

3.1 Development of Recommendation to the Board of Trustees for Non-Scoring Adjustment Remediation Measures to Address Challenges Related to the February 2025 Bar Exam



The State Bar of California

OPEN SESSION

AGENDA ITEM

3.1 MAY 2025

COMMITTEE OF BAR EXAMINERS

DATE: May 5, 2025

TO: Members, Committee of Bar Examiners

FROM: Audrey Ching, Program Director, Office of Admissions
Donna S. Hershkowitz, Chief of Admissions / Legislative Director

SUBJECT: Development of Recommendation to the Board of Trustees for Non-Scoring Adjustment Remediation Measures to Address Challenges Related to the February 2025 Bar Exam

EXECUTIVE SUMMARY

This item is presented to the Committee of Bar Examiners for discussion and action pursuant to the plan articulated at the committee's April 18, 2025, meeting. At that meeting, members reviewed a proposed framework for non-scoring remedies in preparation for the planned discussion on May 5, 2025. This item presents the full range of potential non-scoring remedies along with key performance data by population, to assist the committee in determining which, if any, should be recommended to the Board of Trustees for further action. The discussion and any recommendations adopted today will respond to the April 2, 2025, directive of the Board, which requested that the committee consider the full range of remediation options for test takers affected by the February 2025 California Bar Exam, and provide specific parameters for any measures recommended for adoption.

RECOMMENDED ACTION

Staff recommends that the committee discuss and adopt as appropriate recommendations regarding non-scoring remedial measures to be made available to February 2025 Bar Exam test takers.

DISCUSSION

BACKGROUND

On March 14, 2025, the committee resolved to recommend expansion of the Provisional Licensure Program to include individuals who sat for or withdrew from the February 2025 Bar Exam. On April 2, 2025, the Board of Trustees postponed action on that recommendation and

directed the committee to consider a broader slate of remediation options following the completion of grading. The committee was further asked to define eligibility parameters and consider special populations, including attorneys licensed in other jurisdictions.

On April 18, 2025, the committee reviewed potential remedies and special populations identified by staff and expanded on staff's set of remedies and populations. The final set of remediation categories and populations follows.

REMEDICATION CATEGORIES

1. Provisional Licensure without Pathway to Full Licensure

This remedy would provide limited licensure for a fixed period (e.g., one to two years) to eligible applicants with a subsequent requirement to pass a future bar exam to become fully licensed. It would grant a time-bound or practice-limited license for individuals who experienced significant barriers during the February 2025 Bar Exam administration. This approach is similar to the program established under California Rules of Court, Rule 9.49 for 2020 Law School Graduates, scheduled to sunset at the end of this year, which permits practice under supervision until a specified end date.

2. Provisional Licensure with Pathway to Full Licensure

This pathway would provide provisional licensure contingent on completing additional requirements. These would not include passing a future bar exam, but in lieu would require accumulating supervised legal practice hours, completing a professional responsibility course, or submitting a competency portfolio. Provisional licensure programs were implemented during COVID-19 in jurisdictions like Utah and Oregon.

In California, the current pathway program is codified in California Rules of Court, Rule 9.49.1, which allows applicants to obtain a provisional license if they scored between 1390 and 1439 on a bar exam administered between July 2015 and February 2020, complete 300 hours of supervised legal practice, and receive positive evaluations from a supervising attorney. Rule 9.49.1 is currently in effect although also scheduled to sunset at the end of this year.

3. Portfolio Bar Exam / Supervised Practice Pathway

This alternative licensure pathway would allow candidates to demonstrate minimum competence through supervised legal work and structured performance evaluations, rather than a standardized exam. It draws inspiration from programs like New Hampshire's Daniel Webster Scholars Honors Program and could be designed in collaboration with employers, law schools, and bar mentors.

The State Bar's Board of Trustees established a working group to write a Portfolio Bar Exam (PBE) proposal that was submitted to the California Supreme Court in December 2023 but was not approved. The proposed pilot program would have required candidates to complete 700-1,000 hours of supervised legal work (capped at 40 hours per week), submit 8-13 different work products demonstrating various legal competencies, and complete 1-2 performance tests. Work products would have included written materials, evidence of client interviews, negotiations, and essays on

professional responsibility topics. Each portfolio component would have been graded anonymously by independent examiners using established rubrics, with candidates required to exceed a determined cut score to pass.

