

**ASSESSMENT OF PERFORMANCE
OF THE STANDING COMMITTEE
ON PROFESSIONAL RESPONSIBILITY AND CONDUCT
OF THE STATE BAR OF CALIFORNIA**

2010 Year End

Chair: Shawn M. Harpen
Staff Contact: Mark Taxy (415-538-2163)

Summary of Accomplishments

The Committee on Professional Responsibility and Conduct (“COPRAC” or “the Committee”) is assigned to develop advisory ethics opinions, to conduct educational programs, and to assist the Board of Governors in matters pertaining to attorney professional responsibility. This report presents an assessment of the Committee’s 2010 activities and accomplishments.

1. Conducted 6 one-day and 2 two-day meetings.
2. Published 3 proposed opinions for public comment with 1 opinion formally published by the Board of Governors.
3. Developed 1 Ethics Alert article on Internet scams targeting attorneys.
4. Administered the 14th Annual Statewide Ethics Symposium.
5. Presented 4 ethics programs at the State Bar Annual Meeting, all of which were selected for videotaping for use as a self-study program offering ethics credit.
6. Issued 12 public comment letters to the Rules Revision Commission (“RRC” or “the Commission”) regarding proposed changes to the California Rules of Professional Conduct in response to the sixth initial public comment request on 12 rules.
7. Issued 50 public comment letters to the RRC regarding the final request for public comment on the entire 69 proposed new and amended California Rules of Professional Conduct.
8. Issued 6 public comment letters to the RRC regarding the subsequent request for public comment on 7 proposed new and amended California Rules of Professional Conduct.
9. Participated in 34 CLE outreach programs including requests from local and specialty bar associations.

Performance Indicators and Actual Performance

- 1. [Performance Indicator] Meetings - To carry out its charge, 9-10 day-long meetings will be held in FY 2010. Most of these meetings will be held in-person at the State Bar facilities in San Francisco or Los Angeles, or at an airport hotel location. Meetings scheduled later in the fiscal year will be planned as video-conference meetings. However, the Committee hopes to realize budget savings and use these savings to convert these video-conference meetings into in-person meetings. Given the nature of the Committee's work, in-person member participation is the most productive meeting format.**

[Actual Performance] In FY 2010, COPRAC held 6 one-day meetings and 2 two-day meetings.

- 2. [Performance Indicator] Ethics Opinions - COPRAC plans to issue 3 – 5 formal ethics opinions. The Committee shall assist members of the State Bar in their desire to appreciate and adhere to ethical and professional standards of conduct, which assistance shall include, but is not limited to:**
 - 1. Issuing to members of the bar advisory opinions on the ethical propriety of hypothetical attorney conduct at the request of members of the State Bar or on its own initiative;**
 - 2. Responding to such inquiries from members of the bar; and**
 - 3. Publishing its opinions.**

[Actual Performance] In FY 2010, the Committee issued 3 opinions for public comment distribution (Interim Op. Nos. 06-0004, 08-0001, and 08-0002). One opinion (08-0002 re Confidentiality and Technology) was issued for a second public comment period and thereafter submitted to RAD for final publication which was officially published as State Bar Formal Opinion No. 2010-179. A summary of the published opinion and the opinions published for public comment are attached. (Attachment A)

During FY 2010, COPRAC also drafted 1 Ethics Alert article. An Ethics Alert article informs and educates members of the bar on important and timely topics concerning attorneys' ethical duties and professional responsibilities. Ethics Alerts are published on the Ethics Information page under Hotliner News Feature Articles. In 2010, the Committee drafted an Ethics Alert article concerning "Internet Scams Targeting Attorneys" which is expected to be published in January 2011.

- 3. [Performance Indicator] Rules of Professional Conduct - COPRAC plans to work closely with the State Bar Commission for the Revision of the Rules of Professional Conduct in coordinating the Board's consideration of any Rule of Professional Conduct amendments. COPRAC will review and analyze proposals to amend the Rules of Professional Conduct and monitor and comment on the work of the State Bar's Commission for the Revision of the Rules of Professional Conduct.**

[Actual Performance] The COPRAC Rules Revision Commission Subcommittee members served as Committee liaison to the Rules Revision Commission. Liaison attended and monitored each meeting of the Commission and reported to the Committee on the work of the Commission. The Subcommittee reviewed three groups of proposed or amended rules issued by the Commission for public comment in FY 2010 and made recommendations to the Committee regarding the Committee's response to the requests for public comment.

In FY 2010, the Committee considered the recommendations of the Subcommittee and submitted 12 comment letters to the Commission commenting on 12 of the 12 proposed rules in connection with the 6th group of initial rules issued for public comment by the Commission. Of the rules on which COPRAC commented, 6 comment letters supported adoption of the rule subject to COPRAC's comments, 6

comment letters supported the rule without comment, and no comment letters opposed any of the proposed rules. (Attachment B)

The Subcommittee also reviewed the comprehensive group of 69 proposed rules issued by the Commission for final public comment. The Committee considered the recommendations of the Subcommittee and submitted 50 comment letters to the Commission on these 69 rules. Of the rules on which COPRAC commented, 6 comment letters supported adoption of the rule subject to COPRAC's comments, 42 comment letters supported the rule without comment, and 2 comment letters opposed the proposed rule. (Attachment B)

In addition, the Subcommittee reviewed the subsequent group of 7 proposed rules issued by the Commission for additional public comment. The Committee considered the recommendations of the Subcommittee and submitted 6 comment letters to the Commission on these 7 rules. Of the rules on which COPRAC commented, 1 comment letter supported adoption of the rule subject to COPRAC's comments, 5 comment letters supported the rule without comment, and no comment letters opposed any of the proposed rules. (Attachment B)

4. **[Planned Activity] Legislation - As assigned by the Board, COPRAC will review and analyze bills that relate to attorney professional responsibility, serve as a technical resource to the State Bar's Office of Government Affairs. On an as needed basis, COPRAC may comment in its own name with a disclaimer indicating its comment does not reflect the view of the State Bar or the Board of Governors**

[Activity Report] There was no legislation referred to the Committee by the Board in FY 2010 or any legislation that COPRAC followed which resulted in any comments from the Committee.

5. **[Planned Activity] Judicial Council - As assigned by the Board, COPRAC will review and analyze Rules of Court and other proposals or studies that relate to attorney professional responsibility, including proposed ethical rules for judges and arbitrators. On an as needed basis, COPRAC may comment in its own name with a disclaimer indicating its comment does not reflect the view of the State Bar or the Board of Governors.**

[Activity Report] There were no Judicial Council referrals from the Board in FY 2010 or any Judicial Council matters followed by COPRAC.

6. **[Planned Activity] Conference of Delegates of California Bar Associations - As assigned by the Board, the Committee will review and analyze Conference resolutions that relate to attorney professional responsibility.**

[Activity Report] There were no resolutions referred to the Committee for consideration during FY 2010.

7. **[Planned Activity] American Bar Association House of Delegates - As assigned by the Board, the Committee will review and analyze ABA studies and proposals that relate to attorney professional responsibility (e.g., recent developments have included the ABA's study and revision of the Model Rules of Professional Conduct and the ABA's Report on Multidisciplinary Practice). On an as needed basis, COPRAC may comment in its own name with a disclaimer indicating its comment does not reflect the view of the State Bar or the Board of Governors.**

[Activity Report] There were no referrals to the Committee by the Board in FY 2010.

