

## California State Bar

There are big changes likely coming to the California State Bar. This includes the spinning off the practice "Sections" from the Bar's regulatory function. Unlike most professional regulatory agencies in California, the Bar has traditionally been a one-stop shop for licensing, discipline, education, and lobbying. Not surprisingly, these various roles —administering bar exams, admitting lawyers to practice, and disciplining lawyers on one hand, and offering educational programs and lobbying on behalf of lawyers on the other – have led to tension in Sacramento. In 1998, then Governor Pete Wilson vetoed a state bar bill out of concern about entanglement with politics at the Bar. Over the years, the concerns have remained. Once again, in 2016, the California Legislature did not pass a bar dues bill, necessitating the California Supreme Court to step in an order the collection of dues. The proposed "de-unification" of the Sections from the rest of the Bar aims to resolve some of this tension.

There are currently 16 Sections. These Sections focus on substantive areas, such as Trusts & Estates or Litigation, or a specific issue, such as Solo & Small Firm or young lawyers. Educational components of the bar are handled largely by the Sections. The Bar's website explains that the Sections "help their members maintain expertise in their various fields of law, expand their professional contacts, and serve the profession, the public and the legal system." Section membership is, of course, voluntary and requires an extra payment with annual dues. Although State Bar staff currently supports the Sections, most of the work is done by volunteers who serve on the executive committees of the Sections.

A series of shakeups at the State Bar, including a backlog of complaints in the disciplinary arm of the Bar, questionable financial practices, the imposition of California's Bagley Keene open meetings law on Sections, and a ban on alcohol at Section events, turned de-unification grumblings into action. Many commentators, including Legislators, trustees on the Bar's board, Section leadership, and others, have opined that the Bar cannot be both a trade association and a regulatory body and do either well.

California State Senator Hannah Beth Jackson (D, Santa Barbara) introduced SB-36 in December 2016. The bill provides authority for funding, makes changes to the Bar's Board of Trustees, and requires a division of the Bar's disciplinary and trade association functions. The bill passed through the Senate Judiciary Committee 39-0 in May 2017. It has been referred to the Assembly and appears likely to become law.

No word yet on whether the Sections will be their own independent non-profit or, rather, a separate government body. Regardless, the new voluntary bar association comprised of the Sections will complement the public regulatory agency, which will remain known as the State Bar of California. How will this affect your practice? The de-unification should allow the Sections to provide better advocacy for you in Sacramento and keep up their great educational and networking opportunities, while freeing the State Bar to competently and fairly administer discipline and protect the public. The Sections Convention will be here in San Diego in August 2017. You can find out more about it here: [www.calbar.ca.gov/Attorneys/Sections#convention](http://www.calbar.ca.gov/Attorneys/Sections#convention). **TBN**

by: Jim Iagmin, CASD President



Jim Iagmin is a partner at Williams Iagmin LLP. For nearly twenty years, Jim has represented only plaintiffs, primarily in catastrophic personal injury and employment cases. Jim has been a member of CASD since 2000 and is a four-time recipient of CASD's Outstanding Trial Lawyer award. Jim earned his Bachelor's degree at Loyola Marymount University and his Juris Doctorate at the University of San Francisco.