

TITLE 3. PROGRAMS AND SERVICES

Adopted July 2007

DIVISION 3. NON-MEMBER ATTORNEYS

Chapter 1. Multijurisdictional Practice

Article 2. Registered In-House Counsel

Rule 3.370 Definitions

- (A) An attorney registered as Registered In-House Counsel is an attorney who meets the eligibility requirements of Rule 9.46 of the California Rules of Court (“Rule 9.46”) and is registered by the State Bar as Registered In-House Counsel.
- (B) “Registered” means that the State Bar has issued a certificate of registration to an attorney it deems eligible to practice law as Registered In-House Counsel.
- (C) A “qualifying institution” is a corporation, a partnership, an association, or other legal entity that meets the requirements of Rule of Court 9.46(a)(1).

Rule 3.370 adopted effective July 1, 2010

Rule 3.371 Application

- (A) To apply to register as Registered In-House Counsel, an attorney who meets the eligibility and employment requirements of Rule 9.46 must
 - (1) submit an Application for Registration¹ as an attorney applicant for admission to the State Bar of California with the fee set forth in the Schedule of Charges and Deadlines;²
 - (2) submit an Application for Registered In-House Counsel³ 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 Institution.⁴

¹ See Rule 4.16(B).

² See Rule 4.3(B).

³ See Rule of Court 9.46(d).

⁴ Rule of Court 9.46(a)(1).

- (B) An application to practice law as Registered In-House Counsel may be denied for failure to comply with eligibility or application requirements or a material misrepresentation of fact in the application.

Rule 3.371 adopted effective July 1, 2010

Rule 3.372 Duties of Registered In-House Counsel

An attorney employed as Registered In-House Counsel must

- (A) annually renew registration as Registered In-House Counsel and submit the fee set forth in the Schedule of Charges and Deadlines;
- (B) meet the Minimum Continuing Legal Education (MCLE) requirements set forth in Rule 9.46;
- (C) use the title “Registered In-House Counsel” and no other in connection with activities performed as Registered In-House Counsel;
- (D) not claim in any way to be a member of the State Bar of California;
- (E) maintain an address of record with the State Bar, which must be the current California office address of the attorney’s employer and a current e-mail address;
- (F) 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 institution; 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;
- (G) submit a new application to register as Registered In-House Counsel before beginning employment with a new qualifying institution;⁵ and
- (H) otherwise comply with the requirements of Rule 9.46 and these rules.

Rule 3.372 adopted effective July 1, 2010

Rule 3.373 Duties of employer

⁵ Rule of Court 9.46(a)(1).

- (A) A qualifying institution prospectively employing of an attorney applying for registration as Registered In-House Counsel must complete a Declaration of Qualifying Institution.
- (B) Within thirty days of ceasing to meet the requirements of Rule of Court 9.46(a), an employer of Registered In-House Counsel must report that to the State Bar that it is no longer a qualifying institution.

Rule 3.373 adopted effective July 1, 2010

Rule 3.374 Suspension of Registered In-House Counsel registration

- (A) Registration as In-House Counsel is suspended
 - (1) for failure to annually register as Registered In-House Counsel 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 9.46 and 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. An attorney suspended for failure to comply with annual renewal or MCLE 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 3.374 adopted effective July 1, 2010

Rule 3.375 Termination of Registration

Permission to practice law as Registered In-House Counsel terminates

- (A) upon failure to meet the eligibility requirements of Rule 9.46 or these rules;
- (B) as required by Rule 9.46 or these rules;
- (C) upon admission to the State Bar;
- (D) upon repeal of Rule 9.46 or termination of the Registered In-House Counsel program; or
- (E) upon request.

Rule 3.375 adopted effective July 1, 2010

Rule 3.376 Reinstatement after termination

An attorney terminated as Registered In-House Counsel who seeks reinstatement must meet all eligibility and application requirements of these rules.

Rule 3.376 adopted effective July 1, 2010

Rule 3.377 Public information

State Bar records for attorneys permitted to practice law as Registered In-House Counsel are public to the same extent as member records.

Rule 3.377 adopted effective July 1, 2010