



THE STATE BAR OF CALIFORNIA

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Honorable Tani G. Cantil-Sakauye
Chief Justice
California Supreme Court
350 McAllister, 5th Floor
San Francisco, CA 94105

Dear Chief Justice:

As you know, since 2012 staff from the Supreme Court and the State Bar have worked together to develop a useful format for presentation of the proposed Rules of Professional Conduct submitted to the Supreme Court in 2011. Since 2013, bar staff have invested significant time and hard work in providing memoranda and support for the revised rules to the court. We also understand that court staff, and ultimately the court itself, have expended substantial time in reviewing the seventeen Rule analyses forwarded to the court thus far. The bar has an additional 50 rule presentations to submit to the court.

Continuing discussions among the court's representatives and bar staff over the past several years have made it apparent that under the current approach we cannot avoid a lengthy and unwieldy process going forward. Among the fundamental problems is the lack of information bar staff has at its disposal that would allow it to fully advise the court of the reasoning underlying the State Bar Board's approval of the rules, prepared by a special committee appointed more than 10 years ago, and of the rules themselves. Bar and court staff believe that the process could be expedited, the burden on the court and on court and bar staff lessened, and the ultimate product enhanced if the State Bar were to undertake a comprehensive reconsideration of the draft rules to be completed within a set time frame. Therefore, on behalf of the State Bar and with approval of our President, Luis J. Rodriguez, we request that the draft of the Rules of Professional Conduct pending at the Supreme Court be returned to the State Bar for further action. We believe that a renewed and targeted process would benefit from an early meeting of our respective staff representatives to discuss lessons learned to date and to determine how the rule revision process can best be restructured.

The State Bar is grateful to the Supreme Court for its guidance and cooperation in this important project and looks forward to working with the Court to create a new revision of the rules as needed, complete with adequate justification and information for the Board's consideration and to assist the court in its review.

Yours truly,

A handwritten signature in cursive script that reads "Joseph L. Dunn".

Senator Joseph L. Dunn, Ret.
CEO