

EXHIBIT A

AMENDMENTS TO STATE BAR RULES PROPOSED BY JNE PROCESS REVIEW COMMITTEE

RULE 7.22 BREACH OF CONFIDENTIALITY

A special committee of the Board of Governors ~~may~~ must investigate a claim of breach of confidentiality ~~by a commissioner.~~¹ The President of the State Bar, subject to the approval of the Board, must appoint the special investigative committee within 7 days of the report of a breach of confidentiality.

RULE 7.66 REVIEW COMMITTEE

- (A) To review candidates' request for reconsideration of a commission rating, the Board of Governors must appoint a ~~three~~ *five*-member review committee consisting of ~~two past members of the commission and a board member who serves as liaison to the commission.~~ *two members of the Board of Governors, one of whom shall be a public member and one an attorney member, one past member of the commission, and two at large members to be appointed at the discretion of the Board of Governors. Neither of these at large members will be current members of the Board of Governors.*
- (B) The review committee has absolute discretion to rescind the opinion of the commission if it has good cause to believe that
- (1) violation of these rules has materially affected the commission's rating;
 - (2) conflict of interest or bias has affected the rating;
 - (3) an inadequate or biased mailing list was used; ~~or~~
 - (4) new evidence, which the candidate had no reasonable opportunity to present, could have changed the rating; *or*
 - (5) *after review of the candidate's record, the commission's rating of not qualified is not supported by substantial evidence.*

¹ See Business & Professions Code §§ 6044, 6049, 6050, 6051, 6051.1, and 6052

RULE 7.65 RECONSIDERATION OF NOT QUALIFIED RATING

Only a candidate rated not qualified is entitled to request reconsideration of the rating. Within ten days of sending the Governor a rating of not qualified, the commission must notify the candidate in writing of the not qualified rating and the right to request reconsideration. The candidate must make a request in accordance with these rules within ~~sixty~~ *thirty* days of receiving the written notice. *The review committee will complete review of a candidate's request for reconsideration not later than 90 days after the State Bar receives the request. **The State Bar will not make the not qualified rating public while the review is pending.***^[1]

^[1] Gov. Code § 12011.5, subd. (g).