



The State Bar of California

ATILS Agenda Item A.5.
[Meeting Action Summary]
02-24-20 Meeting

Task Force on Access Through Innovation of Legal Services
Friday, February 4, 2020
10:00 a.m. – 4:00 p.m.

The State Bar of California
State Bar Office – Los Angeles
845 S. Figueroa Street, Room 2EFG
Los Angeles, CA 90017

Members Present: Justice Lee Edmon, Simon Boehme, Hon. Wendy Chang, Abhijeet Chavan, Johann Drolshagen, Lori Gonzalez, Bridget Gramme, Andrew Kucera, Joanna Mendoza, Kevin Mohr, Heather Morse, Joyce Raby, Allen Rodriguez, Toby Rothschild, and Daniel Rubins.

Not Present: Andrew Arruda, Tara Burd, Jean Clauson, Margie Estrada, Mark Tuft, Angelina Valverde, and Joshua Walker.

Others Present: Brady Dewar, Randall Difuntorum, Mia Ellis, Sunil Gupta, Mimi Lee, Zach Newman, Ian Duncan, Jim Wilroy, Carolyn Shining, Mark Lester (by phone), Bill Winslow, Don Willenberg (by phone), Andrew Tuft, Natalie Milton, and Leah Wilson.

To Join by Conference Call
Toll-Free Dial-In Number: 1-855-520-7605
Conference Code: 253-541-0212#

Additional Locations
1 Banting, Irvine, CA 92618
280 Valley View Road, Waterbury Center, VT 05677
500 Grand Avenue, Des Moines, IA 50309

ACTION SUMMARY

A. Chair's Report

1. Roll Call

The Chair called the meeting to order and asked staff to take a roll call of the Task Force members.

2. Call for Public Comment

The Chair called for public comment. Ian Duncan (CALDA), Jim Wilroy (CALDA), Carolyn Shining, and Mark Lester (phone) gave public comment testimony.

3. Chair's Report

The Chair reported that the ABA has recently published an article on ATILS and recognized Mr. Rothschild who reported that the ABA House of Delegates is meeting in two weeks to discuss a proposed resolution that encourages states to study innovation.

4. Staff Report

Mr. Difuntorum reported that Board of Trustees met on January 24th and a resolution was passed to create a working group to study the licensing of paraprofessionals. Mr. Difuntorum also recognized Ms. Gramme who reported on the discussions that took place at the consumer attorneys forums that were held in Sacramento and San Diego.

5. Approval of Action Summary from the January 10, 2020 Meeting

The Action Summary of the January 10, 2020 meeting was approved as revised (12 yes, 0 no, 2 abstain).

B. Discussion and Possible Action

1. Recommendations Issued for Public Comment Concerning Exceptions to the Unauthorized Practice of Law, including consideration of a regulatory sandbox and other regulatory concepts

(Recommendations 1.0, 1.1, 2.0, 2.1, 2.2, 2.3, 2.4 and 2.5.)

Ms. Mendoza gave an oral report on the memo for the regulatory sandbox. Following discussion, the drafting team (including Ms. Gramme) was asked to revise the recommendation in accordance with the discussion.

Mr. Rubins gave an oral report on the memo for the accessibility recommendation. Following discussion, the drafting team was asked to revise the memo in accordance with the discussion.

Ms. Raby gave an oral report on the memo for the UPL exception. Following discussion, the Task Force voted to tentatively approve the recommendation pending incorporation of the revisions discussed at the meeting (13 yes, 0 no, 1 abstain).

2. Recommendations Issued for Public Comment Concerning Fee Sharing and Non-Lawyer Ownership, including consideration of a regulatory sandbox and other regulatory concepts

(Recommendations 3.1 (rule 5.4), 3.2 (rule 5.4) and 3.3 (rule 5.7).)

Mr. Difuntorum gave an oral report on the memo for the recommendation to revise rule 5.4(a)(5) and revised Comment [3] and new Comment [4]. Following discussion by the Task Force, drafting team was asked to revise the rule and report in accordance with the discussion. Mr. Rothschild added to the drafting team.

Mr. Drolshagen gave an oral report on the further study memo for rule 5.4. Following discussion, the drafting team (Drolshagen, Gonzalez, Difuntorum, Mohr, and Rothschild) was asked to revise the memo in accordance with the discussion.

Prof. Mohr and Mr. Difuntorum gave an oral report on the memo regarding non-legal services rule. Following discussion, the drafting team was asked to revise the rule and prepare a report in accordance with the discussion.

3. General Recommendations Issued for Public Comment

(Recommendations 1.2, 1.3, 2.6, 3.0 (rule 1.1), and 3.4 (including rules 7.1-7.5).)

Mr. Difuntorum gave an oral report on the memo for the recommendation to revise Comment [1] to rule 1.1. No further discussion.

Prof. Mohr gave an oral report on the memo for advertising and solicitation. Following discussion, the Task Force voted to approve the advertising and solicitation revision recommendation in concept. (14 yes, 0 no, 0 abstain)

C. Discussion of Other Concepts Raised by the Public Comments Received and the Testimony from the August 10, 2019 Public Hearing

- 1. Comments received on concepts not considered by the Task Force**
This item was covered in the Staff Report.

ADJOURN

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