

# STAKEHOLDERS & ACCESS TO JUSTICE COMMITTEE AGENDA ITEM

**III-B NOV 19 2015**

**DATE:** September 1, 2015

**TO:** Members, Stakeholders & Access to Justice Committee

**FROM:** Joanna Mendoza, Vice-chair, Stakeholders & Access to Justice Committee  
Kelli Evans, Senior Director, Administration of Justice

**SUBJECT:** Outreach to State Bar Sections re: Access to Justice Activities and Interests

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## INTRODUCTION

The Stakeholders and Access to Justice Committee is continuing to explore opportunities to involve other State Bar entities in the ongoing work of promoting access to justice. Following up on our 2014 survey of the sixteen State Bar Sections and the California Young Lawyers Association (CYLA), the Committee contacted each section to learn what access to justice-related work the sections are engaged in, and/or whether there are opportunities for the sections to become more involved in access to justice issues. This memorandum summarizes the Committee's findings.

The Committee surveyed Section Leadership to determine the following:

- *The current priorities/major projects for each section;*
- *Whether the section's work involves, or has been related, to access to justice; and*
- *The interest level in working on access-related issues in the future.*

Based on the survey responses, the majority of the sections (11 of 17) are or have been involved in a range of work that promotes access to justice including, for example, training, providing and promoting pro bono service, and public education. All but one of the sections surveyed expressed an openness and interest in working on access to justice issues.

A key role the Board of Trustees can play going forward is in their roles as Liaisons to the various State Bar Sections. It is important for each Board Liaison to help their respective Section identify ways that the Section can promote and pursue access to justice projects. In order to do this it is helpful to understand what the Section is already doing and the types of projects that would be suitable for that Section going forward to help promote the State Bar's access to justice mission and the strategic plan goals. We encourage you each to go over the final Strategic Plan with your Liaison assignments in the new Board year in order to discuss how they can help the Board achieve the goals identified in the Strategic Plan, with a particular emphasis on access to justice programs. Support, encouragement and leadership from the Board is clearly being sought.

## **SUMMARY OF SURVEY RESULTS**

The specific findings for each section are listed below in alphabetical order by section name.

### **1) ANTITRUST & UNFAIR COMPETITION – Thomas Dahdouh, Chair**

The Antitrust and Unfair Competition Law Section currently focuses on its annual “Golden State Antitrust and Unfair Competition Law” conference; its twice-yearly publication, *Competition*; its monthly E-Briefs with recent law developments in the area; and an array of webinars and sponsored panels at state bar meetings. The Section also is in the process of incorporating Privacy Law fully into the Section’s activities and has received approval from the Board of Trustees to change the Section’s name to the “Antitrust, UCL and Privacy Law Section.” Privacy law is an expanding area of law and the Section believes that explicitly adding this area will help grow its membership and provide significant value-added to California Bar members. Toward that end, the Section has recently created a Standing Committee, the Privacy Law Subcommittee, with eight outstanding attorneys who are not members of the Section’s Executive Committee to assist the Section in fully embracing privacy law.

The Section annually sponsors an ethics Webinar. Because the Section’s mandate includes consumer protection issues such as unauthorized practice of law, mortgage and loan modification scams, and abusive debt collection practices – all issues that are impacted by low income Californians with problems accessing legal help – the Section is very interested in working more with the State Bar on these issues. For example, the Chair of the Section’s Executive Committee, Tom Dahdouh, as Regional Director of the FTC, spoke at a February 9, 2015, conference on Fraud Affecting New Immigrants at the State Bar’s building in Los Angeles. The Section would like to continue to participate in such events. Members of the Section who focus on consumer protection have a significant role to play in those issues, and would be pleased to participate in such future events.

The Section is very interested in working on issues that adversely impact low-income Californians and new immigrants.

### **2) BUSINESS LAW – Bob Hawn, Chair**

The Business Law Section (BLS) is the second largest section of the State Bar, with a membership of over 8,000. BLS is organized into 15 Standing Committees, which cover subject matter areas as diverse as Agribusiness Law and Cyberspace Law. The Section’s Executive Committee, which oversees the Section, is composed of individuals who have chaired one of the various standing committees.

Like many other sections, BLS provides programs to its members and other lawyers. The Section’s recent “How To” series, which concluded earlier this year, provided 12 entry level programs to over 675 practitioners. BLS currently is conducting a “Hot Topics” series, which provides cutting edge seminars on developing areas in business law. The Section will be presenting eight seminars at the Annual Meeting, not counting the specialization programs provided by its Insolvency Law Committee.

