

## California Rules of Court – Chapter 3. Legal Education

### Proposed Amendments – 08/18/14 DRAFT

Rule 9.30. Law school study in schools ~~other than those~~ accredited or registered by the ~~examining committee~~ Committee of Bar Examiners

#### (a) Receipt of credit

A person who seeks to be certified to the Supreme Court for admission in and licensed to practice law under section 6060(e)~~(2)~~ of the Business and Professions Code may receive credit for:

- (1) Study in a law school in the United States ~~other than one~~ accredited by the ~~examining committee established by the Board of Governors of The State Bar under Business and Professions code section 6046~~ Committee of Bar Examiners only if the law school satisfies the requirements of (b) ~~or (c)~~ of this rule; or
- (2) Study in a law school not accredited by the Committee of Bar Examiners, but which is a registered with the Committee, only if the law school satisfies the requirements of (c) of this rule; or
- (3) Study in the Law Office/Judges Chambers program only if such study is completed in conformance with the requirements specified under Business and Professions Code section 60609(B) and under rules adopted by the Committee of Bar Examiners and approved by the Board of Trustees of The State Bar of California; or
- ~~(4) (2) Instruction in law from a correspondence school only if the correspondence school requires 864 hours of preparation and study per year for four years and satisfies the requirements of (d) of this rule; or~~
- ~~(3) Study in a law school outside the United States other than one accredited by the examining committee established by the Board of Governors of the State Bar under Business and Professions Code section 6046 only if the Committee of Bar Examiners ~~the examining committee~~ is satisfied that the academic program of such law school is substantially equivalent to that of a law school qualified under (b) and (c) of this rule.~~

*(Subd (a) amended effective January 1, 2007; previously amended effective April 2, 1984.)*

**ITEM 3**

**(b) Requirements for accredited law schools in state**

~~A law school in this state that is not accredited by the examining committee must:~~

Law Schools Accredited by the Committee of Bar Examiners:

- (1) A law school that is approved by the American Bar Association (ABA) is deemed accredited by the Committee of Bar Examiners.
- (2) A law school that is accredited by the Committee of Bar Examiners but not approved by the American Bar Association must comply with the rules adopted by the Committee of Bar Examiners and approved by the Board of Trustees of The State Bar of California.

**(c) Requirements for unaccredited registered law schools in state**

Law Schools registered by the Committee of Bar Examiners:

- (1) A law school in this state that is not accredited by the Committee of Bar Examiners must register with the Committee of Bar Examiners and comply with the rules adopted by the Committee of Bar Examiners and approved by the Board of Trustees of The State Bar of California.
- (2) Failure of a registered law school to comply with all applicable rules may result in a notice of non-compliance or termination of registration.
- (3) A registered law school in this state must pursue accreditation by the Committee of Bar Examiners within seven years of first becoming registered and achieve accreditation by the Committee of Bar Examiners within ten years of first becoming registered in accordance with the rules adopted by the Committee of Bar Examiners and approved by the Board of Trustees of The State Bar of California. A registered law school in existence at the time of approval of this requirement must pursue accreditation by the Committee of Bar Examiners within five years of the date this provision is approved and within ten years of that date become accredited.

- ~~(1) Be authorized to confer professional degrees by the laws of this state;~~
- ~~(2) Maintain a regular course of instruction in law, with a specified curriculum and regularly scheduled class sessions;~~
- ~~(3) Require classroom attendance of its students for a minimum of 270 hours a year for at least four years, and further require regular attendance of each student at not less than 80 percent of the regularly scheduled class hours in each course in which such student was enrolled and maintain attendance records adequate to determine each student's compliance with these requirements;~~

- ~~(4) Maintain, in a fixed location, physical facilities capable of accommodating the classes scheduled for that location;~~
- ~~(5) Have an adequate faculty of instructors in law. The faculty will prima facie be deemed adequate if at least 80 percent of the instruction in each academic period is by persons who possess one or more of the following qualifications:
  - ~~(A) Admission to the general practice of the law in any jurisdiction in the United States;~~
  - ~~(B) Judge of a United States court or a court of record in any jurisdiction in the United States; or~~
  - ~~(C) Graduation from a law school accredited by the examining committee.~~~~
- ~~(6) Own and maintain a library consisting of not less than the following sets of books, all of which must be current and complete:
  - ~~(A) The published reports of the decisions of California courts, with advance sheets and citator;~~
  - ~~(B) A digest or encyclopedia of California law;~~
  - ~~(C) An annotated set of the California codes; and~~
  - ~~(D) A current, standard text or treatise for each course or subject in the curriculum of the school for which such a text or treatise is available.~~~~
- ~~(7) Establish and maintain standards for academic achievement, advancement in good standing and graduation, and provide for periodic testing of all students to determine the quality of their performance in relation to such standards; and~~
- ~~(8) Register with the examining committee, and maintain such records (available for inspection by the examining committee) and file with the examining committee such reports, notices, and certifications as may be required by the rules of the examining committee.~~

~~(Subd (b) amended effective January 1, 2007; previously amended effective April 2, 1984.)~~

~~(c) Requirements for unaccredited law schools outside the state~~

~~A law school in the United States that is outside the state of California and is not accredited by the examining committee must:~~

- ~~(1) Be authorized to confer professional degrees by the law of the state in which it is located;~~

~~(2) Comply with (b)(2), (3), (4), (5), (7), and (8) of this rule; and~~

~~(3) Own and maintain a library that is comparable in content to that specified in (b)(6) of this rule.~~

