



The State Bar *of California*

Approval of 2022 Legislative Priorities

Donna S. Hershkowitz, Chief of Programs & Legislative Director
Bridget Fogarty Gramme, Deputy Chief of Programs

Board Executive Committee Meeting, March 24, 2022

Initial 2022 State Bar Legislative Priorities



Annual Attorney Licensing Fee



Discipline System Fairness and Effectiveness



Access to Justice/Access to Legal Services



Support for Lawyers



Annual Attorney Licensing Fee

- Annual Inflationary Adjustment
- Fee Revenue Support Diversity, Equity, and Inclusion (DEI)



Discipline System Fairness and Effectiveness

- Access to DMV Photos
- ~~Make DMV Records Containing OCTC Attorney and Investigator Home Address Information Confidential~~
- Protecting the Public from Substantial Risk of Harm
- Client Trust Account Protection Program



Access to Justice

- Strategic Funding for Legal Services
- Loan Repayment Assistance Program



Support for Lawyers

- Clean up Language for LAP Statutes





Positions on Pending Legislation

- AB 1733 (Quirk) – Continuation of Allowance for Remote Meetings



Resolutions

Should the Board Executive Committee concur in the proposed action, passage of the following resolution is recommended:

ANNUAL ATTORNEY LICENSING FEE

1. **RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority securing an annual inflationary adjustment to the mandatory portion of the licensing fees; and it is
2. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority increasing the funding available to use for efforts to improve diversity, equity, and inclusion in the legal profession; and it is



Resolutions

DISCIPLINE SYSTEM

3. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority seeking amendments to the Vehicle Code to authorize investigators in the Office of Chief Trial Counsel to access DMV photos; and it is
4. ~~**FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority making confidential the home addresses of attorneys and investigators that appear in otherwise public DMV records; and it is~~
5. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority increasing public protection by amending section 6007(c)(2) of the Business and Professions Code to allow involuntary inactive enrollment where there is a reasonable probability that the attorney will be subject to an actual suspension of 12 months or more, and not simply disbarment; and it is
6. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority pursuing changes needed to implement CTAPP, including enhancing the reporting from banks, requiring attorneys to have compliance reviews conducted by independent CPAs, and authorizing audits of client trust accounts based on risk assessments and random selection; and it is



Resolutions

ACCESS TO JUSTICE

7. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority earmarking the \$5 legal services opt out for a strategic funding initiative to improve access to legal services for low-income Californians, instead of simply allocating the new funding pursuant to the IOLTA formula; and it is
8. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority creating a loan repayment assistance program to improve recruitment and retention of legal aid lawyers; and it is

SUPPORT FOR ATTORNEYS

9. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees adopt as a legislative priority clarifying that LAP funds may be used for the statutorily required outreach and education about substance use issues, as well as for wellness, mental health, behavioral health, cognitive decline and other similar issues; and it is



Resolutions

POSITION ON PENDING LEGISLATION

10. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees direct staff to take a support position on AB 1733 in its current form and as further amended in a manner generally consistent with its current form and the State Bar's strategic plan; and it is

DELEGATIONS

11. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees delegate to staff, in consultation with the Board's Legislative Liaisons, and as informed by feedback from relevant stakeholders where appropriate, the authority to determine the appropriate strategy, method, and timing in which to pursue the above legislative priorities; and it is
12. **FURTHER RESOLVED**, that the Board Executive Committee recommends that the Board of Trustees delegate to staff the authority to take action on pending legislation in between Board of Trustees meetings, so long as the position is consistent with the State Bar's strategic plan, the action is taken in consultation with the Board's Legislative Liaisons, and staff report back at the next Board meeting on actions taken between meetings.



QUESTIONS?

