

7.1 Update from the Office of Admissions; Proposed Amendments to Rule 9.42 of the Rules of Court, Rules of the State Bar Related to the Practical Training of Law Students and Law Office Study Programs (Rules 3.1–3.11 and 4.29), and Appendix A of the Rules of the State Bar: Request to Circulate for Public Comment; Approval of a New Legal Specialization Certification Area in Privacy Law



The State Bar of California

OPEN SESSION AGENDA ITEM 7.1 MAY 2025 BOARD OF TRUSTEES

DATE: May 22, 2025

TO: Members, Board of Trustees

FROM: Tara Clark, Program Director, Operations, Office of Admissions
Christina Doell, Program Manager, Office of Admissions

SUBJECT: Update from the Office of Admissions; Proposed Amendments to Rule 9.42 of the Rules of Court, Rules of the State Bar Related to the Practical Training of Law Students and Law Office Study Programs (Rules 3.1–3.11 and 4.29), and Appendix A of the Rules of the State Bar: Request to Circulate for Public Comment; Approval of a New Legal Specialization Certification Area in Privacy Law

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. 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, providing direction for the CBE's consideration as it reexamined the proposed revisions. The effort to revise the rules was abated while the State Bar developed an organization-wide process to review proposed rule changes and ensure consistency and quality of all rule proposals. The effort to revise the PTLS and LOS rules has resumed.

After considering the revised proposal at its March 14, 2025, meeting, the CBE recommended that the Board circulate the revisions described in this item to the PTLS and LOS rules for public comment.

RECOMMENDED ACTION

The CBE requests that the Board circulate the revised PTLS and LOS rules in Attachments B–H for a 60-day public comment period.

DISCUSSION

The proposed rule revisions include renaming the PTLIS Program the Certified Law Student (CLS) Program to align with the California Rules of Court. Therefore, the terms CLS Program and CLS will be used throughout this report.

Generally, the proposed rule revisions are intended to eliminate outdated barriers to participation in the CLS and LOS Programs, codify current practice that is not encapsulated in the rules, ensure consistency within the rules, transition to gender-neutral pronouns, and address the Court's concerns about the potential for conflicts of interest if an applicant who is studying under a judge in the LOS Program concurrently participates in the CLS Program.

For the CLS Program, the most significant proposed revisions allow additional applicants to participate, including applicants in a master of laws (LL.M.) program or those in the LOS Program studying under an attorney, and include a provision to add or change a supervising attorney to align with current practice.

For the LOS Program, the proposed revisions are intended to modernize how applicants and their supervisors participate (now including remote meetings), and create flexibility to meet the program requirements, such as requiring monthly hours versus the current weekly requirement. The proposed amendments also clearly state how to change the supervisor under whom the applicant is studying, what will occur if the report on a six-month study period is not received timely, and create a new requirement for the supervisor to attest whether the applicant has demonstrated sufficient academic progress to proceed to the next 6-month study period.

As mentioned above, the Court rejected the prior proposal in 2023, expressing concerns about potential conflicts of interest for applicants studying under a judge in the LOS Program who concurrently participate in the CLS Program. To address these concerns, several changes are proposed. California Rules of Court, rule 9.42(h) and rule 3.2(D) of the Rules of the State Bar were added to explicitly prohibit applicants from concurrently participating in the CLS and the LOS Programs if they are studying law in a judge's chambers. Similarly, rule 4.29(I) of the Rules of the State Bar was added to clearly state that applicants who are participating in the LOS Program by studying law in a judge's chambers are ineligible to participate in the CLS Program concurrently.

Staff reports listed in the Previous Action section, below, provide greater detail on the rationale for the proposals.

Rule revisions beyond reorganization, grammatical cleanup, or minor substantive changes are summarized below.

CALIFORNIA RULES OF COURT, RULE 9.42 – CERTIFIED LAW STUDENT PROGRAM (CLS PROGRAM)

Proposed amendments to rule 9.42(a) (Definitions)

The proposed amendments redefine the terms “Certified Law Student” and “Supervising Attorney,” and add definitions for “Certified Law Student Program” and “Law Office Study Program.”

Proposed amendments to rule 9.42(d) (Requirements)

The proposed amendments clarify and expand the requirements for participation in the CLS Program. Currently, an applicant must be enrolled in or have graduated from a Juris Doctor (J.D.) program. The proposals expand eligibility for the program to applicants who are (1) currently enrolled in or have graduated from a master of laws (LL.M.) program in a law school fully or provisionally approved by the American Bar Association or accredited by or registered with the CBE; or (2) currently studying or have completed the course of study of law in a law office as a participant in the LOS Program.

Proposed addition of rule 9.42(e) (Supervision)

The proposed new section lists the eligibility requirements and responsibilities of a Supervising Attorney in the CLS Program.

Proposed addition of rule 9.42(g) (Application)

The proposed new section states the application requirements for the CLS Program and prohibits applicants from performing CLS activities until the State Bar approves their CLS application.

Proposed addition of rule 9.42(h) (Concurrent Participation in the Law Office Study Program)

The proposed new section explicitly prohibits applicants from concurrently participating in the CLS and the LOS Programs if they are studying law in a judge’s chambers.

RULES OF THE STATE BAR, TITLE 3, DIVISION 1, CHAPTER 1 – PRACTICAL TRAINING OF LAW STUDENTS PROGRAM (CLS PROGRAM)

Proposed amendments to rule 3.1 (Definitions)

The proposed amendments define the terms “Certified Law Student,” “Certified Law Student Program,” “Law Office Study Program,” “Notice of Law Student Certification” or “Notice,” “Receipt,” and “Supervising Attorney.” The newly defined term “Certified Law Student Program” renames the Practical Training of Law Students Program to align with the Rules of Court.

Proposed amendments to rule 3.2 (Eligibility)

The proposed amendments add that an applicant is eligible to apply for the program for up to 30 days after completing their law studies in a J.D. or LL.M. program and explicitly prohibit an applicant from participating in the CLS and the LOS Programs concurrently if they are studying law in a judge’s chambers.

Proposed amendments to rule 3.3 (Application)

The proposed amendments set forth what constitutes a complete CLS Program application, including the requisite declaration signed by a law school dean, registrar, or their designee, or the attorney who supervises the applicant in the LOS Program, and the Supervising Attorney Declaration. The proposed amendments also provide the deadline for curing deficiencies when an application has been deemed incomplete and the consequences for failing to cure such deficiencies. Additionally, the proposed amendments explicitly state that an application will be denied if the applicant fails to comply with the California Rules of Court or Rules of the State Bar governing the CLS Program or makes a material misrepresentation of fact in their application.