BLS is also active in legislative matters, typically moving one to two bills through the legislature annually to provide needed clarity to laws commonly used by business lawyers.

The Section also publishes materials regularly on a variety of topics. Recent publications include legal opinions in venture capital transactions and a desk guide to a commonly used procedure in insolvency practice (assignment for the benefit of creditors). The Section’s quarterly flagship

magazine, the Business Law News, provides in-depth review of current topics of interest to business lawyers. Each of the Section's Standing Committees distributes periodic E-Bulletins, short alerts concerning new laws, cases, meetings, and other items of interest.

In addition to the above and the matters discussed below, past projects have included providing presentations to law students regarding business law practices, and an innovative joint venture with the California Young Lawyers Association to provide mentoring services to new business lawyers.

BLS' primary priority is member education, and its secondary priorities include legislative change to provide legal clarity and outreach. The Section also has initiatives to increase racial diversity in the Section and its leadership and to expand the marketing and outreach of its services.

BLS' provides its materials and programs to its members, and offers free membership on a short term basis as allowed by the State Bar.

BLS is very interested in understanding how its members can assist in access to justice issues, and would look forward to any materials or presentations at its Executive Committee meetings that would further this effort.

### **3) CALIFORNIA YOUNG LAWYERS ASSOCIATION (CYLA) – Emily Aldrich, Chair**

CYLA is dedicated to supporting the State Bar's mission to protect and serve the public. A key part of that effort is in education and increasing awareness of State Bar resources to new lawyers (first 5 years of admission to the bar or age 36 and under).

CYLA has taken a multi-faceted approach including:

Education- In Person and Online Education- CYLA participates in the State Bar's Solo Summit and Annual Meeting. This year CYLA also launched a two-day Practical Skills Training program designed to provide new practitioners with the fundamentals for a successful career. In addition, CYLA kicked off its "10 Minute Mentor Program," consisting of a series of short videos featuring leading attorneys in their area of practice – each on specifically providing 10 minutes of mentoring on a particular topic. The videos are foundational in nature and designed to also point attorneys toward valuable resources within the State Bar.

Outreach- CYLA sponsors joint events and programming with various groups including the ABA, local bars, and the State Bar Sections. Each opportunity is vetted for the quality and intended impact. CYLA has a presence throughout the state at the swearing-in ceremonies and welcomes new attorneys with information about their automatic and free membership to CYLA.

Communication- CYLA publishes a bi-annual newsletter providing essential information to new attorneys. CYLA also utilizes social media to reach its members and share information on events, education and other essentials. Each month CYLA authors a welcome letter to new admittees promoting a free Section membership, resources available through CYLA and member benefits through the State Bar's marketing and branding arm – CalBar Connect.

Pro bono- CYLA encourages early participation in pro bono through its annual award. The campaign for nominations begins immediately after the Annual Meeting and final selection and approval of the awardee is made at the July Board of Trustees meeting. The entire CYLA Board promotes the award statewide and solicits nominations.

Following are the ways CYLA supports increased access to justice and is interested in expanding its efforts on access-related issues and projects in the future:

1. CYLA articles in the CalBar Journal article - CYLA's September 2015 article is on the State Bar Disaster preparedness program. CYLA has pledged to support the Bay Area Resilience Collaborative (BARC) in its efforts to educate lawyers, develop a database of volunteer attorneys who are willing to provide legal assistance at hotlines or disaster recovery centers, and work with state and local authorities and nonprofit organizations so that if (and when) disaster strikes, the Bay Area legal community will be prepared to do its part to help.

CYLA is interested in authoring an article in the CalBar Journal on access to justice with a call to action for new/young lawyers.

2. 10-Minute Mentor- As discussed above, currently CYLA has programs in various areas of the law including ethics, and is interested in creating a series on "How to begin your career in Pro Bono."

3. Participation in the Civil Justice Strategies Task Force- assisted the Task Force in gathering information and data regarding law school debt and access to justice.

4. Jack Berman Award of Achievement- Since 1992, each year CYLA recognizes a young or new lawyer for distinguished service to the public sector, the judiciary, or the public with the Jack Berman Award of Achievement.

