



MEMORANDUM

DATE: April 28, 2009

TO: Members of the Board's Regulation, Admissions & Discipline Oversight Committee

FROM: Randall Difuntorum, Director, Professional Competence Programs

SUBJECT: RAD Meeting on May 14, 2009 – Status of the Professional Competence Unit

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This memorandum provides an update on the activities of the Professional Competence Unit for the months of January through March 2009. In addition to this memorandum, provided are the following: (1) Professional Competence Staff List, (2) Ethics Hotline Activity Statistics, (3) Volume of Ethics Hotline Calls by Paralegal, and (4) Professional Competence Budget Summary – Authorized vs. Actuals. Board members with questions may contact me at (415) 538-2161 or Lauren McCurdy at (415) 538-2107.

1. ETHICS HOTLINE

- As of March 31, 2009, 4,171 member inquiries were received with a completion rate of 85%. This completion rate includes distribution of 149 copies of published ethics opinions and other written materials requested by inquirers and 1,813 referrals to information posted at the Bar's website. (Due to the availability of State Bar Formal Opinions at the Ethics Information area of the website, there is a decreasing need for distribution of this information by mail.) Of the total calls, 341 were courtesy follow-up calls to members who placed a call to the Hotline, received a call back from Hotline staff but were not available at that time to take the call from the Hotline staff person. These members received instructions on how to call-in and receive priority handling when they choose to return the Hotline's call at their convenience. However, when no return call is received, the Hotline initiates a courtesy follow-up call.

- For the period of January 1, 2009 through March 31, 2009, 19 voluntary satisfaction survey were received from members who utilized the Ethics Hotline service. Each survey asks for a rating on several specified categories of service, including: satisfaction with the system for handling the calls; helpfulness of receptionist; helpfulness of paralegal; usefulness of materials sent; whether the inquirer would recommend the Hotline to others; and whether they received the assistance they needed. Nearly all of the surveys received gave the Hotline the highest possible marks in each survey category. One of the surveys indicated that they would be less likely to use the service in the future and would not recommend the service to others because they felt that the Hotline's response was "brusque" and "insensitive." Hotline management has noted this comment and has reminded all staff to emphasize a positive demeanor and good customer service. (Copies of the surveys received are attached.)

2. COPRAC

- Since the last Professional Competence status report submitted for the Board Committee's March 5, 2009 meeting, COPRAC met on April 3, 2009 in San Francisco. COPRAC approved three ethics opinions for submission to RAD for official publication
- The following opinions were tentatively approved by COPRAC for circulation to RAD prior to final publication.

Formal Opinion Interim No. 98-0001 (currently before RAD for approval with a response deadline of May 8, 2009):

ISSUE: In a lawsuit prosecuted by Attorney A against Defendant, Client has a statutory right to seek an award of attorney's fees. Attorney B, Defendant's counsel, makes a settlement offer, conditioned on Client's waiver of his statutory right to attorney's fees, that is insufficient to compensate Attorney A for her fees. (1) May Attorney A bar the settlement notwithstanding Client's desire to accept it? (2) Does Attorney B violate any ethical obligation by recommending or conveying the fee-waiver settlement offer in this case? (3) Does Attorney B violate any ethical obligation by recommending or conveying fee-waiver settlement offers in cases generally?

DIGEST:

1. A lawyer must inform the client of a fee-waiver settlement offer and consummate the settlement in accordance with the client's wishes even if it reduces the likelihood of recovering some or all of his or her fees.
2. A lawyer does not violate any ethical obligation by recommending or conveying a fee-waiver settlement offer in a given case.
3. A lawyer does not violate any ethical obligation by recommending or conveying fee-waiver settlement offers in cases generally.

Formal Opinion Interim No. 06-0001 (to be submitted to RAD in the near future):

ISSUE: In what manner may an attorney maintain her rights in a charging lien when her former client demands that the attorney endorse a settlement check jointly payable to the client and his current and former attorneys without violating the requirement of rule 4-100 of the California Rules of Professional Conduct that the attorney promptly pay or deliver funds to which the client is entitled?