Proposed addition of rule 3.4 (Change or Addition of Supervising Attorney)

The proposed new rule allows the applicant to request to change their Supervising Attorney or add an additional Supervising Attorney, with the required fee and the Supervising Attorney Declaration, and provides the deadline for curing deficiencies when an application has been deemed incomplete, and the consequences for failing to cure such deficiencies.

Proposed amendments to rule 3.5 (Permitted Activities) (renumbered rule 3.4)

The proposed amendments remove a provision noting that certified law students may provide advice or representation in the same manner as any non-licensee. The deleted provision is superfluous in light of the proposed removal of the word “only” earlier in the rule.

Proposed amendments to rule 3.6 (Duties of Certified Law Student) (renumbered rule 3.5)

The proposed amendments revise the timing requirement for a Certified Law Student to notify the State Bar of their ineligibility to participate in the program from “promptly” to “within 30 days of becoming ineligible,” and add that a Certified Law Student must disclose past legal-related employment and experience to their Supervising Attorney.

Proposed amendments to rule 3.7 (Duties of a Supervising Attorney) (renumbered rule 3.6)

The proposed amendments remove language that is no longer necessary due to the relevant concepts being addressed by other amendments to the rules or the California Rules of Court. Additionally, the proposed amendments require the Supervising Attorney to provide a Supervising Attorney Declaration to a CLS Program applicant prior to the applicant starting the activities authorized under their supervision in the program.

Proposed amendments to rule 3.9 (Duration of Certification) (renumbered rule 3.8)

The proposed amendments include certification duration timeframes for J.D., LL.M., and LOS Program graduates, as well as a new provision stating that CLS participants who are also studying law through the LOS Program will have their CLS certification terminated if they are suspended from the LOS Program for failing to comply with the requirements set forth in rule 4.29.

The phrase “the Supervising Attorney identified in the application” in subdivision (A)(2) is replaced with “a Supervising Attorney who is approved under rule 3.3 or 3.4” to encompass

Supervising Attorneys who were added or changed after the initial application. This change was made subsequent to the CBE meeting to ensure the revision reflects their intentions.

Proposed amendments to rule 3.10 (Revocation of Certification) (renumbered rule 3.9)

The proposed amendments add that the State Bar will notify the applicant's Supervising Attorney and law school dean, registrar, or their designee when the applicant is terminated from the CLS Program. The proposed amendments also revise the revocation date of ten days from the date of its transmission to one day from receipt of the notification of revocation, as the term "receipt" is defined in these rules.

Proposed amendments to rule 3.11 (Request for Reconsideration) (renumbered rule 3.10)

The proposed amendments add that the applicant must submit any argument or evidence in support of their request for reconsideration of their certification revocation with their request.

RULES OF THE STATE BAR, TITLE 4, DIVISION 1, CHAPTER 3, RULE 4.29 – STUDY IN A LAW OFFICE OR JUDGE'S CHAMBERS (LOS PROGRAM)

Proposed amendments to rule 4.29(A)

The proposed amendments clarify that participation in the LOS Program may be used to meet all or some of the legal education requirements that must be satisfied to be eligible to sit for the bar examination.

Proposed amendments to rule 4.29(B)

The proposed amendments clarify the LOS registration requirements, revise the LOS application deadline from within 30 days of beginning study to at least 30 days before the intended date of beginning study, and require State Bar approval prior to beginning study in the LOS Program.

Proposed addition of rule 4.29(C)

The proposed new section provides the deadline for curing deficiencies when an application has been deemed incomplete and the consequences for failing to cure such deficiencies. The language is consistent with deadlines to cure deficiencies in other admissions-related applications.

Proposed addition of rule 4.29(D)

The proposed new section states that the State Bar will refund the application fees, excluding credit card processing fees, for a denied LOS application. This language is consistent with current practice.

Proposed addition of rule 4.29(E)

The proposed new section clarifies what constitutes a 6-month study period in the LOS Program and the reporting requirements for each 6-month study period. The language creates greater flexibility in how an applicant can satisfy the hours requirement, by measuring the requirement on a monthly rather than weekly basis.

Proposed addition of rule 4.29(F)

Under the proposed new section, an applicant will not receive credit for hours of study completed before the State Bar approved their LOS application, and credit for study will only be granted in 6-month increments, as specified.

Proposed addition of rule 4.29(G)

The proposed new section clarifies and expands on the requirements to be a supervising attorney or judge, including revisions to the supervision and reporting requirements, and the addition of a requirement that the supervisor attest if the applicant has demonstrated sufficient academic progress to proceed to the next 6-month study period. Recognizing the advances in and shift to appropriate use of remote technology, the language reduces the amount of in-person supervision to 10 hours for each 6-month study period, while requiring synchronous in-person or remote supervision for at least 20 hours per month.

Proposed addition of rule 4.29(H)

The proposed new section affirms that LOS participants will not receive credit for a repeated course or study that was previously completed.

Proposed addition of rule 4.29(I)

The proposed new section affirms that applicants who participate in the CLS Program will not receive study-hour credit in the LOS Program for CLS-related activities, and addresses the Supreme Court's concerns related to potential conflicts of interest by prohibiting an applicant who is studying under a judge in the LOS Program from concurrently participating in the CLS Program.

Proposed addition of rule 4.29(J)

The proposed new section requires an applicant who wishes to change their supervising attorney or judge to submit a request at least 15 days before beginning study with the new supervisor, as specified. If the applicant's supervisor changes during the 6-month study period, the proposed subdivision requires the applicant to submit a report from the previous supervisor on all study completed with that attorney or judge, as specified, within 30 days of beginning study with the new supervisor.

Proposed addition of rule 4.29(K)

The proposed new section establishes a late fee for an untimely semi-annual report submitted between 31 and 60 days after completion of a 6-month study period, and prohibits applicants from receiving credit for a 6-month study period if the report for that period is submitted more than 60 days after completion of the study period.

Proposed addition of rule 4.29(L)

Under the proposed new section, an applicant will be terminated from the LOS Program for failure to submit a semiannual report, as specified. The proposed new section also informs an applicant who has been terminated from the program how to resume their studies in the program after being terminated, and that, if they resume study, they will retain credit for

previously completed 6-month study periods recognized by the State Bar prior to the termination.