CYLA is interested in encouraging pro bono through a campaign enlisting past Jack Berman awardees. The awardees have gone on to accomplish greater achievement- there is a link between early participation in pro bono and long-term career success. Past award winners would be asked to educate, mentor and speak about the rewards that come from pro bono participation.

5. Pro Bono – CYLA has a page dedicated to information on pro bono. This page was developed with input from the Office of Legal Services. CYLA would like to refresh this page with updated resources and links. Additionally, CYLA has developed a survey on new attorney participation in pro bono and would like to explore this query further and provide attorneys with information on how to participate. CYLA is interested in collaboration with LAP - Early Career Guidance Program - to provide information on the value of providing pro bono services.

6. CYLA is committed to exploring opportunities to increase awareness of pro bono through social media. CYLA has a Facebook, YouTube and Twitter presence and can promote events, trainings and community need.

#### **4) CRIMINAL LAW – Teresa Caffese, Chair**

Current priorities/major projects for the Criminal Law Section include:

- Providing public protection via continuing legal education programs (i.e. State Bar Solo Summit in June 2015; State Bar Annual Conference in September 2015; and various webinars/online education including: trial advocacy, courtroom technology, white collar criminal litigation, legal ethics, and criminal law and procedure).
- Ongoing production of the Section's "Criminal Law Journal" and "E-Bulletin."
- Administering the Section's student writing competition with law schools throughout the state.

- Continuing to enhance the image of the legal profession and State Bar through participation in programs at law schools in both northern and southern California as well as the legal community at large.

With respect to access to justice work, the Section does extensive programming on the topic of "Ethics." The Section's committee members and advisors consist of prosecutors, defense attorneys, and judges who deal with the issue of access to the legal system on a daily basis.

The Section continues to co-sponsor events and welcomes the opportunity to work with other sections to ensure access to justice for all.

## **5) ENVIRONMENTAL LAW – Gideon Kracov, Chair**

Much of the Environmental Law Section's work is dedicated to public interest law involving environmental issues. The Section has a subgroup designated to representing community groups in pro bono cases. The cases that the subgroup represents litigants on are generally the type of cases that further the Section's agenda, i.e., environmental issues.

The Section held three "Your Voice" programs this year in Lake Tahoe, Fresno and Eureka. These programs are designed for the public to participate in environmental issues. They are not designed for lawyers to attend. This is a way to engage the public in environmental law issues, the legal profession and the Section's work. They are full day programs, each attended by approximately 100 persons.

Additionally, the Section does a lot of access to the profession, diversity work, scholarships and law school outreach.

## **6) FAMILY LAW – Raymond Goldstein, Chair**

The Family Law Section has continued to focus on delivering its primary objective, member education. In this regard, the Section continues to offer top quality, well attended webinars, often twice per month. In one recent reporting quarter, the Family Law Section enjoyed substantially higher revenue compared to every other section, which is even more impressive when considering that the Section is not the most populous in membership, by far. Once again in 2015, the Family Law Section conducted its live educational series branded *Essentials*, in four California locations, empaneled by attorney practitioners and judicial officers from around the state. This year, in an effort to reach historically underserved populations, the Section chose to conduct one of the four programs in Fresno. That program was well-attended and gained the Section a foothold in the family law community.

Legislation for the benefit of California families remains a priority. As we head toward the end of another legislative session, the Section has diligently tracked almost 70 relevant pieces of legislation concerning family law issues. The Section has spent countless hours with legislative staff to ensure the best legislation possible. This year, the Family Law Section has successfully ushered through three (3) separate pieces of *section-originated legislation*. All of the Section's legislative work is intended to make the law more accessible, but in section-originated work the Section is particularly mindful of self-represented litigants. For example, AB 439 creates a mechanism whereby the court and a protected party are informed of a restrained party's progress directly from the batterer's program. AB 536 improves the Judicial Council forms advising that written evidence contained within a *responsive* pleading does not satisfy the party's obligation to present evidence of abuse or domestic violence when mutual restraining orders are sought. Finally, SB 340 provides a method to comply with service requirements of

financial disclosures when service of the summons and complaint was by publication followed by default. All of these bills solve problems commonly experienced by self-represented litigants simply trying to navigate California's family law system.

Much of the Section's work is in partnership with its statewide standing committees. In an effort to expand the embrace of the voices served, the Section continues to pursue opportunities of more inclusiveness throughout the state. For example, during this term, the Section's executive committee has begun, and continues to examine further standing committee growth into Central California, Santa Barbara, the Inland Empire, and, a statewide ADR/CDR Standing Committee.

