

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM: October 2013 – O-403

DATE: October 9, 2013

TO: Subcommittee on Educational Standards

FROM: Greg Shin - Director, Operations and Management

SUBJECT: **Eligibility Determinations and Using External Credentialing Services**

BACKGROUND

Foreign-educated applicants attending law schools in the United States for the purpose of obtaining JD and LL.M programs (both non-ABA and ABA) are required to submit transcripts confirming receipt of an undergraduate degree or the completion of specific courses to determine fulfillment of eligibility requirements, if they intend to seek admission to practice law in California.

The Committee's guidelines state:

1.1 A general applicant who has a first degree in law from a law school located in a foreign state or country must:

(A) Obtain from a credential evaluation service approved by the Committee a certificate that the applicant's first degree in law is substantially equivalent to a Juris Doctor degree awarded by a law school approved by the American Bar Association or accredited by the Committee; or

(B) Obtain from a credential evaluation service approved by the Committee a certificate that the applicant's first degree in law meets the educational requirements for admission to practice law in the foreign state or country in which it was obtained.

In cooperation with the American Association of Collegiate Registrars and Admissions Offices (AACRAO), the Law School Admission Council (LSAC) also offers a credentialing/evaluation service in which it collects, authenticates, and processes all transcripts, TOEFL scores, and other required documents for applicants to participating schools. Several foreign-educated applicants have questioned whether this service could be used in lieu of what is currently required, as much of what is required is duplicative and, often, in foreign countries it is more difficult to obtain certified transcripts than it is in the United States. In addition, they have paid for the LSAC service, which

more-or-less is the same evaluation as required by the Committee's guidelines, and would like not to have to pay another credential evaluation company to do what they believe has already been done.

DISCUSSION

Many foreign-educated students currently use LSAC's credentialing service in the process of applying for the programs offered at ABA law school. So, for many students the qualification process has already taken place before they even began their ABA programs. Staff has communicated with the LSAC about its service to determine if it provides the necessary information for Admissions Staff to make eligibility determinations.

After review of several versions of the LSAC reports by Admissions Staff, it has been determined that the reports do indeed provide the necessary information that is required for appropriate evaluation.

RECOMMENDATION

It is recommended that the Committee's guidelines be revised to include use of the LSAC's Credential Assembly Service International Credential Evaluation for LLM applicants as an alternative in determining eligibility requirements of foreign-educated applicants to qualify to take the California Bar Examination.

PROPOSED MOTION

Should the Subcommittee agree with the above recommendation, the following motion is suggested:

Move, that Section 1.1. of the Committee's "Guidelines For Implementation Of Chapter 2, Rule 4.30 Of The *Admissions Rules*" be amended as follows:

(General Applicants with First Degrees in Law from Foreign Law Schools)

1.1 A general applicant who has a first degree in law from a law school located in a foreign state or country must:

(A) Obtain from a credential evaluation service approved by the Committee a certificate that the applicant's first degree in law is substantially equivalent to a Juris Doctor degree awarded by a law school approved by the American Bar Association or accredited by the Committee; or

(B) Obtain from a credential evaluation service approved by the Committee a completed foreign law study evaluation

summary form and an evaluation report showing that the applicant's first degree in law meets the educational requirements for admission to practice law in the foreign state or country in which it was obtained; or

(C) Obtain from the Law School Admission Council's Credential Assembly Service International Credential Evaluation for LLM applicants affirmation that the applicant's first degree in law is substantially equivalent to a Juris Doctor degree awarded by a law school approved by the American Bar Association or accredited by the Committee or that the applicant's first degree in law meets the educational requirements for admission to practice law in the foreign state or country in which it was obtained.