



The State Bar of California

OPEN SESSION AGENDA ITEM 50-4 NOVEMBER 2019

DATE: November 14, 2019

TO: Members, Board of Trustees

FROM: Dina DiLoreto, Program Director, Attorney Regulation & Consumer Resources

SUBJECT: Conform State Bar Rule to Statutory Change to Fee Scaling Income Threshold

EXECUTIVE SUMMARY

This item formalizes the update needed to the fee scaling eligibility threshold listed in Fee Scaling Rule 2.15, within the Rules of the State Bar, in order to conform to the related statutory change implemented by Senate Bill (SB) 176, effective January 1, 2020.

BACKGROUND

California Business and Professions Code section 6141.1 (b) provides that an attorney on active status who has a total gross annual individual income from all sources of less than a specific threshold may request to scale or reduce annual licensing fees by 25 percent.

DISCUSSION

Under SB 176, effective January 1, 2020, the previous fee scaling income eligibility threshold of \$40,000 will be increased to \$60,478.35, effective January 1, 2020. The corresponding State Bar Rule should be updated to reflect this change. Staff recommends the following update to Rule 2.15 (A) within Division 2 of Title 2 of the Rules of the State Bar:

“Rule 2.15 Scaling

(A) An active licensee who has a total gross annual individual income from all sources of less than ~~\$40,000~~ \$60,478.35 may request a 25% reduction of annual licensee fees. The

request must be submitted by the date set forth in the Schedule of Charges and Deadlines and include

- (1) the Active Licensee Fee Scaling Declaration signed under penalty of perjury; and
- (2) payment of the reduced fee.

New licensees admitted after May 31 do not qualify for scaling.”

FISCAL/PERSONNEL IMPACT

The 2020 forecast and budget have already taken the legislative change into account.

RULE AMENDMENTS

Rules of the State Bar, Title 2, Division 2, Rule 2.15 (A)

BOARD OF TRUSTEES POLICY MANUAL AMENDMENTS

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None - core business operations

RECOMMENDATIONS

It is recommended that the Board of Trustees approve the following resolution:

RESOLVED, that the Board of Trustees approves the update required to State Bar Fee Scaling Rule 2.15 (A) as described in order to conform with Business and Professions Code section 6141.1, effective January 1, 2020.

ATTACHMENT(S) LIST

None