

July 2025
Appellate Update

Legal ethics: Inactive attorneys may not act as mediators or arbitrators

In this case, an inactive lawyer challenged State Bar Rule 2.30 which prohibits inactive attorneys from acting as mediators or arbitrators. He argued that the rule violated the equal protection clause of the U.S. Constitution because it treats inactive attorneys different from active attorneys. The Court of Appeal held that the state has a legitimate interest in maintaining a competent bar and ensuring the professional conduct of its members and upheld the constitutionality of Rule 2.30.

Getzels v. The State Bar of California

Docket no.: B338089M (Second Appellate District)
July 24, 2025

Appellate procedure: Time to appeal

Superior Court Clerk's transmission of a Notice of Entry of Judgment was not sufficient to start the time running to file an appeal, even where the email attaches a copy of the Notice of Entry. Code of Civil Procedure section 1013b require the Clerk to "sign" the declaration of service under penalty of perjury. An email did not meet the statutory requirements.

Wing Inflatables, Inc. v. Certain Underwriters at Lloyd's

Docket no. A173263 (First Appellate District)
July 21, 2025