

**Proposed amendments to
(January 4, 2005)**

Article 1, Section 2 of the Rules and Regulations of the State Bar

§ 2. Enrollment as an Inactive Member

Any member of the State Bar not under suspension, who does not desire to engage in the active practice of the law in this state, may, upon written request, be enrolled as an inactive member. The secretary or designee shall, in any case in which to do otherwise would work an injustice, and subject to any directions which may be given by the board or by ~~the president and the chair of the Board Committee on Administration and Finance~~ its designee, permit retroactive enrollment of inactive members. No member of the State Bar practicing law in this state, or occupying a position in the employ of or rendering any legal service for an active member, or occupying a position wherein he or she is called upon to give legal advice or counsel or examine the law or pass upon the legal effect of any act, document or law, or occupying a position wherein he or she provides dispute resolution services such as arbitration or mediation shall be enrolled as an inactive member.

Nothing in this section shall prohibit the enrollment as an inactive member of a member employed in a quasi-judicial capacity by any governmental agency if he or she does not otherwise engage in the practice of law or hold himself or herself out as being entitled to practice law. A member employed or engaged in the capacity of referee, hearing officer, court commissioner, or in a similar capacity, shall be deemed to be employed in a quasi-judicial capacity.