

1 Statement of Purpose. The purpose of this rule is to permit an attorney who  
2 relocates to California and who is licensed to practice law in one or more  
3 jurisdictions in the United States other than California to practice law in California  
4 under a registration system without becoming a member of the State Bar of  
5 California. An attorney so registered may practice law in California for no more  
6 than three years and during that period must do so under the supervision of an  
7 attorney employed by a qualifying legal service provider.  
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9 **Rule 964. Registered Legal Services Attorneys**

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11 (a) **[Scope of practice]** Subject to all applicable rules, regulations, and  
12 statutes, an attorney practicing law under this rule is permitted to  
13 practice law in California only while working, with or without pay, at a  
14 qualifying legal services provider, as defined in this rule, and, at that  
15 institution and only on behalf of its clients, may engage, under  
16 supervision, in all forms of legal practice that are permissible for a  
17 member of the State Bar of California.  
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19 (b) **[Requirements]** For an attorney to practice law under this rule, the  
20 attorney must:

- 21  
22 (1) Be an active member in good standing of the bar of a United States  
23 state, jurisdiction, possession, territory, or dependency;  
24  
25 (2) Register with the State Bar of California and file an *Application for*  
26 *Determination of Moral Character*;  
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28 (3) Meet all of the requirements for admission to the State Bar of  
29 California, except that the attorney:  
30  
31 (A) Need not take the California bar examination or the  
32 Multistate Professional Responsibility Examination; and  
33  
34 (B) May practice law while awaiting the result of his or her  
35 *Application for Determination of Moral Character*;  
36  
37 (4) Comply with the rules adopted by the Board of Governors  
38 relating to the State Bar Registered Legal Services Attorney  
39 Program;  
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- 1 (5) Practice law exclusively for a single qualifying legal services  
2 provider, except that if so qualified, an attorney may, while  
3 practicing under this rule, simultaneously practice law as registered  
4 in-house counsel;  
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- 6 (6) Practice law under the supervision of an attorney who is employed  
7 by the qualifying legal services provider and who is a member in  
8 good standing of the State Bar of California;  
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- 10 (7) Abide by all of the laws and rules that govern members of the  
11 State Bar of California, including the Minimum Continuing Legal  
12 Education (MCLE) requirements;  
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- 14 (8) Satisfy in his or her first year of practice under this rule all of  
15 the MCLE requirements, including ethics education, that  
16 members of the State Bar of California must complete every three  
17 years; and  
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- 19 (9) Not have taken and failed the California bar examination within  
20 five years immediately preceding application to register under this  
21 rule.  
22
- 23 (c) **[Application]** To qualify to practice law as a registered legal services  
24 attorney, the attorney must:  
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- 26 (1) Register as an attorney applicant and file an *Application for*  
27 *Determination of Moral Character* with the Committee of Bar  
28 Examiners;  
29
- 30 (2) Submit to the State Bar of California a declaration signed by  
31 the attorney agreeing that he or she will be subject to the  
32 disciplinary authority of the Supreme Court of California and  
33 the State Bar of California and attesting that he or she will not  
34 practice law in California other than under supervision at a  
35 qualifying legal services provider during the time he or she  
36 practices law as a registered legal services attorney in California,  
37 except that if so qualified, the attorney may, while practicing under  
38 this rule, simultaneously practice law as registered in-house  
39 counsel; and  
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- 41 (3) Submit to the State Bar of California a declaration signed by  
42 a qualifying supervisor on behalf of the qualifying legal services  
43 provider in California attesting that the applicant will work, with or

1 without pay, as an attorney for the organization; that the applicant  
2 will be supervised as specified in this rule; and that the qualifying  
3 legal services provider and the supervising attorney assume  
4 professional responsibility for any work performed by the  
5 applicant under this rule.  
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- 7 **(d) [Duration of practice]** An attorney may practice for no more than a  
8 total of three years under this rule.  
9
- 10 **(e) [Fees]** The State Bar of California may set appropriate initial and annual  
11 registration fees, as well as application fees, to be paid by registered  
12 legal services attorneys.  
13
- 14 **(f) [State Bar Registered Legal Services Attorney Program]** The State  
15 Bar may establish and administer a program for registering California  
16 legal services attorneys under rules adopted by the Board of Governors  
17 of the State Bar.  
18
- 19 **(g) [Supervision]** To meet the requirements of this rule, an attorney  
20 supervising a registered legal services attorney:  
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- 22 (1) Must be an active member in good standing of the State Bar of  
23 California;
  - 24
  - 25 (2) Must have actively practiced law in California and been a member  
26 in good standing of the State Bar of California for at least the two  
27 years immediately preceding the time of supervision;
  - 28
  - 29 (3) Must have practiced law as a full-time occupation for at least four  
30 years;
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  - 32 (4) Must not supervise more than two registered legal services  
33 attorneys concurrently;
  - 34
  - 35 (5) Must assume professional responsibility for any work that the  
36 registered legal services attorney performs under the supervising  
37 attorney's supervision;
  - 38
  - 39 (6) Must assist, counsel, and provide direct supervision of the  
40 registered legal services attorney in the activities authorized by this  
41 rule and review such activities with the supervised attorney, to the  
42 extent required for the protection of the client;