DIGEST: When responding to a request to endorse a settlement check made jointly payable to a client and his or her current and former attorneys where the former attorney has asserted a valid lien on the settlement proceeds, the former attorney must take prompt steps to find a reasonable method or methods of delivering the undisputed portion of the proceeds to which the client is entitled. The former attorney does not violate rule 4-100 by refusing to use a method that would extinguish the attorney's charging lien, but has a duty to consult governing legal authorities and make a reasonable determination of the amount to which he or she is entitled under the circumstances. If the client does not agree to proposed reasonable methods for

delivering the undisputed portion or does not agree with the former attorney's determination of the amount of the proceeds that undisputedly belong to the client, the attorney must promptly seek resolution of the fee dispute through arbitration or judicial determination, as appropriate.

Formal Opinion Interim No. 06-0006 (to be submitted to RAD in the near future):

ISSUES: Is it ethically proper for an attorney who is settling a fee dispute with a client to include a general release and a Civil Code section 1542 waiver in the settlement agreement? Does the existence of a legal malpractice claim against the attorney alter the ethical propriety of including a general release and section 1542 waiver in the settlement agreement?

DIGEST: If an attorney contemplates entering into a settlement agreement with a current client that includes a general release of a legal malpractice claim or pursues a settlement agreement with a client, the terms of which are broad enough to release a legal malpractice claim, the attorney must promptly disclose to the client the facts giving rise to the legal malpractice claim. The attorney must consider whether it is necessary or appropriate to withdraw from the representation. If the attorney does not withdraw, the attorney must:

1. Comply with rule 3-400(B) by advising the client of the right to seek independent counsel and giving the client an opportunity to do so;
2. Advise the client that the lawyer is not representing or advising the client as to the settlement of the fee dispute or the legal malpractice claim; and
3. Fully disclose to the client the terms of the settlement agreement, in writing, including the possible effect of the general release and section 1542 waiver, unless the client is represented by independent counsel.

→ The following opinion, tentatively approved by COPRAC, was considered by RAD for approval at its March 5, 2009 meeting. A motion was made to approve the opinion but failed for lack of a second.

Formal Opinion Interim No. 05-0001

ISSUE: What are the ethical ramifications associated with a modification of an attorney fee agreement?

DIGEST: Rule 3-300 of the Rules of Professional Conduct does not apply to a modification of a fee agreement unless the agreement confers on the attorney an ownership, security, possessory, or other pecuniary interest adverse to the client. While rule 3-300 does not per se apply to a modification of a fee agreement after the attorney-client relationship has commenced, any modification of an existing fee agreement must be fair, reasonable, fully explained, and consented to by the client. A number of factors will determine whether modification of a fee agreement meets this standard.

- COPRAC's 13th Annual Statewide Ethics Symposium is scheduled to be held on May 2, 2009 at the University of San Diego School of Law. The theme of the Symposium is "Attorney Responsibilities: The Client and Beyond." The panels that will be presented include the following: "Drawing the Line – Where Does Zealous Representation End and Unethical Conduct Begin?;" "Trial Publicity: Beyond the Headlines – What Can You Ethically Say About Your Big Case?;" "Advance Absolution: 10 Deadly Sins in Attorney-Client Engagement Agreements, and How to Avoid Them;" and "Re-Forming the California Rules of Professional Conduct." State Bar President Holly Fujie, and USD School of Law Dean Kevin Cole will provide welcoming remarks, and the keynote speaker will be Erwin Chemerinsky, Founding Dean, UC Irvine School of Law.
- On April 17, 2009, in response to the public comment request, COPRAC submitted a comment letter to the Rules Revision Commission on proposed new Rule 1-650 [Limited Legal Services Programs] of the Rules of Professional Conduct.
- COPRAC's next meeting is scheduled for May 1, 2009 and will be held in San Diego.

