



including the March agenda item setting the amount for IOLTA distribution, and the July LSC update on problems for legal aid programs in rural areas. We recommend that the inventory be modified to reflect that this item will come to the Board Committee and the Board “as needed” so that Board members can hear reports when they are appropriate and timely.

**Responsible Staff:** Mary Lavery Flynn and Stephanie Choy

**Recommendation:** LSC – ~~July~~ **As Needed** BOG - ~~July~~ **As Needed**

July # 6

**California ALL Board Appointment of Member**

This entity has disbanded so there will be no appointment of member.

**Responsible Staff.:** Pat Lee

**Recommendation:** MIRS – ~~July~~ BOG – ~~July~~

July # 7

**State Bar Rule Revision – Title 3 – Law Corporations**

The first piece of these rules have been filed with the Supreme Court but are awaiting action by the Court until proposed supplemental rules regarding non-profit public benefit law corporations can be included. These have been prepared and we request now to send them out for public comment.

**Responsible Staff:** Dina DiLoreto

**Recommendation:** MIRS – Nov/Mar/~~July~~/**Nov** BOG – Mar/**Nov**

**Category II – Possible Committee Reassignments**

None

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

July # 8

**Proposed Clarification of Foreign Legal Consultant Fees**

Currently, Foreign Legal Consultant applicants pay only \$370, which should cover the cost of processing the general application and the moral character determination application, which it does not. The proposed clarification will make it clear that FLC applicants must pay the \$370 to file the general application, in addition to the current moral character determination application fee, which is currently \$453.00.

**Responsible Staff:** Gayle Murphy

**Recommendation:** **Planning – July** BOG – **July**

July # 9

**Early Separation Incentive Program - Approval for 2011 Budget Balancing Options**

Proposed Early Separation Incentive Program through voluntary departures from the State Bar will address budget issues as well as create vacant positions that can then be re-characterized and reallocated throughout the organization based on operational need without requiring involuntary staffing adjustments.

**Responsible Staff:** Peggy Van Horn

**Recommendation:** Planning - July

**BOG - July**

July # 10

**Proposed Amendments to Standards for Specialization in Immigration and Nationality Law - Request to Circulate for Public Comment**

While believing that it is essential for an attorney to have meaningful experience in all areas of Immigration and Nationality Law in order to be certified in that specialty, the Board of Legal Specialization is proposing amendments to the standards that will allow attorneys who specialize in employment-based immigration to qualify for certification. Another amendment is proposed to ensure that attorneys who only sign their names to cases are prevented from taking credit for cases they have not prepared or worked on. The Board requests that the proposed amendments be circulated for a 45-day public comment period and that the final version be considered by the Board in November.

**Responsible Staff:** Gayle Murphy

**Recommendation:** MIRS –July/Nov

**BOG – Nov**

July # 11

**California Bar Foundation, Interim Appointment of Member**

The annual appointments to the Foundation were considered at the November 2009 meeting. At that time, one position was left vacant in order to allow the Foundation time to recruit a candidate with financial expertise to replace the outgoing treasurer. The Foundation has recruited a qualified candidate and has requested that the board consider this matter at the July meeting.

**Responsible Staff:** Leslie Hatamiya

**Recommendation:** MIRS – July

**BOG- July**

July # 12

**Information Item – Social Media Plan for Sections and CYLA**

A Social Media Task Force, on behalf of the Sections and CYLA, has developed a plan to leverage online social networking websites for the benefit of its members. This plan implements a conservative use of available social networking tools and will provide a presence on social media websites in time for the 2010 Annual Meeting.

**Responsible Staff:** Pam Wilson

**Recommendation:** MIRS –July

**BOG – N/A**

July # 13

**AOC Survey Regarding Factors in Judicial Retention – Request to Allow Survey of Members**

This is a request from the AOC for State Bar assistance with an online survey the AOC would conduct regarding factors that affect judicial recruitment and retention. The AOC requests assistance with conducting the survey through access to the membership list and public e-mail address of members.

**Responsible Staff:** Starr Babcock

**Recommendation:** MIRS – July

**BOG- July**

July # 14

**California Professional Responsibility Award - Selection of 2010 Recipient**

The Office of Professional Competence has asked the State Bar to consider establishing a new award recognizing a member's outstanding contribution to the advancement of attorney professional responsibility standards in California and that item would be considered at RAC and the BOG. This item on MIRS would be the approval of the selection of the award recipient, should RAC and the BOG approve the creation of such award.