*(Subd (c) amended effective January 1, 2007; previously amended effective April 2, 1984.)*

**(d) Registration and Reports**

~~Accredited and registered correspondence law schools~~ must register with the ~~examining committee and~~ file such reports, notices, and certifications as may be required by the rules of the [Committee of Bar Examiners](#) ~~examining committee concerning any person whose mailing address is in the state of California or whose application to, contract with, or correspondence with or from the law school indicates that the instruction by correspondence is for the purpose or with the intent of qualifying that person for admission to practice law in California.~~

*(Subd (d) amended effective January 1, 2007.)*

**(e) Inspections**

The [Committee of Bar Examiners](#) ~~examining committee~~ may make such inspection of law schools ~~not accredited by the committee or correspondence schools~~ as may be necessary or proper to give effect to the provisions of Business and Professions Code section 6060, this rule, and the rules of the [Committee of Bar Examiners](#) ~~examining committee~~.

*(Subd (e) amended effective January 1, 2007.)*

**(f) Application**

~~This rule does not apply to any person who, on the effective date of the rule, had commenced the study of law in a manner authorized by Business and Professions Code section 6060(e) and registered as a law student before January 1, 1976 (as provided in Business and Professions Code section 6060(d) and otherwise satisfies the requirements of Business and Professions Code section 6060(e), provided that after January 1, 1976, credit will be given such person for any study in an unaccredited law school or by correspondence only if the school complies with the requirements of (b)(8) or (d) of this rule, whichever is applicable, and permits inspection under (e) of this rule.~~

*(Subd (f) amended effective January 1, 2007.)*

**PROPOSED AMENDMENTS TO  
BUSINESS AND PROFESSIONS CODE SECTIONS 6046.7 AND 6060.7**

**08/18/2014 DRAFT**

B&P Code sec. 6046.7:

(a)~~(1)~~ Notwithstanding any other provision of law, the Committee of Bar Examiners ~~shall~~ will adopt rules ~~that shall be effective on and after January 1, 2008,~~ for the regulation and oversight of ~~unaccredited~~ law schools that are registered with the Committee and required to be authorized to operate as a business in California, ~~including correspondence schools,~~ that are not ~~accredited~~ approved by the American Bar Association or otherwise accredited by the Committee of Bar Examiners, ~~with the goal of ensuring consumer protection and a sound legal education at an affordable price.~~

~~(2) Notwithstanding any other provision of law, the committee shall adopt rules that shall be effective on or after January 1, 2008, for the regulation and oversight of nonlaw school legal programs leading to a juris doctor (J.D.) degree, bachelor of laws (LL.B.) degree, or other law study degree~~

(b) ~~Commencing January 1, 2008,~~ The committee Committee of Bar Examiners ~~shall~~ will assess and collect a fee from ~~unaccredited~~ registered law schools ~~and legal programs in nonlaw schools~~ in an amount sufficient to fund the regulatory and oversight responsibilities imposed by this section. Nothing in this subdivision precludes the board of ~~governors~~ trustees from using other funds or fees collected by the State Bar or by the ~~committee~~ Committee of Bar Examiners to supplement the funding of the regulatory and oversight responsibilities imposed by this section with other funds, ~~if that supplemental funding is deemed necessary and appropriate to mitigate some of the additional costs of regulation and oversight to facilitate the provision of a sound legal education at an affordable cost.~~

B&P Code sec. 6060.7:

~~From January 1, 2007, to December 31, 2007, law school and law study degree programs shall be subject to the following:~~

~~(1) The examining committee shall be responsible for the approval, regulation, and oversight of degree-granting law schools that (A) exclusively offer bachelor's, master's, or doctorate degrees in law, such as juris doctor, and (B) do not meet the criteria set forth in Section 94750 of the Education Code. This paragraph does not apply to unaccredited law schools, which remain subject to the jurisdiction of the Bureau of Private Postsecondary Education or its successor agency.~~

~~(2) If a law school that does not meet the criteria set forth in Section 94750 of the Education Code offers educational services other than bachelor's, master's, or doctorate-degree programs in shall be subject to the approval, regulation, and oversight of the examining committee.~~

~~(a) On and after January 1, 2008, ll law schools and law study degree programs shall be subject to the following:~~

The Committee of Bar Examiners ~~examining committee~~ shall will be responsible for the approval, regulation, and oversight of all registered degree-granting law schools that award the Juris Doctor (J.D.) professional degree in law. ~~(A) exclusively offer bachelor's, master's or doctorate degrees in law, such as the juris doctor, and (B) do not meet the criteria set forth in section 94750 of the Education Code.~~ For purposes of this subsection, a registered law school may not award a J.D. degree unless a student has completed the necessary legal education set forth in Section 6060 of these rules that would qualify the student to take the California Bar Examination. A J.D. degree does not include and will not be denominated as any other degree or program of law study.

~~(1) If a law school that does not meet the criteria set forth in Section 94750 of the Education Code offers educational services other than bachelor's, master's, or doctorate-degree programs in law, only the law school's degree program in law shall be subject to the approval, regulation, and oversight of the examining committee.~~

~~(2) If a nonlaw school that does not meet the criteria set forth in Section 94750 of the Education Code offers educational programs leading to a juris doctor (J.D.) degree, bachelor of laws (L.L.B.) degree, or other law study degree, those programs shall be subject to the regulation and oversight of the examining committee. The provisions of this paragraph do not apply to paralegal programs.~~

[Note: Section 94750 has been repealed and not replaced and is therefore no longer relevant to the interpretation or application of any subsection above.]

