



STATE BAR OF CALIFORNIA

INTER-OFFICE COMMUNICATION

DATE: February 20, 2014

TO: Regulation, Admissions and Discipline Oversight Committee

FROM: Doug Hull

SUBJECT: Discussion re Preventative Ethics Training

As an aid to discussion on this topic, attached is a list of current ethics offerings by the State Bar of California and a list of proposed options for increasing the current offerings.

Ethics trainings and Outreach Offered by the State Bar of California

1. **Section Ethics Programming and Education E-News:**
One State Bar section offers on an ethics program each month on a rotating basis. The programs are available 24/7 in the State Bar online CLE catalog and sold for \$10. These ethics programs are advertised as the “Featured Program of the Month” through the Education E-News. The Education E-News is a monthly publication that promotes all State Bar CLE programs both in-person and online. This electronic publication is sent to section members, which total about 58,000.
2. **Online CLE Email Outreach:**
The bar’s online CLE vendor sends out a monthly e-mail to customers promoting various upcoming webinars, including ethics webinars.
3. **COPRAC Programming:**
COPRAC puts on the Annual Symposium, which is mainly designed to discuss cutting edge issues with people in the ethics arena. COPRAC also puts on several programs at the Annual Meetings for a more general audience. It also makes a submission for the Solo and Small Firm Summit every year, and has had its submissions accepted in this past. COPRAC also authors MCLE ethics tests for the Cal Bar Journal. Finally, COPRAC regularly conducts training and programs upon request at various organizations throughout the state (pro bono agencies, bar associations, etc.).
4. **Ethics School and CTA School:**
OCTC puts on these programs 8 to 9 times per year. Ethics school is a full day event, and CTA school is one-half day. The classes are conducted for an in-person audience. Anyone can attend, but the attendees are mainly those in the discipline system. They are often times required to attend as a condition of probation or reproval. These classes are not currently offered in webinar format to the membership.
5. **Committee on Mandatory Fee Arbitration:**
The State Bar’s Committee on Mandatory Fee Arbitration (CMFA) conducts free trainings throughout the year at local bar associations. Each basic training offers 2.75 hours of MCLE credit, 1 hour of which is ethics credit. The advance training offers 2 hours of MCLE credit, 1 hour of which is ethics credit. In 2012, the MFA offered 11 basic trainings and 2 advanced trainings. In 2013, the CMFA offered 5 basic and 2 advanced trainings throughout California. The CMFA also presents 3-4 programs at the State Bar’s Annual Meeting each year as well as submitting proposals for the Solo and Small Firm Summits. These trainings and program generally focus on fee agreements and billing and offer an hour of ethics credit.

The following are some possible next steps for ethics offerings

- Conduct a special videotaping of Ethics School and/or CTA School (in segments), to offer it to the members for sale as a webinar.
- Have COPRAC work with Bar Relations to advertise its services to local bar organizations.
- Include the COPRAC self-study ethics articles on the online CLE catalog, and/or advertise them in section publications.
- Explore promoting various ethics programs in the Cal Bar Journal (given our regulatory mission and the desire to protect the public by training attorneys).
- Videotape the COPRAC programs that are conducted at the individual bar associations for sale as webinars (and/or possibly “replay” some of their programs on video before the in-person COPRAC meetings).