OFFICE OF ADMISSIONS



180 Howard Street, San Francisco, CA 94105

legalspec@calbar.ca.gov 415-538-2120

LEGAL SPECIALIZATION POST-EXAMINATION APPLICATION FOR INITIAL CERTIFICATION

When is my application due?

Applicants who have successfully passed the Legal Specialist Examination must submit this application by **April 24** in the year after their results were released (i.e. if passing the 2019 exam, results were released in 2020, so the application will be due April 24, 2021), or submit a request for an extension to legalspec@calbar.ca.gov by the due date.

The most common reason for an extension is to gain the five required years of practice in the specialty. Extensions cannot be granted beyond **January 31** in the third year after receiving results (i.e. if passing the 2019 exam, results were released in 2020, so the maximum extension date is January 31, 2023).

Have I included the correct fee?

A \$300* processing fee, payable either via check or credit card to the State Bar of California, is due with the application.

What happens if I don't fill out my application correctly?

If your application is incomplete or if any information provided is insufficient, you will receive notice to correct the deficiency. If you fail to correct the deficiency within 60 days from the date of the notice, the application shall be deemed withdrawn without a refund of the fee. We may request additional or supplemental nonconfidential information in order to show compliance with recertification requirements.

INSTRUCTIONS FOR SELECTED QUESTIONS AND ATTACHMENTS

APPLICATION FORM

Personal Information

Enter your official State Bar name and address of record. This is the information that appears in State Bar Licensee Records. Use the State Bar's <u>Attorney Search</u> to verify the information is current. If the information is not current, you must update your information pursuant to Business and Professions Code section 6002.1, through <u>My State Bar Profile</u>.

Please be aware that all correspondence will be sent to you at your official address of record registered in the Applicant Portal.

Discipline

Section 3.113 of the Rules provides that the California Board of Legal Specialization may take the following into account in considering your application:

Final disciplinary actions imposed for professional misconduct by any court or body before whom you appear. Include: (1) title of disciplinary action; (2) action number; (3) nature of charge; (4) nature of sanction; (5) date sanction was imposed; and (6) date sanction was terminated. For nonattorney professional discipline (e.g., accountancy), provide information similar to above.

Felony convictions. Provide the case number, title, date of conviction, and where it was filed.

Resignation from any State Bar, court, or body before whom you appear. Provide the name of the entity, the effective resignation date, and the reason.

Judgments of professional negligence. Include only if there were three or more judgments against you during the certification term. Provide the case number, title, date judgment was rendered, and where it was filed.

Sanctions. Include only sanctions, other than discovery sanctions, of \$1,000 or more. Provide a copy of the order.

Findings of contempt. Provide a copy of the findings.

ATTACHMENTS

A. Task and Experience Requirement

Refer to the Standards for your specialty area for the specific requirements.

B. Education Requirement

Applicants are required to show proof of 45 hours of LSCLE in their specialty area, taken within the three years immediately preceding submission of this application.

C. References

When listing a reference, please include the attorney's bar number. Use the <u>Attorney Search</u> to find an attorney(s) or judge's bar number.

CHECKLIST

Have you:					
	Read the declaration?				
	Provided all information requested on the application	on and attachments?			
	Signed and dated the application?				
	Attached additional sheets if you needed more space	ce?			
	Put your name on the top of all attachments?				
	Made copies for your records?				
	Enclosed a check/payment information for the appr	ropriate recertification fee*?			
SUBM	SUBMISSION INFORMATION				
Mail to	o:	Fax to:			
Legal S	The State Bar of California 415-538-2180 Legal Specialization 180 Howard Street				

RESOURCES

San Francisco, CA 94105

- Please refer to the Standards for your specialty area as you complete the application and attachments.
- The Rules, Standards, and list of approved legal specialization education providers are available online at http://www.calbar.ca.gov/.
- The application and payment can alternatively be submitted in the Admissions Applicant Portal (Applicant Portal) at https://admissions.calbar.ca.gov. NOTE that all California licensees already have an account on the Applicant Portal, which is separate from your login credentials for My State Bar Profile. You should not create or register a new applicant portal account. Please see our Applicant Portal FAQs or let us know by emailing us at legalspec@calbar.ca.gov if you have any questions or need assistance logging in.
- Interested applicants who have not passed a legal specialist examination should visit https://www.calbar.ca.gov/Attorneys/Legal-Specialization for up-to-date examination information and to review the rules and standards applicable to your specialty area.

