

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: February 2018 – O-405

DATE: January 19, 2018

TO: Subcommittee on Educational Standards

FROM: George Leal, Program Manager, Educational Standards

SUBJECT: San Joaquin College of Law – Petition for Waiver of Non-Classroom Unit Limitations

BACKGROUND

Attachment A is a Petition submitted by San Joaquin College of Law (SJCOL) seeking the renewal of a waiver previously granted by the Committee of Bar Examiners (Committee). As it has for the past six years, SJCOL seeks a waiver from the restriction of Guideline 6.6(D) (Externship, Clinical, Law Review and Similar Programs) of the *Guidelines for Accredited Law School Rules* (Guidelines) that limits the amount of academic credit students may be granted for work completed outside of the classroom.

As approved previously, SJCOL seeks to allow students to earn up to 14 units of non-classroom units (above the current limit of eight) within the 86 units needed to earn a Juris Doctor degree. The Committee first granted SJCOL a waiver in 2012 which, since then, has given SJCOL students the opportunity to earn credit as they gain practical experience working at either its own clinical program or in an approved legal externship.

Rule 4.109(B) of the *Accredited Law School Rules* states that: “[A] waiver is temporary. A request to renew a waiver must be filed with the Annual Compliance Report.” SJCOL is a California-accredited law school (CALS) located in Clovis and serves the greater Fresno community. It was last inspected in November 2016 and was found to be operating compliantly. Its next periodic inspection is set for the fall of 2017.

DISCUSSION

Guideline 6.6(D) places a 10% limit in the total number of units of academic credit a CALS may offer its students for work performed in an activity not offered in either “regularly scheduled classes” or “taught by a faculty member.” Such activities include supervised legal work at an approved externship or legal office operated by a public or private law office, court or a student’s involvement with a law review. Under SJCOL’s 86 unit graduation requirement, its students are, without a waiver of Guideline 6.6(D), restricted

in earning a maximum of eight units of credit while working at an approved externship, legal clinic or in moot court competitions and law review.

Since the Committee's initial waiver and as confirmed during the 2016 inspection, a significant number of SJCOL students wish to and have gone to earn up to 14 units of non-classroom study through a number of approved work programs, including SJCOL's own, well-regarded on-campus immigration clinic and at other approved off-site externships at various government agencies, such as the Office of the District Attorney or Public Defender. Such experience provides students very valuable and relevant practical skills and "real world" experience that helps to improve both their employment opportunities and their ability to practice competently when they receive their license.

RECOMMENDATION:

It is recommended that the law school's request to renew its waiver of the unit restriction found in Guideline 6.6(D), relating to non-classroom academic credit, be granted.

PROPOSED MOTION:

Should the Subcommittee accept this recommendation, the following motion is suggested:

Move, that the petition submitted by San Joaquin College of Law (SJCOL) for a waiver of the unit restriction found in Guideline 6.6(D) (Externship, Clinical, Law Review and Similar Programs) of the *Guidelines for Accredited Law School Rules*, which would allow the school to offer academic credit of up to a maximum of 14 units of practical legal experience through externships and participation in the law school's law clinic, be received and filed; and that the request be granted.