8. [Planned Activity] Annual Statewide Ethics Symposium - The Committee will plan and present a day-long statewide educational program offering a high level interactive discussion of key professional responsibility issues.

[Activity Report] COPRAC's 14th Annual Statewide Ethics Symposium was held on May 1, 2010 at the Practising Law Institute in San Francisco. The theme of the Symposium was "A NEW DECADE – A NEW SET OF ETHICAL CHALLENGES." The Symposium was dedicated in Memory of Jeffrey A. Tidus in appreciation of his contributions to the legal profession, the State Bar of California and COPRAC. The panels presented included the following: "Reeling from the Recession: Keeping Faith with Ethics of the Profession During Turbulent Times"; "Social Networking and Professional Responsibility: Can they Co-Exist?"; "Screening in California: The Evolving Debate"; and "Rules Revision Commission: New Rules for a New Decade." COPRAC Chair Carole Buckner provided welcoming remarks. Committee member David Parker provided additional opening remarks describing the special Symposium dedication in memory of late Committee member Jeffery Tidus. The keynote speaker was Michael Traynor, President Emeritus of the American Law Institute and Co-Chair of the ABA Commission on Ethics 20/20. There were 79 attendees registered for the Symposium of which 40 were paid attendees. The Symposium received high marks in all categories from the attendees. A copy of the Symposium brochure and the Activity Evaluation Results are attached. (Attachment C)

9. [Performance Indicator] State Bar Annual Meeting Programs - COPRAC plans to conduct 3 – 5 CLE programs in connection with the State Bar Annual Meeting (identification and preparation of program topics and materials begin in Spring 2008 for programs presented at the Annual Meeting in the Fall of 2008).

[Actual Performance] COPRAC conducted 4 programs at the State Bar Annual Meeting held in Monterey, CA in September 2010. The 4 programs sponsored by COPRAC were entitled "Electronic Ethics"; "Conflicts for Lawyers: How to Get Yourself Disqualified, Sued and Disciplined"; "Keeping Your Client Trust Account and Collecting Your Fee"; and "Ethics Update 2010: Significant Developments in the Law of Lawyering." All four COPRAC programs were selected for videotaping to be made available as part of the State Bar's online CLE resources. All COPRAC sponsored programs were well attended and received high marks in all categories from the attendees. A copy of the Activity Evaluation Results is attached. (Attachment D)

10. [Planned Activity] Local Bar Outreach Programs - As opportunities arise, the Committee will coordinate with local and specialty bar associations in developing professional responsibility CLE programs tailored to local/specialty interests.

[Activity Report] During FY 2010, members of COPRAC represented the Committee as participants in 34 continuing legal education programs. Generally, at these programs the speakers' role as a member of COPRAC is to publicize the work of the Committee and to encourage members of the bar to submit opinion requests, to comment on proposed opinions and to apply to serve on the Committee. A table listing COPRAC member participation in outreach programs during FY 2010 is attached. (Attachment E)

11. [Planned Activity from 2009 Workplan] Coordination with other State Bar Entities - On matters of mutual interest, COPRAC will coordinate with State Bar entities.

[Activity Report] There were no matters requiring coordination with other State Bar entities during FY 2010.

**SUMMARY OF PUBLISHED OPINIONS
(2010)**

Officially Published Opinions

FORMAL OPINION NO. 2009-179

ISSUES: Does an attorney violate the duties of confidentiality and competence he or she owes to a client by: 1) using a computer to which the organization employing the attorney and its supervisors have access; 2) using computer software to which the software developer has access; or 3) using a public or home wireless connection?

DIGEST: To comply with his or her duties of confidentiality and competence, an attorney must take appropriate steps to evaluate: 1) the level of security attendant to the use of a particular technology in the course of representing a client; 2) the legal ramifications to a third party who intercepts, accesses or exceeds authorized use of the electronic information; 3) the degree of sensitivity of the information; 4) the possible impact on the client of an inadvertent disclosure of privileged or confidential information or work product; and 5) whether reasonable precautions may be taken when using the technology to increase the level of security. With regard to use of a computer to which the organization employing the attorney and its supervisors have access, the attorney must consider the purpose of, and limitations on, the access and whether the organization itself or an individual with access may have an interest in the information that is in conflict with the client's interest. The attorney may need to take precautions to ensure that any interested persons will not be able to access the information or, absent informed client consent, the attorney may need to consider whether he or she can competently represent the client without using the computer in connection with the representation. With regard to access to confidential information by a software developer, the attorney may use the software as long as the attorney does not have a reason to believe the information will be used improperly. However, he or she may need to discuss the issue with the client to determine appropriate methods of proceeding if the information at issue is highly sensitive or the software developer has an adverse interest in the matter. With regard to use of a public or home wireless connection, the attorney risks violating his or her duties of confidentiality and competence unless appropriate precautions are taken, such as using an adequate encryption device and a personal firewall. Depending on the situation, including if the information at issue is of a highly sensitive nature, the attorney may need to avoid using the wireless connection entirely, or notify the client of possible risks associated with use of the wireless connection and seek the client's informed consent to do so. Generally, the attorney should not use an unsecured public wireless connection that does not require a password for access.

Opinions Published for Public Comment

FORMAL OPINION INTERIM NO. 06-0004

ISSUE: If an attorney receives from a non-party a confidential communication between opposing counsel and opposing counsel's client, what should the attorney do if the attorney reasonably believes that the communication may not be privileged because of the crime-fraud exception to the attorney-client privilege?

DIGEST: If an attorney receives a confidential written communication between opposing counsel and opposing counsel's client under circumstances reasonably suggesting that the crime-fraud exception precludes application of the attorney-client privilege, the attorney may ethically read the communication. However, the attorney must notify opposing counsel as soon as possible that the attorney has possession of the communication. The two attorneys should try to resolve the privilege issue or, if that fails, obtain the assistance of a court. Until the issue is resolved, the attorney may not disseminate or otherwise use the communication or its contents.

ATTACHMENT A

FORMAL OPINION INTERIM NO. 08-0001

ISSUE: When does an attorney violate rule 4-400 of the California Rules of Professional Conduct by accepting a gift from a client?

DIGEST: An attorney who demonstrates by words or conduct an intent to cause a client to give the attorney a substantial gift violates rule 4-400. Whether a gift is substantial must be determined by examining issues such as the value of the gift from the perspective of both the client and the attorney both financially and otherwise, as well as general standards of fairness.

FORMAL OPINION INTERIM NO. 08-0002

(Published as 2010-179. See issue and digest above.)