All unsuccessful payments will be assessed on administrative fee equal to the amount charged by the State Bar's banking institution or \$20, whichever is greater.

For credit card payments, a processing fee of 2.5 percent will be added to all charges. There is no processing fee.

^{*}You may submit payment of the \$300 processing fee via check or credit card.

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POST-EXAMINATION APPLICATION FOR INITIAL CERTIFICATION Legal Malpractice Law Certified Specialist

Filing Fee - \$300*

*You may submit payment via check or credit card.

PERSONAL INFORMATION —————	
Name:	Bar Number:
Phone:	
Address:	
City:	State: Zip:
any address changes. All corresponder Admissions Applicant Portal. We will u However, you may also change your aclogging into the <u>Admissions Applicant</u> NOTE: The Applicant Portal is separate login credentials. You should not creat	egal Specialization Unit in the Office of Admissions of nee will be sent to the current information on file in the update your email to the email provided below. ddress, email and/or telephone number on your own by Portal and updating your profile. e from your My State Bar Profile, and requires different the or register a new account. Please email Legal gov for assistance logging into your account.
Email Address:	
POST-EXAM ELIGIBILITY ——————	
I passed the Legal Specialist Examination	on administered in October (year).
IF YOU HAVE NOT PASSED THE EXAM,	STOP HERE. YOU ARE NOT ELIGIBLE TO APPLY.

San Francisco Office 180 Howard Street San Francisco, CA 94105 www.calbar.ca.gov

Jurisdiction	Bar/ID Number	Date Admitted				
List any professional licenses	or legal certification(s) you may hav	re previously obtained:				
Professional Organization	Professional License (i.e. CPA)	Date Licensed/Certified				
ACTICE REQUIREMENT						
RACTICE REQUIREMENT						
Chack the hav helaw that an	nlies to your time in practice in the s	nocialty area adding				
Check the box below that ap additional documentation if	plies to your time in practice in the s requested:	pecialty area, adding				
additional documentation if	requested:					
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	Dates of Employment	Employer	Address	Nature (sumn	narize	natu	ire of
				wor	k perf	orme	ea)
DIS	SCIPLINE						
	Since your admission to	o the State Bar of Califor	nia:				
	California or similar atto	nal discipline in California	ity or any other authority		Yes		No
	Do you have any discipl	ine charges pending as d	escribed above?		Yes		No
	Have you had any felon	y convictions?			Yes		No
	Did you resign from any	bar, court or body befor	re whom you appear?		Yes		No
		or more judgments of proase attach the relevant d			Yes		No
	•	ner than discovery sanction By before whom you appo	ons, been entered agains ear?	t 🗆	Yes		No
	Have any findings of cobody before whom you	ntempt been made again appear?	st you by any court or		Yes		No

IF YOU ANSWER YES TO ANY OF THE ABOVE, YOU MUST PROVIDE FULL DETAILS ON A SEPARATE SHEET. A record of discipline or failure to disclose any of the information requested above may constitute grounds for denial of your application.

DECLARATION

I hereby authorize all educational institutions, governmental agencies and instrumentalities (including bar associations and bar examiners of other jurisdictions), employers and business and professional associates (past and present), to release to the State Bar of California Board of Legal Specialization ("CBLS") and/or its agents or advisors any non-privileged information, files or records requested by them for the purpose of processing this application. The foregoing release does not apply to matters communicated by me in confidence to any lawyer, spouse, physician, psychotherapist or clergyperson for which I have privilege of nondisclosure under the provisions of Chapter 4, Division 8 of the California Evidence Code.

I further authorize the CBLS to conduct independent inquiry and review, including contacting the references I provide and other references within the discretion of the CBLS and agree that neither I nor my agents will seek to review the materials collected during the evaluation of my application.

I agree to pay all fees required by the CBLS, as described in the Rules of the State Bar, Appendix A: Schedule of Charges and Deadlines.

