

**THE STATE BAR OF CALIFORNIA**

**PROMOTIONAL MEMBERSHIP LIST POLICY**

1. The State Bar's membership list consists of bar numbers, names, and addresses for all active members of the State Bar, except for those who have requested that their names be deleted from the list.
2. The list may be provided in the form of a computer tape or diskette, cheshire or gummed labels, electronic file or hard copy list to the following entities or individuals for the purposes indicated which hereby are approved by the State Bar as furthering its own public purposes:
  - A. All State Bar of California approved MCLE providers and providers of MCLE approved activities for purposes of marketing those activities to the members.
  - B. Underwriters, brokers and administrators of the State Bar approved insurance programs for marketing, billing and claims purposes, and other purposes and duties related to these programs. The list of inactive members and judges may be provided. Date of birth and date of admission may be provided for marketing purposes only.
  - C. Local, national and specialty associations of attorneys that are qualified as tax exempt under Section 501(c) of the Internal Revenue Code for solicitation of membership or funds to support the association's activities in furtherance of the State Bar's public purposes. Date of admission may be provided for marketing purposes only.
  - D. Lawyer referral services which have been approved by the State Bar [as being operated in compliance with the Minimum Standards for a Lawyer Referral Service in California] for recruitment and solicitation of funds to support activities in furtherance of the State Bar's public purposes.
  - E. Legal aid societies [that make available free or low cost legal services to the indigent or those of low income, or organizations formed for charitable or other public purposes which furnish legal services to persons in respect to their civil or constitutional rights] that are qualified as tax exempt organizations under Section 501(c) of the Internal Revenue Code for solicitation of membership or funds to support activities in furtherance of the State Bar's public purposes.
  - F. Courts and other government entities in connection with the performance of their official duties when such duties are in furtherance of the State Bar's public purposes.

- G. Potential candidates (and designees) for the State Bar Board of Governors, for purposes related to the election, may obtain a list of active members, in good standing, whose principal place of business is located within the State Bar district in which there is an election, from the date that the Secretary announces the Board of Governors election schedule to the date the eligibility list closes.
  - H. Candidates for the State Bar Board of Governors or the California Young Lawyers Association Board of Directors, for purposes of their candidacy, from the date the eligibility list closes until the last day for voting.
  - I. Established publishers of legal directories for purposes of preparing written hard copy or electronic directories who agree to:
    - ▶ not engage in the sale of mailing lists or labels;
    - ▶ not release the directory or any portion thereof in a form other than the directory format;
    - ▶ include a written statement notifying users that use of the information contained therein is limited to the subscriber of the directory; and
    - ▶ prohibit reproduction of any portion in any form without the permission of the publisher and the State Bar.
  - J. The Foundation of the State Bar of California to aid in matters pertaining to the advancement of the science of jurisprudence or the improvement of the administration of justice and for the solicitation of funds to support activities in furtherance of the State Bar's public purposes. List of inactive members may be provided.
3. Entities or individuals approved under this policy, wishing to purchase the list must file with the State Bar a signed agreement for use of the list and a signed Hold Harmless agreement on forms to be provided by the State Bar. The agreement for use **may** provide for the multiple use of the membership list during the effective dates of such agreement.
- A. Entities or individuals must also provide, in advance of each request, a written statement of the use to be made of the list and a mock up or copy of each proposed mailing piece for State Bar approval.
  - B. Upon approval, the State Bar will fulfill the request and bill the requesting entity or individual according to the current fee schedule for each use of the membership list.

- C. The requesting entity or individual must agree to include a designated State Bar staff name and address in all mailings to assure that a copy of items mailed using the list are sent to the State Bar.
  
- 4. Each member of the State Bar shall be advised of this policy at the time of admission, and of the purposes for which the member's bar number, name and address may be released. At that time, or at any time thereafter, the member shall be given an opportunity to have his or her name deleted from all lists released to outside entities if the member so chooses.
  
- 5. Requests for exceptions to the terms of this policy shall be referred to the Executive Director of the State Bar or the Senior Executive for Administration & Finance if so delegated.