

S294427

ADMINISTRATIVE ORDER 04-22-26-01

IN THE SUPREME COURT OF CALIFORNIA

EN BANC

**REQUEST THAT
THE SUPREME COURT OF CALIFORNIA REVIEW AND APPROVE
THE PROPOSED AMENDMENTS TO
CALIFORNIA RULES OF
PROFESSIONAL CONDUCT, RULE 7.3**

The State Bar of California’s “Request that the Supreme Court of California Review and Approve the Proposed Amendments to California Rules of Professional Conduct, Rule 7.3” is granted as modified.

The approved amendments to rule 7.3 and its comments, as modified by the court, are set forth in the Attachment. The amendments are effective June 1, 2026.

It is so ordered.

GUERRERO

Chief Justice

CORRIGAN

Associate Justice

LIU

Associate Justice

KRUGER

Associate Justice

GROBAN

Associate Justice

EVANS

Associate Justice

ATTACHMENT: REDLINE VERSION

Rule 7.3 Solicitation of Clients

(a) A lawyer shall not by in-person, live telephone or real-time electronic contact solicit professional employment when a significant motive for doing so is the lawyer's pecuniary gain, unless the person* contacted:

(1) is a lawyer; or

(2) has a family, close personal, or prior professional relationship with the lawyer.

(b) A lawyer shall not solicit professional employment by written,* recorded or electronic communication or by in-person, telephone or real-time electronic contact even when not otherwise prohibited by paragraph (a), if:

(1) the person* being solicited has made known* to the lawyer a desire not to be solicited by the lawyer; or

(2) the solicitation is transmitted in any manner which involves intrusion, coercion, duress or harassment.

(c) Every written,* recorded or electronic communication from a lawyer soliciting professional employment from any person* known* to be in need of legal services in a particular matter shall include the word "Advertisement" or words of similar import on the outside envelope, if any, and at the beginning and ending of any recorded or electronic communication, unless the recipient of the communication is a person* specified in paragraphs (a)(1) or (a)(2), or unless it is apparent from the context that the communication is an advertisement.

(d) Notwithstanding the prohibitions in paragraph (a), a lawyer may participate with a prepaid or group legal service plan operated by an organization not owned or directed by the lawyer that uses in-person, live telephone or real-time electronic contact to solicit memberships or subscriptions for the plan from persons* who are not known* to need legal services in a particular matter covered by the plan.

(e) As used in this rule, the terms "solicitation" and "solicit" refer to an oral or written* targeted communication initiated by or on behalf of the lawyer that is directed to a specific person* and that offers to provide, or can reasonably* be understood as offering to provide, legal services.

(f) Even when not otherwise prohibited by this rule, a lawyer shall not solicit professional employment when a significant motive for doing so is the lawyer's pecuniary gain from a respondent in a domestic violence restraining order proceeding in connection with such proceeding, until after the respondent has been served with notice of the proceeding and proof of service appears on the court docket, unless the respondent is a current or former client and

[the communication is in furtherance of ongoing or potential representation consistent with rules 1.2, 1.4, or 1.9.](#)

Comment

[1] A lawyer's communication does not constitute a solicitation if it is directed to the general public, such as through a billboard, an Internet banner advertisement, a website or a television commercial, or if it is in response to a request for information or is automatically generated in response to Internet searches.

[2] Paragraph (a) does not apply to situations in which the lawyer is motivated by considerations other than the lawyer's pecuniary gain. Therefore, paragraph (a) does not prohibit a lawyer from participating in constitutionally protected activities of bona fide public or charitable legal-service organizations, or bona fide political, social, civic, fraternal, employee or trade organizations whose purposes include providing or recommending legal services to its members or beneficiaries. (See, e.g., *In re Primus* (1978) 436 U.S. 412 [98 S.Ct. 1893].)

[3] This rule does not prohibit a lawyer from contacting representatives of organizations or groups that may be interested in establishing a bona fide group or prepaid legal plan for their members, insureds, beneficiaries or other third parties for the purpose of informing such entities of the availability of and details concerning the plan or arrangement which the lawyer or lawyer's firm* is willing to offer.

[4] Lawyers who participate in a legal service plan as permitted under paragraph (d) must comply with rules 7.1, 7.2, and 7.3(b). (See also rules 5.4 and 8.4(a).)

