



**M E M O R A N D U M**

**DATE:** April 25, 2016  
**TO:** Members of the Board's Regulation & Discipline Oversight Committee  
**FROM:** Randall Difuntorum, Director, Professional Competence Programs  
**SUBJECT:** RAD Meeting on May 12, 2016 – Status of the Professional Competence Unit

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This memorandum provides a report on the activities of the Professional Competence Unit through March 31, 2016.<sup>1</sup> In addition to this memorandum, provided are the following: (Encl. 1) Ethics Hotline Activity Statistics; (Encl. 2) Ethics Hotline Satisfaction Survey Excerpts; and (Encl. 3) Professional Competence Budget Summary – Actuals vs. Authorized. Board members with questions may contact Randall Difuntorum at (415) 538-2161 or Lauren McCurdy at (415) 538-2107.

**1. ETHICS HOTLINE**

As of March 31, 2016, 3,342 member inquiries were received with a completion rate of 83%. This completion rate includes distribution of 54 copies of published ethics opinions and other written materials requested by inquirers and 767 referrals to information posted at the Bar's website. In addition, the staff made 28 courtesy follow-up calls to members who placed a call to the Hotline, received a call back from Hotline staff but were not available at that time to take the call from the Hotline staff person. These members received instructions on how to call-in and receive priority handling when they choose to return the Hotline's call at their convenience. However, when no return call is received, the Hotline initiates a courtesy follow-up call. (See Enclosure 1: Ethics Hotline Activity Statistics.)

Currently four paralegals have primary responsibility for the Ethics Hotline call work. As of March 31, 2016: (1) the monthly average number of total calls handled by one paralegal was 371; (2) the monthly average number of completed calls by one paralegal was 227; and (3) the monthly average number of left messages by one paralegal was 144.

From January – March, 2016, since the last Competence status report submitted for the Board Committee's March 10, 2016 meeting, three voluntary satisfaction surveys were received from members after using the Ethics Hotline service. Each survey asks for a rating on several specified categories of service, including: satisfaction with the system for handling the calls; helpfulness of receptionist; helpfulness of paralegal; usefulness of materials sent; whether the inquirer would recommend the Hotline to others; and whether they received the assistance they needed. Most of the surveys received gave the Hotline top marks in all survey categories (copies of the surveys are available upon request). All three survey respondents added personal comments commending the staff for being helpful, informative and knowledgeable, and describing the service as a valuable resource. (See Enclosure 2: Ethics Hotline Satisfaction Survey Excerpts.)

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<sup>1</sup> There are 13.5 authorized positions in the Professional Competence Unit and one of the positions, a paralegal position, currently is vacant. In addition, since February 16, 2016, a paralegal has been on leave and is anticipated to return on June 10, 2016.

Through March 31, 2016, the category of “Communications” was the most frequently raised issue category, which accounted for 19% of the total calls. This category encompasses questions concerning communications between the attorney and the client, the adverse party, a judge or judicial officer, jurors, opposing counsel, witnesses and others. Close behind were the categories of “Fees and Costs” (17%) and “Conflicts” (15%). Historical data indicates that these categories often occupy the top three positions each year.

## **2. COPRAC**

Since the last Professional Competence status report submitted for the Board Committee’s March 10, 2016 meeting, COPRAC met on February 26, 2016 in Los Angeles, and April 8, 2016 in San Francisco.

### **A. Meetings**

At the February 26, 2015 meeting, COPRAC continued post-public comment work on Formal Opinion Interim No. 13-0005 (Publicly Available Confidential Information). COPRAC also continued pre-public comment work on the following draft opinions: 12-0002 (Revocation of Waivers); 12-0003 (Attorney Directory and Rating Websites); 12-0005 (Law Firm In-House Counsel); 13-0002 (Attorney with a Vulnerable Client); 13-0003 (Ethical Obligations When Departing Firm); 13-0004 (Collecting Unpaid Fees); 14-0001 (Colleague Impairment); 14-0002 (Alternative Litigation Funding); 14-0003 (Settling Before Withdrawal); and 14-0004 (Witness Perjury). In addition, the Committee discussed the actions taken during the Rule Revision Commission’s February 19<sup>th</sup> & 20<sup>th</sup> meeting. The Committee continued work on plans for the 2016 Annual Ethics Symposium being held in San Francisco in April. The Committee began planning for four panel presentations for the State Bar Annual Meeting being held in September in San Diego. Finally, the Committee selected four new opinion topics to develop. Those opinion topics are: Practice in Multiple Firms; Lost or Stolen Laptop or Briefcase; and, Ancillary Business.