- 1 (7) Must read, approve, and personally sign any pleadings, briefs, or  
2 other similar documents prepared by the registered legal services  
3 attorney before their filing, and must read and approve any  
4 documents prepared by the registered legal services attorney for  
5 execution by any person who is not a member of the State Bar of  
6 California before their submission for execution; and  
7  
8 (8) May, in his or her absence, designate another attorney meeting the  
9 requirements of (1) through (7) to provide the supervision required  
10 under this rule.

- 11  
12 (h) **[Inherent power of Supreme Court]** Nothing in this rule is to be  
13 construed as affecting the power of the Supreme Court of California to  
14 exercise its inherent jurisdiction over the practice of  
15 law in California.  
16  
17 (i) **[Effect of rule on multijurisdictional practice]** Nothing in this rule  
18 limits the scope of activities permissible under existing law by attorneys  
19 who are not members of the State Bar of California.  
20  
21 (j) **[Definitions]** The following definitions apply to terms used in this  
22 rule:  
23  
24 (1) “Qualifying legal services provider” means either of the following,  
25 provided that the qualifying legal services provider follows  
26 quality-control procedures approved by the State Bar of California:  
27  
28 (A) A nonprofit entity incorporated and operated exclusively in  
29 California that as its primary purpose and function provides  
30 legal services without charge in civil matters to indigent  
31 persons, especially underserved client groups, such as the  
32 elderly, persons with disabilities, juveniles, and non-English-  
33 speaking persons; or  
34  
35 (B) A program operated exclusively in California by a nonprofit  
36 law school approved by the American Bar Association or  
37 accredited by the State Bar of California that has operated for  
38 at least two years at a cost of at least \$20,000 per year as an  
39 identifiable law school unit with a primary purpose and  
40 function of providing legal services without charge to  
41 indigent persons.  
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(2) “Active member in good standing of the bar of a United States state, jurisdiction, possession, territory, or dependency” means an attorney who meets all of the following criteria:

- (A) Is a member in good standing of the entity governing the practice of law in each jurisdiction in which the member is licensed to practice law;
- (B) Remains an active member in good standing of the entity governing the practice of law in at least one United States state, jurisdiction, possession, territory, or dependency other than California while practicing law as a registered legal services attorney in California; and
- (C) Has not been disbarred, has not resigned with charges pending, or is not suspended from practicing law in any other jurisdiction.

1 Statement of Purpose. The purpose of this rule is to permit an attorney who resides in  
2 California and who is licensed to practice law in one or more jurisdictions in the United  
3 States other than California to register to provide legal services as in-house counsel for a  
4 single qualifying institution in California without becoming a member of the State Bar of  
5 California.

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7 **Rule 965. Registered In-House Counsel**

8  
9 (a) **[Scope of practice]** Subject to all applicable rules, regulations, and  
10 statutes, an attorney practicing law under this rule:

- 11  
12 (1) Is permitted to provide legal services in California only to the  
13 qualifying institution that employs him or her;  
14  
15 (2) Is not permitted to make court appearances in California state  
16 courts or to engage in any other activities for which pro hac vice  
17 admission is required if they are performed in California by an  
18 attorney who is not a member of the State Bar of California; and  
19  
20 (3) Is not permitted to provide personal or individual representation to  
21 any customers, shareholders, owners, partners, officers, employees,  
22 servants, or agents of the qualifying institution.

23  
24 (b) **[Requirements]** For an attorney to practice law under this rule, the  
25 attorney must:

- 26  
27 (1) Be an active member in good standing of the bar of a United States  
28 state, jurisdiction, possession, territory, or dependency;  
29  
30 (2) Register with the State Bar of California and file an *Application for*  
31 *Determination of Moral Character*;  
32  
33 (3) Meet all of the requirements for admission to the State Bar of  
34 California, except that the attorney:  
35  
36 (A) Need not take the California bar examination or the  
37 Multistate Professional Responsibility Examination; and  
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39 (B) May practice law while awaiting the result of his or her  
40 *Application for Determination of Moral Character*;  
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- (4) Comply with the rules adopted by the Board of Governors relating to the State Bar Registered In-House Counsel Program;
  - (5) Practice law exclusively for a single qualifying institution, except that, while practicing under this rule, the attorney may, if so qualified, simultaneously practice law as a registered legal services attorney;
  - (6) Abide by all of the laws and rules that govern members of the State Bar of California, including the Minimum Continuing Legal Education (MCLE) requirements;
  - (7) Satisfy in his or her first year of practice under this rule all of the MCLE requirements, including ethics education, that members of the State Bar of California must complete every three years and, thereafter, satisfy the MCLE requirements applicable to all members of the State Bar; and
  - (8) Reside in California.
- (c) **[Application]** To qualify to practice law as registered in-house counsel, an attorney must:
- (1) Register as an attorney applicant and file an *Application for Determination of Moral Character* with the Committee of Bar Examiners;
  - (2) Submit to the State Bar of California a declaration signed by the attorney agreeing that he or she will be subject to the disciplinary authority of the Supreme Court of California and the State Bar of California and attesting that he or she will not practice law in California other than on behalf of the qualifying institution during the time he or she is registered in-house counsel in California, except that if so qualified, the attorney may, while practicing under this rule, simultaneously practice law as a registered legal services attorney; and
  - (3) Submit to the State Bar of California a declaration signed by an officer, a director, or a general counsel of the applicant's employer, on behalf of the applicant's employer, attesting that the applicant is employed as an attorney for the employer, that the nature of the employment conforms to the requirements of this rule, that the employer will notify the State Bar of California

1 within 30 days of the cessation of the applicant’s employment in  
2 California, and that the person signing the declaration believes, to  
3 the best of his or her knowledge after reasonable inquiry, that the  
4 applicant qualifies for registration under this rule and is an  
5 individual of good moral character.  
6

- 7 (d) **[Duration of practice]** Registered in-house counsel must renew his or  
8 her registration annually. There is no limitation on the number of years  
9 in-house counsel may register under this rule. Registered in-house  
10 counsel may practice law under this rule only for as long as he or she  
11 remains employed by the same qualifying institution that provided the  
12 declaration in support of his or her application. If an attorney practicing  
13 law as registered in-house counsel leaves the employment of his or her  
14 employer or changes employers, he or she must notify the State Bar of  
15 California within 30 days. If an attorney wishes to practice law under  
16 this rule for a new employer, he or she must first register as in-house  
17 counsel for that employer.  
18
- 19 (e) **[Eligibility]** It will not be grounds for denial of an application to  
20 register under this rule if the attorney applicant has practiced law in  
21 California as in-house counsel before the effective date of this rule.  
22 Further, it will not be grounds for denial of an application to register  
23 under this rule if the attorney applicant is practicing law as in-house  
24 counsel at or after the effective date of this rule, provided that the  
25 attorney applies under this rule within six months of its effective date.  
26
- 27 (f) **[Fees]** The State Bar of California may set appropriate initial and annual  
28 registration fees, as well as application fees, to be paid by registered in-  
29 house counsel.  
30
- 31 (g) **[State Bar Registered In-House Counsel Program]** The State Bar  
32 may establish and administer a program for registering California in-  
33 house counsel under rules adopted by the Board of Governors.  
34
- 35 (h) **[Inherent power of Supreme Court]** Nothing in this rule is to be construed  
36 as affecting the power of the Supreme Court of California to exercise its  
37 inherent jurisdiction over the practice of law in California.  
38
- 39 (i) **[Effect of rule on multijurisdictional practice]** Nothing in this rule limits  
40 the scope of activities permissible under existing law by attorneys who are not  
41 members of the State Bar of California.

1 (j) [Definitions] The following definitions apply to terms used in this rule:

2  
3 (1) “Qualifying institution” means a corporation, a partnership, an  
4 association, or other legal entity, including its subsidiaries and  
5 organizational affiliates. Neither a governmental entity nor an  
6 entity that provides legal services to others can be a qualifying  
7 institution for purposes of this rule. A qualifying institution must:

8  
9 (A) Employ at least 10 employees full-time in California; or

10  
11 (B) Employ in California an attorney who is an active member in  
12 good standing of the State Bar of California.

13  
14 (2) “Active member in good standing of the bar of a United States  
15 state, jurisdiction, possession, territory, or dependency” means an  
16 attorney who meets all of the following criteria:

17  
18 (A) Is a member in good standing of the entity governing the  
19 practice of law in each jurisdiction in which the member is  
20 licensed to practice law;

21  
22 (B) Remains an active member in good standing of the entity  
23 governing the practice of law in at least one United States  
24 state, jurisdiction, possession, territory, or dependency, other  
25 than California, while practicing law as registered in-house  
26 counsel in California; and

27  
28 (C) Has not been disbarred, has not resigned with charges  
29 pending, or is not suspended from practicing law in any other  
30 jurisdiction.