

The State Bar of California
FY 2009 Committee on Federal Courts Work Plan

BACKGROUND
Sub-entity Name: Committee on Federal Courts
Chair: Kenneth C. Noorigian
State Bar Staff: Saul Bercovitch, Staff Attorney
Date: January 31, 2008
<p>Sub-entity Background: The Committee on Federal Courts is composed of fifteen members appointed by the Board of Governors. A representative of the Circuit Executive of the United States Court of Appeals for the Ninth Circuit is eligible to participate ex officio. The charge of the committee is as follows:</p> <ul style="list-style-type: none">a. Generally enhance the lines of communication between the Federal Bench in California and the State Bar, including the attorney discipline system.b. Bring to the attention of the Federal Bench in California, State Bar issues that have an impact on Federal Court practice in California.c. Make the State Bar Board aware of Federal Court issues that may have an impact on the State Bar.d. Review and make recommendations on proposals that affect California Federal Court practice and the Federal Courts in California.e. Make recommendations to improve legal services in California's Federal Courts.f. Organize and sponsor educational programs on Federal Court practice.g. Perform such other functions relevant to the committee's subject area as the Board of Governors may from time to time assign.

The State Bar of California
 FY 2009 Committee on Federal Courts Work Plan

Proposed Activities	
<u>Activity 1</u>	<u>Status/Time Frame:</u>
<p>Rules of Court – Review, analyze, and comment on proposed amendments to the federal rules and other proposals that relate to Federal Court practice in California.</p>	<p>As proposals are issued for public comment. In general, the Judicial Conference Committee on Rules of Practice and Procedure issues proposed amendments to the federal rules twice per year. The Committee on Federal Courts also reviews proposed changes to the local rules of the four districts in California, and may comment, as appropriate. As with other activities of the Committee on Federal Courts, this work varies by year, depending upon the number, nature, and scope of proposals and comments.</p>

Performance Indicators
<p>Continuing to provide technical expertise and input on Federal Court issues and matters relating to Federal Court practice in California. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice in the Federal Courts in California.</p>

Proposed Activity Budget
<p>Activity is ongoing throughout the year, intermingled with other Committee activities, and not associated with a particular budgetary amount.</p>

The State Bar of California
 FY 2009 Committee on Federal Courts Work Plan

Proposed Activities	
<u>Activity 2</u>	<u>Status/Time Frame:</u>
Legislation – Review and analyze legislation that relates to Federal Court practice in California. Recommend actions or positions for the Board of Governors to take; recommend technical corrections or improvements; take positions; or provide other input, as appropriate.	Review is ongoing, and relevant issues that may be appropriate for comment vary by year.

Performance Indicators
Continuing to provide technical expertise and input on Federal Court issues and matters relating to Federal Court practice in California. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice in the Federal Courts in California.

Proposed Activity Budget
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The State Bar of California
 FY 2009 Committee on Federal Courts Work Plan

Proposed Activities	
<u>Activity 3</u>	<u>Status/Time Frame:</u>
<p>Federal District Courts – General coordination with the Federal District Courts in California on issues of mutual interest, primarily through annual in-person meetings with Judges in the different districts in California. The Committee on Federal Courts also has a representative on the Judicial Advisory Committee for the Eastern District of California, and can coordinate on issues of mutual interest. The Committee on Federal Courts provides expertise and input on issues, as appropriate.</p>	<p>Ongoing, throughout the year.</p>

Performance Indicators
<p>Continuing to provide technical expertise and input on Federal Court issues and matters relating to Federal Court practice in California. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice in the Federal Courts in California.</p>

Proposed Activity Budget
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The State Bar of California
 FY 2009 Committee on Federal Courts Work Plan

Proposed Activities	
<u>Activity 4</u>	<u>Status/Time Frame:</u>
California Law Revision Commission – Review proposals, and provide input, to the extent the expertise of the Committee on Federal Courts might assist in analyzing a pending issue (e.g., CLRC study on whether the Evidence Code in California should be conformed to the Federal Rules of Evidence, either to improve the California rules or for the sake of uniformity).	The Committee continues to monitor the work of the California Law Revision Commission, including its project on potentially conforming the California Evidence Code to the Federal Rules of Evidence.

Performance Indicators
Continuing to provide technical expertise and input on Federal Court issues and matters relating to Federal Court practice in California. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice in the Federal Courts in California.

Proposed Activity Budget
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The State Bar of California
 FY 2009 Committee on Federal Courts Work Plan

Proposed Activities	
<u>Activity 5</u>	<u>Status/Time Frame:</u>
Continuing Education – Plan and administer educational programs relating to Federal Court issues and Federal Court practice in California.	Ongoing, until the State Bar Annual Meeting.

Performance Indicators
Continuing to provide high quality continuing education opportunities on matters relating to Federal Court issues and Federal Court practice in California.

Proposed Activity Budget
Planning for MCLE programs is ongoing throughout the year and intermingled with other Committee activities, although the greatest cost is associated with the State Bar Annual Meeting. The Annual Meeting budgetary amount varies from year to year, depending upon such factors as the number and location of the speakers, and resulting travel expenses.