**Responsible Staff:** Randall Difuntorum

**Recommendation:** MIRS – July

**BOG- July**

July # 15

**California Commission on Access to Justice – Proposed Change in Terms of Service**

The Access to Justice Commission is requesting that the terms of service for Commission members be changed from two years to three years, with members eligible to serve two consecutive terms, for a total of six years.

**Responsible Staff:** Mary Lavery Flynn

**Recommendation:** MIRS – July

**BOG- July**

July # 16

**Release for public comment proposed changes to the Sample Fee Agreements**

The Mandatory Fee Arbitration Committee recommends release for public comment certain revisions to the sample arbitration and mediation clauses in the State Bar's sample fee agreements, consistent with a recent Supreme Court opinion concerning post-fee arbitration rights to enforce private arbitration clauses.

**Responsible Staff:** Jill Sperber

**Recommendation:** DOC- July/Nov

**BOG-Nov**

July # 17

**Approval of new rules of procedure for fee arbitrations of the Mendocino County Bar**

Request for approval of new local bar rules of procedure from Mendocino County Bar Association, which essentially adopt the State Bar Model Rules of Procedure for Fee Arbitrations.

**Responsible Staff:** Jill Sperber

**Recommendation:** DOC- July

**BOG-N/A**

July # 18

**Approval of new rules of procedure for fee arbitrations of the Ventura County Bar**

Request for approval of new local bar rules of procedure from Ventura County Bar Association, which essentially adopt the State Bar Model Rules of Procedure for Fee Arbitrations.

**Responsible Staff:** Jill Sperber

**Recommendation:** DOC- July

**BOG-N/A**

July # 19

**Rule revisions of Contra Costa County Bar Fee Arbitration Program**

Consistent with recent changes to the State Bar's Minimum Standards and Model Rule amendments, the Contra Costa County Bar requests approval of several rule changes in addition to a modest increase in its filing fee schedule.

**Responsible Staff:** Jill Sperber

**Recommendation:** DOC- July

**BOG-N/A**

July # 20

**Rule revision of Bar Assoc. of San Francisco Fee Arbitration Program**

**Description**

Consistent with recent a change to the Minimum Standards prohibiting programs from conditioning entitlement to a three member arbitration panel on the parties' waiver of right to elect non-binding arbitration, the Bar Association of San Francisco seeks approval of a rule change.

**Responsible Staff:** Jill Sperber

**Recommendation:** DOC- July

**BOG-N/A**

July # 21

**Referral of ABA Model Rule on Conditional Admission**

The ABA Chair, Commission on Lawyer Assistance Programs has asked the State Bar to consider adopting the ABA Model Rule on Conditional Admission to Practice Law. Since the authority for admitting new attorneys to the practice of law is by statute vested with the Committee of Bar Examiners, the request for review should be forwarded to that Committee for study and response.

**Responsible Staff:** Gayle Murphy

**Recommendation:** RAC – July

**BOG – N/A**

July # 22

**Proposal to Establish a California Professional Responsibility Award**

The Office of Professional Competence has asked the State Bar to consider establishing a new award recognizing a member's outstanding contribution to the advancement of attorney professional responsibility standards in California. In order to confer the award on the inaugural recipient at the 2010 State Bar Annual Meeting, back-to-back action by RAC and the Board is requested in July.

**Responsible Staff:** Randall Difuntorum

**Recommendation:** RAC – July

**BOG – July**

July # 23

***Improving Civil Justice in Rural California – A Report of the California Commission on Access to Justice***

This is an informational presentation about recommendations for addressing the lack of legal aid resources in California's rural areas.

**Responsible Staff:** Mary Lavery Flynn

**Recommendation:** LSC –July

**BOG – N/A**

July # 24

**Advice of Counsel re Recommendations of the California Commission on the Fair Administration of Justice and Request from California Appellate Project**

At the July Meeting of the Board Committee on Legal Services, Pro Bono and Equal Access, the Committee requested advice of counsel at their July meeting concerning an appropriate response to the recommendations in the report of the California Commission on the Fair Administration of Justice and Request from California Appellate Project.

**Responsible Staff:** Larry Yee

**Recommendation:** LSC –July

**BOG – N/A**