#### **DIVISION OF REGULATION**

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## INFORMATIONAL LETTER FOR LEGAL SPECIALIST CONTINUING LEGAL EDUCATION (LSCLE) REPORTING

Under rules adopted effective January 1, 2014, all certified specialists will now report their LSCLE compliance at the same time that they report their general MCLE compliance. **Specialists** are required to complete at least 36 hours of LSCLE-approved education or an equivalent each compliance reporting period.

While MCLE compliance is reported online through the licensee's My State Bar Profile, LSCLE compliance is reported online in the Admissions Applicant Portal. Alternatively, LSCLE can be reported through a physical compliance card, and copies of the form are available on the State Bar's Forms page.

## THE FOLLOWING INFORMATION SUMMARIZES EQUIVALENTS THAT MAY ASSIST YOU IN FULFILLING YOUR LSCLE REQUIREMENT

#### Include MCLE-approved education in your specialty area.

MCLE-approved education may be counted toward your LSCLE requirement if the subject of the course is specifically related to your specialty area of law. Note that the California Board of Legal Specialization (CBLS) retains the final discretion to determine whether a course qualifies as an equivalent. As in the past, please be sure to keep documentation for at least a year after the compliance reporting deadline if asked to provide further information by the CBLS.

#### Claim up to 18 hours of credit for using self-study alternatives.

As in previous years, time spent on scholarly writing in the specialty area can be used to satisfy up to 18 hours (i.e. half) of your total requirement. In addition, for first-time presentations at an approved and qualified MCLE and/or LSCLE activity, you may claim four hours of credit for every hour of actual presentation time.

### Note that LSCLE subfield requirements for applicable specialties are permanently waived.

By CBLS action, the LSCLE subfield requirements for certified specialists in Appellate Law, Estate Planning, Trust & Probate Law, Family Law, and Immigration & Nationality Law are waived. All certified specialists are still encouraged to take a range of educational courses to maintain a broad base of expertise in the specialty. For reference, LSCLE subfields are listed on the Legal Specialist Education Provider form for each specialization area found on the Forms page.

For example, certified specialists in Estate Planning, Trust & Probate Law previously had to complete courses in at least three of the following LSCLE subfields: (A) Incompetency Planning and Administrative Procedure, (B) Estate Planning, (C) Estate and Gift Tax Return Preparation and Audit, (D) Administration of Decedent's Estates, and (E) Contested Litigation Regarding the Above Areas. Now those specialists may complete the 36-hour LSCLE requirement in any combination of the Estate Planning, Trust & Probate Law LSCLE, without a minimum requirement for any LSCLE subfield (i.e. completing all 36 hours in only (A) Incompetency Planning and Administrative Procedure).

Note that the LSCLE subfields are different from the MCLE subfields required for your general MCLE reporting when you report your MCLE compliance on your My State Bar Profile, you will still need to comply with those MCLE subfield requirements for Legal Ethics, Competence Issues, and Recognition and Elimination of Bias, including focus on Implicit Bias.

# Certified specialists who were initially certified in the middle of their reporting period have a reduced and proportional requirement.

For first-time certified specialists who were certified in the middle of their reporting period, the educational requirement is prorated. For example, a certified specialist who was certified for the first-time for half of the 36-month compliance period would need to report half of the 36-hour educational requirement, or 18 hours, of LSCLE. Conveniently, since there are 36 months in a compliance period, and the educational reporting requirement for the period is 36 hours, the prorated total will be equal to one hour for each month that you have been a certified specialist.

If you have been a certified specialist for an entire reporting period, do not prorate your education, regardless of your recertification date.

#### FREQUENTLY ASKED QUESTIONS FOR SPECIAL SITUATIONS

#### Does the State Bar offer LSCLE? or How can I find LSCLE activities or providers?

You can search for LSCLE Providers by using the <u>MCLE Providers Search</u> on the State Bar website. There you can look for providers by their name, provider type, approved LSCLE area (if any), and city. After making your selections, you'll see your provider matches listed in alphabetical order by **Provider Name**. A bullet-point ("•") in the column labeled **Law Firm** indicates that the provider is a law firm, and a bullet-point under **Web Site** indicates if the provider has a website. The final column, **Specialty Certification**, will indicate if the provider is approved to offer LSCLE credit, if any.

#### How do I know if a course is pre-approved for LSCLE credit?

The certificate(s) of attendance will specifically note if a course was pre-approved for LSCLE credit in a specific specialty area.

#### Dual specialists will need to submit two compliance forms.

Certified specialists who hold more than one certificate of specialization must submit one compliance form per specialty area by the same reporting deadline.

### Do I have to complete 25 hours of MCLE plus 36 hours of LSCLE every reporting period?

For reference regarding the CLE reporting requirement(s) for specialists:

**General MCLE:** 25 hours of MCLE taken within a given three-year reporting period (i.e. 2/1/22–3/29/25); reported through their My State Bar Profile. Total hours must include at least 15 hours of general MCLE and ten hours of MCLE subfield credits:

- at least four hours of legal ethics;
- at least two hours dealing with the recognition and elimination of bias, one hour of which must focus on implicit bias and the promotion of bias-reducing strategies;
- at least two hours of education addressing competence, one hour of which must focus on prevention and detection;
- o at least one hour of education addressing technology in the practice of law; and
- o at least one hour of education addressing civility in the legal profession.

**LSCLE:** 36 hours of LSCLE taken in their respective specialty area, within the same reporting period as above and reported through the Admissions Applicant Portal

• these may count towards the 15 hours of the general MCLE requirement as noted above, but not count toward the MCLE subfields.

Specialists, at a minimum, must complete 46 hours of CLE:36 hours of LSCLE courses in their specialty area, plus the ten hours of MCLE subfield courses.

The Admissions Applicant Portal does not recognize I am licensed, and says I cannot launch the application.

You may have created and logged in under an incorrect account. **Note that all California specialists and licensees will automatically have an applicant portal account.** Please do not create or register a new account, and contact us if you have trouble logging in.

As a reminder, the Admissions Applicant Portal and your My State Bar Profile are entirely separate systems and require separate login credentials.

#### **RESOURCES**

- <u>Legal Specialization</u> page of the State Bar website
- Legal Specialization Rules
- MCLE Requirements for Certified Specialists
- Physical (PDF) LSCLE Compliance Card
- Applicant Portal FAQs

#### FOR ADDITIONAL QUESTIONS, PLEASE CONTACT THE LEGAL SPECIALIZATION UNIT BY

- Email: <a href="mailto:legalspec@calbar.ca.gov">legalspec@calbar.ca.gov</a>
- Mail: State Bar of California, Legal Specialization, 180 Howard Street, San Francisco, CA 94105
- Fax: 415-538-2180