

# **Board Executive Committee Referral List**

*MARCH 9, 2017*

## **Category 1 – Change in Date Only**

None.

## **Category 2 – Possible Committee Reassignments**

None.

## **Category 3 – New Matters Requiring Assignment to Appropriate Board Committee**

MARCH #1

### **Update Regarding Bar Exam Studies**

This item provides for the Board's approval of the proposed Bar Exam studies. Additionally, in order to collect data needed for the studies, the State Bar will be requesting data from the law schools.

**Responsible Staff:** Overpeck / Wilson

**Recommendation:** A&E - March

BOT – MARCH

MARCH #2

### **Modification to Guidelines and Minimum Qualification of Arbitrators to State Bar Fee Arbitration Department**

The appointment of fee arbitrators to the Mandatory Fee Arbitration Program is guided by the Guidelines and Minimum Qualifications of Arbitrators ("Guidelines") to the State Bar Fee Arbitration Department. This item requests modification to the Guidelines to clarify that the Presiding Arbitrator and Director have some discretion in appointing arbitrators who may have had a criminal conviction or discipline imposed.

**Responsible Staff:** Hull

**Recommendation:** SAA – MARCH

BOT – MARCH

### MARCH #3

#### **Committee on Mandatory Fee Arbitration Letter to California Law Revision Commission**

The Committee on Mandatory Fee Arbitration seeks authorization to submit a comment to the California Law Revision Commission on the issue of mediation confidentiality.

**Responsible Staff:** Hull / Bercovitch

**Recommendation:** SAA – MARCH

BOT – MARCH

### MARCH #4

#### **Resolution in Support of Legal Services Funding**

In light of the immense “justice gap” in California and the State Bar’s strong commitment to helping to ensure that the basic legal needs of poor Californians are addressed, this agenda item proposes that the State Bar Board of Trustees pass a resolution supporting increased funding for legal services.

**Responsible Staff:** Evans

**Recommendation:** SAA – MARCH

BOT – MARCH

### MARCH#5

#### **Anti-Trust Policy**

On September 8, 2016 the Supreme Court of California directed the State Bar to formulate a policy, to be presented to the Supreme Court for approval, that the Bar must follow in identifying, analyzing, and bringing to the Court any proposed Board action that implicates antitrust concerns. The State Bar Office of General Counsel (“OGC”) has been monitoring closely the State Bar’s antitrust compliance in light of a recent decision by the U.S. Supreme Court clarifying the application of the antitrust laws to licensing bodies comprised of market participants. The proposed antitrust policy explains the application of antitrust law to the State Bar and establishes a procedure for review of any potentially sensitive actions by OGC, the Board of Trustees, and the California Supreme Court.

**Responsible Staff:** Retana / Chang

**Recommendation:** NO COMMITTEE

BOT – MARCH

### MARCH#6

#### **Privacy Matters**

Discussion of development of State Bar privacy protection practice to address protections governing the State Bar’s receipt and retention of sensitive information obtained in the conduct of its public protection responsibilities.

**Responsible Staff:** Strauss

**Recommendation:** NO COMMITTEE

BOT – MARCH