

IIA

Board Committee on Operations
Referral List
April 13, 2007

Category I – Change in Date Only

May # 1

Proposed rules of procedure for fee arbitrations by the Inyo County Bar Association

The Inyo County Bar Association seeks approval by the Board of Governors of new rules of procedure for fee arbitrations. The MFA Committee recommends approval based on its review that the new rules comply with the statutes and Minimum Standards for Mandatory Fee Arbitration.

Responsible Staff: Jill Sperber

Recommendation: RAD - TBD-May

BOG - TBD-May

May # 2

Proposed rules of procedure for fee arbitrations by the Alameda County Bar Association

The Alameda County Bar Association seeks approval by the Board of Governors of new rules of procedure for fee arbitrations. The MFA Committee recommends approval based on its review that the new rules comply with the statutes and Minimum Standards for Mandatory Fee Arbitration.

Responsible Staff: Jill Sperber

Recommendation: RAD - TBD-May

BOG - TBD-May

May # 3

Chief Trial Counsel Evaluation

Continue with evaluation process.

Responsible Staff: Bob Hawley

Recommendation: RAD - March/May/July

May # 4

Proposed Revisions to the Guidelines and Minimum Standards for the Operation of Mandatory Fee Arbitration Programs Return from public comment of para. 13 of State Bar Minimum Standards

At its March 8, 2007 meeting, RAD authorized release of language for paragraph 13 relating to third party requests for fee arbitration. The 45 day public comment period ends April 27, 2007. Further revisions to the version of paragraph 13 released for public comment are presented in this item. These further revisions were made to clearly state the duties of the lawyer to maintain client confidences absent consent by the client to disclosure of confidential information in such arbitrations and to provide for notice to the client and the establishment of program procedures to ensure that notice was given. The MFA Committee recommends Board approval of this further revision to paragraph 13.

Responsible Staff: Jill Sperber

Recommendation: RAD - Aug/Nov/Mar/May/July BOG - Aug/Nov/Mar/July

May # 5

Draft Rules for the Registration of Unaccredited and Correspondence law schools. Request for release for public comment.

Draft rules for the registration of unaccredited and correspondence law schools were approved for release for public comment during RAD's March 2007 meeting. Since then, a revised version of the new rules has been drafted and approved in principle by the Committee of Bar Examiners, subject to a period of public comment and approval by the Board of Governors. The revised version does not change the substance of the new rules, but, rather, the new language converts them to "plain English" and conforms them to format and language standards recently utilized for other State Bar rules. The Committee of Bar Examiners requests that the revised draft replace the original draft of the new rules, and that the public comment period be shortened for the new version so that the public comment period remains the same as originally announced, which ends June 11, 2007.

Responsible Staff: Gayle Murphy

Recommendation: RAD - Mar/May/July

BOG - July

May # 6

Legal Specialization Accreditation of the National Board of Trial Advocacy's (NBTA) Certification Program in Social Security Disability Law

The materials for this item are ready to be presented to MOC and the Board at its May 2007 meeting. The NBTA/NBLSC certification program in social security disability law is accredited by the American Bar Association (ABA). A review was conducted by an Accreditation Evaluation Subcommittee appointed by the Board Committee on Operations. The Subcommittee has recommended approval of the applicant's program and the BLS concurs in that recommendation.

Responsible Staff: Phyllis J. Culp

Recommendation: MOC - ~~TBD~~ May

BOG - ~~TBD~~ May

May # 7

Proposed Amendments to the Rules governing the State Bar of California program for certifying Legal Specialists - Request for public comment

The Board of Legal Specialization will be meeting during the March BOG meeting. The item is ready to be presented to MOC at its May meeting. It is anticipated that following the 90-day public comment period, the item will be presented to the Board at its November meeting.

Responsible Staff: Phyllis Culp

Recommendation: MOC - ~~July~~ May

BOG - ~~March~~ Nov

May # 8

Affinity Administrator of Member Benefits and Services- Approval of Contract with Successful Bidder

The Affinity Administrator has been selected through the RFP process and contract negotiations between the vendor and staff have taken place. The item is ready to be presented to MOC and the Board at its May meeting.

Responsible Staff: Starr Babcock

Recommendation: MOC - TBD May

BOG - TBD May

May # 9

Approval of New Employment Practice Liability Insurance ("EPLI") Carrier

A carrier has not yet been selected so this item is not yet ready to come before the Board. It is expected that the carrier will be selected by the May meeting.

Responsible Staff: Starr Babcock

Recommendation: MOC - March May July

BOG - March May July

May # 10

Marketing State Bar Commercial Web site - Approval of Proof of Concept

Staff is in early discussions regarding the development and marketing of a State Bar Commercial Web site. It is expected that the proof of concept and marketing guidelines for the State Bar Commercial Web site will be presented to the Board at its May meeting.