Post-public comment consideration of proposed Formal Opinion Interim No. 13-0005 occurred at the Committee’s February 26, 2016 meeting, and the Committee approved this opinion for an additional 60-day public comment period. The public comment period ends on May 16, 2016 and the Committee will consider the public comments received at its May 20, 2016 meeting. The issue and digest of proposed Formal Opinion Interim No. 13-0005 is set forth below.

#### Formal Opinion No. 13-0005:

**Issue:** What duties does a lawyer owe to current and former clients to refrain from disclosing potentially embarrassing or detrimental information about the client, including publicly available information the lawyer learned during the course of the representation?

**Digest:** A lawyer may not disclose his client’s secrets, which include not only confidential information communicated between the client and the lawyer, but also publicly available information that the lawyer obtained during the professional relationship which the client has requested to be kept secret or the disclosure of which might be embarrassing or detrimental to the client. Even after termination of the attorney-client relationship, the lawyer may not disclose potentially embarrassing or detrimental information about the former client if that information was acquired by virtue of the lawyer’s prior representation.

At the April 8, 2016 meeting, COPRAC continued pre-public comment work on the following draft opinions: 12-0002 (Revocation of Waivers); 12-0003 (Attorney Directory and Rating Websites); 12-0005 (Law Firm In-House Counsel); 13-0002 (Attorney with a Vulnerable Client); 13-0003 (Ethical Obligations When Departing Firm); 13-0004 (Collecting Unpaid Fees); 14-0001 (Colleague Impairment); 14-0002 (Alternative Litigation Funding); 14-0003 (Settling Before Withdrawal); 14-0004 (Witness Perjury); 16-0001 (Practice in Multiple Firms); 16-0002 (Lost or Stolen Laptop or Briefcase); and 16-0003 (Ancillary Business). The

Committee also continued work their draft public comment letters on several proposed rules of professional conduct.

COPRAC's next meeting is scheduled for May 20, 2016, and will be held in Los Angeles. At this meeting, COPRAC will consider post-public comments received on Formal Opinion Interim 12-0006 (Attorney Blogging) and Formal Opinion Interim 13-0005 (Publicly Available Confidential Information). COPRAC will continue pre-public comment work on the following opinions: 12-0002 (Revocation of Waivers); 12-0003 (Attorney Directory and Rating Websites); 12-0005 (Law Firm In-House Counsel); 13-0002 (Attorney with a Vulnerable Client); 13-0003 (Ethical Obligations When Departing Firm); 13-0004 (Collecting Unpaid Fees); 14-0001 (Colleague Impairment); 14-0002 (Alternative Litigation Funding); 14-0003 (Settling Before Withdrawal); 14-0004 (Witness Perjury); 16-0001 (Practice in Multiple Firms); 16-0002 (Lost or Stolen Laptop or Briefcase); and 16-0003 (Ancillary Business). The Committee will also continue planning for the 2016 State Bar Annual Meeting programs.

## **B. Appointment Nominations**

On Friday, March 4, the Appointment Nominations Subcommittee met by conference call to rank and select applicants for interview. The Appointment Nominations Subcommittee selected eight individuals to interview out of fourteen total applicants. Three applicants are scheduled to be interviewed in San Francisco on May 11<sup>th</sup> and five applicants are scheduled to be interviewed in Los Angeles on May 19<sup>th</sup>. The Appointment Nominations Subcommittee will recommend a slate of nominees at their May 20<sup>th</sup> meeting in Los Angeles. The Board Committee on Nominations and Appointments (NAC) and the Board are scheduled to consider the appointment recommendations at their meetings on July 21-22, 2016.

## **C. Ethics Symposium**

On Saturday, April 9, 2016, COPRAC held the Twentieth Annual Statewide Ethics Symposium at the University of San Francisco School of Law – Downtown Campus in San Francisco. This day-long program provided 5 hours of continuing legal education credit in legal ethics which was also approved for legal malpractice specialization credit. State Bar President David Pasternak attended and presented the 2016 Harry B. Sondheim California Professional Responsibility Award to Karen Goodman and Hon. Brian Walsh, this year's award recipients. Ms. Goodman and Hon. Walsh also shared the Symposium's keynote address. Also in attendance on behalf of the Bar were CEO Elizabeth Parker, and Board Member Jim Fox. There were 80 attendees present and the program was well-received. A future report will include a synopsis of the MCLE evaluation survey feedback.

