



THE STATE BAR OF CALIFORNIA

180 HOWARD STREET, SAN FRANCISCO, CA 94105-1639

OFFICE OF PROFESSIONAL COMPETENCE
PLANNING, AND DEVELOPMENT

TELEPHONE: (415) 538-2167

MEMORANDUM

DATE: October 17, 2014

TO: Members of the Board's Regulation, Admissions & Discipline Oversight Committee

FROM: Randall Difuntorum, Director, Professional Competence Programs

SUBJECT: RAD Meeting on November 6, 2014 – Status of the Professional Competence Unit

This memorandum provides a report on the activities of the Professional Competence Unit¹ through August 31, 2014. In addition to this memorandum, provided are the following: (Encl. 1) Ethics Hotline Activity Statistics; (Encl. 2) Ethics Hotline Satisfaction Survey Excerpts; (Encl. 3) Professional Competence Budget Summary – Authorized vs. Actuals; and (Encl. 4) Professional Competence 2014 Annual Meeting Program Evaluations Summary. Board members with questions may contact Randall Difuntorum at (415) 538-2161 or Lauren McCurdy at (415) 538-2107.

1. ETHICS HOTLINE

As of August 31, 2014, 9,652 member inquiries were received with a completion rate of 90%. This completion rate includes distribution of 176 copies of published ethics opinions and other written materials requested by inquirers and 3,385 referrals to information posted at the Bar's website. (Due to the availability of State Bar Formal Opinions at the Ethics Information area of the website, there is a decreasing need for distribution of this information by mail.) In addition, the staff made 1,105 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 five paralegals have primary responsibility for the Ethics Hotline call work. As of August 31, 2014: (1) the monthly average number of total calls handled by one paralegal was 365; (2) the monthly average number of completed calls by one paralegal was 226; and (3) the monthly average number of left messages by one paralegal was 139.

Between June and August, 2014, 7 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 (copies of the surveys are available upon request), and each of the seven survey respondents added personal comments. Six commended the staff for being helpful, knowledgeable, and professional and described the service as a valuable resource. One of the survey respondents suggested the use of an internet chat option as a new method for the intake of calls into the Hotline queue. Another survey respondent expressed appreciation for the Hotline's procedure of placing a courtesy follow-up call and stated, in part, that whenever he pays his membership dues, he does so gladly because "throughout the years the Hotline has always been there to assist." (See Enclosure 2: Ethics Hotline Satisfaction Survey Excerpts.)

¹ There are 13.5 authorized positions in the Professional Competence Unit. One position, a paralegal position, will become vacant on October 15, 2014 when that staff person assumes a new position in another State Bar office.

Through August, the category of “Fees and Costs” was the most frequently raised issue category by Hotline callers in 2014. The “Fees and Costs” category encompasses questions concerning: client trust accounts; fee agreements; and costs (litigation expenses, advances of costs to client, loans to client, payment of third party expenses). Close behind are the categories of “Communications” and “Conflicts.” 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 July 17, 2014 meeting, COPRAC met on August 1, 2014 in Los Angeles, and September 11, 2014 in San Diego.

A. Meetings

At the August 1st meeting, COPRAC continued the post-public comment work on Formal Opinion Interim No. 11-0004 (ESI and Discovery Requests) and Formal Opinion Interim No. 12-0007 (Puffing in Negotiations). COPRAC also continued pre-public comment work on the following draft opinions: 12-0002 (Revocation of Waivers); 12-0003 (Attorney Directory and Rating Website); 12-0005 (Law Firm In-House Counsel); 12-0006 (Attorney Blogging); 13-0002 (Attorney with a Vulnerable Client); 13-0003 (Ethical Obligations When Departing Firm); 13-0004 (Collecting Unpaid Fees); 13-0005 (Publically Available Confidential Information); 14-0001 (Colleague Impairment); 14-0002 (Alternative Litigation Funding); 14-0003 (Settling Before Withdrawal); and 14-0004 (Witness Perjury). The Committee discussed the status of four CLE panels for the 2014 Annual Meeting, as well as the two programs for the California Solo and Small Firm Summit. The Committee selected four new opinion topics for possible formal opinions: 14-0001 (Colleague Impairment); 14-0002 (Alternative Litigation Funding); 14-0003 (Settling Before Withdrawal); and 14-0004 (Witness Perjury). Finally, the Committee began consideration of possible locations for the 2015 Annual Ethics Symposium.