Responsible Staff: Starr Babcock

Recommendation: MOC - March May July

BOG - March May July

May # 11

Proposed Standards for Marketing State Bar Programs

The Affinity Administrator ("Administrator") of member products and programs has not yet been selected. Proposed standards for marketing State Bar programs will be developed by staff and the Administrator. It is expected that the proposed standards will be presented to the Board at the May meeting.

Responsible Staff: Starr Babcock

Recommendation: MOC - March May July

BOG - March May July

May # 12

Law School Council, Annual Appointment of Members

The annual election of the law school deans to serve on the Law School Council will be held in May this year, and therefore, VIC and Board will consider this matter at the July meeting.

Responsible Staff: Gayle Murphy

Recommendation: VIC - May July

BOG - May July

May # 17

Proposed Standards for Certification and Recertification in Admiralty and Maritime Law- Request for Public Comment

The item is ready to be presented to MOC at its May meeting. It is anticipated that following the 90-day public comment period, the item will be presented to the Board at its November meeting. The BLS decided to consider a certification program in Admiralty and Maritime Law after being approached by a practitioner in that area. Information that practitioners provided indicates that admiralty and maritime law is a highly specialized field. Practitioners in this area believe that certification would provide a way for consumers to locate competent counsel.

Responsible Staff: Phyllis Culp

Recommendation: MOC- May/Nov

BOG - Nov

May # 18

Annual Report- Insurance Programs

2006 recap of Insurance committee activities and accomplishments. There will be a report for each of the insurance committees: Committee on Professional Liability Insurance (COPLI) and the Committee on Group Insurance Products (COGIP).

Responsible Staff: Staff Babcock

Recommendation: MOC- May

BOG - May

May # 19

Proposed Rule of Court (9.8) relating to Online registration and reporting requirement for Attorneys

SB 56 (Dunn), Chapter 380 of 2006, requires the State Bar to adopt procedures to facilitate reporting of mandatory and voluntary information by providing members with a centralized mechanism for reporting information online at the State Bar Internet Web site. A staff working group has developed proposed Rule of Court 9.7 to establish an online registration service that enables each member to register with the State Bar and to report all information identified by the State Bar that is mandated by the State Bar Act, or by other statutes, rules and case law.

Responsible Staff: Larry Doyle, Mary Yen

Recommendation: MOC - May/Nov

BOG - Nov

May # 20

California Attorney Standards of Civility and Professionalism- request for public comment

California does not have statewide standards of civility and professionalism that could be applicable to all members of the Bar regardless of location or area of practice. The Attorney Civility Task Force was appointed early this Board year to make a recommendation to the Board for standards of civility and professionalism for bar members. The task force will seek authorization at the May MOC meeting to publish proposed standards for a 30-day public comment

period. It is expected that return from public comment will be ready for the July meeting of MOC and the entire BOG.

Responsible Staff: Mary Yen

Recommendation: MOC - May

BOG - May

May # 21

Intellectual Property Law Section Bylaw Request for Change - Increase in the Maximum Number of Executive Committee Members

The Intellectual Property Law Section Executive Committee would like to change their section bylaws to permit for an increase in the maximum number of executive committee members from 15 to 17 to accommodate the workload of the committee. The item will be presented to MOC and the Board at its May meeting.

Responsible Staff: Pamela Wilson

Recommendation: MOC - May

BOG - July

May # 22

Consideration of 2007 Resolutions of the Conference of Delegates of California Bar Associations

The Conference of Delegates of California Bar Associations has posted its 2007 resolutions. Four of those resolutions relate directly to the State Bar. The Office of Governmental Affairs has reviewed those resolutions, in consultation with other State Bar staff. This item contains the recommendations of the Office of Governmental Affairs with respect to the four resolutions.

Responsible Staff: Saul Bercovitch

Recommendation: Stakeholders - May

BOG - May

May # 23

Committee of Bar Examiners, Interim Appointment of Member.

This committee has received a new resignation and has requested that the Board fill the vacancy at its May meeting.

Responsible Staff: Gayle Murphy

Recommendation: VIC - May

BOG - May

May # 24

Fee Arbitration Department, Appointment of New Arbitrators. The Fee Arbitration Department has new appointments to make and has requested that Board consider this matter at the May meeting.

Responsible Staff: Jill Sperber

Recommendation: VIC - May

BOG - May

May # 25

Business Law Section Bylaw Request for Change - Change Section Sub-Committee Structure

The Business Law Section Executive Committee would like to change their section bylaws to permit them to restructure their sub-committees as needed. The item will be presented to MOC and the Board at its July meeting.

Responsible Staff: Pam Wilson
Recommendation: MOC - July

BOG - July