



# The State Bar of California

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## **OPEN SESSION AGENDA ITEM IV.F. MARCH 2022**

**DATE:** March 18, 2022

**TO:** Members, California Board of Legal Specialization

**FROM:** Amy C. Nuñez, Director, Office of Admissions

**SUBJECT:** Approval of Annual Fee Waiver for Specialists Enrolled in State Bar Pro Bono Practice Program

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### **EXECUTIVE SUMMARY**

This item seeks to waive the Legal Specialization Program Annual Fee for specialists who enroll in the State Bar's Pro Bono Practice Program.

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### **BACKGROUND**

The mission of the State Bar includes support for greater access to the legal system. Goal 4 of the State Bar's 2017-2022 Strategic Plan specifically includes supporting access to legal services for low- and moderate-income Californians.

One way the State Bar works to increase access to legal services is to encourage attorneys to perform pro bono work.

Among other efforts to encourage participation in pro bono, the State Bar has created the Pro Bono Practice Program, waiving licensing fees for attorneys who would otherwise be inactive if they agree to provide pro bono services through specified legal service providers.

Participants in this program must:

- (A) be licensed in good standing with no disciplinary charges pending at the time of application to the Pro Bono Practice Program;

- (B) at the time of application have been admitted to the practice of law in California for at least three years preceding the application;
- (C) have practiced law or served as a judge in California for at least three of the last five years;
- (D) have no record of public discipline during the three years preceding the application;
- (E) be certified by the State Bar as a pro bono practice attorney.

## **DISCUSSION**

In 2021, one certified specialist was enrolled in the Pro Bono program. The CBLS approved a one-time waiver of the 2021 Legal Specialization Program Annual Fee. Currently, there are two certified specialists enrolled in this program. Staff recommend waiving the annual fee for those specialists<sup>1</sup>, and, further, believe that permanently providing this waiver may encourage participation. The amount of staff time required to implement this each year is minimal. The current Legal Specialization budget will not be impacted by granting this exception in annual fees.

Staff recommend granting a waiver of the Legal Specialization Program Annual Fee for each specialist enrolled in the Pro Bono Practice Program, and continuing that waiver as long as the specialist remains enrolled in the program.

## **RECOMMENDATION**

**Should the California Board of Legal Specialization agree with the staff recommendation, the following motion should be made:**

**MOVE**, that the California Board of Legal Specialization grant a waiver of the Legal Specialization Program Annual Fee for each specialist enrolled in the Pro Bono Practice Program, and continuing that waiver as long as the specialist remains enrolled in the program.

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<sup>1</sup> State Bar Rule 3.124 provides that, "The State Bar may waive or permit modification of a certification requirement."