At the September 11, 2014 meeting, COPRAC considered the public comments received on Formal Opinion Interim No. 12-0001 (Disclosure of Confidences at Motion for Withdrawal) and Formal Opinion Interim No. 12-0004 (In Rem Bankruptcy), and continued the post-public comment work on Formal Opinion Interim No. 11-0004 (ESI and Discovery Requests) and Formal Opinion Interim No. 12-0007 (Puffing in Negotiations). 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); 12-0006 (Attorney Blogging); 13-0002 (Attorney with Vulnerable Client); 13-0003 (Ethical Obligations When Departing Firm); 13-0004 (Collecting Unpaid Fees); 13-0005 (Publically Available Confidential Information); 14-0001 (Colleague Impairment); 14-0002 (Alternative Litigation Funding); 14-0003 (Settling Before Withdrawal); and 14-0004 (Witness Perjury). Finally, the Committee also continued discussion of possible locations for the 2015 Annual Ethics Symposium.

Post-public comment consideration of proposed Formal Opinion Interim No. 12-0004 occurred at the Committee’s September 11, 2014 meeting, and the Committee approved this opinion for submission to the Committee on Regulations and Discipline for final approval. This circulation will take place following the November 6-7, 2014 Board Meeting. The issue and digest of proposed Formal Opinion Interim No. 12-0004 is set forth below.

Formal Opinion Interim No. 12-0004:

ISSUE: If an attorney represents an individual as a debtor in a simple, no-asset Chapter 7 bankruptcy filing, while simultaneously representing one or more of the individual’s creditors in unrelated matters, is the attorney required by rule 3-310(C)(3) to obtain informed written consent of both parties?

DIGEST: Simultaneous representation of a debtor in a simple, no-asset Chapter 7 bankruptcy filing and that debtor's creditors in unrelated matters does not create adversity triggering the informed written consent requirement of rule 3-310(C)(3), provided that the engagement is limited and certain intake procedures are employed to ensure that the Chapter 7 proceeding in which the attorney is involved is an *in rem* proceeding that focuses on the orderly distribution of the debtor's assets and the discharge of debts.

COPRAC's next meeting is scheduled for October 24, 2014 in San Francisco.

B. Education and Outreach Programs

COPRAC members presented ethics CLE programs on August 13th for the Equal Employment Opportunity Commission in San Diego, and on September 16th for the Bay Area Traffic Defenders Association in Oakland. See section 6 of this report for a discussion of the programs conducted by COPRAC at the State Bar Annual Meeting in San Diego.

3. PROPOSED NEW AND AMENDED RULES OF PROFESSIONAL CONDUCT

Pursuant to Business & Professions Code section 6076 and 6077 the State Bar Board of Trustees may formulate and adopt proposed amendments to the Rules of Professional Conduct that become binding on all members of the State Bar if the amendments are approved by the California Supreme Court. By order docketed on September 19, 2014, the California Supreme Court returned the proposed rules previously submitted for the Court's approval. The return includes guidance for further consideration of amendments to the current rules. In part, this involves appointment of a new Commission. It is anticipated that the new Commission will be appointed by November 26, 2014 and that the work of this Commission to revise the current rules will be completed by March 31, 2017.

4. 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. The 2013/2014 report was filed with the legislature on July 31, 2014.

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, by month.

ADA Letters Received-Referred to Enforcement in 2014

Month	Letters Received	Letters Referred To Enforcement
Jan.	34	3
Feb.	29	5
Mar.	9	1
Apr.	6	1
May	12	0
June	13	1
July	33	1
August	13	2
TOTAL	149	14

The table below lists the possible compliance issues and shows the numbers of issues referred to Enforcement in 2014.