**Proposed Amendments to**

**ARTICLE 4**

**ADMISSION TO THE PRACTICE OF LAW**

**8/18/14 Draft**

**Section 6060 Qualifications, Examination and Fee**

\*\*\*

(e) Have done any of the following:

\*\*\*

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

(A) In a law school that is ~~[Deleted Text Begin]authorized or approved to confer professional degrees and requires classroom attendance of its students for a minimum of 270 hours a year.[Deleted Text End]~~

~~[Deleted Text Begin]A person who has receive his or her legal education in a foreign country wherein the common law of England does not constitute the basis of jurisprudence shall demonstrate to the satisfaction of the examining committee that his or her education, experience, and qualifications qualify him or her to take the examination.[Deleted Text End]~~[Insert Text Begin]registered with the examining committee and requires either classroom attendance of its students for a minimum of 270 hours a year or requires 864 hours of preparation and study through distance learning[Insert Text end].

(B)\*\*\*

(C)\*\*\*

(D)~~[Deleted Text Begin] By instruction in law from a correspondence law school authorized or approved to confer degrees by the state, which requires 864 hours of preparation and study for four years.[Deleted Text End]~~[Insert Text Begin] Received his or her first degree in law from a law school outside the United States that is equivalent to a JD degree awarded by an American Bar Association (ABA) approved or California accredited law school in the United States and completion of a year of law study at an ABA approved law school or a law school accredited by the examining committee, which may require completion of classes in certain subjects as determined by the committee.[Insert Text end]

(E) By any combination of the methods referred to in this paragraph (2) of this subdivision.

**Section 6061 Disclosure Statements – ~~[Deleted Text Begin]Unaccredited[Deleted Text End]~~[Insert Text Begin]Registered[Insert Text end] Law Schools**

Any law school that is not accredited by the examining committee of the State Bar ~~[Deleted Text Begin]shall[Deleted Text End]~~[Insert Text Begin]will[Insert Text end] provide every students with a disclosure statement, subsequent to the payment of any application fee but prior to the payment of any registration fee, containing all of the following information:

\*\*\*

~~(b) [Deleted Text Begin]When the school has not been in operation for 10 years, the assets and liabilities of the school. [Deleted Text End]~~[Insert Text Begin] The form of ownership of the school and a statement affirming solvency of the institution. [Insert Text end]~~[Deleted Text Begin]However, if the school has had prior affiliation with another school that has been in operation more than 10 years, has been under the control of another schools that has been in operation more than 10 years, or has been a successor to a school in operation more than 10 years, this subdivision is not applicable.[Deleted Text End]~~

~~(c) [Deleted Text Begin]The percentage of students who have taken and who have passed the first-year law student's examination and the final bar examination in the previous five years, or since the establishment of the school, whichever time is less which shall include only those students who have been certified by the school to take the examinations.[Deleted Text End]~~Notice to the students that information related to the law school's first-year and California Bar Examination passing rates can be found by accessing the State Bar's website, and providing a link to that website, or through the law school's own website, provided that the passing rates and time period be the same as published by the State Bar.[Insert Text end]

~~(d) [Deleted Text Begin](d) The number of legal volumes in the library. This subdivision does not apply to correspondence law schools[Deleted Text End]~~[Insert Text Begin] The method of access to library materials provided to the students, and, if applicable, the proximity of law libraries located close to the law school and the number of volumes in the library located on the campus.[Insert Text end]

\*\*\*

[Insert Text Begin](i) Whether a law school has been issued a Notice of Noncompliance by the examining committee within the past five years, the date of the Notice, the nature of the noncompliance and any final resolution.[Insert Text end]

**Section 6061.5 Affiliation Disclosure – ~~[Deleted Text Begin]Unaccredited[Deleted Text End]~~[Insert Text Begin]Registered[Insert Text end] Law Schools**

A law school that is not ~~[Deleted Text Begin]accredited[Deleted Text End]~~[Insert Text Begin]registered[Insert Text end] by the examining committee of the State Bar may refer to itself as a university or part of a university and, if it so refers to itself, shall state whether or not the law school is associated with an undergraduate school.

**Division 2. Accredited Law School Rules**  
**Proposed Amendments – 8/18/14 Draft**

**Chapter 1. General Provisions**

**Rule 4.100 Authority**

The Committee of Bar Examiners (“the Committee”) is authorized by law to accredit law schools in California (“accredited law schools”) and oversee and regulate those law schools. The Committee is the degree-granting authority for law schools subject to these rules.

*Rule 4.100 adopted effective January 1, 2009.*

**Rule 4.101 What these rules are**

- (A) The Accredited Law School Rules (“these rules”) apply to law schools seeking provisional accreditation by the Committee, provisionally accredited law schools, and law schools accredited by the Committee, excluding those law schools fully and provisionally approved by the American Bar Association.
- (B) The rules have been approved by the Committee and adopted by the Board of Governors as part of the Rules of the State Bar of California and may be amended in accordance with those rules.
- (C) These rules do not apply to ~~unaccredited~~ law schools registered by the Committee, paralegal programs, undergraduate legal degree programs, or other legal studies programs that do not lead to a professional degree in law. The appropriate entity must approve such programs, even if they are offered by an accredited, approved, or registered law school or an institution of which it is a part.

*Rule 4.101 adopted effective ~~January 1, 2009.~~*

**Rule 4.102 Law schools approved by the American Bar Association**

A law school provisionally or fully approved by the American Bar Association is deemed accredited by the Committee and exempt from these rules, unless the American Bar Association withdraws its approval.

