

ATTACHMENT B

**Proposed Amendments to
California Business and Professions Code
Article 3 Committees of the State Bar and
Article 4 Admission to the Practice of Law**

**Section 6046.7 Adoption of Rules for the Regulation and Oversight of
~~Unaccredited~~ Law Schools ~~Regulated by the Examining Committee~~ – Collection
of Fees to Fund Regulatory Responsibilities**

(a) ~~(1)~~ Notwithstanding any other provision of law, the ~~Committee of Bar Examiners~~ ~~examining committee~~ 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 ~~accredited by the examining 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, ~~with the goal of ensuring consumer protection and a 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,~~ ~~t~~The ~~examining~~ committee shallwill assess and collect a fee from ~~unaccredited~~ ~~accredited~~ 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 ~~governor~~ ~~trustees~~ from using other funds or fees collected by the State Bar or by the committee 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 legal education at an affordable cost.~~

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Section 6060 Qualifications, Examination and Fee

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(e) Have done any of the following:

(1) Have conferred upon him or her a juris doctor (J.D.) degree ~~or a bachelor of laws (LL.B.) degree~~ by a law school accredited by the ~~examination~~ ~~examining~~ committee or approved by the American Bar Association.

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

(A) In ~~any law school regulated by the examining committee.~~ ~~a law school that is authorized or approved to confer professional degrees and requires classroom attendance of its students for a minimum of 270 hours a year.~~

~~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.~~

(B)* * *

(C)* * *

(D) ~~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.~~ Received his or her first degree in law from a law school outside the United States that is equivalent to a J.D. 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.

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

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

(2) This requirement does not apply to a student who has satisfactorily completed his or her first year of law study at a law school accredited by the examining committee and who has completed at least two years of college work prior to matriculating in the accredited law school, nor shall this requirement apply to an applicant who has passed the bar examination of a sister state or of a country in which the common law of England constitutes the basis of jurisprudence. The law students' examination shall be administered twice a year at reasonable intervals.

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Section 6060.7 Approval, Regulation and Oversight of Degree-Granting Law Schools by Examining Committee

~~(a) 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.~~

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

The examining committee ~~will~~ shall be responsible for the approval, regulation, and oversight of degree-granting law schools that award the Juris Doctor (J.D.) professional degree in law in California that are not approved by the American Bar Association. ~~(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, an accredited law school may not award a J.D. degree unless a student has completed the necessary legal education set forth in Section 6060 of this Article 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.~~