

Board Committee on Operations
Referral List
July 19, 2007

Category I – Change in Date Only

July # 1

Proposed amendments to Rule 9.30 (former 957), California Rules of Court, re Registration of Unaccredited and Correspondence Law Schools

So that the current Rule 9.30 is not in conflict with the proposed new registration rules for unaccredited and correspondence law schools, proposed amendments to Rule 9.30 must be approved and forwarded to the Court with enough time for the Court to review them before the new rules are scheduled to be implemented January 1, 2008.

Responsible Staff: Gayle Murphy

Recommendation: RAD - ~~TBD~~ **July/Nov**

BOG - ~~TBD~~ **Nov**

July # 2

Modification of “Notice of Your Rights After Arbitration Form”-- Request for Release for Public Comment

Explanation: The MFA Committee requests release for public comment proposed revisions to the Notice form required by statute to be served with the Findings and Award by all mandatory fee arbitration programs.

Responsible Staff: Jill Sperber

Recommendation: RAD - ~~Nov/Mar~~ **July/Nov**

BOG - ~~Mar~~ **Nov**

July # 3

~~State Bar's Response to the Supreme Court Request that the State Bar study and report on issues identified in Frye vs. THC— Study, Report and Recommendations Regarding Practice of Law in Nonprofit Corporations~~

Frye v. THC: Report to the Supreme Court on Nonprofit Law Practices

The Supreme Court has requested that the State Bar conduct a study and report back to the Court as to whether regulation of nonprofit legal service providers is warranted. This agenda item reports the findings of the State Bar Task Force.

Responsible Staff: Bob Hawley

Recommendation: RAD - ~~TBD~~ **Sept or Nov**

BOG – ~~TBD~~ **Nov**

July # 4

Approval of New Employment Practice Liability Insurance (“EPLI”) Carrier

Bidding evaluation process following RFP is not yet complete.

Responsible Staff: Starr Babcock

Recommendation: MOC – ~~Mar/May~~ **July/Nov**

BOG - ~~Mar/May~~ **July/Nov**

July # 5

Proposed Consolidation of State Bar Insurance Committees

Project to be completed upon launch of Affinity Program in late September.

Responsible Staff: Starr Babcock

Recommendation: MOC – ~~Mar/May/July/Nov~~

BOG - ~~Mar/May/July/Nov~~

July # 6

State Bar Rule Revision – Law Corporations – Request for Public Comment

Other Rules Revision projects have taken priority over this one.

Responsible Staff: Dina DiLoreto

Recommendation: MOC – ~~Mar/May/July/TBD~~

BOG - ~~Mar/May/July/TBD~~

July # 7

State Bar Rule Revision – Limited Liability Partnerships – Request for Public Comment

Other Rules Revision projects have taken priority over this one.

Responsible Staff: Dina DiLoreto

Recommendation: MOC – ~~Mar/May/July/TBD~~

BOG - ~~Mar/May/July/TBD~~

July # 8

Revisions to the Membership List Policy – Return from Public Comment

There is insufficient time to adequately review and assess public comment in advance of July meeting due to late public comment deadline.

Responsible Staff: Starr Babcock

Recommendation: MOC – ~~Mar/May/July/Nov~~

BOG - ~~Mar/May/July/Nov~~

July # 9

Legal Services of Northern California (LSNC), Annual Appointment of Attorney Members to the Board of Directors

LSNC has requested additional time for recruitment and therefore, it will not be possible to consider these appointments at the July meeting. LSNC requests that this matter be considered at a subsequent Board meeting.

Responsible Staff: Mary Lavery Flynn and Chris Zupanovich

Recommendation: VIC – ~~July Nov~~

BOG – ~~July Nov~~

Category II – Possible Committee Reassignments

None

Category III – New Matters Requiring Assignment to the Appropriate Board Committee

July # 10

Approval of Placer County Bar Rules of Procedure for Fee Arbitrations

The MFA Committee has recommended approval of new local bar rules of procedure for fee arbitrations as being in compliance with the State Bar's

Guidelines and Minimum Standards for the Operation of Mandatory Fee Arbitration Programs.

Responsible Staff: Jill Sperber

Recommendation: RAD - July

BOG - July

July # 11

Approval of Los Angeles County Bar Rules of Procedure for Fee Arbitrations

The MFA Committee has recommended approval of proposed local bar rule amendments as being in compliance with the State Bar's Guidelines and Minimum Standards for the Operation of Mandatory Fee Arbitration Programs.