*Rule 4.102 adopted effective January 1, 2009.*

**Rule 4.103 Interpreting and applying the rules**

The Guidelines for Accredited Law School Rules, as adopted by the Committee of Bar Examiners, govern the interpretation and application of these rules. The Committee has the authority to amend the guidelines, subject to a reasonable comment period and after consideration of any comments received.

Rule 4.103 adopted effective January 1, 2009.

#### Rule 4.104 Citation

These rules may be cited as Accredited Law School Rules.

Rule 4.104 adopted effective January 1, 2009.

#### Rule 4.105 Definitions

- (A) "Admissions Rules" are the rules contained in *Division 1. Admission to Practice Law in California*.
- (B) An "American Bar Association Approved Law School" is a law school fully or provisionally approved by the American Bar Association and deemed accredited by the Committee.
- (C) A "California accredited law school" is a law school that has been accredited by the Committee.
- (D) "Provisional accreditation" is the status of a provisionally accredited law school. The Committee grants provisional accreditation for a specific period.
- (E) A "provisionally accredited law school" is a ~~registered unaccredited fixed-facility~~ law school that is pursuing accreditation and has been recognized by the Committee as being in substantial compliance with applicable law and these rules.
- (F) "The Committee" is the Committee of Bar Examiners of the State Bar of California.
- (G) The "First-Year Law Students' Examination" is the examination required by statute and by *Division 1. Admission to Practice Law in California Admission to Practice Law in California* rules.
- (H) The "guidelines" are the Guidelines for Accredited Law School Rules adopted by the Committee of Bar Examiners.
- (I) "Inspection" means an on-site visit to a law school by an individual or a team appointed by the Committee in accordance with these rules.
- (J) A "major change" is one of the changes specified in rule 4.165, Major changes.
- (K) A "professional law degree" is the LL.B. (Bachelor of Laws), ~~M.L.S. (Master of Legal Studies), or the~~ J.D. (Juris Doctor), ~~).~~ An LL.M. (Master of Laws), M.L.S. (Master of Legal Studies) or other post-graduate degree authorized by the Committee do not qualify a recipient to take the California Bar Examination but, with the acquiescence of the Committee, may be offered by an accredited or registered law school. The J.D. degree may be granted only

upon completion of a law program that qualifies a student to take the California Bar Examination.

- (L) A “California registered ~~unaccredited~~ law school” is an ~~unaccredited~~ law school that has been registered by the Committee, but not accredited by the Committee.
- (M) “Senior Director” means “Senior Director, Admissions” or that person’s designee.
- (N) An “~~unaccredited~~registered law school” is ~~a correspondence, distance-learning, or fixed-facility~~ a California law school ~~operating in California that the Committee registers but does not accredit.~~ that has been registered by the Committee, but not accredited by the Committee.

~~(1) An “unaccredited correspondence law school” is an unaccredited law school that conducts instruction principally by correspondence. A correspondence law school must require at least 864 hours of preparation and study per year for four years.~~

~~(2) —~~

~~(3) An “unaccredited distance-learning law school” is an unaccredited law school that conducts instruction and provides interactive classes principally by technological means. A distance-learning law school must require at least 864 hours of preparation and study per year for four years.~~

~~(4) —~~

~~(5) An “unaccredited fixed-facility law school” is an unaccredited law school that conducts its instruction principally in physical classroom facilities. An unaccredited fixed-facility law school must require classroom attendance of its students for a minimum of 270 hours a year for four years.~~

*Rule 4.105 adopted effective ~~January 1, 2009.~~*

#### **Rule 4.106 Lists of law schools**

The Committee maintains lists of law schools operating in California: those accredited by the Committee, those registered ~~as unaccredited~~ by the Committee, and those approved by the American Bar Association. The lists are available on the State Bar Web site and upon request.

*Rule 4.106 adopted effective January 1, 2009.*

#### **Rule 4.107 Student complaints**

\*\*\*

### **Chapter 2. Application for Provisional Accreditation**

## Rule 4.120 Application based on substantial compliance

A registered ~~unaccredited fixed-facility~~ law school that meets the standards set forth in rule 4.160 may apply for provisional accreditation. If the Committee grants provisional accreditation, the provisionally accredited law school is subject to annual inspection and its students are subject to the First-Year Law Students' Examination requirement. The Committee grants provisional accreditation for a specified period, typically for two years, although the period may be shorter or longer as may be determined by the Committee.

Rule 4.120 adopted ~~effective January 1, 2009.~~

## Rule 4.121 Application procedure

A registered ~~unaccredited fixed-facility~~ law school may apply for provisional accreditation ~~by~~ in accordance with the requirements of the *Registered Law School Rules*.

- ~~(A) completing and submitting the Application for Provisional Accreditation with the fee set forth in the Schedule of Charges and Deadlines;~~
- ~~(B) submitting a self-study of its educational program and other information as required by the Committee;~~
- ~~(C) agreeing to allow the Committee to make any inspection it deems necessary; and~~
- ~~(B) agreeing to promptly pay all expenses of the inspection.~~

Rule 4.121 adopted effective ~~January 1, 2009.~~

## Title 4. Admissions and Educational Standards

### Proposed Amendments – 8/18/14 Draft

#### Division 3. ~~Unaccredited~~ Registered Law School Rules

##### Chapter 1. General Provisions

##### Rule 4.200 Authority

The Committee of Bar Examiners (“the Committee”) is authorized by law to register, oversee, and regulate ~~unaccredited~~ registered law schools in California.

