

**STATE BAR OF CALIFORNIA**  
**COMMISSION FOR THE REVISION OF THE RULES**  
**OF PROFESSIONAL CONDUCT**

**OPEN SESSION AGENDA**

**Friday, September 9, 2005**  
(9:15 am - 5:00 pm)

**San Diego Marriott Hotel and Marina**  
**Orlando Room**  
**333 West Harbor Drive**  
**San Diego, CA 92101**  
**(619) 234-1500**

*[NOTE RE MEETING SITE: This meeting can only be accessed in-person at the San Diego site. No telephone or video-conference access is available. Members of the public who wish to attend this meeting are asked to call Audrey Hollins at 415-538-2167.]*

**I. APPROVAL OF OPEN SESSION ACTION SUMMARY FROM THE JULY 22 & 23, 2005, MEETING**

(Draft action summary for the July 22 & 23, 2005 meeting to be circulated prior to the September meeting.)

**II. REMARKS OF CHAIR**

**A. Chair's Report**

(The Chair will provide an oral report on administrative, procedural, or other informational matters.)

**B. Staff's Report**

(Staff will report on the activities of COPRAC and the Board of Governors.)

III. **MATTERS FOR ACTION** (Name with asterisk is lead drafter, underline indicates a newly added co-drafter.)

\*Tuft  
Martinez  
Peck

- A. Consideration of Rule 5.4. Professional Independence of a Lawyer (aka Rule 1-310X)**  
[anticipated 1 hour discussion]  
(Materials enclosed.) **[pages 1 – 16]**

\*Lamport  
Foy  
Melchior  
Mohr  
Voogd

- B. Consideration of Rule 3-600 [ABA MR 1.13] (Organization as Client)**  
[anticipated 1 hour discussion]  
(Materials to be circulated prior to meeting. In preparation for your review of the codrafters' anticipated materials please refer to the August 12, 2005 e-mail from Randy Difuntorum providing rule drafts submitted in response to the Chair's assignment to all members.)

\*Martinez  
Sapiro  
Voogd

- C. Consideration of Rule 2-100 [ABA MR 4.2] Communication With a Represented Party**  
[anticipated 2 hour discussion]  
(Materials enclosed.) **[pages 17 – 24]**

\*Foy  
Julien  
Peck

- D. Report on the Board Referral of Trust and Estates Section Legislative Proposal 2005-02 (re Impaired Clients) [ABA MR 1.14].**  
[anticipated 1/2 hour discussion]  
(Materials to be circulated prior to the meeting.)

\*Tuft  
Lamport  
Julien  
Melchior  
Ruvolo

- E. Consideration of Rule 1-100. Rules of Professional Conduct, in General**  
[anticipated 1 1/2 hour discussion]  
(Status report enclosed.) **[pages 25 – 26]**

\*Melchior  
Martinez  
Sapiro

- F. Consideration of Rule 2-300 [ABA MR 1.17] Sale or Purchase of a Law Practice of a Member, Living or Deceased**  
[anticipated 1 hour discussion]  
(Materials to be circulated prior to meeting.)

**STATE BAR OF CALIFORNIA**  
**COMMISSION FOR THE REVISION OF THE RULES**  
**OF PROFESSIONAL CONDUCT**

**CLOSED SESSION AGENDA\***

**Friday, September 9, 2005**  
(9:00 am - 9:15 am)

**San Diego Marriott Hotel and Marina**  
**Orlando Room**  
**333 West Harbor Drive**  
**San Diego, CA 92101**  
**(619) 234-1500**

- I. **APPROVAL OF CLOSED SESSION SUMMARIES FROM THE THE JULY 22 & 23, 2005, MEETING**  
(Draft action summary for the July 22 & 23, 2005 meeting to be circulated prior to the September meeting.)
  
- II. **ADVICE OF COUNSEL ON OPEN SESSION AGENDA ITEMS**
  
- III. **ACTION ITEMS.**
  - A. **Emergency action items, if any.**

\* Closed pursuant to Article 3, Section 2, Subdivision (b), Rules Governing Open Meetings, Closed Sessions and Records of the Board of Governors.