The State Bar of California

Resolutions Regarding Emergency Rule Changes
As Approved By the Board of Trustees

1. Waiver of Licensing Fee Late Payment Penalty For Licensees Impacted by the COVID-19 Emergency.

   RESOLVED, that the Board of Trustees, pursuant to Rule 2.16(H) of the Rules of the State Bar of California, hereby approves the waiver of any 2020 licensing fee late payment penalty where the requestor has provided proof, to the satisfaction of staff, that their ability to pay has been impacted by COVID-19 Emergency, and that the Board of Trustees hereby delegates to staff the authority to adopt reasonable measures to similarly address other payment issues that may be raised by licensees impacted by the COVID-19 emergency.

2. Extend from June 30 to September 30 the Final Deadline for Payment of License Fees.

   RESOLVED, that the Board of Trustees approves of a modified schedule setting September 30, 2020, as the final deadline for licensees to pay outstanding fees or be recommended for suspension by the Supreme Court.

3. Extend from June 30 to September 30 the Final Deadline for MCLE Compliance.

   RESOLVED, that the Board of Trustees approves of a modified schedule setting September 30, 2020, as the final deadline for licensees in Compliance Group 3 to comply with their MCLE requirements or be administratively enrolled on Involuntary Inactive status.

4. Extend from June 30 to September 30 Deadline for MCLE Multiple Activity Providers to Renew Status.

   RESOLVED, that the Board of Trustees, pursuant to Rule 3.621 of the Rules of the State Bar of California, hereby resets from June 30, 2020, to September 30, 2020, the deadline for MCLE Multiple Activity Providers to submit renewal applications.

5. Extend from May 3 to June 30 the Penalty Deadline for Law Corporation Renewal (Rule 3.156(B)).

RESOLVED, that the Board of Trustees, pursuant to Rule 3.156(B) of the Rules of the State Bar of California, hereby modifies the Schedule of Charges and Deadlines to reset from May 3, 2020, to June 30, 2020, the final deadline for law corporations to submit annual registration fees and applications for renewal.

6. Interim Amendment to Rule 3.513 of the Rules of the State Bar of California to Permit Electronic Service in Mandatory Fee Arbitration Proceedings.

RESOLVED, that the Board of Trustees, having determined pursuant to Rule 1.10(C) of the Rules of the State Bar of California that an emergency justifies immediate enactment of this interim measure without public comment, hereby amends Rule 5.3513 of the Rules of the State Bar of California to add the following subdivision (F):

(F) Electronic Service. [*The following provisions of this subdivision (F) are interim emergency measures adopted by the Board of Trustees pursuant to Rule 1.10(C) of the Rules of the State Bar of California and shall expire on August 14, 2020, unless otherwise ordered by the Board of Trustees.*]

(i) In addition to the methods of service provided for in subdivision (A) of this rule, the parties to an arbitration may consent to electronic service of documents upon each other pursuant to Code of Civil Procedure section 1010.6(a)(1)(A)-(C).

(ii) The parties to an arbitration may consent to receive electronic service of documents from the State Bar in lieu of service by mail by providing to the State Bar written consent to receive electronic service of documents from the State Bar at the party's designated electronic address.

7. Interim Rule 5.26.1 of the Rules of Procedure of the State Bar of California to Permit Electronic Service in State Bar Court Proceedings.

RESOLVED, that the Board of Trustees, having determined pursuant to Rule 1.10(C) of the Rules of the State Bar of California that an emergency justifies immediate enactment of this interim measure without public comment, hereby enacts interim Rule 5.26.1 of the Rules of Procedure of the State Bar of California as set forth below:

Interim Rule 5.26.1 Electronic Service of Later Pleadings

[*This interim rule 5.26.1 is adopted by the Board of Trustees pursuant to Rule 1.10(C) of the Rules of the State Bar of California and shall expire on August 14, 2020, unless otherwise ordered by the Board of Trustees.*]

(A) Electronic Service. In addition to the methods of service of later pleadings permitted by Rule 5.26(F), a party may serve later pleadings by electronic service. The court may electronically serve any document issued by the court to a party's or other

person's email address. The court may use the attorney's email address that is reported to the State Bar pursuant to rule 9.9(a) of the California Rules of Court to electronically serve a party or other person.

(B) Definitions. The following definitions apply to this rule:

(1) "Electronic service" means service of a document, on a party or other person, by electronic transmission. Electronic service may be performed directly by a party or other person, or by an agent of a party or other person, including the party or other person's attorney.

(2) "Electronic transmission" means the transmission of a document by electronic means to the electronic service address.

(C) Computing Time.

(1) Service of a pleading or document that is served by electronic service is deemed complete at the time of the electronic transmission of the pleading or document.

(2) When service is made by electronic transmission, the prescribed period to act or respond is extended by two Court days.

(3) The provisions of Rule 5.28 otherwise apply to computing time.

(D) Proof of Electronic Service.

(1) When a party serves a document by electronic service pursuant to this rule, a party must make proof of electronic service under Code of Civil Procedure section 1013b, subdivisions (a) and (b). The proof of electronic service may include an electronic signature as defined in State Bar Court General Order 20-03.

(2) For purposes of this rule, a party complies with the electronic service requirements if the party executes the party's own proof of service after completing the electronic transmission.

(3) The proof of electronic service must be filed with the court pursuant to Rule 5.27(C).

(E) Change of Electronic Service Address. A party or other person whose electronic service address changes while the proceeding is pending must promptly notify in writing, including by email, all other parties and all other persons required to be served of his or her change of electronic service address.