

PROPOSED AMENDMENTS TO

9.6, CALIFORNIA RULES OF COURT

July 13, 2016

Rule 9.6. Attorney admission and Roll of attorneys admitted to practice

(a) In addition to meeting the requirements for admission to practice law specified in Business and Professions Code section 6060, a person must meet the following requirement before being certified to the Court as qualified for admission:

- (1)** completion of six units of practice-based experiential competency training in accordance with rules adopted by the State Bar's examining committee and approved by the Board of Trustees of the State Bar.

(ab) State Bar to maintain the roll of attorneys

The State Bar must maintain, as part of the official membership records of the State Bar, the Roll of Attorneys of all persons admitted to practice in this state. Such records must include the information specified in Business and Professions Code section 6002.1 and 6064 and other information as directed by the Supreme Court.

(Subd (a) lettered effective June 1, 2007; adopted as unlettered subdivision effective May 1, 1996; previously amended effective January 1, 2007.)

(bc) Annual State Bar recommendation for one-time expungement of suspension for nonpayment of membership fees

The State Bar is authorized to transmit to the Supreme Court on an annual basis the names of those members who meet all of the following criteria, along with a recommendation that their public record of suspension for nonpayment of membership fees be expunged:

- (1)** The member has not on any previous occasion obtained an expungement under the terms of this rule;
- (2)** The suspension was for 90 days or less;
- (3)** The suspension ended at least seven years before the date of the submission of member's name to the Supreme Court;

(4) The member has no other record of suspension or involuntary inactive enrollment for discipline or otherwise.

(Subd (b) adopted effective June 1, 2007.)

(ed) Records to be maintained by State Bar

Upon order of the Supreme Court of expungement of a member's record under (b) of this rule, the State Bar will remove or delete the record of such suspension from the member's record. Notwithstanding any other provision of this rule, the State Bar must maintain such internal records as are necessary to apply the terms of (b) of this rule and to report to the Commission on Judicial Nominees Evaluation or appropriate governmental entities involved in judicial elections the member's eligibility for a judgeship under the California Constitution, article VI, section 15.

(Subd (c) adopted effective June 1, 2007.)

(de) Duty of disclosure by member

Expungement of a member's suspension under (b) of this rule will not relieve the member of his or her duty to disclose the suspension for purpose of determining the member's eligibility for a judgeship under the California Constitution, article VI, section 15. For all other purposes the suspension expunged under (b) of this rule is deemed not to have occurred and the member may answer accordingly any question relating to his or her membership record.

(Subd (d) adopted effective June 1, 2007.)

(ef) Authorization for the Board of Governors of the State Bar to adopt rules and regulations

The Board of ~~Governors~~ Trustees of the State Bar is authorized to adopt such rules and regulations as it deems necessary and appropriate in order to comply with this rule.

(Subd (e) adopted effective June 1, 2007.)

(fg) Inherent power of Supreme Court

Nothing in this rule may be construed as affecting the power of the Supreme Court to exercise its inherent power to direct the State Bar to expunge its records.

(Subd (f) adopted effective June 1, 2007.)

Rule 9.6 amended effective June 1, 2007; adopted as rule 950.5 by the Supreme Court effective May 1, 1996; previously amended and renumbered effective January 1, 2007.