

STATE BAR OF CALIFORNIA

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Protection of the public, which includes support for greater access to, and inclusion in, the legal system, shall be the highest priority for the State Bar of California and the Board of Trustees in exercising their licensing, regulatory, and disciplinary functions. Whenever the protection of the public is inconsistent with other interests sought to be promoted, the protection of the public shall be paramount.

— Business and Professions Code § 6001.1

The State Bar of California was created by a legislative act in 1927 and codified in the California Constitution at Article VI, section 9. The State Bar was established as a public corporation within the judicial branch of government and licenses all attorneys practicing law in California. The Bar enforces the State Bar Act, Business and Professions Code section 6000 et seq., and the Rules of Professional Conduct. The Bar’s attorney discipline system includes an online complaint form and in-house professional investigators and prosecutors housed in the Office of the Chief Trial Counsel (OCTC). The California Bar’s attorney discipline system also includes the nation’s first full-time professional attorney discipline court, which neither consists of nor is controlled by practicing lawyers. The State Bar Court consists of the Hearing Department (which includes five full-time judges who preside over individual disciplinary hearings) and a three-member Review Department, which reviews appeals from hearing judge decisions. State Bar Court decisions must be appealed to the Supreme Court, and its review is discretionary. The Bar may impose a wide range of potential sanctions against violators of the State Bar Act or the Rules of Professional Conduct; penalties can range from private reproof to disbarment and may include “involuntary inactive enrollment” (interim suspension) under Business and Professions Code section 6007. In connection with its

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discipline system, the Bar operates two client assistance programs: its [Client Security Fund](#), which attempts to compensate clients who are victims of attorney theft; and its [Mandatory Fee Arbitration Program](#), which arbitrates fee disputes between attorneys and their clients in an informal, out-of-court setting.

January 1, 2018, marked a historic organizational shift for the State Bar when [SB 36 \(Jackson\) \(Chapter 422, Statutes of 2017\)](#) became effective, mandating that the Bar “deunify” its trade association function from its regulatory function. [[23:1 CRLR 157](#)] At that time, the 16 State Bar Sections and the California Young Lawyers Association separated from the Bar and formed a new, private, nonprofit entity called the California Lawyers Association (CLA). SB 36 also eliminated elected members from the Board, reducing the Board of Trustees from 19 to 13 members, and eliminated trustee officer elections, providing that the Supreme Court will approve the Chair and Vice Chair of the Board of Trustees on an annual basis.

With the transition, the Board now consists of 13 members: five attorneys appointed by the California Supreme Court, two attorneys appointed by the legislature (one appointed by the Senate Rules Committee and one by the Speaker of the Assembly), and six public, non-attorney members, four of whom are appointed by the Governor, one appointed by the Senate Rules Committee, and one appointed by the Assembly Speaker. Trustees serve four-year terms. At this writing there is one attorney vacancy on the Board to be appointed by the Supreme Court and one public, non-attorney vacancy to be appointed by the Governor.

On June 28, 2022, the Senate [confirmed](#) George Cardona as the Chief Trial Counsel for the State Bar. The vote was 35-0, with five abstentions. This is the first Senate confirmation of a

Chief Trial Counsel in 10 years. Cardona is a former federal prosecutor and City of Santa Monica City Attorney. He joined the State Bar in October 2021. [[27:1 CRLR 138, 143–144](#)]

On July 11, 2022, the Board of Trustees [announced](#) Ellin Davtyan as its new General Counsel. She started her employment on August 18, 2022. She succeeded Vanessa Holton, who is retiring after nearly seven years in the position.

On October 27, 2022, [José Cisneros](#) was reappointed to the State Bar of California Board of Trustees, where he has served since 2019.

HIGHLIGHTS

State Bar Releases Its New Five-Year Strategic Plan

In May 2022, the California State Bar Board of Trustees approved its [five-year strategic plan](#) focusing on four goals to support its public protection mission. Between 2022 and 2027, the State Bar plans to protect the public by (1) strengthening the attorney discipline system, (2) enhancing access to and inclusion in the legal system, (3) regulating the legal profession, and (4) engaging partners. Here is an overview of all four goals:

Protecting the Public by Strengthening the Attorney Discipline System

The State Bar plans to “administer an attorney discipline system that is efficient, accountable, and transparent.” The Bar hopes to adopt new processing standards and improved operational practices to prioritize cases that pose the most significant risk thereby reducing the backlog of unresolved cases. The Bar plans to help those hurt by attorney misconduct submit their complaints. It will also work to educate communities most likely to be harmed by the unauthorized practice of law to prevent future victimization. Lastly, new strategies will be employed to investigate and prosecute attorney misconduct.

