4.5, 4.6, 4.29, 4.40–4.51

Dear Ms. Wilson:

The State Bar filed a request on July 18, 2023 (Request), for approval of proposed amendments to California Rules of Court, rule 9.42, and to certain State Bar Rules relating to the moral character determinations for attorney admissions, the Law Office Study (LOS) program, and the Practical Training for Law Students (PTLS) program. After careful consideration, the court filed an administrative order today, denying the Request. The purpose of this letter is to provide the State Bar’s Board of Trustees (Board), the Committee of Bar Examiners (Committee), and bar staff with some insight into the court’s concerns with the proposal.

### **Rules Relating to the Moral Character Determination Process**

The Request indicates that the proposed revisions to the State Bar Rules governing the moral character determination process are the result of a comprehensive review of the admissions rules meant “to clarify the State Bar Rules, and to eliminate any State Bar Rules that do not advance the State Bar’s mission or that serve as unnecessary barriers to participation in Admissions programs.” (Request at 9.) While the Request provides a few specific explanations for some of the proposed rule revisions, in most cases, the explanations are insufficient for the court to determine the propriety of the requested revisions. The court urges the State Bar to provide more detailed reasons to support the rule revisions.

For example, the State Bar proposes significant revisions to State Bar Rule 4.52 that are not adequately explained in the Request. In particular, the State Bar proposes to delete two sentences from State Bar Rule 4.52(A) regarding the length of an extension of a positive moral character determination and the effective date of that extension. That language would seem to be important to an applicant who has requested an extension, but the State Bar has not provided a reasonable justification for the deletion.

Further, State Bar Rule 4.3(M) defines “receipt” for purposes of determining the time of receipt of a document that the State Bar sends to an applicant. However, a number of the rules at issue in the Request use different terminology to describe the time frames within which applicants must respond to notices or requests from the State Bar, including, within the same rule, from the “date of the notice” (e.g., State Bar Rule 4.43(A)), from “service of the notice” (State Bar Rule 4.43(C)), or simply from the “request” (State Bar Rule 4.43(B)). If the State Bar transmits these documents electronically, it is not evident whether these various terms are meaningfully different from the revised definition of “receipt” in State Bar Rule 4.3(M). The State Bar should endeavor to standardize the rules governing the moral character application process to incorporate the definition of “receipt” or should explain the reasoning behind using different terminology to describe the trigger dates for an applicant’s response.

### **Rules governing the LOS and PTLs programs**

The court acknowledges the State Bar’s efforts, in response to the court’s [October 20, 2021 order](#), in determining that LOS students, as well as LLM students, should be permitted to participate in the PTLs program and in considering whether any rule amendments may be necessary to provide additional protections to the public and to the judicial system. In addition, the court appreciates the State Bar’s proposed significant expansion of the rules relating to the LOS program that, among other things, provide increased flexibility by allowing remote work and calculating the required hours on a monthly, rather than weekly, basis. However, the court is concerned that the State Bar has not adequately considered potential ethical implications that could arise for certain proposed PTLs participants, specifically for those LOS students concurrently studying under the supervision of a judge.

For example, under the proposed amendments to Rules of Court, rule 9.42, an LOS student studying under the supervision of a judge who sits on a criminal court could conceivably concurrently participate in the PTLs program as a certified law student for the local district attorney’s office and, in that capacity, appear before the judge supervising the LOS student or other judges on the same bench. Similarly, pursuant to those same amendments, an LOS student studying under the supervision of a judge who

September 20, 2023

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sits on a civil court could conceivably concurrently participate in the PTLs program as a certified law student and represent civil litigants before the same court.

The proposed rule revisions neither preclude these dual roles, nor attempt to mitigate or prevent any actual or potential ethical concerns that might arise. For example, an LOS student studying under the supervision of a judge may have access to internal court documents related to pending proceedings being concurrently handled by the student's PTLs program attorney supervisor. Similarly, an LOS student studying under the supervision of a judge and concurrently representing either the local district attorney's office or a client through the PTLs program might be viewed as having special access or influence within the court, casting doubt on the court's impartiality and creating the appearance of impropriety. Accordingly, the State Bar should endeavor to address the ethical concerns described above and, pursuant to the court's [October 20, 2021 order](#), "consider whether any rule amendments may be necessary to provide additional protections to the public and to the judicial system."

## Conclusion

The court wishes to express its appreciation to the Board, the Committee, and bar staff for conducting a comprehensive review of the admissions rules and engaging in a thoughtful analysis of the LOS and PTLs programs in response to this court's October 2021 order, and for submitting these rule amendments for consideration.

Sincerely,



JORGE E. NAVARRETE

Clerk and  
Executive Officer of the Supreme Court

Enclosure

cc: Rec.

## 2024 California Rules of Court

### Rule 9.42 Certified Law Students

#### (a) Definitions

The following definitions apply in this rule:

- (1) A "Certified Law Student" is a law student who meets the requirements of subdivision (d) of this rule and has been approved ~~has a currently effective certificate of registration~~ as a Certified Law Student ~~by~~ from the State Bar of California.
- ~~(1) A "law student" is a student currently enrolled in a juris doctor (J.D.) or, master of laws (LL.M.) or bachelor of laws (LL.B.) program in a law school accredited by the examining committee, approved by the American Bar Association, or registered with the examining committee; or a student currently studying law in a law office or judge's chambers who has been approved by the State for such study. For purposes of this rule, "law student" doesn't include a student studying law in a judge's chambers.~~
- (2) The "Certified Law Student Program" is the legal education program established by this rule and administered by the State Bar of California under Title 3, Division 1, Chapter 1 of the Rules of the State Bar of California.
- (3) The "Law Office Study Program" is the legal education program regulated by the State Bar of California under rule 4.29 of the Rules of the State Bar of California.
- (4) A "Supervising Attorney" is an active licensee, as defined by Rules of Court, rule 9.1(1), in good standing of the State Bar of California, who ~~agrees to~~ supervises a Certified Law Student under participating in the Certified Law Student Program, rules established by the State Bar meets the requirements of subdivision (e) of this rule, and who is listed as the supervisor whose name appears on the a prospective or current Certified Law Student's Application for the Certified Law Student Program certification.