3. RULES REVISION COMMISSION

- Since the last Professional Competence status report submitted for the Board Committee's March 5, 2009 meeting, the Commission met on March 27, 2009. Among the visitors and liaisons present at the meeting were: George Cardona (Office of the U.S. Attorney for the Central District of California); Diane Jackson McLean (COPRAC Liaison); Donald Steedman (Office of Trial Counsel); and Peter Stern (Trust and Estates Section Executive Committee). At this meeting, the Commission tentatively approved the following proposed rules: Rule 1.8.2 (Use of Confidential Information of Current Clients); and Rule 3.8 (Special Responsibilities of a Prosecutor) subject to a mail ballot; and also approved Rule 1.8.6 (Third Party Payors); Rule 1.8.7 (Aggregate Settlements); and Rule 3.7 (Lawyer as Witness). The Commission's next meeting is scheduled for May 8 & 9, 2009 and will be held at the Los Angeles State Bar office. Among the items anticipated to be considered at that meeting are the written comments received on proposed new rule 1-650 (Limited Legal Services Programs).
- The Commission will present an educational panel at the 13th Annual Statewide Ethics Symposium on May 2, 2009 at the University of San Diego School of Law. Among the topics scheduled to be covered by the Commission's panel are the Commission's proposed Rule 1.10 (Imputed Conflicts of Interests) and proposed Rule 1.6 (Confidentiality of Information).
- An article was published in the April 16, 2009 *Daily Journal* addressing the Commission's work on proposed new Rule 1-650 (Limited Legal Services Programs). The article appeared on page 6 and also was posted on the Daily Journal Newswire. The author of the article, David Ackerly, the directing attorney of the Homeless Veterans Project of the Inner City Law Center in Los Angeles, viewed the rule favorably and, in part, observed that the proposed rule would "allow far more attorneys to meet or exceed the State Bar Board of Governors' recommended 50 hours of pro bono participation each year." (A copy of the article is on file and may be obtained by contacting staff.)

4. COMPETENCE PUBLICATIONS

- Handbook on Client Trust Accounting for CA Attorneys:
As of March 31, 2009, 4 copies of the Trust Accounting Handbook were sold. The 2006 hard copy edition has been out-of-print since March 2009. The 2008 online version of the handbook posted at the Bar's website includes updated information on the FDIC Temporary Liquidity Program that affords unlimited FDIC insurance coverage for IOLTA accounts. The online version was downloaded 41,071 times.
- California Compendium on Professional Responsibility:
As of March 31, 2009, 312 copies of the Compendium updates were sold. The production of the 2009 Compendium update is in progress. The online version of the Compendium index was downloaded 23,773 times.
- CA Rules of Professional Conduct & State Bar (a.k.a Publication No. 250):
As of March 31, 2009, 98 copies of the 2008 Publication 250 were sold and an online PDF version of the Rules of Professional Conduct posted at the Bar's website was downloaded 12,246 times. The production of the 2009 Publication 250 is in progress and is anticipated to go to print soon.

5. COMPETENCE RESOURCES AT CALBAR.CA.GOV

- The meeting materials for the Rules Revision Commission's January 16, February 20, and March 27, 2009 meetings were posted at the Commission's Meeting Materials page of the website.
- COPRAC's recent ethics alert entitled: "Legal Services to Distressed Homeowners and Foreclosure Consultants on Loan Modifications" was posted at the Bar's website. This alert was downloaded 37,054 times during the first quarter of 2009. In addition, the full text of the ethics alert was printed in the March 2009 issue of *Flim Flam*, the electronic newsletter of the Eastern Alameda County Bar Association (copies of this issue are on file and available upon request).
- COPRAC's Proposed Formal Opinion Interim No. 05-0001 (Modification of an Attorney Fee Agreement) was posted at the Public Comment area of the website.

cc: Marie M. Moffat
Robert A. Hawley
Doug Hull

Professional Competence Staff List

Professional Competence Staff Positions as of March 31, 2009	
Number of Positions Authorized	14.5
Number of Positions Filled	13.5

Professional Competence Employees as of March 31, 2009	
	Grade & Classification
	56EA – Director
VACANT	17A – Sr. Attorney
	16A – Attorney
	40C – Sr. Administrative Specialist
	9 – Program/Court Systems Analyst (P/CSA)
	8 - Sr. Administrative Assistant
	8 – Paralegal
	8 – Paralegal
	8 – Paralegal
	8 – Paralegal
	8 – Paralegal
	8 – Paralegal
VACANT (position filled with a start date of April 6, 2009)	8 – Paralegal
	6 – Administrative Secretary
	4 – Data Analyst II
<p>NOTES: The P/CSA is a shared position between the Office of General Counsel and the Office of Professional Competence. In addition, though not represented in the above chart, casual hourly law clerks are used from time to time.</p>	

