



The State Bar of California

A.4. 7/28/23 Minutes
09-15-23 Meeting
Open Session

Committee on Professional Responsibility and Conduct Teleconference

Open Session Minutes
Friday, July 28, 2023
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: Sarah Banola

Committee Coordinator: Erika Doherty

Members Present: Ken Bacon, Sarah Banola, Elizabeth Bradley, Raquel Brigham Brown, Justin Fields, Brandon Krueger, Joel Mark, Eleanor Mercado, Dan O’Rielly

Members Absent: Cassidy Chivers; William Munoz; Vikita Poindexter; Hunter Starr

OPEN SESSION

A. Remarks From the Chair

1. Call to Order
The Committee on Professional Responsibility and Conduct was called to order by Chair Banola.
2. Roll Call
Roll call was taken and a quorum was established.
3. Call for Public Comment
Chair Banola called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item.
 - a. Todd Hill
 - Mr. Hill spoke to not being able to obtain his transcript.
4. Approval of Open Session Minutes: June 23, 2023

Moved by Krueger, seconded by Brown.

Ayes – (8)
Noes – (0)
Abstain – (0)
Absent – (0)

Motion carries.

5. Report of the Chair
Chair Banola provided an oral report.
6. Report of the Committee Coordinator
Ms. Doherty provided an oral report.

B. Special Projects

1. Presentation and discussion on Board's Request to Explore Use and Regulation of Artificial Intelligence

No recommendation. Discussion only.

2. Discussion on Implementation of Rule of Professional Conduct 8.3

No recommendation. Discussion only.

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

1. 19-0003 [Illegal Contract Provisions]

No recommendation. Discussion only.

2. 19-0004 [Client File Release and Retention Duties]

This item was withdrawn.

3. 20-0005 [Conversion Clauses in Contingency Fee Agreements]

No recommendation. Discussion only.

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

1. 20-0003 [re Flat Fees and Termination]

This item was withdrawn.

2. 21-0007 [re Cryptocurrency]

This item was withdrawn.

E. Discussion and Possible Approval of Draft Advisories Not Yet Circulated for Public Comment

1. 2022-0XA (formerly 1993-02 [re Standard of Review in Fee Disputes Where There Is a Written Fee Agreement])

No recommendation. Discussion only.

F. Discussion and Possible Recommendation of Amendments to COPRAC Rules and Working Groups

1. COPRAC Rules

This item was withdrawn.

G. Discussion of New Opinion and Arbitration Advisories

1. Consideration of other New Opinion and Advisory Topics

This item was withdrawn.

ADJOURN