## **3. HARRY B. SONDHEIM CALIFORNIA PROFESSIONAL RESPONSIBILITY AWARD**

The Harry B. Sondheim California Professional Responsibility Award was created by the Board in 2010 to recognize a California lawyer for outstanding long-term contribution to the advancement of attorney professional responsibility standards in California. It is issued every three years. Nomination submissions were reviewed by a selection committee and following consideration of the selection committee's recommendation, at their March 10 & 11 meetings, the Stakeholders and Access to Justice Committee and the Board, approved Karen Goodman and Hon. Brian Walsh as the 2016 co-recipients of the award. The award was conferred to the recipients at the 2016 Annual Statewide Ethics Symposium.

#### 4. PROPOSED NEW AND AMENDED RULES OF PROFESSIONAL CONDUCT

Post public comment consideration of proposed amendments to Rules 5-110 and 5-220 took place at the Rules Revision Commission's March 31 and April 1, 2016 meeting.<sup>2</sup> Following discussion of the public comments received, at that meeting the Commission approved substantive amendments to proposed Rule 5-110. The request for authorization for an additional 45-day public comment period is on the Board's May meeting agenda (see Board agenda item 703 MAY 2016).

The Commission has tentatively approved the following thirty eight rules as of the Commission's March 31 & April 1, 2016 meeting:

- Rule 1-100 (Rules of Professional Conduct, in General)
- Rule 1-100(D) (Disciplinary Authority; Choice of Law)
- Rule 1-110 (Compliance with Conditions of Discipline and Agreements in Lieu of Discipline)
- Rule 1-200 (False Statement Regarding Admission to State Bar)
- Rule 1-300 (Unauthorized Practice of Law)
- Rule 1-311 (Employment of Disbarred, Suspended, Resigned, or Involuntarily Inactive Members)
- Rules 1-320, 1-310 & 1-600 [5.4] (Financial and Similar Arrangements with Nonlawyers)
- Rule 1-500 (Agreements Restricting a Member's Practice)
- Rule 1-650 (Limited Legal Services Programs)
- Rule 1-700 (Judicial Officials)
- Rule 1-710 (Lawyer as Temporary Judge, Referee, or Court-Appointed Arbitrator)
- Rule 2-100 (Communication with a Represented Party)
- Rule 2-200 (Financial Arrangements Among Lawyers)
- Rule 2-300 (Sale of a Law Practice)
- Rule 2-400 (Prohibited Discriminatory Conduct in a Law Practice)
- Rule 3-100 (Confidential Information of a Client)
- Rule 3-110 (Failing to Act Competently)
- Rule 3-120 (Sexual Relations With Client)
- Rule 3-200 (Prohibited Objectives of Employment)
- Rule 3-500 (Communication)
- Rule 3-510 (Communication of Settlement Offer)
- Rule 3-600 (Organization as Client)
- Rule 4-200 (Fees for Legal Services)
- Rule 4-210 (Payment of Personal or Business Expenses Incurred by or for a Client)
- Rule 4-300 (Purchasing Property at a Foreclosure or a Sale Subject to Judicial Review)
- Rule 4-400 (Gifts from Client)
- Rule 5-110 (Performing the Duty of a Member in Government Service)
- *New Rule 1.0.1 (Terminology)*
- *New Rule 1.3 (Diligence)*
- *New Rule 1.8.2 (Use of Current Client's Information) [no CA counterpart]*
- *New Rule 1.14 (Client with Diminished Capacity) [no CA counterpart]*
- *New Rule 2.4 (Lawyer as Third-Party Neutral) [no CA counterpart]*
- *New Rule 4.3 (Communication with Unrepresented Party) [no CA counterpart]*
- *New Rule 5.1 (Responsibilities of Supervisory or Managerial Lawyers) [no California counterpart]*
- *New Rule 5.2 (Responsibilities of Subordinate Lawyers) [no CA counterpart]*
- *New Rule 5.3 (Responsibilities regarding Nonlawyer Assistants) [no CA counterpart]*
- *New Rule 6.3 (Membership in Legal Services Organization)*
- *New Rule 8.4 (Misconduct)*

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<sup>2</sup> The Commission has recommended that proposed amended Rule 5-110 rule be prioritized and processed separately from, and ahead of, the Commission's anticipated comprehensive report and recommendation.

The Commission's next meetings are scheduled for May 6 & 7, 2016 at the State Bar office in San Francisco and June 2 & 3, 2016 at the State Bar office in Los Angeles.

