



The State Bar Court *of California*

Proposed Rule Changes to Allow Waivers of Filing Fees and Transcript Costs in the State Bar Court

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Filing Fees and Transcript Costs: A Barrier to Access

The problem: Filing fees and transcript preparation costs can make it impossible for some low-income litigants in the State Bar Court (SBC) to pursue their cases, regardless of the merits.

- Filing fees are required in reinstatement cases (\$1643), moral character appeals (\$514), and appeals of the denial, suspension, or revocation of a legal specialization certification (\$514). There is no provision in the rules allowing for a waiver or reduction of these fees.
- When a litigant seeks review of a Hearing Department decision or order, that litigant must submit a transcript order form and pay the transcript deposit requested by the SBC. Depending on the length of the trial, transcript preparation costs can be thousands of dollars. If the litigant cannot pay, they cannot file a request for review.



Proposed Eligibility Criteria and Application Procedure

Fee Waivers:

- Eligibility: Income below \$60,478, based on the fee scaling criteria in rule 2.15.
- Application: Applicant will submit a simple court-approved application form. In most cases, the determination will be made on the basis of the application, without a hearing or further evidence.
- Confidentiality: The information in the application will be kept confidential.

Transcript Cost Waivers:

- Eligibility criteria and application procedure will be similar to those for fee waivers, including confidentiality protections.
- If the changes to the Rules of Procedure for transcript cost waivers are approved, the Rules of Practice will be need to be revised to specify the application procedures.



Questions?