*(Subd (a) amended effective January 1, 2019; previously amended effective January 1, 2007.)*

#### (b) State Bar Certified Law Student Program

The State Bar of California must ~~establish and~~ administer a Certified Law Student Program under Title 3, Division 1, Chapter 1 of the Rules of the State Bar of California for registering and regulating the activities of law students who practice law as Certified Law Students ~~under rules adopted by the Board of Trustees of the State Bar.~~

*(Subd (b) amended effective January 1, 2019; previously amended effective January 1, 2007.)*

**(c) Fees and Penalties**

The State Bar of California has the authority to set and collect appropriate fees and penalties for the Certified Law Student ~~this P~~ program.

*(Subd (f) amended effective January 1, 2007.)*

**(d) Eligibility for certification Requirements**

To be eligible to become a Certified Law Student, ~~an applicant must:~~

**(1) An applicant must either:**

- (A) Be currently enrolled in a juris doctor (J.D.) or master of laws (LL.M) program in a law school fully or provisionally approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association (ABA) or accredited by or registered with the Committee of Bar Examiners; or**
- (B) Be currently studying law in a law office through the Law Office Study Program.**

**(2) An applicant ~~who is a student~~ in a J.D. ~~or LL.B.~~ program ~~at a law school~~ must:**

- (A) Have successfully completed one full year of studies (minimum of 270 hours) ~~at a law school accredited by the American Bar Association or the State Bar of California, or both,~~ or have passed the First-Year Law Students' Examination; and**
- (B) ~~Have been accepted into, and b~~Be enrolled and in good academic standing in, the second, third, or fourth year of law school, ~~in good academic standing~~ or have graduated from law school, subject to the time period limitations specified in the Rules ~~adopted by the Board of Trustees~~ of the State Bar of California governing the Certified Law Student Program.; and**

**(3) An applicant ~~who is a student~~ in an LL.M. program ~~at a law school~~ must: ~~Have either successfully completed or be currently enrolled in and attending academic courses in evidence and civil procedure.~~**

- (A) Have a ~~first~~ degree from a law school in a foreign jurisdiction that ~~in law,~~ authorizes the applicant to practice law and is acceptable to the State Bar of California, ~~from a law school in a foreign country;~~**

- (B) Have successfully completed one semester or two quarters in the an LL.M. program, or two quarters in a program operating on a quarter system; and
  - (C) Be ~~accepted to and~~ enrolled and in good academic standing in a second or subsequent semester or third or subsequent quarter of an LL.M. program, or no longer be enrolled having completed one year of study, subject to the time period limitations specified in the Rules adopted by the Board of Trustees of the State Bar of California governing the Certified Law Student Program.
- (4) An applicant who is studying law in a law office or judge's chambers must:
- (A) Have successfully completed one year of legal studies in a law school, or in the Law Office Study Program through study in a law office or judge's chambers;
  - (B) Have passed the First-Year Law Students' Examination; and
  - (C) Be actively continuing the study of law through the Law Office Study Program pursuant to Rule 4.29 of the Rules of the State Bar, under the supervision of the attorney or judge approved by the State Bar to provide supervision or have completed the course of study subject to the time period limitations specified in the Rules adopted by the Board of Trustees of the State Bar of California governing the Certified Law Student Program.

*(Subd (c) amended effective January 1, 2019.)*

**(e) Supervision**

- (1) A Supervising Attorney must:
- (A) Have practiced law in California or taught law in a law school for at least two years immediately preceding the start of their supervision of the Certified Law Student;
  - (B) Assume professional responsibility for the work product of the Certified Law Student;
  - (C) Train and counsel the Certified Law Student to competently perform activities authorized by this rule;
  - (D) Read, approve, and personally sign any documents prepared by the Certified Law Student for a client; and

(E) Comply with any other requirements set forth in the Rules of the State Bar of California pertaining to Supervising Attorneys participating in the Certified Law Student Program.

**(f) Permitted Activities**

Subject to all applicable rules, regulations, and statutes, a Certified Law Student may:

- (1) Negotiate ~~for and~~ on behalf of the client ~~subject to final approval thereof by the supervising attorney~~ or give legal advice to the client, provided that the Certified Law Student:
  - (A) Obtains ~~the~~ approval from ~~of~~ the Supervising Attorney to engage in the activityies;
  - (B) Obtains ~~the~~ approval from ~~of~~ the Supervising Attorney regarding of the legal advice ~~to be given~~ or negotiation plan ~~of negotiation to be undertaken by the certified law student~~; and
  - (C) ~~Performs the activities~~ Acts under ~~the~~ general supervision of the Supervising Attorneys.
- (2) Appear on behalf of the client in depositions, provided that the Certified Law Student:
  - (A) Obtains ~~the~~ approval from ~~of~~ the Supervising Attorney to engage in the activity;
  - (B) ~~Performs the activity~~ Makes the appearance under the direct and immediate supervision and in the personal presence of the Supervising Attorney ; (or, exclusively in the case of government agencies, any deputy, assistant, or other staff attorney authorized and designated by the Supervising Attorney; and
  - (C) Obtains ~~a signed written~~ consent ~~form~~ from the client ; ~~on whose behalf the certified law student acts~~ (or, exclusively in the case of government agencies, from the chief counsel or prosecuting attorney ; ~~to for the Certified Law Student to make the appearance. approving the performance of such acts by such certified law student or generally by any certified law student;~~
- (3) Appear on behalf of the client in any public trial, hearing, arbitration, or proceeding, or before any arbitrator, court, public agency, referee, magistrate, commissioner, or hearing officer, to the extent approved by such arbitrator, court, public agency, referee, magistrate, commissioner, or hearing officer, provided that the Certified Law Student:

- (A) Obtains ~~the~~ approval ~~from of~~ the Supervising Attorney to engage in the activity;
  - (B) Performs the activity under the direct and immediate supervision and in the personal presence of the Supervising Attorney, ~~(or, exclusively in the case of government agencies, any deputy, assistant, or other staff attorney authorized and designated by the Supervising Attorney);~~
  - (C) Obtains ~~a signed consent form~~ written consent from the client, ~~on whose behalf the certified law student acts~~ ~~(or, exclusively in the case of government agencies, from the chief counsel or prosecuting attorney,)~~ for to the Certified Law Student to perform the activity; ~~approving the performance of such acts by such certified law student or generally by any certified law student;~~ and
  - (D) As a condition to such appearance, the Certified Law Student either presents a copy of the client's written consent ~~form~~ to the arbitrator, court, public agency, referee, magistrate, commissioner, or hearing officer, or files a copy of the client's written consent ~~form~~ in the court ~~case file;~~ and
- (4) Appear on behalf of a government agency in the prosecution of criminal actions classified as infractions or other such minor criminal offenses with a maximum penalty or a fine equal to the maximum fine for infractions in California, including any public trial:
- (A) Subject to approval by the court, commissioner, referee, hearing officer, or magistrate presiding at such public trial; and
  - (B) Without the personal appearance of the Supervising Attorney or any deputy, assistant, or other staff attorney authorized and designated by the Supervising Attorney, but only if the Supervising Attorney or the designated attorney has approved in writing the performance of such acts by the Certified Law Student and is immediately available to attend the proceeding.

*(Subd (d) amended effective January 1, 2007.)*

**(g) Application**

An applicant for the Certified Law Student Program must:

- (1) Apply to and be approved as a Certified Law Student pursuant to Title 3, Division 1, Chapter 1 of the Rules of the State Bar of California; and

(2) Not begin performing the activities authorized by this rule until their Application for the Certified Law Student Program is approved by the State Bar of California.

**(h) Concurrent Participation in the Law Office Study Program**

An individual may not concurrently participate in the Certified Law Student Program and the Law Office Study Program if the individual is studying law in a judge's chambers.

**(i) Failure to ~~C~~omply with ~~P~~rogram**

A ~~C~~ertified ~~L~~aw ~~S~~tudent who fails to comply with the requirements of the ~~State Bar~~ ~~C~~ertified ~~L~~aw ~~S~~tudent ~~P~~rogram ~~will~~ ~~must~~ have their ~~his or her~~ certification revoked ~~withdrawn~~ under the Rules ~~adopted by the Board of Trustees~~ of the State Bar of California.

*(Subd (e) amended effective January 1, 2019; previously amended effective January 1, 2007.)*

**(j) Inherent ~~P~~ower of Supreme Court**

Nothing in these rules may be construed as affecting the power of the Supreme Court of California to exercise its inherent jurisdiction over the practice of law in California.

*(Subd (g) amended effective January 1, 2007.)*

## 2024 California Rules of Court

### Rule 9.42 Certified Law Student

#### (a) Definitions

The following definitions apply in this rule:

- (1) A “Certified Law Student” is a law student who meets the requirements of subdivision (d) of this rule and has been approved as a Certified Law Student by the State Bar of California.
- (2) The “Certified Law Student Program” is the legal education program established by this rule and administered by the State Bar of California under Title 3, Division 1, Chapter 1 of the Rules of the State Bar of California.
- (3) The “Law Office Study Program” is the legal education program regulated by the State Bar of California under rule 4.29 of the Rules of the State Bar of California.
- (4) A “Supervising Attorney” is an active licensee, as defined by Rules of Court, rule 9.1(1), in good standing of the State Bar of California, who supervises a Certified Law Student participating in the Certified Law Student Program, meets the requirements of subdivision (e) of this rule, and who is listed as the supervisor on a prospective or current Certified Law Student’s Application for the Certified Law Student Program.

*(Subd (a) amended effective January 1, 2019; previously amended effective January 1, 2007.)*

#### (b) State Bar Certified Law Student Program

The State Bar of California must administer a Certified Law Student Program under Title 3, Division 1, Chapter 1 of the Rules of the State Bar of California for registering and regulating the activities of law students who practice law as Certified Law Students.

*(Subd (b) amended effective January 1, 2019; previously amended effective January 1, 2007.)*

#### (c) Fees and Penalties

The State Bar of California has the authority to set and collect appropriate fees and penalties for the Certified Law Student Program.

