



The State Bar of California

OPEN SESSION AGENDA ITEM IV.B. MARCH 2022

DATE: March 18, 2022

TO: Members, California Board of Legal Specialization

FROM: Amy C. Nuñez, Director, Office of Admissions

SUBJECT: Report on Initial Certification Application Statuses

EXECUTIVE SUMMARY

A total of 72.0 percent of the applicants who passed the 2019 Legal Specialist Examination (LSX) have filed their initial certification application as of March 1, 2022. The remaining eligible applicants had until April 24, 2021, to file their application or to request an extension of time.

BACKGROUND

To receive initial certification as a specialist, applicants must comply with a two-part process. First, applicants must pass the Legal Specialist Examination (LSX). Then they must file a post-examination application for initial certification documenting their experience and education, including references.

Rule 3.110 provides that a post-examination application must be filed within 18 months of the exam. An applicant may also request an extension of up to 18 months for completion of all requirements. However, three additional months have historically been added to recognize that many new attorneys who pass the bar examination in November begin their actual practice in January. Therefore, setting the final filing deadline at three years and three months from the exam date allows the maximum number of attorneys meeting all criteria for certification to certify as soon as possible.

Because examination results expire after that amount of time has lapsed, applicants who fail to file their initial certification applications by the extension deadline must take and pass the examination again in order to continue with their eligibility for certification.

DISCUSSION

2019 SUCCESSFUL EXAMINATION APPLICANTS

As of March 1, 2022, 275 of the 382 candidates who passed the 2019 LSX have filed their initial certification applications. Attachment A provides a breakdown of those candidates by specialty area. Estate Planning, Trust & Probate Law, and Family Law both (1) had the most applicants to take the exam, and (2) have received most of the initial certification applications from 2019 LSX eligible applicants, which also accounts for more than half of the total received applications.

Remaining candidates had until April 24, 2021 to submit their initial certification application, or request an extension of time to submit their application by January 31, 2023. Of the 107 candidates pending filing of the initial certification application, 49 have already requested and received an extension. Despite the requirement of meeting the April deadline to submit the application or request an extension, staff will nonetheless continue to accept applications or extension requests from the remaining 58 candidates through the final filing deadline.

The most common reason for requesting an extension is to accumulate the minimum five years' time in practice required to become a certified specialist. Candidates can submit their applications before they meet the five-year time-in-practice requirement so that other portions of the application can be evaluated until that requirement is met.

ATTACHMENT LIST

- A. 2019 Post-Examination Initial Certification Applications Filed, by Specialty, as of March 1, 2022**