The Court rejected the PBE proposal citing several critical issues. First, the proposal conflicted with existing California law requiring passage of “the general bar examination” administered by the Committee of Bar Examiners to be eligible for admission to the bar. Statutory language also prohibits different examination pathways based on the manner of legal education. In the Court’s view, the supervised practice model inherent in the PBE raised significant ethical and practical concerns that would compromise the fairness, validity, and reliability of the assessment. Adding performance tests did not resolve these fundamental issues.

4. **Special Admission—Registered Out-of-State U.S. Attorney Program.** This program would provide a special admissions route for out-of-state attorneys who took and did not pass the February 2025 Bar Exam. Modeled after the Registered Military Spouse Attorney (RMSA) Program, it would allow these applicants to practice law in California under supervision if they meet defined eligibility standards. This model could be implemented through a new Rule of Court and an Article under Division 3 of the State Bar Rules (Non-Licensee Attorneys), and would remove the institutional practice limitations present (providing legal advice only through the attorneys’ qualifying institution or eligible legal aid organization) in the Registered In-House Counsel and Registered Legal Aid Attorney programs.

5. **Admission on Motion for Attorneys/Reciprocity**

This remedy would allow applicants to petition for full licensure based on a specified number of years practicing in good standing in another U.S. jurisdiction. The decision could be dependent on the jurisdiction where the attorney is licensed, which may allow for California attorneys to be admitted reciprocally on motion as well. However, since few states currently allow California attorneys to be admitted on motion, such an approach may not provide a timely remedy for some February test takers.

The [report](#) to the Court from the Blue Ribbon Commission (BRC) included a recommendation for reciprocity. The Court did not adopt the commission's recommendation to modify the requirements for admitting attorneys licensed in other U.S. jurisdictions. The proposed change would have allowed admission through reciprocity rather than the standard General Bar Examination. The Court’s denial of this proposal noted that statutory provisions in the Business and Professions Code (section 6062(a)(3), (b)) govern these admission requirements and thus could not be changed absent a statutory amendment.¹

¹ Assembly Bill 1522, which has been introduced as urgency legislation, would modify this requirement by amending section 6062 as follows: To be certified to the Supreme Court for admission, and a license to practice law, a person who has been admitted in a sister state, U.S. jurisdiction . . . shall . . . [h]ave passed the ~~general bar~~

6. **Diploma Privilege**

Applicants would be admitted to practice law based solely on graduation from an ABA-approved or state-authorized law school. This option exists in Wisconsin and was implemented in some states during COVID-19 (temporarily in Washington and Utah).

7. **Pass Those Who Qualified for Second Read**

This option would automatically pass those who received a second read during the February 2025 Bar Exam scoring process, or on a prior exam. These individuals scored near the passing threshold and underwent additional evaluation due to statistical proximity to the cut score (within 40 points). The number of prior attempts to be considered should be decided by the committee, along with how long before the February 2025 Bar Exam this milestone was achieved.

8. **Prior Performance Imputation for Repeat Takers**

This remedy would involve allowing repeat takers to combine or substitute prior bar exam performance components (e.g., essays, Performance Tests, or multiple-choice section scores) with February 2025 Bar Exam scores to determine if, in aggregate, they could meet or exceed the passing score of 1390.

Originally framed in the discussion on April 18, 2025, to focus solely on essay and PT scores, this approach can be broadened to acknowledge that repeat takers may have previously demonstrated competence across any section of the bar exam and may have been uniquely disadvantaged during the February 2025 Bar Exam administration — including due to issues affecting the MCQs, such as proctoring or software problems.

There are two potential variations of this remedy:

A. Score Substitution

Applicants may request imputation of prior essay, PT, or multiple-choice section scores for the corresponding February 2025 Bar Exam section if the prior performance was scored higher and more accurately reflects their competence.

B. Cross-Exam Score Aggregation

Applicants may be deemed to have passed if a combination of their prior and current component scores (e.g., MCQs from July 2024 Bar Exam and written section from February 2025 Bar Exam) meets or exceeds 1390, even if neither score alone would have resulted in passage.