*(Subd (f) amended effective January 1, 2007.)*

#### (d) Requirements

To be eligible to become a Certified Law Student:

- (1) An applicant must either:
  - (A) Be currently enrolled in a juris doctor (J.D.) or master of laws (LL.M) program in a law school fully or provisionally approved by the Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association (ABA) or accredited by or registered with the Committee of Bar Examiners; or
  - (B) Be currently studying law in a law office through the Law Office Study Program.
- (2) An applicant in a J.D. program must:
  - (A) Have successfully completed one full year of studies (minimum of 270 hours) or have passed the First-Year Law Students' Examination; and
  - (B) Be enrolled and in good academic standing in the second, third, or fourth year of law school, or have graduated from law school, subject to the time period limitations specified in the Rules of the State Bar of California governing the Certified Law Student Program.
- (3) An applicant in an LL.M. program must:
  - (A) Have a degree from a law school in a foreign jurisdiction that authorizes the applicant to practice law and is acceptable to the State Bar of California;
  - (B) Have successfully completed one semester or two quarters in an LL.M. program; and
  - (C) Be enrolled and in good academic standing in a second or subsequent semester or third or subsequent quarter of an LL.M. program, or no longer be enrolled having completed one year of study, subject to the time period limitations specified in the Rules of the State Bar of California governing the Certified Law Student Program.
- (4) An applicant who is studying law in a law office must:
  - (A) Have successfully completed one year of legal studies in a law school or in the Law Office Study Program;
  - (B) Have passed the First-Year Law Students' Examination; and
  - (C) Be actively continuing the study of law through the Law Office Study Program or have completed the course of study subject to the time period limitations specified in the Rules of the State Bar of California governing the Certified Law Student Program.

*(Subd (c) amended effective January 1, 2019.)*

**(e) Supervision**

- (1) A Supervising Attorney must:
  - (A) Have practiced law in California or taught law in a law school for at least two years immediately preceding the start of their supervision of the Certified Law Student;
  - (B) Assume professional responsibility for the work product of the Certified Law Student;
  - (C) Train and counsel the Certified Law Student to competently perform activities authorized by this rule;
  - (D) Read, approve, and personally sign any documents prepared by the Certified Law Student for a client; and
  - (E) Comply with any other requirements set forth in the Rules of the State Bar of California pertaining to Supervising Attorneys participating in the Certified Law Student Program.

**(f) Permitted Activities**

Subject to all applicable rules, regulations, and statutes, a Certified Law Student may:

- (1) Negotiate on behalf of the client or give legal advice to the client, provided that the Certified Law Student:
  - (A) Obtains approval from the Supervising Attorney to engage in the activity;
  - (B) Obtains approval from the Supervising Attorney of the legal advice or negotiation plan; and
  - (C) Acts under general supervision of the Supervising Attorney.
- (2) Appear on behalf of the client in depositions, provided that the Certified Law Student:
  - (A) Obtains approval from the Supervising Attorney to engage in the activity;
  - (B) Makes the appearance under the direct and immediate supervision and in the personal presence of the Supervising Attorney, or, exclusively in the case of

government agencies, any deputy, assistant, or other staff attorney authorized and designated by the Supervising Attorney; and

- (C) Obtains written consent from the client, or, exclusively in the case of government agencies, from the chief counsel or prosecuting attorney, for the Certified Law Student to make the appearance.
- (3) Appear on behalf of the client in any public trial, hearing, arbitration, or proceeding, or before any arbitrator, court, public agency, referee, magistrate, commissioner, or hearing officer, to the extent approved by such arbitrator, court, public agency, referee, magistrate, commissioner, or hearing officer, provided that the Certified Law Student:
- (A) Obtains approval from the Supervising Attorney to engage in the activity;
  - (B) Performs the activity under the direct and immediate supervision and in the personal presence of the Supervising Attorney, or, exclusively in the case of government agencies, any deputy, assistant, or other staff attorney authorized and designated by the Supervising Attorney;
  - (C) Obtains written consent from the client, or, exclusively in the case of government agencies, from the chief counsel or prosecuting attorney, for the Certified Law Student to perform the activity; and
  - (D) As a condition to such appearance, the Certified Law Student either presents a copy of the client's written consent to the arbitrator, court, public agency, referee, magistrate, commissioner, or hearing officer, or files a copy of the client's written consent in the court file.
- (4) Appear on behalf of a government agency in the prosecution of criminal actions classified as infractions or other such minor criminal offenses with a maximum penalty or a fine equal to the maximum fine for infractions in California, including any public trial:
- (A) Subject to approval by the court, commissioner, referee, hearing officer, or magistrate presiding at such public trial; and
  - (B) Without the personal appearance of the Supervising Attorney or any deputy, assistant, or other staff attorney authorized and designated by the Supervising Attorney, but only if the Supervising Attorney or the designated attorney has approved in writing the performance of such acts by the Certified Law Student and is immediately available to attend the proceeding.

*(Subd (d) amended effective January 1, 2007.)*

**(g) Application**

An applicant for the Certified Law Student Program must:

- (1) Apply to and be approved as a Certified Law Student pursuant to Title 3, Division 1, Chapter 1 of the Rules of the State Bar of California; and
- (2) Not begin performing the activities authorized by this rule until their Application for the Certified Law Student Program is approved by the State Bar of California.

**(h) Concurrent Participation in the Law Office Study Program**

An individual may not concurrently participate in the Certified Law Student Program and the Law Office Study Program if the individual is studying law in a judge's chambers.

**(i) Failure to Comply with Program**

A Certified Law Student who fails to comply with the requirements of the Certified Law Student Program will have their certification revoked under the Rules of the State Bar of California.

*(Subd (e) amended effective January 1, 2019; previously amended effective January 1, 2007.)*

**(j) Inherent Power of Supreme Court**

Nothing in these rules may be construed as affecting the power of the Supreme Court of California to exercise its inherent jurisdiction over the practice of law in California.

*(Subd (g) amended effective January 1, 2007.)*

## TITLE 3. PROGRAMS AND SERVICES

~~Adopted July 2007~~

## Division 1. PROSPECTIVE LICENSEES

Chapter 1. ~~Practical Training of Certified~~ Law Students ProgramRule 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.<sup>‡</sup>~~

- (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.*

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~~<sup>‡</sup>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(e)~~ 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;<sup>2</sup> and

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<sup>2</sup>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 Program<sup>3</sup> and: with
- (a) the fee<sup>4</sup> 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~~ 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 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.

