

LSX Rules/Policies Updates – Fees/Refunds

For reference, we've drafted proposed edits to the Legal Specialization (LS) Rules, and any other areas what may need to be, or should be, updated as a result of the Rules update. Proposed edits are provided in the following format:

Source:	<i>Where/what it is</i>
Link:	<i>Link to the source</i>
Original Content:	<i>Exact copy of reference material(s)</i>
Source:	<i>Admissions Rule(s) reference, if any</i>
Link:	<i>Link to Admissions source</i>
Original Content:	<i>Exact copy of Admissions reference material(s)</i>
Proposed New Content:	<i>proposed edit/change to LS reference material(s) in tracked changes</i>

LS Rules

Source:	3.111 Fees & Deadlines
Link:	https://www.calbar.ca.gov/Portals/0/documents/rules/Rules_Title3_Div2-Ch2_LegSpec.pdf
Original Content:	<i>*None specific to exam refunds*</i>
Proposed New Content:	<i>*update only exam rules section*</i>

Source:	3.116 Examination
Link:	https://www.calbar.ca.gov/Portals/0/documents/rules/Rules_Title3_Div2-Ch2_LegSpec.pdf
Original Content:	<i>*None specific to refunds*</i> (A) An applicant must pay an examination registration fee and take and pass a written examination that tests knowledge of the substantive law and procedures of a legal specialty. The State Bar determines the scope, format, topics, grading process, and passing score of the examination.
Source:	Admissions Rules
Link:	https://www.calbar.ca.gov/Portals/0/documents/rules/Rules_Title4_Div1-Adm-Prac-Law.pdf
Original Content:	Rule 4.61 Applications for the California Bar Examination: (C) Applications are deemed abandoned and ineligible for a refund of fees if (1) they are incomplete or unsigned by the final examination application filing deadline; (2) the applicant has not provided additional information requested by the final eligibility deadline; or (3) eligibility cannot be determined by the final eligibility deadline.

Proposed New Content:	<p>(A) An applicant must pay an examination registration fee and take and pass a written examination that tests knowledge of the substantive law and procedures of a legal specialty. The State Bar determines the scope, format, topics, grading process, and passing score of the examination.</p> <p><u>(1) Registrations are deemed abandoned and ineligible for a refund of fees if</u> <u>(a) they are incomplete or unsigned by the final examination application filing deadline;</u> <u>(b) the applicant has not provided additional information requested by the final application filing deadline; or</u> <u>(c) eligibility cannot be determined by the final application filing deadline.</u></p>
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These other areas should also be updated as a result of any new Rule/Policy changes

Source:	LSX page on SBC site								
Link:	https://www.calbar.ca.gov/Attorneys/Legal-Specialization/Becoming-a-Certified-Specialist/Exam-Information								
Original Content:	<p>Withdrawal refund policy</p> <p>Requests to withdraw from the October 2021 Legal Specialist Examination must be received by the State Bar's Department of Legal Specialization, Office of Admissions on or before the dates listed below in order to qualify for a refund.</p> <ul style="list-style-type: none"> • Withdrawal deadline (60% refund): April 1, 2021–September 3, 2021 • Withdrawal deadline (30% refund): September 4, 2021–September 15, 2021 • Withdrawal deadline (0% refund): September 16, 2021–October 12, 2021 • Final deadline to withdraw from exam: October 12, 2021 								
Source:	FYLSX page on SBC site								
Link:	https://www.calbar.ca.gov/Admissions/Examinations/First-Year-Law-Students-Examination/October-2022-First-Year-Exam								
Original Content:	<p>Withdrawal refund policy</p> <p>Requests to withdraw from the October 2022 First-Year Law Students' Exam must be received by the State Bar's Office of Admissions on or before the dates listed below in order to qualify for a refund. See the Withdrawal Refund Policy.</p> <table> <tr> <td>August 2–31</td><td>Withdrawal with 60% refund</td></tr> <tr> <td>September 1–15</td><td>Withdrawal with 30% refund</td></tr> <tr> <td>September 16–October 11</td><td>Withdrawal with no refund</td></tr> <tr> <td>October 11</td><td>Final deadline to withdraw from exam</td></tr> </table>	August 2–31	Withdrawal with 60% refund	September 1–15	Withdrawal with 30% refund	September 16–October 11	Withdrawal with no refund	October 11	Final deadline to withdraw from exam
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Proposed New Content:	<p>Withdrawal refund policy</p> <p>Requests to withdraw from the October 2021-2023 Legal Specialist Examination must be received by the State Bar's Department of Legal Specialization Unit, Office of Admissions on or before the dates listed below in order to qualify for a refund. <u>See the Withdrawal Refund Policy.</u></p> <p><u>August 2–31</u> <u>Withdrawal with 60% refund</u></p>								

