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**SB-253 State Bar of California.** (2025-2026)

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**Senate Bill No. 253**

**CHAPTER 405**

An act to amend Sections 6006, 6013.1, 6026.7, 6046.6, 6086.5, 6106.9, 6126.7, 6140, 6141, 6141.3, and 6173 of the Business and Professions Code, relating to attorneys.

[ Approved by Governor October 06, 2025. Filed with Secretary of State October 06, 2025. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 253, Umberg. State Bar of California.

Existing law, the State Bar Act, provides for the licensure and regulation of attorneys by the State Bar of California, a public corporation governed by a board of trustees. Existing law authorizes the State Bar to establish an examining committee, also known as the Committee of Bar Examiners, with powers that include examining all applicants for admission to practice law. Existing law, the Bagley-Keene Open Meeting Act, generally requires all meetings of a state body to be open and public. The State Bar Act makes the State Bar subject to the Bagley-Keene Open Meeting Act, with specified exceptions. The Bagley-Keene Open Meeting Act authorizes a state body that is an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body to hold an open meeting by teleconference if certain requirements are satisfied.

This bill would specify that the Committee of Bar Examiners shall not be considered an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body for purposes of those provisions.

Existing law prohibits the Committee of Bar Examiners from altering the bar examination in a manner that requires the substantial modification of the training or preparation required for passage of the examination, except after giving 2 years' notice of that change, and requires the committee to communicate and cooperate with the Law School Council.

This bill would prohibit the Committee of Bar Examiners from changing the vendor or creator of the multiple choice questions except after giving 18 months' notice, except as specified, and would prohibit the Committee of Bar Examiners from authorizing a remote administration of the bar examination except after giving 2 years' notice. The bill would require 120 days' notice for specified alterations of the bar examination, including changes to the medium in which testing materials are provided. The bill would require the Committee of Bar Examiners to communicate and cooperate with the Law School Council and their deans, or their designees, of law schools accredited by the American Bar Association or the committee. The bill would require the Committee of Bar Examiners to give notice if artificial intelligence is used in creating questions for or grading the bar examination. The bill would authorize the use of scaling on the bar examination, as specified.

Existing law, until January 1, 2026, requires the board of trustees of the State Bar to fix the annual license fee for active licensees for 2025 at a sum not exceeding \$400, and, for the annual license fee for inactive licensees for 2025, a sum not exceeding \$100.

This bill, until January 1, 2027, would require the board to fix the annual license fee for active licensees for 2026 at a sum not exceeding \$400, and the annual license fee for inactive licensees at a sum not exceeding \$100.

Existing law requires certain revenue received from specified noninsurance and insurance affinity programs offered to licensees of the State Bar to go to the California Lawyers Association or an affiliated 501(c)(3) organization to support their respective diversity, equity and inclusion, access to justice, and civil engagement efforts. Existing law prohibits the California Lawyers Association from creating, operating, participating in, or soliciting its members for any affinity or royalty program involving similar insurance or noninsurance products or services with a percentage or share of costs being distributed to the California Lawyers Association.

This bill would require the California Lawyers Association or the affiliated 501(c)(3) organization to submit an annual report to the Legislature detailing their use of funds and a statement of compliance with the prohibition on creating, operating, or soliciting members for affinity or royalty programs involving similar products or services.

Existing law prohibits a person who is not an attorney to literally translate from English into another language any words or titles that imply that the person is an attorney, and subjects the person to, among other things, a civil penalty payable to the State Bar. Existing law requires the State Bar to annually report the collection and expenditure of those funds for the preceding calendar year to the Assembly and Senate Committees on Judiciary.

This bill would instead require the State Bar to annually report the collection and expenditure of those funds for the preceding fiscal year.

Existing law requires the State Bar to create a program to certify alternative resolution firms, providers, or practitioners. Existing law requires the program to include different levels or tiers of certification of alternative dispute resolution firms, providers, or practitioners. Existing law requires the higher levels or tiers to be awarded to firms, providers, or practitioners that demonstrate a higher level of commitment to accountability and consumer protection based on criteria developed by the State Bar, and requires the levels or tiers to reference only specified standards of conduct.

