

THE STATE BAR OF CALIFORNIA
PROPOSED AMENDMENT TO
RULES AND REGULATIONS OF THE STATE BAR OF CALIFORNIA
ARTICLE I, SECTION 6, New Subsection J.
(Adopted on an Interim Basis by the Board of Governors April 16, 2003)
(To Be Published for a 90-day Public Comment Period)

Section 6. Annual Membership Fees

A. The Board of Governors shall each year fix the annual membership fee for active and inactive members. The sum of 50 cents, or other sum as the board may designate for any particular calendar year, of each active and inactive fee is allocated as the annual subscription of each member to the official publications of the State Bar.

B. Annual membership fees cover the calendar year and are payable on or before the 1st of February in each year. Members newly admitted to practice shall pay the annual membership fee of an active member. They shall also pay the State Bar a one time fee in the amount of \$5.00 for maintenance of the Roll of Attorneys and issuance of Certificates of Admission. Both of these fees shall be paid at the time of admission and registration.

C. Any person first admitted to practice law in California on or before the 30th day of June of any year, and any judge of a court of record of California, whose incumbency as such terminates on or before the 30th day of June of any year, shall pay the full membership fee for that year; except that any person first admitted to practice law in California on or between the 1st and 30th days of June of any year shall pay, for that year, one-half of the annual membership fee.

D. Any person first admitted to practice law in California after the 30th day of June of any year, and a judge of a court of record in California, whose incumbency as such terminates after the 30th day of June of any year, shall pay, for that year, one-half of the membership fee.

E. Any person first admitted to practice law in California after the 30th day of November of any year, and a judge of a court of record in California, whose incumbency as such terminates after the 30th day of November of any year, shall have the annual active membership fee waived.

F. Costs assessed pursuant to Business and Professions Code, section 6086.10, against a member of the State Bar who has been publicly reprovved or suspended shall be added to and become a part of the membership fee of the member, for the next calendar year. A member of the State Bar who is suspended for an entire calendar year by the Supreme Court as a result of disciplinary proceedings is not required to pay the annual membership fee for that year. Upon the expiration of any suspension resulting from disciplinary proceedings, a member of the State Bar is required to pay full membership fees for the current year plus the assessed costs, unless such suspension began prior to the first day of January of any year and terminated after the 30th day of June of that year, in which case the fee required shall be one-half of the annual membership fee for that year plus the assessed costs.

G. No part of the annual membership fees shall be refunded by reason of death, resignation, entering office as a judge of a court of record, transfer, suspension or disbarment; provided, however, that the secretary or designee, upon request, shall refund a fee for the current year paid on or before January 31 if the member dies or becomes a judge of a court of record on or before said date.

H. The State Bar, at its option, may retain and accept payments of membership fees, penalties and costs, which are less than the full amount due and owing. The retention and acceptance of such partial payments shall not discharge or constitute a waiver of the balance, and a member who fails to pay such balance shall be suspended from membership in the State Bar, as provided in Business and Professions Code, section 6143, and in these rules.

The secretary or designee, with the prior approval of the president and chair of the Board Committee on Administration and Finance, is authorized to refund the difference between the amount of the annual membership fee of an active member and that of an inactive member in those instances in which an active member has paid the annual membership fee for a calendar year and subsequently in the same calendar year requests enrollment as an inactive member as of January 1 of that year, provided that the member has been continuously eligible for enrollment as an inactive member during said calendar year.

I. If the last day for the performance of any act provided or required by the rules to be performed within a specified period of time shall be a Saturday, Sunday, or holiday observed by the State Bar, then such period is hereby extended to and including the next working day.

J. Pursuant to Business and Professions Code, section 6140, subdivision (b), a member may make online payment of annual membership fees by credit card or other electronic means on the State Bar's Web site at www.calbar.ca.gov. Payments must be made online no later than the times provided by these rules and shall include any additional fee that may be charged for the online payment.