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<sup>3</sup> See Rule 4.16(B).

<sup>4</sup> 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 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 issue 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.~~<sup>5</sup>
- (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.~~

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<sup>5</sup> 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 Certified Law Student may engage only in the activities permitted by Rule 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 Certified Law Student

A Certified Law Student must:

- (A) act as a Certified Law Student only during the period stated in their Notice of Law Student Certification;<sup>6</sup>
- (B) at all times comply with Rule 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 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; 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,

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<sup>6</sup>See Rule 3.08.

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.<sup>7</sup> 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 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) 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;~~

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<sup>7</sup>~~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 Certified Law Student 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 Rule 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.<sup>9</sup>

*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.<sup>9</sup> 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 ~~receiving~~ the request, the

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<sup>9</sup> See Rule ~~3.109~~.

<sup>9</sup> 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.*

## 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.*

## TITLE 4. ADMISSIONS AND EDUCATIONAL STANDARDS

## Division 1. ADMISSION TO PRACTICE LAW IN CALIFORNIA

## Chapter 3. Required Education

Rule 4.29 Study in a Law Office or Judge's Chambers

- (A) A general applicant may satisfy some or all of the four-year legal education requirements of rule 4.26(B)(1) through the person who intends to comply with the legal education requirements of these rules and Section 6060 of the Business and Professions Code by study of law in a law office or judge's chambers by participating in the Law Office Study Program. must
- (B) A prospective participant in the Law Office Study Program, must:
- (1) register as a general applicant for admission to the practice of law in California by submitting and obtaining approval of an Application for Registration under rule 4.16;
  - (2) submit an Application for the Law Office Study Program with the required form application and all required documentation and with the fee set forth in the Schedule of Charges and Deadlines within thirty days of no less than at least 30 thirty days prior to the intended date of beginning study; and
  - (3) obtain State Bar approval of an Application for the Law Office Study Program Have their application approved by the State Bar prior to beginning study, with no credit available for hours of study completed before State Bar approval;
- (C) The State Bar will deem An a Application for approval of study in a law office or judge's changes is not considered to be the Law Office Study Program complete until when 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 general applicant if an application has been deemed incomplete. The general 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 a completed status within sixty days of the initial submission of the application. No refund shall of fees will be issued for an abandoned application.
- (D) If the State Bar denies an Application for the Law Office Study Program, the general applicant will receive a refund of fees submitted with the application, except for the processing fees. An applicant whose application to study in a law office of judge's chambers is denied by the State Bar is eligible for a refund of all fees submitted for the application to study law in a law office or judge's chambers.

(E) To receive credit for a 6-month study period, a general applicant in the Law Office Study Program must:

- (1) ~~have studied study law under the supervision of an attorney or judge in a law office or judge's chambers during regular business hours for at least eighteen hours each week for a minimum of forty eight weeks to receive credit for one year of study or for at least 72 hours per month for 6 six consecutive months lasting at least 24 weeks and no longer than 26 weeks; and, eighteen hours a week for a minimum of twenty four weeks to receive credit for one half year of study completing each six month study session in no more than twenty six weeks. Participants are encouraged to engage in their studies for a consistent 18 hours per week for a minimum of 24 weeks for each one half year of study.e~~
- (2) ~~submit a report ("semi-annual report") within 30 days of completion of each 6-month study period, semi-annual reports, as required by section (B)(5) below on the Committee's State Bar's form or as otherwise directed by the State Bar, with the fee set forth in the Schedule of Charges and Deadlines within thirty days of completion of each six month period; and,~~

(F) A general applicant will:

- (1) ~~Not receive credit for hours of study completed before the State Bar has approved their Application for the Law Office Study Program; and~~
- (2) ~~Only receive credit for study in 6-month increments, as described in subdivision (E) of this rule. Any study hours completed outside of a qualifying 6-month study period, as described in subdivision (E) of this rule, will not be counted towards the four-year legal education requirements of rule 4.26(B)(1).~~

(G) The attorney or judge ~~who supervises with whom the general applicant is studying~~ 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, for a minimum of five consecutive years immediately prior to beginning supervision oversight of the general applicant's studies and has been engaged in the active practice of law for that time, or be a judge of a court of record of California this state;~~
- (1) ~~be admitted to the active practice of law in California and be in good standing for a minimum of five years;~~
- (2) ~~provide to the general applicant, for submission with the Application for the Law Office Study Program, the Committee State Bar within thirty days of the applicant's beginning study an outline of the entire a proposed course of study that accounts instruction for each six 6-month study period for the full number of years of study~~

~~required that he or she they will personally supervise/oversee, to be submitted by the applicant with other application materials no less than thirty days prior to the applicant beginning study as required by section (A)(1) above;~~

