

AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Adopted by the Supreme Court on June 12, 2017
Effective on August 1, 2017

1 **Rule 9.6. Roll of attorneys admitted to practice**

2
3 (a) * * *

4
5 (b) **Annual State Bar recommendation for one-time expungement of suspension**
6 **for nonpayment of membership fees**

7
8 The State Bar is authorized to transmit to the Supreme Court on an annual basis the
9 names of those members who meet all of the following criteria, along with a
10 recommendation that their public record of suspension for nonpayment of
11 membership fees be expunged:

12
13 (1) The member has not on any previous occasion obtained an expungement
14 under the terms of this rule or rule 9.31;

15
16 (2)–(4) * * *

17
18 *(Subd (b) amended effective August 1, 2017; adopted effective June 1, 2007.)*

19
20 (c)–(d) * * *

21
22 (e) **Authorization for the Board of Trustees of the State Bar to adopt rules and**
23 **regulations**

24
25 The Board of Trustees of the State Bar is authorized to adopt such rules and
26 regulations as it deems necessary and appropriate in order to comply with this rule.

27
28 *(Subd (e) amended effective August 1, 2017; adopted effective June 1, 2007.)*

29
30 (f) * * *

31
32 *Rule 9.6 amended effective August 1, 2017; adopted as rule 950.5 by the Supreme Court effective*
33 *May 1, 1996; previously amended and renumbered effective January 1, 2007; previously*
34 *amended effective June 1, 2007.*

35
36 **Rule 9.31. Minimum continuing legal education**

37
38 (a) * * *

39

1 **(b) State Bar minimum continuing legal education program**

2
3 The State Bar must establish and administer a minimum continuing legal education
4 program under rules adopted by the Board of Trustees of the State Bar. These rules
5 may provide for carryforward of excess credit hours, staggering of the education
6 requirement for implementation purposes, and retroactive credit for legal education.

7
8 *(Subd (b) amended effective August 1, 2017; previously amended effective September 27,*
9 *2000, and January 1, 2007.)*

10
11 **(c) Minimum continuing legal education requirements**

12
13 Each active member of the State Bar (1) not exempt under Business and
14 Professions Code section 6070, (2) not a full-time employee of the United States
15 Government, its departments, agencies, and public corporations, acting within the
16 scope of his or her employment, and (3) not otherwise exempt under rules adopted
17 by the Board of Trustees of the State Bar, must, within 36-month periods
18 designated by the State Bar, complete at least 25 hours of legal education approved
19 by the State Bar or offered by a State Bar-approved provider. Four of those hours
20 must address legal ethics. Members may be required to complete legal education in
21 other specified areas within the 25-hour requirement under rules adopted by the
22 State Bar. Each active member must report his or her compliance to the State Bar
23 under rules adopted by the Board of Trustees of the State Bar.

24
25 *(Subd (c) amended effective August 1, 2017; previously amended effective September 27,*
26 *2000, and January 1, 2007.)*

27
28 **(d) Failure to comply with program**

29
30 A member of the State Bar who fails to satisfy the requirements of the State Bar's
31 minimum continuing legal education program must be enrolled as an inactive
32 member of the State Bar under rules adopted by the Board of Trustees of the State
33 Bar.

34
35 *(Subd (d) amended effective August 1, 2017; previously amended effective January 1,*
36 *2007.)*

37
38 **(e) * * ***

39
40 **(f) One-time expungement of a record of inactive enrollment for failure to comply**
41 **with program**

42

1 The State Bar is authorized to expunge a public record of a period of inactive
2 enrollment for failure to comply with the minimum continuing legal education
3 program for those members who meet all of the following criteria:

4
5 (1) The member has not on any previous occasion obtained an expungement
6 under the terms of this rule or rule 9.6;

7
8 (2) The period of inactive enrollment was for 90 days or less;

9
10 (3) The period of inactive enrollment ended at least seven years before the date
11 of expungement;

12
13 (4) The member has no other record of suspension or involuntary inactive
14 enrollment for discipline or otherwise.

