



The State Bar of California

OPEN AGENDA
SEPTEMBER 2020
OPEN SESSION MINUTES – September 18, 2020

Provisional Licensure Working Group
The State Bar of California
Zoom

Friday, September 18, 2020
9:30 a.m.

Time meeting commenced: 9:30 a.m.

Time meeting adjourned: 11:00 a.m.

Chair: Hailyn Chen

Committee Coordinator: Ezra Angelus

Members present: Ruben Duran, Robert Barrett, Diane Boyer-Vine, Julie Crisp, Terri Garland, Dolores Heisinger, Jennifer Henning, Hon. James Herman, Paul Kramer, Cindy Panuco, Hon. Jesus Rodriguez, Angela Sierra, Tiffany Townend-Blacknell

Members joined in progress: N/A

Members absent: Rupa Bhandari, Carol Langford, Larasz Moody-Villarose, Vern Pierson, Phillip A. Talbert

Public Comment: The Provisional Licensure Working Group received four public comments and 192 written public comments about the proposed rule of court.

Chair Report: N/A

Staff Report: N/A

Consent:

It was moved, seconded and duly carried to approve the Minutes from the August 7 and 18, 2020 meetings.

Moved by Boyer-Vine, seconded by Duran

The motion passed. Roll call vote:

Ayes: Barrett, Boyer-Vine, Chen, Crisp, Duran, Garland, Heisinger, Henning, Hon. Herman, Kramer, Panuco, Hon. Rodriguez, Sierra, Townend-Blacknell

Absent: Bhandari, Langford, Moody-Villarose, Pierson, Talbert

It was moved, seconded and duly carried that the fee to apply for the Provisional Licensure Program is \$75, with a fee \$50 for fees paid by IOLTA funded organizations for Provisionally Licensed Lawyers employed by them, and no fee for applicants who are seeking to participate in the program in a non-paid position.

Moved by Heisinger, seconded by Duran

The motion passed. Roll call vote:

Ayes: Chen, Crisp, Duran, Heisinger, Henning, Kramer, Hon. Rodriguez

Nay: Barrett, Boyer-Vine, Panuco, Sierra, Townend-Blacknell

Abstain: Garland, Hon. Herman

Absent: Bhandari, Langford, Moody-Villarose, Pierson, Talbert

It was moved, seconded and duly carried to eliminate the requirement that applicants must take and pass the Multistate Professional Responsibility Examination (MPRE) to be eligible for the program, and instead to require that, if the applicant had not sat for or passed the MPRE prior to submission of an Application for Provisional Licensure, the applicant must complete the legal ethics components of the New Attorney Training within the first 30 days of licensure as a Provisionally Licensed Attorney, or within 30 days from when the training components are made available.

Should an applicant take but not pass the MPRE, their PLL status will not be affected.

Moved by Barrett, seconded by Hon. Rodriguez

The motion passed. Roll call vote:

Ayes: Barrett, Boyer-Vine, Chen, Crisp, Duran, Garland, Heisinger, Henning, Hon. Herman, Kramer, Panuco, Hon. Rodriguez, Sierra, Townend-Blacknell

Absent: Bhandari, Langford, Moody-Villarose, Pierson, Talbert

(A) It was moved, seconded and duly carried that the rule be further clarified that Provisionally Licensed Lawyers need not have passed *or sat for* the Bar Exam, and clarified the eligibility for supervising lawyers extends to those who have practiced law for at least four years in any United States jurisdiction and have actively practiced law in California *or taught law at a California Law School* for at least two years immediately preceding the time of supervision.

Moved by Boyer-Vine, seconded by Duran

The motion passed. Roll call vote:

Ayes: Barrett, Boyer-Vine, Chen, Crisp, Duran, Garland, Heisinger, Henning, Hon. Herman, Kramer, Panuco, Hon. Rodriguez, Sierra, Townend-Blacknell

Absent: Bhandari, Langford, Moody-Villarose, Pierson, Talbert

It was moved, seconded and duly carried to leave unchanged the requirement that the firm, as defined, has an office location in California.

Moved by Boyer-Vine, seconded by Heisinger

The motion passed. Roll call vote:

Ayes: Barrett, Boyer-Vine, Chen, Crisp, Duran, Garland, Heisinger, Henning, Hon. Herman, Kramer, Panuco, Hon. Rodriguez, Sierra, Townend-Blacknell

Absent: Bhandari, Langford, Moody-Villarose, Pierson, Talbert

(A) It was moved, seconded and duly carried to allow Provisionally Licensed Lawyers to work or volunteer for more than one firm concurrently as a Provisionally Licensed Lawyer, and to therefore have multiple Supervising Lawyers.

Moved by Henning, seconded by Kramer

The motion passed. Roll call vote:

Ayes: Barrett, Boyer-Vine, Chen, Crisp, Duran, Garland, Heisinger, Henning, Hon. Herman, Kramer, Panuco, Hon. Rodriguez, Sierra, Townend-Blacknell

Absent: Bhandari, Langford, Moody-Villarose, Pierson, Talbert