##### Rule 4.201 What these rules are

(A) A law school conducting business in California must register with the Committee and comply with these rules and other applicable law unless otherwise exempt.

(B) These rules have been approved by the Committee and adopted by the Board of ~~Governors~~ Trustees as part of the Rules of the State Bar of California and may be amended in accordance with State Bar rules.

(C) These rules do not apply to law schools accredited by the Committee, law schools approved by the American Bar Association, paralegal programs, undergraduate legal degree programs, or other legal studies programs that do not lead to a professional degree in law. The appropriate legal entity must approve such programs, even if they are offered by an accredited, approved, or registered law school or an institution of which it is a part.

~~(C)~~ (D) The time limits for Committee actions specified in these rules are norms for processing and are not binding. The ~~time limits are not jurisdictional and the Committee may extend them for good cause.~~

##### Rule 4.202 Interpreting and applying the rules

The Guidelines for ~~Unaccredited~~ Registered Law School Rules, as adopted by the Committee ~~of Bar Examiners~~, govern the interpretation and application of these rules.

##### Rule 4.203 Citation

These rules may be cited as ~~Unaccredited~~ the Registered Law School Rules.

## Rule 4.204 Definitions

- (A) An “American Bar Association Approved Law School” is a law school fully or provisionally approved by the American Bar Association and deemed accredited by the Committee.
- (B) A “California accredited law school” is a law school that has complied with the Rules on Accreditation of Law Schools and has been accredited by the Committee.
- (C) “The Committee” is the Committee of Bar Examiners of the State Bar of California.
- (D) The “First-Year Law Students’ Examination” is the examination required by statute and by the Rules Regulating Admission to Practice Law in California.<sup>1</sup>
- (E) “Inspection” means an on-site visit to a law school by an individual or a team appointed by the ~~Committee~~ [Senior Director, Admissions](#) in accordance with these rules.
- (F) A “major change” is one of the changes specified in rule 4.246, Major changes.
- (G) A “professional law degree” is the LL.B. (Bachelor of Laws), ~~M.L.S. (Master of Legal Studies), or the~~ J.D. (Juris Doctor), ~~;~~ [An LL.M. \(Master of Laws\), a M.L.S. \(Master of Legal Studies\),](#) or other post-graduate degree ~~authorized by the Committee do not qualify a recipient to take the California Bar Examination but, with the acquiescence of the Committee, may be offered by a registered law school.~~ The J.D. degree may be granted only upon completion of a law program that qualifies a student to take the California Bar Examination.
- (H) A “registered law school” is ~~an unaccredited~~ [a](#) California law school that meets the requirements of these rules and that has been registered by the Committee, ~~;~~ [but is not accredited by the Committee. Registered law schools must provide the number of hours of instruction to their students as required by Business and Professions Code Section 6060.](#)
- (I) “Senior ~~Director Executive~~” means “Senior [Director Executive](#), Admissions” or that person’s designee.
- ~~(J) An “unaccredited law school” is a correspondence, distance learning, or fixed-facility law school operating in California that is not accredited by the Committee.~~

---

<sup>1</sup> Business & Professions Code § 6060(h) and Rule VIII, Section 1 and related provisions of the Rules Regulating Admission to Practice Law in California.

~~(1) A “correspondence law school” is a law school that conducts instruction principally by correspondence. A correspondence law school must require at least 864 hours of preparation and study per year for four years.~~

~~(2) A “distance-learning law school” is a law school that conducts instruction and provides interactive classes principally by technological means. A distance-learning law school must require at least 864 hours of preparation and study per year for four years.~~

~~(3) A “fixed-facility law school” is a law school that conducts its instruction principally in physical classroom facilities. A fixed-facility law school must require classroom attendance of its students for a minimum of 270 hours a year for four years.~~

(J) A “provisionally accredited law school” is a law school that is pursuing accreditation and has been recognized by the Committee as being in substantial compliance with applicable law and *Accredited Law School Rules*.

#### Rule 4.205 Lists of law schools

The Committee maintains lists of law schools operating in California: those accredited by the Committee, those registered ~~as unaccredited~~ by the Committee, and those approved by the American Bar Association. The lists are available on the State Bar Web site and upon request.

#### Rule 4.206 Student complaints

The Committee does not intervene in disputes between a student and a registered law school. It retains complaints about a law school submitted by students and considers those complaints in assessing the law school's compliance with these rules.

#### Rule 4.207 Public information

(A) The following information about registered law schools is public, subject to any exception of confidentiality the Committee deems appropriate, and available upon written request for the processing fee set forth in the Schedule of Charges and Deadlines:

(1) applications for registration;

(2) public portions of annual reports; ~~and~~

(3) notices of major changes; and

~~(3)~~(4) any other information designated by the Committee.

- (B) The following information is confidential, whether or not contained in a public record:
- (1) personal information about identifiable students;
  - (2) personal information about identifiable instructors;
  - (3) law school financial records; and
  - (4) any other information designated confidential by the Committee.

#### Rule 4.208 Waiver of requirements

- (A) A law school may request that the Committee waive any rule or guideline. The request must clearly show that the law school otherwise complies with the rules.
- (B) The Committee will allow a law school a reasonable time to comply with the rule or guideline for which it has granted a waiver, but a waiver is temporary. A request to renew a waiver must be filed with the Annual Compliance Report. The Committee may then renew, modify, or withdraw the waiver.