The remedy would require establishing eligibility criteria, such as:

1. The number of prior attempts to be considered

examination prescribed by the examining committee, unless that person has been an active licensee in good standing of the bar of an admitting sister state or United States jurisdiction, possession, or territory for at least four years immediately preceding their seeking admission and licensure, in which case the examining committee may provide an alternative means of receiving admission and licensure.

2. The age/recency of prior exam responses eligible for imputation
3. Whether to replace individual question scores or section scores
4. How to address differences in question content between exams
5. Verification processes to ensure fairness and consistency

SPECIAL POPULATIONS TO CONSIDER

Below is the list of different populations to which the committee could consider applying the above remedies. Attachment A includes information about these populations, including 10-year February bar passage data for some.

1. First-Time Takers
2. Repeat Takers
3. U.S.-Licensed Attorneys (1-day and 2-day exam takers)
4. Foreign-Licensed Attorneys
5. Foreign-Educated Law Graduates
6. Graduates of:
 - ABA-Approved Law Schools
 - California-Accredited Law Schools
 - Registered Law Schools
7. Law Office Study Participants
8. Applicants by:
 - Race/Ethnicity
 - Gender
 - Age Range
 - Testing Accommodations Status
9. February 2025 Bar Exam Withdrawals
10. Second-Read Eligible Applicants
11. Disbarred California Attorneys Seeking Reinstatement

Table 1. February 2025 California Bar Examination Test Taker Populations

Descriptions	Total Test Takers	Percentage of Population
Total Test Takers	4,231 (640 included in 2 nd read cycle)	
First Time Taker	1,380	33%
Repeat Taker	2,851	67%
Applicant Type		
Disciplined Attorney	14 (one-day Attorney's Exam only)	<1%
Foreign Attorney	811	19%
Foreign-Educated Graduate	323	8%
Law Office Study Student	<11	<1%
Out-of-State US Attorney	644 (331 taking the one-day Attorney's Exam)	15%
US Law Student/Graduate*	2,431	57%
Eligibility Type		
Four Years of Law Study**	16	<1%
American Bar Association Approved Law School	1,766 (660 from law schools outside of California)	42%
California Accredited Law School	745	18%
Registered Unaccredited Law School	113	3%
Law School Closed	71	2%
Foreign Educated/JD Equivalent Plus One Year of US Education	343	8%
Law Office or Judges' Chambers Study	<11	<1%
US Attorneys Taking the General Bar Exam	23	<1%
Foreign Attorneys Taking the General Bar Exam	801	19%
US Attorneys Taking the One-Day Attorney's Exam	345	8%

Age Group		
23-32 years old	2,052	48%
33-42 years old	1,311	31%
43-52 years old	558	13%
53-62 years old	229	5%
63-72 years old	69	2%
73-82 years old	<11	<1%
83-92 years old	<11	<1%
Testing Accommodations Status		
Non-Accommodated	3,773	89%
Testing Accommodation Fully or Partially Approved	458	11%
Gender		
Male	1,641	39%
Female	2,497	59%
Other***	18	<1%
Decline to Answer	75	2%
Race/Ethnicity		
Asian	1,136	27%
Black	339	8%
Latino/Hispanic	633	15%
White	1,215	29%
Other****	755	18%
Decline to Answer*****	153	4%
Applicants Who Withdrew Exam Application	1,481	

Note: All figures are preliminary and are subject to change. Final exam statistics and population breakdowns are published on the State Bar's Exam Statistics webpage following the release of results and updates are made when necessary. Data unavailable for other years due to suppressed data values for groups <11 in published State Bar reports.

* Applicant type US Law Student/Graduate is comprised of a portion of individuals who are eligible to sit for the California Bar Examination because they completed four years of legal study, attended an American Bar Association-approved law school or a law school accredited or registered by the State Bar of California, attended a law school that is now closed, or completed a foreign legal education equivalent to a JD and one year of legal study in the US.

** Applicants may qualify to take the General Bar Exam through a combination of four years of law study without graduating from a law school under California Business and Professions Code section 6060(e)(2).

