



**THE STATE BAR OF CALIFORNIA
COMMITTEE OF BAR EXAMINERS/OFFICE OF ADMISSIONS**

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**Proposed Guidelines for Implementation of
Rules of the State Bar Of California**

**Title 4. Admissions and Educational Standards
Division 1, Chapter 3, Rule 4.34
Admission To Practice Law In California**

July 13, 2016

Chapter 3. Required Education and Experiential Competency Training; Rule 4.34

- 1.1 (A) Competency training must develop the concepts underlying a particular subject matter, provide opportunities for student performance in addition to traditional classroom discussion, provide for regular individualized student feedback from a faculty member, and provide opportunities for student self-evaluation. Credit toward the six unit requirement may be given upon successful completion of training that includes but is not limited to the following topics:
- (1) oral presentation and advocacy;
 - (2) interviewing;
 - (3) counseling;
 - (4) client service and business development;
 - (5) negotiation, mediation, arbitration, or other alternate dispute resolution methods;
 - (6) advanced legal research and writing excluding
 - (7) purely academic papers; and the first four units earned in introductory first-year legal research and writing class, first-year Moot Court class, or any combination thereof.
 - (8) applied legal writing such as drafting of contracts, pleadings, or other legal instruments;
 - (9) law practice management or the use of technology in law practice;
 - (10) cultural competency;
 - (11) collaboration or project management;

- (12) financial analysis, such as accounting, budgeting, project management, and valuation;
 - (13) cost benefit analysis in administrative agencies;
 - (14) use of technology, data analyses, or predictive coding;
 - (15) business strategy and behavior;
 - (16) pre-trial preparation, fact investigation, such as discovery, e-discovery, motion practice, assessing evidence, or utilizing experts;
 - (17) trial practice;
 - (18) professional civility and applied ethics;
 - (19) a law clinic that includes a classroom component; or
 - (20) a legal externship that includes a classroom component.
- (B) No less than .5 units of a portion of a course dedicated to developing a student's competency in a particular skill may be used to satisfy this requirement.
- (C) This requirement may be satisfied through qualifying study not certified by a law school upon completion of the practice-based experiential competency requirement and submission of the required form with the fee set forth in the Schedule of Charges and Deadlines.
- (D) Courses that satisfy the "experiential courses" requirement of law schools accredited by the American Bar Association will also satisfy this requirement.

2.2 Approved Apprenticeship and Clerkship Programs

- (A) To be approved by the Committee or a law school, an apprenticeship or clerkship must provide
- (1) an orientation session;
 - (2) individualized supervision;
 - (3) a system for assignments;
 - (4) timely oral and written feedback;
 - (5) diversity of tasks; and
 - (6) opportunity for reflection.
- (B) The supervisor of an applicant in an approved apprenticeship or clerkship must:

- (1) have practiced law for at least two years immediately preceding the time of supervision; and
 - (2) submit the required form certifying that all requirements specified by the Committee have been met.
- (C) An apprenticeship or clerkship approved by the Committee or by a law school must provide the opportunity to further develop knowledge of the law and any of the following:
- (1) effective research and organization of legally relevant information derived from non-legal sources, such as investigation records, economic research, and technical analyses;
 - (2) analysis, critical reasoning, and problem solving;
 - (3) application of facts to law;
 - (4) legal expression, such as persuasive and objective oral or written communication;
 - (5) practice competencies, such as litigation or transactional projects;
 - (6) professionalism;
 - (7) client service;
 - (8) leadership, such as communicating and effectively influencing others;
 - (9) collaboration; or
 - (10) management, such as giving feedback, planning and implementing tasks, organizing or managing workloads.
- (D) Nothing in Rule 4.34 requires a law school to establish an apprenticeship program or to approve any individual apprenticeship. A law school may elect to provide all 6 units of practice-based experiential competency training through courses for which academic credit is awarded.
- (E) An applicant who intends to satisfy a portion of this requirement through an apprenticeship or clerkship program must submit the required form with the fee set forth in the Schedule of Charges and Deadlines.