This bill would instead require higher levels or tiers to be awarded to firms, providers, or practitioners that demonstrate a high level of commitment to accountability and consumer protection based on criteria or other standards, including additional education or training, adopted by the State Bar, and would delete the provision requiring the levels or tiers to reference only specified standards of conduct.

This bill would also delete obsolete provisions, update cross-references, and make other technical changes in various provisions of the act, including deleting a provision prohibiting inactive licensees from voting or holding office on the board.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

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## THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

**SECTION 1.** Section 6006 of the Business and Professions Code is amended to read:

**6006.** (a) Active licensees who retire from practice shall be enrolled as inactive licensees at their request.

(b) Inactive licensees are not entitled to practice law. Those who are enrolled as inactive licensees at their request may, on application and payment of all fees required, become active licensees. Those who are or have been enrolled as inactive licensees at their request are licensees of the State Bar for purposes of Section 15 of Article VI of the California Constitution. Those who are enrolled as inactive licensees pursuant to Section 6007 may become active licensees as provided in that section.

(c) Inactive licensees have such other privileges, not inconsistent with this chapter, as the board of trustees provides.

**SEC. 2.** Section 6013.1 of the Business and Professions Code is amended to read:

**6013.1.** (a) The Supreme Court shall appoint five attorney members of the board pursuant to a process that the Supreme Court may prescribe. These attorney members shall serve for a term of four years and may be reappointed by the Supreme Court for one additional term only.

(b) The Supreme Court shall fill any vacancy in the term of, and make any reappointment of, any appointed attorney member.

(c) When making appointments to the board, the Supreme Court should consider appointing attorneys that represent the following categories: legal services; small firm or solo practitioners; historically underrepresented groups, including consideration of race, ethnicity, gender, and sexual orientation; and legal academics. In making appointments to the board, the Supreme Court should also consider geographic distribution, years of practice, particularly attorneys who are within the first five years of practice or 36 years of age and under, and participation in voluntary local or state bar activities.

(d) The State Bar shall be responsible for carrying out the administrative responsibilities related to the appointment process described in subdivision (a).

**SEC. 3.** Section 6026.7 of the Business and Professions Code is amended to read:

**6026.7.** (a) The State Bar is subject to the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code) and all meetings of the State Bar are subject to the Bagley-Keene Open Meeting Act.

(b) Notwithstanding any other law, the Bagley-Keene Open Meeting Act shall not apply to the Judicial Nominees Evaluation Commission or the State Bar Court.

(c) In addition to the grounds authorized in the Bagley-Keene Open Meeting Act, a closed session may be held for those meetings, or portions thereof, relating to any of the following:

(1) Appeals from decisions of the Board of Legal Specialization refusing to certify or recertify an applicant or suspending or revoking a specialist's certificate.

(2) The preparation of examination materials, the approval, the grading, or the security of test administration of examinations for certification of a specialist.

(3) The preparation of examination materials, the approval, the grading, or the security of test administration of the California Bar Examination or the First-Year Law Students' Examination.

(4) Matters related to the Committee of Bar Examiners' consideration of moral character, including allegations of criminal or professional misconduct, competence, or physical or mental health of an individual, requests by applicants for testing accommodations in connection with an application for admission to practice law, or appeals of the Committee of Bar Examiners' determinations.

(5) Information about a law school's operations that constitutes a trade secret as defined in subdivision (d) of Section 3426.1 of the Civil Code.

(6) Matters related to the board's consideration of waiving confidentiality related to records of disciplinary proceedings under subdivision (c) of Section 6086.1.

(d) Notwithstanding subdivision (e) of Section 11125.7 of the Government Code, the State Bar shall accept public comment in open session on all matters that are agendaized for discussion or decision by the board of trustees, whether in an open or a closed session.

(e) The Committee of Bar Examiners shall not be considered an advisory board, advisory commission, advisory committee, advisory subcommittee, or similar multimember advisory body, as described in Section 11123.5 of the Government Code, for purposes of the Bagley-Keene Open Meeting Act.

**SEC. 4.** Section 6046.6 of the Business and Professions Code is amended to read:

**6046.6.** (a) (1) (A) The Committee of Bar Examiners shall not alter the bar examination in a manner that requires the substantial modification of the training or preparation required for passage of the examination, except after giving two years' notice of that change.

