

RULES 661 and 662
RULES OF PROCEDURE OF THE STATE BAR

[Proposed additions to current rule in **Bold**; Proposed deletions to current rule in ~~strikeout~~]

(Amended by the Board of Governors July 17, 2009.)
(Effective January 1, 2010.)

RULE 661 REQUIREMENTS

- (a) The petition for reinstatement **must** ~~shall~~ be verified by the petitioner and **must** ~~shall~~ be addressed to the State Bar Court. The original and three copies **must** ~~shall~~ be filed with the Clerk. The petition **must** ~~shall~~ be on the form approved by the Court and completed in compliance with the instructions therein.
- ~~(b) The petitioner shall serve a copy of the petition on the Office of Trials pursuant to the rule for service of initial pleadings (rule 60), accompanied by two (2) sets of original fingerprints on record cards furnished by the State Bar. The fingerprints shall be used and retained for the purposes prescribed in Business and Professions Code section 6054.~~
- (b) **The petition must be accompanied by: (1) a proof of service showing that a copy of the petition was served on the Office of the Chief Trial Counsel pursuant to rule 60; (2) proof of compliance with Business and Professions Code section 6054 showing that fingerprints were submitted electronically to the California Department of Justice, or if the petitioner resides outside the state, that two sets of original fingerprints on record cards furnished by the State Bar were submitted to the Office of Trials; and (3) a filing fee of \$1,600, which will be given to the Office of the Chief Trial Counsel to defray incurred costs.**
- ~~(c) The petition shall not be filed by the Court unless accompanied by a proof of service establishing compliance with the service requirements of this rule. The petition shall be accompanied by a filing fee of \$1,600, which shall be given to the Office of the Chief Trial Counsel to defray incurred costs.~~

**RULE 662 EARLIEST TIME FOR FILING REINSTATEMENT
PETITION; PETITION TO SHORTEN TIME**

- (a) After resignation without charges pending, a first or subsequent petition for reinstatement may be filed at any time.
- (b) Except as provided in the order of disbarment, no petition for reinstatement shall be filed within five (5) years after the effective date of the petitioner's disbarment, **interim suspension following a disbarment recommendation**, or interim suspension following criminal conviction, or the filing date of the petitioner's resignation with charges pending,

APPENDIX A

whichever occurred earliest.

- (c) No petition for reinstatement shall be filed unless and until the petitioner has provided satisfactory proof to the State Bar Court that he or she has paid all discipline costs imposed pursuant to Business and Professions Code section 6086.10(a) and all reimbursement for payments made by the Client Security Fund as a result of the petitioner's conduct, plus applicable interest and costs, pursuant to Business and Professions Code section 6140.5(c).
- (d) A subsequent petition for reinstatement following disbarment or resignation with charges pending shall not be filed earlier than two years after the effective date of an adverse decision upon a prior petition, unless a shorter period is ordered by the Court for good cause.