

Board Committee on Operations  
Referral List  
March 6, 2008

**Category I – Change in Date Only**

March # 1

**Modification of "Notice of Your Rights After Arbitration Form"**

This item is being re-released for public comment.

After initial proposed revisions to the Form were released for 90-day public comment, the MFA Committee recommends that further revisions to the Form are warranted to clarify several post-arbitration rights and to emphasize the importance of watching deadlines. Since these revisions are substantive in nature, a 60-day public comment period would be appropriate.

Responsible Staff: Jill Sperber

**Recommendation:** RAD - July/Mar/~~Jul~~                      BOG - Nov ~~Mar~~/~~Jul~~

March # 2

**Chief Trial Counsel Performance Evaluation**

In past years, this evaluation and that of the Executive Director, have begun in May. This year the evaluations will begin with the March meetings.

Responsible Staff: Bob Hawley

**Recommendation:** RAD – ~~March~~/May/July                      BOG - July

March # 3

**Proposed Standards for Certification and Recertification in Admiralty and Maritime Law- Request for Additional Public Comment Period**

The item returned from public comment and standards were subsequently amended. Staff requests to present the revised item to MOC at the May Board meeting for a shortened public comment period of 45 days to return to MOC and the Board at its July meeting.

Responsible Staff: Phyllis Culp and Lorna Maynard

**Recommendation:** MOC – ~~May/Nov/March~~ **May 08**                      BOG– ~~Nov/March~~ **July 08**

March # 4

**Approval of New Employment Practice Liability Insurance ("EPLI") Carrier**

A carrier has not yet been selected so this item is not yet ready to come before the Board. It is expected that the carrier will be selected by the May meeting.

Responsible Staff: Starr Babcock

**Recommendation:** MOC - ~~Nov~~ **TBD**    BOG - ~~March~~ **TBD**

March # 5

**Proposed Consolidation of State Bar Insurance Committee- New Affinity Program Committee**

The rollout of the Affinity Program and Products is currently in the pre-development phase and the selection of new affinity programs and products has not commenced. Discussion re consolidation of existing State Bar Insurance Committees and recruiting of individuals for the New Affinity Program Committee will take place once current vendors are transitioned into the program and the search for new vendors takes place.

Responsible Staff: Starr Babcock

**Recommendation:** MOC - ~~Nov~~ **TBD**

BOG - ~~Nov~~ **TBD**

March # 6

**Revisions to the Membership List Policy- further Amendments to be sent out for Additional Public Comment**

This item went out for public comment in March 2007 for a 90 day public comment period. Upon receiving multiple public comments, staff made adjustments to the Membership List Policy. Staff requests permission to return to MOC with the revised policy and requests the committee to permit the item to be sent out for an additional 90 day public comment period.

Responsible Staff: ~~Starr Babcock~~ Dina DiLoreto

**Recommendation:** MOC – Mar 07/~~Mar~~/**July 08**

BOG – ~~July 07~~ **July 08**

March # 7

**Proposed Amendments to the Rules Governing the State Bar of California program for certifying Legal Specialists- Return from Public Comment**

Individuals from the Legal Specialization program are unable to attend the March BOG meeting to present the item. They'll be attending the ABA National Roundtable on Lawyer Specialty Certification, which takes place at the same time. Staff seeks permission to present the item to MOC and the Board at the May meeting.

Responsible Staff: Phyllis Culp

**Recommendation:** MOC – ~~Mar/Nov~~/~~March~~/~~Jul~~ **May 08**

BOG – **May 08**

**Category II – Possible Committee Reassignments**

None

**Category III – New Matters Requiring Assignment to the Appropriate Board Committee**

March # 8

**Proposed amendments to the State Bar’s Model Rules of Procedure for Fee Arbitrations**

The Model Rules of Procedure serve as a template for local bar fee arbitration programs. The MFA Committee has proposed several revisions to the Model Rules of Procedure to clarify procedures and rights. The MFA recommends a 60- day public comment period so that the proposed revisions may return in time for the July 2008 RAD and Board of Governors meeting.

