

THE STATE BAR OF CALIFORNIA

NOTICE AND AGENDAS

Pursuant to the Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors of the State Bar, article 2, section 2, notice is hereby given of the following regular meeting of the Board of Governors of the State Bar of California and the Board Committees and Task Force of the State Bar of California:

**Piccadilly Inn West Shaw
2305 West Shaw Avenue
Fresno, California
Phone: (559) 226-3850**

Thursday, September 9, 2004

2:30 p.m. - 4:30 p.m.	Task Force on Sections	Executive Room
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Friday, September 10, 2004

7:00 a.m. - 9:00 a.m.	Board Breakfast	Crown Room
8:00 a.m. - 9:00 a.m.	Board Operations	Regency A
9:00 a.m. - 11:00 a.m.	Planning, Program Development, and Budget	Regency B
9:00 a.m. - 11:00 a.m.	Member Oversight	Regency C
11:00 a.m. - 1:00 p.m.	Stakeholder Relations	Regency A
11:00 a.m. - 1:00 p.m.	Volunteer Involvement	Regency C
1:00 p.m. - 2:00 p.m.	LUNCH	Crown Room
2:00 p.m. - 4:00 p.m.	Regulation, Admissions and Discipline	Regency B

Saturday, September 11, 2004

8:00 a.m.	Board Breakfast	Executive Room
9:00 a.m. -	BOARD MEETING	Crown Room

THE STATE BAR OF CALIFORNIA

AGENDA

BOARD OF GOVERNORS MEETING

AT

**Piccadilly Inn West Shaw
2305 West Shaw Avenue
Fresno, California
Phone: (559) 226-3850**

Saturday, September 11, 2004

(The times listed below are guidelines. The President reserves the right to adjust this schedule.)

Time (estimates only)

OPEN SESSION

(Roeca/
Stump) **140 Planning, Program Development, and Budget** 9:00 a.m.
(40 minutes)

141 Affirmation of Goal 1 [Attorney Admission, Regulation and Discipline] and
Goal 5 [Leadership and Accountability] Performance Measures, and
Presentation of Goals 1 - 6

[SPECIAL ORDER OF BUSINESS: 9:00 a.m.]

(Capozzi) **10 MINUTES** 9:40 a.m.
(2 minutes)
July 24, 2004

(Capozzi) **30 PRESIDENT'S REPORT** 9:42 a.m.
(13 minutes)

1. Judicial Branch Budget—status report
2. Appointment of Liaisons to State Bar Section Executive Committees,
Standing Committees, Special Committees, Boards and Commissions

*See closed session agenda prior to action.

(Johnson) **40 STAFF REPORTS** 9:55 a.m.
(5 minutes)

41 Executive Director

42 Secretary's Report

1. Introduction of Newly Elected Board Members

50 CONSENT AGENDA 10:00 a.m.
(2 minutes)

(Capozzi) 51 Financial Statements - None

(Capozzi) 52 Investment Reports - None

(Capozzi) 53 Client Security Fund Reports - None

(Capozzi) 54-111 State Bar Sponsored Life Insurance Program—selection of broker

[Report of Action Taken via Conference Call Meeting by the Board Committee on Operations Acting on behalf of the Board between Regularly Scheduled Board Meetings, August 12, 2004]

(Van de Kamp) 54-121 *Rules of Procedure of the State Bar of California*, Disciplinary Costs and Client Security Fund Payments as Money Judgments—implementation of statutory authorization for collection

[Report of Fax-Poll Action Taken by the Board between Regularly Scheduled Board Meetings, August 6 - 13, 2004]

(Cavanaugh) 54-131 Commission on Judicial Nominees Evaluation Statistical Report for Years 2000 - 2003—informational only

100-300 REPORTS OF BOARD COMMITTEES

(Capozzi) **110 Board Operations** 10:02 a.m.
(18 minutes)

112 Memoranda of Understanding—status report on negotiations

113 Board Policy Book (“Board Book”)—proposed affirmation

114 State Bar Membership List Policy—proposed amendments

115* *McCullough v. Clausen*—request for amicus curiae participation

*See closed session agenda prior to action.