Close to 70 percent of family litigants are self-represented, so much of the Section's work and thinking is permeated with the self-represented in mind. The Family Law Section's current project is a partnership with the Contra Costa Bar Association and Garrett Daily's Attorney's Briefcase. This project will make a much needed updated training program for the benefit of Minors Counsel available to practitioners. The project is another effort to encourage access by attorneys in underserved California areas.

Although not a formal position of the Section, the Family Law Section would welcome larger discussions and opportunities in furtherance of access to justice issues, within the family law arena. Internally, the Section will most definitely continue to work on those areas where it can raise the level of practice for the under-represented practitioners, and ease the task of the unrepresented litigants.

The Section's outgoing chair believes it would be useful for the Board of Trustees to provide sections either guidance, or, directives, with regard to the context in which access to justice solutions can, or should be, discussed. In other words, per the Family Law Section's bylaws for example, the Section's purpose is to "further the knowledge of the members...relating to family law...." According to the outgoing chair, it is difficult to create any type of product or information aimed at the *public*, whether for "access to justice" or otherwise, while still conforming to that purpose. (The outgoing chair noted his belief that a section does not have the authority to broaden their own bylaw charter as to scope.) According to the outgoing chair, sections are required to assist the Board, when called upon. So, to the extent that the Bar engages in access to justice projects and were to reach out to sections to "assist," it might provide a useful context for section participation and involvement which does not presently exist.

According to the outgoing chair, access to justice projects can be a great deal of work. Even with a section as active as Family Law, the Section chair found the enormity of two access projects that he very much wanted to pursue to be overwhelming to many with whom he discussed the ideas. Given the breadth and scope of many access projects, the outgoing chair believes that sections would more easily, and certainly more effectively, welcome and participate in access projects IF a coordinated system and structure were organized and available through the Bar to accommodate section planning and logistical needs.

## **7) INTELLECTUAL PROPERTY LAW – Sophie Cohen, Chair**

The Intellectual Property (IP) Law Section's current priorities/major projects include:

(1) educational programming, including in-person conferences and webinars; (2) maintaining its "New Matter" publication; (3) interfacing between the section and IP regulators, including the USPTO and U.S. Copyright Office; (4) creating community through social media and networking events; and (5) working directly with the new regional US Patent Office in San Jose to partner on educational and outreach programs.

With respect to access to justice, the IP Law Section has been working with the USPTO for a few years to promote its Patent Pro Bono program, and encouraging attorneys in the Section to volunteer for the program to help provide access to patent counsel to those inventors who cannot ordinarily afford such legal assistance. More information about this program is available at <http://www.uspto.gov/patents-getting-started/using-legal-services/pro-bono/patent-pro-bono-program>.

The IP Law Section is interested in working on access to justice issues in the future. One area where it would be able to do this is on the asset protection side and risk management for financially challenged inventors, small businesses, tech start-ups, authors, artists, and photographers. Possible work could include cooperative training sessions with California Lawyers for the Arts and similar organizations regarding “how to” programs with respect to navigating regulatory requirements for asset protection, such as patent applications, trademark registration, and copyright registration. Other possible programs include partnering with other IP organizations to participate in outreach programs in schools and local small business organizations, and educating our members about the U.S. Copyright Office’s plans for a low cost small claims procedure for copyright infringement matters.

## **8) INTERNATIONAL LAW– Brian Arbetter, Chair**

The International Law Section is dedicated to facilitating global and domestic outreach by California lawyers to attorneys, students and others interested in international law and the legal systems of other nations, and contributing to a dialogue between the members of the State Bar of California and lawyers around the globe to enhance mutual understanding and facilitate client representation.

The Section’s goals include:

- educating practitioners from all fields of law, and at all levels of experience, on international principles, laws, treaties and conventions, including trends and new developments;
- coordinating international relations among foreign and domestic bar associations to share developments in law and diplomacy and to expand a network of resources for particular fields of law for use and access by California members of the Bar and the public; and
- mentoring young lawyers and law students in the practice of international law and to participate in international law activities, programs and events.

The Section has not been involved in access to justice work but is open to hearing how it might get involved.

## **9) LABOR & EMPLOYMENT LAW – Michael Whitaker, Chair**

The Labor & Employment Section is always engaged in educating its membership regarding labor and employment law topics, as well as helping members meet Bar CLE general and specialty credit requirements. The Section is also, as described further below, interested in maximizing access to justice for California workers and employers.