ETHICS HOTLINE ACTIVITY STATISTICS - 2009

Month	Work Days	Incoming Calls	Completed Calls	Left Messages	Percentage of Incoming Calls that are Completed Calls	Percentage of Incoming Calls that are Left Messages	Resources Mailed/Faxed	Internet Resource Referrals
January	20	1386	1155	231	83%	17%	53	588
February	18	1314	1134	180	86%	14%	51	578
March	21	1471	1247	224	85%	15%	45	647
Cumulative Totals	59	4,171	3,536	635	85%	15%	149	1,813

EXPLANATIONS

Incoming Calls: Total member inquiries to the Hotline received during that month.

Completed Calls: Member inquiries received in that month which were handled and resolved by staff during that month.

Left Messages: Member inquiries received that month where staff left an initial message or courtesy follow-up message, but did not reach the member to resolve the inquiry.

Percentage of Incoming Calls that are Completed Calls: Proportion of Incoming Calls that were Completed Calls handled and resolved by the staff.

Percentage of Incoming Calls that are Left Messages: Proportion of Incoming Calls where staff left a message but the member did not return the call.

Key Hotline Activity Averaged by Day and Month

(through March 31, 2009)

Daily: Incoming Calls: 71
Completed Calls: 60

Monthly: Incoming Calls: 1,390
Completed Calls: 1,179

Aggregate Outgoing Calls

Current Month: 2,129

Cumulative to Date: 6,178

This figure accounts for all calls placed by staff, including: Completed Calls, Left Messages and courtesy follow-up messages. Due to "telephone tag" with members, staff may place multiple calls and leave multiple messages prior to completing a call.

**Ethics Hotline
2009 Monthly and Cumulative
Individual Paralegal Call Statistics**

JAN					
Paralegal	Total Calls	Left Msg.	Completed Calls	Return Calls	Call Backs
1	276	80	196	111	1
2	375	183	192	63	0
3	416	157	259	117	0
4	488	225	263	103	0
5	319	118	201	100	0
6	217	136	81	3	190
JAN TOTALS	2,091	899	1,192	497	191

FEB					
Paralegal	Total Calls	Left Msg.	Completed Calls	Return Calls	Call Backs
1	245	87	158	85	0
2	324	142	182	63	0
3	429	173	256	95	7
4	550	255	295	101	0
5	291	95	196	110	0
6	119	48	71	4	76
FEB TOTALS	1,958	800	1,158	458	83

MAR					
Paralegal	Total Calls	Left Msg.	Completed Calls	Return Calls	Call Backs
1	308	107	201	90	0
2	362	181	181	60	0
3	441	153	288	134	0
4	567	248	319	105	0
5	350	133	217	118	0
6	101	56	45	4	67
MAR TOTALS	2,129	878	1,251	511	67

Y-T-D					
Paralegal	Total Calls	Left Msg.	Completed Calls	Return Calls	Call Backs
1	829	274	555	286	1
2	1,061	506	555	186	0
3	1,286	483	803	346	7
4	1,605	728	877	309	0
5	960	346	614	328	0
6	437	240	197	11	333
Y-T-D TOTALS	6,178	2,577	3,601	1,466	341

NOTE: The entries for paralegal 6 reflect statistics for Ethics Hotline call work performed by paralegals in training.

Professional Competence Budget Summary Authorized vs. Actual

Year-to-Date as of March 31, 2009	
Budget (Actual)	\$422,735
Budget (Authorized)	\$528,962
Savings	\$106,227

Monthly as of March 31, 2009						
	<u>January</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>
Budget (Actual)	\$136,879	\$129,283	\$156,573			
Budget (Authorized)	\$175,480	\$176,494	\$176,988			
Savings	\$38,601	\$47,211	\$20,415	\$0	\$0	\$0
	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>
Budget (Actual)						
Budget (Authorized)						
Savings	\$0	\$0	\$0	\$0	\$0	\$0

NOTE: In part, year-to-date savings are attributed to salary savings from vacant budgeted positions that are not filled or have not been approved for filling by the Executive Director.