Protecting the Public by Enhancing Access to and Inclusion in the Legal System

The Bar hopes that all Californians will “have access to high quality, affordable, and culturally legal advice and services.” The [2022 Report Card on the Diversity of California’s Legal Profession](#) released in August 2022 established that while white people comprise only 39 percent of the state’s adult population, they account for 66 percent of California’s active licensed attorneys. The Bar has committed itself to fostering a diverse legal profession that represents all of CA’s communities. It plans to accomplish this by revising the State Bar admissions requirements. The Bar will also focus on providing legal services to underserved groups. It plans to increase public education and outreach in order to close the knowledge gap and connect Californians to relevant legal resources. Additionally, it hopes to develop regulatory reform which will increase access to affordable legal services.

Protect the Public by Regulating the Legal Profession

The Bar hopes to promote the ethical and competent practice of law. It will work to provide the resources and support needed to prevent licensee misconduct by developing self-assessments modules, practice tools, and other professional resources. It will also continue to require minimum continuing legal education. Lastly, it will implement new regulations to address and deter especially harmful misconduct.

Protect the Public by Engaging Partners

The Bar’s last goal is to collaborate with partners and stakeholders to enhance public protection and restore the Bar’s reputation. It aims to be more transparent and is committed to increasing access to State Bar meetings. Additionally, it strives to increase the number of stakeholders and ensure that licensees are aware of the Bar’s work and how it supports the

competent and ethical practice of law. The goal is to have partners and stakeholders actively working alongside the Bar to assist with initiatives, programs, and services.

For more details, please refer to the [2022–2027 Strategic Plan](#).

California State Bar Changes Its Interpretation of Statute to Foster Transparency and Accountability

On October 7, 2022, to enhance [transparency and accountability](#), the State Bar filed a [supplemental brief](#) to inform the California Supreme Court of its new interpretation of Business and Professions Code section 6086.1, subdivision (b)(2).

Pursuant to [SB 211 \(Umberg\) \(Chapter 723, Statutes of 2021\)](#), the State Auditor conducted a performance audit of the California State Bar’s attorney complaint and disciplinary process. The audit, issued on April 14, 2022, raised significant concerns regarding the closure of complaints against certain attorneys using non-public measures as this did little to deter attorneys from re-engaging in the same misconduct. [[27:1 CRLR 139–141](#); [27:2 CRLR 122–123](#)]

The Bar previously interpreted the statute only to permit the disclosure of pending and active cases but recently concluded that the statute is subject to more than one reasonable interpretation. It, therefore, determined that “the discretionary authority to waive confidentiality granted by that statute to extend to closed investigations would be more consistent with its current understanding of its public protection mission and policy of transparency.” In short, the Chair’s or Chief Trial Counsel’s discretion to waive confidentiality under section 6086.1, subdivision (b)(2) now extends to closed investigations.

This new interpretation came after the disbarment of attorney Thomas Girardi. In its supplemental brief, the Bar informed the Supreme Court that it intends to disclose the information authorized under section 6086.1(b)(2) relating to the closed investigation of Girardi. The Bar

explained that “the filing of the Supplemental Brief is the latest example of the State Bar’s ongoing commitment to transparency, as well as fulfilling its public protection mission.”

MAJOR PUBLICATIONS

The following reports/studies have been conducted by or about the State Bar during this reporting period:

- [*The State Bar of California’s Strategic Plan 2022–2027*](#), State Bar of California, June 13, 2022 (new five-year plan that support the Bar’s public protection mission by focusing on four goals: (1) strengthen the attorney discipline system, (2) enhance access to and inclusion in the legal system, (3) regulate the legal profession, and (4) engage partners) (see HIGHLIGHTS).
- [*Ad Hoc Commission on the Discipline System: Final Report and Recommendations*](#), State Bar of California Ad Hoc Commission on the Discipline System (“the Commission”), September 22, 2022 (Commission established to assess the initiatives, policies, and procedures implemented to improve the efficiency, effectiveness, and fairness of the attorney discipline system and to identify any additional improvements needed; the report makes recommendations regarding (1) Discipline Costs and Sanctions, (2) Early Neutral Evaluation Conferences, (3) Attorney Discipline on State Bar Website and Expungement of Attorney Discipline Records, (4) Moral Turpitude, (5) Progressive Discipline, and (6) Attorney Representation).
- [*2021 Annual Report*](#), State Bar of California, May 16, 2022 (focuses on the achievements of the State Bar in 2021 highlighting items such as the reduction in the backlog of disciplinary cases, the establishment of a new Client Trust Account Protection Program, the authorization of a long-term preventative education program for lawyers, progress in eliminating

race and gender disparities in the discipline system, expansion of the California Provisional Licensure Program, and distribution of financial legal aid).