Proposed addition of rule 4.29(M)

The proposed new section establishes remedial actions that an applicant must take to avoid termination from the LOS Program in the event their supervisor does not attest that they have demonstrated sufficient academic progress to proceed to the next 6-month study period.

Proposed addition of rule 4.29(N)

The proposed new section affirms that an applicant who is terminated from the LOS Program will retain credit that was recognized by the State Bar prior to the termination.

Proposed addition of rule 4.29(O)

The proposed new section allows an attorney or judge to continue supervision of an applicant that began prior to the enactment of the revised rules, without reassessment of their eligibility under the new rules, but provides that the eligibility requirements in the revised rules must be met for any supervision that starts after the revised rules are enacted.

RULES OF THE STATE BAR, APPENDIX A: SCHEDULE OF CHARGES AND DEADLINES

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 CLS and LOS rules. The proposed new LOS fees have been updated proportionally to reflect the recent fee increases.

PREVIOUS ACTION

- October 14, 2022, CBE meeting [Item IV.B.](#) and November 17–18, 2022, Board meeting [Item 706](#), describing the initial changes proposed following the Supreme Court’s order to consider whether to allow LOS students to participate in the CLS Program.
- March 24, 2023, CBE meeting [Item III.B.](#) and May 18–19, 2023, Board meeting [Item 705](#), describing the public comments received and the resulting modifications to the LOS rules.
- October 13, 2023, CBE meeting [Item IV.B.](#), introducing the requirement that the Supervising Attorney attest that the LOS participant has demonstrated sufficient academic progress to proceed to the next six-month study period.
- January 26, 2024, CBE meeting [Item III.A.](#), describing proposed changes to the CLS rules following the Court’s denial of the prior rules proposal.
- March 14, 2025, CBE meeting [Item 4.4](#), describing the current CLS and LOS rule proposals.

FISCAL/PERSONNEL IMPACT

If these proposals are adopted, staff anticipates an unknown but manageable increase in the number of CLS and LOS applications. The increase in workload will be managed by current resources. The revenue received from additional applications could support additional

resources to the extent necessary. The changes to the rules will also necessitate changes to the Admissions Information Management System, impacting the Office of Information Technology (IT). The technical changes are expected to require a moderate effort from IT to update text, automate certain functions, update existing logic, and add additional fees. The changes will have a minor impact on the Office of Strategic Communications & Stakeholder Engagement, as the information on the State Bar's public website will be revised.

AMENDMENTS TO RULES

California Rules of Court, rule 9.42

Title 3, Division 1, Chapter 1, rules 3.1–3.11

Title 4, Division 1, Chapter 3, rule 4.29

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None – core business operations

RESOLUTIONS

Should the Board of Trustees concur, it is:

RESOLVED, that the Board of Trustees authorizes staff to make available for public comment, for a period of 60 days, the proposed revisions to the rules governing the Certified Law Student Program (currently known as the Practical Training of Law Students Program) and the Law Office Study Program, as set forth in Attachments B through H.

ATTACHMENTS LIST

- A.** September 20, 2023, Supreme Court Order and Letter
- B.** California Rules of Court, rule 9.42 (PTLS/CLS redline)
- C.** California Rules of Court, rule 9.42 (PTLS/CLS clean)
- D.** Rules of the State Bar, Title 3, Division 1, Chapter 1 (PTLS/CLS redline)
- E.** Rules of the State Bar, Title 3, Division 1, Chapter 1 (PTLS/CLS 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

Deputy

S281003

ADMINISTRATIVE ORDER 2023-09-20-02

IN THE SUPREME COURT OF CALIFORNIA

EN BANC

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)

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.

California Rules of Court

Rule 9.42 Certified Law Students

(a) Definitions

The following definitions apply in this rule:

- (1) A "~~C~~ertified ~~L~~aw ~~S~~tudent" 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 ~~C~~ertified ~~L~~aw ~~S~~tudent ~~by from~~ 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 "~~S~~upervising ~~A~~ttorney" 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 ~~C~~ertified ~~L~~aw ~~S~~tudent ~~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 ~~C~~ertified ~~L~~aw ~~S~~tudent ~~P~~rogram

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 ~~P~~enalties

The State Bar of California has the authority to set and collect appropriate fees and penalties for the Certified Law Student this 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 or have graduated from 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 or accredited by or registered with the Committee of Bar Examiners, subject to subdivisions (2) or (3); or**
- (B) Be currently studying law, or have completed the course of study, in a law office through the Law Office Study Program, subject to subdivision (4).**

(2) An applicant who is currently enrolled in or has graduated from a J.D. program 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 Ffirst-Yyear Llaw Sstudents' Eexamination; and**
- (B) Have been accepted into, and bBe 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 Rrules adopted by the Board of Trustees of the State Bar of California governing the Certified Law Student Program.; and**

(3) An applicant who is currently enrolled in or has graduated from an LL.M. program must: Have either successfully completed or be currently enrolled in and attending academic courses in evidence and civil procedure.

- (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, or has completed the course of study, 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

A Supervising Attorney must:

(1) 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;

(2) Assume professional responsibility for the work product of the Certified Law Student;

(3) Train and counsel the Certified Law Student to competently perform activities authorized by this rule;

(4) Read, approve, and personally sign any documents prepared by the Certified Law Student for a client; and

(5) 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 activity~~ies~~;
 - (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 Attorney~~;~~;
- (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), 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 ~~Ss~~supervising ~~Aa~~ttorney or any deputy, assistant, or other staff attorney authorized and designated by the ~~Ss~~supervising ~~Aa~~ttorney, but only if the ~~Ss~~supervising ~~Aa~~ttorney or the designated attorney has approved in writing the performance of such acts by the ~~Ce~~rtified ~~Ll~~aw ~~Ss~~tudent 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 R~~ules ~~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.)

(i) Inherent ~~P~~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.)

