

APPLICATION FOR RECERTIFICATION

When is my application due?

The application is due on or before the end of your current certification term. Applications may be submitted in advance but no earlier than six months prior to the end of your term.

Where do I mail my application?

Department of Legal Specialization
State Bar of California
180 Howard Street
San Francisco, CA 94105-1617

Have I included the correct fee?

A \$350 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 insufficient on its face, 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 If you fail to correct the deficiency within 60 days from the date of the notice, the application shall be deemed withdrawn without a refund of the fee.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 non-confidential information in order to show compliance with recertification requirements.

INSTRUCTIONS FOR SELECTED QUESTIONS AND ATTACHMENTS

Application Form

Box 1. Enter your official State Bar name and address of record. This is the information that appears in State Bar Membership Records. To verify that the information is current, go to www.calbar.ca.gov, *Attorney Search*. If the information is not current, you must update your information pursuant to section 6002.1 of the B&P Code, through *My State Bar Profile*.

Please be aware that all correspondence will be sent to you at your official address of record registered with the State Bar Office of Membership Records.

Box 9. Section 3.113 of the Rules provides that the Advisory Commission 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 non-attorney professional discipline (e.g., accountancy), provide information similar to the above.

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

Resignation from any 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

Note that your educational compliance is reported along with your MCLE Compliance Group, rather than as a part of this packet. For your convenience and benefit, this packet contains Attachment B in which you confirm that you are aware that you will report your compliance along with your reporting group, and that you know the compliance group to which you are assigned. Note that you must report in the MCLE Compliance Group to which you were assigned at the time of admission to the State Bar of California.

As you are completing your education, please refer to www.californiaspecialist.org for information about qualifying courses and be sure to keep your certificates of attendance for at least one year from your compliance group reporting deadline.

C. References

When listing a reference, please include the attorney's bar number. To find an attorney's or judge's bar number, go to www.calbar.ca.gov, Attorney Search.

CHECKLIST

Have you:

- Read the affirmation?
- Provided all information requested on the application and attachments?
- Signed and dated the application?
- Attached additional sheets if you needed more space?
- Put your name on the top of all attachments?
- Made copies for your records?
- Enclosed a check/credit card information for the appropriate recertification fee?

RESOURCES

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 www.californiaspecialist.org.



CALIFORNIA BOARD OF LEGAL SPECIALIZATION
OF THE STATE BAR OF CALIFORNIA
OFFICE OF ADMISSIONS

180 HOWARD STREET, SAN FRANCISCO, CA 94105-1617
 PHONE: (415) 538-2120 FAX: (415) 538-2180
 EMAIL: legalspec@calbar.ca.gov



APPLICATION FOR RECERTIFICATION
Legal Malpractice Law Certified Specialist

PLEASE PRINT OR TYPE.

<p>1. Name (exactly as it appears on your State Bar Profile):</p> <p>_____</p>
<p>2. Address (as it appears on your State Bar Profile)</p> <p>Street: _____</p> <p>City: _____ State: ____ Zip: _____</p>
<p>3. Bar Number:</p> <p>_____</p>
<p>4. Daytime Phone Number:</p> <p>_____</p>
<p>5. E-mail Address:</p> <p>_____</p>
<p>6. I hereby apply for recertification as a legal malpractice law specialist under the State Bar of California Program for Certifying Legal Specialists.</p> <p>Date Certified: _____ Date Most Recently Certified: _____</p>
<p>7. I have been engaged in the practice of legal malpractice law for at least 25% of the time spent in my occupational endeavors during the previous five (5) years.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If NO, please explain on a separate sheet and attach to this application.</p>
<p>8. At the time of application for recertification, I am an active member of the State Bar of California.</p> <p>Yes No</p> <p>If NO, STOP HERE. You are not eligible to apply.</p>

9. The following is a complete statement of my employment since my most recent application: LIST MOST RECENT EMPLOYMENT FIRST. ATTACH SEPARATE SHEET IF NECESSARY.

CHECK HERE IF ADDITIONAL SHEETS ARE ATTACHED

Dates of Employment	Employer	Employer's Address	Nature of Employment (summarize nature of work performed)

10. During the current certification term:

- a. Have you been disbarred, suspended or disciplined by the State Bar of California or similar attorney disciplinary authority or any other authority that imposes professional discipline in California, or in another state or jurisdiction, including a foreign jurisdiction? Yes No
- b. Have you had any felony convictions? Yes No
- c. Did you resign from any bar, court or body before whom you appear? Yes No
- d. Have there been three or more judgments of professional negligence against you? *(If yes, please attach the relevant documents.)* Yes No
- e. Have any sanctions, other than discovery sanctions, been entered against you by any court or body before whom you appear? Yes No
- f. Have any findings of contempt been made against you by any court or body before whom you appear? 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 nonprivileged information, files or records requested 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 clergy person 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.