The State Bar of California
 FY 2009 Committee on Federal Courts Work Plan

Proposed Activities	
<u>Activity 6</u>	<u>Status/Time Frame:</u>
Coordination with State Bar and other entities – The Committee on Federal Courts has coordinated with the Federal Courts Committee of the California Commission on Access to Justice on issues relating to litigants in the Federal Courts, and plans to continue working with the Access Commission and with other State Bar sections and committees, and provide expertise and input on issues of mutual interest.	Ongoing.

Performance Indicators
Continuing to provide technical expertise and input on Federal Court issues and matters relating to Federal Court practice in California. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice in the Federal Courts in California.

Proposed Activity Budget
Activity is ongoing throughout the year, intermingled with other Committee activities, and not associated with a particular budgetary amount.

The State Bar of California
 FY 2009 Committee on Federal Courts Work Plan

Proposed Activities	
<u>Activity 7</u>	<u>Status/Time Frame:</u>
<p>Other – On occasion, individual members of the State Bar of California communicate with the State Bar, recommending changes in the law. To the extent these communications fall within the charge and area of expertise of the Committee on Federal Courts, they would be referred to that committee for analysis and appropriate response.</p>	<p>The Committee on Federal Courts is available, on an ongoing basis, to provide expertise and input.</p>

Performance Indicators
<p>Continuing to provide technical expertise and input on Federal Court issues and matters relating to Federal Court practice in California. Providing opportunities for member involvement, and encouraging participation in efforts to improve the administration of justice in the Federal Courts in California.</p>

Proposed Activity Budget
<p>Activity is ongoing throughout the year, intermingled with other Committee activities, and not associated with a particular budgetary amount.</p>

How Activities Address State Bar Strategic Plan

Combined activities further the following goals:

Goal 2 – Providing a wide array of services and benefits to members that meet their professional development, business, and personal needs

- Seeks ways to improve and inform members about professional development opportunities and services, including continuing legal education.

Goal 3 – Ensuring that all people have access to high quality legal services regardless of financial or other circumstances

- Collaborates on issues relating to access and services for self-represented litigants in the Federal Courts in California.

Goal 4 – Providing effective and supportive relationships with all stakeholders

- Develops supportive, collaborative relationships to assist all parts of the State Bar in successfully fulfilling the respective roles and responsibilities of members, member groups, and other stakeholders.
- Actively encourages and supports member participation in bench-bar efforts to improve the administration of justice and access to the legal system for low and moderate income Californians.
- Cultivates positive working relationship between the State Bar and the Federal system.
- Actively informs the public, members, and key stakeholders about the effective operation and activities of the State Bar and its members and seeks input from stakeholders about the operation and activities of the Bar.

Goal 5 – Enhancing State Bar’s role as a contributing and accountable leader in improving the administration of justice and ensuring the rule of law in our civil society

- Encourages increased participation in State Bar activities and identifies opportunities to inspire diversity in leadership in all members of the bar.
- Enhances opportunities for and encourages attorney participation in justice system policy setting activities, including the development, consideration, and support or opposition to rules of court and legislation affecting the practice of law.

The State Bar of California
FY 2009 Committee on Federal Courts Work Plan

How Activities Address Sub-entity Charge

Activities relating to legislation and rules of court further the charge of reviewing and making recommendations on proposals that affect California Federal Court practice and the Federal Courts in California. Activities relating to continuing education further the charge of organizing and sponsoring educational programs on Federal Court practice. Activities relating to coordination with the Federal District Courts, Judicial Advisory Committee for the Eastern District of California, and the Ninth Circuit further the charge of enhancing the lines of communication between the Federal Bench in California and the State Bar, and bringing to the attention of the Federal Bench in California, State Bar issues that have an impact on Federal Court practice in California.

Recommended New Strategic Initiatives For Board Consideration

Name of Initiative: The Committee on Federal Courts will continue to focus on and enhance its core activities, but does not currently have any new strategic initiatives planned for 2009.

Purpose:

Responsible Entity:

Connection to Strategic Plan:

Desired Outcome(s):

Fiscal and Staff Implications:

Proposed Performance Measures:

Are activities within legislative and judicial restrictions imposed on the State Bar (*Keller, Hudson, Brosterhous, etc.*)?

Yes [X] No [] If no, please explain.

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PROPOSED BUDGET				
Business Unit (MCU) 16005 (Combined Proposed Activity Budgets plus Staff Costs)				
Items	2007 Budget	2007 Outlook	2008 Budget	2009 Proposed
Estimated Staff Time Required FTE: 20% Temporary Consultant				
Travel Staff	315	59	623	623
Travel Others (e.g. Annual Meeting speakers for MCLE presentations)	2,199	638	1,094	1,094
Travel Volunteer	6,665	3,609	4,938	4,938
Catering	497	877	970	970
Postage	11	1	10	10
Telephone	283	161	319	319
Copier Allocation	216	285	334	334
Delivery Services	19	13	8	8
Other Professional Services Outside Printing Outside Design In House Printing Miscellaneous	0	7	0	0
TOTAL Operating Expense	10,205	5,650	8,295	8,295