

Revised Proposed Amendments to
RULES AND REGULATIONS OF THE STATE BAR OF CALIFORNIA
(June 23, 2005)

Article I

Section 2. Enrollment as an Inactive Member

(a) Any member of the State Bar not under suspension, who does not ~~desire to engage in the active practice of the law~~ any of the activities listed in subdivision (b) in this state California, may, upon written request, be enrolled as an inactive member. The secretary or designee ~~shall~~ may, in any case in which to do otherwise would work an injustice, and subject to any directions which may be given by the board or by ~~the president and the chair of the Board Committee on Administration and Finance~~ its designee permit retroactive enrollment of inactive members.

(b) No member of the State Bar practicing law ~~in this state~~, or occupying a position in the employ of or rendering any legal service for an active member, or occupying a position wherein he or she is called upon in any capacity to give legal advice or counsel or examine the law or pass upon the legal effect of any act, document or law shall be enrolled as an inactive member.

(c) ~~Nothing in this section shall prohibit the enrollment as an inactive member of~~ Notwithstanding subdivisions (a) and (b) a member employed in a quasi-judicial capacity by serving for a court or any other governmental agency as a referee, hearing officer, court commissioner, temporary judge, arbitrator, mediator or in another similar capacity is eligible for enrollment as an inactive member if he or she does not otherwise engage in the practice of law any of the activities listed in subdivision (b) or hold himself or herself out as being entitled to practice law. A member employed or engaged in the capacity of referee, hearing officer, court commissioner, or in a similar capacity, shall be deemed to be employed in a quasi-judicial capacity.