The Section strives to ensure low-cost, high-quality education for labor and employment practitioners so that it may increase the quality of advocacy and jurisprudence in California

concerning workplace issues. The Section also endeavors to foster collegiality between the different "sides" of often contentious employment litigation, so that it can "disagree without being disagreeable" - working collaboratively to end disputes as efficiently and fairly as possible.

The Section achieves its educational mission through a variety of in-person conferences, webinars, email and website updates, its law review and other publications, its radio show on National Public Radio (Your Legal Rights), and by sponsoring labor & employment-related programs for diverse audiences throughout the state with its grants program. The Section has formed a Collaborative Law committee to work on collegiality issues, and address access to justice as described below.

The Section's diversity grants program awards approximately \$30,000 annually to six or more grantees around the state committed to access to justice issues, to assist them in conducting programs that address diversity issues in the labor and employment Bar and within workplaces. For example, each year, the Section sponsors Diversity Summits which bring hundreds of diverse practitioners together to discuss such issues. Having a diverse Bar, which empowers diverse attorneys from many under-served communities, will help increase access to justice within these communities.

The Section's "Your Legal Rights" radio shows reaches tens of thousands of NPR listeners throughout the state with basic employment law advice. The Section will continue its current initiatives, and is willing to explore ways to coordinate with other sections on access to justice projects.

#### **10) LAW PRACTICE MANAGEMENT & TECHNOLOGY (LPMT) – Nyanza Shaw, Chair**

Current priorities/major projects for the Law Practice Management & Technology (LPMT) Section include: (1) offering additional webinars, seminars and programs related to education about law practice management technology; (2) improving and expanding its social media presence; (3) continuing to publish its eNews and The Bottom Line publications with useful articles and MCLE; and (4) recruitment of new members.

LPMT's current work has not been involved or related specifically to access to justice. However, the Section (or at least certain members of the group) would be interested if there was some way to integrate the purpose of the Section with the access to justice activity proposed.

#### **11) LITIGATION – Carol Kuluva, Chair**

The Litigation Section provides educational programs throughout the year in a variety of formats. The Section produces several publications, including the California Litigation Journal, a monthly electronic newsletter, the Litigation Update and the California Litigation Review. These publications discuss recent cases and statutes that allow the section members to remain current on areas of substantive case law and changes to civil procedure in the courts.

In addition, the Section provides live educational programs including the new Litigation Core Skills program, beginning with Introduction of Business Records on May 27, 2015, at the San Jose Federal Courthouse and Attacking and Defending Experts after Sargon at the San Francisco State Bar Office on June 1, 2015. Further Litigation Core Skills programs will be presented at the Annual Meeting. The Section also conducts webinars on advocacy, ethics, litigation best practices and other trial topics.



In addition to the educational Litigation Core Skills programs and Coaching for the New Practitioner, the Section increases its access to younger lawyers by hosting a “Night with the Judges” for an opportunity to meet local jurists and practitioners in San Francisco. Additionally, the Section awards the Trial Lawyer Hall of Fame award to an accomplished senior litigator, recognizing their contributions to the legal community, during their legal career.

The Section has two formal community outreach programs, the annual Law Suit Drive sponsored with the Men’s Warehouse and the Dress for Success suit drive. Both programs benefit low income men and women returning to the work place by providing appropriate work attire.

The Litigation Section has a standing Rules and Legislation Committee that provides comments on the Judicial Council’s proposed revisions to CACI Instructions and makes unsolicited proposals for revisions by sending such proposals to the Advisory Committee on Civil Jury Instructions. Standard jury instructions enhance access to justice by providing an accurate statement of law and directions for use at no cost to the litigator.

The Section is interested in working on further access to justice related issues.

## **12) PUBLIC LAW – Scott Dickey, Chair**

The Public Law Section’s major projects mostly involve education of public sector practitioners. The Section puts on several large conferences each year to help bring those new to public practice up to speed on open government and ethics issues, and on administrative law. The Section also is working on a day-long conference on law enforcement and privacy issues, such as the use of drones and license plate readers.

The Section’s other main initiative is a mentoring program that it is working on in conjunction with the CYLA. The Section has been working to connect experienced practitioners with those new to the practice of public law, and are achieving increasing success in this regard.