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 or have graduated from 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 or accredited by or registered with the Committee of Bar Examiners, subject to subdivisions (2) or (3); or
 - (B) Be currently studying law, or have completed the course of study, in a law office through the Law Office Study Program, subject to subdivision (4).
- (2) An applicant who is currently enrolled in or has graduated from 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 who is currently enrolled in or has graduated from 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, or has completed the course of study, 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

A Supervising Attorney must:

- (1) 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;
- (2) Assume professional responsibility for the work product of the Certified Law Student;
- (3) Train and counsel the Certified Law Student to competently perform activities authorized by this rule;
- (4) Read, approve, and personally sign any documents prepared by the Certified Law Student for a client; and
- (5) 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 Program

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

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

- ~~(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 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 document issued by the State Bar 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 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 ~~rRule of Court 9.42(ed)~~ of the California Rules of Court and this chapter.
- (B) An applicant who graduates from a juris doctor (J.D.) program, completes one year in a master of laws (LL.M.) program, or completes their law study in a law office through the Law Office Study Program is eligible to apply for the Certified Law Student Program for up to 30 days after completing their law study.
- (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).
- (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 ~~C~~ertified ~~L~~aw ~~S~~tudent, an eligible applicant must:
- (1) submit an Application for Registration to register as a general applicant, pursuant to rule 4.16(B), with the required documentation and the fee set forth in the Schedule of Charges and Deadlines for admission to the practice of law in California;² and
 - (2) submit an Application for the Certified ~~Practical Training of~~ Law Students Program.³ and: with
 - (a) the fee.⁴ set forth in the Schedule of Charges and Deadlines;

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

³ See Rule 4.16(B).

⁴ Rule of Court 9.42(f).

- (b) a current e-mail address, which will not ~~to~~ be disclosed on the State Bar's ~~Web-site~~ or otherwise to the public without the applicant's consent, unless required by law;
 - (c) a declaration, signed no more than 30 days prior to submission, attesting that the applicant meets the requirements of rule 9.42 of the California Rules of Court and these rules, from either a law school dean, registrar, or their designee, or Declaration of Law School Official attesting that the law student meets the eligibility requirements of these rules and is qualified to be a certified law student, absent any subsequent notification to the contrary that the official agrees to provide; and the attorney who currently supervises the applicant in the Law Office Study Program; and
 - (d) a Supervising Attorney Declaration of Supervising Attorney signed no more than 30 days prior to submission by the Supervising Attorney, attesting that:
 - (i) the Supervising Attorney meets the requirements of 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" (~~"notice"~~), which states ~~stating~~ that the applicant is authorized to ~~a-certified~~ participate in the program ~~for Practical Training of Law Students~~ for a specified ~~the time~~ period. ~~stated in the notice.~~⁵
- (D) An Application for the Certified Law Student Program will be denied if the applicant fails to meet the requirements of rule 9.42 of the California Rules of Court or this chapter, or

⁵ See Rule 3.8.

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~~ ~~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,⁶
- (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 in~~ eligible for the program, ~~promptly inform the State Bar and~~ cease any activities~~y~~ that require certification under rule 9.42 of the California Rules of Court or these rules, and notify the State Bar within 30 days of becoming ineligible ~~a certified law student is permitted to perform; and~~
- (E) not imply or claim in any way to be a licensee of the State Bar ~~of California~~; 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 ~~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.⁷ 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 whom the Supervising Attorney delegates to supervise the permitted activities of certified law student.~~

A Supervising Attorney must:

- (1) ~~be an active licensee of the State Bar of California 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;~~
- (A) supervise the permitted activities of a Certified Law Student as specified by rule 9.42~~(de)~~ of the California Rules of Court;

⁶ See Rule 3.8.

⁷ Rule of Court 9.42(a)(2).

- (B) 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 under their supervision;
- (C) personally assume professional responsibility for any activity a ~~C~~ertified ~~L~~aw ~~S~~tudent performs pursuant to rule 9.42 of the California Rules of Court or these rules;
- ~~(4) provide training and counsel that prepares a certified law student to satisfactorily perform an activity permitted by these rules in a manner that best serves the interest of a client;~~
- ~~(5) read, approve, and sign any document prepared by the certified law student for a client;~~
- (D) concurrently supervise ~~at one time~~ no more than 5 five ~~C~~ertified ~~L~~aw ~~S~~tudents, ~~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
- (E) ~~promptly~~ notify the State Bar within 30 days that if:
 - (1) they ~~he or she~~ no longer meets the requirements of rule 9.42 of the California Rules of Court or these rules; ~~or that~~
 - (2) 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 ~~C~~ertified ~~L~~aw ~~S~~tudent

- (A) A ~~C~~ertified ~~L~~aw ~~S~~tudent may not use ~~the any~~ title other than "Certified Law Student" ~~and no other~~ in connection with activities performed as a ~~C~~ertified ~~L~~aw ~~S~~tudent.
- (B) On written materials prepared pursuant to rule 9.42 of the California Rules of Court and these rules, a ~~C~~ertified ~~L~~aw ~~S~~tudent 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 ~~C~~ertification

- (A) Subject to the exceptions set forth in this rule, a ~~C~~ertified ~~L~~aw ~~S~~tudent 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 a the Supervising Attorney identified who is approved under rule 3.3 or 3.4 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 law study 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 ~~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 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 ~~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 determined by the State Bar; or
 - (5) the State Bar revokes certification.⁸

Rule 3.8 adopted effective July 1, 2010.

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

The State Bar may revoke certification for noncompliance with any applicable rule or law, including rule 9.42 of the California Rules of Court and these rules.⁹ The State Bar will ~~must~~ provide the ~~C~~ertified ~~L~~aw ~~S~~tudent, the Supervising Attorney, and the law school dean,

⁸ See Rule 3.9.

⁹ Rule of Court 9.42(e).

registrar, or their designee, if applicable, a written notice of revocation. 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 with the request. Within 60 ~~sixty~~ days of receiving of the request, the 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 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 document issued by the State Bar 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 for up to 30 days after completing their law study.

- (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 of 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 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 Supervising Attorney must:

- (A) supervise the permitted activities of a Certified Law Student as specified by rule 9.42(e) of the California Rules of Court;

- (B) 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 under their supervision;
- (C) 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;
- (D) 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
- (E) notify the State Bar within 30 days if:
 - (1) they no longer meet the requirements of rule 9.42 of the California Rules of Court or these rules; or
 - (2) 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 a Supervising Attorney who is approved under rule 3.3 or 3.4 supervises the Certified Law Student.
- (B) A Certified Law Student who graduates from a J.D. program, completes their law study 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 determined 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 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 documentation and with the fee set forth in the Schedule of Charges and Deadlines within thirty days of at least 30 days 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, excluding credit card processing fees.
- (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.~~

- (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 4-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 of the general applicant's studies, or be a judge of a court of record of California;
- (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 within thirty days of the applicant's beginning study~~ an outline of ~~the entire a~~ proposed course of ~~study that accounts instruction~~ for each 6-month study period ~~that he or she will personally supervise;~~
- (3) supervise the general applicant synchronously, in-person or via remote video technology, for at least 20 hours per month;
- (4) ~~personally~~ 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 form 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; 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; and
- (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) not personally simultaneously supervise no more than two general applicants simultaneously 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 study as required by subdivision (G)(2) of this rule. If a 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:

