

July # 5

Review Committee, Commission on Judicial Nominees Evaluation (RJNE), Appointment of Chair and Member. There are two positions to fill this year on RJNE: 1) the chair, which will be filled by the committee's 2008-2009 third-year member (Shirley Abrams), and 2) the board member seat, currently filled by John McNicholas. Both the chair and Board member's terms begin at the close of the 2008 Annual Meeting (9/28/08). An incoming board member normally fills the Board member's seat. This allows the Board member to serve a full three years and to chair the committee in the last year. Because the election results will not be known until July 10, there is not time to solicit the incoming members for VIC and the Board to consider the appointment at the July 11 meeting. Therefore, it is recommended that this matter be considered following the July meeting--either by VIC or by Board Operations, acting on behalf of the Board.

Responsible Staff: Karen Hagelund, Heidi Schwab-Wilhelmi

Recommendation: VIC - **July Aug/Sept** BOG - **July Sept**

July # 6

California Indian Legal Services (CILS) Appointment of Members. The CILS board of directors will not meet in time to make the board agenda deadline for the July meeting, and therefore, has requested that its annual appointments be deferred to the Board's next regularly scheduled business meeting (i.e., November 20-21, 2008)

Responsible Staff: Mary Lavery Flynn

Recommendation: VIC - **July Nov** BOG - **July Nov**

July # 7

Interest on Lawyers Trust Accounts (IOLTA) Rules and Regulations – Request to Release Proposed Revisions for Public Comment

This item was originally released for public comment in May but staff believes that additional time for comment is needed. A request will be made to Stakeholders in July for authorization to release the proposed revisions for an additional 45 day extension of the public comment period; the revisions will probably be edited to respond to comment and therefore will need to go out for comment again.

Responsible Staff: Stephanie Choy

Recommendation: Stakeholders - May/July/Nov/Jan BOG - **JulyJan**

Category II – Possible Committee Reassignments

None

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

July # 8

Conviction Referral Rules

This is a proposal to modify the Rules of Procedure of the State Bar of California that relate to conviction referral procedures. This item is intended to codify the procedures that are currently in place.

Responsible Staff: Colin Wong

Recommendation: RAD - July/ November

BOG - November

July # 9

Resignations without charges pending

This is a proposal to add a provision to the Rules of the State Bar of California relating to the eligibility of attorneys to voluntarily resign from the State Bar without disciplinary charges pending.

Responsible Staff: Scott Drexel

Recommendation: RAD - July/ November

BOG - November

July # 10

Client Security Fund Actuarial Study

The State Bar has contracted for an actuarial study of the Client Security Fund for the purpose of analyzing the current and future viability of the Fund at current funding and maximum reimbursement levels and the impact on the Fund of possible increases or changes to the maximum reimbursement levels and/or eligibility criteria. This item includes the receipt of the completed actuarial study and a discussion of any issues that may be raised by the study.

Responsible Staff: Scott Drexel

Recommendation: RAD - July/Nov

BOG - November

July # 11

Approval of proposed revisions to rules of procedure for fee arbitrations for the San Diego County Bar Association

A request to approved the modifications to the rules of procedure for fee arbitrations from the San Diego County Bar Association, following approval by the State Bar's Mandatory Fee Arbitration Committee.

Responsible Staff: Jill Sperber

Recommendation: RAD - November

BOG - November

July # 12

Creation of Task Force on Transition Planning

Creation of a task force to review the contingency, succession and retirement planning resources that should be made available to the membership. Death or disability of a lawyer can have significant adverse consequences on the lawyer's clients, colleagues, family and the public's perception of the profession. The President will select members of the task force.

Responsible Staff: Richard Carlton and Judy Johnson

Recommendation: MOC - July

BOG - July

July # 13

Proposed new Rule of Court 9.7 (Online Reporting by Attorneys) Request for Public Comment

Rule 9.7 would require members to use My State Bar Profile on the State Bar Web site to report their address, telephone number, and an e-mail address. Members would have the option of using My State Bar Profile for additional reporting. Request for a 45 day public comment period,

Responsible Staff: Mary Yen

Recommendation: MOC - July/Sept

BOG- Sept

July # 14

State Bar Web site Advertising Policy Revisions

Proposed revisions to the current advertising policy for the State Bar Web site to reflect State Bar strategic online efforts.

Responsible Staff: Cynthia Abramov and Mark Torres-Gil

Recommendation: MOC - July

BOG - July

July # 15

Proposed Bylaw Change for the Trusts & Estates Section.

The bylaw changes the Trusts & Estates Section propose will bring the section bylaws up to date and reflect current practices.

Responsible Staff: Tricia Horan/Pam Wilson

Recommendation: MOC- July

BOG - July

July # 16

Creation of Consulting Group to Create Certification Standards for a New Specialty in Legal Malpractice Law Within the Legal Specialization Program

The Board of Legal Specialization, which is charged with proposing additional fields of law to be added to the Legal Specialization Program, is proposing a new specialty in Legal Malpractice Law and asking for the creation of a consulting group to create standards for certification in that area. If this consulting group is created, there will be a corresponding item to appoint the members.

Responsible Staff: Phyllis Culp

Recommendation: MOC - July

BOG - July

July # 17

Appointment of Consulting Group to Create Certification Standards for New Specialty in Legal Malpractice Law Within the Legal Specialization Program

This is a corresponding item to appoint the members of the Legal Malpractice Consulting Group contingent upon MOC's approval of the creation of the group.

Responsible Staff: Phyllis Culp

Recommendation: VIC - July

BOG - July

July # 18

Legal Services of Northern California (LSNC). The LSNC board of directors recently considered the annual reappointment of one member and has requested that the board consider this matter at its July meeting.

Responsible Staff: Mary Lavery Flynn

Recommendation: VIC - July

BOG - July

July # 19

Annual Meeting Request for Information.

This is a request for Board direction to issue an RFI seeking information and interest in sponsoring and funding key event timeslots at future State Bar Annual Meetings.

Responsible Staff: Starr Babcock

Recommendation: Stakeholders - July

BOG - July

July # 20

Policy to Govern Determination of when Money Market Funds are Comparably Conservative to those that Invest Solely in U.S. Government Securities

B&P Code Section 6213(j) specifies that IOLTA may be held in

“.. an investment sweep product that is a daily (overnight) financial institution repurchase agreement or an open-end money-market fund. . . . invested solely in United States Government Securities or repurchase agreements fully collateralized by United State Government Securities or other comparably conservative debt securities. . .”

This agenda item requests that the Board adopt a recommended policy so that the Legal Services Trust Fund Commission and staff have a uniform basis for determining the eligibility of money market funds.

Responsible Staff: Stephanie Choy

Recommendation: Stakeholders - July

BOG - July