***Includes groups Gender Variant/Non-confirming, Transgender, and Two Spirit

****Includes racial/ethnic groups American Indian, Native Hawaiian, Middle Eastern or North African, other and more than one racial/ethnic group

*****Decline to Answer race/ethnicity category not reported for 2015–2019

This section intentionally left blank

Options for Committee Consideration:

Special Population	Options	Rationale
First-Time Takers (including Second-Read Eligible Applicants)	<ul style="list-style-type: none"> •Provisional Licensure (with/without pathway) •Portfolio Bar Exam •Pass Those Who Qualified for Second Read 	First-time takers had no prior opportunity to demonstrate competence and were unexpectedly affected by exam conditions. Remedies should provide alternate pathways to prove competence.
Repeat Takers (including Second-Read Eligible Applicants)	<ul style="list-style-type: none"> •Prior Performance Imputation •Pass Those Who Qualified for Second Read •Provisional Licensure with Pathway 	These applicants may have previously shown minimum competence in certain areas. Their prior performance provides a baseline for evaluation.
U.S.-Licensed Attorneys (1-day and 2-day)	<ul style="list-style-type: none"> •Registered Out-of-State U.S. Attorney Program •Admission on Motion/Reciprocity 	These applicants have already demonstrated competence in another jurisdiction. Their experience may justify expedited pathways with minimal additional requirements.
Foreign-Licensed Attorneys	<ul style="list-style-type: none"> •Portfolio Bar Exam •Provisional Licensure without Pathway 	These applicants have legal training but may need to demonstrate familiarity with U.S. legal principles. Remedies should acknowledge their experience while providing the opportunity to demonstrate minimum competence.
Foreign-Educated Law Graduates	<ul style="list-style-type: none"> •Portfolio Bar Exam •Provisional Licensure without Pathway 	This group needs options that recognize their legal education while providing the opportunity to demonstrate minimum competence.
<ul style="list-style-type: none"> • ABA-Approved Law School Graduates • California-Accredited Law School Graduates • Registered Law School Graduates • Law Office Study Participants 	<ul style="list-style-type: none"> •Provisional Licensure (with/without pathway) •Portfolio Bar Exam 	<p>Graduates from ABA, California-accredited, and Registered law schools have completed the standard legal education necessary for eligibility to take the bar exam. Their academic credentials provide a strong foundation for provisional licensure.</p> <p>Similarly, Law Office Study participants have met the legal education requirements, via a less traditional path. Potentially, portfolio assessment aligns well with their practice-based learning.</p>

February 2025 Bar Exam Withdrawals	<ul style="list-style-type: none"> •Provisional Licensure without Pathway •Portfolio Bar Exam •Future exam fee waiver (granted) 	Those who withdrew likely experienced significant issues leading up to the exam that prevented them from taking the exam.
Disbarred CA Attorneys Seeking Reinstatement	NA	Passing the exam is a requirement for reinstatement.

Additional Special Populations (Race/Ethnicity, Gender, Age, Applicants with Accommodations.): These are not categories with specific recommended remedies but rather lenses through which all remedies must be analyzed to ensure equity and avoid disparate impact.

Although it is premature to make final recommendations without the benefit of scoring data, staff believes that two broad approaches should be pursued at this stage: one tailored for non-attorney candidates and another for attorney applicants. Based on a review of the options and considering the Board of Trustees' directives, staff offers the following preliminary recommendations for the committee's consideration:

- **Prioritize Provisional Licensure without a Pathway to Full Licensure:** This remedy offers a balanced approach, providing a timely entry to practice while ensuring ongoing competence through supervised practice and/or additional requirements. It appears to be broadly applicable across many populations, including first-time takers, repeat takers, and graduates of various law school programs.
- **Expedite Implementation/Statutory Changes Required for Admission on Motion for U.S. Attorneys Who Meet Eligibility Requirements or Creation of Rules of Court for Special Admission of Registered Out-of-State U.S. Attorneys:** This remedy directly addresses the Board's request to consider attorneys licensed in other states. It leverages the existing competence of these attorneys and can be implemented relatively quickly once statutory changes are approved or Rules of Court are created.

PREVIOUS ACTION

- [November 17, 2022](#): The Board of Trustees reviewed the Provisional Licensure Programs (original and pathway) in advance of their scheduled sunset and formulated a recommendation to the Supreme Court.
- [December 1, 2022](#): The State Bar transmitted the Board's recommendation regarding the Provisional Licensure Programs to the Supreme Court.
- [May 18–19, 2023](#): The Board of Trustees received and discussed the Report of the Blue Ribbon Commission on the Future of the Bar Exam, which included considerations of alternative licensure and admission on motion/reciprocity.
- [November 16–17, 2023](#): Following public comment, the Board of Trustees considered a specific proposal for a portfolio bar exam developed by a working group.
- [October 10, 2024](#): The Supreme Court issued an order denying the recommendation for the portfolio bar exam and the Blue Ribbon Commission's recommendation for reciprocity.

