

PROFESSIONAL RESPONSIBILITY INSIGHTS: REVISED RULES OF PROFESSIONAL CONDUCT DELAYED FURTHER

Revised Rules of Professional Conduct delayed further.

For those lawyers who have been waiting for the California Rules of Professional Conduct to be revised – you're going to have to wait a little longer. At least three years longer, that is.

Tasked with revising the rules in 2000, the Rules Revision Commission completed its work in 2010, when the State Bar's Board of Trustees approved the proposed revised rules. Now, the California Supreme Court has returned the Commission's final package of 67 revised rules, essentially scrapping the package of proposed rules (which would have, among other changes, converted our numbering system to match the ABA's). The Supreme Court has instructed that the revised rules should set minimum disciplinary standards only, and should not include aspirational considerations.

The Supreme Court has directed that a new Revision Commission be in place by November 26, 2014, and that the Commission's work be finished by March 2017. Stay tuned.

Alison P. Buchanan is a regular and sought-after speaker and teacher on the topics of professional liability/professional malpractice and legal ethics. From 2011 through 2014, Alison served a three-year appointment to the California State Bar's Standing Committee on Professional Responsibility and Conduct (COPRAC). She is on the Executive Committee of The Bar Association of San Francisco's Legal Malpractice Section and teaches Professional Responsibility at Lincoln Law School in San Jose.

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The Fine Print.

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