- (3) ~~supervise the general applicant synchronously, in-person or via remote video technology, for at least 20 hours per month;~~
- (4) ~~personally directly supervise the general applicant in person for at least 10 five hours of the 120 hours required by subdivision (G)(3) of this rule for each 6-month study period a week;~~
- (5) ~~administer graded examinations to examine the general applicant at least once a month on study completed the previous month;~~
- (6) ~~provide to the general applicant, for inclusion in their semi-annual reports to the Committee State Bar for each 6-month study period, every six months on the Committee's State Bar's form or in any other manner directed by the State Bar, to be submitted by the applicant as required by section (A)(4) above, the number of hours the general applicant studied each month, specifying week during business hours in the law office or chambers; the number of hours of synchronous supervision, both in-person and via remote video technology; devoted to supervision personal oversight of the course of instruction and the number of hours devoted to direct supervision of the student; specific information on the books and other a description of the materials studied, such as chapter names, page numbers, and the like; the name of any other applicant supervised copies of the graded monthly examinations for each 6-month study period, including questions, answers, and any written feedback or grades; and any other information or documentation requested by the Committee State Bar may require;~~
- (7) ~~attest, for each 6-month study period, whether the general applicant has or has not demonstrated sufficient academic progress to proceed to the next 6-month study period; attach to the report copies of the graded monthly examinations for each of the six months of the study period, including questions, answers, and any written feedback or grades, and,~~
- (8) ~~not personally simultaneously supervise personally oversee the course of instruction of no more than two general applicants simultaneously in the Law Office Study Program.~~

(H) ~~General applicants Students~~ in the Law Office Study Program are subject to the requirements of ~~r~~Rule 4.32 and will not receive credit for hours of study devoted to repetition of studies previously completed.

- ~~(I) General applicants Students in the Law Office Study Program who participate in the Certified Practical Training of Law Students Program, pursuant to Title 3, Division 1, Chapter 1 of the Rules of the State Bar, will not receive study-hour credit for time spent engaging in activities undertaken as part of the Certified Practical Training of Law Students Program. A general applicant participating in the Law Office Study Program by studying law in a judge's chambers is ineligible to concurrently participate in the Certified Law Student Program.~~
- ~~(E) The hours of study in a law office or judge's chambers required by section (A)(5) can be completed in whole or in part in a physical location outside the law office or judge's chambers at the discretion of the attorney or judge, subject to the requirement of section (F) for a minimum number of hours of direct supervision to be provided in person. If the attorney or judge permits an applicant to complete the hours of study entirely in a location other than the law office or judge's chambers, the outline of the proposed course of instruction required by section (B)(2) must include a plan for how the attorney or judge will provide adequate supervision for the student without having the student physically present.~~
- ~~(F) For each twelve weeks of study, a minimum of five hours of the direct supervision required under section (B)(3) must be provided through in-person interaction between the attorney or judge and the student with both physically present in the same location. Part or all of the remaining required hours of direct supervision may be provided by the attorney or judge and the student engaging in synchronous interaction using remote video technology. If the attorney or judge intends for some of the hours of direct supervision to be provided using remote video technology, the outline of the proposed course of instruction required by section (B)(2) must state the number of hours of direct supervision proposed to be provided using remote video technology each week and include a plan for how the attorney or judge will ensure that the direct supervision provided in this manner will result in the same level of engagement as in person direct supervision.~~
- ~~(J) A student who is studying law in a law office or judge's chambers and who wishes to study General applicants in the Law Office Study Program must submit an application with the fee set forth in the Schedule of Charges and Deadlines to change the under a different attorney or judge under whom they study, must file a new application with the fee set forth in the Schedule of Charges and Deadlines no less than at least 15 days prior to beginning study with a new supervisor who meets the requirements of subdivision (G) of this rule, the new attorney or judge. The application must include a declaration from the new attorney or judge supervisor and a new outline of the proposed course of instruction as required by subdivision (G)(2) of this rule under section (B)(2). If the student general applicant's supervisor changes makes this change during a six6-month study period, they student must, within 30 thirty days of beginning study with the new attorney or judge supervisor, submit a report from the previous attorney or judge supervisor on all study completed with that attorney or judge, with the required fee for submission of a semi-~~

annual report. The first semi-annual report reflecting the study conducted under the new attorney or judge supervisor shall will cover only the remainder of that initial six 6-month study period.

(K) A semi-annual report, as required under ~~section~~ subdivision (E)(25) of this rule, that is submitted:

(i) between 31 and 60 ~~more than thirty days but no more than sixty days after the completion of the 6-a six-month study period of study~~ is subject to a late fee as set forth in the Schedule of Charges and Deadlines and will not be accepted without ~~submission~~ payment of the late fee.

(ii) more than 60 ~~A semi-annual report that is submitted more than sixty days after the completion of the 6-a six-month study period of study~~ will not be accepted, and the general applicant ~~student~~ will not receive credit for that ~~six~~ 6-month study period.

(L) Failure to submit a semi-annual report within one year of beginning study in the Law Office Study Program, ~~a law office or judge's chambers~~ or within one year of submission of the most recent semi-annual report, will result in the ~~termination of the general applicant's participation in the Law Office Study Program-being moved to suspended status. An general applicant who has been placed on suspended-terminated from the program and status who~~ wishes to resume their study under this rule, ~~in the same or a different law office or judge's chambers~~ must submit an new Application for the Law Office Study Program ~~to resume study with the all~~ required documentation materials and the required fee. A general applicant ~~student~~ who resumes study after being placed on ~~suspended-terminated from the program status~~ will receive credit for any ~~six~~ 6-month study periods ~~of study~~ recognized ~~deemed completed~~ by the State Bar prior to the ~~termination suspension~~.

(M) If the supervisor attests, under subdivision (G)(7) of this rule, that the general applicant has not demonstrated sufficient academic progress to proceed to the next 6-month study period, or fails to provide an attestation, the general applicant's participation in the Law Office Study Program will be terminated unless:

(i) within 12 months from the conclusion of the last completed 6-month study period, the general applicant repeats the course of study after which their supervisor submitted either a negative attestation or failed to provide an attestation and submits a semi-annual report; and

(ii) the general applicant's current supervisor submits an attestation that the general applicant demonstrates sufficient academic progress to proceed to the next 6-month study period.