Compliance Issues Referred to Enforcement*
(1/1/14 through 8/31/14)

<u>Compliance Issue</u>	<u>No. of Issues</u>
Failure to Copy the State Bar within 5 Business Days	9
Failure to Include Mandatory Advisory	5
Failure to Copy the CCDA within 5 Business Days	8
Possible Prohibited Request/Demand for Money or Offer/Agreement to Accept Money	4
Possible Prohibited Statement of Recipient's Specific Monetary Liability	4

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

5. COMPETENCE PUBLICATIONS

Handbook on Client Trust Accounting for California Attorneys: This year, the online Trust Accounting Handbook html webpage was visited 6,450 times through August 31st.

California Compendium on Professional Responsibility: Four hundred and fifty-three 2013 Compendium updates and earlier updates have been processed to date. The 2014 Compendium update is anticipated to be released in late October.

California Rules of Professional Conduct & State Bar (a.k.a. Publication No. 250): This year, 900 copies of the 2014 Pub. 250 have been sold through August 31st.

An e-Reader version of Publication 250² is available at the Amazon Kindle store. A total of 218 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. Twenty-nine copies of the 2013 e-book have been purchased since posting in June 2013. The 2014 e-book was posted on June 4, 2014 and sixteen copies have been purchased through September 30, 2014.

6. PROFESSIONAL COMPETENCE EDUCATIONAL PROGRAMS & OTHER OUTREACH ACTIVITIES

The Professional Competence staff hosted a booth in the exhibit hall of the State Bar's Annual Meeting in San Diego, to conduct outreach, distribute items promoting the Ethics Hotline service, and to provide free competence resources, including copies of a booklet containing the Rules of Professional Conduct and selected State Bar Act sections. The booth was staffed by a Hotline paralegal who provided research assistance on ethics questions presented by the visitors to the booth. Visitors who did not have an ethics question were encouraged to play a computer game that helps self-assess the player's knowledge of California legal ethics, including recent developments.

² 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.

In addition, COPRAC members presented four CLE programs at the Annual Meeting on September 12th. The programs were entitled: (1) Starting Off on the Right Foot: Addressing Ethics Issues at the Outset (126 attendees); (2) Ethics Update 2014: Significant Developments in the Law of Lawyering (218 attendees); (3) The Ethics of Getting Your Legal Fees Paid (80 attendees); and (4) Blogging, Tweeting and The New Frontier of Attorney Advertising: How to Stay Within the Ethical Bounds (100 attendees). Each of these programs were approved for ethics credit and legal specialization credit for legal malpractice specialization. In addition, COPRAC co-sponsored an Annual Meeting program with the State Bar's International Law Section entitled Ethics and the Globalization of California Legal Practice (77 attendees). The foregoing programs were all selected by Annual Meeting staff for videotaping, and one for live webcast, to be offered as online CLE following the Annual Meeting. The ratings and comments received on the attendee evaluation forms for these programs were favorable. (See Attachment 4: 2014 Annual Meeting Program Evaluations Summary.)

Earlier this year, Professional Competence began using Twitter to announce ethics related information and opportunities. The following Tweets have been circulated to date: (1) announcement regarding the availability of the Ethics Hotline service; (2) inviting registration to the Ethics Symposium; (3) encouraging new admittees to visit the Ethics Hotline resource table at the swearing-in ceremony in Oakland on June 5, 2014; (4) announcing Ethics Hotline exhibit booth at Annual Meeting in San Diego; and (5) availability of free ethics resource booklet at Ethics Hotline Annual Meeting exhibit booth. In some cases, we have seen that our Tweets were re-Tweeted.

7. COMPETENCE RESOURCES AT CALBAR.CA.GOV

Senior Lawyer Ethics Resources Page: This page recognizes that many attorneys reach their senior years with questions about what to do if they faced health problems that might affect how long they can work. They may be thinking of closing their practice or how to handle their business if they suddenly become ill or pass away. The Senior Lawyers Ethics Resources page is a collection of resources addressing attorney professional responsibility issues that arise in connection with retirement, disability, and death of attorneys. The resources include rules, advisory ethics opinions, articles, publications, and MCLE programs. The Senior Lawyer web pages were launched in May 2013 and have been visited approximately 16,270 times, through August 31, 2014.