ATTACHMENT B

2010 COPRAC COMMENT LETTERS TO RULES REVISION COMMISSION

(Rules with a Comment Period Ending on March 12, 2010 - Batch 6)

Date of Letter	Rule Number	Position
March 12, 2010	1.0.1 Terminology	Agree
March 12, 2010	1.4.1 Disclosure of Professional Liability Insurance	Agree
March 12, 2010	1.11 Special Conflicts for Former And Current Government Officers And Employees	Agree if Modified
March 12, 2010	1.17 Purchase and Sale of a Law Practice	Agree if Modified
March 12, 2010	1.18 Duties to Prospective Clients	Agree if Modified
March 12, 2010	3.9 Advocate In Non-adjudicative Proceedings	Agree if Modified
March 12, 2010	4.1 Truthfulness in Statements to Others	Agree
March 12, 2010	4.4 Respect for Rights of Third Persons	Agree if Modified
March 12, 2010	6.1 Voluntary Pro Bono Publico Service	Agree
March 12, 2010	6.2 Accepting Appointments	Agree
March 12, 2010	6.5 Limited Legal Services Programs	Agree
March 12, 2010	8.2 Judicial and Legal Officials; Lawyer as Candidate or Applicant for Judicial Office	Agree if Modified

ATTACHMENT B

2010 COPRAC COMMENT LETTERS TO RULES REVISION COMMISSION
(Rules with a Comment Period Ending on June 15, 2010 – Batch X)

Date of Letter	Rule Number	Position
May 5, 2010	1.0 Purpose and Scope of the Rules of Professional Conduct	Agree
May 5, 2010	1.1 Competence	Agree
May 5, 2010	1.4 Communication	Agree if Modified
May 5, 2010	1.4.1 Disclosure of Professional Liability Insurance	Agree
May 5, 2010	1.6 Confidentiality of Information	Agree
May 5, 2010	1.7 Conflict of Interests: Current Clients	Agree
May 5, 2010	1.8.1 Business Transactions with a Client and Acquiring Interests Adverse to the Client	Agree
May 5, 2010	1.8.3 Gifts from Client	Agree
May 5, 2010	1.8.6 Payments Not From Client	Agree
May 5, 2010	1.8.7 Aggregate Settlements	Agree if Modified
May 5, 2010	1.8.8 Limiting Liability to Client	Agree
May 5, 2010	1.8.10 Sexual Relations With Client	Agree
May 5, 2010	1.8.11 Imputation of Prohibitions Under Rules 1.8.1 through 1.8.9	Agree
May 5, 2010	1.10 Imputation of Conflicts of Interest: General Rule	Agree if Modified
May 5, 2010	1.11 Special Conflicts for Former And Current Government Officers And Employees	Agree if Modified
May 5, 2010	1.13 Organization as Client	Agree if Modified
May 5, 2010	1.14 Client with Diminished Capacity	Agree
May 5, 2010	1.16 Declining Or Terminating Representation	Agree
May 5, 2010	1.18 Duties to Prospective Clients	Disagree
May 5, 2010	2.1 Advisor	Agree
May 5, 2010	2.4 Lawyer as Third-Party Neutral	Agree
May 5, 2010	2.4.1 Lawyer as Temporary Judge	Agree
May 5, 2010	3.1 Meritorious Claims	Agree

Date of Letter	Rule Number	Position
May 5, 2010	3.4 Fairness to Opposing Party and Counsel	Agree
May 5, 2010	3.5 Impartiality and Decorum of the Tribunal	Agree
May 5, 2010	3.6 Trial Publicity	Agree
May 5, 2010	3.7 Lawyer As A Witness	Agree if Modified
May 5, 2010	3.8 Special Responsibilities of a Prosecutor	Agree
May 5, 2010	3.9 Advocate In Non-adjudicative Proceedings	Agree
May 5, 2010	3.10 Threatening Criminal, Administrative, or Disciplinary Charges	Agree
May 5, 2010	4.3 Dealing with Unrepresented Person	Agree
May 5, 2010	4.4 Respect for Rights of Third Persons	Agree
May 5, 2010	5.2 Responsibilities of a Subordinate Lawyer	Agree
May 5, 2010	5.3 Responsibilities Regarding Nonlawyer Assistants	Agree
May 5, 2010	5.3.1 Employment of Disbarred, Suspended, Resigned, or Involuntarily Inactive Member	Agree
May 5, 2010	5.4 Financial and Similar Arrangements with Nonlawyers	Agree
May 5, 2010	5.5 Unauthorized Practice of Law; Multijurisdictional Practice	Agree
May 5, 2010	5.6 Restrictions on Right to Practice	Agree
May 5, 2010	6.1 Voluntary Pro Bono Publico Service	Disagree
May 5, 2010	6.2 Accepting Appointments	Agree
May 5, 2010	6.3 Legal Services Organizations	Agree
May 5, 2010	6.4 Law Reform Activities	Agree
May 5, 2010	7.1 Communications Concerning the Availability of Legal Services	Agree
May 5, 2010	7.2 Advertising	Agree
May 5, 2010	7.4 Communication of Fields of Practice and Specialization	Agree
May 5, 2010	7.5 Firm Names and Letterheads	Agree
May 5, 2010	8.1 False Statement Regarding Application for Admission to Practice	Agree

Date of Letter	Rule Number	Position
May 5, 2010	8.2 Judicial and Legal Officials; Lawyer as Candidate or Applicant for Judicial Office	Agree
May 5, 2010	8.4 Misconduct	Agree
May 5, 2010	8.5 Disciplinary Authority; Choice of Law	Agree

2010 COPRAC COMMENT LETTERS TO RULES REVISION COMMISSION
(Rules with a Comment Period Ending on August 25, 2010 - Batch Y)

Date of Letter	Rule Number	Position
August 9, 2010	2.1 Advisor	Agree
August 9, 2010	3.3 Candor Toward the Tribunal	Agree
August 9, 2010	3.8 Special Responsibilities of a Prosecutor	Agree
August 9, 2010	4.2 Communication with a Person Represented by Counsel	Agree if Modified
August 9, 2010	5.4 Financial and Similar Arrangements with Nonlawyers	Agree
August 9, 2010	8.4 Misconduct	Agree

ATTACHMENT C

Please provide your suggestions for future symposium topics below.

- Client waiver of protections afforded by the Rules (e.g., (1) May a client waive the protection of Rule 1-400 and authorized any and all future direct solicitations for legal services?; (2) May a client waive the right to give consent to fee splits under Rule 2-200?; (3) May a client waive the protection afforded under Rule 3-700 for due notice of a lawyer's permissive withdrawal?)

Are the topic(s) you suggested above for:

Ethics Specialists	0	0.0%	
Lawyers, in General	0	0.0%	
Both	4	26.6%	■

To what extent were your personal objectives satisfied?

1 = 0	0.0%	
2 = 0	0.0%	
3 = 2	7.1%	■
4 = 6	21.4%	■
5 = 16	57.1%	■

Comments:

- Past years' presentations were more substantive and less self-indulgent.
 - Well-organized, good speakers
 - Last panel disappointing; see comments
 - Well organized, good speakers
 - Assuming that majority of attorneys needing to spend a Saturday in ethics CLE are small firms/solo, would have liked more attorneys from this kind of practice rather than big firms/multinational client practices.
-

To what extent did the environment contribute to the learning experience?