A lot of the work of the section, and the work of public sector practitioners, is focused on government access and government transparency. This does not specifically address access to justice, but it does have an impact on matters relating to seeking redress from government.

The Section would be interested in co-sponsorship of trainings on ethics and access to government.

## **13) REAL PROPERTY LAW – Robert Miller, Chair**

The Section has four major avenues for providing service to its members and members of the public: (1) The Real Property Law Journal, (2) the Retreat for the Real Property Law Section, (3) the REAL Symposium offered together with SPIRE, and (4) the many individual educational programs provided on a regular or one-off basis.

None of the Section’s current or planned work involves or has a relation to access to justice.

The Section has discussed access to justice work many times. The prevailing sentiment seems to be that there are many organizations that assist with access to justice and that the Section is neither adequately staffed nor well-situated to be able to do so.

#### **14) SOLO & SMALL FIRM – Susan Share, Chair**

The mission of the Solo and Small Firm Section focuses on providing resources to the solo and small firm community throughout the state; this includes providing CLE programming, publications and communication with a goal of establishing a network and support system for solo and small firm attorneys. One of the Section's major new projects is the Outreach Program, which has a goal of making sure attorneys in outlying (rural and underserved) areas, that either have a very small bar or none at all, receive in person CLE programming and up-to-date information about a variety of topics affecting the solo and small firm community. Unfortunately, the Section did not receive a renewed grant last year for the Outreach Program and so this particular program is on hold until further funding can be acquired.

The section provides CLE programming both through its Outreach Program and through seminars and webinars. The content often transcends the usual specific substantive areas of law to focus on matters that affect the solo and small firm attorney, including ethics, management, utilizing the court system effectively, and many others. The Section has also developed an Outreach Program to law schools and law students which inherently involves access to justice because the Section is trying to reach law students before they become practitioners, so that they feel supported and enter the field with their eyes wide open as many of the newcomers will be solo attorneys.

The Solo and Small Firm Section is interested in working on access to justice-related projects, however, the lack of funding has become a limiting factor for the Section.

#### **15) TAXATION – Robert Horowitz, Chair**

Each year, the Taxation Section puts on three major in-person educational programs: an Annual Meeting of the California Tax Bar/California Tax Policy Conference, an Estate & Gift Tax Conference and an Income Tax Conference. The Section also sends a delegation to Washington, D.C., to discuss topics of interest to California tax practitioners with representatives of the IRS, Treasury, Congressional staff, Tax Court and the Department of Justice. Additionally, the Section sends a delegation to Sacramento to meet with legislative staff and representatives of California tax agencies to present papers on topics of interest to California tax practitioners. Each year several of the papers deal with topics that affect low and moderate income taxpayers and their ability to obtain relief from taxing authorities.

This coming year, the Section would like to encourage members of the Taxation Section to volunteer to participate in the State Bar's Town Hall meetings to address issues concerning tax scams, how to respond to notices from the IRS and how to select a tax return preparer who is competent and ethical. The Section's incoming president spoke with the Bar's Public Information Officer about Taxation Section participation and is working with the IRS National Taxpayer Advocate's Office about having local Taxpayer Advocate representatives assist the Taxation Section in Town Hall presentations.

One or more programs presented at the Annual Meeting are on topics that affect low and moderate income Californians. In addition, local bar associations in California cities where the U.S. Tax Court holds session have pro bono programs to assist unrepresented taxpayers who are challenging IRS actions. The Section's incoming president plans to appoint an attorney active in one of the pro bono programs to act as an advisor to the Taxation Section

## **16) TRUSTS & ESTATES – Jeremy Crickard, Chair**

The priorities of the Trusts and Estates Section remain to provide educational opportunities for Section members and to improve the practice of law in its areas of specialization for the benefit of Section members and the public generally.