Judicial Campaign Ethics Page: Lawyer candidates for judicial office are subject to Rule 1-700 of the Rules of Professional Conduct. In part, this rule provides that a lawyer who is a candidate for judicial office in California shall comply with Canon 5 of the Code of Judicial Ethics. An online educational course on Judicial Campaign Ethics by the Administrative Offices of the Courts, Center for Judicial Education and Research (CJER) is available and is a mandatory requirement for all candidates for judicial office. The Judicial Campaign Ethics web page was launched in October 2013 and has been visited approximately 820 times, through August 31, 2014.

Web Activity: The State Bar tracks the web activity for all html website pages accessed.³ The chart below lists selected web pages administered by Professional Competence and the 2014 activity in terms of visits.

**Professional Competence Web Resources – Activity Detail
January - August 2014**

Webpage	Approx. Number of Visits
Rules of Professional Conduct html web pages	392,310
The State Bar Act html web pages	20,250
Ethics Opinions html web pages	28,800
Ethics Information html web pages	139,260
Ethics & Technology html web pages	13,100

³ Web download statistics are not available for web content posted as Adobe PDF documents.

Since the last Professional Competence status report submitted for the Board Committee's July 17, 2014 meeting, the following website updates have been made:

1. The Ethics & Technology web page was updated to add links to the following resources: 18 ABA and state bar ethics opinions from Connecticut, Florida, Maine, Massachusetts, New Hampshire, New York, Oregon, Pennsylvania, Virginia, Washington, and D.C.; and 11 new articles.
2. The Senior Lawyer web page was updated to add links to the following resources: notice of free retirement workshops being offered by the State Bar in October in San Francisco and Los Angeles; and, a California Bar Journal article concerning impaired attorneys.
3. A new web page was created for Attorney Civility & Professionalism, with links to various content concerning civility and professionalism, including: the Civility Toolkit, which includes the Board adopted civility guidelines; text of the recently revised attorney oath (California Rule of Court 9.4); a PowerPoint presentation on civility and ethics; and, links to 14 local bar association, and 4 court, civility and professionalism guidelines. A link to this new page is located at the left side of the main Ethics Information page.
4. A new web page was created to alert lawyers to new attorney conduct regulations related to Immigration Reform. The new page includes links to notice forms that lawyers must give to clients receiving immigration reform services. The link to the new page is located at the right side of the main Ethics Information page.

cc: Robert A. Hawley

ETHICS HOTLINE ACTIVITY STATISTICS - 2014

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	21	1293	1108	185	86%	14%	21	424
February	19	1163	1037	126	89%	11%	36	382
March	20	1221	1141	80	93%	7%	17	452
April	22	1245	1110	135	89%	11%	24	412
May	21	1170	1055	115	90%	10%	20	458
June	21	1140	1056	84	93%	7%	16	404
July	22	1238	1146	92	93%	7%	17	410
August	21	1182	1056	126	89%	11%	25	443
Cumulative Totals	167	9,652	8,709	943	90%	10%	176	3,385

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.

Key Hotline Activity Averaged by Day and Month

Daily:	Incoming Calls:	58
	Completed Calls:	52
Monthly:	Incoming Calls:	1,207
	Completed Calls:	1,089

Aggregate Outgoing Calls

Current Month:	1,861*
Cumulative to Date:	14,680*

*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 – Ethics Hotline Satisfaction Survey Excerpts

Excerpt from Ethics Hotline Customer Satisfaction Surveys
Additional Comments
(Surveys Received for June – August 2014)

1. Received June 27, 2014

COMMENTS/SUGGESTIONS:

Pam and David were outstanding. They helped me late on a Friday afternoon with practical guidance for my situation. They are truly a credit to the State Bar

2. Received July 7, 2014

COMMENTS/SUGGESTIONS:

I called the Ethics Hotline several weeks ago, and they promptly returned the call, leaving a message for me to call them back. However, I did not, as I was preoccupied with other matters. Today, approximately two weeks later, Elbert called. I was impressed that he remembered to return my call, and even more impressed at how professional and helpful he was. As I told him, whenever I pay my membership dues, I do so gladly, as throughout the years the Ethics Hotline has always been there to assist.

3. Received July 11, 2014

COMMENTS / SUGGESTIONS:

Ricardo did an excellent job of informing me of authority which was highly relevant to the issue I was calling about. Ricardo was patient, and also efficient in the use of our time on the telephone.