(B) This requirement does not apply to a change in the bar examination that is applicable only at the option of the applicant.

(2) The Committee of Bar Examiners shall not change the vendor or creator of the multiple choice questions except after giving 18 months' notice of that change. This paragraph shall not apply to the vendor of multiple choice questions used for the July 2025 bar examination.

(3) The Committee of Bar Examiners shall not authorize a remote administration of the bar examination except after giving two years' notice of that change.

(b) The Committee of Bar Examiners shall communicate and cooperate with the Law School Council and deans, or their designees, of law schools approved by the American Bar Association or the Committee of Bar Examiners.

(c) Scaling may be used on the bar examination for the purpose of maintaining an examination of uniform difficulty from year to year.

(d) (1) Any alteration to the bar examination that constitutes either of the following shall require at least 120 days notice:

(A) Changes that affect the user experience with testing software.

(B) Changes to the medium in which testing materials are provided.

(2) The notice requirement shall not apply to updates to the software necessary for any of the following:

(A) To satisfy bar examination security requirements.

(B) To ensure compatibility with new or updates to operating systems, chipsets, or hardware.

(C) To comply with web content accessibility guidelines or otherwise make the software more accessible.

(D) To improve efficiency of the system architecture.

(3) The notice requirement shall not apply to a change in the bar examination that is applicable only at the option of the applicant.

(e) The Committee of Bar Examiners shall provide notice if artificial intelligence is used in creating questions for the bar examination or grading of the bar examination.

(f) The changes made to subdivision (a) by the act that added this subdivision are to apply to any changes made from the July 2025 bar examination.

**SEC. 5.** Section 6086.5 of the Business and Professions Code is amended to read:

**6086.5.** (a) The board of trustees shall establish a State Bar Court, to act in its place and stead in the determination of disciplinary and reinstatement proceedings and proceedings pursuant to subdivisions (b) and (c) of Section 6007 to the extent provided by rules adopted by the board of trustees pursuant to this chapter. In these proceedings the State Bar Court may exercise the powers and authority vested in the board of trustees by this chapter, including those powers and that authority vested in committees of, or established by, the board, except as limited by rules of the board of trustees within the scope of this chapter.

(b) Access to records of the State Bar Court shall be governed by court rules and laws applicable to records of the judiciary and not the California Public Records Act (Division 10 (commencing with Section 7920.000) of Title 1 of the Government Code).

(c) For the purposes of Sections 6007, 6050, 6052, and 6077 (excluding the first sentence), “board” includes the State Bar Court.

(d) (1) Nothing in this section shall authorize the State Bar Court to adopt rules of professional conduct or rules of procedure.

(2) The Executive Committee of the State Bar Court may adopt rules of practice for the conduct of all proceedings within its jurisdiction. These rules may not conflict with the rules of procedure adopted by the board, unless approved by the Supreme Court.

**SEC. 6.** Section 6106.9 of the Business and Professions Code is amended to read:

**6106.9.** (a) It shall constitute cause for the imposition of discipline of an attorney within the meaning of this chapter for an attorney to do any of the following:

(1) Expressly or impliedly condition the performance of legal services for a current or prospective client upon the client's willingness to engage in sexual relations with the attorney.

(2) Employ coercion, intimidation, or undue influence in entering into sexual relations with a client.

(3) Continue representation of a client with whom the attorney has sexual relations if the sexual relations cause the attorney to perform legal services incompetently in violation of Rules 1.1 and 1.3 of the Rules of Professional Conduct of the State Bar of California, or if the sexual relations would, or would be likely to, damage or prejudice the client's case.

(b) Subdivision (a) shall not apply to sexual relations between attorneys and their spouses or persons in an equivalent domestic relationship or to ongoing consensual sexual relationships that predate the initiation of the attorney-client relationship.

(c) Where an attorney in a firm has sexual relations with a client but does not participate in the representation of that client, the attorneys in the firm shall not be subject to discipline under this section solely because of the occurrence of those sexual relations.

(d) For the purposes of this section, “sexual relations” means sexual intercourse or the touching of an intimate part of another person for the purpose of sexual arousal, gratification, or abuse.

(e) Any complaint made to the State Bar alleging a violation of subdivision (a) shall be verified under oath by the person making the complaint.

