

CALIFORNIA LAWYERS GUILD  
595 Market St, 26th Floor  
San Francisco, CA 94105-2802

April 19, 2016

Ladies and Gentlemen:

On behalf of the California Lawyers Guild, a recently-formed, voluntary, statewide bar association founded by various former Chairs and Vice Chairs of the California Council of State Bar Sections and the Business Law Section of the California State Bar, we write to you today in support of the current California State Bar dues bill and, more importantly, to urge you to “de-unify” the California State Bar.

As you aware, California has a unified bar, one that combines regulatory functions (for example, admissions and disciplinary proceedings) with non-governmental functions, such as those performed by the Sections of the State Bar: the education of lawyers (and others) on legislative and case law developments and the pure and simple better practice of law. The regulatory functions of the State Bar are funded by mandatory dues. The functions of the Sections receive not a penny of support from those dues, and, instead, are funded *solely* by voluntary dues and activities.

We believe that the attention currently focused on the State Bar offers all relevant constituencies – and particularly the Legislature – an opportunity to reflect on and revisit the manner in which the State Bar and its Sections are organized, and specifically to conclude that each organization would be stronger and more focused were they to be separated.

The collective experience of the founders of the California Lawyers Guild, which, in certain instances, dates back to the initial formation of the Sections, includes the veto of the dues bill and the cessation of State Bar operations which the Sections faced in the late 1990s. Based on that experience, we believe that the continued operation of the Sections under the umbrella of the State Bar is neither sustainable nor advisable. The strictures placed on lawyers (who are not compensated at all) for providing hundreds, often thousands, of hours giving back to the practice of law are wholly inappropriate, especially given that the work of these volunteers has nothing to do with why the State Bar is in crisis. Some Standing Committees of the Sections have already elected to stand down, for fear of running afoul of the Bagley-Keene Act; other individuals have resigned from, or will not participate on, committees because they are concerned that a violation of the law might impact their law firms. It cannot be to the good of the State of California, or the lawyers practicing in the State, to see the work of these thousands of volunteers, directed at enhancing public protection, come to a grinding halt.

In light of the foregoing, while we urge you to pass the current State Bar dues bill, we ask that you take things a step further and effect a de-unification of the State Bar. Given the problems that have festered and grown over time, we can no longer envision a paradigm in which the Sections and their Standing Committees are forced to have their functions degraded by strictures appropriate only for a governmental agency.

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The California Lawyers Guild was formed to provide a potential home for the work of all of the Sections by creating a voluntary, statewide bar association in California. In doing so, we appreciate, and seek to preserve, the work that the Sections and their Standing Committees have done over the past four decades. Our hope is that, through the formation of the California Lawyers Guild and the efforts of the Legislature, both the State Bar and the Sections can better realize their respective missions and better serve the interests of lawyers and the public in California.

Sincerely,

CALIFORNIA LAWYERS GUILD

A handwritten signature in black ink, appearing to read "Peter Szurley", written in a cursive style.

Peter S. Szurley,  
President