



## Application for Transfer to Inactive Status Instructions

To request a transfer to inactive status, the following form must be completed and submitted to the State Bar of California's Attorney Regulation & Consumer Resources Office. Please carefully review all the instructions and information below before completing and submitting your Application for Transfer to Inactive Status:

- **Only ACTIVE licensees may transfer to INACTIVE status.**
- While suspended, a licensee cannot change license status. Prior to a status change to inactive contact [AttorneyRegulation@calbar.ca.gov](mailto:AttorneyRegulation@calbar.ca.gov) for reinstatement information.
- **To qualify for the inactive fee, you must formally transfer to inactive status by submitting this completed form no later than February 1, 2021.**
- The 2021 inactive fee is \$182.40. **Applications for Transfer to Inactive Status must be submitted and effective no later than February 1, 2021, to be eligible for the inactive rate for 2021.**
- For the most expedited processing, submit the completed Application for Transfer to Inactive Status well in advance of the February 1, 2021 deadline to allow time for processing and for your payment submission.
- **2021 annual fees will be waived for attorneys who are both inactive and are 70 years old by February 1, 2021.**
- The effective date of your inactive status will be the date that your request is received by the State Bar, or a future date if so indicated. **You may not transfer retroactively to inactive status.**
- A change to inactive status after February 1, 2021, is permissible; however the licensee must pay annual fees at the active rate, and is not entitled to a refund because of the change to Inactive status.
- Inactive status is maintained by payment of the inactive annual fee. If you practice law or perform any other service described on the inactive application (*Rules of the State Bar Title Two, Rule 2.30*), you must remain on active status and pay the active fee.
- Please log in to your [My State Bar Profile](#) to verify your address and update if necessary.
- Inactive licensees should close any open IOLTA bank account as soon as possible and update the IOLTA account status through their [My State Bar Profile](#).
- Under California Rule of Court 9.9.5, all inactive licensed attorneys are required to comply with the fingerprinting requirement prior to any return to active status. For more information, please log in to your [My State Bar Profile](#).

Once you have submitted your Application for Transfer to Inactive Status, please complete the following:

- Allow 72 hours for processing. Once processed, you will receive an email confirming your status change with instructions to pay your annual fees online through your [My State Bar Profile](#) at the reduced inactive rate.
- Submission of timely payment is not contingent on receipt of the confirmation email. It is your responsibility to submit a timely payment to avoid either late penalty or suspension for nonpayment.
- If you do not receive an email confirming your status change within 2-3 business days, simply go to your [My State Bar Profile](#) to confirm that your annual fees have been adjusted and submit timely payment.

When considering a transfer to inactive status, please be advised that transferring from active to inactive status may have significant consequences. For example, transferring to inactive status:

- Precludes a licensee from practicing law in California, or occupying a position in the employment of or rendering any legal service for an active licensee, 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. (Rules of the State Bar, Title 2, Rule 2.30)
- May affect a licensee's qualifications for **appointment to judicial office** – for further information please contact the jurisdiction(s) directly.
- May affect a licensee's qualifications for **admission to practice law in other jurisdictions** – for further information please contact the jurisdiction(s) directly.
- Does not affect a licensee's status or payment obligations as a certified legal specialist unless you resign permanently from that program using the form located at [californiaspecialist.org](http://californiaspecialist.org).
- May affect a licensee's eligibility to participate in the Pro-Bono Practice Program. Please review rule 3.327.
- Precludes a licensee from voting in any election or plebiscite conducted by the State Bar.
- Precludes a licensee from engaging in certain activities in California including, but not limited to, working as a private arbitrator, mediator, referee or other dispute resolution provider, a law clerk, paralegal, real estate broker or CPA. This is based on the presumption that these activities call upon a licensee to give legal advice or counsel or examine the law or pass upon the legal effect of any act, document or law.

Inactive licensees do, however, retain certain rights and benefits of active licensees, including:

- Ability to attend meetings of the State Bar.
- Receipt of the State Bar bar card.
- Eligibility, if not under suspension, to transfer back to active status (not retroactively), at any time upon written request and payment of the difference between the active and inactive fee for the current year.