I agree to abide by all rules and regulations of the CBLS as amended from time to time and to furnish to the CBLS such information as it may require, to evaluate my application.

I am the applicant herein for certification as a specialist under the State Bar of California Program for Certifying Legal Specialists.

I fully understand that failure to make a truthful disclosure of any fact, item or information required may result in the denial of my application, revocation of my certificate of specialization, or disciplinary action by the State Bar of California.

I have carefully read and answered each question completely and truthfully in the foregoing application and any attachments hereto, and certify that the information therein is true and correct to the best of my knowledge.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration is executed on:

Date:	
Print Name:	
Signature:	

LEGAL MALPRACTICE LAW CERTIFICATION Attachment A – Task and Experience Requirement

Ap	pplicant Name:	Bar Number:			
	he State Bar of California Board of Legal Specialization may require additional evidence of completion of he tasks and experience as indicated in this Attachment A.				
1. PRACTICE DESCRIPTION - YOU MUST INCLUDE A PRACTICE DESCR		PRACTICE DESCRIPTION ON A SEPARATE SHEET			
	☐ Provide a description of your legal malpractice routinely perform that you have relied on in so Certified Specialist.	e law practice, noting the nature of the tasks you eeking qualification as a Legal Malpractice Law			

2. PRACTICE EXPERIENCE

Within the five years immediately preceding submission of this application, please demonstrate that you have been substantially involved in the practice of legal malpractice law as demonstrated by performance of the tasks listed below. **COMPLETE ALL BOXES THAT APPLY**

You must submit a total of at least 275 points. Points may be accumulated from any of the tasks, subject to the maximums specified per task.

EACH TASK MAY BE COUNTED IN ONLY ONE CATEGORY

NOTE: With respect to each task, the applicant must have performed the task personally, or had direct and primary responsibility for its performance under his or her close and ongoing supervision. For purposes of this showing, points may be accumulated from any of the tasks subject to the maximums specified per task. Each task may be counted only once, but cases may be used for more than one task. You need place in the "Number of Matters" box only the number of matters to support the points you claim; e.g., for a matter counting 10 points; "at least 6" for 60 points claimed.

SECTION	DESCRIPTION	NUMBER OF MATTERS	NUMBER OF POINTS CLAIMED
2.1	Acting as the principal counsel in devising, implementing or evaluating the advisability or the strategy of litigation and related issues, such as the existence of an attorney-client relationship and the unauthorized practice of law, in connection with pending or threatened litigation where matters of malpractice law are the main contested issue: 10 points per separate litigation case. Maximum number of points in this category: 60 points		
2.2	Representing a claimant or attorney in litigation as its principal counsel where matters of malpractice law are the main contested issue: 10 points per separate litigation case. Maximum number of points in this category: 60 points		

SECTION	DESCRIPTION	NUMBER OF MATTERS	NUMBER OF POINTS CLAIMED
2.3	Acting as principal counsel in the trial, jury or non-jury, or binding arbitration of an action for legal malpractice or action on attorney's fees tried to conclusion to a jury, judge, or arbitrator: 30 points per separate jury trial and 20 points per separate court trial or binding arbitration. Maximum number of points in this category: 120. Up to 80 points may be accumulated for trials or arbitrations that do not involve legal malpractice and/or are prior to the five-year period.		
2.4	Preparing or opposing a demurrer, a motion for summary judgment, or other dispositive motion in litigation where matters of legal malpractice law are the main contested issue: 10 points per separate litigation case. Maximum number of points in this category: 60 points		
2.5	Preparing briefs in litigation matters before a court or arbitral forum: 10 points per litigation matter. Maximum number of points in this category: 40 points		
2.6	Representing a party in a formal mediation before a neutral party as its principal counsel where matters of legal malpractice are the main contested issue: 10 points per separate formal mediation. Maximum number of points in this category: 60 points		
2.7	Acting as an expert witness or legal consultant in litigation where matters of legal malpractice are among the main contested issues: 10 points per separate litigation case. Maximum number of points in this category: 40 points		
2.8	Acting as an arbitrator or mediator in any litigation or formal mediation where matters of malpractice law are among the main contested issues: 10 points per separate litigation or mediation case. Maximum number of points in this category: 40 points		
2.9	Representing a claimant or attorney in a legal malpractice matter in bringing or defending an anti-SLAAP motion: 10 points per matter. Maximum number of points in this category: 40 points		
2.10	Representing a claimant or attorney in a legal malpractice matter where there is an underlying coverage issue or reservation of rights letter: 5 points per separate litigation case. Maximum number of points in this category: 20 points		
2.11	Providing substantive written legal advice or analysis regarding conflicts of interest issues: 10 points per separate matter or transaction. Maximum number of points in this category: 40 points		