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: _____

**TASK AND EXPERIENCE REQUIREMENT
ATTACHMENT A**

Applicant Name: _____ Bar Number: _____

1. PRACTICE DESCRIPTION

Provide a description of your legal malpractice law practice, noting the nature of the tasks you routinely perform that you have relied on in seeking qualification as a Legal Malpractice Law Certified Specialist.

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		
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.		

SECTION	DESCRIPTION	NUMBER OF MATTERS	NUMBER OF POINTS CLAIMED
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		
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		

SECTION	DESCRIPTION	NUMBER OF MATTERS	NUMBER OF POINTS CLAIMED
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 of 275 pts)

***NEW EDUCATION REPORTING SCHEDULE
ATTACHMENT B**

Applicant Name: _____ Bar Number: _____

The Legal Specialist Education requirement is no longer reported in the recertification application. Attorneys now report their Legal Specialist Education by submitting a Legal Specialization Education Compliance Card. The Compliance Card can be found online at www.californiaspecialist.org under the forms section.

Attorneys are required to complete a total of 36-hours of approved education every three years. Compliance Groups and reporting deadlines are listed below:

Compliance Group 1 (Last Name A-G at the time of Admission to the State Bar) 2/1/2016
Compliance Group 2 (Last Name H-M at the time of Admission to the State Bar) 2/1/2018
Compliance Group 3 (Last Name N-Z at the time of Admission to the State Bar) 2/1/2017

Some FAQs about this process:

Does the new education reporting period affect my recertification deadline?

No. You will still be due to recertify every five (5) years. Please do not submit a compliance card with your recertification application, if you have already submitted a compliance card or if you are not due to report your Legal Specialist Education.

How do I submit my Legal Specialist Education Compliance Card?

Once you have completed and signed the Legal Specialist Education Compliance Card, you can submit it to The Department of Legal Specialization either via mail, fax or e-mail.

Isn't reporting my Legal Specialist Education the same as reporting my MCLE compliance?

No. Your Legal Specialist Education is reported on compliance card and your MCLE compliance is reported online on My State Bar Profile.

What if I am a certified in more than one specialty?

During your compliance period, you will need to submit a Legal Specialization Education Compliance Card for each specialty. For example, if you are a dual specialist, you will have to submit a compliance card for each area of law in which you are a specialist.

Can I submit my compliance card before my Compliance Group is due to report?

No. Compliance cards will only be accepted for the Compliance Group due to report. Any other compliance cards sent to The Department of Legal Specialization will be not be marked as received.

How do I report my education if I was certified after the compliance group period?

You will have a reduced and proportional educational requirement. You will have to report at least 1 hour for each month that you were certified. For example, if your compliance period is from February 1, 2012-January 31, 2015 and you were certified in September 2014, you would have to report at least 5 hours of legal specialist education.

Do I need to send in my certificates of attendance?

No. Please save them for one year after you report your education compliance in the event that you are audited.

For more information, visit the resources page on www.californiaspecialist.org for full details, as well as potentially qualifying MCLE substitutions.

**INDEPENDENT INQUIRY AND REVIEW
ATTACHMENT C**

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 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 membership number to insure that reference forms are sent promptly and to the right individual. Bar membership numbers can be found online at www.calbar.ca.gov under Attorney Search. If the attorney does not have a California Bar membership number or is a judge, please provide a full address.

NAME AND BAR NUMBER	ADDRESS
1.	
2.	
3.	
4.	
5.	
6.	



CALIFORNIA BOARD OF LEGAL SPECIALIZATION OF THE STATE BAR OF CALIFORNIA

180 HOWARD STREET
SAN FRANCISCO, CALIFORNIA 94105-2120
TELEPHONE: (415) 538-2120
FAX: (415) 538-2180
WEBSITE: www.californiaspecialist.org

Credit Card Authorization Form

Date: _____

Attorney Name: _____ Bar Number: _____

Address: _____

City, State, Zip: _____

Telephone Number: _____

E-mail Address: _____

Description	Fee
<i>Legal Specialization Recertification Application Fee</i>	\$350

I authorize the State Bar of California to charge my credit card for \$ _____

(This form may not be used to pay dues or other attorney fees; it only may be used to pay fees related to Legal Specialization. Please print legibly.)

Credit Card Number: _____

Credit Card Security Code: _____ Expiration Date (Month/Year): _____

Credit Card Type: Visa MasterCard

Name on Card (print legibly): _____

Signature of Card Holder: _____

SUBMISSION INFORMATION

MAIL FORM TO:

The State Bar of California
Department of Legal Specialization
180 Howard Street
San Francisco, CA 94105

FAX FORM TO:

OR (415) 538-2180