On March 14, 2025, the committee resolved to recommend “to the Board of Trustees that the Supreme Court expand the Provisional Licensure Program to include test takers who took the February 2025 Bar Exam or who withdrew from the February 2025 Bar Exam.”

On April 2, 2025, the Board of Trustees considered the committee’s recommendation regarding provisional licensure and took the following action:

RESOLVED, that the Board of Trustees postpones consideration of the Committee of Bar Examiners’ request to recommend to the Supreme Court expansion of the Provisional Licensure Program as approved at their March 14, 2025, meeting; and it is

FURTHER RESOLVED, that the Board of Trustees requests that the Committee of Bar Examiners consider the full range of remediation options, after the completion of the grading of the February 2025 Bar Exam. The Board of Trustees requests that the Committee of Bar Examiners provide the specific parameters for any recommended remediation measures ultimately recommended. Lastly, the Board of Trustees requests that the CBE consider special populations in developing remediation recommendations, including attorney applicants licensed in other states and bring back to the Board for consideration.

FISCAL/PERSONNEL IMPACT

Each additional remedy would have associated programmatic costs related to staff time and build out in the Admissions Information Management System (AIMS) for applications and tracking. The newly proposed remedies would assumedly be associated with fees to recoup these costs.

Extending the Provisional Licensure Program to applicants who qualify due to the February 2025 Bar Exam may be one of the least costly options, as the application and process have already been built within AIMS and may only require that the Office of Information Technology make minor modifications.

Creation of a new special admissions program for U.S. Attorneys will take significant resources from the Office of General Counsel to partner with Admissions to draft new rules, and from the Office of Information Technology to create and implement the new application in AIMS, even if mirroring the RMSA rules and application. Alternatively, resources to change the statutory requirements to allow U.S. Attorneys admission on motion would be less than the former proposal, since there would be fewer rules and programmatic changes required.

The fiscal impact of further exploring the Portfolio Bar Exam or a Supervised Practice Pathway is currently unknown, as the proposal that was previously submitted to the Court would need to be significantly revised to address the Court’s concerns. It would, however, require staff time from Admissions and the Office of General Counsel to explore these options.

AMENDMENTS TO RULES

Additional programs will require amendments to Rules of Court and/or State Bar Rules. Changes to attorney admission will require statutory changes.

- California Business and Professions Code section 6060(g)
- California Business and Professions Code section 6060.5
- California Business and Professions Code section 6062(a)-(b)
- California Rules of Court, rule 9.3(a)
- California Rules of Court, rule 9.49
- California Rules of Court, rule 9.49.1
- Rules of the State Bar, Title 4, Division 1, Chapter 2, Rule 4.15-4.16

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

None

RESOLUTIONS

Should the Committee of Bar Examiners concur, it is:

RESOLVED, that the Committee of Bar Examiners recommends that the Board of Trustees advance the following remedial programs to the Supreme Court for the February 2025 California Bar Exam applicants who were unsuccessful or withdrew from the exam, with the specified parameters:

To be completed after committee discussion.

ATTACHMENTS LIST

- A. Pass Rates for the Past Ten Years by Population-Type
- B. [December 23, 2022, Supreme Court Order Regarding the Provisional Licensure Program](#)
- C. [December 15, 2023, Letter to the Supreme Court Recommending Approval of a Pilot PBE](#)
- D. California Business and Professions Code section 6060
- E. California Business and Professions Code section 6060.5
- F. California Business and Professions Code section 6062
- G. California Rules of Court, rule 9.3
- H. Rules of the State Bar, Title 4, Division 1, Chapter 2, Rule 4.15-4.16

Attachment A: Pass Rates for the Past Ten Years by Population-Type

Table 1. February California Bar Exam Pass Rate by Demographic Group (2015–2014)