At the request of the Commission's Board Liaison, Jason Lee, executive summaries for select rules were presented to the Board at its March meeting.<sup>3</sup> The executive summaries are intended to give Board members an opportunity to become familiar with some of the key substantive and policy issues that have arisen in the Commission's study. Additional executive summaries for the following rules will be presented at RAD's May meeting: Proposed Rule 8.4 (CA Rule 1-120) "Misconduct;" Proposed Rules 7.1 – 7.5 (CA Rule 1-400) "Advertising and Solicitation;" Proposed Rule 8.4.1 (CA Rule 2-400) "Prohibited Discrimination, Harassment and Retaliation;" Proposed Rule 1.8.10 (CA Rule 3-120) "Sexual Relations With Client;" and Proposed 1.7 (CA Rule 3-310(B), (C)) "Conflict of Interest: Current Client." (See RAD's May Agenda Item III.F. for the executive summaries prepared by Commission staff.)

#### Rules Revision Action Timeline

May 12 & 13, 2016	BOT: Request for authorization for additional 45-day public comment period for Commission's proposed rules concerning special duties of prosecutors (Proposed amended Rules 5-110 and 5-220). Tentative return from 45-day public comment on 6/29/16).
June 23, 2016	Special BOT meeting to authorize circulation of Commission's tentative final report and request for 90-day public comment authorization
June 27 – Sept. 26, 2016	90-day public comment period
August 12 (tentative)	Commission public hearing to receive public comment on proposed rule amendments
November 17 & 18, 2016	RAD/BOT: return from 90-day public comment, request for final adoption, and, if necessary, authorization to re-distribute certain proposed rules for additional public comment
Nov 21, 2016 – Jan 9, 2016	Additional 45-day public comment period, for some rules, if needed.
March 9 & 10, 2017	RAD/BOT: return from 45-day public comment, adoption of remaining rules for submission to the Supreme Court for approval
March 31, 2017	Deadline to submit entire set of proposed new and amended rules to the Supreme Court for approval

#### 5. SENATE BILL NO. 1186

Enacted in September 2012, Senate Bill No. 1186 made significant changes to the law governing construction-related disability access claims. In accordance with Senate Bill No. 1186, Professional Competence staff receives and reviews copies of demand letters to screen for matters that may give rise to a disciplinary investigation. Any identified compliance issues are forwarded to the Office of Enforcement. Senate Bill No. 1186 also requires the State Bar to submit an annual report to the legislature on July 31 of each year..

New urgency legislation, effective immediately, was chaptered on October 10, 2015 ([AB 1521](#)), that extended the sunset of the statute enacted under SB 1186, and added some additional obligations for attorneys handling construction-related disability access claims.

<sup>3</sup> Executive Summaries for the following rules were presented at the Board's March meeting: proposed Rule 4.2 (CA Rule 2-100) "Communication with a Represented Person"; Proposed Rule 4.3 (no CA rule) "Communicating With an Unrepresented Person;" Proposed Rule 1.5 (CA Rule 4-200) "Fees For Legal Services;" Proposed Rule 1.5.1 (CA Rule 2-200) "Fee Divisions Among Lawyers," Proposed Rule 1.8.9 (CA Rule 4-300) "Purchasing Property at a Foreclosure or a Sale Subject to Judicial Review;" Proposed Rule 1.14 (no CA rule) "Client With Diminished Capacity;" and, consideration of ABA Model Rule 6.1 (no CA rule) "Voluntary Pro Bono Publico Service." (See R&D March 2016 Item III.C.)

The table below shows the number of demand letters received and reviewed by the Office of Professional Competence, as well as the number of matters referred to Enforcement for possible violations of the statute (year to date by month).

**ADA Letters Received-Referred to Enforcement**

Month	Letters Received	Letters Referred To Enforcement
Jan.	6	6
Feb.	40	12
Mar.	68	4
<b>TOTAL</b>	<b>114</b>	<b>22</b>

The table below lists the possible compliance issues and shows the numbers of issues referred to Enforcement.

**Compliance Issues Referred to Enforcement\*  
(1/1/16 through 3/31/16)**

<u>Compliance Issue</u>	<u>No. of Issues</u>
Failure to Copy the State Bar within 5 Business Days	0
Failure to Include Mandatory Advisory	22
Failure to Copy the CCDA within 5 Business Days	0
Possible Prohibited Request/Demand for Money or Offer/Agreement to Accept Money	0
Possible Prohibited Statement of Recipient's Specific Monetary Liability	0

(\*Note: A single letter may have more than one compliance issue.)