- (1) 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.
 - (2) 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:
 - (1) within 12 months from the conclusion of the last completed 6-month study period, the general applicant repeats the course of study for which their supervisor submitted either a negative attestation or failed to provide an attestation and submits a semi-annual report; and
 - (2) 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:
 - (1) 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
 - (2) 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 days 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, excluding credit card 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 4-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 study as required by subdivision (G)(2) of this rule. If a 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:
 - (1) 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.
 - (2) 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:
 - (1) within 12 months from the conclusion of the last completed 6-month study period, the general applicant repeats the course of study for which their supervisor submitted either a negative attestation or failed to provide an attestation and submits a semi-annual report; and
 - (2) 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:
 - (1) 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
 - (2) 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
3.8(A) <u>3.4</u>	Request to change <u>or add a</u> S supervising A ttorney	\$31	Not applicable

TITLE 4, DIVISION 1

ADMISSIONS FEES

<i>Rule</i>	<i>Description</i>	<i>Amount</i>	<i>Deadline</i>
4.29 (B) <u>(2)</u>	Intention to Study Law in Law Office- or Judge's Chambers <u>Application for the Law Office Study Program</u>	\$904	Not applicable <u>At least 30 days prior to the intended date of beginning study</u>
4.29 (E) <u>(2)</u>	Law Office Study Program or Judge's Chambers Initial Study and <u>Semi- Annual</u> Report	\$525	Not applicable <u>Within 30 days 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(J)</u>	<u>Supervisor Change Report, Mid-Study Period</u>	<u>Equivalent to Semi- Annual Report fee. See rule 4.29(E)(2).</u>	<u>Within 30 days of beginning study with the new supervisor if changed during a six- month study period</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

OPEN SESSION

AGENDA ITEM

7.1 MAY 2025

BOARD OF TRUSTEES

DATE: May 22, 2025

TO: Members, Board of Trustees

FROM: Adrian Galang, Program Manager, Office of Admissions

SUBJECT: Approval of a New Legal Specialization Certification Area in Privacy Law

EXECUTIVE SUMMARY

Based on the recommendations of the California Board of Legal Specialization (CBLS), this staff report requests approval by the Board of Trustees to establish Privacy Law as a new State Bar legal specialization certification area. If approved by the Board of Trustees, Privacy Law would be the first new specialization area introduced since 2008.

RECOMMENDED ACTION

It is recommended that the Board approve, based on the recommendations of the California Board of Legal Specialization, the establishment of Privacy Law as a new State Bar legal specialization certification area.

DISCUSSION

The CBLS appointed members to the Consulting Group on the Establishment of a Legal Specialization in Privacy Law (PLG), assigning them with the responsibility of evaluating the need for, and interest in, creating a new specialty and developing criteria to ensure attorneys are properly qualified for this rapidly evolving area of law.

To assess the need for a Privacy Law Group specialty, the PLG conducted a comprehensive review of current legal trends, analyzed the increasing complexity of privacy-related legal matters, and presented relevant case law during their public meetings and to the CBLS. In an effort to assess interest, the PLG extended invitations to several attorney organizations with a shared focus on Privacy Law, including the International Association of Privacy Professionals (IAPP), the California Lawyers Association (CLA), and the North Carolina State Bar Board of Legal Specialization. Given the lively engagement and the identification of consumer protection needs in areas such as personal information sharing, emerging technologies, data privacy, and cybersecurity, it became clear to the CBLS that this is a legal specialty area worth pursuing.

EXAM SPECIFICATIONS

The PLG reviewed the exam specifications from the International Association of Privacy Professionals and Harvard Law's Online Data Privacy and Technology program to help shape the proposed standards for the Privacy Law exam. The PLG reviewed the State Bar's legal specialization exam specifications in Estate Planning, Trust & Probate Law, Taxation Law, and Workers' Compensation Law to ensure the new specifications align with other existing specifications in style and organization. The PLG successfully narrowed the field focus to seven key areas applicants should be familiar with: professional responsibility, principles, data collection, use of personal information, data security, data sharing, and technologies.

TASK AND EXPERIENCE REQUIREMENT FOR CERTIFICATION AND RECERTIFICATION

The PLG reviewed the task and experience requirements from the State Bar's established requirements in Estate Planning, Trust & Probate Law, Taxation Law, and Workers' Compensation Law to help shape the proposed task and experience requirements for Privacy Law certification and recertification. The PLG refined the focus into 15 key areas outlining the tasks applicants would be completing as part of the Privacy Law practice. These tasks became the blueprint to determine the points that would be required to be certified and recertified in PLG.

CONTINUING LEGAL EDUCATION TOPICS

In line with the proposed task and experience, the PLG proposed a set of CLE topics and identified 15 CLE focus areas. Many of these topics are covered through CLE programs offered by the CLA and IAPP, which regularly provides education for practitioners in this field.

EXAMINATION ALTERNATIVE FOR A LEGAL SPECIALIZATION CERTIFICATION IN PRIVACY LAW

State Bar Rule 3.116 (C) on examination notes that upon approval of a new area of legal specialization by the Board of Trustees, the State Bar may approve for a period of no more than two years satisfactory completion of one or more alternative tasks in lieu of a written examination. That is, applicants who meet the experience requirement can be offered a nonexam pathway to certification during the new specialty's first two years. This provides the State Bar two years to develop an exam, ensuring that the exam is developed by qualified experts, and meets appropriate testing standards. The PLG reviewed the State Bar's most recent specialty area, Admiralty & Maritime Law, created in 2008, to help inform the proposed examination alternatives for a legal specialization certification in Privacy Law. The PLG outlined three key alternative requirements for passing the written examination, which would be in addition to the proposed task and experience requirements for initial certification.

STANDARDS FOR CERTIFICATION AND RECERTIFICATION IN PRIVACY LAW (ATTACHMENT A)

The PLG developed a set of proposed Standards for Certification and Recertification in Privacy Law, found in Attachment A. The standards provide definitions for the proposed profession, specifically task and educational requirements for certification, alternative to written exam requirements, and task and educational requirements for recertification. If approved, these changes would be incorporated into the Legal Specialization rules following a 90-day public comment period and Board approval.

PREVIOUS ACTION

The California Board of Legal Specialization approved the recommendations set forth by the PLG at its [December 13, 2024 Meeting](#).

