

TITLE 3. PROGRAMS AND SERVICES

Adopted July 2007

DIVISION 1. PROSPECTIVE MEMBERS

Chapter 1. Practical Training of Law Students

Rule 3.1 Practical Training of Law Students Program

Practical Training of Law Students is a program that allows a supervised law student certified by the State Bar to negotiate and appear on behalf of a client in the limited circumstances permitted by Rule of Court 9.42 and these rules.¹

Rule 3.1, adopted effective July 1, 2010

Rule 3.2 Eligibility

- (A) To be considered for the State Bar program for Practical Training of Law Students a law student must meet the eligibility requirements of Rule of Court 9.42(c).
- (B) Other qualifications notwithstanding, a person is ineligible to apply for certification who
 - (1) is licensed to practice law in any jurisdiction; or
 - (2) has not taken the first California Bar Examination for which he or she is eligible.

Rule 3.2, adopted effective July 1, 2010

Rule 3.3 Application

- (A) To apply to be a certified law student, an eligible applicant must
 - (1) register as a general applicant for admission to the practice of law in California;² and
 - (2) submit an Application for Practical Training of Law Students Program³ with
 - (a) the fee⁴ set forth in the Schedule of Charges and Deadlines;

¹ Rule of Court 9.42(a).

² Rule 4.3(G) defines "general applicant." Rule 4.16(B) explains the Application for Admission.

³ See Rule 4.16(B).

⁴ Rule of Court 9.42(f).

- (b) a current e-mail address not to be disclosed on the State Bar's Web site or otherwise to the public without the applicant's consent;
 - (c) a Declaration of Law School Official attesting that the law student meets the eligibility requirements of these rules and is qualified to be a certified law student, absent any subsequent notification to the contrary that the official agrees to provide; and
 - (d) a Declaration of Supervising Attorney attesting that for a specified period the attorney will supervise the applicant as required by these rules.
- (B) Upon approval of the application, the State Bar issues a "Notice of Law Student Certification" ("notice") stating that the applicant is a certified participant in the program for Practical Training of Law Students for the period stated in the notice.⁵

Rule 3.3, adopted effective July 1, 2010

Rule 3.4 Permitted activities

- (A) A certified law student may engage only in the activities permitted by Rule of Court 9.42(d) under the conditions prescribed by that rule.
- (B) Nothing in this rule prohibits a certified law student from providing advice or representation that might be provided by anyone who is not a member of the State Bar of California.

Rule 3.4, adopted effective July 1, 2010

Rule 3.5 Duties of certified law student

A certified law student must

- (A) act as a certified law student only during the period stated in the Notice of Law Student Certification;⁶
- (B) at all times comply with Rule of Court 9.42 and these rules;
- (C) maintain a current e-mail address with the State Bar;
- (D) upon ceasing to be eligible for the program, promptly inform the State Bar and cease any activity that a certified law student is permitted to perform; and

⁵ See Rule 3.8.

⁶ See Rule 3.8.

- (E) not claim in any way to be a member of the State Bar of California.

Rule 3.5, adopted effective July 1, 2010

Rule 3.6 Supervising Attorney

- (A) “Supervising Attorney” is an active member of the State Bar of California in good standing who agrees to supervise a certified law student as required by these rules.⁷ A member who is inactive, suspended, or subject to discipline, or who has resigned or been disbarred may not be a Supervising Attorney. In these rules, “Supervising Attorney” may also refer to a government agency attorney whom the Supervising Attorney delegates to supervise the permitted activities of a certified law student.
- (B) A Supervising Attorney must
 - (1) be an active member of the State Bar of California who has practiced law in California or taught law in a law school as a full-time occupation for at least the two years before supervising a certified law student;
 - (2) supervise the permitted activities of a certified law student as specified by Rule 9.42(d);
 - (3) personally assume professional responsibility for any activity a certified law student performs pursuant to these rules;
 - (4) provide training and counsel that prepares a certified law student to satisfactorily perform an activity permitted by these rules in a manner that best serves the interest of a client;
 - (5) read, approve, and sign any document prepared by the certified law student for a client;
 - (6) supervise at one time no more than five certified law students or twenty-five if employed full-time to supervise law students in a law school or government training program; and
 - (7) promptly notify the State Bar that he or she no longer meets the requirements of these rules or that his or her supervision is ending before the period stated in the Notice of Certification.

Rule 3.6, adopted effective July 1, 2010

Rule 3.7 Designation as certified law student

⁷ Rule of Court 9.42(a)(2).

- (A) A certified law student may use the title “Certified Law Student” and no other in connection with activities performed as a certified law student.
- (B) On written materials prepared pursuant to these rules, a certified law student must use the title Certified Law Student with his or her name and provide the name of his or her Supervising Attorney.

Rule 3.7, adopted effective July 1, 2010

Rule 3.8 Duration of certification

- (A) Subject to the exceptions set forth in this rule, a certified law student may perform an activity that complies with these rules for the period stated in the Notice of Law Student Certification and only while the supervising attorney identified in the application supervises the student. A request to change the supervising attorney requires a new application.
- (B) A student who graduates from law school during the period stated in the Notice of Law Student Certification and then takes the first California Bar Examination for which he or she is eligible may participate in the program until the State Bar releases results for that examination.
- (C) Certification terminates before the end of the period stated in the Notice of Law Student Certification if
 - (1) the certified law student no longer meets the eligibility requirements of these rules;
 - (2) the certified law student requests that certification terminate on an earlier date;
 - (3) the certified law student fails to take the first California Bar Examination for which he or she is eligible; or
 - (4) the State Bar revokes certification.⁸

Rule 3.8, adopted effective July 1, 2010

Rule 3.9 Revocation of certification

The State Bar may revoke certification for noncompliance with any applicable rule or law.⁹ The State Bar must provide the certified law student a written notice of revocation. The revocation is effective ten days from the date of its transmission.

⁸ See Rule 3.9.

⁹ Rule of Court 9.42(e).

Rule 3.9, adopted effective July 1, 2010

Rule 3.10 Request for review of revocation

A certified law student whose certification has been revoked may request review of the revocation. The request must be in writing and received by the State Bar no more than fifteen days from the date of transmission of the notice. Within sixty days of receiving the request, the State Bar must provide the certified law student with a written determination affirming or denying the revocation. The determination constitutes the final action of the State Bar.

Rule 3.10, adopted effective July 1, 2010