15
16 *(Subd (f) adopted effective August 1, 2017.)*

17
18 **(g) Records to be maintained by State Bar**

19
20 Under (f) of this rule, the State Bar will remove or delete the record of such period
21 of inactive enrollment from the member's record. Notwithstanding any other
22 provision of this rule, the State Bar must maintain such internal records as are
23 necessary to apply the terms of (f) of this rule and to report to the Commission on
24 Judicial Nominees Evaluation or appropriate governmental entities involved in
25 judicial elections the member's eligibility for a judgeship under the California
26 Constitution, article VI, section 15.

27
28 *(Subd (g) adopted effective August 1, 2017.)*

29
30 **(h) Duty of disclosure by member**

31
32 Expungement of the record of a member's period of inactive enrollment under (f)
33 of this rule will not relieve the member of his or her duty to disclose the period of
34 inactive enrollment for purpose of determining the member's eligibility for a
35 judgeship under the California Constitution, article VI, section 15. For all other
36 purposes, the record of inactive enrollment expunged under (f) of this rule is
37 deemed not to have occurred and the member may answer accordingly any question
38 relating to his or her membership record.

39
40 *(Subd (h) adopted effective August 1, 2017.)*

41
42 *Rule 9.31 amended effective August 1, 2017; adopted as rule 958 effective December 6, 1990;*
43 *previously amended effective December 25, 1992; previously amended by the Supreme Court*

1 *effective September 27, 2000; previously amended and renumbered as rule 9.31 effective January*
2 *1, 2007.*
3

AMENDMENTS TO THE CALIFORNIA RULES OF COURT

Adopted by the Supreme Court on June 21, 2017

Effective on January 1, 2018

1 **Rule ~~9.1.~~9.0. Title and source**

2
3 **(a) Title**

4
5 The rules in this title may be referred to as the Rules on Law Practice, Attorneys,
6 and Judges.

7
8 **Rule ~~9.2.~~(b) Source**

9
10 The rules in this title were adopted by the Supreme Court under its inherent
11 authority over the admission and discipline of attorneys and under subdivisions (d)
12 and (f) of section 18 of article VI of the Constitution of the State of California.

13
14 *Rule 9.0 amended and renumbered effective January 1, 2018; adopted as rule 9.1 effective*
15 *January 1, 2007.*

16
17 **Division 2. Attorney Admission and Disciplinary Proceedings and Review of State**
18 **Bar Proceedings**

19
20
21 **Chapter 1. General Provisions**

22
23 **Rule ~~9.5.~~9.1. Definitions**

24 * * *

25
26 *Rule 9.1 renumbered effective January 1, 2018; adopted as rule 950 effective December 1, 1990;*
27 *previously amended and renumbered as rule 9.5 effective January 1, 2007.*

28
29 **Rule ~~9.9.~~9.2. Interim special regulatory assessment for attorney discipline**

30 * * *

31
32
33 **Chapter 2. Attorney Admissions**

34
35 **Rule 9.3. Inherent power of Supreme Court**

36 **Rule 9.4. Nomination and appointment of Members to Committee of Bar Examiners**

37 **Rule 9.5. Supreme Court approval of admissions rules**

38 **Rule 9.6. Supreme Court approval of bar examination**

39 **Rule 9.4.9.7. Oath required when admitted to practice law**

40 **Rule 9.6.9.8. Roll of attorneys admitted to practice**

41 **Rule 9.7.9.9. Online reporting by attorneys**

1
2
3 **Rule 9.3. Inherent power of Supreme Court**
4

5 **(a) Inherent power over admissions**
6

7 The Supreme Court has the inherent power to admit persons to practice law in
8 California. The State Bar and its Committee of Bar Examiners serve as the
9 administrative arm of the Supreme Court for admissions matters and in that
10 capacity act under the authority and at the direction of the Supreme Court. The
11 Committee of Bar Examiners is authorized to administer the requirements for
12 admission to practice law, to examine all applicants for admission, and to certify to
13 the Supreme Court for admission those applicants who fulfill the admission
14 requirements.
15