RECEIVED

By leem at 2:44 pm, Jan 02, 2009



Ethics Hotline Customer Satisfaction Survey

We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have. Submit completed surveys by clicking **SUBMIT** at the end of the form.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

Rate overall satisfaction with the hotline experience Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with the information our staff provided? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the ethics research paralegal? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the receptionist? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Ms. Der is very knowledgeable and was very helpful with my questions. thank you.

Paralegal you spoke with (optional)

Susan Der

Call Date

01/02/2009



We regard feedback as the key to understanding the needs and expectations of our customers. To ensure excellent service and customer satisfaction, feedback received will be reviewed by management and maintained as public record. Surveys may be submitted anonymously.

Fax completed surveys to: (415) 538-2171.

[Contact Support](#)

Ethics Hotline Customer Satisfaction Survey

We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
Fax completed surveys to: **(415) 538-2171**.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Paralegal you spoke with (optional)

Lynn Cobb

Call Date

01/02/2009



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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

I spoke with a wonderful woman named Lynn Cobb, who gave me LOTS of information and resources to check out. She was very informed, very courteous, and very helpful as to how to proceed. Like: read the cases/opinions/articles she noted and then call again with more specific questions.

I felt very well served.

Thank you.

Paralegal you spoke with (optional)

Lynn Cobb

Call Date

01/07/2009

Your Name

We regard feedback as the key to understanding the needs and expectations of our customers. To ensure excellent service and customer satisfaction, feedback received will be reviewed by management and maintained as public record. Surveys may be submitted anonymously.

Fax completed surveys to: **(415) 538-2171**.

RECEIVED

By Ethics Hotline at 3:51 pm, Jan 28, 2009

Ethics Hotline Customer Satisfaction Survey



We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
Fax completed surveys to: (415) 538-2171.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

Rate overall satisfaction with the hotline experience Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Your initial contact person David is a pleasure to deal with. He is knowledgeable, is extremely ethical, and reflects well on State Bar.

Lynn Cobb was very prompt in returning the call and very helpful in the advice that she provided.

Thank you to both of them for the assistance.

Paralegal you spoke with (optional)

Lynn Cobb

Call Date

01/28/2009

Your Name

We regard feedback as the key to understanding the needs and expectations of our customers. To ensure excellent service and customer satisfaction, feedback received will be reviewed by management and maintained as public record. Surveys may be submitted anonymously.

Fax completed surveys to: (415) 538-2171.

Ethics Hotline Customer Satisfaction Survey



We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
Fax completed surveys to: (415) 538-2171.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Fast, supportive, and on point.

Paralegal you spoke with (optional)

Ricardo Patino

Call Date

01/30/2009

Your Name

Form fields for name and contact information, including a small color-coded legend.

We regard feedback as the key to understanding the needs and expectations of our customers. To ensure excellent service and customer satisfaction, feedback received will be reviewed by management and maintained as public record. Surveys may be submitted anonymously.



Ethics Hotline Customer Satisfaction Survey

We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
 Fax completed surveys to: **(415) 538-2171**.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

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How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Lynn was very professional and very personable.
 Mine was obviously not the first such situation, but she handled my questions graciously and educated me on additional issues I may not have foreseen.

Paralegal you spoke with (optional)

Lynn Cobb

Call Date

02/04/2009

Your Name

Zip Code

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

David at reception was friendly and very helpful. In addition, the response time for a paralegal to return my call was faster than I could have ever hoped.

Paralegal you spoke with (optional)

Elbert Lee

Call Date

02/06/2009

Your Name

Form fields for name and contact information, including a color-coded bar.

We regard feedback as the key to understanding the needs and expectations of our customers. To ensure excellent service and customer satisfaction, feedback received will be reviewed by management and maintained as public record. Surveys may be submitted anonymously.

Fax completed surveys to: (415) 538-2171.

RECEIVED

By Ethics Hotline at 3:48 pm, Feb 17, 2009

Ethics Hotline Customer Satisfaction Survey



We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
Fax completed surveys to: (415) 538-2171.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

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I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Lynn Cobb was v4ery helpful helping me zero in on the relevant case law to assist us in resolving our ethical query. I was surprised at the speed in which she was able to assist me with same. I hope I have the good fortune of getting a call-back from Ms. Cobb in the future.

Paralegal you spoke with (optional)

Lynn Cobb

Call Date

02/17/2009

Your Name

Street Address

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Fax completed surveys to: (415) 538-2171.