[\[5\] Paragraph \(f\) addresses solicitation in domestic violence restraining order proceedings, where in which solicitation of respondents prior to legal service may increase the risk of petitioner facing abuse, violence, or even death. This limitation serves the State Bar's mission to protect the public, as recognized in Business and Professions Code section 6001.1, and does not alter a lawyer's rights or duties under rule 1.4. If the respondent is either a current or former client, this limitation does not alter a lawyer's other obligations under these rules including the duty to notify clients of significant developments under rule 1.4\(a\)\(3\). However, a lawyer must balance this duty against the risk that such notification may result in imminent harm to the client or others under rule 1.4\(c\).](#)

ATTACHMENT: CLEAN VERSION

Rule 7.3 Solicitation of Clients

(a) A lawyer shall not by in-person, live telephone or real-time electronic contact solicit professional employment when a significant motive for doing so is the lawyer's pecuniary gain, unless the person* contacted:

(1) is a lawyer; or

(2) has a family, close personal, or prior professional relationship with the lawyer.

(b) A lawyer shall not solicit professional employment by written,* recorded or electronic communication or by in-person, telephone or real-time electronic contact even when not otherwise prohibited by paragraph (a), if:

(1) the person* being solicited has made known* to the lawyer a desire not to be solicited by the lawyer; or

(2) the solicitation is transmitted in any manner which involves intrusion, coercion, duress or harassment.

(c) Every written,* recorded or electronic communication from a lawyer soliciting professional employment from any person* known* to be in need of legal services in a particular matter shall include the word "Advertisement" or words of similar import on the outside envelope, if any, and at the beginning and ending of any recorded or electronic communication, unless the recipient of the communication is a person* specified in paragraphs (a)(1) or (a)(2), or unless it is apparent from the context that the communication is an advertisement.

(d) Notwithstanding the prohibitions in paragraph (a), a lawyer may participate with a prepaid or group legal service plan operated by an organization not owned or directed by the lawyer that uses in-person, live telephone or real-time electronic contact to solicit memberships or subscriptions for the plan from persons* who are not known* to need legal services in a particular matter covered by the plan.

(e) As used in this rule, the terms "solicitation" and "solicit" refer to an oral or written* targeted communication initiated by or on behalf of the lawyer that is directed to a specific person* and that offers to provide, or can reasonably* be understood as offering to provide, legal services.

(f) Even when not otherwise prohibited by this rule, a lawyer shall not solicit professional employment from a respondent in a domestic violence restraining order proceeding in connection with such proceeding, until after the respondent has been served with notice of the proceeding and proof of service appears on the court docket, unless the respondent is a current or former client and the communication is in furtherance of ongoing or potential representation consistent with rules 1.2, 1.4, or 1.9.

Comment

[1] A lawyer's communication does not constitute a solicitation if it is directed to the general public, such as through a billboard, an Internet banner advertisement, a website or a television commercial, or if it is in response to a request for information or is automatically generated in response to Internet searches.

[2] Paragraph (a) does not apply to situations in which the lawyer is motivated by considerations other than the lawyer's pecuniary gain. Therefore, paragraph (a) does not prohibit a lawyer from participating in constitutionally protected activities of bona fide public or charitable legal-service organizations, or bona fide political, social, civic, fraternal, employee or trade organizations whose purposes include providing or recommending legal services to its members or beneficiaries. (See, e.g., *In re Primus* (1978) 436 U.S. 412 [98 S.Ct. 1893].)

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[4] Lawyers who participate in a legal service plan as permitted under paragraph (d) must comply with rules 7.1, 7.2, and 7.3(b). (See also rules 5.4 and 8.4(a).)

[5] Paragraph (f) addresses solicitation in domestic violence restraining order proceedings, in which solicitation of respondents prior to legal service may increase the risk of petitioner facing abuse, violence, or even death. This limitation serves the State Bar's mission to protect the public, as recognized in Business and Professions Code section 6001.1. If the respondent is either a current or former client, this limitation does not alter a lawyer's other obligations under these rules including the duty to notify clients of significant developments under rule 1.4(a)(3). However, a lawyer must balance this duty against the risk that such notification may result in imminent harm to the client or others under rule 1.4(c).