Racial/Ethnic Group	Average Number of Test Takers	Average Pass Rate	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Men	1,898	33%	39%	34%	34%	26%	32%	26%	35%	38%	31%	32%	
Women	2,197	33%	40%	37%	35%	28%	31%	27%	39%	30%	33%	35%	
Asian	875	29%	34%	30%	32%	22%	27%	23%	30%	31%	30%	28%	
Black	346	21%	30%	16%	23%	18%	20%	17%	24%	17%	19%	22%	
Hispanic	647	28%	34%	31%	34%	25%	27%	21%	31%	25%	24%	27%	
White	1,669	40%	44%	43%	39%	33%	39%	32%	46%	43%	41%	42%	
Other	475	33%	38%	32%	29%	23%	24%	28%	43%	35%	36%	40%	
Decline to Answer	127	42%	N/A	N/A	N/A	N/A	N/A	41%	46%	48%	39%	38%	

Note: “Other” is comprised of American Indian or Alaska Native, Native Hawaiian or Other Pacific Islander, individuals who selected more than one racial/ethnic group, and individuals who selected the racial/ethnic category “Other.” “Declined to answer” was not a reporting category in 2015 through 2019. Data is missing for 1% of test takers’ race/ethnicity data in 2017 due to suppressed data values for groups <11 in State Bar reports.

Table 2. February California Bar Exam Pass Rate by Applicant Type (2015–2014)

Racial/Ethnic Group	Average Number of Test Takers	Average Pass Rate	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
All Test Takers	4,578	35%	40%	36%	35%	29%	33%	28%	40%	37%	35%	36%	
First Time Taker	1,512	47%	49%	46%	41%	43%	43%	40%	55%	56%	48%	48%	
Repeat Taker	3,067	28%	36%	32%	33%	23%	29%	22%	28%	25%	28%	29%	
US Attorneys Taking the General Bar Exam	436	64%	61%	62%	56%	60%	62%	53%	77%	74%	68%	69%	
US Attorneys Taking the One-Day Attorney’s Exam	376	49%	46%	43%	45%	43%	47%	39%	57%	62%	57%	53%	
Foreign Attorneys	498	21%	23%	16%	17%	16%	17%	20%	23%	29%	24%	24%	

American Bar Association Approved Law School	2,115	40%	46%	43%	43%	32%	38%	32%	46%	38%	39%	42%	
California Accredited Law School	631	17%	20%	18%	16%	12%	16%	11%	23%	19%	20%	22%	
Registered Unaccredited Law School	232	15%	21%	14%	11%	11%	16%	10%	22%	16%	13%	16%	
Law Office or Judges' Chambers Study*	N/A	N/A	50%	N/A	25%	N/A							
Foreign Educated/JD Equivalent Plus One Year of US Education	209	16%	21%	13%	16%	11%	16%	13%	16%	15%	22%	19%	
Disciplined Attorney	22	12%	0%	8%	14%	0%	26%	0%	13%	30%	6%	23%	

*Note: Data unavailable for other years due to suppressed data values for groups <11 in published State Bar reports.

**BUSINESS AND PROFESSIONS CODE - BPC****DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** (*Heading of Division 3 added by Stats. 1939, Ch. 30.*)**CHAPTER 4. Attorneys [6000 - 6243]** (*Chapter 4 added by Stats. 1939, Ch. 34.*)**ARTICLE 4. Admission to the Practice of Law [6060 - 6069]** (*Article 4 added by Stats. 1939, Ch. 34.*)

6060. To be certified to the Supreme Court for admission and a license to practice law, a person who has not been admitted to practice law in a sister state, United States jurisdiction, possession, territory, or dependency or in a foreign country shall:

(a) Be at least 18 years of age.

(b) (1) Be of good moral character.

(2) (A) In reviewing whether an applicant is of good moral character under this subdivision, the staff of the State Bar or the members of the examining committee shall not review or consider the person's medical records relating to mental health, except

if the applicant seeks to use the record for either of the following purposes:

(i) To demonstrate that the applicant is of good moral character.

(ii) As a mitigating factor to explain a specific act of misconduct.

(B) The staff of the State Bar and members of the examining committee shall not request or seek to review any medical records relating to mental health, including by obtaining the consent of the applicant to disclose such records, except as requested by an applicant and for a purpose specified in subparagraph (A).

