

**ASSEMBLY BILL**

**No. 3080**

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**Introduced by Committee on Judiciary (Corbett (Chair), Hancock, Jackson, Laird, Lieber, Longville, Montanez, and Steinberg)**

March 11, 2004

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An act to amend Section 6002.1 of the Business and Professions Code, relating to attorneys.

LEGISLATIVE COUNSEL'S DIGEST

AB 3080, as introduced, Committee on Judiciary. California State Bar.

Existing law, the State Bar Act, provides for the licensing and regulation of attorneys by the State Bar of California. Existing law requires a member of the State Bar to provide certain information to the State Bar, and prohibits the State Bar from making specified information available to the general public.

This bill would require the State Bar to report, on or before July 15, 2005, to the Assembly and Senate Committees on Judiciary regarding the procedures it has in place to ensure that members can appropriately limit the use of their personal information.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 6002.1 of the Business and Professions
- 2 Code is amended to read:
- 3 6002.1. (a) A member of the State Bar shall maintain all of
- 4 the following on the official membership records of the State Bar:

1 (1) The member’s current office address and telephone number  
2 or, if no office is maintained, the address to be used for State Bar  
3 purposes or purposes of the agency charged with attorney  
4 discipline.

5 (2) All specialties in which the member is certified.

6 (3) Any other jurisdictions in which the member is admitted  
7 and the dates of his or her admission.

8 (4) The jurisdiction, and the nature and date of any discipline  
9 imposed by another jurisdiction, including the terms and  
10 conditions of any probation imposed, and, if suspended or  
11 disbarred in another jurisdiction, the date of any reinstatement in  
12 that jurisdiction.

13 (5) Such other information as may be required by agreement  
14 with or by conditions of probation imposed by the agency charged  
15 with attorney discipline.

16 A member shall notify the membership records office of the  
17 State Bar of any change in the information required by paragraphs  
18 (1), (4), and (5) within 30 days of any change and of any change  
19 in the information required by paragraphs (2) and (3) on or before  
20 the first day of February of each year.

21 (b) Every former member of the State Bar who has been  
22 ordered by the Supreme Court to comply with Rule 955 of the  
23 California Rules of Court shall maintain on the official  
24 membership records of the State Bar the former member’s current  
25 address and within 10 days after any change therein, shall file a  
26 change of address with the membership records office of the State  
27 Bar until such time as the former member is no longer subject to  
28 the order.

29 (c) The notice initiating a proceeding conducted under this  
30 chapter may be served upon the member or former member of the  
31 State Bar to whom it is directed by certified mail, return receipt  
32 requested, addressed to the member or former member at the latest  
33 address shown on the official membership records of the State Bar.  
34 The service is complete at the time of the mailing but any  
35 prescribed period of notice and any right or duty to do any act or  
36 make any response within any prescribed period or on a date  
37 certain after the notice is served by mail shall be extended five days  
38 if the place of address is within the State of California, 10 days if  
39 the place of address is outside the State of California but within the  
40 United States, and 20 days if the place of address is outside the



1 United States. A member of the State Bar or former member may  
2 waive the requirements of this subdivision and may, with the  
3 written consent of another member of the State Bar, designate that  
4 other member to receive service of any notice or papers in any  
5 proceeding conducted under this chapter.

6 (d) The State Bar shall not make available to the general public  
7 the information specified in paragraph (5) of subdivision (a) unless  
8 required to be made so available by a condition of probation; it is,  
9 however, available to the State Bar, the Supreme Court, or the  
10 agency charged with attorney discipline.

11 (e) The State Bar may develop a prescribed form for the  
12 making of reports required by this section, usage of which it may  
13 require by rule or regulation.

14 (f) *On or before July 15, 2005, the State Bar shall report to the*  
15 *Assembly and Senate Committees on Judiciary of the Legislature*  
16 *regarding the procedures that it has in place to ensure that*  
17 *members can appropriately limit the use of their personal*  
18 *information.*

