



The State Bar of California

OPEN SESSION

AGENDA ITEM

IV.A. MARCH 2023

CALIFORNIA BOARD OF LEGAL SPECIALIZATION

DATE: March 10, 2023

TO: Members, California Board of Legal Specialization

FROM: Adrian Galang, Program Supervisor, Legal Specialization

SUBJECT: Review and Discussion of Proposed Changes to Legal Specialist Exam Refund Rules and Policies

EXECUTIVE SUMMARY

At the December 2022 meeting of the California Board of Legal Specialization (CBLS), the CBLS discussed the need to have a Legal Specialist Exam (LSX) refund policy and directed staff to research State Bar rules to determine if Legal Specialization rules should be updated to formalize that potential policy. Staff now present proposed Legal Specialization rules updates for further discussion.

BACKGROUND

Generally, fees paid toward the Legal Specialization program are non-transferrable and non-refundable, including Legal Specialist Exam (LSX) registration fees. The program only recently implemented a refund policy during the 2021 administration of the LSX, which mirrored the policy of the First-Year Law Students' Exam (FYLX) administered at the same time. Under that policy, refunds and refund amounts were based on how far in advance an applicant withdrew and submitted a request for refund. The same dates and refund scale used for the 2021 FYLX were also applied to the LSX that year.

DISCUSSION

At the December 2022 CBLS meeting, staff proposed continuing the refund policy for the 2023 administration of the LSX, and recommended formalizing that policy in the Legal Specialization

rules to be used for all future exam administrations. In our research, we (1) looked at the Legal Specialization rules to determine if there were any specific rules already in place regarding LSX refunds; (2) looked at other State Bar rules and resources to see if there were any similar rules or policies we may be able to use or reference; and (3) drafted proposed updates to the Legal Specialization rules related to a LSX refund policy.

In addition to rules research, staff also looked at other areas that may need to be updated as a result of any LSX refund policy (i.e. LSX application or State Bar website).

Attachment A provides a table reflecting this research, and is open for discussion and further edits, as needed. Staff can finalize the proposed updates after today's meeting, and this will be brought back to the CBLs at its April meeting for recommendation to approve to transmit to the Board of Trustees and circulate for public comment.

FISCAL/PERSONNEL IMPACT

If a LSX refund policy is subsequently approved, it may create a negative effect on the Legal Specialization budget.

AMENDMENTS TO RULES OF THE STATE BAR OF CALIFORNIA

Title 3, Division 2, Chapter 2, Rule 3.116

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

None – core business operations

ATTACHMENT(S) LIST

- A. State Bar Table of LSX Refund Rules Research and Proposed Rules Revisions