RECEIVED

By Ethics Hotline at 4:34 pm, Feb 19, 2009

Ethics Hotline Customer Satisfaction Survey



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Please choose the best answer for each question.

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Paralegal you spoke with (optional)

Susan Der

Call Date

02/19/2009



Your Name

Zip Code

We regard feedback as the key to understanding the needs and expectations of our customers. To ensure excellent service and customer satisfaction, feedback received will be reviewed by management and maintained as public record. Surveys may be submitted anonymously.

Fax completed surveys to: **(415) 538-2171**.

RECEIVED

By Ethics Hotline at 4:33 pm, Feb 25, 2009

Ethics Hotline Customer Satisfaction Survey



We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
Fax completed surveys to: (415) 538-2171.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

Rate overall satisfaction with the hotline experience Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with the information our staff provided? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the ethics research paralegal? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the receptionist? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

I spoke with Ms. Susan Der regarding a conflict situation where I had been asked by the general counsel of my current law firm to provide in confidence a copy of a legal document from a closing volume for a deal I worked on with my former employer, and wasn't sure what my ethical obligations were since the client I represented in the deal had been acquired and I never represented the acquiring company, and the document itself, while not public, had been widely distributed to parties in the deal. Ms. Der definitely seemed in command of professional responsibility laws and ethics opinions. However, I was disappointed by her demeanor, as her responses were brusque and a bit insensitive. I felt like she was scolding me when in fact I hadn't provided the document or breached a confidentiality obligation -- I'd done the right thing by refusing the request. And when I mentioned that she seemed a bit agitated or animated in her responses, she told me it was no matter and continued to rattle off case cites too quickly for me to write them down. I felt the interaction was less productive than it could have been and came away less likely to call the hotline in the future.

Paralegal you spoke with (optional)

Susan Der

Call Date

02/24/2009

Your Name

Street Address

E-mail Address

City

State

California

Zip Code

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RECEIVED

By Ethics Hotline at 4:32 pm, Feb 25, 2009



Ethics Hotline Customer Satisfaction Survey

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Fax completed surveys to: (415) 538-2171.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

Rate overall satisfaction with the hotline experience Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with the information our staff provided? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the ethics research paralegal? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the receptionist? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

The paralegal I spoke with was very knowledgeable. She was somewhat rushed because they have a big backlog of calls. They did give me an immediate call back because I said it was urgent. I guess my feeling that the service was only "neutral" is that I didn't feel like I had an advocate on my behalf. I am completely innocent and not at fault and am experiencing a great deal of stress and distress due to the situation I find myself in. She gave me a lot of information and I understand that the State Bar can't be in a position to give legal advice (as an attorney I of course understand that quite well). But I'm in a position where I have to worry about my own interests while still putting the interests of the firm's clients first and I have no one to help me. She suggested that I seek the advice of an employment attorney and/or an ethics attorney, but I can't afford that. I guess my only disappointment is with the feeling that I was just given information, not support. I am a licensed member of the bar and am seeking to protect everyone concerned but the bar organization could only say here are the facts and "good luck."

Paralegal you spoke with (optional)

Susan Der

Call Date

02/25/2009

Your Name

Zip Code

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Fax completed surveys to: (415) 538-2171.

RECEIVED

By Ethics Hotline at 4:23 pm, Feb 25, 2009

Ethics Hotline Customer Satisfaction Survey



We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
Fax completed surveys to: **(415) 538-2171**.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

- Rate overall satisfaction with the hotline experience Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
- How satisfied are you with the information our staff provided? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
- How helpful was the ethics research paralegal? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
- How helpful was the receptionist? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
- How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
- Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied
- I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

I contacted the ethics hotline in an emergency situation, Lynn called me right back and provided the guidance and information that was extremely helpful and resolved the issue. I feel this service fills a great need in the profession and I was extremely impressed with the quick response and information. I had no idea how responsive and helpful this service is. Thankyou.

Paralegal you spoke with (optional)

Lynn Cobb

Call Date

02/24/2009



Your Name

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

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Fax completed surveys to: **(415) 538-2171**.

