

S294332

ADMINISTRATIVE ORDER 2026-06-17-01

IN THE SUPREME COURT OF CALIFORNIA

EN BANC

**PETITION FOR THE CALIFORNIA SUPREME COURT TO REVIEW
AND APPROVE PROPOSED CALIFORNIA RULES OF COURT, RULE
9.45.1, TO ESTABLISH A CALIFORNIA COMMUNITY JUSTICE
WORKER PROGRAM**

The Court is in receipt of the “Petition for the California Supreme Court to Review and Approve Proposed California Rules of Court, Rule 9.45.1, to Establish a California Community Justice Worker Program,” as submitted by petitioners. The Court forwards to the State Bar a modified version of proposed California Rules of Court, rule 9.45.1, as set forth in the Attachment to this order. The Court directs the State Bar to solicit public comment on the attached version of the proposed rule for a 45-day period and thereafter consider whether to recommend adoption of the proposed rule, with or without further changes, or offer any other recommendations.

It is so ordered.

GUERRERO

Chief Justice

CORRIGAN

Associate Justice

LIU

Associate Justice

KRUGER

Associate Justice

GROBAN

Associate Justice

EVANS

Associate Justice

Title 9. Rules on Law Practice, Attorneys, and Judges

Division 4. Appearances and Practice by Individuals Who Are Not Licensees of the State Bar of California

Rule 9.45.1 Community Justice Worker

(a) Definitions

The following definitions apply in this rule:

- (1) A “Legal Services Organization” is an organization that is a “qualified legal services project” or a “qualified support center” under Business and Professions Code section 6213, subdivisions (a) or (b).
- (2) An “Authorized Legal Services Organization” is a Legal Services Organization that satisfactorily completes the application process pursuant to (b) of this rule and is approved by the Authorizing Body to implement and operate a Community Justice Worker Program.
- (3) The “Authorizing Body” is the entity designated by the California Supreme Court to accept, review, and approve applications from Legal Services Organizations to implement and operate Community Justice Worker Programs.
- (4) A “Community Justice Worker” is a person who:
 - (A) is at least 18 years of age and has a high school diploma or the equivalent;
 - (B) is not licensed by the State Bar; and
 - (C) has satisfied the training and other relevant volunteer or employment requirements as certified to the State Bar by an Authorized Legal Services Organization and will engage in the limited practice of law under this rule exclusively under the supervision of that Authorized Legal Services Organization.
- (5) A “Community Justice Worker Program” is a program allowing Authorized Legal Services Organizations to train and certify Community Justice Workers.

(b) Application to operate a Community Justice Worker Program

- (1) The Authorizing Body shall develop a process by which a Legal Services Organization may apply for approval to operate a Community Justice Worker Program.
- (2) The application must contain the following information:
 - (A) A narrative description of the proposed Community Justice Worker Program, including the proposed scope of practice for its Community Justice Workers;
 - (B) A training plan for the Community Justice Worker Program that details curricular components, testing, and experiential learning, including:
 - (i) instruction on the California Rules of Professional Conduct and the provision of ethical legal services;
 - (ii) relevant subject matter and experiential training within the proposed Community Justice Worker Program practice area(s) as developed and approved by managing attorneys at the applicant Legal Services Organization;
 - (iii) the process by which the competency and practice readiness of each Community Justice Worker will be assessed; and
 - (iv) a plan for providing continuing training and education to Community Justice Workers in their practice areas;
 - (C) A plan for gaining informed and written client consent to receive services provided by Community Justice Workers;
 - (D) A plan for ensuring control and security of client files;
 - (E) Proof of legal malpractice insurance that covers Community Justice Workers;
 - (F) A showing of the ability to comply with the reporting requirements pursuant to (d)(1)(F) of this rule; and
 - (G) Any other information requested by the Authorizing Body or the State Bar.

(c) Responsibilities of the Authorizing Body

- (1) The Authorizing Body will consider an application pursuant to (b) of this rule as soon as practicable after it is submitted and may request additional information or clarification from an applicant. If the application meets the requirements of (b) of this rule and any additional requirements imposed by the Authorizing Body, the Authorizing Body will approve the application and communicate its approval to the State Bar pursuant to procedures established by the State Bar.
- (2) If an Authorized Legal Services Organization loses its status as a “qualified legal services project” or a “qualified support center” under Business and Professions Code, section 6213, subdivisions (a) or (b), it may seek approval from the Authorizing Body to continue to operate as an Authorized Legal Services Organization. The Authorizing Body may impose additional requirements to ensure the quality of the Community Justice Worker Program.
- (3) The Authorizing Body shall develop a procedure to receive, assess, and resolve client complaints involving Community Justice Workers.
- (4) The Authorizing Body shall develop a procedure to evaluate the Community Justice Worker Program as a whole. The evaluation shall take place within two years of the first authorization of a Community Justice Worker Program.