SECTION	DESCRIPTION	NUMBER OF MATTERS	NUMBER OF POINTS CLAIMED
2.12	Providing substantive written legal advice or analysis regarding issues related to fees for legal services rendered by an attorney, including collectability, unconscionability under the Rules of Professional Conduct, reasonableness under Business & Professions Code §§6147-6148, and issues of quantum meruit: 10 points per separate matter. Maximum number of points in this category: 40 points		
2.13	Providing substantive written legal advice or analysis regarding a statute of limitations issue for legal malpractice: 5 points per matter or transaction. Maximum number of points in this category: 20 points		
2.14	Participation in a Bench Bar panel in which there is a fee dispute over the attorney's legal services: 10 points per separate matter. Maximum number of points in this category: 40 points		
2.15	Providing substantive written legal advice or analysis regarding an attorney's errors and omissions insurance policy, including insurance coverage policy limits, reservations of rights, and/or coverage exclusion issues: 5 points per separate matter. Maximum number of points in this category: 20 points		
2.16	Providing substantive written legal advice or analysis regarding other material issues concerning legal malpractice law not otherwise covered above: 5 points per separate matter or transaction. Maximum number of points in this category: 20 points		
	TOTAL (minimum 275 points)		

Other Experience

If you are unable to meet any part of the requirement above, you must submit other experience demonstrating substantial compliance with the requirements. Please describe the nature of your practice. Include detailed information regarding your experience as it relates to the foregoing requirements.

I am submitting alternative or additional forms of legal malpractice practice for consideration in
fulfilling the requirements of substantial involvement. ATTACH SEPARATE SHEET

LEGAL SPECIALIST CONTINUING LEGAL EDUCATION REQUIREMENT FOR CERTIFICATION Attachment B – Total Educational Reporting

Applicant Name: ______ Bar Number: _____

In order to satisfy the education requirement for initial certification, you must have completed at least 45
hours of education in the substantive area as described below within the three years immediately
preceding submission of this application. One-half, or 22.5 hours, may be satisfied with alternative
educational activities, sometimes also called non-participatory activities, in which your participation is not

ON ATTACHMENT B-1*, list the educational activities pre-approved for Legal Specialist Continuing Legal Education (LSCLE) credit in the specialty area that you have attended or taught. **Refer to Attachment B-1 for the type of documentation required.**

ON ATTACHMENT B-2*, list the educational activities you have attended or taught that were **not** specifically approved for LSCLE credit, but were approved for MCLE credit and concern the direct legal subject matter in the specialty area. **Refer to Attachment B-2 for a further explanation and the type of documentation required.**

ON ATTACHMENT B-3, list any alternative educational activities that you have completed to satisfy the education requirement. Keep in mind that, with the exception of approved tapes, hours claimed for alternative educational activities are subject to approval and/or adjustment by the CBLS.

REMEMBER: Courses taken to fulfill the MCLE special topic requirements (legal ethics, substance abuse/competency, elimination of bias) CANNOT be used to satisfy the education requirement for certification unless they specifically discuss the substantive law of the specialty area.

Summarize your hours in the grid provided below.

verified by an independent party such as the educational provider.

SUMMARY OF EDUCATION ACTIVITIES (INCLUDING ALTERNATIVES)

HOURS ATTENDED OR TAUGHT** (total from B-1 + B-2)	HOURS OF ALTERNATIVE EDUCATION (total from B-3)	TOTAL (minimum of 45 hours)

*YOU MUST SUBMIT A CERTIFICATE OF ATTENDANCE FOR EACH COURSE BEING CLAIMED ON ATTACHMENTS B-1 & B-2. Applications received without certificates, or missing certificates, will be considered incomplete. Please note that the provider is required to give you a certificate of attendance. If you did not receive a certificate, contact the provider directly.

