

ATTACHMENT C

PROPOSED AMENDMENT TO STATE BAR RULE 2.54 PUBLIC COMMENTS RECEIVED

Oct 12, 2011

"I am a member of the State Bar of California currently clerking for a federal judge in New York City. I write in support of the proposed amendment to MCLE Rule 2.54 regarding exemptions for federal attorneys working outside of California who wish to volunteer for organizations outside funded by their jurisdiction's IOLTA program, the legal Services Corporation, or the Older Americans Act.

The proposed amendment would fill an important gap in California's MCLE rules, and I urge the Bar to approve it."

- Jonas Lerman

Oct 12, 2011

"I would like to comment in support of the 'proposed amendment to MCLE Rule 2.54 regarding exemptions.' I support this amendment because it encourages lawyers to perform pro bono work and thus helps Americans who cannot afford legal services. This amendment will make a critical difference in the lives of low-income people who need pro bono attorneys."

- Sarah Pauly

Oct 17, 2011

"I am a member of the California State Bar. I work for a Federal Agency in Washington, DC and have read about the proposed amendment to MCLE Rule 2.54. I think the amendment is a fantastic idea! Pro bono work is critically important to the justice system, especially in a city with as much need for free legal services as Washington DC. Allowing federal attorneys more flexibility in selecting pro bono work, and therefore more opportunities to do that work, without losing their MCLE exemption will be a great contribution to justice in DC (and throughout the country, as there are federal employees in all 50 states). I urge you to support the proposed changes."

- Katy Mastman

Oct 18, 2011

"I am writing in my personal capacity to express my support for the proposed amendment to State Bar Rule 2.54. In March of this year, I sent a letter to Dina DiLoreto requesting an extension of the MCLE exemption in Rule 2.54(B) so that I could engage in pro bono work through the federal government's bono program in Washington, D.C. without losing my MCLE exemption. I am delighted that my request has prompted consideration of a rule change.

As I expressed in my letter, I pursued a career as an attorney in large part because I wanted to help underserved communities obtain access to justice. I see pro bono work as a way to put that ambition into practice. But as Rule 2.54 is currently written, there is a significant disincentive for federal attorneys like me to engage in pro bono work. The cost of MCLE courses can be prohibitive.

Extending Rule 2.54's exception to federal attorneys outside of California who volunteer for organizations funded by their jurisdiction's IOLTA program, the LSC, or the Older Americans Act is a commonsense way to encourage federal attorneys to live up to the 50 hours of yearly pro bono service encouraged by the State Bar's Board of Governors. As former State Bar President William Hebert recently wrote, "[n]ow more than ever, public service-minded California lawyers and law students are needed to bridge the 'Justice Gap.'" I view this amendment as a small but important step in closing that gap, and I strongly encourage you to support it."

- Benjamin R. Botts

Oct 20, 2011

"On behalf of the California Commission on Access to Justice, I am writing to support adoption of the proposed changes to MCLE Rule 2.54. We wholeheartedly endorse this effort to increase the availability of pro bono legal services and to encourage volunteer work by active out-of-state government attorneys.

Because they currently risk losing their MCLE exemption as government employees if they do any volunteer work, this revision to the Rule will be a strong incentive to do pro bono work.

Given the extreme legal need that exists in our low-income communities, we believe that it is critical to do whatever we can to facilitate pro bono and eliminate unnecessary barriers. This Rule revision is a modest step that can make a significant difference for those who are able to get legal representation because of it."

- Hon. Ronald B. Robie, Chair
California Commission on Access to Justice