(d) Obligations of an Authorized Legal Services Organization

- (1) An Authorized Legal Services Organization must:
 - (A) Certify to the State Bar, pursuant to procedures adopted by the State Bar:
 - (i) the name of each Community Justice Worker and proof that the Community Justice Worker has satisfactorily completed the prerequisite training and education requirements; and
 - (ii) the scope of practice for each Community Justice Worker that details the specific activities that the Community Justice Worker will perform as part of the Community Justice Worker Program;

- (B) Ensure ongoing capacity and capability to adequately supervise Community Justice Workers, including, for example, pursuant to Rules of Professional Conduct, rule 5.3;
- (C) Assume professional responsibility for the work product of Community Justice Workers;
- (D) Train and counsel Community Justice Workers to competently perform as authorized by this rule;
- (E) Notify the State Bar within 30 days of any relevant change in status of the Authorized Legal Services Organization or any Community Justice Worker, including if:
 - (i) the organization no longer provides the Community Justice Worker Program services that were approved by the Authorizing Body;
 - (ii) the organization no longer qualifies as a Legal Services Organization;
 - (iii) a Community Justice Worker is no longer eligible for inclusion in the Community Justice Worker Program, whether through resignation, termination, or other reason; or
 - (iv) a Community Justice Worker violates the Rules of Professional Conduct or other applicable rules;
- (F) Report twice yearly to the State Bar, pursuant to procedures adopted by the State Bar, the following information:
 - (i) number of clients served by Community Justice Workers;
 - (ii) total number of hours worked by Community Justice Workers;
 - (iii) resolutions of cases involving Community Justice Workers;
 - (iv) the number of client complaints involving Community Justice Workers and their disposition, if any; and

- (v) a summary of the costs of implementing and maintaining the Community Justice Worker program.
- (2) Failure of an Authorized Legal Services Organization to comply with this section and any additional obligations imposed by the Authorizing Body or the State Bar will result in revocation of the authorization to conduct a Community Justice Worker Program, absent a showing of good cause.
- (e) Restrictions on Community Justice Workers**
- (1) A Community Justice Worker may not perform any activities constituting the practice of law outside of the scope of the certification submitted by the Authorized Legal Services Organization to the State Bar pursuant to (d)(1)(A)(ii) of this rule. Performance of any activities constituting the practice of law that are outside the scope of the certification will result in revocation of the Community Justice Worker's certification by the State Bar and may subject the Community Justice Worker to penalties under Business and Professions Code, section 6125 *et seq.*, for the unauthorized practice of law.
- (2) A Community Justice Worker may participate in a Community Justice Worker Program only under the supervision of the Authorized Legal Services Organization that certified the Community Justice Worker to the State Bar pursuant to (d)(1)(A) of this rule. If that supervisory relationship ends for any reason, the Community Justice Worker will no longer be certified and any continued activities constituting the practice of law may be subject to penalties under Business and Professions Code, section 6125 *et seq.* However, the Community Justice Worker may seek to be certified by a different Authorized Legal Services Organization.
- (3) Community Justice Workers may not hold themselves out as authorized to generally engage in the practice of law. In any written documents or materials relating to their work as Community Justice Workers, they must give prominent notice, consistent with (b)(2)(C) of this rule, that they are not licensees of the State Bar and that they are authorized to provide legal assistance solely pursuant to this rule.
- (4) A Community Justice Worker may not charge any fees, including fees structured on a contingent or percentage basis or for a referral, for legal services provided pursuant to a Community Justice Worker Program.

- (5) Communications between a Community Justice Worker and a client shall be privileged under the same rules that govern the attorney-client privilege and work-product doctrine.
- (6) A student who is enrolled in a juris doctor or a Master of Laws program or who is studying law in the Law Office Study Program under the Rules of the State Bar, rule 4.29, may serve as a Community Justice Worker, but must provide written notice to the student's law school or supervisor in the Law Office Study Program before beginning service.
- (7) Any individual who has been disbarred, resigned with disciplinary charges pending, or suspended from the practice of law in California or any other jurisdiction may not be certified as a Community Justice Worker.
- (8) A Community Justice Worker must comply with the Rules of Professional Conduct, Rules of Court, and all other relevant statutes and rules. Failure to do so will result in revocation of the Community Justice Worker's certification under this rule, absent a showing of good cause.

(f) Role of the State Bar

- (1) The State Bar shall maintain a roster of Authorized Legal Services Organizations and their active Community Justice Workers, including their scope of practice. The roster must be publicly available on the State Bar website.
- (2) The State Bar shall annually report to the Legislature and the California Supreme Court the number of complaints involving Community Justice Workers received by the State Bar and their disposition.

(g) Inherent authority of the Supreme Court

Nothing in this rule may be construed as affecting the power of the Supreme Court of California to exercise its inherent jurisdiction over the practice of law in California.