

AGENDA ITEM

NOVEMBER 54-132

Amendment to Section Rule
3.52 re Associate Membership on
Section Executive Committees -
Return from Public Comment

DATE: November 3, 2008

TO: Members of the Member Oversight Committee
Members of the Board of Governors

FROM: Pam Wilson, Director, Section Education & Meeting Services

RE: Amendment to Section Rule 3.52 re Associate Membership on Section Executive Committees - Return from Public Comment

EXECUTIVE SUMMARY

As part of the ongoing Rules Revision Project, the rules governing the State Bar Sections were revised and subsequently approved by the Board of Governors May 16, 2008. Rule 3.52(B) of the new rules authorizes the enrollment of associate members. Consistent with the old rule, rule 3.52(B) precludes associate members from serving as officers of a section, as members of a section committee, or as a member on a section's executive committee.

A modification to this rule is required in order to reflect the practice of allowing associate members (non-lawyers) to serve as members of section executive committees.

BACKGROUND

Section associate members are non lawyers who have an interest in the work of the section and provide valuable service to the sections. The past practice of some sections has been to recommend associate members for appointment to the executive committee. This practice developed as it became clear that non-attorneys provided a helpful viewpoint in a section's management. This was particularly important for those sections whose practice areas intersected with other professionals (e.g., law professor, legal secretary). A modification in the rule will allow sections the ability to recommend associate members to serve as members of the executive committee as they determine the need to do so.

REPORT OF PUBLIC COMMENT RECEIVED

No public comments have been received.

FISCAL AND PERSONNEL IMPACT

No impact to the General Fund.

BOARD BOOK/ADMINISTRATIVE MANUAL IMPACT

Conforming changes to the Board Book and Administrative Manual will need to be made as indicated below.

PROPOSED BOARD RESOLUTION

RESOLVED, publication of public comment and no comments having been received, and upon recommendation of the Board Committee on Member Oversight, that the Board of Governors hereby ratifies its action taken at its special meeting on September 24, 2008, and approves the revision to State Bar Rule 3.52, in the below form, effective immediately.

REVISION TO STATE BAR RULE 3.52

RULE 3.52

SECTION MEMBERSHIP

(A) Section membership is open to members of the State Bar or judges of courts of record.

(B) A section's bylaws may authorize enrollment as associate members. No more than one-fourth of all section members may be associates. An associate member has all the privileges of section membership ~~but~~and may ~~not~~

- (1) serve as an officer;
- (2) serve as a member of a committee; or
- (3) nominate, select, or serve as members of its executive committee.