



The State Bar of California

Committee on Professional Responsibility and Conduct Teleconference

Open Session Minutes
Friday, July 29, 2022
10:00 a.m.–4:30 p.m.

Time Meeting Commenced: The Committee on Professional Responsibility and Conduct meeting commenced in open session at 10:03 a.m.

Time Meeting Adjourned: 4:30 p.m.

Chair: Justin Fields

Committee Coordinator: Erika Doherty

Members Present: Ken Bacon, Cassidy Chivers, Justin Fields, Tobi Inlender, Brandon Krueger, Joel Mark, Elanor Mercado, William Munoz,¹ Dena Roche, Kyla Rowe, Hunter Starr

Members Absent: Sarah Banola, Elizabeth Bradley

OPEN SESSION

A. Remarks From the Chair

1. Roll Call
Roll call was taken and a quorum was established.
2. Public Comment
Chair Fields called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item. There were no members of the public who wished to speak on any agenda item.
3. Announcements
Chair Fields provided an oral report.
4. Staff Report
Ms. Doherty provided an oral report.

¹ Mr. Munoz joined the meeting late.

5. Approval of Open Session Action Summary from the June 3, 2022, Meeting
Moved by Krueger, seconded by Fields.

Ayes – (8) Ken Bacon, Cassidy Chivers, Justin Fields, Tobi Inlender, Brandon Krueger, Joel Mark, Elanor Mercado, Kyla Rowe

Noes – (0)

Abstain – (1) Hunter Starr

Absent – (3) Sarah Banola, Elizabeth Bradley, William Munoz

Motion carries.

B. Discussion and Possible Approval of Draft Opinions Previously Circulated for Public Comment

1. 19-0004 [re Client File Release and Retention Duties]

RESOLVED, that the Committee on Professional Responsibility and Conduct approves the opinion for an additional 60-day public comment circulation.

Moved by Fields, seconded by Krueger.

Ayes – (8) Ken Bacon, Cassidy Chivers, Justin Fields, Tobi Inlender, Brandon Krueger, Joel Mark, Elanor Mercado, Hunter Starr

Noes – (0)

Abstain – (0)

Absent – (4) Sarah Banola, Elizabeth Bradley, William Munoz, Kyla Rowe

Motion carries.

C. Discussion and Possible Approval of Draft Opinions Not Yet Circulated for Public Comment

1. 20-0001 [re Lawyer as Expert Witness]

No recommendation. Discussion only.

2. 20-0002 [re Succession Planning]

No recommendation. Discussion only.

3. 20-0003 [re Flat Fees and Termination]

This item was withdrawn.

4. 20-0005 [re Conversion Clauses in Contingency Fee Agreements]

RESOLVED, that the Committee on Professional Responsibility and Conduct approves the opinion for a 90-day public comment circulation subject to the nonsubstantive revision of footnote 7.

Moved by Fields, seconded by Chivers.

Ayes – (8) Ken Bacon, Cassidy Chivers, Justin Fields, Tobi Inlender, Brandon Krueger, Joel Mark, Elanor Mercado, Hunter Starr

Noes – (0)

Abstain – (0)

Absent – (4) Sarah Banola, Elizabeth Bradley, William Munoz, Kyla Rowe

Motion carries.

5. 21-0002 [re Attorney as Advocate]

This item was withdrawn.

6. 21-0003 [re Ethics of In-House Counsel]

No recommendation. Discussion only.

7. 21-0004 [re Ethical Obligation of a Deportation Attorney]

This item was withdrawn.

8. 21-0007 [re Cryptocurrency]

No recommendation. Discussion only.

D. Special Projects

1. Discussion on Proposed Amendments to the Rules of Professional Conduct by the Civility Task Force

No recommendation. Discussion only.

ADJOURN