(c) Before beginning the study of law, have done either of the following:

(1) Completed at least two years of college work, which college work shall be at least one-half of the collegiate work acceptable for a bachelor's degree granted on the basis of a four-year period of study by a college or university approved by the examining committee.

(2) Have attained in apparent intellectual ability the equivalent of at least two years of college work by taking examinations in subject matters and achieving the scores as are prescribed by the examining committee.

(d) Have registered with the State Bar as a law student within 90 days after beginning the study of law. The State Bar, upon a showing of good cause, may permit a later registration.

(e) Have done either of the following:

(1) Had conferred upon them a juris doctor (J.D.) degree or a bachelor of laws (LL.B.) degree by a law school accredited by the examining committee or approved by the American Bar Association.

(2) Studied law diligently and in good faith for at least four years in any of the following manners:

(A) (i) In a law school that is authorized or approved to confer professional degrees and requires classroom attendance of its students for a minimum of 270 hours a year.

(ii) A person who has received their legal education in a foreign state or country where the common law of England does not constitute the basis of jurisprudence shall demonstrate to the satisfaction of the State Bar that the person's education, experience, and qualifications qualify them to take the examination.

(B) In a law office in this state and under the personal supervision of a licensee of the State Bar of California who is, and for at least the last five years continuously has been, engaged in the active practice of law. It is the duty of the supervising attorney to render any periodic reports to the State Bar as required.

(C) In the chambers and under the personal supervision of a judge of a court of record of this state. It is the duty of the supervising judge to render any periodic reports to the State Bar as required.

(D) By instruction in law from a correspondence law school authorized or approved to confer professional degrees by this state, which requires 864 hours of preparation and study per year for four years.

(E) By any combination of the methods referred to in this paragraph.

(f) Have passed any examination in professional responsibility or legal ethics as the examining committee may prescribe.

(g) Have passed the general bar examination given by the examining committee.

(h) (1) Have passed a law students' examination administered by the examining committee after completion of their first year of law study. Those who pass the examination within its first three administrations upon becoming eligible to take the examination, shall receive credit for all law studies completed to the time the examination is passed. Those who do not pass the examination within the number of administrations allowed by this subdivision, upon becoming eligible to take the examination, but who subsequently pass the examination, shall receive credit for one year of legal study only.

(2) (A) This requirement does not apply to a student who has satisfactorily completed their first year of law study at a law school accredited by the examining committee and who has completed at least two years of college work prior to matriculating in the accredited law school, nor shall this requirement apply to an applicant who has passed the bar examination of a sister state or of a country in which the common law of England constitutes the basis of jurisprudence.

(B) The law students' examination shall be administered twice a year at reasonable intervals.

(Amended by Stats. 2023, Ch. 697, Sec. 13. (SB 40) Effective January 1, 2024.)

**BUSINESS AND PROFESSIONS CODE - BPC****DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** (*Heading of Division 3 added by Stats. 1939, Ch. 30.*)**CHAPTER 4. Attorneys [6000 - 6243]** (*Chapter 4 added by Stats. 1939, Ch. 34.*)**ARTICLE 4. Admission to the Practice of Law [6060 - 6069]** (*Article 4 added by Stats. 1939, Ch. 34.*)

6060.5. Neither the board, nor any committee authorized by it, shall require that applicants for admission to practice law in California pass different final bar examinations depending upon the manner or school in which they acquire their legal education.

This section shall not prohibit the board, or any committee authorized by it, from establishing a different bar examination for applicants who are admitted to practice before the highest court of another state or of any jurisdiction where the common law of England constitutes the basis of jurisprudence.

(*Added by Stats. 1971, Ch. 1666.*)

**BUSINESS AND PROFESSIONS CODE - BPC****DIVISION 3. PROFESSIONS AND VOCATIONS GENERALLY [5000 - 9998.11]** (*Heading of Division 3 added by Stats. 1939, Ch. 30.*)**CHAPTER 4. Attorneys [6000 - 6243]** (*Chapter 4 added by Stats. 1939, Ch. 34.*)**ARTICLE 4. Admission to the Practice of Law [6060 - 6069]** (*Article 4 added by Stats. 1939, Ch. 34.*)

6062. (a) To be certified to the Supreme Court for admission, and a license to practice law, a person who has been admitted to practice law in a sister state, United States jurisdiction, possession, territory, or dependency the United States may hereafter acquire shall:

