STATE BAR OF CALIFORNIA
COMMITTEE ON PROFESSIONAL RESPONSIBILITY AND CONDUCT

OPEN SESSION AGENDA

Friday, June 2, 2017
(10:00 am – 5:00 pm)

State Bar Office – San Francisco
180 Howard Street
San Francisco, CA 94105
(415) 538-2116

Questions regarding any agenda item should be directed to the Committee Coordinator, Andrew Tuft at (415) 538-2172, 180 Howard Street, San Francisco, CA 94105 or Chair, Suzanne Burke Spencer at (415) 538-2107, 180 Howard Street, San Francisco, CA 94105.

I. REMARKS FROM THE CHAIR

A. Announcements

B. Staff Report

C. Approval of Open Session Action Summary from the April 22, 2017 Meeting
   (Materials enclosed.) [pages 1 – 4]

II. DRAFT OPINIONS PREVIOUSLY CIRCULATED FOR PUBLIC COMMENT

   NOTE: No items in this category under consideration at this time.

III. DRAFT OPINIONS NOT YET RELEASED FOR PUBLIC COMMENT

   (Name with asterisk is lead drafter, underline is newly added co-drafter, and bracketed name is mentor.)

*Brain De Cure Osman Spencer [Baldwin]

A. 12-0003 [re Attorney Directory and Rating Websites]
   (Materials enclosed.) [pages 5 – 27]

*Baldwin Bomse Bundy Dilworth Trausch [Spencer]

B. 12-0005 [re Law Firm In-House Counsel]
   (Materials to be circulated prior to meeting.)
C. 13-0002 [re Attorney with a Vulnerable Client]
   (Materials enclosed.) [pages 29 – 45]

D. 13-0003 [re Ethical Obligations When Departing Firm]
   (Materials to be circulated prior to meeting.)

E. 13-0004 [re Collecting Unpaid Fees]
   (Materials enclosed.) [pages 47 – 66]

F. 14-0001 [re Colleague Impairment]
   (Materials to be circulated prior to meeting.)

G. 14-0002 [re Alternative Litigation Funding]
   (Materials to be circulated prior to meeting.)

H. 14-0003 [re Settling Before Withdrawal]
   (Materials enclosed.) [pages 67 – 78]

I. 14-0004 [re Witness Perjury]
   (Materials to be circulated prior to meeting.)

J. 16-0001 [re Practice in Multiple Firms]
   (Materials to be circulated prior to meeting.)
IV. PUBLIC INPUT ON OPINIONS CIRCULATING FOR PUBLIC COMMENT

No opinions circulating for public comment.

V. DISCUSSION OF NEW OPINION TOPICS

(Materials enclosed.) [pages 79 – 84]

VI. VICE-CHAIR ELECTION

(Candidate statements enclosed.) [pages 85 – 87]

VII. SPECIAL PROJECTS

(Name with asterisk is lead drafter, underline is newly added co-drafter, and bracketed name is mentor.)

A. 2017 Appointment Nominations Subcommittee

(Staff/Leadership to present a status report.)

B. Outreach Subcommittee

(Subcommittee to present a status report.)

Outreach Presentations

Outreach and coordination of speakers for CLE presentations will be handled by Michele Trausch.

California Bar eJournal Article Assignments

The articles are intended to be on an ethics issue, should not exceed 2000 words (although there is some room there), and should not have many (if any) footnotes or excessive cites. The article must be accompanied by a 20-question true/false test, with the answers annotated in the “answer key”. The questions must be derived from the content and the answers must be clear from the content of the article. We do not focus on ABA authorities, although sometimes we cite them. The questions and answers must be taken exactly from the article, and must be unambiguous in their meaning. Articles should be submitted to Ms. Bomse and Prof. Brain by the deadline date for review.

2017 CBJ Articles

May Issue (Deadline: April 1) – Michele Trausch
June Issue (Deadline: May 1) – Drew Dilworth
July Issue (Deadline: June 1) – Steven Sparta
August Issue (Deadline: July 1) Joel Osman
September Issue (Deadline: August 1) – Merri Baldwin
October Issue (Deadline: September 1) – Ujvala Singh
November Issue (Deadline: October 1) – Steve Bundy
December Issue (Deadline: November 1) – Eric Deitz
(The Ethics of Advising Client in the Marijuana Industry)
January Issue (Deadline: December 1) – Dena Roche

*C. Rules Revision Commission Subcommittee
(Staff/Leadership to present a status report, if necessary.)

CLOSED SESSION

*A. 2017 Appointment Nominations Subcommittee
(Discussion of appointment nominees, if needed.)