#### Rule 4.209 Fees

- (A) The regulatory and oversight services provided by the Committee are funded by reasonable fees that are set forth in the Schedule of Charges and Deadlines.
- (B) Fees for the services of the Senior Director, that person's designee~~Executive~~ or a consultant engaged on behalf of ~~by~~ the Committee are based on a published ~~an~~ hourly rate that covers the cost of providing the service, inclusive of preparation and travel time.
- (C) Travel expenses are reimbursed at actual cost, in accordance with State Bar travel reimbursement policies.

#### ~~Rule 4.210 Extension of time~~

~~For good cause, the Committee may extend a time limit prescribed by these rules.~~

## Chapter 2. Application for registration

### Rule 4.220 Before applying to register

An educational institution planning to offer instruction in law may request that the Committee arrange a consultation visit to advise it on any matter, including whether the institution is ready to apply for registration or should make changes before doing so. The institution must agree to reimburse the Committee for the costs of a consultation visit, including those of travel.

### Rule 4.221 Application procedure

A law school that meets the standards set forth in rule 4.240 may apply for registration by:

- (A) completing and submitting the Application for Registration using the form prescribed by the Committee with the fee set forth in the Schedule of Charges and Deadlines; and
- (B) agreeing to allow the Committee to make any inspection it deems necessary and promptly pay all expenses of the inspection.

### Rule 4.222 Multiple locations

If a ~~fixed-facility~~ law school has multiple physical locations that are more than ten miles apart by the most direct route, each location must apply for registration as a separate law school.

### Rule 4.223 Committee action

(A) After considering an application, the Committee may

(1) notify the law school within thirty days of considering ~~receiving~~ the application that it has failed to establish a reasonable probability that the law school is in compliance with these rules and, for reasons stated in the notice, advise the law school to withdraw its application; or

(2) require an inspection of a law school ~~that refuses to withdraw its application after the Committee has advised it to do so~~ within sixty (60) days of the Committee's consideration of the application for registration

(i) to confirm whether the law school appears to substantially comply with the standards; or

(ii) if the law school refuses to withdraw its application in spite of the Committee's advice to do so; or

~~and schedule the inspection within sixty days of the date of its advice or the law school's refusal;~~

~~(4) within sixty days of reviewing the application and any related inspection report and objections register the law school for at least two years, subject to any conditions it deems appropriate, such as annual inspections at the law school's expense;~~

(3) request further information, allowing a reasonable time for review; or

(4) deny the application.

(B) After reviewing the application and any related inspections and objections, the Committee may register the law school, subject to any conditions it deems appropriate, such as annual inspections at the law school's expense, or deny registration.

### Chapter 3. Responsibilities of registered law schools

#### Rule 4.240 Standards

A registered law school must at all times meet the following standards.

- (A) Lawful Operation. The law school must operate in compliance with all applicable federal, state, and local laws and regulations.
- (B) Integrity. The law school must demonstrate integrity in all of its programs, operations, and other affairs.
- (C) Governance. The law school must be governed, organized, and administered so as to provide a sound educational program.
- (D) Dean and Faculty. The law school must have a ~~competent~~qualified dean, ~~or other administrative head~~ and a competent faculty that devotes adequate time to administration, instruction, and student counseling.
- (E) Educational Program. The law school must maintain a sound program of legal education.

- (F) Scholastic Standards. The law school must maintain sound scholastic standards and must as soon as possible identify and ~~exclude~~dismiss those students from the J.D. program who have demonstrated they are not qualified to continue.
- (G) Admissions. The law school must maintain a sound admissions policy. The law school must not admit any student who is obviously unqualified or who does not appear to have a reasonable prospect of completing the degree program.
- (H) Library. The law school must ensure that its students have access to library materials and legal authorities~~maintain a library~~ consistent with the minimum requirements set by the Committee.
- (I) Infrastructure ~~Physical Resources~~. The law school must have ~~physical resources~~and an infrastructure that is adequate for its programs and operations. The law school must, at a minimum, maintain its primary administrative office in the State of California.
- (J) Financial Resources. The law school must have adequate present and anticipated financial resources to support its programs and operations.
- (K) Records and Reports. The law school must maintain adequate records of its programs, students, faculty and operations.
- ~~(K)~~ (L) Minimum, Cumulative Bar Examination Pass Rate. The law school must maintain a minimum, cumulative bar examination pass rate as determined and used by the Committee in the evaluation of the qualitative soundness of a law school's program of legal education.
- ~~(L)~~ (M) Minimum, Sustained Enrollment. The law school must, within at least three of the past five years in which it filed an Annual Compliance Report with the Committee, report that it had a student enrollment of no fewer than three (3) currently enrolled students studying in any year of its curriculum for the Juris Doctor degree. ~~Equal Opportunity and Non-Discrimination. Consistent with sound educational policy and these rules, the law school should demonstrate a commitment to providing equal opportunity to study law and in the hiring, retention and promotion of faculty without regard to sex, race, color, ancestry, religious creed, national origin, disability, medical condition, age, marital status, political affiliation, sexual orientation, or veteran status.~~
- (N) Limitation on Duration of Registration. The law school is limited to a seven-year period of registration before it must begin the process of applying for and becoming accredited by the Committee and achieve accreditation within ten years of first becoming registered. A registered law school in existence at the

time of adoption of this requirement must pursue accreditation within five years of the date this provision is approved and become accredited within ten years of that date.

(O) Equal Opportunity. Consistent with sound educational policy and these rules, a law school must operate in accordance with policies and procedures that comply with the Constitutions of both the United States and the State of California so as to provide both equality of opportunity and to prohibit unlawful discrimination.