4. Received July 14, 2014

COMMENTS / SUGGESTIONS:

Receptionist always seems in a rush. Maybe consider using a live internet chat as another way to schedule callbacks from paralegals.

5. Received July 29, 2014

COMMENTS / SUGGESTIONS:

I spoke with Pam. She was absolutely fantastic – she lead me in the right direction by giving me case law and specific rules pertaining to the exact issue I called about. I am very thankful for this service.

6. Received August 6, 2014

COMMENTS / SUGGESTIONS:

Ricardo was able to jump right in and point me in the right direction.

7. Received August 26, 2014

COMMENTS / SUGGESTIONS:

Dave the receptionist was most helpful and willing to listen to my concerns and make suggestions where applicable.

Professional Competence Budget Summary*

Authorized vs. Actual

Year-to-Date as of August 31, 2014

Budget (Actual)	\$1,023,703
Budget (Authorized)	\$1,232,066
Variance	\$208,363

Monthly (January – August)

	January	February	March	April	May	June	July	August
Budget (Actual)	\$131,518	\$113,898	\$99,468	\$141,024	\$114,130	\$138,352	\$115,835	\$169,478
Budget (Authorized)	\$195,139	\$139,411	\$139,654	\$139,897	\$139,897	\$139,897	\$140,418	\$197,759
Variance	\$63,621	\$25,513	\$40,186	-\$1,127	\$25,767	\$1,545	\$24,583	\$28,275

* The total annual 2014 operating budget for the Office of Professional Competence is \$1,797,785.

2014 ANNUAL MEETING PROGRAMS EVALUATIONS SUMMARY

**Program 34: Starting Off on the Right Foot:
Addressing Ethics Issues at the Outset (COPRAC)**
Speakers: Alison Buchanan, Andrew Dilworth, David Majchrzak
Attendance: 126

Program Evaluation (Rate on a Scale of 1 to 5 with 1 Lowest and 5 the Highest)

- | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1. Average of speakers' ratings across all speaker evaluation categories. | 4.76 |
| 2. The program met my educational objectives. | 4.80 |
| 3. The program contained significant current professional content. | 4.77 |
| 4. The instructional materials were beneficial in learning the topic. | 4.58 |
| 5. The promotional materials accurately described the program. | 4.73 |
| 6. Additional comments regarding this program: | |
| • Real informative | |
| • No handouts. | |
| • Great chart! | |
| • I am a retired Public Defender contemplating private practice. I give this program an overall 5. | |
| • Extremely helpful. | |
| • Provide downloadable materials, as opposed to flash drive. | |
| • Very good speakers | |
| • Send all speakers to Toastmasters. | |
| • Very well put together - flowed very smoothly and gave good practical advice. | |
| • Rather than focusing on lawyers limiting their liability, the course should have focused on how ethics practice benefits the clients. | |
| • Too much obvious/common sense information. Not enough added value/information. | |
| • Please face forward while speaking. Easier to hear. | |
| • Title should be: " Starting, Continuing & Ending Client Representation" Good solid ethics program. | |
| • A "Q & A" session would be good for this subject. | |
| • All 3 good. | |
| • Very good topic. Very smooth transitions between speakers - one of the better programs I attended - they were clearly knowledgeable and prepared. | |
| • Very well done. Thank you. | |
| • All good & good acoustics. | |
| • Resources were very helpful | |
| • Good, repetition is helpful. Good Power Point | |
| • Fresh info, but specific examples would be more helpful (esp. to newer attys.) | |
| • I appreciated the overheads. The three speakers worked well together during the presentation. I did not have time to print out the handouts. Have you thought about charging for printed handouts. I bet people would be willing to pay. | |

**Program 37: Ethics and the Globalization of California Legal Practice
(International Law/COPRAC)**

Speakers: John Amberg, Jeffrey Daar, Alexandra Daraby, Suzanne Spencer
Attendance: 77

Program Evaluation (Rate on a Scale of 1 to 5 with 1 Lowest and 5 the Highest)