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September 1–15	Withdrawal with 30% refund
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Source:	<i>*None specific to refunds*</i>
Link:	<i>n/a</i>
Original Content:	<i>n/a</i>
Source:	CBX Refund of Fees Policy page on SBC site
Link:	https://www.calbar.ca.gov/Admissions/Examinations/California-Bar-Examination/Refund-of-Fees-Policy
Original Content:	<p>Refund of Fees Policy</p> <p>This page details State Bar policies for the refund of fees associated with:</p> <ul style="list-style-type: none"> filing a registration form applying to take the California Bar Examination applying to take the First-Year Law Students' Examination applying for a Determination of Moral Character applying for an extension of a Determination of Moral Character <p>Applicants must be registered prior to submitting any application. The registration form may be filed simultaneously with the application; however, the application and fees will be returned if the registration is not approved within 10 days of receipt.</p> <p>The transfer of fees from one examination to another is prohibited.</p> <p>Withdrawals</p> <p>In order to process a refund according to the schedule, the State Bar's Office of Admissions must receive a withdrawal request through the Admissions Applicant Portal no later than the established deadlines. Stopping payment on a check, dishonoring a check, or disputing a credit card charge does not constitute withdrawing from an exam.</p> <p>Application to take the California Bar Exam/First-Year Law Students' Exam</p> <ol style="list-style-type: none"> Requests for withdrawal of applications and refunds received within 30 days after the deadline for timely filing, by both first-time and repeater applicants, will be honored with a 60 percent refund of all fees paid in conjunction with the subject exam. Requests by first-time applicants for withdrawal of applications and refunds received within 45 days after the deadline for timely filing will be honored with a 30 percent refund of all fees paid in conjunction with the subject exam. This deadline also applies to applicants who have previously taken an exam but who did not take the most recent exam.

3. Requests for withdrawal of applications and refunds received within **35 days** after the deadline for timely filing, by applicants seeking to repeat the exam having been unsuccessful on the exam immediately preceding the exam into which current admission was sought, will be honored with a 30 percent refund of all fees paid in conjunction with the subject exam.

Refunds will not be considered for:

1. Requests for refunds filed in excess of **35 days** after the deadline for timely filing, by applicants seeking to repeat the exam, having been unsuccessful on the exam immediately preceding the exam into which current admission was sought.
2. Requests for refunds filed more than **45 days** after the deadline for timely filing, by first-time applicants and applicants who have previously taken an exam but who did not take the most recent exam.

Application for determination of moral character

Withdrawal of applications for determination of moral character and requests for refunds received within 30 days of the online submission date, for online applications, or the received date, for paper form applications, will be honored with a 60 percent refund of all fees paid in conjunction with the application.

Registration/examination ineligibility

Applicants for registration found to be ineligible due to a lack of pre-legal education will qualify for a 100 percent refund of all fees paid in conjunction with registration.

Attorneys' exam

- In order to process an Attorney's Exam ineligibility refund according to the schedule, the State Bar's Office of Admissions must have received certified transcripts or certificate(s) of good standing no later than the established deadlines published as part of the application materials.
- Attorneys who applied to take the Attorneys' Exam and are found to be ineligible due to a lack of the requisite qualifications will receive a 60 percent refund of qualifying fees paid in conjunction with the subject exam.

