



The State Bar of California

OPEN SESSION AGENDA ITEM IV.C. 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 Violation Rules and Policies

EXECUTIVE SUMMARY

At the December 2022 meeting of the California Board of Legal Specialization (CBLS), the CBLS discussed establishing Legal Specialist Exam (LSX) violation rules 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

There are currently no codified LSX specific exam violation rules. Legal Specialization has used modified Bar and First-Year exam violation rules and policies and applied them to the LSX. However, Admissions rules are for applicants/non-licensees, and these rules do not actually apply to licensed attorneys that are taking the LSX.

DISCUSSION

At the December 2022 CBLS meeting, staff emphasized the importance to create LSX specific exam violation rules, including defining the process to review or appeal violations. 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 exam violation policy.

In addition to rules research, Staff also looked at other areas that may need to be updated as a result of any LSX exam violation 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 to circulate for public comment.

FISCAL/PERSONNEL IMPACT

None

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 Exam Violation Rules Research and Proposed Rules Revisions