~~(M)~~ (P) Compliance with Committee requirements. The law school must demonstrate its compliance with these rules by submitting the required annual reports and otherwise complying with the rules.

#### Rule 4.241 Disclosure statement

(A) A registered law school must provide each student, in the format required by the Committee, a disclosure statement that includes all the ~~following~~ information that is required by Section 6061 of the California Business and Professions Code and may otherwise be required by the Committee.

~~(1) It is not accredited by the Committee.~~

~~(2) Whether it has applied for accreditation in the previous five years, and if so, the date of the application and whether the application is pending or has been withdrawn or denied.~~

~~(3) A statement of assets and liabilities. This requirement applies only if it has been in operation for fewer than ten years. The requirement does not apply if the law school is affiliated with or under the control of another school that has been in operation ten years or more.~~

~~(4) In the format required by the Committee, the pass rates of students who have taken the California First-Year Law Students' Examination and the California Bar Examination. This information must be provided for the past five years or since the establishment of the law school, whichever time is shorter.~~

~~(5) The number of legal volumes in the library. This requirement does not apply to correspondence or distance learning law schools.~~

~~(6) The educational background, qualifications, and experience of the faculty and the names of any faculty or administrators who are members of the State Bar of California or who are admitted in another jurisdiction.~~

~~(7) The ratio of faculty to students for the previous five years or since the establishment of the law school, whichever time is shorter.~~

~~(8) A statement that the education it provides may not satisfy the requirements of other jurisdictions for the practice of law and that applicants should contact the jurisdiction in which they may wish to practice for that jurisdiction's requirements.~~

~~Whether it has been issued a Notice of Noncompliance by the Committee.~~

(B) The disclosure statement must be provided to students as required by Section 6061 of the California Business and Professions Code, subject to any additional requirements that may be imposed by the Committee.

~~(1) each new student upon payment of an application fee but before payment of a registration fee; and~~

~~(2) each returning student, prior to payment of any fee for an academic term.~~

(C) The disclosure statement must be signed by the student, who must receive a copy of the signed statement.

(D) Each year on the date indicated in the Schedule of Charges and Deadlines, a law school must file at the Committee's San Francisco office

(1) a copy of the disclosure statement the law school has provided or intends to provide in any academic term between July 1 of the current calendar year and June 30 of the following calendar year; and

(2) the Disclosure Statement Certification form prescribed by the Committee.

(E) A law school that does not comply with this rule must refund all fees, including tuition, paid by a student who did not receive the disclosure statement. Non-compliance constitutes cause for withdrawal of registration.

#### Rule 4.242 Annual Compliance Report

A registered law school must submit an Annual Compliance Report using the form prescribed by the Committee. The report must acknowledge any noncompliance with these rules and describe the remedial steps being taken to address the noncompliance. The deadline and fee for submission of the report are set forth in the Schedule of Charges and Deadlines.

#### Rule 4.243 Self-study

Prior to a periodic inspection, or more frequently if the Committee requests it, a registered law school must [conduct an objective, self-evaluation and](#) reevaluate its educational program and submit a written self-study to the Committee. The purpose of the self-study is to determine whether the law school is in compliance with these rules and has achieved its mission and objectives. The law school must use the format prescribed by the Committee and submit the required fee.

#### Rule 4.244 Inspections

- (A) A registered law school must be inspected every five years or more frequently if the Committee determines that an inspection is required to assess compliance with these rules.
- (B) A law school subject to inspection must
  - (1) facilitate the review of records, facilities inspection, observation of classes, and interviews with students, faculty, staff, administration, and board; and
  - (2) pay all expenses of the inspection.
- (C) For the inspection that is required every five years, the Committee will appoint an inspection team composed of
  - (1) the Senior [Director, or designee](#)~~Executive~~; and
  - (2) up to two additional members, who may be other State Bar staff, members of the Committee, educational consultants, or representatives from a registered law school.
- (D) Within ten days of receiving notice of an inspection, a law school has the right to challenge the appointment of an inspector and to request an alternative appointment. Grounds for a challenge are that an appointee is biased or has a financial interest in or is employed by a competing institution. An allegation of bias must be documented by written evidence. The Senior

~~Director~~~~Executive~~ will consider the challenge and may appoint an alternative member for good cause. The Senior ~~Director's~~~~Executive's~~ decision will be issued within thirty days of receipt of the challenge.

- (E) A person or team appointed to make an inspection must provide the ~~Senior Director~~~~Committee~~ with a written report of its findings and recommendations within ~~sixty~~ninety days of completing its inspection. Within sixty days of receipt by the Senior Director of the report, a copy must be sent to the law school.~~Once it has received a report, the Committee must send the law school a copy of it~~
- (F) Within ~~fifteen~~thirty days of receiving an inspection report, the law school must notify the ~~Senior Director~~~~Committee~~ that it accepts the report or objects to it in whole or in part. An objection must be supported by relevant documentation. The report and the law school's response will be provided to the Committee for consideration during its next regularly scheduled meeting providing that the deadline for the posting such agenda matters and materials permit it.
- (G) Within sixty days of receiving an inspection report and any law school objections, the Committee will
- (1) accept the report and register or continue the registration of the law school;
  - (2) accept the report and permit the law school to proceed with its application for registration;
  - (3) grant a waiver in accordance with these rules;
  - (4) issue a warning requiring immediate action to correct specified deficiencies within a certain number of days of the date of the warning;  
or
  - (5) initiate proceedings to deny or withdraw registration for failure to comply with a warning.