FISCAL/PERSONNEL IMPACT

The estimated cost to develop the Privacy Law certification examination is \$75,000. This amount accounts for expenses related to psychometric services, consultants, exam developers, pretesters, and graders. The exam will require biannual maintenance to ensure that questions remain relevant and legally accurate. Following development, staff anticipates approximately 500 individuals will register for the exam, based on interest projections provided by the PLG, generating an estimated \$250,000 in exam fee revenue. Successful candidates will then pay annual certification fees that could total in excess of \$150,000 annually. The long-term demand for this certification is unknown, however exam development fees will be fully recovered by the initial expected candidate pool of 500, though exam related revenue will not be generated for at least two years.

AMENDMENTS TO RULES

Title 3, Division 2, Chapter 2, Rules Article VIII

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

Goal 2. Protect the Public by Enhancing Access to and Inclusion in the Legal System
b. 4. Make the State Bar a leader in connecting the public to legal representation by enhancing public awareness of the resources available and continually enhancing those resources.

RESOLUTIONS

Should the Board of Trustees concur, it is:

RESOLVED, that the Board of Trustees approve the recommendations of the California Board of Legal Specialization to establish Privacy Law as a new legal specialty area; and it is

FURTHER RESOLVED, that the recommendation be adopted and released for a 90-day public comment period.

ATTACHMENT LIST

- A.** Proposed Standards for Certification and Recertification for a Legal Specialization Certification in Privacy Law

The Standards must be read in conjunction with the Rules Governing the State Bar of California Program for Certifying Legal Specialists, which govern the Program requirements.

**THE STANDARDS FOR CERTIFICATION AND RECERTIFICATION IN
PRIVACY LAW**
(last revised effective [INSERT DATE])

1.0 DEFINITION

Privacy law is the practice of law dealing with: safeguarding an individual's personal information and data against unauthorized access, disclosure, or misuse; addressing the legal rights and responsibilities concerning data privacy, including compliance with applicable regulations and industry standards; advising clients on matters related to data collection, processing, and sharing practices; developing policies and frameworks for data protection; and representing clients in disputes or regulatory actions involving privacy violations or breaches. It encompasses areas such as consumer privacy, financial privacy, health information confidentiality, employee data rights, and emerging technology and digital privacy challenges.

2.0 TASK REQUIREMENT FOR CERTIFICATION

An applicant must demonstrate that, within the five years immediately preceding submission of the written application, he or she has been substantially involved in the practice of privacy law. A prima facie showing of substantial involvement in the practice of privacy law is made by the performance of the following tasks within the five-year period so as to accumulate 100 points. With respect to each task, the applicant must have performed the task personally, or had direct and primary responsibility for its performance under his or her close and ongoing supervision. For purposes of this showing, points may be accumulated from any of the tasks, subject to the maximums specified per task. However, each task may only be counted once

- 2.1 Provided substantive written legal advice or analysis regarding regulatory compliance with privacy laws. 5 points per matter. Maximum number of points in this category: 35
- 2.2 Reviewed, drafted or negotiated data privacy terms in contracts, including outsourcing/service provider agreements or other third party contracts. 5 points per matter or transaction. Maximum number of points in this category: 35
- 2.3 Provided substantive written legal advice or analysis regarding data sharing requests or counseling on cross-border data transfers and advised on privacy-related risks. 5 points per matter or transaction. Maximum number of points in this category: 35
- 2.4 Conducted data privacy due diligence involved in corporate transactions, including mergers and acquisitions, reorganization, bankruptcy, receivership, sale of assets, or transition of service to another provider. 5 points per matter or transaction. Maximum number of points in this category: 35
- 2.5 Advised on policies, procedures, or processes relating to physical, technical, and administrative privacy and information security controls. 5 points per policy, procedure or process. Maximum number of points in this category: 35
- 2.6 Represented a party in litigation as its principal attorney on privacy issues where matters of privacy law are among the main contested issues. 5 points per separate litigation matter; 10 points per litigation matter if at least 500 hours are billed by the attorney on the case on privacy issues; or 15 points per litigation matter if at least 750 hours are billed by the attorney on the case on privacy issues. Maximum number of points in this category: 65
- 2.7 Represented a party in a government investigation as its principal attorney where matters of privacy law are among the main contested issues. 5 points per investigations matter; 10 points per investigations matter if at least 500 hours are billed by the attorney on the case on privacy issues; or 15 points per investigations matter if at least 750 hours are billed by the attorney on the case on privacy issues. Maximum number of points in this category: 65
- 2.8 Acted as the principal attorney in devising and implementing the litigation strategy in connection with pending or threatened litigation where matters of privacy law are expected to be among the main contested issues. 5 points per litigation matter. Maximum number of points in this category: 35
- 2.9 Acted as the principal attorney in devising and implementing a formal compliance program for a client following the entry of a court order, consent order, settlement, or other binding order or award against the client in any litigation or investigations matter where matters of privacy laws are among the main issues. 5 points per litigation or investigations matter. Maximum number of points in this category: 35
- 2.10 Provided substantive written legal advice or analysis to conduct a data inventory or records of processing activities. 5 points per matter. Maximum number of points in this category: 35
- 2.11 Provided substantive written legal advice or analysis to develop or implement external-facing privacy notices, statements or reports as required by privacy laws. 5 points per matter. Maximum number of points in this category: 35

- 2.12 Provided substantive written legal advice or analysis on privacy issues for marketing, product, feature, or service delivery, such as implementing privacy by design or conducting privacy impact assessments. 5 points per matter. Maximum number of points in this category: 35
- 2.13 Provided substantive written legal advice or analysis regarding data subject or consumer rights matters (e.g., access, deletion, opt-ins/opt-outs). 5 points per matter. Maximum number of points in this category: 35
- 2.14 Led or participated in incident response or data breach investigations, including forensic analysis, root cause analysis, and remediation efforts, drafting and reviewing incident reports and communications to stakeholders. 5 points per matter. Maximum number of points in this category: 35
- 2.15 Assisted with breach notifications to regulators or affected individuals. 5 points per matter. Maximum number of points in this category: 35

3.0 EDUCATIONAL REQUIREMENT FOR CERTIFICATION

An applicant must show that, within the three years immediately preceding the application for certification, he or she has completed not less than 45 hours of educational activities specifically approved for privacy law.

