

Board Committee on Operations  
Referral List  
January 6, 2011

**Category 1 – Change in Date Only**

Jan # 1

**Santa Clara County Bar Association amendment to rule 21.1 rules of procedure for fee arbitrations**

Request for approval of single amendment to rule 21.1, Rules of Procedure for Fee Arbitrations for the Santa Clara County Bar Association. The sole amendment would raise the dollar threshold for a three member panel. The bar's new rules were approved in November but for this single rule proposal submitted for approval afterwards.

**Responsible Staff:** Colin Wong

**Recommendation:** RAD- Nov/**January**

BOG-N/A

Jan # 2

**Los Angeles County Bar Association Fee Arbitration Rule Changes**

Request for approval of several revisions to the rules of procedure for fee arbitrations by the L.A. County Bar Association. This it was scheduled to be presented in January, but the local bar requested more time to finalize the details of this item.

**Responsible Staff:** Colin Wong

**Recommendation:** RAD- ~~Jan~~ **March**

BOG: N/A

Jan # 3

**Find a Lawyer re Inclusion of Component of Self Designation**

BOG Ops will discuss whether there is interest by the Board in pursuing this issue. If so, the recommendation would be to wait for the March meeting, instead of going forward in January.

**Responsible Staff:** Francisco Gomez

**Recommendation:** MOC – ~~Nov/Jan~~ **March**

BOG - March

Jan # 4

**Review Committee, Commission on Judicial Nominees Evaluation (RJNE)**

The RJNE appointments are annually considered in July. With the board's recent adoption of the JNE rule increasing the size of RJNE from three to five members, the committee has two positions to fill. The committee has requested to fill that these two new positions at the March meeting so that the full committee will be in place to handle new requests for review, which could occur as early as June or July 2011. The committee's other annual vacancies will be considered as usual in July.

**Responsible Staff:** Heidi Schwab-Wilhelmi

**Recommendation:** VIC– **March** and July

BOG – **March** and July

## **Category 2 – Possible Committee Reassignments**

None.

## **Category 3 – New Matters Requiring Assignment to Appropriate Board Committee**

Jan # 5

### **Role of the President re Contracts to Employ an Executive Director**

The President is recommending that prior to negotiating the terms and conditions of employment of the Executive Director, the President must consult with the Board and / or the Board Operations Committee and he / she shall not tender any terms to the Executive Director not previously approved by or vetted with the Board and / or the Board Operations Committee.

**Responsible Staff:** Francisco Gomez

**Recommendation:** Planning- January

**BOG-January**

Jan # 6

### **Glendale Bar Association new rules of procedure for fee arbitration**

Request for approval of new rules of procedure for fee arbitrations. The local bar is adopting the State Bar of California's Model Rules of Procedure for Fee Arbitrations.

**Responsible Staff:** Colin Wong

**Recommendation:** RAD- January

**BOG-N/A**

Jan # 7

### **Palo Alto Bar Association new rules of procedure for fee arbitrations**

Request for approval of new rules of procedure for fee arbitration. The local bar is adopting the State Bar of California Model Rules of Procedure for Fee Arbitrations.

**Responsible Staff:** Colin Wong

**Recommendation:** RAD- January

**BOG-N/A**

Jan # 8

### **Amendments to Rule of Court 9.21 re resignations with charges pending**

The proposed rule amendments will clarify the requirements concerning an attorney's membership status when their resignation with charges pending has been declined by the California Supreme Court and add a requirement that members who resign with charges pending must agree to waive confidentiality of their disciplinary and CSF matters.

**Responsible Staff:** Mary Yen

**Recommendation:** RAD- January/March

**BOG-March**

Jan # 9

**Adjustment to Cost Assessment Formula (Business and Professions Code Section 6086.10)**

Consistent with recommendations of the State Auditor, this proposal updates the current discipline cost assessment formula for 2011. Additionally, the proposal incorporates an annual adjustment to this formula accounting for inflation in lieu of the periodic reviews that currently occur.

**Responsible Staff:** Bob Hawley

**Recommendation:** RAD- January

**BOG-January**

Jan # 10

**Proposed Rule of Court 9.6 Amendments to Permit Expungement of Mandatory Continuing Legal Education (MCLE) Involuntary Inactive Enrollment in the Limited Circumstances Prescribed by the Rule: Request for Public Comment**

Expungement of information from State Bar membership records is governed by California Rule of Court 9.6(b)-(f) and Business and Professions Code section 6092.5(e). Currently, Rule 9.6(b) authorizes the State Bar to recommend to the Supreme Court on an annual basis that an isolated incident of suspension for nonpayment of fees be expunged from an attorney's membership record if the member meets four criteria listed in Rule 9.6(b). This agenda item requests 45-days of public comment on a proposal to amend Rule 9.6(b)-(d) to permit a one-time only expungement of an isolated incident of MCLE involuntary inactive enrollment if a member meets the same four criteria in Rule 9.6(b). The request includes proposed amendments to the State Bar's MCLE rules for members.

**Responsible Staff:** Dina DiLoreto

**Recommendation:** MOC-Jan/May

**BOG – May**

Jan # 11

**Committee of Bar Examiners—Interim Appointment of Member.**

This committee received a recent resignation and has requested that the vacancy be filled by at the January meeting.

**Responsible Staff:** Gayle Murphy

**Recommendation:** VIC – January

**BOG - January**

Jan # 12

**Legal Specialization Council of Past Chairs—Appointment of Members**

Pursuant to the Legal Specialization rules, a Council of Past Chairs is a sub-entity of the Board of Legal Specialization (BLS) whose members are appointed by the Board of Governors upon recommendation of BLS. BLS has recommended that the Board consider new appointments to the council at the January meeting.

**Responsible Staff:** Gayle Murphy, Natalie Leonard

**Recommendation:** VIC – January

**BOG – January**

Jan # 13

**Law Practice Management and Technology Section Executive Committee—  
Appointment of Member**

This section executive committee has a vacancy due to a declined appointment and has requested that the board fill the position at the January meeting.

**Responsible Staff:** Pam Wilson, Kristina Robledo

**Recommendation:** VIC – January

**BOG – January**

Jan # 14

**Fee Waivers Proposed Rule Change**

This is a proposed amendment to Rule 2.16 to eliminate particular waivers of membership fees.

**Responsible Staff:** Mary Yen, Dina DiLoreto

**Recommendation:** MOC – Jan/March

**BOG – Jan/March**

Jan # 15

**Discipline/Client Security Fund Collection Efforts**

A report will be provided at the Board of Governors of the Client Security Fund Reimbursements and Discipline Costs owed by State Bar members and the collection efforts made.

**Responsible Staff:** Ray Farrish

**Recommendation:**

**BOG - Jan**