



THE STATE BAR OF CALIFORNIA

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Date: November 5, 2010

Item IV.A

From: Michael Tenenbaum, Chair Member Oversight Committee (item drafted by staff)

To: Members, Member Oversight Committee

Re: Find a Lawyer

Executive Summary

This memorandum proposes that MOC discuss the value of allowing lawyers to designate and users to search lawyers' member profiles by self-designated areas of practice (in addition to the criteria by which lawyer membership profiles are currently searchable) on the State Bar website.

BACKGROUND

The "Find a Lawyer" (FAL) Item was presented to the Board of Governors on November 21, 2008. The State Bar was developing FAL, an enhanced attorney search and member profile feature for its website. FAL was designed as an online attorney directory for users searching for information about California lawyers and other legal resources. It was intended to enhance the State Bar's online and searchable roll of attorneys and to allow members to supplement their State Bar profile by, for example, including self-designated practice areas, adding a photo, or linking to a firm website. It was envisioned that FAL would be offered free initially, although a nominal fee could be assessed in the future to cover administrative costs.

As a result of concerns raised by local bars associations that FAL would effectively operate in competition with Lawyer Referral Services (LRS), then State Bar President Jeffrey Bleich appointed a task force that included board members as well as Stuart Forsyth, the Chair of the Executives of California Lawyer Associations ("ECLA") and then Executive Director of the Los Angeles County Bar.

Subsequent to the creation of the task force and following meetings with representatives of the LRS, the State Bar agreed to make modifications to FAL to prominently feature the LRS and to clearly distinguish between the attorney's official state bar record and any additional information provided by the attorney (which could be viewed as a form of attorney advertising).

At its November 2008 meeting, the Board discussed the matter at length, breaking the various issues into five separate components for consideration. Finally, on a majority vote, the Board referred the matter back to the task force for further consideration with instructions that the

final design include a prominent and specific reference and support of the LRS, and with further instruction that the task force bring the complete design back to the Board for its consideration.

The task force met several times but, after a healthy exchange of views, was unable to reach a consensus recommendation on all of the elements of the proposal, so it returned the matter to the Board for decision. The issues are summarized on pages 3 & 4 of Attachment 2 - (MAY 701 - 2009).

The Board considered this item again at its May 15, 2009 meeting. Following extensive discussion on the matter, the Board voted to approve the implementation of an enhanced design that includes the following information on member profile displays on the State Bar's Web site:

1. Official regulatory information that was already displayed on the member profile: Name, bar number, address, telephone and fax numbers, email address, undergraduate and law schools, Certified Legal Specialization(s); and
2. Language(s) spoken.

The Board also determined that users who did not wish to search by name or bar number would be directed to a screen that offers a choice of searching for a legal referral service by county, linking to Law-HelpCalifornia.org to find a legal aid provider, or linking to an advanced search screen to search the member records. In addition to the information that was already searchable, the Board recommended that the advanced search allow users to search for lawyers using the following new criterion -- language(s) spoken.

In light of the continuing limitations on the searchability of lawyers' member profiles, MOC should consider allowing lawyers to designate and users to search member profiles using additional criteria, starting with, for example, self-designated areas of practice.

RULE AMENDMENTS: None

BOARD BOOK/ ADMINISTRATIVE MANUAL IMPACT: None

FISCAL IMPACT: None