^{**}You may claim four hours for each hour that you taught a new or substantially updated course.

LEGAL SPECIALIST CONTINUING LEGAL EDUCATION REQUIREMENT FOR CERTIFICATION Attachment B-1 – Education Approved for LSCLE Credit

Applicant Name: ______ Bar Number: _____

On this attachment, list the educational activities you have attended or taught that were specifically pre-approved for legal specialist credit. Providers of approved LSCLE activities are subject to the same requirements as MCLE providers, so you should have been provided with a certificate of attendance indicating that the activity was approved for LSCLE credit and stating the number of hours of credit you received.					
COPY THIS ATTACHMEN	IT OR PROVIDE A SIMILAR TA	BLE IF ADDITI	ONAL LINES A	RE NEEDED B	ELOW.
	UIRED FOR EACH ACTIVITY: Cattendance. If you did not rec			•	•
NAME OF PROGRAM SPONSOR OR APPROVED PROVIDER	NAME OF PROGRAM	HOURS ATTENDED	HOURS TAUGHT 1 st TIME*	HOURS TAUGHT REPEAT*	DATE COMPLETED

^{*}Calculate credit for teaching as follows: Under Hours Taught First Time, record the actual number of hours of speaking time multiplied by four. On that same line, if there was also a portion of the class in which another speaker was teaching, claim actual hours for that time. If it was a repeat presentation that you have taught before with the same content, you may claim only actual speaking time. In that case, record your hours under Hours Attended.

LEGAL SPECIALIST CONTINUING LEGAL EDUCATION REQUIREMENT FOR CERTIFICATION Attachment B-2 – Education Approved for MCLE Credit Only

Applicant Name: ______ Bar Number: _____

and specifically teaching	the educational activities you g the law of your specialty are cretion as to whether to appro	eas, but NOT	specifically pr	-	
COPY THIS ATTACHMEN	IT OR PROVIDE A SIMILAR TA	BLE IF ADDITI	ONAL LINES A	RE NEEDED B	ELOW.
for the CBLS to determir	UIRED FOR EACH ACTIVITY: Come whether credit should be go promotional materials, a brief	ranted if the t	itle and progra	am sponsor do	not make
NAME OF PROGRAM SPONSOR OR APPROVED PROVIDER	NAME OF PROGRAM	HOURS ATTENDED	HOURS TAUGHT 1 st TIME*	HOURS TAUGHT REPEAT*	DATE COMPLETED

^{*}Calculate credit for teaching as follows: Under Hours Taught First Time, record the actual number of hours of speaking time multiplied by four. On that same line, if there was also a portion of the class in which another speaker was teaching, claim actual hours for that time. If it was a repeat presentation that you have taught before with the same content, you may claim only actual speaking time. In that case, record your hours under Hours Attended.

LEGAL SPECIALIST CONTINUING LEGAL EDUCATION REQUIREMENT FOR CERTIFICATION Attachment B-3 – Alternative Education

Applicant Name:	Bar Number:
On this attachment, list the alternative methods you used to satisfy	the LSCLE requirement. Your

participation in these activities is self-verified, so the provider does not provide a certificate of attendance.

Remember that no more than one-half (1/2) of your requirement can be satisfied in this manner, except for course under options 4 and 5.

Note that webinars and tapes can sometimes be participatory activities that should be reported on B-1 or B-2 if they involve some sort of independent verification of attendance, such as a test during or after the class; in this case, the provider will provide a certificate of attendance.

If you are submitting activities that require CBLS approval, please provide sufficient information to allow evaluation of the self-study. Reading of treatises on your own is generally not approved.

The CBLS may require additional information regarding alternative education activities.