- (1) Be of the age of at least 18 years.
- (2) Be of good moral character.
- (3) Have passed the general bar examination given by the examining committee. However, if that person has been an active licensee in good standing of the bar of the admitting sister state or United States jurisdiction, possession, or territory for at least four years immediately preceding the first day of the examination applied for, he or she may elect to take the Attorneys' Examination rather than the general bar examination. Attorneys admitted less than four years and attorneys admitted four years or more in another jurisdiction but who have not been active licensees in good standing of their admitting jurisdiction for at least four years immediately preceding the first day of the examination applied for must take the general bar examination administered to general applicants not admitted as attorneys in other jurisdictions.
- (4) Have passed an examination in professional responsibility or legal ethics as the examining committee may prescribe.

(b) To be certified to the Supreme Court for admission, and a license to practice law, a person who has been admitted to practice law in a jurisdiction other than in a sister state, United States jurisdiction, possession, or territory shall:

- (1) Be of the age of at least 18 years.
- (2) Be of good moral character.
- (3) Have passed the general bar examination given by the examining committee.
- (4) Have passed an examination in professional responsibility or legal ethics as the examining committee may prescribe.

(c) The amendments to this section made at the 1997–98 Regular Session of the Legislature shall be applicable on and after January 1, 1997, and do not constitute a change in, but are declaratory of, existing law.

(*Amended by Stats. 2018, Ch. 659, Sec. 49. (AB 3249) Effective January 1, 2019.*)



Rule 9.3. Inherent power of Supreme Court

(a) Inherent power over admissions

The Supreme Court has the inherent power to admit persons to practice law in California. The State Bar serves as the administrative arm of the Supreme Court for admissions matters and in that capacity acts under the authority and at the direction of the Supreme Court. The Committee of Bar Examiners, acting under authority delegated to it by the State Bar Board of Trustees, is authorized to administer the requirements for admission to practice law, to examine all applicants for admission, and to certify to the Supreme Court for admission those applicants who fulfill the admission requirements.

(b) Inherent jurisdiction over practice of law

Nothing in this chapter may be construed as affecting the power of the Supreme Court to exercise its inherent jurisdiction over the practice of law in this state.

Rule 9.3 amended effective January 1, 2019; adopted effective January 1, 2018.

Chapter 2. Overview Of Admission Requirements

Rule 4.15 Certification to California Supreme Court

To be eligible for certification to the California Supreme Court for admission to the practice of law, an applicant for admission must:

- (A) be at least eighteen years of age;
- (B) file an Application for Admission with the State Bar;
- (C) meet the requirements of these rules regarding education or admission as an attorney in another jurisdiction, determination of moral character, and examinations;
- (D) be in compliance with California court-ordered child or family support obligations pursuant to Family Code § 17520;
- (E) be in compliance with tax obligations pursuant to Business and Professions Code section 494.5;
- (F) until admitted to the practice of law, notify the State Bar within thirty days of any change in information provided on an application; and
- (G) otherwise meet statutory criteria for certification to the Supreme Court.⁵

Rule 4.15 adopted effective September 1, 2008; previously amended effective January 17, 2014; amended effective September 1, 2019.

Rule 4.16 Application for Admission

- (A) An Application for Admission consists of an Application for Registration, an Application for Determination of Moral Character, and an application for any required examination. Each application must be submitted with the required documentation and the fees set forth in the Schedule of Charges and Deadlines. The State Bar determines when an application is complete.
- (B) The Application for Registration must be approved, before any other application is submitted. The applicant is required by law either to provide a Social Security Number⁶ on the application or to request an exemption because of ineligibility for a Social

⁵ Business & Professions Code § 6060.

⁶ Business & Professions Code § 30, Family Code § 17520.

Security Number.⁷ Registration is deemed abandoned if all required documentation and fees have not been received within sixty days of submittal. No refund is issued for an abandoned registration.

- (C) After approval of the Application for Registration, an applicant for admission may submit an Application for Determination of Moral Character, an application for any examination as required by these rules and any other document or petition permitted by these rules.

Rule 4.16 adopted effective September 1, 2008; previously amended effective November 14, 2009; amended effective September 1, 2019.

⁷ Business & Professions Code § 6060.6.