

## State Rule Changes in 2020 Granting Admission Without a Bar Exam, After Supervision

State	To Whom Applicable	Hours of Supervision	Evaluation Requirements
District of Columbia	<ul style="list-style-type: none"> <li>Person who graduated in 2019 or 2020 from ABA law school</li> <li>Timely completed application to take a bar exam in 2020</li> <li>Has not sat for a bar exam or accessed bar exam materials remotely</li> <li>Apply for this program between 1/11/21 and 4/30/21</li> </ul>	3 years	None specified in the rule.
Louisiana	<ul style="list-style-type: none"> <li>Persons who graduated in Dec 2019 or later from ABA accredited law school</li> <li>Those who had already applied for the July or Oct LA Bar exam</li> <li>Not previously sat for bar exam and will not take one in 2020</li> </ul>	None. Although those admitted to practice under this emerg authority are mandated to participate in the Transition into Practice mentoring program and must complete the prog by 12/31/21	None specified in the rule.
Oregon	<ul style="list-style-type: none"> <li>Persons who submitted a complete application for the July Bar Exam</li> <li>Graduated in 2020 from one of Oregon's 3 Law Schools</li> <li>Graduated in 2020 from ABA law school with an 86% first time taker bar pass rate for 2019</li> </ul>	None.	None specified in the order.
Utah	<ul style="list-style-type: none"> <li>Graduated by June 30, 2020 from an ABA law school with 1<sup>st</sup>-time taker pass rate in 2019 of <math>\geq 86\%</math></li> <li>Not previously sat for a bar exam and will not take one in 2020</li> <li>Applied for July Bar exam by April 20, 2020 (the day before the order became effective)</li> </ul>	360 hours by December 31, 2020	Statement from the supervisor attesting to the veracity of the candidate's record of hours completed.
Washington	<ul style="list-style-type: none"> <li>Persons registered for the July or Sept. 2020 bar exam</li> <li>Graduated from an ABA law school</li> </ul>	None	None specified in the order.

**Proposed Rule: Rule 9.49.1 is added to the California Rules of Court to read:**

**(a) Expansion of the Provisional Licensure Program**

The Provisional Licensure Program established pursuant to Rule 9.49 shall be expanded to include individuals who sat for the California Bar Examination in July 2015 or later and who scored 1390 or higher on that exam, as determined by the first read score or final score, regardless of year of law school graduation or year satisfying the educational requirements to sit for the bar examination.

**(b) Applicability of Rule 9.49**

- (1) The definitions of “Supervising Lawyer” and “Firm” or “Law Firm” as set forth in 9.49 (b) shall apply to this rule
- (2) All other provisions of Rule 9.49 apply to this expanded program unless otherwise stated herein, or inapplicable by its terms.

**(c) Eligibility Requirements**

With the exception of (d)(1)(A) of Rule 9.49, all eligibility requirements of subdivision (d) apply to applicants for the expanded provisional licensure program.

**(d) Responsibilities of Provisionally Licensed Lawyer**

The requirements of subdivision (e) of Rule 9.49 apply to Provisionally Licensed Lawyers in this expanded program except that the State Bar New Attorney Training program described in Rule 9.49 (e)(1) must be completed in order for a Provisionally Licensed Lawyer under this expanded program to qualify for admission to the State Bar of California.

**(e) Termination of Provisional Licensure**

In addition to the conditions under which a Provisionally Licensed Lawyer’s license terminates pursuant to Rule 9.49(j), a Provisionally Licensed Lawyer in this expanded program shall be terminated from the program without admission to the State Bar of California if they receive complaint from a client during the period of supervision or if the supervisor informs the State Bar of their unwillingness to continue supervision due to the conduct of the Provisionally Licensed Lawyer.

**(f) Admission to the State Bar of California**

(1) Upon completion the hours of supervision in the Provisional Licensure Program set forth below, and submission by the Provisionally Licensed Lawyer of a satisfactory evaluation from the Supervising Lawyer(s), a provisionally licensed lawyer under this expanded program shall be eligible for admission to the State Bar of California without taking another bar examination, subject to paragraph (4), below.

(2) The required number of satisfactorily completed hours of supervision in the program shall be as follows:

POSSIBLE OPTIONS WITH GRADUATED SUPERVISION REQUIREMENTS FOR WORKING GROUP  
CONSIDERATION INCLUDE:

480 hours of legal work for individuals who scored 1390 or higher on the February 2020 exam  
(12 40-hour weeks)

640 hours of legal work for individuals who scored 1390 or higher on the July 2019 exam  
(increasing by increments of four 40 hour weeks)

800 hours of legal work for individuals who scored 1390 or higher on the February 2019 exam

960 hours of legal work for individuals who scored 1390 or higher on the July 2018 exam

1120 hours of legal work for individuals who scored 1390 or higher on the February 2018 exam

1280 hours of legal work for individuals who scored 1390 or higher on the July 2017 exam