Responsible Staff: Jill Sperber

**Recommendation: RAD - Mar/Jul**

**BOG - July**

March # 9

**Approval of Proposed Rules of Procedure for Fee Arbitrations of the Sacramento County Bar Association.**

The Sacramento County Bar Association seeks approval by the Board of new rules of procedure for its mandatory fee arbitration program, as recommended by the MFA Committee.

Responsible Staff: Jill Sperber

**Recommendation: RAD - May**

**BOG - May**

March # 10

**Approval of Proposed Rules of procedure for Fee Arbitrations of the San Mateo County Bar Association**

The San Mateo Bar Association seeks approval by the Board of new rules of procedure for its mandatory fee arbitration program, as recommended by the MFA Committee.

Responsible Staff: Jill Sperber

**Recommendation: RAD - Mar**

**BOG - Mar**

March # 11

**Legal Specialization, Franchise and Distribution Law – Proposed Alternative to written examination- Request for Public Comment**

In addition to the standard written exam, permission to use alternative during the first two years of a specialty.

Responsible Staff: Phyllis Culp

**Recommendation: MOC – May/July**

**BOG – July**

March # 12

**State Bar Rule Revision- Special Admission Rules- Request for Public Comment**

Proposed re-organization of Special Admissions rules in order to eliminate redundancy in both the Rules of Court and State Bar Rules.

Responsible Staff: Phyllis Culp

**Recommendation: MOC – May**

**BOG – TBD**

March # 13

**Rules of the State Bar, Title 3, Division 1, Chapter 2, Re Sections**

Section Rules are being rewritten as part of Bar-wide review of State Bar Rules. Changes include renumbering, and reformatting as well as a reduction in Meeting Notice from 20 days to 10.

Responsible Staff: Victor Rowley and Cynthia Abramov

**Recommendation: MOC – March/July**

**BOG - July**

March # 14

**Litigation Section - Expansion of International Education Program**

The Litigation Section has a successful ongoing education program to London that has been offered every other year since 1992. They would like to expand their international program offerings to other jurisdictions during the non-London year. They are seeking permission to develop a CLE program in Hong Kong and Singapore in 2009

Responsible Staff: Tricia Horan

**Recommendation: Planning and MOC - March**

**BOG - March**

March # 15

**Interest on Lawyers Trust Accounts (IOLTA) Rules and Regulations – Request to Release Proposed Revisions for Public Comment**

The IOLTA rules are being revised as part of the Bar-wide review of State Bar Rules; the proposed Rules will be ready for consideration at the May Meeting, returning from public comment in July.

Responsible Staff: Stephanie Choy

**Recommendation: Stakeholders – May/July**

**BOG – July**

March # 16

**Proposed Amendments to the State Bar's Emeritus Pro Bono Participation Program Rule--Request for Public Comment**

The Standing Committee on the Delivery of Legal Services seeks modest modifications to expand and update the existing Emeritus Attorney Pro Bono Program Rules that were adopted in June 1987, and requests a shortened public comment period of 45 days to return to Stakeholders and the Board at its July meeting.

Responsible Staff: Patricia Lee and Sharon Ngim

**Recommendation: Stakeholders - May/July**

**BOG - July**

March # 17

**Fee Arbitration Department, Appointment of New Arbitrators**

The Fee Arbitration Department has new appointments to make and has requested that Board consider this matter at the March meeting.

**Responsible Staff:** Jill Sperber

**Recommendation:** VIC – March

**BOG – March**

March # 18

**Commission on Judicial Nominees Evaluation, Reappointment of Member**

The commission has requested VIC and the Board to consider a reappointment application of a current second-year commissioner. This commissioner initially did not reapply for a final term, but due to a number of recent resignations, the commissioner was asked to reconsider and he has formally reapplied.

**Responsible Staff:** Biljana Sivanov and Karen Hagelund

**Recommendation:** VIC – March

**BOG – March**

March # 19

**California ALL Board Appointment Ratification**

The President has approved a new CalAll Board consensus appointment (joint appointment by the State Bar, CPU, CalPers and CDI) which was confirmed by the other agencies and needed State Bar approval. This will need ratification by VIC and the full Board of Governors at the March meeting.

**Responsible Staff:** Pat Lee

**Recommendation:** VIC – March

**BOG - March**