

Summary of Proposal for De-Unification/Reform of the California State Bar April 2016

Reform Timeline

Apr-Oct, 2016	Oct 1, 2016	Oct 1-Dec 31 2016	Jan 1, 2017- March 31, 2018	April 1, 2018, to Dec. 31, 2018	Jan. 1, 2019
GTF continues	Fee Bill Passed setting forth proposal parameters & timelines	State Bar may begin work to prepare proposal in anticipation of law	Study/minimum 60 day comment period/draft proposal for Gov., Chief Justice, and Senate/Assembly Judiciary Cttees.	State Bar implementation proposal submitted and to proceed through legislative process	New structures take effect

Division of Functions/Assets

California Legal Services Regulatory Board (CLSRB)	New California State Bar Association
Admissions & Committee of Bar Examiners	16 Sections & CYLA
Law School Accreditation & Registration	Committees that do professional ass'n functions
Discipline (OCTC and State Bar Court)	Commissions that do professional ass'n functions
Lawyers' Assistance Program (LAP)	Other State Bar Depts doing prof. ass'n. functions
Client Security Fund	Reserve funds of Sections
Member Records & Compliance	Other funds restricted to prof. ass'n functions
Judicial Nominees Evaluation Commission	IP Rights of sections and prof. ass'n comm/depts
Continuing Legal Education Regulation	Continuing Education Program education
Non-professional association functions TBD	Use of seal and name "Calif State Bar Association"
Use of name "California Legal Services Regulatory Board"	

Other features:

- No net loss of State Bar employment as result of proposal.
- Statutory annual meeting requirement ends January 1, 2019.
- CLSRB to be mandated to collect voluntary dues for the professional association on the annual fee statement sent to all California licensed attorneys.

Governing Board Structure

- BOT terminates and California Legal Services Regulatory Board effective on January 1, 2019.
- No attorney members elected to the California State Bar Board of Trustees after January 1, 2017.
- Current BOT appointed members may be reappointed through December 31, 2018.

	California Legal Services Regulatory Board (CLSRB)	New California Bar Association
Number (13)	13 members	TBD by professional association
Attorneys (6)	6 (1 each by Gov., SCT. and 2 each by S. Rules and Ass. Rules)	
Non-Attorneys (7)	7 (2 by Gov., 3 by SCT., 1 by S. Rules and Ass. Rules)	

Additional details of Board restructuring:

- Members serve 4-year overlapping terms; eligible to successive terms; initial appointees shall receive staggered terms by lot (2, 3 and 4 years).
- Geographic diversity will be required so that each appointing authority includes one person from the 1st/3rd DCA; one from 5th/6th DCA; and one from the 2nd/4th DCA.
- A Chair and Vice Chair shall be elected annually and be eligible for successive terms.

Separate Provisions

- B&P Code shall be revised to add Chief Justice to the following State Bar legislative reports:
 - Felonies by attorneys
 - Report on *notario* fraud violations
 - Budget
 - Annual Discipline Report
 - Annual report on the Lawyer’s Assistance Program
- State Bar shall propose a program to use licensing fee revenues to fund loan forgiveness for those who agree to provide legal services in under-served counties, subject to voluntary check-off, similar to physicians program described under B&P Code 2436.5.
- B&P Code to be revised to eliminate references to “members” and “dues” and replacing them with “licensees” or “attorneys” and “fees.”
- CLSRB shall be prohibited from creating specialty law sections or committees that collect voluntary dues or compete with the state-wide professional association.
- B&P Code shall be amended to make legislative Board attorney appointees eligible to serve on Governance Task Force.