

## State Bar Court

Counsel for Respondent:	Case Number(s):	For Court's Use Only:
In the Matter of		
State Bar No.	RULE 9.20 COMPLIANCE INSTRUCTIONS AND DECLARATION	

### INSTRUCTIONS:

**Please carefully read any order requiring you to comply with rule 9.20.**

**Please also read California Rules of Court, rule 9.20 carefully, and in its entirety, to ensure full compliance.**

**Declarant's name must be typed or printed at the top of pages 2-4.**

Rule 9.20 requires you to notify certain individuals and entities of your disbarment, suspension, or resignation from the practice of law, and to complete and submit this compliance declaration to the State Bar Court. The State Bar Court may also order you to comply with rule 9.20 in connection with your inactive enrollment or interim suspension.

If you are required to comply with rule 9.20, you must:

A. Notify:

- (1) all clients and co-counsel in any pending matters;
- (2) opposing counsel (or adverse parties, if no opposing counsel) in any pending litigation, and
- (3) courts, agencies, or tribunals in any pending litigation.

Pending matters/litigation are those pending on the **filing date** of the Supreme Court's or State Bar Court's order or your resignation, not any later effective date. Any pending matters/litigation as of that date will determine who you must notify. Filing a substitution of attorney in any pending matter/litigation after the filing date of the court order requiring you to comply with rule 9.20 or the filing date of your resignation does not excuse you from complying with your rule 9.20 notification requirements.

B. Deliver to or notify individuals of property or papers to which they are entitled and refund unearned fees. All notices required to be given under rule 9.20 must be given by **registered or certified mail, return receipt requested**.

C. Complete and submit this compliance declaration to the State Bar Court, attesting that you have complied with rule 9.20. **You are required to submit this declaration even if you have no clients or pending matters/litigation on the filing date of the Supreme Court or State Bar Court order or filing date of your resignation.**

**Willful failure to comply with rule 9.20 may result in your disbarment, suspension, probation revocation, or denial of reinstatement, and may also be punished as a crime or contempt.**

Below are the specific requirements, depending on if your rule 9.20 requirements are triggered by a Supreme Court or State Bar Court's order or your resignation:

**Declarant's Name:** \_\_\_\_\_

## **SUPREME COURT ORDERED RULE 9.20 COMPLIANCE**

If you have been suspended or disbarred by the Supreme Court and ordered to comply with rule 9.20, you must:

- (1) Comply with your notification and other rule 9.20 requirements within **30 days** after the **filing date** of the Supreme Court's discipline order; and
- (2) Submit your rule 9.20 declaration within **40 days** after the **filing date** of the Supreme Court's discipline order.

The "effective date" of the discipline order is 30 days after it was filed. (See Cal. Rules of Court, rule 9.18(a).)

## **RESIGNATION FROM THE PRACTICE OF LAW**

If you have resigned from the practice of law, you must:

- (1) Comply with rule 9.20 notification and other requirements within **30 days** after the **filing date** of your resignation; and
- (2) Submit your rule 9.20 declaration within **40 days** after the **filing date** of your resignation. (Cal. Rules of Court, rule 9.21(a).)

The "filing date" is the date you file your resignation with the State Bar Court. When the Supreme Court accepts your resignation, the Supreme Court will order you to again comply with rule 9.20. You will need to make sure you have complied and submit a new compliance declaration within **40 days** after the **filing date** of the Supreme Court's order accepting your resignation. While you agree to be transferred to inactive status effective on the filing of your resignation with the State Bar, your resignation is not effective unless and until it is accepted by the Supreme Court. The "effective date" of your resignation is **30 days** after the filing date of the Supreme Court's order accepting your resignation. (See Cal. Rules of Court, rule 9.18(a).)

## **STATE BAR COURT ORDERED RULE 9.20 COMPLIANCE**

In some cases, the State Bar Court, not the Supreme Court, will order you to comply with rule 9.20. Examples of such situations include, but are not limited to, conviction referral matters, inactive enrollment in Alternative Discipline Program matters, or Business and Professions Code section 6007, subdivision (c), matters. If you have been ordered to comply with rule 9.20 by the State Bar Court, you must comply with the notification and other rule 9.20 requirements as directed by the State Bar Court's order. The "effective date" will be specified in the State Bar Court's order.