16 **(b) Inherent jurisdiction over practice of law**
17

18 Nothing in this chapter may be construed as affecting the power of the Supreme
19 Court to exercise its inherent jurisdiction over the practice of law in this state.
20

21 *Rule 9.3 adopted effective January 1, 2018.*
22

23 **Rule 9.4. Nomination and appointment of members to the Committee of Bar**
24 **Examiners**
25

26 **(a) Appointments**
27

28 The Supreme Court is responsible for appointing ten examiners to the Committee
29 of Bar Examiners, each for a four-year term. At least one of the ten examiners must
30 be a judicial officer in this state, and the balance must be members of the State Bar.
31 At least one of the attorney examiners shall have been admitted to practice law in
32 California within three years from the date of his or her appointment. The court
33 may reappoint an attorney or judicial officer examiner to serve no more than three
34 additional full terms, and may fill any vacancy in the term of any appointed
35 attorney or judicial officer examiner.
36

37 **(b) Nominations**
38

39 The Supreme Court must make its appointments from a list of candidates
40 nominated by the Board of Trustees of the State Bar pursuant to a procedure
41 approved by the court.
42

43 *Rule 9.4 adopted effective January 1, 2018.*

1
2 **Rule 9.5. Supreme Court approval of admissions rules**

3
4 All rules adopted by the State Bar Committee of Bar Examiners and approved by the
5 State Bar Board of Trustees pertaining to the admission to practice law must be submitted
6 to the Supreme Court for its review and approval.

7
8 *Rule 9.5 adopted effective January 1, 2018.*

9
10 **Rule 9.6. Supreme Court approval of bar examination**

11
12 **(a) Bar examination**

13
14 The Committee of Bar Examiners is responsible for determining the bar
15 examination's format, scope, topics, content, questions, and grading process,
16 subject to review and approval by the Supreme Court. The Supreme Court must set
17 the passing score of the examination.

18
19 **(b) Analysis of validity**

20
21 At least once every seven years, or whenever directed by the Supreme Court, the
22 State Bar must conduct an analysis of the validity of the bar examination. The State
23 Bar must prepare and submit a report summarizing its findings and
24 recommendations, if any, to the Supreme Court. Any recommendations proposing
25 significant changes to the bar examination, and any recommended change to the
26 passing score, must be submitted to the Supreme Court for its review and approval.

27
28 **(c) Report on examination**

29
30 The State Bar must provide the Supreme Court a report on each administration of
31 the bar examination in a timely manner.

32
33 *Rule 9.6 adopted effective January 1, 2018.*

34
35 **Rule 9.4.9.7. Oath required when admitted to practice law**

36 * * *

37 *Rule 9.7 renumbered effective January 1, 2018; adopted as rule 9.4 effective May 27, 2014.*

38
39 **Rule 9.6.9.8. Roll of attorneys admitted to practice**

40 * * *

41

1 *Rule 9.8 renumbered effective January 1, 2018; adopted as rule 950.5 by the Supreme Court*
2 *effective May 1, 1996; previously amended and renumbered as rule 9.6 effective January 1, 2007;*
3 *previously amended effective June 1, 2007, and August 1, 2017.*

4
5 **Rule ~~9.7~~9.9. Online reporting by attorneys**

6 * * *

7
8 *Rule 9.9 renumbered effective January 1, 2018; adopted as rule 9.7 effective February 1, 2010.*

9
10 **Chapter ~~2~~3. Attorney Disciplinary Proceedings**

11 * * *

12
13
14 **Chapter ~~3~~4. Legal Education**

15 * * *