- (N) If terminated from the Law Office Study Program, the general applicant will retain credit already received and recognized by the State Bar.
- (O) An attorney or judge currently supervising a general applicant in the Law Office Study Program at the time this subdivision is added to this rule: ~~The changes to the application deadlines in paragraph (A)(2)-(3) that take effect in 2023 shall apply to initial applications filed after the effective date of the rule change. The changes to the eligibility criteria for the supervising attorney or judge in paragraph (D)(1) that take effect in 2023 shall not serve to disqualify an attorney or judge approved prior to the effective date of the rule change. However, an attorney or judge who does not meet the then-current eligibility criteria will shall not be approved to supervise any other law office study participant.~~
- (i) may continue to supervise that specific general applicant in the Law Office Study Program so long as that general applicant is not subsequently terminated from the Law Office Study Program; and
- (ii) must, except as permitted under subdivision (O)(1) of this rule, meet the current requirements for a supervising attorney or judge set forth in this rule if they desire to supervise a general applicant in the Law Office Study Program.

## TITLE 4. ADMISSIONS AND EDUCATIONAL STANDARDS

## Division 1. ADMISSION TO PRACTICE LAW IN CALIFORNIA

## Chapter 3. Required Education

## Rule 4.29 Study in a Law Office or Judge's Chambers

- (A) A general applicant may satisfy some or all of the four-year legal education requirements of rule 4.26(B)(1) through the study of law in a law office or judge's chambers by participating in the Law Office Study Program.
- (B) A prospective participant in the Law Office Study Program, must:
  - (1) register as a general applicant for admission to the practice of law in California by submitting and obtaining approval of an Application for Registration under rule 4.16;
  - (2) submit an Application for the Law Office Study Program with the required documentation and the fee set forth in the Schedule of Charges and Deadlines at least 30 prior to the intended date of beginning study; and
  - (3) obtain State Bar approval of an Application for the Law Office Study Program prior to beginning study.
- (C) The State Bar will deem an Application for the Law Office Study Program complete when all required documentation has been submitted and the required fee paid. The State Bar will notify the general applicant if an application has been deemed incomplete. The general 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.
- (D) If the State Bar denies an Application for the Law Office Study Program, the general applicant will receive a refund of fees submitted with the application, except for the processing fees.
- (E) To receive credit for a 6-month study period, a general applicant in the Law Office Study Program must:
  - (1) study law under the supervision of an attorney or judge for at least 72 hours per month for 6 consecutive months lasting at least 24 weeks and no longer than 26 weeks; and

- (2) submit a report (“semi-annual report”) within 30 days of completion of each 6-month study period, on the State Bar’s form or as otherwise directed by the State Bar, with the fee set forth in the Schedule of Charges and Deadlines.

(F) A general applicant will:

- (1) Not receive credit for hours of study completed before the State Bar has approved their Application for the Law Office Study Program; and
- (2) Only receive credit for study in 6-month increments, as described in subdivision (E) of this rule. Any study hours completed outside of a qualifying 6-month study period, as described in subdivision (E) of this rule, will not be counted towards the four-year legal education requirements of rule 4.26(B)(1).

(G) The attorney or judge who supervises the general applicant 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, for a minimum of five consecutive years immediately prior to beginning supervision of the general applicant’s studies, or be a judge of a court of record of California;
- (2) provide to the general applicant, for submission with the Application for the Law Office Study Program, an outline of the entire proposed course of study that accounts for each 6-month study period;
- (3) supervise the general applicant synchronously, in-person or via remote video technology, for at least 20 hours per month;
- (4) supervise the general applicant in person for at least 10 of the 120 hours required by subdivision (G)(3) of this rule for each 6-month study period;
- (5) administer graded examinations to the general applicant at least once a month;
- (6) provide to the general applicant, for inclusion in their semi-annual reports to the State Bar for each 6-month study period, the number of hours the general applicant studied each month, specifying the number of hours of synchronous supervision, both in-person and via remote video technology; a description of the materials studied; copies of the graded monthly examinations for each 6-month study period, including questions, answers, and any written feedback or grades; and any other information or documentation requested by the State Bar;
- (7) attest, for each 6-month study period, whether the general applicant has or has not demonstrated sufficient academic progress to proceed to the next 6-month study period; and,

- (8) simultaneously supervise no more than two general applicants in the Law Office Study Program.
- (H) General applicants in the Law Office Study Program are subject to the requirements of rule 4.32 and will not receive credit for hours of study devoted to repetition of studies previously completed.
- (I) General applicants in the Law Office Study Program who participate in the Certified Law Student Program, pursuant to Title 3, Division 1, Chapter 1 of the Rules of the State Bar, will not receive study-hour credit for time spent engaging in activities undertaken as part of the Certified Law Student Program. A general applicant participating in the Law Office Study Program by studying law in a judge's chambers is ineligible to concurrently participate in the Certified Law Student Program.
- (J) General applicants in the Law Office Study Program must submit an application with the fee set forth in the Schedule of Charges and Deadlines to change the attorney or judge under whom they study, at least 15 days prior to beginning study with a new supervisor who meets the requirements of subdivision (G) of this rule. The application must include a declaration from the new supervisor and a new outline of the proposed course of instruction as required by subdivision (G)(2) of this rule. If the general applicant's supervisor changes during a 6-month study period, they must, within 30 days of beginning study with the new supervisor, submit a report from the previous supervisor on all study completed with that attorney or judge, with the required fee for submission of a semi-annual report. The first semi-annual report reflecting the study conducted under the new supervisor will cover only the remainder of that 6-month study period.
- (K) A semi-annual report, as required under subdivision (E)(2) of this rule, that is submitted:
  - (i) between 31 and 60 days after completion of the 6-month study period is subject to a late fee as set forth in the Schedule of Charges and Deadlines and will not be accepted without payment of the late fee.
  - (ii) more than 60 days after completion of the 6-month study period will not be accepted, and the general applicant will not receive credit for that 6-month study period.
- (L) Failure to submit a semi-annual report within one year of beginning study in the Law Office Study Program, or within one year of submission of the most recent semi-annual report, will result in the termination of the general applicant's participation in the Law Office Study Program. A general applicant who has been terminated from the program and wishes to resume their study under this rule must submit a new Application for the Law Office Study Program with the required documentation and fee. A general applicant who resumes study after being terminated from the program will receive credit for any 6-month study periods recognized by the State Bar prior to the termination.