Ethics Hotline Customer Satisfaction Survey

RECEIVED

By Ethics Hotline at 4:34 pm, Feb 25, 2009



We thank you for calling the Ethics Hotline and welcome any comments or suggestions that you may have.
Fax completed surveys to: (415) 538-2171.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

Rate overall satisfaction with the hotline experience Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with the information our staff provided? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the ethics research paralegal? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How helpful was the receptionist? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

The attitude of your staff member was not only very warm and friendly, but clearly very knowledgeable. My sincere compliments.

Paralegal you spoke with (optional)

Pam Hill

Call Date

02/25/2009

Your Name

<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

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RECEIVED

By Ethics Hotline at 4:21 pm, Mar 04, 2009

Ethics Hotline Customer Satisfaction Survey



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Fax completed surveys to: (415) 538-2171.

Please choose the best answer for each question.

(1) (2) (3) (4) (5)

Rate overall satisfaction with the hotline experience Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

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How helpful was the receptionist? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Thank you for having this service available. Everyone is very helpful and insightful. Most notable was the receptionist, David. He was extremely personable and seemed like he enjoyed what he does. I thank him for his efforts in getting me a call back as soon as possible.

Paralegal you spoke with (optional)

Susan Der

Call Date

03/04/2009

Your Name

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Fax completed surveys to: (415) 538-2171.

[Contact Support](#)



Ethics Hotline Customer Satisfaction Survey

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Please choose the best answer for each question.

(1) (2) (3) (4) (5)

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

Excellent experience altogether: I was treated with respect and learned what I needed to learn. Pam (the paralegal) was able to answer my question with appropriate cites to the Bus. & Prof. Code. David (the receptionist) was exceptionally helpful, managing my calls to ensure that I was heard as soon as possible. Super operation bespeaking intelligent hiring and supervision.

Thanks,
PC

Paralegal you spoke with (optional)

Pam Hill

Call Date

03/06/2009

Your Name

Form fields for name and contact information, including a yellow and blue highlighted area.

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Ethics Hotline Customer Satisfaction Survey



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Please choose the best answer for each question.

(1) (2) (3) (4) (5)

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

I called with an issue at 3:30pm on Friday and informed the receptionist, David, that I had just discovered information that led me to believe there was a significant ethical problem which I needed to address at a hearing the following Monday morning. David was very helpful and promised to try and get a call back for me as soon as possible. The ethics paralega, Pamela Hill, was extremely helpful and assisted me in clarifying the issue and locating the authority which I needed to analyze the issue. Greatly appreciated.

Paralegal you spoke with (optional)

Pam Hill

Call Date

03/06/2009

Your Name

Form fields for name and contact information, including a dropdown menu and a color-coded selection box.

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Ethics Hotline Customer Satisfaction Survey



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(1) (2) (3) (4) (5)

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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

The receptionist, David, was not only helpful but he was professional and he had a great attitude. Thank you to David for his being cordial and of great assistance, because the issue I had to speak with your office about was serious. David gave me an opportunity to put things in perspective.

Elbert Lee was also very helpful and again, he too was professional in both his responses and in the tone of his responses.

Your office has a very difficult job in providing the information you provide, and just having the option to call someone at your office was of great help to me.

Thank you again.

Paralegal you spoke with (optional)

Elbert Lee

Call Date

03/10/2009

Form with several empty text input fields for additional information.

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[Contact Support](#)

Ethics Hotline Customer Satisfaction Survey



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How satisfied are you with our system for receiving calls? Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

David the receptionist was wonderful. He was helpful, polite, and efficient. Pam answered my question very quickly and completely and was extremely helpful. This is a service I have used before and will use again. It is truly invaluable.

Paralegal you spoke with (optional)

Pam Hill

Call Date

03/10/2009

Your Name

Form fields for name and contact information, including a color-coded bar.

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[Contact Support](#)

Ethics Hotline Customer Satisfaction Survey



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Rate your overall satisfaction with the State Bar website. Very Dissatisfied Dissatisfied Neutral Satisfied Very Satisfied

I would recommend this service to others. Strongly Disagree Disagree Neutral Agree Strongly Agree

COMMENTS/SUGGESTIONS:

The timeframe I was given for a callback was longer than expected; however once I received a callback, I received my information very quickly and was satisfied with the paralegal's knowledge.

Paralegal you spoke with (optional)

Call Date

Your Name

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