	ALTERNATIVE EDUCATION	# HOURS REQUESTED
1.	Self-verified listening to and/or viewing of a complete audio or audio/visual reproduction of a program approved for legal specialist credit or MCLE credit if the subject is your substantive area of law. Such tapes must involve current law.	
	LIST THE ACTIVITIES AND HOURS REQUESTED FOR EACH ON A SEPARATE SHEET.	
2.	Self-verified participation in MCLE-approved audiovisual activities, including interactive video instruction or webinars, if the subject is your substantive area of law.	
	LIST THEACTIVITIES AND HOURS REQUESTED FOR EACH ON A SEPARATE SHEET.	
3.	Authoring or co-authoring published articles, chapters or books in the substantive area of law. PLEASE SUBMIT A COPY OF THE MATERIALS FOR WHICH YOU ARE CLAIMING CREDIT. Credit generally will not be awarded for reading or editing.	
	The hours of credit to be allowed shall be determined by the CBLS after consideration of the amount and quality of the submitted materials. Estimate the time you spend preparing the materials, up to a maximum of half of your total educational requirement as noted above.	

(CONTINUED ON NEXT PAGE)

	ALTERNATIVE EDUCATION	# HOURS REQUESTED
4.	Completion of an advanced postgraduate course at an accredited law school that includes education in your specialty, such as an LL.M.	
	The hours of credit to be allowed shall be determined by the CBLS based upon the amount and quality of professional education involved. Note that this option can be used to fully satisfy your educational requirement and it is not subject to the cap noted above.	
	NAME OF LAW SCHOOL:	
	COURSE COMPLETED:	
	DATE COMPLETED:	
5.	Teaching a course in the specialty area at an accredited law school.	
	The hours of credit to be allowed shall be determined by the CBLS based upon the amount and quality of professional education involved. If teaching a course as an adjunct or guest lecturer, claim four hours per speaking hour. If serving as the course professor, claim twelve hours per credit hour. Note that this option can be used to fully satisfy your educational requirement and it is not subject to the cap noted above.	
	NAME OF INSTITUTION:	
	DATE COMPLETED:	

REFERENCE REQUIREMENT FOR CERTIFICATION Attachment C – Independent Inquiry and Review

Applicant Name:	Bar Number:			
Please submit the names of a minimum of three attorneys or judges who have had an opportunity to observe your work and who can attest to your proficiency in the practice of the specialty area under the laws applicable to the specialty in California.				
To expedite your application, please include the following among your references if possible: opposing counsel, attorneys from other firms, and judges, commissioners, or magistrates before whom you have appeared. References may include attorneys who are clients, partners, associates, employers, or employees. Note, however, that references will be asked to disclose any such relationship.				
References will be contacted by the State Bar of California via electronic questionnaire. The information gathered shall be the property of the State Bar of California and shall not be revealed to you.				
Include each reference's California bar number to ensure that reference forms are sent promptly and to the right individual. Bar numbers can be found online at www.calbar.ca.gov under Attorney Search. If the reference does not have a California Bar number, is a judge, or licensed in another state, please provide a full address.				
NAME AND BAR NUMBER	ADDRESS			
1.				
2.				
3.				
4.				
5.				
6.				
7.				

LEGAL SPECIALIZATION APPLICATION Payment Authorization Form

State Bar Number:			
Applicant's Full Name:			
Mailing Address:			
Telephone: Email:			
DESCRIPTION	FEE		
☐ Legal Specialization Post-Examination Application for Initial Certification	on Fee \$300		
☐ Legal Specialization Application for Recertification Fee	\$350		
то	OTAL*		
For credit card payments, a processing fee of 2.5 percent will be added to all charges. There is no processing fee associated with payments by check.			
All unsuccessful payments will be assessed on administrative fee equal to the charged by the State Bar's banking institution or \$20, whichever is greater.			
This form may not be used to pay dues or other licensee fees; it may only be associated to the Legal Specialization program. Please print legibly.	pe used to pay fees		
□ Personal/Cashier's Check or Money Order (Make checks payable to The State Bar of California)			
☐ Credit Card			
Credit Card Number:			
Credit Card Security Code: Expiration Date (Month/Year):			
Credit Card Type: ☐ American Express ☐ Discover ☐ Mas	sterCard Visa		
Name on Card:			
Signature of Card Holder: Da	te:		
By my signature on this document, I/we authorize the State Bar of Calif my/our credit card account for the amount listed in the 'Total' box abou	_		