



The State Bar of California

OPEN SESSION AGENDA ITEM IV.D. SEPTEMBER 2022

DATE: September 16, 2022

TO: Members, California Board of Legal Specialization

FROM: Adrian Galang, Program Supervisor, Legal Specialization

SUBJECT: Approval of Annual Certification Revocations for Failure to Pay the 2022 Legal Specialization Program Annual Fee

EXECUTIVE SUMMARY

Following extensive outreach and reminders, 14 certified specialists have failed to submit their 2022 Legal Specialization Program Annual Fee and are now overdue. This agenda item recommends that the CBLS authorize staff to take the necessary actions to revoke certification for failure to submit the fee. The complete list of specialists recommended for revocation is contained in Attachment A.

BACKGROUND

Rule 3.111(B) of the State Bar's Legal Specialization rules provides that, "A certified specialist who fails to make timely payment of a required fee will be notified of the delinquency and may be assessed a late charge. Failure to pay the annual fee or late charge within thirty days of notice of delinquency may result in suspension of certification."

2022 Annual Fees were originally due February 1, 2022. Licensees who failed to submit general fees by the February deadline were notified of nonpayment, assessed a \$100 late fee, and were given until June 30, 2022, to submit payment. The legal specialization annual fee deadline was similarly extended for specialists, and they were assessed a \$75 late fee. Licensees who failed to submit payment of general fees by the extended deadline had their State Bar status set to Not Eligible for "Suspended, failed to pay fees."

Pursuant to the direction of the CBLS, reminder notices were to specialists via email when annual fee billing opened in December 2021, and again every month since then.

In addition, staff also sent the following physical notices via US Postal Service:

- Initial letter, when 2022 Annual Fee Billing opened
- One week prior to February deadline
- One week after February deadline, notifying of extended deadline
- One week prior to extended June deadline
- Final letter, thirty days after extended deadline

As of September 1, 2022, 14 certified specialists have not yet submitted their 2022 Legal Specialization Program Annual Fee and are now more than 60 days overdue from the extended deadline.

DISCUSSION

Attachment A lists all certified specialists who were due to submit legal specialization annual fees by the extended deadline of June 30, 2022, and as of September 1, 2022, have not submitted payment or did not otherwise respond to any of Staff's communications to pay, resign from the program, or request an additional extension of time. The following table provides a breakdown of those specialists by specialty area.

Specialty Area	# of Specialists Who Have Not Paid the 2022 Legal Specialization Program Annual Fee
Admiralty & Maritime Law	-
Appellate Law	1
Bankruptcy Law	-
Criminal Law	1
Estate Planning, Trust & Probate Law	5
Family Law	3
Franchise & Distribution Law	-
Immigration & Nationality Law	-
Legal Malpractice Law	-
Taxation Law	1
Workers' Compensation Law	3

Sixty days have passed since the extended deadline to submit payment, and staff having engaged in multiple and repeated efforts to contact, now recommend the certification records of those specialists listed in Attachment A be closed, and these specialists be sent notice (by

email and by physical letter) that their certificate of specialization is revoked if their legal specialization annual fee is not received within 30 days of the letter¹.

RECOMMENDATION

Should the California Board of Legal Specialization concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the certification records of those certified specialists listed in Attachment A are closed, and these specialists be sent notice (by email and physical letter) that their certificate of specialization is revoked if their Legal Specialization Program Annual Fee is not received within 30 days of the letter.

ATTACHMENT LIST

- A.** List of certified specialists who did not submit 2022 Legal Specialization Program Annual Fees as of September 1, 2022

¹ State Bar Rule 3.124 provides that, "If the State Bar intends to suspend or revoke certification, it must notify the certified specialist of its reasons for doing so and allow the applicant thirty days either to respond in writing to the State Bar that suspension or revocation would be inappropriate or to request a hearing before the board."