Traditionally, the Executive Committee of the Trusts and Estates Section (“TEXCOM”) has sought to accomplish these goals through the following activities: (i) provision of high quality educational programs at the Annual Meeting, at stand-alone programs, through webinars (including a newly developed fundamentals program aimed at practitioners new to the practice area) and by providing access to an online catalog of educational programs; (ii) provision of a high quality practice journal, the Trusts & Estates Quarterly, with timely and scholarly articles relevant to practitioners in the Section’s areas of specialization; (iii) by providing education to the public regarding the Section’s areas of expertise through its Educating Seniors program (described in more detail below) and the creation and updating of educational pamphlets published in multiple languages which cover basic estate planning topics (“Do I Need a Will,” “Do I Need a Living Trust,” “Do I Need Estate Planning,” etc., available online and, at least in the past, in print); (iv) active involvement in legislation related to the areas of expertise of Section practitioners, including providing technical comments and input on bills, responding to requests for input and technical expertise from legislative staff, and proposing legislation designed to improve the law in the Section’s practice areas for the benefit of practitioners and the public; (v) efforts to encourage high ethical standards for California estate planning, trust and probate attorneys through preparation and updating of a published Ethics Guide which provides guidance on ethical issues related to the practice area and provision of this Ethics Guide to Section members at cost, and also through the provision of free online ethics programs for Section members; and (vi) working with other stakeholders such as the California Law Revision Commission, the Judicial Council, the California Council of Bar Associations, amongst others, on projects of mutual interest designed to improve the practice of law in our areas of expertise.

Since 1999, the Trusts and Estates Section has been running its Educating Seniors Program (“ESP”). The program involves training attorneys to be part of a Speakers Bureau of available presenters who are willing, trained and able to provide educational presentations to seniors and similar at-risk populations around the state regarding elder financial abuse and the latest financial and estate planning related scams. The speaking programs are provided at no cost, and the ESP has developed a database of senior and community centers where speaking programs are offered so as to reach seniors and persons at-risk of financial elder abuse throughout the state. The aim of the program is to protect the estates and financial well-being of California seniors through education which is designed to prepare our seniors to identify potential scams and risks.

TEXCOM has also prepared and regularly updated several pamphlets designed to provide basic information and education regarding wills, trusts and estate planning. These pamphlets were translated into several different languages so they were accessible by various populations across the state. Currently the pamphlets are available online through the State Bar website, and TEXCOM hopes these pamphlets will continue to be available in print in multiple languages as they are an important resource for education of the public generally and also provide useful resource materials for the Educating Seniors Program.

TEXCOM also regularly provides comment and input on Judicial Council forms and legislation, which include matters relevant to expanding and improving access to the judicial system and providing clear and informative court forms.

TEXCOM remains and has always been interested in projects designed to educate the public and improve the legal process relevant to its practice areas for the benefit of the public and practitioners alike. TEXCOM would welcome opportunities to partner with other Sections and departments of the State Bar toward these ends.

### **17) WORKERS' COMPENSATION – Jay Shergill, Chair**

The Workers' Compensation Section Executive Committee formed a Community Outreach subcommittee late last year. The subcommittee's goal is to educate the community on Workers' Compensation laws.

The subcommittee has worked on three goals in the first year.

First, it created a Workers' Compensation outline for all volunteer lawyers to use when giving presentations. Although it can always be edited, and should be from time to time, it is ready to use now.

Second, it established a relationship with the Chamber of Commerce where subcommittee members are planning a Workers' Compensation presentation on April 29, 2016, from 9 a.m. - 12 p.m. in Sacramento. The subcommittee hopes to make this a yearly presentation. The subcommittee also is discussing conducting webinars for members that would reach approximately 600 people.

Third, the subcommittee started talks with the Information and Assistance Unit of the Workers' Compensation Appeals Board to explore how the subcommittee can complement the good work the Appeals Board does at its monthly Injured Worker Workshops. As discussed with Trustee Hernan Vera last year, the subcommittee is interested in exploring the possibility of a Pro Se Clinic similar to the Public Counsel's Bankruptcy clinic. The subcommittee would like to invite someone from Public Counsel to join their next phone appointment.

Additionally, the subcommittee is connecting with the State Bar's Public Information Officer to coordinate participation in an upcoming town hall meeting to help educate the public about their legal rights.

Overall, the subcommittee is interested in working on access to justice-related issues or projects.

### **CONCLUSION**

The Stakeholders and Access to Justice Committee is excited to learn about the continuing engagement and strong interest level of many of the Sections in working on increasing access to justice in their relevant practice areas. Many Sections are conducting ongoing programs to increase access to justice. The Stakeholders and Access to Justice Committee applauds the Sections' ongoing contributions in this area.

The Committee will work with State Bar staff and other entities, including the California Commission on Access to Justice and the Standing Committee on the Delivery of Legal Services to collaborate and coordinate with the Sections on access-related projects and initiatives whenever possible. In addition, it is hoped that next year's Board Liaisons to the Sections will work with each of the Sections to identify key ways that they can promote and pursue access to justice projects.