

RESOLUTION 09-03-2007

DIGEST

Conference Rules: Law Student Participation

Amends Conference Rules of Operation and Procedure Article VII, paragraph 8 to allow third-year law student members of bar associations to participate as delegates.

RESOLUTIONS COMMITTEE RECOMMENDATION

ACTION UNNECESSARY

History:

No similar resolutions found.

Reasons

This resolution amends Conference Rules of Operation and Procedure Article VII, paragraph 8 to allow third-year law student members of bar associations to participate as delegates. This resolution should be deemed action unnecessary because it is a solution in search of a problem.

Article VII, section 1(d) of the Conference Rules provides for the eligibility of associations, generally consisting of members of the State Bar of California. However, it further provides that though an association allows non-admitted persons such as judges, law school faculty members, members of the bars of other states, honorary non-voting members and non-voting law school students, its eligibility in the Conference is not impaired. Further, the Rules provide that the associations may select delegates and alternate delegates from its membership.

This resolution would expressly provide that third-year law students from California law schools would be eligible for selection as delegates or alternate delegates. Such persons, under the existing rules, are eligible to participate as delegates or alternate delegates. To amend the Rules under these circumstances would provide no useful purpose and resolve no identifiable problem.

TEXT OF RESOLUTION

RESOLVED, that the Conference of Delegates of California Bar Associations recommends that the Board of Directors of the Conference of Delegates amend Article VII (8) of the Conference of Delegates of California Bar Associations Rules of Operation and Procedure to read as follows:

- 1 Article VIII (8)
- 2 Selection of Delegates: Each Association shall (a) elect, or its governing board shall
- 3 appoint from members of the Association, including third year law student members from
- 4 California law schools, delegates and alternate delegates to the Conference and (b) certify
- 5 the names thereof to the Executive Director not later than a date to be designated in the
- 6 CDCBA annual calendar, and in the manner designated by the Executive Director.
- 7 Delegates shall serve from the time of their certification until their successors are certified.
- 8 If an Association is entitled to more than one delegate, one delegate shall be
- 9 designated as the chair of the delegation.

10 Each Association may select either two alternate delegates or a number of alternate
11 delegates equal to, but not greater than the number of delegates, to which the Association is
12 entitled, whichever is greater.

13 The list of delegates and alternate delegates as certified by the associations shall be
14 made available to the Board and to the Board’s Credentials Committee as necessary to the
15 conduct of the Conference. The Executive Director shall retain a copy of the list, as it may
16 be modified by the Board or the Credentials Committee. The Chair may appoint a
17 Credentials Committee, which shall settle any questions in the accreditation of delegates.

(Proposed new language underlined; language to be deleted stricken.)

PROPONENT: San Diego County Bar Association

STATEMENT OF REASONS

Existing Rule: The Rules of Operation & Procedure of the Conference of Delegates specifically provide that eligible bar associations may include law student members, provided that they are not voting members. Though never expressly specified, it appears from the bulk of the language of the Rules of Operation & Procedure that eligible delegates must be members of the State Bar of California.

This Resolution: Would provide each eligible Bar Association with the opportunity to include in its delegation as many California law students as it wishes, and thereby to diversify its delegation in accordance with its own policies and procedures. The proposed amendment purposely leaves to each Bar Association the decision of whether, how and in what number, law students will be invited. The proposed amendment does not alter the allocation of delegates established by the Executive Director in accordance with Article VII, Paragraph 5.

The Problem: The goals and organizational values of the Conference of Delegates center on the improvement of the legal system and the legal profession, and the promotion of the understanding of and respect for the law. Although it is obvious that law students are not yet members of the State Bar of California, they are the crucial future of the legal system and the legal profession. To involve law students in the active work of the Conference at the earliest stages of their legal careers would provide an important fresh perspective to the work of the Conference of Delegates, and would groom and mentor future lawyer delegates for active participation in the Conference.

IMPACT STATEMENT

This resolution does not affect any other law, statute or rule.

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