

# AGENDA ITEM

**SEPTEMBER 30-4**  
**Amendment to MOU**  
**Between State Bar**  
**and Conference of**  
**Delegates of CA Bar**  
**Associations**

**DATE:** September 11, 2007

**TO:** Members of the Board of Governors

**FROM:** Judy Johnson, Executive Director  
Pam Wilson, Director, Section Education & Meeting Services

**SUBJECT:** Amendment to Extend Memorandum of Understanding Between the State Bar of California and the Conference of Delegates of California Bar Associations

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## **EXECUTIVE SUMMARY**

In this item, the Board of Governors would approve extending the Memorandum of Understanding (MOU) between the State Bar of California and the Conference of Delegates of California Bar Associations (CDCBA) from its termination date of October 13, 2007, to October 13, 2010. The amendment would also delete references to the Chair of the CDCBA, in relevant paragraphs of the MOU and substitute its Executive Director as the designated person for interactions with the State Bar under the MOU.

## **DISCUSSION**

In 2002, the State Bar sought legislation to permit it to spin-off its Conference of Delegates as an independent successor entity. Effective September 9, 2002, California Business and Professions Code section 6031.5 was amended to allow the creation of the Conference of Delegates of California Bar Associations (CDCBA). The statute expressly authorized the State Bar in its billing of the State Bar's annual membership fees to collect voluntary fees and donations to the CDCBA, provided the CDCBA pay for the cost of the collection. The statute also permitted the CDCBA to contract with the State Bar for other services.

In September 2002, the State Bar and CDCBA entered into a five-year Memorandum of Understanding, effective October 13, 2002, that provided meeting space for the CDCBA to hold its annual conference at the site of the State Bar's annual meeting. The MOU will expire on October 13, 2007. Because the State Bar's Office of Meeting Services must book facilities for the State Bar's annual meeting years in advance of the meeting, the State Bar has contracted for hotel rooms and meeting space through its 2010 Annual Meeting. The number of sleeping and meeting rooms was based on estimated attendance that included State Bar members who are also delegates to the CDCBA.

To prevent the negative financial impact of the absence of the 5-600 delegates if the CDCBA held its meeting at another site, the State Bar staff and the CDCBA have agreed to extend the terms and conditions of the MOU three years until October 12, 2010. During this time, State Bar staff and CDCBA will explore negotiations for a new agreement. In addition, relevant paragraphs of the MOU would delete references to the Chair of the CDCBA and substitute its Executive Director.

**FISCAL / PERSONNEL IMPACT:** None

**RULE AMENDMENTS:** None

**BOARD BOOK/ ADMINISTRATIVE MANUAL IMPACT:** None

### **RECOMMENDATION**

Staff recommends adoption of the amendments to the Memorandum of Understanding Between the State Bar of California and Conference of Delegates of California Bar Associations in the form attached hereto.

### **PROPOSED BOARD COMMITTEE RESOLUTION:**

Should the board agree with the above recommendation, the following resolution would be appropriate:

**RESOLVED**, that the Board of Governors approves the amendment to the Memorandum of Understanding Between the State Bar of California and Conference of Delegates of California Bar Associations, in the form attached to these minutes and made a part hereof.