

AMENDED IN ASSEMBLY APRIL 16, 2001

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 982

Introduced by Assembly Member Firebaugh

February 23, 2001

~~An act to amend Section 6060 of the Business and Professions Code, relating to State Bar of California. An act to relating to law schools.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 982, as amended, Firebaugh. ~~State Bar of California: admission qualifications- Law Schools.~~

~~Existing law requires that, to Under existing law, law schools are required to meet specified requirements in order to be accredited. To be licensed to practice law, a person must have passed a law students' examination after completion of his or her first year in law school. Existing law provides an exception to this requirement for students who have completed 2 years of college work, and have satisfactorily completed a year of study at an accredited law school. Existing law also provides an exception for applicants who have passed the bar examination of a sister state or country- exceptions to the first year law student examination requirement for students of accredited law schools and out-of-state attorneys who meet specified criteria.~~

~~This bill would add an exception to the law student examination requirement for students who have completed a year of study at a law school determined by the state to meet certain standards, and who have obtained either a bachelor's degree with a grade point average of at least 3.0 from a regionally accredited institution or its equivalent, or a~~

~~graduate degree from a regionally accredited institution or its equivalent.~~

This bill would declare the intent of the Legislature to recognize advances in the technology relating to legal research with respect to law school accreditation requirements. The bill would also declare the intent of the Legislature to examine additional classes of students who might warrant exemption from the first year law student examination.

Vote: majority. Appropriation: no. Fiscal committee: ~~yes~~—no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.—Section 6060 of the Business and Professions~~

2 *SECTION 1. (a) It is the intent of the Legislature to ensure*
3 *that the laws regulating the accreditation of law schools in*
4 *California recognize advances in technology and the availability*
5 *of legal research materials by electronic media, including the*
6 *Internet.*

7 *(b) It is further the intent of the Legislature that if a law school*
8 *has met other conditions for accreditation that law school shall not*
9 *be denied accreditation solely based upon the law school's use of*
10 *the Internet to provide students a legal education.*

11 *(c) It is further the intent of the Legislature to explore the*
12 *effectiveness and scope of the First Year Law Student*
13 *Examination, and whether there are classes of students who have*
14 *demonstrated sufficient educational achievement or*
15 *sophistication to warrant exemption from the First Year Law*
16 *Student Examination.*

17 ~~Code is amended to read:~~

18 ~~6060.—To be certified to the Supreme Court for admission and~~
19 ~~a license to practice law, a person who has not been admitted to~~
20 ~~practice law in a sister state, United States jurisdiction, possession,~~
21 ~~territory, or dependency or in a foreign country shall:~~

22 ~~(a) Be at least 18 years of age.~~

23 ~~(b) Be of good moral character.~~

24 ~~(c) Before beginning the study of law, have done either of the~~
25 ~~following:~~

26 ~~(1) Completed at least two years of college work, which college~~
27 ~~work shall be not less than one-half of the collegiate work~~
28 ~~acceptable for a bachelor's degree granted upon the basis of a~~



1 ~~four-year period of study by a college or university approved by~~
2 ~~the examining committee.~~

3 ~~(2) Have attained in apparent intellectual ability the equivalent~~
4 ~~of at least two years of college work by taking any examinations~~
5 ~~in such subject matters and achieving the scores thereon as are~~
6 ~~prescribed by the examining committee.~~

7 ~~(d) Have registered with the examining committee as a law~~
8 ~~student within 90 days after beginning the study of law. The~~
9 ~~examining committee, upon good cause being shown, may permit~~
10 ~~a later registration.~~

11 ~~(e) Have done any of the following:~~

12 ~~(1) Graduated from a law school accredited by the examining~~
13 ~~committee or approved by the American Bar Association~~
14 ~~requiring substantially the full time of its students for three years.~~

15 ~~(2) Graduated from a law school accredited by the examining~~
16 ~~committee or approved by the American Bar Association~~
17 ~~requiring a part only of its students' time for four years.~~

18 ~~(3) Studied law diligently and in good faith for at least four~~
19 ~~years in any of the following manners:~~

20 ~~(i) In a law school that is authorized or approved to confer~~
21 ~~professional degrees and requires classroom attendance of its~~
22 ~~students for a minimum of 270 hours a year.~~

23 ~~A person who has received his or her legal education in a foreign~~
24 ~~state or country wherein the common law of England does not~~
25 ~~constitute the basis of jurisprudence shall demonstrate to the~~
26 ~~satisfaction of the examining committee that his or her education,~~
27 ~~experience, and qualifications qualify him or her to take the~~
28 ~~examination.~~

29 ~~(ii) In a law office in this state and under the personal~~
30 ~~supervision of a member of the State Bar of California who is, and~~
31 ~~for at least five years last past continuously has been, engaged in~~
32 ~~the active practice of law. It is the duty of the supervising attorney~~
33 ~~to render any periodic reports to the examining committee as the~~
34 ~~committee may require.~~

35 ~~(iii) In the chambers and under the personal supervision of a~~
36 ~~judge of a court of record of this state. It is the duty of the~~
37 ~~supervising judge to render any periodic reports to the examining~~
38 ~~committee as the committee may require.~~

39 ~~(iv) By instruction in law from a correspondence law school~~
40 ~~authorized or approved to confer professional degrees by this state,~~



1 which requires 864 hours of preparation and study per year for four
2 years.

3 (v) By any combination of the methods referred to in paragraph
4 (3) of this subdivision.

5 (f) Have passed any examination in professional responsibility
6 or legal ethics as the examining committee may prescribe.

7 (g) Have passed the general bar examination given by the
8 examining committee.

9 (h) (1) Have passed a law students' examination administered
10 by the examining committee after completion of his or her first
11 year of law study. Those who pass the examination within its first
12 three administrations upon becoming eligible to take the
13 examination shall receive credit for all law studies completed to
14 the time the examination is passed. Those who do not pass the
15 examination within its first three administrations upon becoming
16 eligible to take the examination, but who subsequently pass the
17 examination, shall receive credit for one year of legal study only.

18 (2) This requirement does not apply to a student who has
19 satisfactorily completed his or her first year of law study at a law
20 school accredited by the examining committee and who has
21 completed at least two years of college work prior to matriculating
22 in the accredited law school, nor shall this requirement apply to an
23 applicant who has passed the bar examination of a sister state or
24 of a country in which the common law of England constitutes the
25 basis of jurisprudence.

26 The law students' examination shall be administered twice a
27 year at reasonable intervals.

28 (3) This requirement does not apply to a student who has:

29 (A) Completed his or her first year of law study at a law school
30 which the state has determined and certified as meeting the
31 minimum standards established by the state for integrity, financial
32 stability, and educational quality, including the offering of bona
33 fide instruction by qualified faculty and the appropriate
34 assessment of students' achievement prior to, during, and at the
35 end of its program, as required by Section 94718 of the Education
36 Code, and which has been approved by the state to operate as a law
37 school pursuant to subdivision (a) of Section 94900 of the
38 Education Code.

39 (B) Prior to entering the state-approved school, been awarded
40 a bachelor's degree, with a minimum cumulative grade point



1 ~~average of 3.0 on a certified transcript from a regionally accredited~~
2 ~~institution or its equivalent, requiring at least four years of college~~
3 ~~work, or has received a graduate degree from a regionally~~
4 ~~accredited institution or its equivalent.~~

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