

Board Committee on Operations

Referral List
March 3, 2011

Category I - Change in Date Only

March # 1

Amendments to Rule of Court 9.21 re resignations with charges pending

This item was scheduled to go back to RAD in March, but the deadline for public comment ends 3 days before the next committee meeting. That does not give staff enough time to consider public comment and post the item per meeting notice requirements. Moving it to the May meeting will address that issue.

Responsible Staff: Mary Yen

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

BOG - ~~March~~/**May**

March # 2

Fee Waivers Proposed Rule Change- Return from Public Comment

This item is currently out for public comment. Staff needs time to collect comments and write the item and requests to bring the item back in May.

Responsible Staff: Mary Yen, Dina DiLoreto

Recommendation: MOC – Jan/ ~~March~~-**May**

BOG: ~~March~~-**May**

March # 3

Recommendation to Supreme Court for Suspension of Members Delinquent in Payment of 2010/2011 State Bar Fees, Penalties and Costs

In 2010, the initial veto of the fee bill ultimately delayed the billing cycle, effectively pushing back this annual item to July. This year, we are back to a normal schedule, and this item should be routinely calendared to go to MOC and the Board in May.

Responsible Staff: Peggy Van Horn and Ray Farrish

Recommendation: MOC-~~July~~ **May**

BOG: ~~July~~-**May**

March # 4

MCLE - Recommendation re Members in Non-compliance

In 2010, the initial veto of the fee bill ultimately delayed the billing and MCLE compliance cycle, effectively pushing back this annual item to July. This year, we are back to a normal schedule, and this item should be routinely calendared to go to MOC and the Board in May.

Responsible Staff: Dina DiLoreto

Recommendation: MOC - ~~July~~ **May**

BOG: ~~July~~ **May**

March # 5

Find a Lawyer re Searchable by Self Designated Area(s) of Practice

At the request of the President of the Board of Governors this has been scheduled for May. This item proposes that MOC consider allowing users to search lawyers' member profiles by their general areas of practice (in addition to the criteria by which lawyer membership profiles are currently searchable) on the State Bar website.

Responsible Staff: Francisco Gomez

Recommendation: MOC-~~March~~ **May**

BOG: ~~March~~ **May**

March # 6

Judicial Council, Annual Appointment of Members

The Judicial Council appointments are normally considered at the March or May meetings. This year, in order to attain a larger pool of applicants, the application deadline for the Judicial Council will be extended. It is recommended that the Volunteer Involvement Committee and the Board consider these appointments at a date to be determined by Board Operations. The two appointments should be made before the Council's Orientation meeting on August 26, 2011.

Responsible Staff: Joe Dunn, Karen Hagelund

Recommendation: VIC – ~~Mar/May~~ **TBD**

BOG – ~~Mar/May~~ **TBD**

Category II – Possible Committee Reassignments

None

Category III – New Matters Requiring Assignment to Appropriate Board Committee

March # 7

Request for approval of Major Misappropriation initiatives

The Chief Trial Counsel will explain his office's new initiatives on prosecuting major misappropriation cases. Some initiatives may require RAD's approval to release a proposal to post a consumer alert online for public comment and approval of policy regarding same.

Responsible Staff: Jim Towery

Recommendation: RAD – **March/July**

BOG – July

March # 8

Association of Discipline Defense Counsel, Proposed Expungement Rule

The Association of Discipline Defense Counsel (aka Respondents' Bar) has requested that the Board consider a proposal to expunge private reprovals from a member's disciplinary record.

Responsible Staff: Doug Hull

Recommendation: RAD – **May**

BOG - TBD

March # 9

Issuance of Certificates of Standing Report

The State Bar annually provides approximately 9,000 Certificates of Standing, which are used as proof of attorneys' admission status and record. Michael Tenenbaum requested that staff prepare a report on the feasibility of eliminating hard copy certificates and whether the process could be handled electronically - requests for certification online, and letters processed online – printable by the member.

Responsible Staff: Gayle Murphy, Dina DiLoreto

Recommendation: MOC - March

BOG - TBD

March # 10

State Bar Rules Title 6 Proposed Revisions to Conform to Bagley Keene - Release for Public Comment

Request by the Governance Task Force to review Bagley Keene Open Meeting Rules to ascertain whether they should be incorporated into the State Bar meeting Rules and if so, request to release for public comment.

Responsible Staff: Dina Goldman

Recommendation: Stakeholders – March/May

BOG - May

March # 11

Commission on Impartial Courts

In December 2009, the Commission on Impartial Courts issued its final report, which contains seventy-one recommendations. Recommendation 51 states: "Legislation should be sponsored to require that a JNE rating of 'not qualified' (and thus, by the absence of announcement, a rating of at least 'qualified' or better) for a trial court judge be made public automatically at the time of appointment of a person with that rating." Recommendation 52 states: "Legislation should be sponsored to make the current practice of releasing the JNE rating for a prospective appellate justice mandatory and permanent." Both recommendations were endorsed by the Judicial Council at its December 2010 meeting, and referred to the State Bar of California for consideration. These two recommendations are being referred for Board consideration at this time, and additional recommendations may be referred at a later date.

Responsible Staff: Mary Lavery Flynn and Saul Bercovitch

Recommendation: Stakeholders – TBD

BOG - TBD

March # 12

California Commission on Access to Justice—Interim Appointment of Member

This commission received a recent resignation and has recommended a nominee to replace the resigned member. The commission requests that the vacancy be filled at the March meeting.

Responsible Staff: Mary Lavery Flynn

Recommendation: VIC – March

BOG – March

March # 13

Litigation Section Executive Committee—Interim Appointment of Member

This section executive committee received a recent resignation and has recommended a nominee to replace the resigned member. The committee requests that the vacancy be filled at the March meeting.

Responsible Staff: Pam Wilson, Tom Pye

Recommendation: VIC – March

BOG – March