**6. COMPETENCE PUBLICATIONS**

Handbook on Client Trust Accounting for California Attorneys: The online Trust Accounting Handbook html webpage was visited approximately 2,200 times between January – March, 2016.

California Compendium on Professional Responsibility: The 2015 Compendium update was released in January 2016 and orders are currently being received and processed. Work on the 2016 update is underway and is anticipated to be completed in the 3<sup>rd</sup> quarter.

California Rules of Professional Conduct & State Bar Act (a.k.a Publication No. 250): Work on the 2016 Publication 250 is underway and anticipated to be completed by the end of the 2<sup>nd</sup> quarter.

An e-Reader version of Publication 250<sup>4</sup> is available at the Amazon Kindle store. A total of two hundred sixty-two e-books have been purchased to date. One hundred thirty-five copies of the 2011 e-book have been purchased since posting in September 2011. Thirty-eight copies of the 2012 e-book have been purchased since posting in June 2012. Thirty-one copies of the 2013 e-book have been purchased since posting in June 2013. Thirty-six copies of the 2014 e-book have been purchased since posting in June 2014. The 2015 version of Publication 250 was posted on August 21, 2015 and twenty-two copies have been purchased to date.

<sup>4</sup> The e-Reader version of Publication 250 is compatible with the Kindle Reader App which is a free e-Reader application available for iPads, iPhones, Blackberry Phones, Android Phones, Macbooks, and PC laptops. The book also works on all versions of Amazon.com's own Kindle Reader device, including the Kindle Fire. The e-Reader version of the book can be purchased at Amazon.com and has several useful features including: a search function; bookmarking; highlighting and annotating. In addition, once downloaded to a tablet, smartphone or other compatible device, the book can be accessed at any time, even if there is no Internet or cellular data signal.

**7. PROFESSIONAL COMPETENCE EDUCATIONAL PROGRAMS & OTHER OUTREACH ACTIVITIES**

Targeted Outreach: In May, 2016, approximately 3,000 copies of a State Bar ethics resources flyer will be mailed out with other materials to the new admittees to the State Bar. The flyers highlight the following resources: the Ethics Hotline service; ethics related publications; online ethics resources including the advisory ethics opinions; the Ethics & Technology web page; the new Client Trust Accounting web page; and the e-Reader version of the California Rules of Professional Conduct and State Bar Act book.

Client Trust Accounting Survey and Education: In follow-up to the discussion at the Board’s January planning meeting, Professional Competence assumed a lead role in coordinating State Bar staff’s development of a member survey on client trust accounting. At a March 10, 2016 joint session meeting of the Admissions & Education Committee and the Regulation & Discipline Committee, staff presented an initial report and recommendations for education and outreach of the staff working group assigned to consider the data collected on a survey concerning client trust accounting practices (see March 10, 2016 joint session meeting agenda item III.B. for more information).

**8. COMPETENCE RESOURCES AT CALBAR.CA.GOV**

Web Activity: The State Bar tracks the web activity for all html website pages accessed.<sup>5</sup> The chart below lists selected web pages administered by Professional Competence and the 2016 activity in terms of visits.

<b>Professional Competence Web Resources – Activity Detail*</b>	
<b>January – March, 2016</b>	
<b>Webpage</b>	<b>Approx. Number of Visits</b>
Rules of Professional Conduct html web pages	147,100
The State Bar Act html web pages	7,100
Ethics Opinions html web pages	9,260
Ethics Information html web pages	53,600
Ethics & Technology html web pages	4,150
Client Trust Accounting Resources web pages	1,030
Senior Lawyer Ethics Resources web pages	3,070
Judicial Ethics web pages	700

Since the last Professional Competence status report submitted for the Board Committee’s March 12, 2016 meeting, the following website updates were made:

1. The Commission for the Revision of the Rules of Professional Conduct web page and State Bar Board of Trustees meeting page were updated as follows: (1) posting of the February 19 & 20, 2016 meeting agenda and materials; (2) posting of the March 31 & April 1, 2016 meeting agenda; (3) posting of the May 6 & 7, 2016 meeting agenda; (3) posting of four new and amended tentatively approved Rules of Professional Conduct to the Proposed Rules page following the February 2016 Commission meeting; and, (4) posting of four new and amended tentatively approved Rules of Professional Conduct to the Proposed Rules page following the March 31 and April 1, 2016 Commission meeting.
2. The Harry B. Sondheim California Responsibility Award page was updated with information about the 2016 co-recipients of the award: Karen B. Goodman and Hon. Brian C. Walsh.