#### Rule 4.245 Prior approval of major changes

A registered law school contemplating a major change must notify the Committee and obtain its prior approval before making the change. The notice must explain in detail the substance of any such action and any anticipated effect the change might have on the law school's compliance with the rules and guidelines, and be submitted with the fees specified in the Schedule of Charges and Deadlines. The Committee may then require submission of additional information or an inspection before taking action on any such request.

## Rule 4.246 Major changes defined

The following are major changes:

- (A) instituting a new full-time or part-time division;
- (B) changing the location of the law school's administrative office or ~~the location of a branch, or opening a new branch~~facility;
- (C) instituting any joint degree program, whether within the law school or any college or university affiliated with the law school or another institution;
- (D) merging or affiliating with another law school, college, or university, or the severance from a law school, college or university, or modifying the law school's relationship with an affiliated college or university;
- (E) offering a new program in law study, either a non-degree or non-professional degree program, or a degree program beyond the first professional degree in law;
- (F) providing law study credit for a fixed-facility law school program or class offered more than ten miles from the site of the law school, outside California, or in multiple locations;
- (G) changing the name of the law school;
- (H) changing corporate status or from a nonprofit to a profit-making institution or vice versa; and
- (I) changing the material ownership of the law school.

## Chapter 4. Withdrawal of registration

### Rule 4.260 Notice of Noncompliance

If the Committee believes that a registered law school is not in full compliance with these rules, the Committee will ~~issue~~provide the law school ~~with~~ a written Notice of Noncompliance that states the basis and all other reasons for its belief. At the option of the Committee, it may also choose to forward a copy of the Notice to all students currently enrolled at the law school believed to be not compliant.

#### Rule 4.261 Response to Notice of Noncompliance

Within fifteen days of receiving a Notice of Noncompliance, a law school must file a written response demonstrating that it is in compliance or is taking steps to achieve compliance. The response must be submitted with the fee set forth in the Schedule of Charges and Deadlines.

#### Rule 4.262 Committee action on law school response

- (A) If the Committee deems the response satisfactory, it will notify the law school within thirty days.
- (B) If the Committee deems the response non-responsive or otherwise unsatisfactory, it must schedule an inspection of the law school within thirty days, unless the Committee determines that an inspection is unnecessary. Upon concluding the inspection, the inspection team selected by the Senior Director must submit its report to the Senior Director~~Committee~~ within sixty ~~(60)thirty~~ days. The Senior Director~~Committee~~ will send a copy of the report to the law school.

#### Rule 4.263 Committee action with or without an~~on~~ inspection report

(A) If the Committee believes that the inspection report provides sufficient evidence~~demonstrates~~ that the law school is not currently, or is not soon likely to be in compliance with these rules, the Committee will notify the law school that it intends to either place the law school on~~recommends~~ probation for a specified period of time or proceed with the procedures to withdraw its~~withdrawal of~~ registration.

~~(A)~~(B) If the Committee has determined that in an inspection of the law school is unnecessary, and believes that it has sufficient evidence that the law school is not currently or not soon likely to be in compliance with these rules, the Committee will notify the law school that it intends to either place the law school on probation for a specified period of time or proceed with the procedures to withdraw its registration.

#### Rule 4.264 Request for hearing

The law school may request a hearing before the Committee within fifteen days of being sent a notice that the Committee is recommending probation or withdrawal of registration.

#### Rule 4.265 Hearing procedures

- (A) Within sixty days of receiving a timely request for hearing, the Committee will schedule a hearing at a time that is mutually agreeable to the Committee and the law school.
- (B) The hearing need not be conducted according to common law or statutory rules of evidence. Any relevant evidence is admissible if it is the kind of evidence on which responsible persons rely in the conduct of serious affairs. The rules of privilege in the California Evidence Code or required by the United States or California Constitutions will be followed. The law school has the burden of establishing its compliance with these rules.
- (C) All parties may be represented by counsel.

#### Rule 4.266 Committee action following hearing or when no hearing is requested.

- (A) Following a hearing, the Committee will determine whether the law school is in compliance with these rules and the guidelines. Its decision will be based on the entire record, including materials and evidence presented at the hearing.
- (B) The Committee may take any action affecting the law school's registration that it considers appropriate, including issuing an additional Notice of Noncompliance based evidence submitted at the hearing, the placement of the law school on probation for a specified period of time or the termination of its registration.
- (C) The Committee, in its discretion, may do any or all of the following with respect to its decision:
  - (1) publish it;
  - (2) send it to the students enrolled in the law school;
  - (3) send it to the California Supreme Court;
  - (4) send it to the California Attorney General.

#### Rule 4.267 Probation

- (A) If the Committee decides that a law school has not complied or taken adequate steps to comply with these rules but has made perceptible progress

toward compliance, the Committee may place the law school on probation for a specified time.

- (B) The Committee may impose probation conditions, including interim inspections and progress reports.
- (C) During the probation, students will be deemed enrolled at a registered law school and the school's degree-granting authority will continue.
- (D) At least sixty (60)~~thirty~~ days before its period of the probation is set to expires, the Committee will request from the law school evidence to determine whether sufficient progress has been made toward compliance or whether it will proceed to withdraw the law school's registration. The Committee will notify the law school of its decision.

#### Rule 4.268 Termination of registration

The Committee will terminate a law school's registration on a specific date, at which time it will also terminate its degree-granting authority. Until that date, students attending the law school are deemed enrolled at a registered law school.

#### Rule 4.269 Review by Supreme Court

A law school whose registration has been terminated by the Committee may seek review of the Committee's action before the California Supreme Court pursuant to the rules of that court.