

COMMITTEE OF BAR EXAMINERS OPEN SESSION AGENDA ITEM

AGENDA ITEM NUMBER: January 2016 – O-404

DATE: January 14, 2016

TO: Subcommittee on Educational Standards

FROM: George Leal, Director, Educational Standards

SUBJECT: **San Joaquin College of Law – Petition for Waiver of Non-Classroom Unit Limitations**

BACKGROUND

Attachment A is a Petition, submitted by San Joaquin College of Law (SJCOL) with its 2015 Annual Compliance Report, seeking the renewal of a waiver previously granted by the Committee of Bar Examiners' (Committee) regarding a restriction found in Guideline 6.6(D) (Externship, Clinical, Law Review and Similar Programs) of the *Guidelines for Accredited Law School Rules* (Guidelines). SJCOL wishes to continue allowing its students to earn up to 14 units of non-classroom units (above the current limit of eight) among the 86 units they need to earn a Juris Doctor degree. The Committee initially granted SJCOL such a waiver in 2012, which allowed it to offer its students additional practical experience working at either its own clinical program or in an approved legal externship.

Rule 4.109(B) of the *Accredited Law School Rules* states that: “[A] waiver is temporary. A request to renew a waiver must be filed with the Annual Compliance Report.” SJCOL is a California-accredited law school (CALs) located in Clovis and was last inspected in 2010 and was found to operating compliantly; it is also accredited by the Western Association of Schools and Colleges.

DISCUSSION

Guideline 6.6(D) places a 10% limit in the total number of units of credit a CALs may offer its students for work performed in an activity not offered in either “regularly scheduled classes” or “taught by a faculty member.” Such activities include supervised legal work at an approved externship or clinical experience with a public or private law office, court or a student’s involvement with a law review. Given SJCOL’s 86 unit graduation requirement, its students would normally be restricted in earning a maximum of eight units of credit while working at an approved externship, legal clinic or in moot court competitions and law review.

Since the Committee's initial waiver, SJCOL students have been offered the opportunity to earn up to 14 units of non-classroom study. They may do so through earning up to eight units working in SJCOL's on-campus federally-funded immigration clinic or an additional six units in an approved off-site externship. As noted in its current waiver request, SJCOL is developing a mock trial program with the intent of producing a mock trial team to compete in regional and national competitions.

Participating in these types of activities provides SJCOL students both valuable and relevant practical legal experience.

RECOMMENDATION:

It is recommended that the law school's request to renew its waiver of the unit restriction found in Guideline 6.6(D), relating to non-classroom academic credit, be granted.

PROPOSED MOTION:

Should the Subcommittee accept this recommendation, the following motion is suggested:

Move, that the petition submitted by San Joaquin College of Law (SJCOL) for a waiver of the unit restriction found in Guideline 6.6(D) (Externship, Clinical, Law Review and Similar Programs) of the *Guidelines for Accredited Law School Rules*, which would permit the school to offer credit for a maximum of 14 units of practical legal experience through externships and participation in the law school's law clinic, be received and filed; and that the request be granted.