**SEC. 7.** Section 6126.7 of the Business and Professions Code is amended to read:

**6126.7.** (a) It is a violation of subdivision (a) of Section 6126 for any person who is not an attorney to literally translate from English into another language, in any document, including an advertisement, stationery, letterhead, business card, or other comparable written material, any words or titles, including, but not limited to, "notary public," "notary," "licensed," "attorney," or "lawyer," that imply that the person is an attorney. As provided in this subdivision, the literal translation of the phrase "notary public" into Spanish as "notario publico" or "notario," is expressly prohibited.

(b) For purposes of this section, "literal translation of" or "to literally translate" a word, title, or phrase from one language means the translation of a word, title, or phrase without regard to the true meaning of the word or phrase in the language that is being translated.

(c) (1) In addition to any other remedies and penalties prescribed in this article, a person who violates this section shall be subject to a civil penalty not to exceed one thousand dollars (\$1,000) per day for each violation, to be assessed and collected in a civil action brought by the State Bar.

(2) In assessing the amount of the civil penalty, the court may consider relevant circumstances presented by the parties to the case, including, but not limited to, the following:

(A) The nature and severity of the misconduct.

(B) The number of violations.

(C) The length of time over which the misconduct occurred, and the persistence of the misconduct.

(D) The wilfulness of the misconduct.

(E) The defendant's assets, liabilities, and net worth.

(3) The court shall grant a prevailing plaintiff reasonable attorneys' fees and costs.

(4) A civil action brought under this section shall be commenced within four years after the cause of action accrues.

(5) In a civil action brought by the State Bar under this section, the civil penalty collected shall be paid to the State Bar and allocated to the fund established pursuant to Section 6033 to provide free legal services related to immigration reform act services to clients of limited means or to a fund for the purposes of mitigating unpaid claims of injured immigrant clients under Section 22447, as directed by the Board of Trustees of the State Bar. The board shall annually report any collection and expenditure of funds for the preceding fiscal year, as authorized by this section, to the Assembly and Senate Committees on Judiciary. The report required by this section may be included in the report described in Section 6086.15.

**SEC. 8.** Section 6140 of the Business and Professions Code is amended to read:

**6140.** (a) The board shall fix the annual license fee for active licensees for 2026 at a sum not exceeding four hundred dollars (\$400).

(b) The annual license fee for active licensees is payable on or before the date set by the State Bar, which shall not be less than 12 months from the prior year's due date. Individuals who qualify for a waiver pursuant to subdivision (b) of Section 6141.1 shall be permitted to pay fees on an installment basis, with interest and other costs directly associated with the use of an installment plan, in the manner determined by the State Bar. Additionally, if the board finds it appropriate and feasible, it may provide by rule for payment of fees on an installment basis with interest, by credit card, or by other means, and may charge licensees choosing any alternative method of payment an additional fee to defray costs incurred by that election.

(c) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

**SEC. 9.** Section 6141 of the Business and Professions Code is amended to read:

**6141.** (a) The board shall fix the annual license fee for inactive licensees at a sum not exceeding one hundred dollars (\$100). The annual license fee for inactive licensees is payable on or before the date set by the State Bar, which shall not be less than 12 months from the prior year's due date.

(b) An inactive licensee shall not be required to pay the annual license fee for inactive licensees for any calendar year following the calendar year in which the licensee attains 70 years of age.

(c) This section shall remain in effect only until January 1, 2027, and as of that date is repealed.

**SEC. 10.** Section 6141.3 of the Business and Professions Code is amended to read:

**6141.3.** (a) Except as provided in subdivision (b), the State Bar shall provide offers of discounts and other benefits to active and inactive licensees of the State Bar, including, but not limited to, insurance and noninsurance affinity programs, until December 31, 2018, and insurance affinity programs only, after December 31, 2018. Any revenue generated by these programs shall be used as follows:

(1) For all revenue received from January 1, 2018, until December 31, 2018, 50 percent of the revenue shall be used to assist the California Lawyers Association in transitioning to an independent entity, 25 percent of the revenue shall be distributed to qualified legal services projects and support centers as provided in Section 6216, and 25 percent shall be used to support the discipline functions of the State Bar or to support the Client Security Fund.

