

State Bar Rule 3.117, References





Rule 3.117 References

An applicant must provide references from attorneys or judges whom the applicant has identified as familiar with the applicant's proficiency in performing the tasks required for certification. At least three positive references must be provided unless the relevant standards require more. The State Bar may seek additional references.



Application Processing Times *(in days)*

	Min Time	Max Time	Average Time
Initial Certification Applications	16	596	170
2020	28	596	185
2021	118	256	170
2022	16	544	163
2023*	46	265	151
Recertification Applications	28	815	172
2020	28	764	192
2021	116	815	170
2022	90	558	168
2023*	39	257	138
ALL	16	815	171



By Application Processing Times

Application Processing Time	No Reference Issues	Issues With References*	Total
Initial Certification	546	148	694
179 days or less	410	72	482
180+ days	136	76	212
Recertification	1,888	974	2,862
179 days or less	1,465	508	1,973
180+ days	423	466	889

**Reference Issues can be caused by applicant not having or knowing enough references, provided references are not responding, or references are responding unfavorably (i.e. Do not know, Do not wish to comment, Do not recommend)*



By Applicant Age at Time of Application

Applicant Age (<i>in years</i>)	No Reference Issues	Issues With References*	Total
39 or less	326	96	422
40-49	604	215	819
50-59	589	264	853
60-69	562	298	860
70-79	323	212	535
80 or more	30	37	67
TOTAL	2,434	1,122	3,556

**Reference Issues can be caused by applicant not having or knowing enough references, provided references are not responding, or references are responding unfavorably (i.e. Do not know, Do not wish to comment, Do not recommend)*



By Applicant Race/Ethnicity

Race/Ethnicity	No Reference Issues	Issues With References*	Total
American Indian/Alaska Native	2	3	5
Asian	159	62	221
Black/African American	34	7	41
Hispanic/Latino	101	55	156
Middle Eastern/North African	45	15	60
Multiracial	112	51	163
Native Hawaiian/Other Pacific Islander	5	4	9
Other race, ethnicity, or origin	5	2	7
Unknown	358	140	498
White	1,613	783	2,369
TOTAL	2,434	1,122	3,556

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By Applicant Gender

Gender	No Reference Issues	Issues With References*	Total
Female	941	385	1,326
Male	1,194	625	1,819
Nonbinary	27	11	38
Unknown	272	101	373
TOTAL	2,434	1,122	3,556

**Reference Issues can be caused by applicant not having or knowing enough references, provided references are not responding, or references are responding unfavorably (i.e. Do not know, Do not wish to comment, Do not recommend)*



By Applicant License Lengths *(New Applicants)*

Years Licensed	No Reference Issues	Issues With References*	Total
0-10 years	260	68	328
11+ years	286	80	366
TOTAL	546	148	694

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By Applicant Certification Lengths *(Recerts)*

Years Certified	No Reference Issues	Issues With References*	Total
0-14 years	976	431	1,407
15-29 years	661	351	1,012
30-44 years	238	179	417
45+ years	13	13	26
TOTAL	1,888	974	2,862

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By Legal Specialty Area

Legal Specialty Area	No Reference Issues	Issues With References*	Total
Admiralty & Maritime Law	11	10	21
Appellate Law	173	69	242
Bankruptcy Law	80	28	108
Criminal Law	84	137	221
Estate Planning, Trust & Probate Law	549	219	768
Family Law	714	296	1,010
Franchise & Distribution Law	17	6	23
Immigration & Nationality Law	110	45	155
Legal Malpractice Law	63	13	76
Taxation Law	126	68	194
Workers' Compensation Law	507	231	738
TOTAL	2,434	1,122	3,556

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The State Bar of California

By Geographic Location

County Population (in millions)	No Reference Issues	Issues With References*	Total
0-1.9 million	1,043	500	1,543
2-3.9 million	682	296	978
4 million +	667	299	966
Non-CA	42	27	69
TOTAL	2,434	1,122	3,556

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Rule Comparisons

- Other State Certifying Jurisdictions
- Other National Certifying Organizations
- California Board of Legal Specialization



Other State Certifying Jurisdictions

Florida Board of Legal Specialization and Education

- Must receive at least six positive references
 - Five primary references
 - One secondary reference

Louisiana Board of Legal Specialization

- No minimum to positive references
 - Must receive at least responses from five references (pos/neg)
 - One of the five references MUST be from a specialist
 - Reviewed case-by-case once five responses received



Other National Certifying Organizations

American Board of Certification

- Must receive at least five positive references
- Applicants must submit nine references
 - Four must be from Bankruptcy attorneys
 - At least two of the four must be positive
 - Five must be from opposing counsel
 - At least three of the five must be positive

National Board of Trial Advocacy

- Applicants for initial certification must receive at least six positive references
 - At least three positive references from judges **AND** three positive references from attorneys
- Applicants for recertification must receive at least three positive references
 - At least one positive reference from judge **AND** two positive references from attorneys



CBLS Requirements *(in general)*

- Passage of a written examination in the legal specialty area;
- Practiced law continuously for at least five years, spending at least 25 percent of the time given to occupational endeavors practicing in the specialty area;
- Completion of continuing education in the specialty area greater than that required of general licensees of the State Bar;
- Demonstration of a broad-based and comprehensive experience in the specialty area based on completion of a variety of matters in the specialty area; and
- **Favorable evaluations by other attorneys and judges familiar with the attorney's work in the specialty area of law.**



Questions?



Thank you.



The State Bar of California