Responsible Staff: Jill Sperber

Recommendation: RAD - July

BOG - July

July # 12

Approval of Beverly Hills Bar Rules of Procedure for Fee Arbitrations

The MFA Committee has recommended approval of new local bar rules of procedure as being in compliance with the State Bar's Guidelines and Minimum Standards for the Operation of Mandatory Fee Arbitration Programs.

Responsible Staff: Jill Sperber

Recommendation: RAD - July

BOG - July

July # 13

Interim Plan for Consideration of Resignations with Charges Pending

The Supreme Court has asked the State Bar to review its procedures for handling resignations with charges pending. This item establishes a plan for handling those matters until the review process has been completed and any recommended changes are adopted.

Responsible Staff: Scott Drexel

Recommendation: RAD - July

BOG - July

July # 14

Report of Special Examiner on Complaint Involving Moral Character Proceeding

An applicant for the California Bar Exam with a moral character issue filed a complaint against OCTC. RAD assigned a Special Examiner to investigate the matter. The report from the Special Examiner will be received by RAD.

Responsible Staff: Bob Hawley

Recommendation: RAD - July

July # 15

Proposed Resignation of Attorney

In its May 17, 2007 letter, the Supreme Court asked how the Board applied the factors under rule 9.21(d) to attorney resignations, but the Board didn't apply

those factors. This item proposes to have RAD and the Board apply the factors and report its evaluation to the Court.

Responsible Staff: Scott Drexel

Recommendation: RAD - July

BOG: July

July # 16

Annual Recommendation to The Supreme Court for Expungement of Member Records in accordance with Rule of Court 9.6(b)

Rule of Court 9.6(b) authorizes the State Bar of California to annually transmit a recommendation to the Supreme Court that members who meet certain criteria have their record of fee suspension expunged. The criteria are: the member has not on any previous occasion obtained an expungement under Rule 9.6(b); the suspension was for 90 days or less; the suspension ended at least seven (7) years before the date of submission to the Court; and the member has no other record of suspension or involuntary inactive enrollment for discipline or otherwise. Upon order of the Court, the members record will be expunged in accordance with Rule of Court 9.6(c).

Responsible Staff: Starr Babcock, Dina Diloreto, Robert McPhail

Recommendation: MOC - July

BOG – July

July # 17

California Aspire Achieve Lead Pipeline Project

The proposal for the creation of California Aspire Achieve Lead Pipeline Project (CaAAL) seeks to create a collaborative partnership to close the student achievement gap along the pipeline and to generate a competent cadre of individuals ready to ensure the success of California's economic and political future. Initial anticipated partners include the CPUC, CalPERS, and the State Bar of California. The project will focus on creating the structure and initiatives, as well as providing support to build the pipeline in a different professional track each year, starting with the Legal Profession in the first year and Financial Institutions in the second year. The Legal Profession was identified for the first year's focus, due to the extensive work done by the State Bar Diversity Pipeline Task Force and continued work by the Council on Access & Fairness. The diversity pipeline efforts of the State Bar will also serve as the basis for the work done in the other professional areas. The proposal has been presented to the CPUC and to the CalPERS Board and the State Bar is the remaining entity to review the proposal. This item seeks BOG approval for the State Bar to be a founding partner for this groundbreaking project. No additional State Bar funds will be needed to support this project. Existing staff currently focusing on diversity pipeline programs will make available program resources and information created through the State Bar Council on Access & Fairness. No additional staff will be needed.

Responsible Staff: Patricia Lee

Recommendation: Stakeholders - July

BOG - July

July # 18

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 - July

BOG - July

July # 19

~~Environmental Law Section Executive Committee~~, Standing, Section Executive and Special Committees, 2007- 08 Interim Appointment of Members

To date, three standing committees and two sections have had recent resignations and/or new members unexpectedly declining their 2007-08 appointments. Each committee is recommending that their next ranked alternate be appointed to fill the new vacancy so that the committee will have a full membership when the new committee year starts this fall. We request that these interim appointments be considered in one umbrella item by VIC and the Board at the July meeting. Any committee that has a similar situation from now until the July meeting will be added to this umbrella group.

Responsible Staff: Karen Hagelund and Pam Wilson

Recommendation: VIC - July

BOG - July