(2) For all revenue received on and after January 1, 2019, until December 31, 2019, 50 percent of the revenue shall be distributed to qualified legal services projects and support centers as provided in Section 6216, and 50 percent of the revenue shall be used to support the discipline functions of the State Bar or to support the Client Security Fund.

(b) Notwithstanding subdivision (a), if approved by the board of trustees, California ChangeLawyers, and Cal Bar Affinity, a subsidiary of California ChangeLawyers, the State Bar may transfer administration of the programs offering discounts and other benefits to active and inactive licensees of the State Bar under subdivision (a) to Cal Bar Affinity provided that any revenue received, less the administrative costs of the State Bar and Cal Bar Affinity in operating the programs, up to a maximum of 12 percent of the revenue received, and less the taxes incurred by Cal Bar Affinity in operating the programs, shall be distributed as follows from January 1, 2019, until December 31, 2019:

(1) All of the revenue received from the noninsurance affinity programs shall be kept by California ChangeLawyers, which shall distribute 50 percent of that revenue to support the programs of California ChangeLawyers and 50 percent of that revenue to qualified legal services projects and support centers as provided in Section 6216.

(2) For all revenue received from the insurance affinity programs, 50 percent of the revenue shall be kept by California ChangeLawyers, which shall distribute 50 percent of that revenue to support the programs of California ChangeLawyers and 50 percent of that revenue to qualified legal services projects and support centers in accordance with the formula provided in Section 6216, and 50 percent of the revenue shall be used to support the discipline functions of the State Bar or to support the Client Security Fund.

(c) If approved by the California Lawyers Association, California ChangeLawyers, and Cal Bar Affinity, and provided the California Lawyers Association complies with the requirement in subdivision (e), all revenue received from the noninsurance affinity programs and the insurance affinity programs, less the administrative costs of the State Bar and Cal Bar Affinity in operating the programs, up to a maximum of 12 percent of the revenue received, and the taxes incurred by Cal Bar Affinity in operating the programs, shall be distributed as follows on and after January 1, 2020:

(1) The first one hundred fifty thousand dollars (\$150,000) of revenue received in 2020 and the first one hundred fifty thousand dollars (\$150,000) received in 2021 shall go to the California Commission on Access to Justice, payable as follows:

(A) Seventy-five thousand dollars (\$75,000) shall be paid on or before March 31, 2020, and seventy-five thousand dollars (\$75,000) shall be paid on or before June 30, 2020.

(B) Thirty-seven thousand five hundred dollars (\$37,500) shall be paid on or before March 31, 2021, thirty-seven thousand five hundred dollars (\$37,500) shall be paid on or before June 30, 2021, thirty-seven thousand five hundred dollars (\$37,500) shall be paid on or before September 30, 2021, and thirty-seven thousand five hundred dollars (\$37,500) shall be paid on or before December 31, 2021.

(2) Any additional revenue shall be distributed as follows:

(A) One-third of the remaining revenue shall go to California ChangeLawyers.

(B) One-third of the remaining revenue shall go to the California Lawyers Association or an affiliated 501(c)(3) organization to support their respective diversity, equity and inclusion, access to justice, and civic engagement efforts.

(C) One-third of the remaining revenue shall go to California ChangeLawyers, which shall distribute that revenue to qualified legal services projects and support centers in accordance with the formula provided in Section 6216. However, in any year, a qualified legal services project or support center, as defined in Section 6213, may elect in writing to direct their allocation for that year to California ChangeLawyers for fellowships for law students and law graduates at qualified legal services projects and support centers. California ChangeLawyers shall utilize a competitive grant application process for determining

grant awards. In awarding these statewide grants, preference shall be given to qualified legal services projects or support centers that serve rural or underserved communities and that serve clients regardless of immigration or citizenship status. The minimum grant amount shall be ten thousand dollars (\$10,000).

(d) Given the public protection mission of the State Bar, the Legislature finds that it would be inappropriate for the State Bar to administer the program on a long-term basis. Therefore, should the program continue to operate after December 31, 2018, it is the intent of the Legislature that the program be administered by an entity other than the State Bar.