While on inactive status, you are still subject to the disciplinary authority of the State Bar of California.

Should you determine to apply for transfer from active to inactive status, please be advised that the use of “Attorney-at-Law” on stationery, envelopes or check stock after becoming an inactive licensee could be considered as advertising or holding out that you are practicing or entitled to practice law, which is prohibited by Sections 6126 and 6127 of the State Bar Act.

**Please Note: You will remain on active status until your completed and signed Application to Transfer to Inactive Status is received.**



Application for Transfer to Inactive Status

FOR OFFICIAL STATE BAR USE ONLY
Amt Rcvd \$
Check
Rec'd CC
Over 70
Initials

1. TRANSFER TO INACTIVE INSTRUCTIONS

- Prior to completing and submitting your Application for Transfer to Inactive Status please read all provided instructions.
The 2021 inactive fee is \$182.40. To qualify for the inactive annual fee, your completed form must be submitted and effective no later than February 1, 2021.
2021 annual fees will be waived for attorneys who are both on inactive status and are 70 years old by February 1, 2021.

2. ATTORNEY INFORMATION & DECLARATION

Effective date of INACTIVE status will automatically be the date this form is received by the State Bar, unless a later date is indicated here:



(MM/DD/YYYY)

State Bar No.:

First Name:

Last Name:

E-mail:

Phone Number:

Pertinent Sections of The State Bar Act

Section 6004. Every licensee of the State Bar is an active licensee until...at the licensee's request, he is enrolled as an inactive licensee.
Section 6005. Inactive licensees are those licensees who have requested that they be enrolled as inactive licensees...
Section 6006. Active licensees who retire from practice shall be enrolled as inactive licensees at their request...
Section 6125. No person shall practice law in California unless the person is an active licensee of the State Bar.
Section 6126. Any person advertising or holding himself or herself out as practicing or entitled to practice law or otherwise practicing law who is not an active licensee of the State Bar, or otherwise authorized pursuant to statute or court rule to practice law in this state at the time of doing so, is guilty of a misdemeanor...
Section 6127. The following acts or omissions in respect to the practice of law are contempts of the authority of the courts:
(a) Assuming to be an officer or attorney of a court and acting as such, without authority.
(b) Advertising or holding oneself out as practicing or as entitled to practice law or otherwise practicing law in any court, without being an active licensee of the State Bar...

Pertinent Sections of The Rules of the State Bar of California, Title Two, Rights and Responsibilities of Licensees.

Rule 2.30 Inactive license status
(A) Any licensee not under suspension, who does not engage in any of the activities listed in (B) in California, may, upon written request, be enrolled as an inactive licensee. The Secretary may, in any case in which to do otherwise would work an injustice, and subject to any directions which may be given by the board permit retroactive enrollment of inactive licensees.
(B) No licensee practicing law, or occupying a position in the employ of or rendering any legal service for an active licensee, or occupying a position wherein he or she is called upon in any capacity to give legal advice or counsel or examine the law or pass upon the legal effect of any act, document or law, shall be enrolled as an inactive licensee.
(C) Notwithstanding (A) and (B) a licensee serving for a court or any other governmental agency as a referee, hearing officer, court commissioner, temporary judge, arbitrator, mediator or in another similar capacity is eligible for enrollment as an inactive licensee if he or she does not otherwise engage in any of the activities listed in (B) or hold himself or herself out as being entitled to practice law.

I declare under penalty of perjury under the laws of the State of California that I have reviewed the Rules of the State Bar of California and I am eligible to enroll as an INACTIVE licensee of the State Bar of California. I agree to comply with the State Bar Act and the Rules of the State Bar of California.

Attorney Signature:

Today's Date:

(MM/DD/YYYY)

HOW TO SUBMIT THIS FORM

- FOR THE MOST EFFICIENT PROCESSING EMAIL COMPLETED FORM TO: AttorneyRegulation@calbar.ca.gov
Alternatively completed form can be faxed to: 415-538-2576