- | | |
|-----------------------------------------------------------------------------------------------------|------|
| 1. Average of speakers' ratings across all speaker evaluation categories. | 4.64 |
| 2. The program met my educational objectives. | 4.56 |
| 3. The program contained significant current professional content. | 4.75 |
| 4. The instructional materials were beneficial in learning the topic. | 4.63 |
| 5. The promotional materials accurately described the program. | 4.56 |
| 6. Additional comments regarding this program: | |
| • Outstanding! Excellent illustrations of applicable rules in numerous situations.
Very helpful. | |
| • Lots of (scary) info. | |
| • Excellent program! | |
| • This was a very informative course | |
| • Too little time for 4 panel members - good subject. | |

**Program 47: Ethics Update 2014:
Significant Developments in the Law of Lawyering (COPRAC)**

Speakers: Wendy Chang, Scott Garner, Neil Wertlieb
Attendance: 218

Program Evaluation (Rate on a Scale of 1 to 5 with 1 Lowest and 5 the Highest)

- | | |
|---------------------------------------------------------------------------|------|
| 1. Average of speakers' ratings across all speaker evaluation categories. | 4.79 |
| 2. The program met my educational objectives. | 4.79 |
| 3. The program contained significant current professional content. | 4.85 |
| 4. The instructional materials were beneficial in learning the topic. | 4.60 |
| 5. The promotional materials accurately described the program. | 4.81 |
| 6. Additional comments regarding this program: | |
| • Very appreciative for the work of the panel. | |
| • Went too fast to keep up with my notes. | |
| • Hype method not really best approach to these discussions. | |
| • All speakers were 4s. | |
| • Good information - slides moved too quickly. All speakers very good. | |
| • Ethics is hard and these guys did a great job. | |

Program 60: The Ethics of Getting Your Legal Fees Paid (COPRAC)

Speakers: Alison Buchanan, Suzanne Spencer, William Mills

Attendance: 80

Program Evaluation (Rate on a Scale of 1 to 5 with 1 Lowest and 5 the Highest)

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1. Average of speakers' ratings across all speaker evaluation categories. | 4.48 |
| 2. The program met my educational objectives. | 4.25 |
| 3. The program contained significant current professional content. | 4.42 |
| 4. The instructional materials were beneficial in learning the topic. | 4.27 |
| 5. The promotional materials accurately described the program. | 4.32 |
| 6. Additional comments regarding this program: | |
| • I left at 3:00 pm - Presentation was boring and drawn out on topic presented. | |
| • Good. Informative. Should reserve questions for after presentation. Not allow questions during. | |
| • Should not accept questions until end of program. Much time was spent (not well spent) answering questions. | |
| • Interesting; well presented. | |
| • Great class! | |
| • Very poor panel. Can't agree about whether insurance defense attorney must have retainer w/client. On other issues the 3 panel members couldn't agree or advice. | |
| • Poor time management. Slides were not clear about how items relate. | |
| • All speakers very good- | |
| • Beyond elementary; positively rudimentary. Reading CRPC Rules is not education. In a word, boring. did not manage the know-it-all audience members who must show how knowledgeable they are under the guise of a question. | |
| • Do not take questions during panel discussions. Leave Q&A to the end. | |
| • Thank you! | |

**Program 70: Legal Advertising: Ethical Implications for Lawyers
in Cyberspace and Social Media (COPRAC)**

Speakers: Merri Baldwin, Jennifer Becker, Larry Doyle, Dr. Robert Simon

Attendance: 100

Program Evaluation (Rate on a Scale of 1 to 5 with 1 Lowest and 5 the Highest)

- | | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| 1. Average speakers ratings across all speaker evaluation categories | 4.55 |
| 2. The program met my educational objectives. | 4.61 |
| 3. The program contained significant current professional content. | 4.61 |
| 4. The instructional materials were beneficial in learning the topic. | 4.39 |
| 5. The promotional materials accurately described the program. | 4.22 |
| 6. Additional comments regarding this program: | |
| • Excellent presentation. | |
| • Great 10 point summary. Good panel - helpful - | |
| • Indirectly highlights California's unique focus on attorney discipline and regulation and uniquely ineffective/absent pursuit of the ubiquitous unauthorized practice of law. | |
| • No handouts. | |
| • This program was actually better than I had expected. The slides were better than the materials. | |
| • Good practical program - best one I attended today. Slides were good. | |