4.0 ALTERNATIVE TO WRITTEN EXAM REQUIREMENT

As an alternative equivalent to the requirement of passing a written examination, an applicant may demonstrate the requisite knowledge of privacy law by fulfilling the following requirements within five years immediately preceding submission of the application for certification:

- 4.1 150% of the minimum practice requirement as set forth in section 2.0 (i.e., 150 points);
- 4.2 Supply evidence of at least 60 hours of continuing legal education or professional education from the topics in the Privacy Law Specialist exam specifications within the five years preceding the end of the two-year alternative exam period; and
- 4.3 Provide at least five peer references from attorneys, clients, or judges attesting to his or her privacy law qualifications.

5.0 TASK REQUIREMENT FOR RECERTIFICATION

An applicant for recertification must show that, during the current five-year certification period, he or she has had direct and substantial participation in the practice of privacy law. Such showing shall be made by compliance with the requirements set forth in section 2.0 or, at the discretion of the Commission, by sworn statement that the applicant has engaged in the practice of privacy law substantially to the same extent as described in the application for original certification.

6.0 EDUCATIONAL REQUIREMENT FOR RECERTIFICATION

An applicant for recertification must show that, during their current MCLE compliance reporting period, he or she has completed not less than 36 hours of educational activities specifically approved for privacy law.



The State Bar *of California*

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

Tara Clark, Program Director, Office of Admissions
Christina Doell, Program Manager, Office of Admissions

Board of Trustees Meeting, May 22–23, 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 five consecutive years, or in a judge's chambers under the supervision of a judge of a court of record in California.



Recent History of the PTLS and LOS Rules

November 2022

The Board approved circulating the revised PTLS and LOS Rules for a 60-day public comment period.

May 2023

The Board approved the changes to the PTLS and LOS State Bar Rules and Rules of Court and submitted them to the Supreme Court for adoption.

September 2023

The Court denied the request.

- Expressed ethical concerns about LOS students studying under a judge and simultaneously participating in PTLS.

March 2025

Following a series of revisions, CBE recommended that the Board circulate the proposed rule revisions for a 60-day public comment period.



Impetus for Rule Changes

- Supreme Court direction to explore expanding the PTLS Program to include LOS participants; address concerns about potential conflicts
- Eliminate outdated barriers to participation (e.g., during regular working hours, in-person only)
- Codify and conform to current practice
- Ensure consistency within the rules
- Transition to gender-neutral pronouns



Law Office Study (LOS) Rules



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



Practical Training of Law Students Rules

- Renamed the program to align with the Rules of Court to the “Certified Law Student” Program
- Expanded eligibility by allowing LOS and LLM students to participate in the program
- 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 Rule 3.6(F): requires certified law students to notify their 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”





The State Bar of California

Approval of a New Legal Specialization Certification Area in Privacy Law

Board of Trustees Meeting, May 22–23, 2025

Strategic Impact

Supports Goal 2 of the State Bar's Strategic Plan:

- Enhances public protection
- Connects public to qualified legal resources
- Increases awareness of certified experts



Why Privacy Law?

- Increasing complexity of privacy-related legal matters
- Heightened consumer protection concerns
- Growing attorney interest and specialization needs



How We Evaluated the Need

- Reviewed legal trends and case law
- Held public meetings with legal experts
- Engaged attorney organizations
- Identified public and professional interest



Exam Specifications

- Professional Responsibility
- Privacy Principles
- Data Collection & Use
- Security
- Sharing Practices
- Technologies



Certification Requirements

- Providing legal advice or analysis regarding regulatory compliance with privacy laws.
- Reviewing data privacy terms in contracts.
- Providing legal advice or analysis regarding data sharing requests or counseling on cross-border data transfers and privacy-related risks.
- Conducting data privacy due diligence in corporate transactions.
- Advising on policies, procedures, or processes relating to physical, technical, and administrative privacy and information security controls.
- Representing parties in litigation on privacy issues.
- Representing parties in government investigations.
- Acting as principal attorney in devising and implementing the litigation strategy in connection with pending or threatened privacy law litigation.
- Acting as principal attorney in devising and implementing a formal compliance program for clients following the entry of a court order, consent order, settlement, or other binding order or award against the client in any privacy law litigation or investigations.
- Providing legal advice or analysis to conduct a data inventory or records of processing activities.
- Providing legal advice or analysis to develop or implement external-facing privacy notices, statements or reports as required by privacy laws.
- Providing legal advice or analysis on privacy issues for marketing, product, feature, or service delivery implementing privacy by design or conducting privacy impact assessments.
- Providing legal advice or analysis regarding data subject or consumer rights matters.
- Participating in incident response or data breach investigations and drafting and reviewing incident reports and communications to stakeholders.
- Assisting with breach notifications to regulators or affected individuals.



Continuing Legal Education

- Frameworks and Standards Related to Privacy and Data Security
- International Privacy Compliance and International Data Transfers
- Data Subject Rights
- Online Privacy Policies Notices and Practices
- Children's Privacy
- Financial Privacy
- Health Information Privacy
- Educational Privacy
- Employment Privacy Law
- Privacy Laws Governing Advertising and Marketing
- Law Enforcement and Privacy
- Emerging Technology and Privacy
- Cybersecurity and Information Security Standards and Requirements
- Data Breach Response, Including Breach Notification Requirements
- Private Right of Action



Alternative to Exam Requirement

- Submit a total of at least 50 additional points from the Task and Experience Requirement. *(150 points total)*
- Supply evidence of at least 15 additional hours of LSCLE or professional education from the topics in the Privacy Law Specialist exam specifications within the 5 years preceding the end of the two-year alternative exam period. *(60 hours total)*
- Provide at least two additional peer references from attorneys, clients, or judges attesting to your privacy law qualifications. *(five references total)*



Next Steps

Approve the CBLS recommendation to release for public comment period





The State Bar *of California*

Office of Admissions Update

Donna S. Hershkowitz, Chief of Admissions/Legislative Director

Board of Trustees Meeting, May 22–23, 2025

February 2025 Update



Scoring Review, Completed and Planned



Completed

- **Results Released** and issues identified
- Mismatch exam responses (3 applicants)
- **Retake issues:** Applicants mistakenly got zeros if they retook essays 4 or 5. Not all eligible applicants got imputed scores (9 applicants)

Impact:

- ✓ Four applicants notice of status change from FAIL to PASS

Underway

Notes Fields:

- ✓ All content in Notes Fields not transmitted to graders for some applicants
- ✓ Transmission corrected
- ✓ Regrading underway

Planned

- ✓ **Privileged independent third-party will be retained.** Review scoring for all unsuccessful candidates. Review TA concerns.

