



THE STATE BAR OF CALIFORNIA

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NOTICE AND AGENDAS

Pursuant to the Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors of the State Bar, article 2, section 2, notice is hereby given of the following regular meeting of the Board of Governors of the State Bar of California and the Board Committees of the State Bar of California:

**The State Bar Offices
180 Howard Street, 4th Floor
San Francisco, CA 94105
(415) 538-2000**

Friday, December 9, 2005

8:15 a.m. - 9:15 a.m.	Board Operations	Conference Room 4 E
9:30 a.m. - 10:45 a.m.	Planning, Program Development, & Budget	Conference Room 4 E
10:00 a.m. - 11:15 a.m.	Volunteer Involvement	Board Room (4 A/B/C)
11:30 a.m. - 12:45 p.m.	Member Oversight	Conference Room 4 E
12:45 p.m.- 1:45 p.m.	LUNCH	Conference Room 4 D
1:00 p.m. - 3:00 p.m.	Stakeholder Relations	Conference Room 4 E
2:00 p.m. - 4:15 p.m.	Regulation, Admissions & Discipline	Board Room (4 A/B/C)

Saturday, December 10, 2005

9:00 a.m. -	BOARD MEETING	Board Room (4 A/B/C)
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2005 - 2006 BOARD COMMITTEES

Board Committee on Operations [Bd. Ops.] (110)

1. **James Otto Heiting, Chair**
2. Raymond G. Aragon
3. Richard L. Crabtree
4. Paul S. Hokokian
5. Judy Johnson
6. Melvin D. Lee
7. Maralee MacDonald
8. Richard A. Rubin
9. Demetrius D. Shelton
10. Sheldon H. Sloan

Regulation, Admissions, and Discipline Oversight Committee [RAD] (120)

1. **Paul S. Hokokian, Chair**
2. Ruthe C. Ashley
3. Holly J. Fujie
4. Jo-Ann Grace
5. Thomas T. Haider
6. Danni R. Murphy
7. Dorothy M. Tucker

Member Oversight Committee [MOC] (130)

1. **Demetrius D. Shelton, Chair**
2. Marguerite D. Downing
3. Thomas T. Haider
4. Maralee MacDonald
5. John P. McNicholas
6. M. Carmen Ramirez
7. James A. Scharf

Planning, Program Development, and Budget Committee [PPDB] (140)

1. **Richard L. Crabtree Chair**
2. Jeffrey L. Bleich
3. Marguerite D. Downing
4. Holly J. Fujie
5. Melvin D. Lee
6. Richard A. Rubin
7. M. Carmen Ramirez

Volunteer Involvement [VIC] (150)

1. **Raymond G. Aragon, Chair**
2. Ruthe C. Ashley
3. Jo-Ann Grace
4. Danni R. Murphy
5. James N. Penrod
6. Dorothy M. Tucker

Stakeholder Relations (160)

1. **Sheldon H. Sloan, Chair**
2. Jeffrey L. Bleich
3. Melvin d. Lee
4. Maralee MacDonald
5. John P. McNicholas
6. James N. Penrod
7. Richard A. Rubin
8. James A. Scharf

Task Force on Sections (170)

1. **James Otto Heiting, Chair**
2. Ruthe C. Ashley
3. Richard L. Crabtree
4. Vivian L. Kral (former Board member)
5. James N. Penrod
6. Wendy Abkin
7. Patricia Beyer
8. Ben Borson
9. Joyce Hicks

Audit Committee (180)

1. **James Otto Heiting Chair**
2. James N. Penrod 1st-Year Board Member
3. Jeffrey L. Bleich 2nd-Year Board Member
4. Richard L. Crabtree Vice-President
5. Sheldon H. Sloan Vice-President
6. Richard A. Rubin Public Member



REVISED DECEMBER 5, 2005

BOARD OF GOVERNORS MEETING

AGENDA

The State Bar of California
180 Howard Street
Board Room, 4th Floor
San Francisco, CA 94105
(415) 538-2000

Saturday, December 10, 2005

(The times listed below are guidelines. The President reserves the right to adjust this schedule.)

Time (estimates only)

OPEN SESSION

- (Johnson) **10 MINUTES** 9:00 a.m.
(2 minutes)
October 22, 2005
- (Heiting) **30 PRESIDENT'S REPORT** 9:02 a.m.
(10 minutes)
1. Committee of Bar Examiners—ratification of Ms. Tucker's appointment as liaison
 2. Committee on Senior Lawyers, Environmental Law Section Executive Committee, Legal Services Trust Fund Commission and Membership Liaison—appointment of liaison to replace Ms. Green and Mr. Snetsinger
- (Johnson) **40 STAFF REPORTS** 9:12 a.m.
(5 minutes)
- 41 Executive Director
 - 42 Secretary

50 CONSENT AGENDA

9:17 a.m.
(2 minutes)