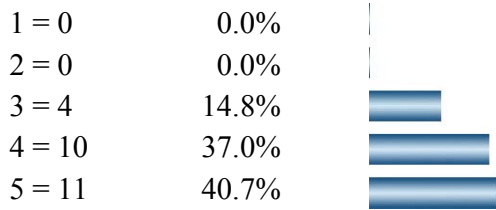
1 = 0	0.0%	
2 = 0	0.0%	
3 = 4	14.2%	■
4 = 9	32.1%	■
5 = 11	39.2%	■

Comments:

- Environment was fine
- For those of us sitting at the side of the room, it is harder to be focused when all you can see is the powerpoint screen and not the speakers.
- A pleasant place to learn--lunches fine rest of facility good
- Attractive and well-maintained--but pillars substantially interfered with view of podium and speakers
- PLI is okay, not great location. The big posts interfere with visibility. A law school is a better location

ATTACHMENT C

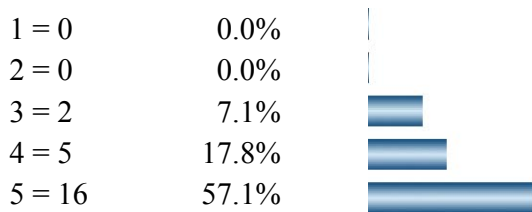
To what extent did the materials contribute to the learning experience?



Comments:

- Materials were OK.
 - Helpful.
 - Materials are very good
-

To what extent were the objectives stated in the promotional literature or those stated at the beginning of the activity satisfied?



Comments:

- Did not read promotional literature.
 - Yes - well represented.
-

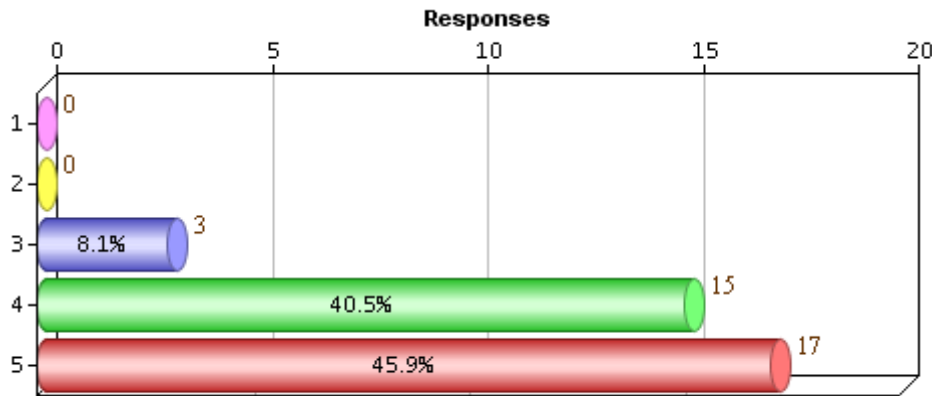
To what extent did the activity contain significant current intellectual or practical content?



Comments:

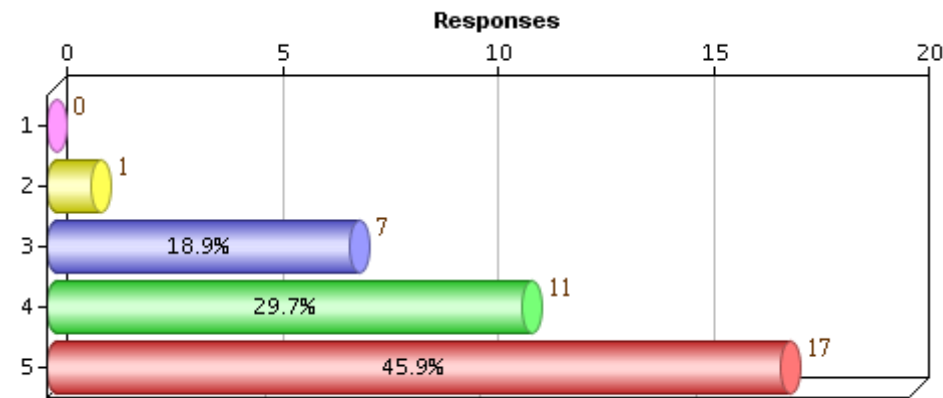
- Yes - it did.
-

ATTACHMENT D
PANEL #2: Electronic Ethics



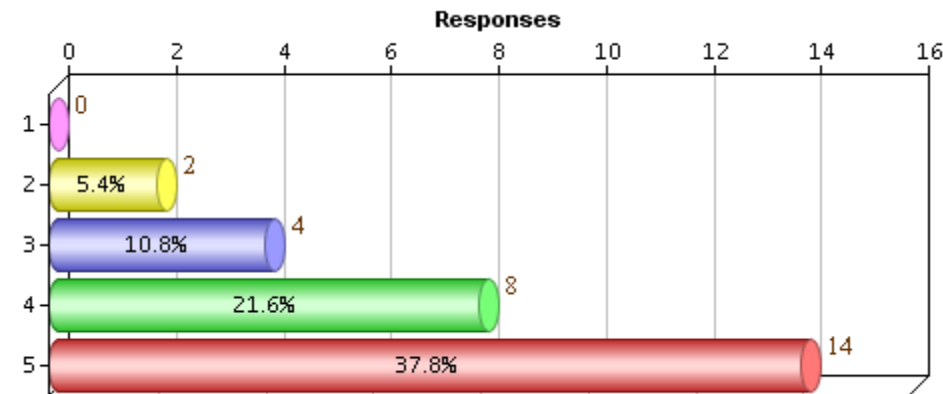
To what extent were your personal objectives satisfied?

- Wanted more on Facebook, Internet stuff
- Made the whole trip here worthwhile
- Overall very helpful course



To what extent did the environment contribute to the learning experience?

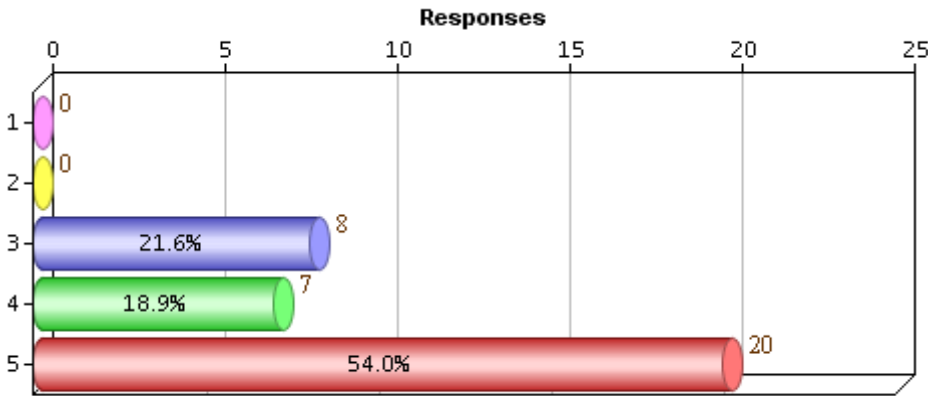
- Tables would be helpful.
- It would be nice to have tables. I understand why there are only chairs.
- All had good, strong voices. Made it EZ
- Great!



To what extent did the materials contribute to the learning experience?