1440 hours of legal work for individuals who scored 1390 or higher on the February 2017 exam

1600 hours of legal work for individuals who scored 1390 or higher on the July 2016 exam

1760 hours of legal work for individuals who scored 1390 or higher on the February 2016 exam

1920 hours of legal work for individuals who scored 1390 or higher on the July 2015 exam (48  
40-hour weeks)

**OR**

360 hours of legal work for individuals who scored 1390 or higher on the February 2020 exam (9  
40-hour weeks; based on Utah requirement)

520 hours of legal work for individuals who scored 1390 or higher on the July 2019 exam  
(increasing by increments of four 40 hour weeks)

680 hours of legal work for individuals who scored 1390 or higher on the February 2019 exam

840 hours of legal work for individuals who scored 1390 or higher on the July 2018 exam

1000 hours of legal work for individuals who scored 1390 or higher on the February 2018 exam

1160 hours of legal work for individuals who scored 1390 or higher on the July 2017 exam

1320 hours of legal work for individuals who scored 1390 or higher on the February 2017 exam

1480 hours of legal work for individuals who scored 1390 or higher on the July 2016 exam

1640 hours of legal work for individuals who scored 1390 or higher on the February 2016 exam

1800 hours of legal work for individuals who scored 1390 or higher on the July 2015 exam (45  
40-hour weeks)

**OR**

320 hours of legal work for individuals who scored 1390 or higher on the February 2020 exam (8 40-hour weeks; selected to ensure a cap of 6 months, assuming hours increase by 80 hour increments per exam)

400 hours of legal work for individuals who scored 1390 or higher on the July 2019 exam

480 hours of legal work for individuals who scored 1390 or higher on the February 2019 exam

560 hours of legal work for individuals who scored 1390 or higher on the July 2018 exam

640 hours of legal work for individuals who scored 1390 or higher on the February 2018 exam

720 hours of legal work for individuals who scored 1390 or higher on the July 2017 exam

800 hours of legal work for individuals who scored 1390 or higher on the February 2017 exam

880 hours of legal work for individuals who scored 1390 or higher on the July 2016 exam

960 hours of legal work for individuals who scored 1390 or higher on the February 2016 exam

1040 hours of legal work for individuals who scored 1390 or higher on the July 2015 exam (26 40-hour weeks / 6 months)

**OR**

240 hours of legal work for individuals who scored 1390 or higher on the February 2020 exam (6 40-hour weeks; identified as an option to a Bar Exam by in a paper published by The Ohio State University Moritz College of law)

320 hours of legal work for individuals who scored 1390 or higher on the July 2019 exam (increasing by increments of two 40-hour work weeks per exam)

400 hours of legal work for individuals who scored 1390 or higher on the February 2019 exam

480 hours of legal work for individuals who scored 1390 or higher on the July 2018 exam

560 hours of legal work for individuals who scored 1390 or higher on the February 2018 exam

640 hours of legal work for individuals who scored 1390 or higher on the July 2017 exam

720 hours of legal work for individuals who scored 1390 or higher on the February 2017 exam

800 hours of legal work for individuals who scored 1390 or higher on the July 2016 exam

880 hours of legal work for individuals who scored 1390 or higher on the February 2016 exam

960 hours of legal work for individuals who scored 1390 or higher on the July 2015 exam (24 40-hour weeks)

**OR (an example of an abbreviated option)**

240 hours of legal work for individuals who scored 1390 or higher a California Bar Exam no earlier than July 2017 (6 40-hour weeks)

360 hours of legal work for individuals who scored 1390 or higher on a California Bar Exam administered in July 2015 through and including February 2017

- (3) The Provisionally Licensed Lawyer shall submit, in the format developed by the State Bar of California, a record of the hours of supervision completed.
- (4) To qualify for admission to the State Bar, the Provisionally Licensed Lawyer shall, within 12 months following the completion of the required number of supervised hours, satisfy all eligibility requirements for admission not met at the time of application to the program.

**(g) Evaluation of Provisionally Licensed Lawyer**

- (1) A Supervising Lawyer shall provide an evaluation of the Provisionally Licensed Lawyer in the format developed by the State Bar of California. The evaluation shall include the following:
  - (A) Verification of the number of hours of supervision completed
  - (B) A general description of the types of legal work performed by the Provisionally Licensed Lawyer
  - (C) Whether, in the opinion of the Supervising Lawyer, based on the work performed during the program, the Provisionally Licensed Lawyer possesses minimum competence to practice law
  - (D) Other criteria established by the State Bar.
- (2) If the supervising lawyer cannot attest that that the provisionally licensed lawyer is minimally competent to practice law without supervision, the Provisionally Licensed Lawyer may not be admitted to the State Bar of California without additional supervised hours in the Provisional Licensure Program and submission of a satisfactory evaluation by a supervising lawyer, or without subsequently passing the California Bar Examination.