



The State Bar of California

A.4. Jan. Meeting Minutes
03-01-24 Meeting
Open Session

Committee on Professional Responsibility and Conduct Teleconference

Open Session Minutes
Friday, January 12, 2024
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: Brandon Krueger

Committee Coordinator: Erika Doherty

Members Present: Sarah Banola, Elizabeth Bradley, Raquel Brigham Brown, Cassidy Chivers, Mary Grace Guzman, Brandon Krueger, Joel Mark, Eleanor Mercado, William Munoz, Vikita Poindexter

Members Absent: Daniel O’Rielly, Deepika Ravi, 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 Krueger.
2. Roll Call
Roll call was taken and a quorum was established.
3. Call for Public Comment
Chair Krueger called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item.
 - a. Teena Colebrook spoke to her written public comment about attorney misconduct and litigation privilege in California
4. Approval of Open Session Minutes: December 1, 2023

Moved by Mark, seconded by Mercado.

Ayes – (5) Chivers, Mark, Mercado, Poindexter, Krueger

Noes – (0)

Abstain – (3) Brown, Bradley, Guzman

Absent – (4) Munoz, O’Rielly, Ravi, Starr

Motion carries.

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

B. Special Projects

1. Ethics Symposium Planning

No recommendation. Discussion only.

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

1. 2021-206 [re Colleague Impairment]

RESOLVED, that the Committee on Professional Responsibility and Conduct approves the draft opinion for a 90-day public comment circulation.

Moved by Chivers, seconded by Bradley.

Ayes – (6) Brown, Bradley, Chivers, Mark, Mercado, Krueger

Noes – (0)

Abstain – (1) Poindexter

Absent – (5) Guzman, Munoz, O’Rielly, Ravi, Starr

Motion carries.

2. 21-0003 [re Ethics of In-House Counsel]

RESOLVED, that the Committee on Professional Responsibility and Conduct approves the working group and staff make non-substantive changes to the draft opinion and for a 90-day public comment circulation.

Moved by Chivers, seconded by Krueger.

Ayes – (6) Bradley, Chivers, Mark, Munoz, Poindexter, Krueger
Noes – (0)
Abstain – (0)
Absent – (6) Brown, Guzman, Mercado, O’Rielly, Ravi, Starr

Motion carries.

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

No recommendation. Discussion only.

D. 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])

RESOLVED, that the Committee on Professional Responsibility and Conduct approves the working group and staff make non-substantive changes to the draft opinion for a 90-day public comment circulation.

Moved by Munoz, seconded by Chivers.

Ayes – (7) Brown, Bradley, Chivers, Mark, Mercado, Munoz, Krueger
Noes – (0)
Abstain – (0)
Absent – (5) Guzman, O’Rielly, Poindexter, Ravi, Starr

Motion carries.

ADJOURN