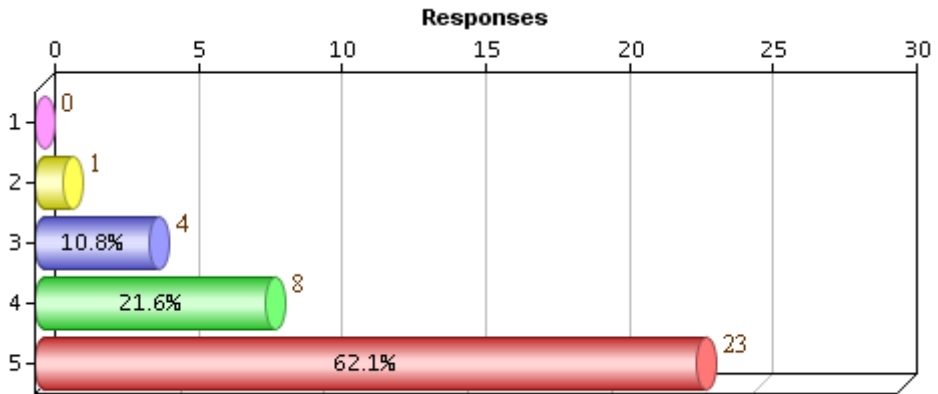
- Should have PowerPoint throughout – instead of just parts
- Can't tell yet but sounds like it will be a "5"
- I didn't get them although the speakers referred to them repeatedly
- Great that you had the materials on-line and gave memory sticks
- Haven't read them yet
- Miss having handouts supplied with the talk – tough at times to follow without them
- Electronic not yet received

ATTACHMENT D



To what extent were the objectives stated in the promotional literature or those stated at the beginning of the program satisfied?

- More of overview of rules/laws rather than “learn”
- Better

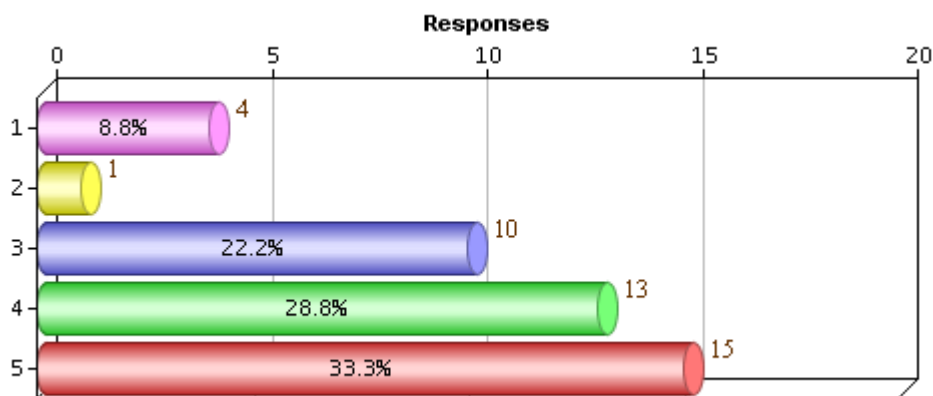


To what extent did the program contain significant current intellectual or practical content?

- Excellent presentation!!!
- Much more than I anticipated
- Outstanding!! Very current materials and opinions

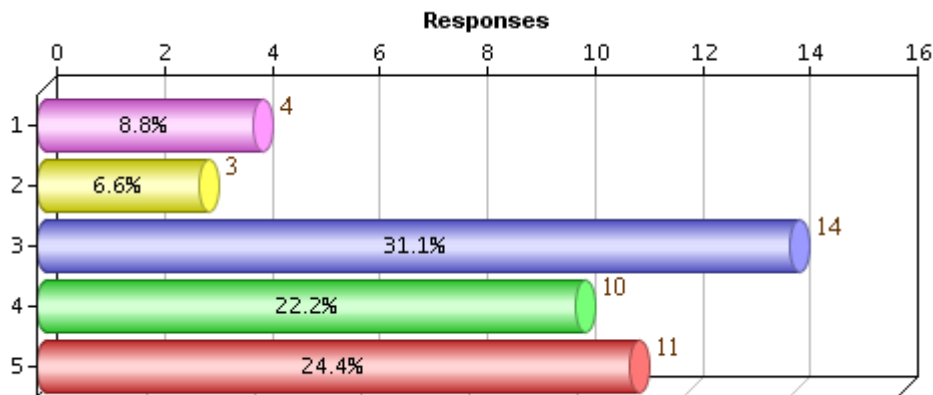
ATTACHMENT D

PANEL #50: Conflicts for Lawyers: How to Get Yourself Disqualified, Sued and Disciplined



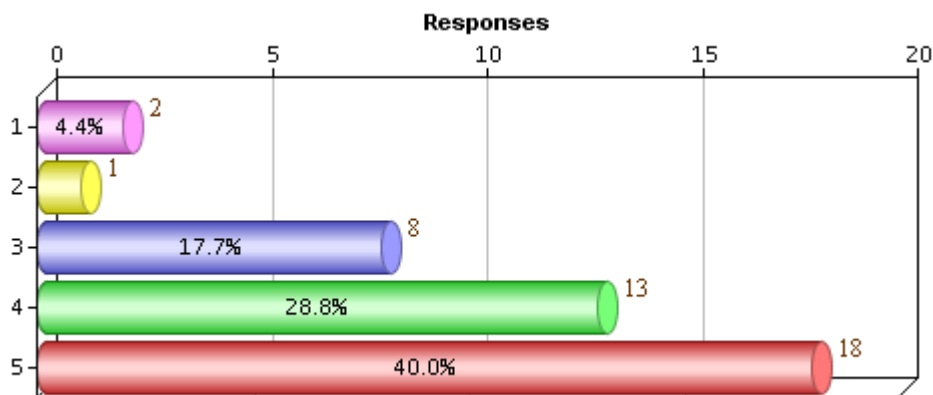
To what extent were your personal objectives satisfied?

- Insufficient opportunity for audience questions and interplay
- All three excellent
- Important but mind-numbingly boring. As a solo practitioner I do not work with other lawyers in a firm and I felt this does not address any of the issues I face day in and out
- All presenters excellent
- Lots of info but no solid answers. They all did a god job – I wish there were some definitive answers
- Probably my fault for not attending criminal emphasis (which was offered but most examples don't apply to my practice)
- I am a criminal lawyer and this program did not cover anything involving criminal law



To what extent did the environment contribute to the learning experience?

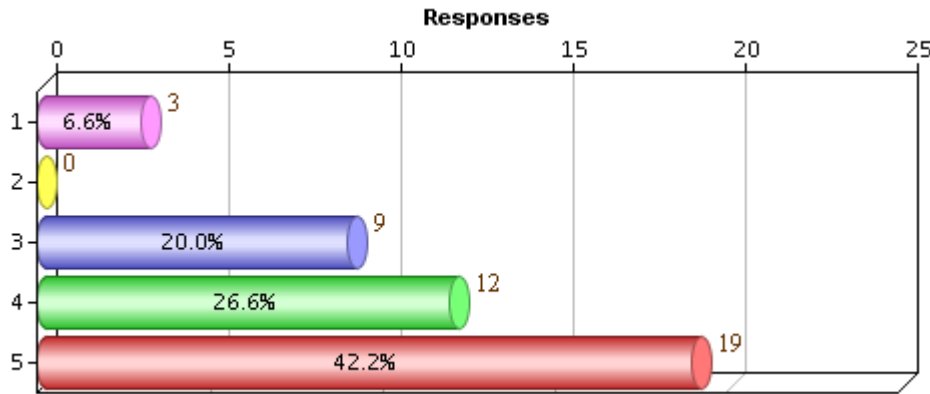
- Individual chairs (which are always mostly empty) should be moved to the back of the room and tabled seating (which is popular) moved to the front
- Room very cold. No coffee. Very little Q & A
- Tables should have been in front
- Cold and not enough tables
- Annoying to have to take bus out to Hyatt for class
- Room dimly lit. Caused me to squint
- Too cold to sit for 1.5 hours



To what extent did the materials contribute to the learning experience?