Announced

May 2025

TBD

May 30 Meeting, Committee of Bar Examiners



**Changes to
second-read
methodology
("best of")**



**New appeals
process for
those that
"almost"
passed**



**Partial retakes,
July**



**TA
granted vs
provided**



**Other
remedies as
warranted**



Petition to the Supreme Court

- Pursuant to Committee of Bar Examiners and Board Action (by May 23)
 - Expansion and extension of the Provisional Licensure Program;
 - Admission Pathway for U.S.-Licensed Attorneys (conditioned on legislative amendments);
 - Special admission for U.S.-Licensed Attorneys; and
 - Extending the scaled score adjustment for participation in the November 2024 bar study to be applied to the multiple-choice portion of the General Bar Examination on whichever of the 2025 or 2026 administrations of the exam an applicant attempts first.
- Any recommendations made by CBE on May 30 that may require Supreme Court approval addressed in separate petition



July 2025 Update



July 2025 Applications



8,837

Bar Exam Applications



June 2

Final Filing Deadline



900

Approximate # of TA Applications



June 2

Final Filing Deadline



Proctor Recruitment



1300–1400

Number of Proctors Needed



1270

Proctors in Pipeline



345

Proctors from New Sources



52

Proctors Fully Onboarded and Ready for
Assignment



July 2025 Test Center Sites

Region	Standard Test Sites	Test Sites for Applicants with Certain Accommodations
Sacramento	@the Grounds	
		Hilton Sacramento Arden West
San Francisco	Oakland Convention Center	Oakland Convention Center
		Golden Gate University
Los Angeles	Anaheim Convention Center	
		Hotel Fera Anaheim, Orange
	Ontario Convention Center	Ontario Convention Center
	Pasadena Convention Center	Pasadena Convention Center
		CA State Bar Office in Los Angeles
San Diego	Chula Vista Elite Athlete Training Center	
		Sheraton Mission Valley San Diego Hotel

- LA State Bar Office (@160 test takers) – reduced distraction, semi-private rooms, private rooms



Planning Ahead



A Path Forward

- Planning for 2026 and beyond must begin now
- What will we plan for?
- What is the role of the Board and the CBE?
- How best to initiate the conversation?



Conversation Considerations

- **Transition to California developed MCQs**
 - Immediate term, designed to enable remote/test-center based testing
 - Preferred by test takers
 - Cost efficient as compared to in-person modality
 - Originally expected to save up to \$4 million annually due to transition to remote testing
 - Actual cost savings in part because of need for significant in-person testing options
- **Supreme Court ordered development of new bar exam**
 - October 2024
 - Pursuant to recommendations of Blue Ribbon Commission
 - Five-year development cycle (2031)



Conversation Considerations

- **Basis for Blue Ribbon Commission recommendation**
 - California-developed exam would:
 - Allow for CA-specific knowledge, skills, and abilities to be tested
 - As outlined in 2017 California Attorney Practice Analysis
 - Administrative Law and Procedure and Employment Law
 - Unique emphasis in CA and recommended for inclusion in new bar exam
 - Reflective of increased emphasis on skills and reduced on memorization
 - Allow for innovation in exam delivery and frequency
 - Decoupling from NCBE allows for full control
 - Exam delivery and frequency tied to concerns about fairness, equity, and accessibility



Conversation Considerations

- **February 2025 remote/test-center administration failed**
 - Rollout of California MCQs in February 2025 was poorly executed and lacked transparency, impacting trust and credibility
- **Committee of Bar Examiners sets policy regarding exam administration and development, where appropriate subject to Supreme Court approval**
 - June CBE agenda includes planned discussion of BRC recommendations
- **Board of Trustees role has primarily been limited to contract approval and financial/budget oversight and approval**
 - Exceptions: Blue Ribbon Commission, Provisional Licensure, statutorily required Board review of exam every 7 years to determine if properly tests for minimal competence



Conversation Considerations

» Admissions fees raised effective 2024 and 2025

» Fees have increased between 23% to 58%

Admissions Fee Increases

Fee Type	Current	Prior	% Increase
General Applicant	\$850	\$677	26%
Attorney Applicant	\$1500	\$983	53%
General Moral Character	\$745	\$551	35%
Attorney Moral Character	\$873	\$551	58%

Conversation Considerations



Budgeted surpluses in 2025 and 2026 now reversed



Revised 2025 budget includes all known revenue projections and expenses



2026 Budget reflects in-person administration and both Kaplan and NCBE costs **and includes 2 additional FTE needed to support in-person administration (procurement + recruitment)**

Admissions Fund Budget

	2025 Adopted Budget	2025 Revised Budget	2026 Adopted Forecast	2026 Revised Forecast
Total Revenues	\$31,447,000	\$28,145,000	\$32,381,000	\$28,970,000
Expenses				
Personnel Costs	10,599,000	10,957,000	10,621,000	11,222,000
Exam Related	4,984,000	7,077,000	5,100,000	8,512,000
Indirect Costs	7,976,000	7,976,000	8,255,000	8,255,000
Other Expenses	5,281,000	5,647,000	5,205,000	5,231,000
Total Expenses	\$28,840,000	\$31,657,000	\$29,181,000	\$33,220,000
Reserve	\$9,535,785	\$3,408,903	\$13,188,785	(\$388,000)
Reserve Level	33.1%	10.8%	45.2%	-1.1%
Minimum Reserve	17%			

Decision Variables and Costs

In-Person vs Remote

Annual Estimated Differential: \$2.8M

Facilities costs increase annually

Proctor rates likely to increase

Additional State Bar staffing needed to permanently support in-person

State Bar Developed Only Exam

Annual cost of Kaplan Contract:

2026 \$1.8M

2027 \$1.7M

2028 \$1.5M

2029 \$1.4M

Contract can be cancelled after 2027 payment for \$0.7M penalty

MBE

\$72/test taker

Costs are additional through term of Kaplan contract

NextGen

Notice the Decision: February 2026

To trigger 2-year notice requirement

Cost unknown



Decision-Making Principles

- Core values should drive decision-making
 - Access?
 - Affordability?
 - Reliability?
 - Fairness?
 - ✓ Metrics tied to these values used to evaluate options
- Blue Ribbon Commission's guiding principles as a source
 - *An exam that is fair, equitable, and minimizes disparate performance based on race, gender, ethnicity, disability, and other immutable characteristics*
 - *Fairness and equity include but are not limited to cost and the mode and method of how the exam is delivered or made available.*