- (Crabtree) 51 Financial Statements for the Quarter Ended September 30, 2005
- (Crabtree) 52 Investment Report for the Quarter Ended September 30, 2005
- (Crabtree) 53 Client Security Fund Report for the Quarter Ended September 30, 2005
- (Hokokian) 54-121 *Rules Regulating Admission to Practice Law in California*, Rule XV [Filing a Request to Typewrite an Examination]—proposed deletion following public comment period
- (Shelton) 54-131 *Rules and Regulations Governing the Lawyer Assistance Program*, Rule 1, Section 3 [Selection of Oversight Committee Chair and Vice-Chair Candidates]—proposed amendments following public comment period
- (Crabtree) 54-141 The State Bar of California's Travel Policy—increase in mileage reimbursement
- (Heiting) 55 Appointment of Mr. Aragon as Liaison to the Commission on Judicial Nominees Evaluation and the Committee of Bar Examiners, and the Appointment of Ms. Murphy as Liaison to the Committee of Bar Examiners
- [Report of emergency fax-poll action taken by Office of the Secretary between regularly scheduled Board meetings, November 3 - 8, 2005]

100 REPORTS OF BOARD COMMITTEES

- (Heiting) **110 Board Operations** 9:19 a.m.
(3 minutes)
- (Hokokian) **120 Regulation, Admissions & Discipline Oversight** 9:22 a.m.
(8 minutes)
- 122 Multistate Professional Responsibility Examination (MPRE)—proposed increase in passing score from a scaled score of 79 to a scaled score of 86, out of a maximum scaled score of 150, following public comment period

700 MISCELLANEOUS

- (Heiting) 701 Foundation of The State Bar of California—presentation (30 minutes)

[SPECIAL ORDER OF BUSINESS: 9:30 a.m.]

- (Shelton) **130 Member Oversight** 10:00 a.m.
(6 minutes)
- 132 *Rules and Regulations of The State Bar of California, Art. I, Section 2*
[Enrollment as an Inactive Member]—proposed revised amendments
following public comment period
- 133 Accidental Death and Dismemberment (ADD) Insurance—approval of
new carrier **[EMERGENCY ITEM]**
- (Crabtree) **140 Planning, Program Development, and Budget** 10:06 a.m.
(5 minutes)
- (Aragon) **150 Volunteer Involvement** 10:11 a.m.
(3 minutes)
- (Sloan) **160 Stakeholder Relations** 10:15 a.m.
(10 minutes)
- 161 Report from the Office of Government Affairs
- 162 Immediate Action Items
- 163 Consideration / Approval of State Bar Section/Committee-Sponsored
Affirmative Legislative Proposals T&E-2006-06 [Trusts and Estates:
Incapacity - Guardianship and Conservatorship Investment Standards],
and T&E-1006-11 [Trusts and Estates: Certificate of Independent
Review -Definition of Independent Attorney]
- 164 Legal Services Trust Fund Program—proposed authorization on filing
fee revenue for Equal Access Fund
- 165 Business and Professions Code, Section 6145(a)—proposed legislative
change to remove wording “nationally recognized” requirement from
said section
- (Heiting) **170 Task Force on Sections** 10:25 a.m.
(3 minutes)
- (Heiting) **180 Audit Committee**
- 700 MISCELLANEOUS** (30 minutes)
- (Heiting) 702 Insurance Disclosure Task Force—presentation by Chair, James E. Towery
[SPECIAL ORDER OF BUSINESS: 10:30 a.m.]

CLOSED SESSION

(11:00 a.m.)
(30 minutes)

(Johnson) **1000 MINUTES**

October 22, 2005

(Closed pursuant to Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors, article 5, section 3(a))

3000 REPORTS OF BOARD COMMITTEES

None

4000 STAFF REPORTS

4010 General Counsel—report (a) certain litigation (to be identified); (b) any settlement matters; (c) prospective litigation; (d) any requested waivers of claims of privilege.

Konig v. State Bar

(Closed pursuant to Business and Professions Code section 6026.5(a))

5000 CLOSED CONSENT

(Heiting) **5110 Board Operations**

54-111 Felix Torres v. The State Bar of California, et al (Witness Request to Defend)

[Report of emergency fax-poll action taken by the Board Committee on Operations on behalf of the Board on Tuesday, November 8, 2005, between regularly scheduled Board meetings.]

(Closed pursuant to Business and Professions Code section 6026.5(a))

(Aragon)

6000 APPOINTMENTS

6010 CLOSED CONSENT

6011 Lawyer Assistance Program Oversight Committee—annual appointment of members

6012 Public Law Section Executive Committee—interim appointment of member

6013 Estate Planning Trust and Probate Law Advisory Commission—interim appointment of member

6014 California Commission on Access to Justice—appointment of officer and member

6015 Legal Services of Northern California—annual appointment of attorney member to the Board of Directors

6016 Fee Arbitration Panel—annual reappointment and appointment of arbitrators

6017 Committee on Senior lawyers—interim appointment of members

6020 Fee Arbitration Panel—appointment of presiding arbitrator

6030 Foundation of The State Bar of California—annual reappointment and appointment of members

6040 Center for Civic Education Board of Directors—appointment of two members from the State Bar's Board of Governors

(Closed pursuant to Business and Professions Code section 6026.5(g))

ADJOURN BOARD MEETING

12:00 noon