**You are required to submit this declaration even if you have no clients or pending matters/litigation on the filing date of the Supreme Court or State Bar Court order or filing date of your resignation.**

**For items 1 through 4, you must check one of the two boxes for each item.** If neither option is correct, attach a declaration under penalty of perjury explaining your situation. **Item 5 requires a response.**

**Declarant's Name:** \_\_\_\_\_

**DECLARATION:**

I, \_\_\_\_\_, State Bar number \_\_\_\_\_, am ordered/required to comply with California Rules of Court, rule 9.20, as part of a disbarment or suspension ordered by the Supreme Court, a suspension or inactive enrollment ordered by the State Bar Court, the filing of my resignation with the State Bar Court, or the acceptance of my resignation by the Supreme Court.

Within 30 days after the filing date of the order of disbarment/suspension/acceptance of resignation or within 30 days after the filing date of resignation or as otherwise ordered by the State Bar Court:

1.  In matters pending as of the filing date of the State Bar Court or Supreme Court order or the filing of my resignation, I notified all clients and any co-counsel of my disbarment, suspension, interim suspension, inactive enrollment, or resignation and my consequent disqualification to act as an attorney after the effective date. In the absence of co-counsel, I also notified the clients to seek legal advice elsewhere, calling attention to any urgency in seeking the substitution of another attorney or attorneys. I gave notification by registered or certified mail, return receipt requested, and the notice contained an address where communications may be directed to me.  
 As of the filing date of the State Bar Court or Supreme Court order or the filing of my resignation, I did not represent any clients in pending matters.
2.  In matters pending as of the filing date of the State Bar Court or Supreme Court order or the filing of my resignation, I delivered to all clients any papers or other property to which the clients were entitled, or notified clients and any co-counsel of a suitable time and place where the papers or other property could be obtained, calling attention to any urgency for obtaining the papers or other property. I gave notification, if any, by registered or certified mail, return receipt requested, and the notice contained an address where communications may be directed to me.  
 As of the filing date of the State Bar Court or Supreme Court order or the filing of my resignation, I had no papers or other property to which clients in pending matters were entitled.
3.  I refunded any part of fees paid that had not been earned.  
 I have earned all fees paid to me.
4.  In pending litigation as of the filing date of the State Bar Court or Supreme Court order or the filing of my resignation, I notified all opposing counsel or, if no counsel, the adverse parties, of my disbarment, suspension, interim suspension, inactive enrollment, or resignation and my consequent disqualification to act as an attorney after the effective date. I filed a copy of this notice with the court, agency, or tribunal before which litigation was pending for inclusion in the respective file or files. I gave notification by registered or certified mail, return receipt requested, and the notice contained an address where communications may be directed to me.  
 As of the filing date of the State Bar Court or Supreme Court order or the filing of my resignation, I did not represent any clients in pending matters.

**Declarant's Name:** \_\_\_\_\_

5.  **A response is required to the following:** In the future, communications may be directed to me at the following address:

\_\_\_\_\_  
\_\_\_\_\_

[If this is not your current official State Bar record address, this declaration will change your official State Bar record address. (Bus. & Prof. Code § 6002.1(b))]

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at \_\_\_\_\_, California, on \_\_\_\_\_.

**Willful failure to comply with the provisions of rule 9.20 may result in revocation of probation; suspension; disbarment; denial of reinstatement; or, contempt or conviction.**

\_\_\_\_\_  
[Signature]

\_\_\_\_\_  
[Print Name]

File this declaration at the State Bar Court, 845 S. Figueroa Street, 3rd Floor, Los Angeles, CA 90017-2515 (Approved by the State Bar Court Executive Committee 6/07/01; Revised 12/13/06; Revised 03/15/19; Revised 03/24/23)