- (M) If the supervisor attests, under subdivision (G)(7) of this rule, that the general applicant has not demonstrated sufficient academic progress to proceed to the next 6-month study period, or fails to provide an attestation, the general applicant's participation in the Law Office Study Program will be terminated unless:
  - (i) within 12 months from the conclusion of the last completed 6-month study period, the general applicant repeats the course of study after which their supervisor submitted either a negative attestation or failed to provide an attestation and submits a semi-annual report; and
  - (ii) the general applicant's current supervisor submits an attestation that the general applicant demonstrates sufficient academic progress to proceed to the next 6-month study period.
- (N) If terminated from the Law Office Study Program, the general applicant will retain credit already received and recognized by the State Bar.
- (O) An attorney or judge currently supervising a general applicant in the Law Office Study Program at the time this subdivision is added to this rule:
  - (i) may continue to supervise that specific general applicant in the Law Office Study Program so long as that general applicant is not subsequently terminated from the Law Office Study Program; and
  - (ii) must, except as permitted under subdivision (O)(1) of this rule, meet the current requirements for a supervising attorney or judge set forth in this rule if they desire to supervise a general applicant in the Law Office Study Program.

## SCHEDULE OF CHARGES AND DEADLINES\*

## TITLE 3, DIVISION 1, CHAPTER 1

~~PRACTICAL TRAINING OF LAW STUDENTS~~ CERTIFIED LAW STUDENT PROGRAM

<i>Rule</i>	<i>Description</i>	<i>Amount</i>	<i>Deadline</i>
3.3(A)(2)(a)	Application <u>for the Certified Law Student Program</u>	\$62	Not applicable
<del>3.8(A)</del> <u>3.4</u>	Request to change <u>or add a</u> <del>S</del> supervising <u>A</u> ttorney	\$31	Not applicable

## TITLE 4, DIVISION 1

## ADMISSIONS FEES

<i>Rule</i>	<i>Description</i>	<i>Amount</i>	<i>Deadline</i>
4.29 <del>(B)</del> <u>(2)</u>	<del>Intention to Study Law in Law Office or Judge's Chambers</del> <u>Application for the Law Office Study Program</u>	\$904	<del>Not applicable</del> <u>At least 30 days prior to the intended date of beginning study</u>
4.29 <del>(E)</del> <u>(2)</u>	Law Office <u>Study Program</u> <del>or Judge's Chambers Initial Study and</del> <u>Semi-Annual Report</u>	\$525	<del>Not applicable</del> <u>Within 30 days after of completion of each 6-month study period</u>
<u>4.29(J)</u>	<u>Change of attorney or judge under whom the applicant studies</u>	<u>\$200</u>	<u>At least 15 days prior to beginning study with a new supervisor</u>
<u>4.29(K)</u>	<u>Late fee for a Law Office Study Program semi-annual report</u>	<u>\$100</u>	<u>31 – 60 days after completion of the 6-month study period</u>

\*The fees listed above reflect the 2025 fees after the Consumer Price Index increases.



The State Bar of California

# Revisions to the PTLs and LOS Rules: Recommend to Circulate for Public Comment

Tara Clark, Program Director, Operations

Christina Doell, Program Manager

David Lane, Attorney

Committee of Bar Examiners, March 14, 2025

# Admissions Programs: PTLS and LOS

## **Practical Training of Law Students Program (PTLS)**

Certifies law students to provide legal services permitted by Rule 9.42(d) of the California Rules of Court under the supervision of an attorney.

## **Law Office Study Program (LOS)**

Applicants must complete four years of study in a law office under the supervision of a licensed California attorney who has been active, in good standing, and actively practiced law for at least the last 5 consecutive years, or in a judge's chambers under the supervision of a judge of a court of record in California



# Practical Training of Law Students (PTLS) Rules

Title 3, Division 1, Chapter 1 of the Rules of the State Bar and  
Rule 9.42 of the Rules of Court

- Expanded PTLS eligibility by allowing LOS and LLM students to participate
- Removed references to studying law in judge's chambers – added a statement that "an applicant who is studying law in a judge's chamber is ineligible to become a certified law student"
- Created 3.6(F): requires certified law students to notify their PTLS supervisor of any possible past or present conflicts
- Amended rules 3.3(B) and 3.4(C) to allow the applicant 60 days from receipt of notification to cure deficiencies instead of 60 days from submission of the application or request
- Amended rules 3.6(D) and 3.7(A)(5) to require notification to the State Bar within 30 days instead of "promptly"



# Law Office Study (LOS) Rules

Title 4, Division 1, Chapter 3 of the Rules of the State Bar



Clearer guidelines for participants and supervising attorneys



Improve the administration of the program by clarifying application and reporting requirements and procedures



More flexibility in the program by allowing remote study while maintaining a minimum of in-person supervision and shifting from weekly to monthly study calculations



More structured oversight: Reporting and attestation requirements, and academic progress evaluation by supervisors

