SUPREME COURT
FILED

DEC 20 2023

Jorge Navarrete Clerk

Deputy

S282532

ADMINISTRATIVE ORDER 2023-12-20-02

IN THE SUPREME COURT OF CALIFORNIA

EN BANC

ORDER REGARDING PROPOSED AMENDMENTS TO CALIFORNIA RULES OF COURT, RULES 9.8.5, 9.9, AND 9.49, AND NEW RULE 9.32

On October 31, 2023, the court received a request from the State Bar of California to approve amendments to California Rules of Court, rules 9.8.5, 9.9, and 9.49, and to adopt new California Rules of Court, rule 9.32. The request is granted in part.

Revisions to California Rules of Court, rule 9.9, and adoption of new California Rules of Court, rule 9.32, are approved as modified. The approved rules are set forth in the Attachment and are effective as of January 1, 2024. Revisions to California Rules of Court, rules 9.8.5 and 9.49, are denied.

It is so ordered.

GUERRERO
Chief Justice

CORRIGAN
Associate Justice

LIU
Associate Justice

KRUGER
Associate Justice

GROBAN
Associate Justice

JENKINS
Associate Justice

EVANS
Associate Justice

Attachment

Rule 9.9. Online reporting by attorneys

(a) Required information

To maintain the roll of attorneys required by rule 9.8 and to facilitate communications by the State Bar with its licensees, each licensee must use an online account on a secure system provided by the State Bar to report:

(1) A current office address and telephone number, or if none, an alternative address;

(2) A current e-mail address not to be disclosed on the State Bar's website or otherwise to the public without the licensee's consent;

(3) The URL of the licensee's professional website, if one is maintained;

(4) The licensee's practice sector, if applicable;

(5) The number of attorneys employed by the licensee's law firm, agency, or other legal employer, if any;

(6) Information about the licensee's trust account or accounts, if any, as set out in the Rules of the State Bar of California, rule 2.5;

(7) Legal specialties in which the licensee is certified, if any;

(8) Any other jurisdictions in which the licensee is admitted, if any, and the date(s) of admission;

(9) The jurisdiction, and the nature and date of any discipline imposed by another jurisdiction, if any, including the terms and conditions of any probation imposed, and, if suspended or disbarred in another jurisdiction, the date of any reinstatement in that jurisdiction;

(10) Any other information as directed by the California Supreme Court;

(11) Any other information as may be required by agreement with, or by conditions of probation imposed by, any other government agency; and

(12) Any other information as required by law.

(b) Optional information

A licensee may also use an online attorney records account to provide:

(1) an e-mail address for disclosure to the public on the State Bar website; and

(2) additional information as authorized by statute, rule or Supreme Court directive, or as requested by the State Bar.

(c) Exclusions

Unless otherwise permitted by law or the Supreme Court, the State Bar may not use e-mail as a substitute means of providing a notice required to initiate a State Bar disciplinary or regulatory proceeding or to otherwise change a licensee's status involuntarily.

(d) Exemption

A licensee who does not have online access or an e-mail address may claim an exemption from the reporting requirements of this rule. The exemption must be requested in the manner prescribed by the State Bar.

(e) Failure to Comply

A licensee who fails to satisfy the requirements of this rule will be enrolled as an inactive licensee of the State Bar under the rules to be adopted by the Board of Trustees of the State Bar. Inactive enrollment imposed for noncompliance with the requirements of this rule is cumulative and does not preclude a disciplinary proceeding or other action for violation of the State Bar Act, the Rules of Professional Conduct, or other applicable laws.

(f) Fees and penalties

The State Bar has the authority to set and collect appropriate fees and penalties.

Rule 9.32. New Attorney Training

(a) State Bar New Attorney Training

The State Bar must establish and administer a New Attorney Training program under rules adopted by the Board of Trustees of the State Bar, including Rules of the State Bar of California, Rules 2.140-2.144.

(b) State Bar New Attorney Training requirements

All new licensees of the State Bar must, by the last day of the month of their one-year anniversary as a State Bar licensee, complete the New Attorney Training program and report having done so as provided in Rules of the State Bar of California, Rule 2.141.

(c) Failure to comply with program

A licensee of the State Bar who fails to satisfy the requirements of the State Bar New Attorney Training program will be enrolled as an inactive licensee of the State Bar under rules adopted by the Board of Trustees of the State Bar, including Rules of the State Bar of California, Rules 2.150-2.153.

(d) Fees and penalties

The State Bar has the authority to set and collect appropriate fees and penalties.