

RULES OF PROCEDURE OF THE STATE BAR OF CALIFORNIA

RULE 465: EVIDENCE

(Amended by the Board of Governors May 17, 2003)

(Effective July 1, 2003)

[Added Language in **Bold**; Deleted Language in ~~Strikeout~~]

RULE 465. EVIDENCE.

- (a) Evidence received at a hearing under Business and Professions Code section 6007(c)(2) shall be by declarations, request for judicial notice, and transcripts, without testimony or cross-examination, except for good cause shown. **To the extent the evidence to be offered at the hearing was not previously attached to and served with either the State Bar's application pursuant to rule 461 or the member's response pursuant to rule 462, such proposed evidence shall be filed with the Court and served upon the opposing party no later than three (3) court days before the first day set for hearing. When the proposed evidence is filed less than five (5) court days before the hearing, the filing party shall file and serve a copy on the other party in a manner to assure actual receipt by the other party no later than two (2) calendar days before the hearing.**
- (b) A party seeking permission to introduce oral testimony, except for oral evidence in rebuttal to oral testimony presented by the other party, shall file and serve, no later than three (3) court days before the first day set for hearing, a written statement setting forth the substance of the proposed testimony, the names and addresses of witnesses, and a reasonable time estimate for the testimony. When the statement is filed less than five (5) court days before the hearing, the filing party shall file and serve a copy on the other party in a manner to assure actual receipt by the other party no later than two (2) calendar days before the hearing.

[Former subsections (b) and (c) remain unchanged, but are re-lettered as subsections (c) and (d), respectively.]