

## TITLE 3. PROGRAMS AND SERVICES

Adopted July 2007

### DIVISION 3. NON-LICENSEE ATTORNEYS

#### Chapter 2. Out-of-State Attorney Arbitration Counsel

##### Rule 3.380 Compliance procedure

To appear as Out-of-State Attorney Arbitration counsel, an attorney who meets the eligibility requirements of Code of Civil Procedure § 1282.4 and Rule 9.43 of the California Rules of Court ("Rule 9.43") must

- (A) be retained to appear in an arbitration in California in association with an active licensee of the State Bar of California;
- (B) complete the Certificate of Out-of-State-Attorney Counsel for Arbitration, which includes an agreement to comply with the standards of professional conduct required of licensees of the State Bar of California;
- (C) serve a copy of the completed certificate with an original signature and provide proof of service in accordance with California law<sup>1</sup> on
  - (1) the State Bar with the nonrefundable fee prescribed in the Schedule of Charges and Deadlines; and
  - (2) all other parties and counsel; and
- (D) obtain the approval of the arbitrator or the arbitral forum as indicated on the Certificate of Out-of-State-Attorney Counsel for Arbitration.

*Rule 3.380 adopted effective July 1, 2010; amended effective January 25, 2019.*

##### Rule 3.381 Duration of certificate

An Out-of-State-Attorney Arbitration Counsel Certificate remains in effect

- (A) until resolution of the arbitration matter;
- (B) as long as an active licensee of the State Bar of California is associated as attorney of record in the arbitration matter;

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<sup>1</sup> Code of Civil Procedure § 1013a.

- (C) as long as the attorney complies with the requirements of Code of Civil Procedure 1284.4, Rule 9.43, and these rules;
- (D) unless the attorney is subject to disciplinary action by the California Supreme Court or the State Bar Court for failure to comply with the standards of professional conduct required of licensees of the State Bar of California;
- (E) unless discipline is imposed by a professional or occupational licensing authority;
- (F) unless the State Bar determines that the attorney has filed a certificate containing false information;
- (G) until the Out-of-State Attorney Arbitration Counsel is terminated; or
- (H) unless the attorney requests termination.

*Rule 3.381 adopted effective July 1, 2010; amended effective January 25, 2019.*

#### Rule 3.382 Public information

State Bar records for attorneys permitted to practice law as Out-of-State Attorney Arbitration Counsel are public to the same extent as licensee records.

*Rule 3.382 adopted effective July 1, 2010; amended effective January 25, 2019.*