

SEP 20 2023

S281567

ADMINISTRATIVE ORDER 2023-09-20-01

Jorge Navarrete Clerk

Deputy

IN THE SUPREME COURT OF CALIFORNIA

EN BANC

APPROVAL OF AMENDMENTS TO CALIFORNIA RULES OF COURT, RULE 9.22

On August 24, 2023, the court received a request from the State Bar of California to approve amendments to California Rules of Court, rule 9.22, which were previously approved by the court on February 11, 2014 in case number S204982. The request is granted.

Revisions to California Rules of Court, rule 9.22, are approved as modified. The approved rules are set forth in the Attachment and are effective as of October 20, 2023. Revised proposed suspension orders are also set forth in the Attachment.

It is so ordered.

GUERRERO

Chief Justice

CORRIGAN

Associate Justice

LIU

Associate Justice

KRUGER

Associate Justice

GROBAN

Associate Justice

Associate Justice

EVANS

Associate Justice

Cal. Rules of Court, Rule 9.22

Rule 9.22. Suspension of licensees of the State Bar for failure to comply with judgment or order for child or family support

(a) State Bar recommendation for suspension of delinquent licensees

Under Family Code section 17520, the State Bar is authorized to transmit to the Supreme Court twice a year the names of those licensees listed by the State Department of Child Support Services as delinquent in their payments of court-ordered child or family support with a recommendation for their suspension from the practice of law.

(b) Conditions for reinstatement of a suspended licensee

The Supreme Court may reinstate a licensee suspended under this rule only after receipt of notification from the State Bar that the licensee's name has been removed from the State Department of Child Support Services list as provided in Family Code section 17520(h) and that the licensee has submitted a declaration under penalty of perjury stating whether the licensee practiced law during the suspension.

(c) Subsequent recommendation for suspension by the State Bar

Under Family Code section 17520(l), the State Bar is further authorized to promptly transmit to the Supreme Court with a recommendation for the suspension from the practice of law the name of any licensee previously listed by the State Department of Child Support Services as delinquent in the payment of court-ordered child or family support, who has been reinstated pursuant to subdivision (b) of this rule, and who has subsequently been identified by the Department of Child Support Services as being delinquent.

(d) Compliance with Rule 9.20(a)-(c)

A licensee suspended under this rule must comply with the requirements of rule 9.20 in connection with an initial suspension under (a) of this rule and any subsequent suspension under (c) of this rule.

(e) Authorization for the Board of Trustees of the State Bar to adopt rules

The Board of Trustees of the State Bar is authorized to adopt such rules as it deems necessary and appropriate in order to comply with this rule. The rules of the State Bar must contain procedures governing the notification, suspension, and reinstatement of licensees of the State Bar in a manner not inconsistent with Family Code section 17520.

No.

IN THE SUPREME COURT OF CALIFORNIA

IN THE MATTER OF THE SUSPENSION OF ATTORNEYS PURSUANT TO RULE 9.22, CALIFORNIA RULES OF COURT

The Executive Director/Secretary of the State Bar of California having on the _ day of _, 20__ filed in this court its resolution recommending suspension from practice and membership in the State Bar of California of the members hereinafter named whose names appear on the certified list prepared by the California Department of Child Support Services as being in arrears in payment of support obligations and who have failed to obtain a release from the appropriate local Child Support agency; and it being provided by Family Code section 17520 that any member so failing must be suspended from membership;

IT IS ORDERED that the persons hereinafter named are each suspended from membership in the State Bar of California and from the rights and privileges of an attorney to act from and after _____, 20__;

IT IS FURTHER ORDERED that each person hereinafter named must comply with California Rules of Court, rule 9.20, and perform the acts specified in (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date of identification of clients being represented in pending matters and others to be notified is the filing date of this order]);

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate local Child Support agency pursuant to Family Code section 17520, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and such person shall be fully restored to membership in the State Bar of California, and to all rights and privileges, duties and responsibilities incident thereto upon the further condition that such person file with the State Bar a declaration under penalty of perjury stating whether the person practiced law during the period of suspension;

IT IS FURTHER ORDERED that until restored as above provided each person hereinafter named shall be precluded from practicing as an attorney of law, or an attorney or agent of another in and before all the courts, commissions, and tribunals of this state, and from holding oneself out to the public as an attorney or counsel at law.

Chief Justice

No.

IN THE SUPREME COURT OF CALIFORNIA

IN THE MATTER OF THE SUSPENSION OF LICENSEES OF THE STATE BAR PURSUANT TO RULE 9.22, CALIFORNIA RULES OF COURT

, # , was listed by the State Department of Child Support Services as being in arrears in payment of support obligations. The individual later obtained the necessary release from the appropriate local Child Support agency and complied with the requirement to file a declaration under penalty of perjury with the State Bar stating whether the individual practiced law during the period of suspension. The individual has subsequently been identified by the Department of Child Support Services as being delinquent. Pursuant to rule 9.22 of the California Rules of Court, IT IS HEREBY ORDERED that , # , be suspended from the practice of law and the rights and privileges of an attorney to act from and after 30 days from the filing date of this order.

IT IS FURTHER ORDERED that , # , must comply with California Rules of Court, rule 9.20, and perform the acts specified in (a) and (c) of that rule within 30 and 40 calendar days, respectively, after the date this order is filed. (*Athearn v. State Bar* (1982) 32 Cal.3d 38, 45 [the operative date for identification of clients being represented in pending matters and others to be notified is the filing date of this order]);

IT IS FURTHER ORDERED that upon receipt by the State Bar of California of a release issued by the appropriate local support agency pursuant to Family Code Code section 17520, the State Bar shall certify the fact of the receipt of such release to the Clerk of the Supreme Court and the suspension shall be terminated by order of this Court and the individual shall be reinstated from suspension, and to all rights and privileges, duties and responsibilities incident thereto; upon the further condition that such individual file with the State Bar a declaration under penalty of perjury stating whether the individual practiced law during the period of suspension;

IT IS FURTHER ORDERED that until reinstated as above provided, the individual shall be precluded from practicing as an attorney at law, or an attorney or

agent of another in and before all the courts, commissions and tribunals of this state, and from holding oneself out to the public as an attorney or counsel at law.

Chief Justice