

ATTACHMENT C

Proposed Amendments to Division 2. Accredited Law School Rules Chapter 1. General Provisions

4/7/2016 DRAFT

Rule 4.100 Authority

The Committee of Bar Examiners (“the Committee”) is authorized by law to accredit law schools in California (“accredited law schools”) and oversee and regulate those law schools. The Committee is the degree-granting authority for law schools subject to these rules.

Rule 4.100 adopted effective January 1, 2009.

Rule 4.101 What these rules are

- (A) The Accredited Law School Rules (“these rules”) apply to law schools seeking provisional accreditation by the Committee, provisionally accredited law schools, and law schools accredited by the Committee, excluding those law schools fully and provisionally approved by the American Bar Association.
- (B) The rules have been approved by the Committee and adopted by the Board of Governors as part of the Rules of the State Bar of California and may be amended in accordance with those rules.
- (C) These rules do not apply to ~~unaccredited law schools registered by the Committee,~~ paralegal programs, undergraduate legal degree programs, or other legal studies programs that do not lead to a professional degree in law. The appropriate entity must approve such programs, even if they are offered by an accredited; ~~approved, or registered~~ law school or an institution of which it is a part.

Rule 4.101 adopted effective January 1, 2009.

Rule 4.102 Law schools approved by the American Bar Association

A law school provisionally or fully approved by the American Bar Association is deemed accredited by the Committee and exempt from these rules, unless the American Bar Association withdraws its approval.

Rule 4.102 adopted effective January 1, 2009.

Rule 4.103 Interpreting and applying the rules

The Guidelines for Accredited Law School Rules, as adopted by the Committee of Bar Examiners, govern the interpretation and application of these rules. The Committee has the authority to amend the guidelines, subject to a reasonable comment period and after consideration of any comments received.

Rule 4.103 adopted effective January 1, 2009.

Rule 4.104 Citation

These rules may be cited as Accredited Law School Rules.

Rule 4.104 adopted effective January 1, 2009.

Rule 4.105 Definitions

- (A) “Admissions Rules” are the rules contained in *Division 1. Admission to Practice Law in California*.
- (B) An “American Bar Association Approved Law School” is a law school fully or provisionally approved by the American Bar Association and deemed accredited by the Committee.
- (C) A “California accredited law school” is a law school that has been provisionally or fully accredited by the Committee.
- (D) “Provisional accreditation” is the status of a provisionally accredited law school. The Committee grants provisional accreditation for a specific period.
- (E) A “provisionally accredited law school” is a ~~unaccredited fixed-facility~~ law school that is pursuing accreditation and has been recognized by the Committee as being in substantial compliance with applicable law and these rules.
- (F) “The Committee” is the Committee of Bar Examiners of the State Bar of California.
- (G) The “First-Year Law Students’ Examination” is the examination required by statute and by *Division 1. Admission to Practice Law in California Admission to Practice Law in California* rules.
- (H) The “guidelines” are the Guidelines for Accredited Law School Rules adopted by the Committee of Bar Examiners.
- (I) “Inspection” means an on-site visit to a law school by an individual or a team appointed by the Committee in accordance with these rules.

(J) A “major change” is one of the changes specified in rule 4.165, Major changes.

(K) A “professional law degree” is the LL.B. (Bachelor of Laws), ~~M.L.S. (Master of Legal Studies),~~ or the J.D. (Juris Doctor), ~~—~~. An LL.M. (Master of Laws), ~~M.L.S. (Master of Legal Studies)~~ or other post-graduate degree ~~authorized by the Committee~~ do not qualify a recipient to take the California Bar Examination but, with the acquiescence of the Committee, may be offered by an accredited law school. The J.D. degree may be granted only upon completion of a law program that qualifies a student to take the California Bar Examination.

~~(L) A “California registered unaccredited law school” is an unaccredited law school that has been registered by the Committee.~~

~~(M)~~(L) “Senior Director” means “Senior Director, Admissions” or that person’s designee.

~~(1) An “unaccredited correspondence law school” is an unaccredited law school that conducts instruction principally by correspondence. A correspondence law school must require at least 864 hours of preparation and study per year for four years.~~

~~(2) —~~

~~(3) An “unaccredited distance-learning law school” is an unaccredited law school that conducts instruction and provides interactive classes principally by technological means. A distance-learning law school must require at least 864 hours of preparation and study per year for four years.~~

~~(4) —~~

~~(5) An “unaccredited fixed-facility law school” is an unaccredited law school that conducts its instruction principally in physical classroom facilities. An unaccredited fixed-facility law school must require classroom attendance of its students for a minimum of 270 hours a year for four years.~~

Rule 4.105 adopted effective January 1, 2009.

Rule 4.106 Lists of law schools

The Committee maintains lists of law schools operating in California: those provisionally and fully accredited by the Committee, ~~those registered as unaccredited by the Committee,~~ and those approved by the American Bar Association. The lists are available on the State Bar Web site and upon request.

Rule 4.106 adopted effective January 1, 2009.

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Chapter 2. Application for Provisional Accreditation

Rule 4.120 Application based on substantial compliance

A ~~registered unaccredited fixed-facility~~ law school that meets the standards set forth in rule 4.160 may apply for provisional accreditation. If the Committee grants provisional accreditation, the provisionally accredited law school is subject to annual inspection and its students are subject to the First-Year Law Students' Examination requirement. The Committee grants provisional accreditation for a specified period, typically for two years, *although the period may be shorter or longer as may be determined by the Committee.*

Rule 4.120 adopted effective January 1, 2009.

Rule 4.121 Application procedure

A ~~registered unaccredited fixed-facility~~ law school may apply for provisional accreditation by

- (A) completing and submitting the Application for Provisional Accreditation with the fee set forth in the Schedule of Charges and Deadlines;
 - (B) submitting a self-study of its educational program and other information as required by the Committee;
 - (C) agreeing to allow the Committee to make any inspection it deems necessary; and
- (B) agreeing to promptly pay all expenses of the inspection.

Rule 4.121 adopted effective January 1, 2009.