<sup>5</sup> Web download statistics are not available for web content posted as Adobe PDF documents.

3. Draft Formal Ethics Opinion Interim No. 13-0005 (Publicly Available Confidential Information)) was posted at the public comment page of the Bar's website for an additional public comment period with a deadline of May 16, 2016.
4. The Judicial Ethics page was updated to add a link to Committee on Judicial Ethics Formal Opinion 2016-008 (2016): Attending Political Fundraising or Endorsement Events.

## ENCLOSURE 1

### ETHICS HOTLINE ACTIVITY STATISTICS - 2016

Month	Work Days	Incoming Calls	Completed Calls	Left Messages	Percentage of Incoming Calls that are Completed Calls	Percentage of Incoming Calls that are Left Messages	Resources Mailed/Faxed	Internet Resource Referrals
January	19	1,111	954	157	86%	14%	14	264
February	20	1,134	944	190	83%	17%	20	240
March	22	1,097	885	212	81%	19%	20	263
Cumulative Totals	61	3,342	2,783	559	83%	17%	54	767

#### EXPLANATIONS

**Incoming Calls:** Total member inquiries to the Hotline received during that month.

**Completed Calls:** Member inquiries received in that month that were handled and resolved by staff during that month.

**Left Messages:** Member inquiries received in that month where staff left an initial message or courtesy follow-up message, but did not reach the member to resolve the inquiry.

**Percentage of Incoming Calls that are Completed Calls:** Proportion of Incoming Calls that were Completed Calls handled and resolved by the staff.

**Percentage of Incoming Calls that are Left Messages:** Proportion of Incoming Calls where staff left a message but the member did not return the call.

### 2016 Key Hotline Activity Averaged by Day and Month

<b>Daily:</b>	Incoming Calls:	55
	Completed Calls:	46
<b>Monthly:</b>	Incoming Calls:	1,114
	Completed Calls:	928

### 2016 Aggregate Outgoing Calls

<b>Average Monthly Aggregate:</b>	1,563*
<b>Cumulative to Date:</b>	4,598*

\*These figures account for all calls placed by staff, including: Completed Calls; Left Messages; and, courtesy follow-up calls. Due to "telephone tag" with members, staff may place multiple calls and leave multiple messages prior to completing a call.

## ENCLOSURE 2

### Excerpt from Ethics Hotline Customer Satisfaction Surveys

(Surveys Received for January, 2016 - March, 2016)

1. Received March 15, 2016

#### COMMENTS / SUGGESTIONS:

Thank you for David the phone guru and the amazingly sharp team of ethics paralegals:

David, who answers the phone, is an invaluable asset to the State Bar. He is the lawyer whisperer. I have used the Ethics Hotline a number of times in my 20+ year career. In recent years, ethical issues have arisen often. David is so efficient, effective, and reassuring that I always feel grateful to the State Bar when I talk with David.

David and the team of \*outstanding\* paralegals (in particular my experiences have been with Ricardo and Elbert) do an invaluable service not only for attorneys, but most importantly, for our clients and the people of California.

Your Ethics Hotline team make paying bar fees feel like a joyful event – a bargain!

Thank you again for providing their expertise to us members and supporting them in their great work!

2. Received March 22, 2016

#### COMMENTS/SUGGESTIONS:

The ethics hotline has been a very good service for me to call before issues arise or when something just doesn't feel quite right, but I am not sure why. They are prompt and always have quick research. I really appreciate them being there for us. I appreciate this service very much.

3. Received March 22, 2016

#### COMMENTS / SUGGESTIONS:

Both the receptionist who initially took my call, "David", I believe, and the paralegal who returned my call almost immediately, "Ricardo", were extremely helpful and informative. The information I received about the question that had been very troubling to me put my mind at ease and essentially made my day.

I much appreciated the experience.

## ENCLOSURE 3

### Professional Competence Budget Summary Authorized vs. Actual

Year-to-Date as of February 2016

<b>Budget (Actual)</b>	\$242,875
<b>Budget (Authorized)</b>	\$286,052
<b>Variance</b>	\$42,177

Monthly (January thru February 29, 2016)

	<b>January</b>	<b>February</b>
<b>Budget (Actual)</b>	\$118,736	\$125,139
<b>Budget (Authorized)</b>	\$143,026	\$143,026
<b>Variance</b>	\$24,290	\$17,887