(e) If the California Lawyers Association elects to accept any share of the affinity funds revenue under this section, the California Lawyers Association shall not create or operate, or participate in the creation or operation, or otherwise solicit its members, or arrange to have its members solicited, for any affinity or royalty program involving similar insurance or noninsurance products or services with a percentage or share of costs being distributed to the California Lawyers Association, other than as provided in this section. If the California Lawyers Association creates or operates, or participates in the creation or operation, or otherwise solicits its members, or arranges to have its members solicited for any affinity or royalty program involving the sale of insurance or noninsurance products or services with a percentage or share of costs being distributed to the California Lawyers Association, all funds that would have been provided to the California Lawyers Association from affinity or royalty programs that transferred from the State Bar or are similar to programs that transferred from the State Bar shall be provided to California ChangeLawyers, which shall distribute 50 percent of that revenue to support the programs of California ChangeLawyers and 50 percent of that revenue to qualified legal services projects and support centers as provided in subparagraph (C) of paragraph (2) of subdivision (c) of this section.

(f) The California Lawyers Association or the affiliated 501(c)(3) organization shall submit an annual report to the Legislature by January 31 of each year detailing their use of funds, as provided in subparagraph (B) of paragraph (2) of subdivision (c), and a statement of compliance with subdivision (e). The report shall cover the prior calendar year from January through December, except for the first report due on January 31, 2026, which shall cover the prior three calendar years of 2023, 2024, and 2025.

**SEC. 11.** Section 6173 of the Business and Professions Code is amended to read:

**6173.** (a) (1) The State Bar shall create a program to certify alternative dispute resolution firms, providers, or practitioners.

(2) A program created pursuant to paragraph (1) shall not require a firm, provider, or practitioner to be a licensee of the State Bar in order to be certified under the program.

(b) The program shall include, but shall not be limited to, all of the following:

(1) Procedures established by the State Bar for a firm, provider, or practitioner to become a certified alternative dispute resolution firm, provider, or practitioner that include, but are not limited to, a requirement that the firm, provider, or practitioner verify all of the following:

(A) The firm, provider, or practitioner requires, at a minimum, its arbitrators to comply with the Ethics Standards for Neutral Arbitrators in Contractual Arbitration as adopted by the Judicial Council pursuant to Section 1281.85 of the Code of Civil Procedure.

(B) The firm, provider, or practitioner requires, at a minimum, its mediators to comply with ethical standards that are equivalent to the Rules of Conduct for Mediators in Court-Connected Mediation Programs for General Civil Cases as provided in Rules 3.850 to 3.860, inclusive, of the California Rules of Court.

(C) The firm, provider, or practitioner has procedures in place for persons to make complaints regarding the failure of an arbitrator or mediator of the firm, provider, or practitioner to comply with the standards described in subparagraph (A) or (B), as applicable. For mediators, those complaint procedures shall be substantially similar to the complaint procedures specified in Article 3 (commencing with Rule 3.865) of Chapter 3 of Division 8 of Title 3 of the California Rules of Court.

(D) The firm, provider, or practitioner has procedures to remedy failures of arbitrators or mediators to comply with the standards described in subparagraph (A) or (B), as applicable.

(2) Different levels or tiers for certification that meet both of the following requirements:

(A) Higher levels or tiers are awarded to firms, providers, or practitioners that demonstrate a higher level of commitment to accountability and consumer protection based on criteria or other standards, including, but not limited to, additional education or training, adopted by the State Bar.

(B) The levels or tiers do not reflect an assessment of the quality of a firm, provider, or practitioner.

(3) Authority for the State Bar to deny or revoke certification for a failure to meet or maintain certification standards.

(c) (1) The State Bar may charge an alternative dispute resolution firm, provider, or practitioner seeking certification pursuant to this section a fee to cover the reasonable costs of administering the program.

(2) The fee charged pursuant to paragraph (1) may be higher in the early years of the program to reimburse the State Bar for costs related to the planning and establishment of the program, including, but not limited to, technology and preliminary staffing costs.

(3) The State Bar shall not use any moneys received from the annual license fees collected pursuant to Section 6140 or 6141 for any costs associated with this section.

(d) For purposes of this article:

(1) "Alternative dispute resolution" means mediation, arbitration, conciliation, or other nonjudicial procedure that involves a neutral party in the decisionmaking process.

(2) "Program" means the program created pursuant to subdivision (a).