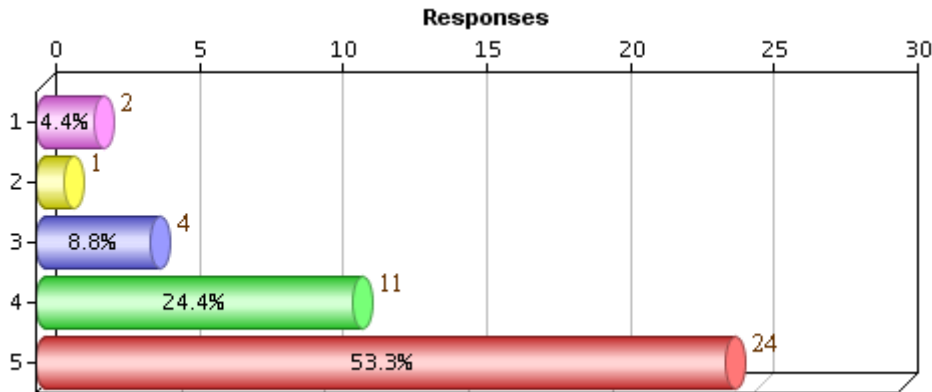
- It would have been helpful to know which materials you were referring (flash drive or handout) when you say "It is found in the materials"
- Needed more references to section rules
- Nice to have handouts
- The thumb drive does not work on my laptop computer. Only got hand-out with my hypotheticals
- Appreciate handouts of powerpoint to supplement flash drive
- Didn't use – too small. Used overhead
- Haven't seen them yet
- Good materials and handout

ATTACHMENT D



To what extent were the objectives stated in the promotional literature or those stated at the beginning of the program satisfied?

- Course description should have disclosed how narrow the approach was. It was really geared towards transactional lawyers dealing with the purchase of corporate assets. Well presented but not what I expected.
- I don't know
- Not one thing about criminal law. Should have alerted us that all the hypotheses would be civil

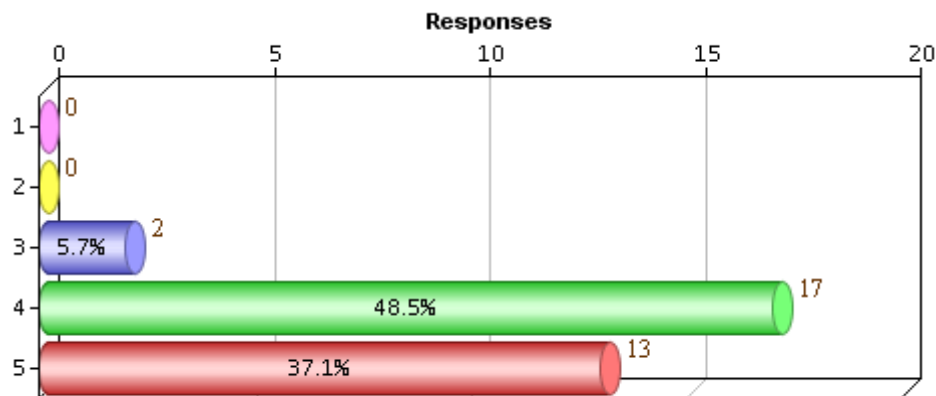


To what extent did the program contain significant current intellectual or practical content?

- Program focus more applicable to large transactional firms – less for smaller firms dealing with family law or estates
- Excellent program in that it did not repeat materials on flash drive. Hypotheticals were excellent teaching tool referencing flash drive materials and stimulating thinking
- Total waste of time

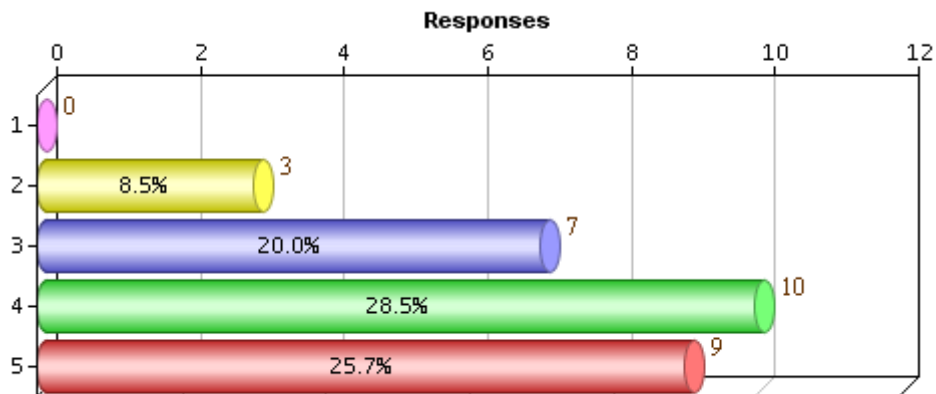
ATTACHMENT D

PANEL #61: Keeping Your Client Trust Account and Collecting Your Fee



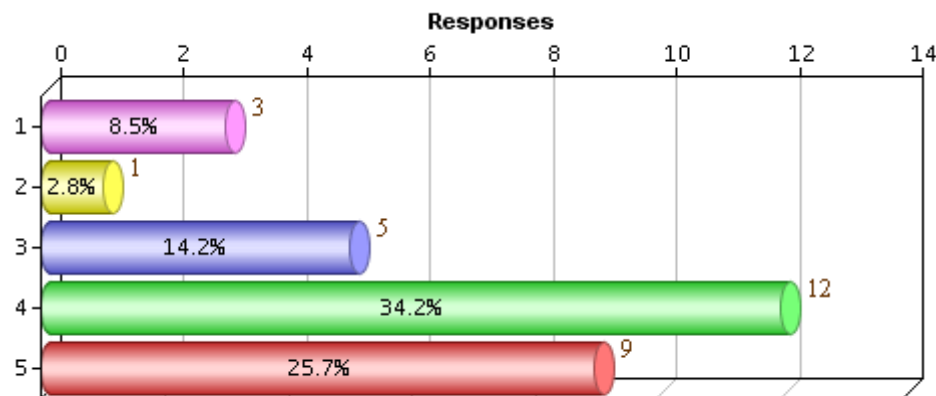
To what extent were your personal objectives satisfied?

- Excellent program the best of the conference
- All excellent presenters. Thank you!



To what extent did the environment contribute to the learning experience?

- No tables!
- Very difficult to take notes without table and cold
- No table
- No tables/desks, this course required a lot of note taking
- The AV was horrible. Hard to hear.

