

**2010 – 2011 GOALS AND OBJECTIVES
MEMBER OVERSIGHT COMMITTEE
BOARD OF GOVERNORS, STATE BAR OF CALIFORNIA**

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Purpose of Committee

Member Oversight Committee (“MOC”)

The Membership Oversight Committee oversees all programs that serve members in non-disciplinary areas, including: (a) lawyers’ MCLE compliance, (b) the Lawyers Assistance Program (“LAP”), (c) membership records and license status (including lawyers’ profiles on the State Bar website), (d) the annual meeting, (e) the sections’ education programs/ publications/ events, (f) legal specializations, (g) insurance programs, and (h) member benefits.

Staff Description of Committee Purview

MOC monitors the operational performance of programs and functions related to attorney members that are outside of the admission, regulation and discipline functions. MOC oversees bar programs and services that benefit attorney members and recommends to the full Board changes in rules, policies or procedures governing the following programs within the committee's purview:

Member Services: This division brings together existing offices and a new service center to provide a comprehensive range of services to State Bar members and other clients/customers in specific Service Areas as follows:

1. Membership Records
2. Member Service Center
3. Lawyer Assistance Program
4. Insurance Programs
5. Sections Education & Meeting Services (Reports to the Board through the Permanent Task Force on Sections)
6. Member Benefits and Affinity programs – oversees the development of a portfolio of member benefits and services

Office of Member Services is also responsible for a number of law practice related programs:

- Minimum Continuing Legal Education (MCLE) - California attorneys are required to take 25 hours of Minimum Continuing Legal Education (MCLE) every 3 years.
- Law Corporations & LLP's - attorneys can practice law in professional law corporations and limited liability partnerships (LLPS).
- Lawyer Assistance Program: enhances public protection and maintains the integrity of the legal profession by supporting recovering attorneys in their rehabilitation and competent practice of law.
- Insurance Programs - The State Bar of California sponsors several Insurance Programs specifically designed to serve the needs of State Bar members. These programs are monitored by Standing Committees of the State Bar comprised of volunteer attorney members.
- Board of Legal Specialization - attorneys can become certified as a legal specialist. Specialists who are certified by the Board of Legal Specialization or an entity accredited by the State Bar can advertise as a "certified specialist."

Lastly, MOC may conduct periodic member surveys and report results to the Board.

Goals for the Member Oversight Committee for the 2010-2011 Board Year

For 2010-11, the committee's goals are:

1. **MCLE.** To make some of the bar's over 1,300 hours of MCLE courses freely accessible to lawyers, making it easier for lawyers to learn the Rules of Professional Conduct — and, especially this year, to learn the recent amendments to the Rules. The vast majority of the State Bar's staff and financial resources (and, hence, member dues) are spent on investigating and disciplining lawyers for violations of the Rules. The State Bar has many hours of MCLE courses covering the ethics rules and can develop new ones at a trivial cost per member. As long as there continues to be an MCLE requirement, making a set of core ethics courses available for free through the State Bar's website will not only promote greater compliance with the requirement. It will also increase lawyers' familiarity with the Rules and thus enhance lawyers' relations with clients, each other, and the public.

2. **LAP.** To critically examine the cost-effectiveness of the "Lawyers Assistance Program," which was created by statute to deal only with "attorneys" who are impaired due to "abuse of drugs or alcohol, or due to mental illness." This government program has expanded to now invite paralegals and law students to use its services and to offer relationship and career counseling. Since its inception in 2002, the program has spent over \$14.4 million — funded by a mandatory \$10 assessment on active lawyers and \$5 for inactive lawyers. Yet only 68 lawyers have completed the program (which originally took five years but was reduced to three). A similar cost-benefit analysis should be conducted on the State Bar's various insurance programs and other member benefits.

3. **Annual meeting.** To assess the value of holding an annual meeting. On average, fewer than 3% of active lawyers attend the meeting. The committee will examine the selection of meeting location, the length of the meeting, and the scheduling of board meetings at the annual meeting, as well as the true staff cost. The committee will also review the most recent assessment by an annual meeting task force and will carefully consider ways to either increase the value of this event or eliminate it.

4. **Improved communication with members.** To improve the State Bar's receptiveness to feedback from its members and, at the same time, help members understand how the State Bar works. With the publication of the California Bar Journal online, how is the State Bar responding to constructive suggestions from its members? The State Bar should develop a reader-friendly FAQ for lawyers to better understand the most common questions they have about the State Bar. The State Bar should also explore ways to open the lines of communication with its 226,000+ members to learn what it can do better.

MEMBER OVERSIGHT COMMITTEE (MOC) 2010 - 2011 INVENTORY OF REOCCURRING MOC ITEMS	
Item	Staff Contact
CalBar Connect - online portal that provides members and their families' access to discounts and exclusive programs from insurance to finance to business.	McPhail
Member Request for Adjustment to Fees and/or Penalties/Waivers	DiLoreto
State Bar Rule 2.16(J), "Amnesty Program" – Implementation	DiLoreto
MCLE Recommendation re- Members in Non Compliance	DiLoreto
Annual Recommendation to the Supreme Court for Expungement of Suspensions for Nonpayment of Fees in accordance with Rule of Court 9.6 b	DiLoreto
Recommendation to Supreme Court for Suspension of Members Delinquent I Payment of 2009/2010 State Bar Fees, Penalties and Costs	DiLoreto
Statutory Report & Filing with the Board and Legislature of the LAP Annual Report	Thibault
Report and Filing with the California Supreme Court of the Board of Legal Specialization Annual Report	Murphy
California Young Lawyers Association (Oral Report)	Liberty
Advisory Committee Reports (COGIP/COPLI)	Gomez