



The State Bar *of California*

Admissions Rules Revisions: Return From Public Comment

Moral Character

Law Office Study

Practical Training of Law Students

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Board of Trustees, May 18–19, 2023



Admissions Rules & Process Review

- Comprehensive Review
- Areas of confusion for public
- Requirement does not further public protection
- Creates an unnecessary barrier to admission to practice law
- Lack of clarity
- Lack of consistency
- Areas of confusion for staff



Rules for Review

Rules to Board in May 2023: Return from Public Comment

- Moral Character
- Law Office Study Program
- Practical Training of Law Students Program



Moral Character



Key Themes of Rule Changes and Significant Changes

- Codify current practice: Add rule 4.50(C), which requires applicants to complete a questionnaire 18 months after the issuance of a positive determination if the applicant is not yet certified to the California Supreme Court and allows suspension of a positive determination if an applicant fails to respond to the questionnaire.
- Ensure consistency within the rules: Align the actionable time frames for rules 4.42 (applicant's duty to update their application) and 4.50(A) (suspension of a positive determination) to be consistent (until an applicant has taken the attorney's oath).
- Clarify areas of confusion for applicants
- Modify definitions to be clearer and more accurate
- Eliminate or modify inconsistent, inaccurate, or unnecessary rules
- Transition to gender-neutral pronouns



Summary of Public Comment

- 10 Written comments received
 - 6 Agree with the proposal
 - 1 Agrees with the proposal if modified
 - 3 Disagree with the proposal
- No changes made after reviewing the public comment



Law Office Study Program



Proposed Changes to the Law Office Study Program



Update the rule to allow study to take place in a physical location outside the law office or judge's chambers and via remote means.



Distinguish types of supervision & maintain requirement for minimum number of hours of in-person supervision.



Improve administration of the program by clarifying application and reporting requirements and procedures.



Summary of Public Comment

- 33 Written comments received
 - 24 Agree with the proposal
 - 2 Agree with the proposal if modified
 - 7 Disagree with the proposal
- Small changes were made after reviewing the public comment to increase flexibility in how LOS hours may be completed and to avoid inadvertent impacts from the changes



Practical Training of Law Students



Practical Training of Law Students Program: Proposed Rule Changes

- Allow Law Office Study students and LLM students to participate in the PTLS program
- Eliminate requirement for students to have completed or be enrolled in courses in Evidence and Civil Procedure to be eligible to participate in the PTLS program
- Clarify requirements for application to and continued participation in the program.



Summary of Public Comment

- 27 Written comments received
 - 16 Agree with the proposal
 - 5 Agree with the proposal if modified
 - 6 Disagree with the proposal
- No changes made after reviewing the public comment



Recommendations

Should the Board of Trustees concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that following the 60-day public comment period, the Board of Trustees adopts the changes to the rules regarding moral character as set forth in Attachment A, with an effective date of July 1, 2023; and it is

FURTHER RESOLVED, that following the 60-day public comment period, the Board of Trustees adopts the changes to the rules regarding the Law Office Study program as set forth in Attachments C and D; and it is

FURTHER RESOLVED, that the Board of Trustees directs staff, consistent with the requirements of rule 9.5 of the California Rules of Court, to submit the proposed rule changes regarding the Law Office Study Program and the Practical Training of Law Students Program to the Supreme Court for review and approval with the intent that the rules have an effective date sixty days after approval by the Supreme Court.