General bar exam

- Applicants for the General Bar Exam who are found to be ineligible due to a lack of the requisite legal education will receive a 60 percent refund of qualifying fees paid in conjunction with the subject examination.

First-Year Law Students' Exam

- Applicants for the First-Year Law Students' Exam who are found to be ineligible due to a lack of the requisite legal education will receive a 60 percent refund of qualifying fees paid in conjunction with the subject examination.

Death or physical incapacity

The following schedule lists situations that may prevent an applicant from taking the First-Year Law Students' Exam or the Bar Exam. Refunds in the amount of 95 percent of all fees paid in conjunction with the subject exam will be made according to the schedule. In the case of physical incapacity, the

refund will be made only in instances of severe unavoidable and incapacitating circumstances. Documentation must accompany any request for refund according to the following schedule.

1. Death, serious or disabling injury of a member of the applicant's immediate family that occurred after submittal of an application for the exam but before the exam is administered and which death, illness, or injury is certified on the [Committee's Request for Refund of Fees Form](#) or verified through the provision of a copy of the death certificate;
 2. Applicant's serious disabling illness or injury or debilitating condition that occurred after submittal of an application for the exam but before the exam is administered and which illness or injury or condition is certified on the [refund form](#) under penalty of perjury; and
 3. Calamitous occurrences involving the applicant such as loss of freedom due to terrorist acts or disorientation due to fire, flood, or other severe disaster over which the applicant had no control and the existence of which had not terminated 30 days or less before the administration of the subject exam.
- Find the [form to request a refund](#)

Service in the Armed Forces

Refunds in the amount of 95 percent of all fees paid in conjunction with the subject exam will be made according to the following schedule for those situations wherein either of the following prevents an applicant from preparing for or taking the First-Year Law Students' Exam or the Bar Exam. Refunds will be made only upon presentation of appropriate documentation, which must accompany any request for a refund according to the following schedule:

1. An unanticipated call to active duty in the armed forces; or
2. An unanticipated change in military orders.

Application abandonment

Registrations that are not brought to a complete and approved status within 60 days of receipt will be deemed abandoned. A registration will be deemed approved when the requisite fees, signature, properly executed declaration, and all required documentation verifying eligibility have been provided.

First-Year Law Students' Exam and Bar Exam applications not brought to a complete and filed status by the final filing deadline will be deemed abandoned. This includes: (1) applications not signed, (2) application declarations not received, (3) application fees not received or incomplete, (4) applications incomplete, and (5) approved registrations not on file. Applications with fee payments found to be invalid after the final filing deadline will be abandoned.

First-Year Law Students' Exam and Bar Exam applications without eligibility determinations by the final eligibility deadline will be deemed abandoned.

Moral character determination applications that are not brought to a complete and filed status within 60 days of the online submittal date, for online applications, or the received date, for paper form applications, will be deemed abandoned. This includes the lack of requisite fees, signature, or required information/documentation. Once the moral character determination application is in filed status, if the applicant receives notice to provide information, but does not provide such information within 90 days of the request, the application will be abandoned.