(Van de Kamp)

120 Regulation, Admissions, & Discipline Oversight

10:20 a.m.
(10 minutes)

- 122 Pilot Program Evaluation—proposed amendments following public comment period
- 123 State Bar’s Discipline Record Destruction Policy—proposed amendments following public comment period

(Cavanaugh)

130 Member Oversight

10 30 a.m.
(10 minutes)

- 132 Members’ Requests for Adjustment to Fees and/or Penalties—proposed approval
- 133 Standards for Certification and Recertification in Personal and Small Business Bankruptcy Law (Standards)—proposed amendments following public comment period
- 134 *Rules and Regulations of the State Bar of California*, Article 1, Sections 7 and 9 [Waiver of Fees and Penalties]—proposed amendments following public comment period
- 135 *Rules and Regulations of the State Bar of California*, Art. 1, Section 7.2 [Waiver of 2005 and 2006 Membership Fees and Penalties for Members of Armed Services]—proposed interim adoption and request for release for public comment period
- 136 AOC Survey re State Courts and Judicial System—proposed approval of release of random list of attorneys

(Roeca)

140 Planning, Program Development, and Budget

10:40 a.m.
(30 minutes)

- 142 *California Rules of Court*, Rule 983 [Counsel Pro Hac Vice], and new *Counsel Pro Hac Vice Program Rules and Regulations*—proposed amendments, adoption, and fee increase respectively following public comment period
- 143 *California Rules of Court*, Rule 983.4 [Out of State Attorney Arbitration Counsel], and *Out-of-State Attorney Arbitration Counsel Program Rules and Regulations*—proposed amendments following public comment period, and proposed fee increase

*See closed session agenda prior to action.

- 144 The State Bar’s Registered Legal Services Attorney Program, and Registered In-House Counsel Program—proposed adoption of rules following public comment period
- 145 New MJP Programs: California Rules of Court, Rule 964, Registered Legal Services Attorneys, and California Rules of Court, Rule 965, Registered In-House Counsel—proposed setting of application fee following public comment period
- 146 2005 State Bar Budget—proposed adoption of Restricted Fund Operating Budgets
- 147 Governance Structure of Board Committees—proposed merging of certain Board committees
- 148 Board Planning Policies (adopted by the Board August. 23, 2002)—proposed amendments
- 149 Completed Package of Planning Documents—informational only

(Kral)

150 Volunteer Involvement

11:10 a.m.
(3 minutes)

(Scott)

160 Stakeholder Relations

11:13 a.m.
(3 minutes)

- 161 Report of the Chief Legislative Counsel
- 162 Immediate Action Items

600 REPORTS OF SPECIAL COMMITTEES, BOARDS AND COMMISSIONS

700 MISCELLANEOUS

(Van de Kamp)

701 2004-2005 Officers of the State Bar

(Capozzi/Shelton)

702 Presentation of Memorial Resolution to the Family of the Hon. Hugh W. Goodwin [attending the presentation will be Kay Parker, Executive Director of the Hugh W. Goodwin Bar Association]

[SPECIAL ORDER OF BUSINESS: 12:15 P.M.]

*See closed session agenda prior to action.

CLOSED SESSION

11:16 a.m.
(1 hour)

1000 MINUTES

July 24, 2004

(Closed pursuant to Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors, article 5, section 3(a))

3000 REPORTS OF BOARD COMMITTEES

3110 Board Operations

- (Capozzi) 3116 Petersen, Claim of
- (Capozzi) 3117 Executive Director's Performance Evaluation and Employment Contract
- (Capozzi/
Van de Kamp) 3118 Chief Trial Counsel Annual Evaluation—informational only

(Closed pursuant to Business and Professions Code section 6026.5(d))

4000 STAFF REPORTS

4010 General Counsel—report (a) certain litigation (to be identified), (b) any settlement matters, (c) prospective litigation, (d) any requested waivers of claims of privilege:

~~415*~~ ~~McCullough v. Clausen—request for amicus curiae participation~~

4011 Konig v. State Bar—status report

(Closed pursuant to Business and Professions Code section 6026.5(a))

5000 CLOSED CONSENT

None

*See closed session agenda prior to action.

(Kral)

6000 APPOINTMENTS

6010 CLOSED CONSENT

6011 Committee on Group Insurance Programs—interim appointment of member

6012 Legal Services Trust Fund Commission—appointment of public member

6013 Immigration and Nationality Law Advisory Commission—appointment of member

6014 Taxation Law Advisory Commission—appointment of member

6020 Section Executive Committees, 2004-2005, Part II—annual appointment of members and officers to the Intellectual Property Section

6030 Commission on Judicial Nominees Evaluation, 2005—appointment of officers and members

6040 Review Committee, Commission on Judicial Nominees Evaluation—appointment of officer and member

6050 Center for Civic Education Board of Directors—appointment of two members from the State Bar's Board of Governors

6060 Bernard E. Witkin Medal Award—selection of recipient

(Closed pursuant to Business and Professions Code section 6026.5(g))

LUNCH

12:16 p.m.
(1 hour)

ADJOURN BOARD MEETING

1:30 p.m.

*See closed session agenda prior to action.