

TITLE 3. PROGRAMS AND SERVICES

Adopted July 2007

DIVISION 3. NON-MEMBER ATTORNEYS

Chapter 1. Multijurisdictional Practice

Article 1. Registered Legal Services Attorneys

Rule 3.360 Definitions

- (A) A “Registered Legal Services Attorney” is an attorney who meets the eligibility requirements of Rule 9.45 of the California Rules of Court (“Rule 9.45”) and is registered by the State Bar as a Registered Legal Services Attorney.
- (B) “Registered” means that the State Bar has issued a certificate of registration to an attorney it deems eligible to practice law as a Registered Legal Services Attorney.
- (C) A “qualifying legal services provider” is an entity or program that meets the requirements of Rule of Court 9.45(a)(1) or that receives a grant from the Legal Services Trust Fund.¹

Rule 3.360 adopted effective July 1, 2010

Rule 3.361 Application

- (A) To apply to register as a Registered Legal Services Attorney, an attorney who meets the eligibility and employment requirements of Rule 9.45 must
 - (1) submit an Application for Registration² as an attorney applicant for admission to the State Bar of California with the fee set forth in the Schedule of Charges and Deadlines;³
 - (2) submit an Application for Registered Legal Services Attorney⁴ with the fee set forth in the Schedule of Charges and Deadlines;
 - (3) meet State Bar requirements for acceptable moral character; and
 - (4) submit a Declaration of Qualifying Legal Services Provider.

¹ See Rules 3.670(A), 3.671(A), and 3.680.

² See Rule 4.16(B).

³ See Rule 4.3(B).

⁴ See Rule of Court 9.44.

- (B) An application to practice law as a Registered Legal Services Attorney may be denied for failure to comply with eligibility or application requirements or a material misrepresentation of fact.

Rule 3.361 adopted effective July 1, 2010

Rule 3.362 Duties of Registered Legal Services Attorney

An attorney employed as Registered Legal Services Attorney must

- (A) annually renew registration as a Registered Legal Services Attorney and submit the fee set forth in the Schedule of Charges and Deadlines;
- (B) practice for no more than a total of three years as a Registered Legal Services Attorney;
- (C) meet the Minimum Continuing Legal Education (MCLE) requirements set forth in Rule 9.45;
- (D) report a change of attorney supervisor in accordance with State Bar requirements;
- (E) use the title "Registered Legal Services Attorney" and no other in connection with activities performed as a Registered Legal Services Attorney;
- (F) not claim in any way to be a member of the State Bar of California;
- (G) maintain with the State Bar an address of record that is the current California office address of the attorney's employer and a current e-mail address;
- (H) report to the State Bar within thirty days:
 - (1) a change in status in any jurisdiction where admitted to practice law and engaged in the practice of law, such as transfer to inactive status, disciplinary action, suspension, resignation, disbarment, or a functional equivalent;
 - (2) termination of employment with the qualifying legal services provider; or
 - (3) any information required by the State Bar Act, such as that required by sections 6068(o) and 6086.8(c) of the California Business and Professions Code, or by other legal authority;
- (I) submit a new application to register as a Registered Legal Services Attorney before beginning employment with a new qualifying legal services provider; and

(J) otherwise comply with the requirements of Rule 9.45 and these rules.

Rule 3.362 adopted effective July 1, 2010

Rule 3.363 Duties of employer

An employer who meets the requirements of Rule 9.45 for a qualifying legal services provider must

- (A) at all times meet the statutory requirements for a legal services project or be the recipient of a grant from the Legal Services Trust Fund;⁵
- (B) complete the Application for Approval as Qualifying Legal Services Provider and be approved by the State Bar as a qualifying employer;
- (C) before employing a Registered Legal Services Attorney, complete a Declaration of Qualifying Legal Services Provider attesting that it
 - (1) is a qualifying legal services provider;
 - (2) agrees to supervise the Registered Legal Services Attorney (“attorney”) and otherwise comply with the requirements of Rule 9.45 and these rules;
 - (3) deems the attorney, on the basis of reasonable inquiry, to be of good moral character;
 - (4) agrees to notify the State Bar of California, in writing, within thirty days if
 - (a) the attorney has terminated employment;
 - (b) the attorney is no longer eligible for employment as required by Rule 9.45 and these rules;
 - (c) the supervising attorney no longer meets the requirements of these rules;
 - (d) its status as a qualifying legal services provider has changed; or
 - (e) it has changed its office address; and
- (D) comply with State Bar quality control procedures for qualifying legal services providers.

Rule 3.363 adopted effective July 1, 2010

⁵ Business & Professions Code §§ 6213 and 6214(b)(3)(B).

Rule 3.364 Suspension of Legal Services Attorney registration

- (A) Registration as a Legal Services Attorney is suspended
- (1) for failure to annually register as a Registered Legal Services Attorney and submit any related fee and penalty set forth in the Schedule of Charges and Deadlines;
 - (2) for failure to comply with the Minimum Continuing Legal Education requirement of Rule of Court 9.45 and to pay any related fee and penalty set forth in the Schedule of Charges and Deadlines;
 - (3) upon transfer to inactive status, disciplinary action, suspension, resignation, disbarment, or a functional equivalent in status in any jurisdiction where admitted to practice law;
 - (4) upon imposition of discipline by a professional or occupational licensing authority; or
 - (5) for failure to otherwise comply with these rules or with the laws or standards of professional conduct applicable to a member of the State Bar.
- (B) An attorney suspended under these rules is not permitted to practice law during the suspension. An attorney suspended for failure to comply with annual registration requirements may be reinstated upon compliance.
- (C) A notice of suspension is effective ten days from the date of receipt. Receipt is deemed to be five days from the date of mailing to a California address; ten days from the date of mailing to an address elsewhere in the United States; and twenty days from the date of mailing to an address outside the United States. Alternatively, receipt is when the State Bar delivers a document physically by personal service or otherwise.
- (D) Appeal of a suspension is subject to the disciplinary procedures of the State Bar.

Rule 3.364 adopted effective July 1, 2010

Rule 3.365 Termination of Registration

Permission to practice law as a Registered Legal Services Attorney terminates

- (A) upon failure to meet the eligibility requirements of Rule 9.45 or these rules;
- (B) as required by Rule 9.45 or these rules;
- (C) upon admission to the State Bar;

(D) upon repeal of Rule 9.45 or termination of the Registered Legal Services Attorney program; or

(E) upon request.

Rule 3.365 adopted effective July 1, 2010

Rule 3.366 Reinstatement after termination

An attorney terminated as a Registered Legal Services Attorney who seeks reinstatement must meet all eligibility and application requirements of these rules.

Rule 3.366 adopted effective July 1, 2010

Rule 3.367 Public information

State Bar records for attorneys permitted to practice law as Registered Legal Services Attorneys are public to the same extent as member records.

Rule 3.367 adopted effective July 1, 2010