

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

OPEN SESSION

Friday, October 8, 2004

(NOTE: Meeting starts at 9:00 am see closed agenda.)

9:15 am - 12:30 and 1:00 - 5:00 pm

Portola Plaza Hotel Monterey
Redwood 1 Room
2 Portola Plaza
Monterey, CA 93940

[NOTE RE MEETING SITE: 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 AUGUST 27 & 28, 2004 MEETING

(Draft action summary for the August 27 & 28, 2004 meeting to be circulated prior to the October 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.)

*Lamport
Julien
Melchior

- A. **Consideration of Rule 1-100. Rules of Professional Conduct, in General**
[anticipated 1-1/2 hour discussion]
(Materials enclosed. Additional materials to be distributed prior to meeting.) **[pages 1 - 76]**

*Martinez,
Betzner,
Voogd

- B. **Consideration of Rule 2-100. Communication With a Represented Party**
[anticipated 1/2-hour discussion]
(Members must provide their comments concerning this rule draft no later than Tuesday, October 5, 2004 or the proposed draft rule will be deemed tentatively approved. Materials enclosed.) [pages 77 - 94]

*Lamport,
Julien,
Vapnek

- C. **Consideration of Rule 2-200. Financial Arrangements Among Lawyers**
[anticipated 1-hour discussion]
(Members must provide their comments concerning this rule draft no later than Tuesday, October 5, 2004 or the proposed draft rule will be deemed tentatively approved. Materials enclosed.) [pages 95 - 104]

*Tuft
Betzner
Martinez
Peck

- D. **Law Firm Definition** (previously considered as part of proposed new rule 1-310X and proposed amended rule 2-200)
[anticipated 1-hour discussion]
(Materials enclosed.) **[pages 105 - 110]**

*Melchior
Martinez
Sapiro

- E. Consideration of Rule 2-300. Sale or Purchase of a Law Practice of a Member, Living or Deceased**
[anticipated 1-hour discussion]
(Materials enclosed.) **[pages 111 - 160]**

*Voogd
George
Tuft

- F. Consideration of Rule 3-200. Prohibited Objectives of Employment**
[anticipated 1/2-hour discussion]
(Materials enclosed.) **[pages 161 - 168]**

*Lamport
Tuft
Voogd

- G. Consideration of Rule 3-300. Avoiding Interests Adverse to a Client**
[anticipated 1-hour discussion]
(Materials enclosed.) **[pages 169 - 174]**

*Mohr
George
Julien
Ruvolo

- H. Consideration of Rule 1-400. Advertising and Solicitation**
[anticipated 1/2-hour discussion]
(Members must provide their comments concerning this rule draft no later than Tuesday, October 5, 2004 or the proposed draft rule will be deemed tentatively approved. Materials enclosed.) [pages 175 - 206]

*Mohr,
Staff

- I. Discussion of Rule Numbering System**
[anticipated 1/2-hour discussion]
(Matter carried over from July 9, 2004 and August 27 & 28, 2004 meetings. Previously distributed materials enclosed.) **[pages 207- 276]**

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

CLOSED SESSION*

Friday, October 8, 2004
(9:00 am - 9:15 am)

Portola Plaza Hotel Monterey
Redwood 1 Room
2 Portola Plaza
Monterey, CA 93940

- I. **APPROVAL OF CLOSED SESSION SUMMARY FROM THE AUGUST 27 & 28, 2004 MEETING**
(Draft action summary to be circulated prior to October meeting.)

- II. **STAFF REPORT – INFORMATION ITEMS**

- III. **ADVICE OF COUNSEL ON OPEN SESSION AGENDA ITEMS**

- IV. **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.