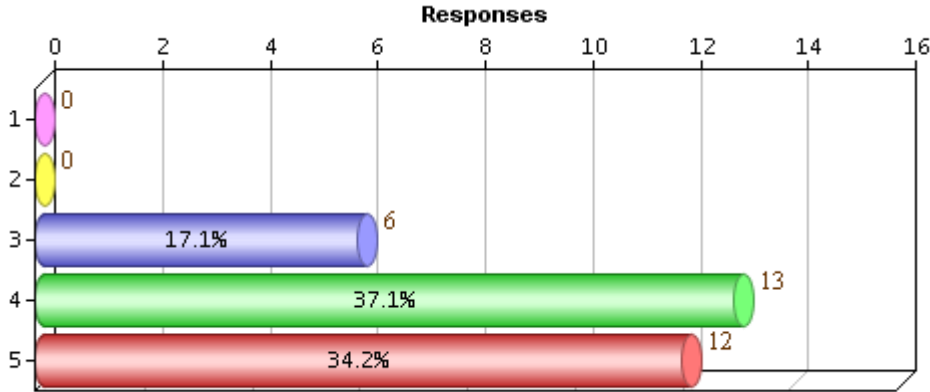


To what extent did the materials contribute to the learning experience?

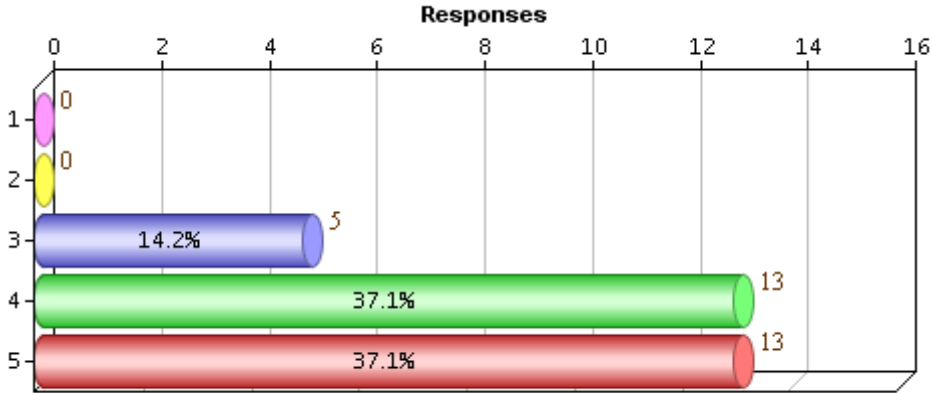
- Need handouts at seminar
- Not distributed
- More examples, more questions from audience would be meaningful and weed out misunderstanding
- No materials.

ATTACHMENT D

To what extent were the objectives stated in the promotional literature or those stated at the beginning of the program satisfied?

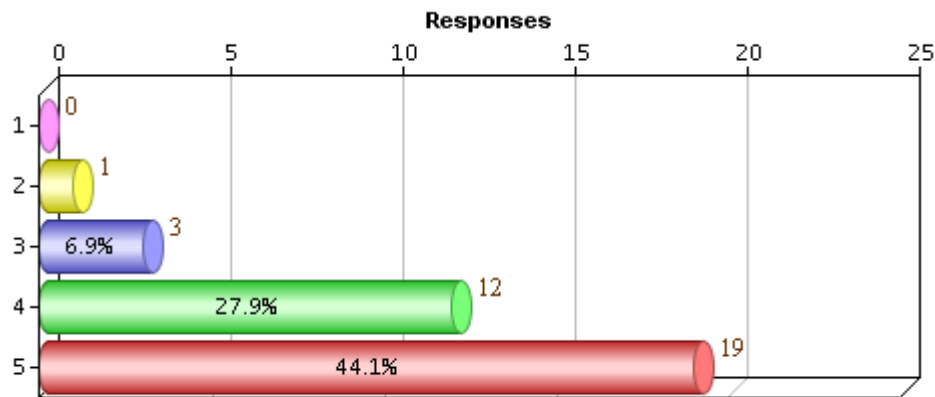


To what extent did the program contain significant current intellectual or practical content?



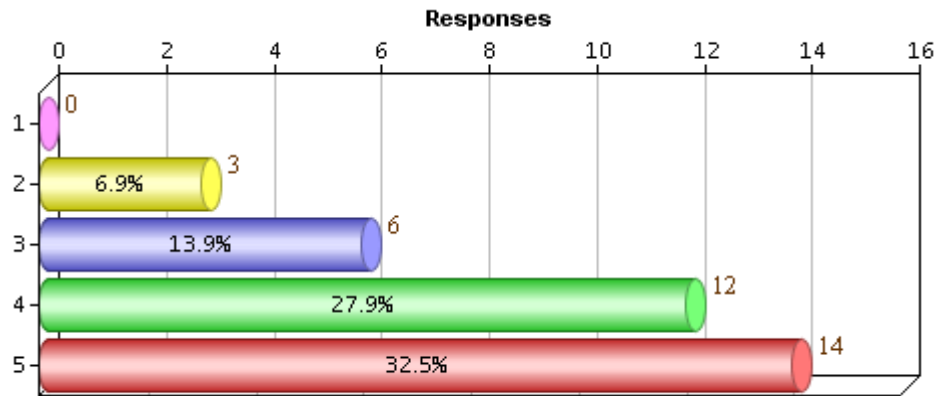
- Learned in doing a few things wrong
- My only complaint is that these presenters repeated themselves after—could have shortened the presentation
- Good program. Lots of practical advice.
- The reminder to have a paper trail was made too often – move on to bank records and what is the most useful – electronic transfer is more the case

PANEL #88: Ethics Update 2010: Significant Developments in the Law of Lawyering



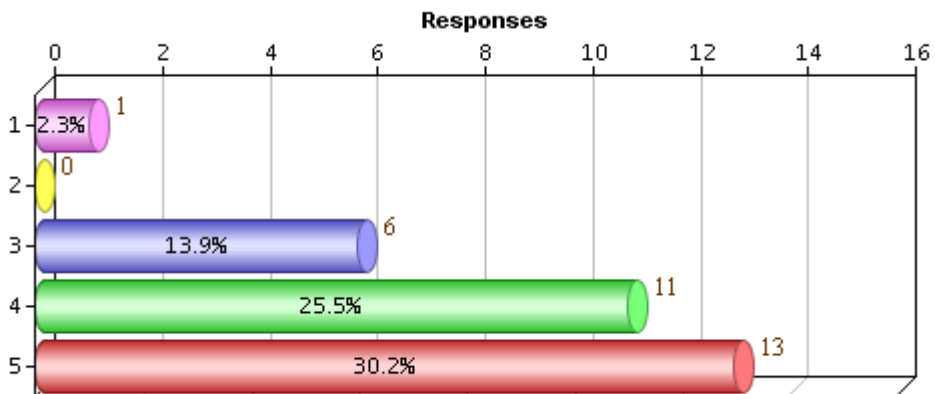
To what extent were your personal objectives satisfied?

- Poor use of powerpoint slides
- Excellent
- Excellent. Thank you.
- Most dealt with firms.
- Very well done program – great update very thorough. Thank you.



To what extent did the environment contribute to the learning experience?