	<p>No refund of fees will be paid in the event a registration or application is deemed abandoned. If the registration or application has an outstanding balance at the time of the abandonment, the outstanding balance must be paid before any future registration or application is processed.</p> <p>Net refund amount</p> <p>If an applicant qualifies for a refund in accordance with this Refund of Fees Policy for a registration or application, but has an outstanding balance due for subject registration, application, or other transactions, the net refund will be the qualifying refund amount minus the corresponding portion of the fees owed or balance due for other transactions.</p>
Proposed New Content:	<p>*create new Refund Policy page/link*</p> <p>Refund of Fees Policy</p> <p>This page details State Bar policies for the refund of fees associated with:</p> <ul style="list-style-type: none"> — filing a registration form — applying to take the California Bar Examination — applying to take the First-Year Law Students' Examination — applying for a Determination of Moral Character — applying for an extension of a Determination of Moral Character <p>Applicants must be registered prior to submitting any application. The registration form may be filed simultaneously with the application; however, the application and fees will be returned if the registration is not approved within 10 days of receipt. <u>applying to take the Legal Specialist Examination.</u></p> <p>The transfer of fees from one examination to another is prohibited.</p> <p>Withdrawals</p> <p>In order to process a refund according to the schedule, the State Bar's <u>Legal Specialization Unit in the Office of Admissions</u> must receive a withdrawal request through the Admissions <u>Applicant Portal</u> no later than the established deadlines. Stopping payment on a check, dishonoring a check, or disputing a credit card charge does not constitute withdrawing from an exam.</p> <p>Application to take the California Bar Exam/First-Year Law Students' <u>Legal Specialist</u> Exam</p> <ol style="list-style-type: none"> 1. Requests for withdrawal of applications and refunds received within 30 days after the deadline for timely filing, by both first time and repeater applicants, will be honored with a 60 percent refund of all fees paid in conjunction with the subject exam. 2. Requests by first time applicants for withdrawal of applications and refunds received within 45 days after the deadline for timely filing will be honored with a 30 percent refund of all fees paid in conjunction with the subject exam. This deadline also applies to applicants who have previously taken an exam but who did not take the most recent exam. 3. Requests for withdrawal of applications and refunds received within 35 days after the deadline for timely filing, by applicants seeking to repeat the exam having been unsuccessful on the exam immediately preceding the exam into which current admission was sought, will be honored with a 30 percent refund of all fees paid in conjunction with the subject exam. <p>Refunds will not be considered for:</p>

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First-Year Law Students' Exam

- Applicants for the First-Year Law Students' Exam who are found to be ineligible due to a lack of the requisite legal education will receive a 60 percent refund of qualifying fees paid in conjunction with the subject examination.

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Commented [AG2]: Will need to create LS form based on CBE form, upload to website, and link here, once the new CBE form is finalized

2. Applicant's serious disabling illness or injury or debilitating condition that occurred after submittal of an application for the exam but before the exam is administered and which illness or injury or condition is certified on the ~~refund form~~[refund form](#) under penalty of perjury; and
3. Calamitous occurrences involving the applicant such as loss of freedom due to terrorist acts or disorientation due to fire, flood, or other severe disaster over which the applicant had no control and the existence of which had not terminated 30 days or less before the administration of the subject exam.

• ~~Find the~~ [form to request a refund](#)

Service in the Armed Forces

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1. An unanticipated call to active duty in the armed forces; or
2. An unanticipated change in military orders.

Court or trial on day of exam

~~Before you consider withdrawing from the exam due to a court conflict, please know we can provide a letter to the judge or court requesting any appearance be rescheduled. Please let the Legal Specialization unit know right away if you require a letter.~~

Application abandonment

Registrations that are not brought to a complete and approved status within 60 days of receipt will be deemed abandoned. A registration will be deemed approved when the requisite fees, signature, properly executed declaration, and all required documentation verifying eligibility have been provided.

~~First-Year Law Students' Exam and Bar~~[Legal Specialist](#) Exam applications not brought to a complete and filed status by the final filing deadline will be deemed abandoned. This includes: (1) applications not signed, (2) application declarations not received, (3) application fees not received or incomplete, ~~and~~ (4) applications incomplete, ~~and (5) approved registrations not on file.~~ Applications with fee payments found to be invalid after the final filing deadline will be abandoned.

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~~Moral character determination applications that are not brought to a complete and filed status within 60 days of the online submittal date, for online applications, or the received date, for paper form applications, will be deemed abandoned. This includes the lack of requisite fees, signature, or required information/documentation. Once the moral character determination application is in filed status, if the applicant receives notice to provide information, but does not provide such information within 90 days of the request, the application will be abandoned.~~

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Net refund amount

	<p>If an applicant qualifies for a refund in accordance with this Refund of Fees Policy for a registration or application, but has an outstanding balance due for subject registration, application, or other transactions, the net refund will be the qualifying refund amount minus the corresponding portion of the fees owed or balance due for other transactions.</p>
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