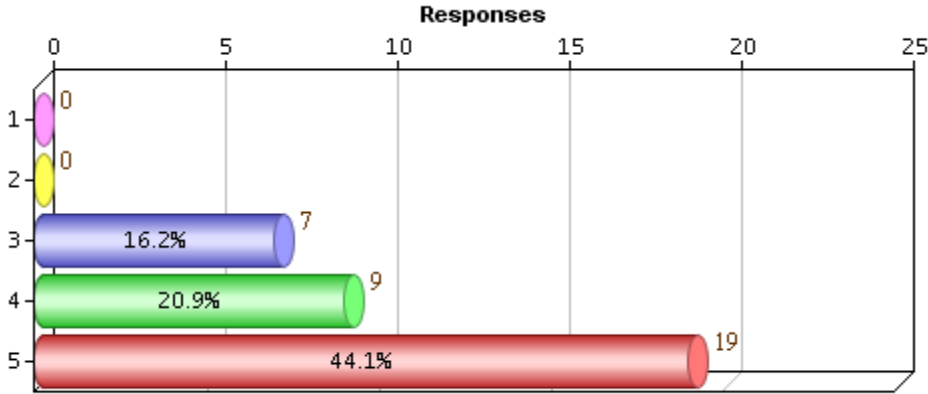
- Freezing
- Bus logistics to Hyatt are poor. 120 attorneys waiting in line is absurd.
- Too cold.
- Too cold – should have tables all the way to front
- Do not put rows of chairs without tables at front of the room – creates too much distance



To what extent did the materials contribute to the learning experience?

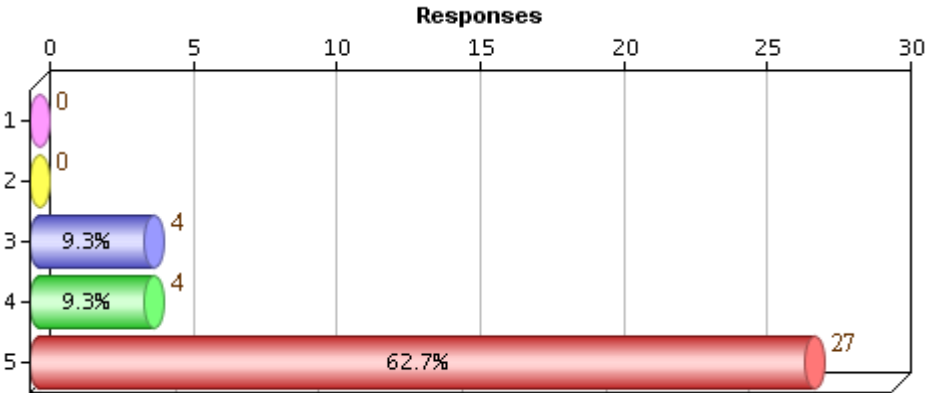
- No written materials
- If materials only electronic (which is great), better to have space with electrical outlets for computers or else notice attendees that no plugs available
- Thorough, extensive case summaries
- Unknown yet
- What materials

ATTACHMENT D



To what extent were the objectives stated in the promotional literature or those stated at the beginning of the program satisfied?

- Excellent
- There appear others in the panel as majority of cases dealt with firms with most small firms or solo practioners



To what extent did the program contain significant current intellectual or practical content?

- Very good presentations
- Excellent
- Very informative re Recent Developments
- Where info was applicable between firms and solo practioners

ATTACHMENT E

2010 COPRAC Member Outreach Programs

	Date	Name	Sponsor	Location
1.	01-09-10	David Parker & Jon Rewinski	LA Co. Bar Assoc. Professional Responsibility and Ethics Committee	Los Angeles, CA
2.	01-14-10	Shawn Harpen	Jones Day	Irvine, CA
3.	01-21-10	Wendy Patrick	North County (San Diego) Bar Assoc.	Vista, CA
4.	01-21-10	Wendy Patrick & Edward McIntyre	San Diego Co. Bar Assoc.	San Diego, CA
5.	01-25-10	David Parker	USC Tax Institute 2-day meeting. Separate programs	Los Angeles, CA
6.	01-26-10	David Parker	USC Tax Institute 2-day meeting. Separate programs	Los Angeles, CA
7.	01-29-10	Wendy Patrick	Pincus Professional Education	San Francisco, CA
8.	01-29-10	David Parker	LA Co. Bar Assoc.	Los Angeles, CA
9.	02-25-10	Jon Rewinski	Beverly Hills Bar Assoc.	Beverly Hills, CA
10.	03-03-10	Neil Wertlieb	Milbank, Tweed et al.	Los Angeles, CA
11.	03-06-10	Wendy Patrick	Knobbe Martins Olson & Bear	Irvine, CA
12.	04-06-10	Wendy Patrick	Trinity Law School & Orange Co. Christian Legal Society	Santa Ana, CA
13.	04-21-10	Wendy Patrick	ADI Roundtable on Criminal Law	San Diego, CA
14.	04-28-10	Neil Wertlieb	Milbank, Tweed et al.	New York NY
15.	05-05-10	Edward McIntyre	San Diego State University	San Diego, CA
16.	05-13-10	Wendy Patrick	San Diego C. Bar Assoc.	San Diego, CA
17.	05-21-10	Wendy Patrick	The Christian Legal Society of Los Angeles	Los Angeles, CA
18.	07-22-10	Wendy Patrick	San Diego Chapter of CA Appellate Defense Counsel	San Diego, CA
19.	07-25-10	Wendy Patrick	ATA Annual Laws & Litigation Conference	Monterey, CA
20.	08-04-10	Wendy Patrick	Gordon and Rees	San Diego, CA
21.	09-16-10	Risa Morris & Wendy Chang	Southeast Riverside Co. Bar Assoc.	Temecula, CA
22.	09-21-10	David Parker	Orange Co. Bar Assoc.	Newport Beach, CA
23.	09-27-10	Risa Morris	Rutter Hobbs & Davidoff	Los Angeles, CA
24.	10-02-10	Wendy Patrick	Cal Western School of Law Reunion Weekend	San Diego, CA
25.	10-07-10	Wendy Patrick	San Diego Co. Bar Assoc.	San Diego, CA

ATTACHMENT E

26.	10-08-10	Wendy Patrick	Consumers Attorneys of San Diego	San Diego, CA
27.	10-21-10	Wendy Patrick	Christian Legal Society Conference 3-day conference. Separate programs.	Orlando, FL
28.	10-22-10	Wendy Patrick	Christian Legal Society Conference 3-day conference. Separate programs.	Orlando, FL
29.	10-23-10	Wendy Patrick	Christian Legal Society Conference 3-day conference. Separate programs.	Orlando, FL
30.	10-23-10	Carole Buckner	Western State School of Law - Law Review Seminar	Fullerton, CA
31.	11-09-10	Wendy Patrick	San Diego District Attorney's Office Pro Tem DDA Training	San Diego, CA
32.	11-10-10	Wendy Patrick	San Diego Co. Bar Assoc.	San Diego, CA
33.	11-11-10	Wendy Patrick	NDAAGovernment Civil Practice	Scottsdale, AZ
34.	12-01-10	Wendy Patrick	Gordon and Rees	San Diego, CA