- [*Report Card on the Diversity of California's Legal Profession*](#), State Bar of California, August 8, 2022 (describes the demographic composition of California's 2022 attorney population and explores racial/ethnic and gender patterns in more recent cohorts of attorneys admitted to the State Bar; explores diversity, where attorneys work, leadership experiences, and satisfaction with workplace experiences; concludes with "Calls to Action" for employers and attorneys regarding where improvement is needed within the legal field).

- [*2022 Annual Discipline Report \("ADR"\)*](#), State Bar of California, October 28, 2022 (pursuant to Business and Professions Code sections 6086.15, 6094.5(d), 6095(b), and 6177, Civil Code section 55.32(f)(1), and Insurance Code section 1872.95(a), the State Bar submitted the ADR to the Chief Justice, the Governor, the Speaker of the Assembly, the President pro Tempore of the Senate, and the Assembly and Senate Judiciary Committees; the report details the performance and condition of the attorney discipline system from the 2021 calendar year and the fiscal year ending June 30, 2022; provides an overview of the State Bar's performance in protecting the public from attorney misconduct, predominantly focusing on the Office of Chief Trial Counsel, which receives, investigates, and prosecutes allegations of attorney misconduct; found that while 91% of non-complex cases were meeting the case processing goals, 30% of complex cases were backlogged; remedying the case processing standards for complex cases will be an on-going goal; the report was [discussed](#) for approval at a Special Meeting of the Board of Trustees on October 24, 2022).

- [*Senate Bill 211 Case Processing Standards Proposal*](#), State Bar of California,

October 28, 2022, revised November 4, 2022 (pursuant to SB 211, the Bar proposed new case processing standards focusing on (1) Mechanics of the Discipline Process (Case Stage), (2) Case Complexity, and (3) Risk to Public Protection (RPP), Including Multiple Complaints against the Same Attorney; report was submitted to the Legislative Analyst's Office for review).

- [*Open Letter Regarding the State Bar's Thomas V. Girardi Disclosure*](#), Ruben Duran, Chair, State Bar Board of Trustees, November 3, 2022 (pursuant to Business and Professions Code, section 6086.1(b)(2), in an effort to issue in a new era of transparency and accountability, the State Bar disclosed the disciplinary matters related to disbarred attorney, Thomas Girardi, as warranted for public protection).

- [*2021 Annual Legal Services Trust Fund Program Report*](#), Macias Gini & O'Connell LLP, April 29, 2022 (pursuant to Business and Professions Code sections 6145 and 6222, this report was submitted to the Chief Justice of the California Supreme Court, and to the Assembly and Senate Judiciary Committees; to expand the availability and improve the quality of free legal services in civil matters, the State Bar collects interest earned on certain client trust accounts held by California attorneys; report summarizes the revenue sources of the Legal Services Trust Fund funds, grant disbursement, and expenditures for administrative costs; additionally, grant disbursements schedules are presented on a county-by-county basis).

- [*2021 State Bar Metrics*](#), State Bar of California, 2022 (the Bar tracks 82 performance metrics to assess overall functioning and provide a comprehensive depiction of the Bar's work and impact; report shows that while some hit their targets, others fell short).

- [*2021 Financial Statements and Independent Auditor's Report*](#), State Bar of California, April 29, 2022 (pursuant to Business and Professions Code section 6145, the report

includes an independent auditor's report, management's discussion and analysis, the basic financial statements, the notes to the basic financial statements, and the required supplementary information).

RULEMAKING

The following is a status update on recent rulemaking proceedings that the State Bar has initiated:

- **Proposed Recommendations Adopted by the Ad Hoc Commission on the Discipline System:** At its September 22, 2022 [meeting](#), after a presentation of the final report and recommendations by the Ad Hoc Commission on the Discipline System, the Board of Trustees approved a 60-day public comment period for nine recommendations regarding (1) Discipline Costs and Sanctions, (2) Early Neutral Evaluation Conferences, (3) Attorney Discipline on State Bar Website and Expungement of Attorney Discipline Records, (4) Moral Turpitude, (5) Progressive Discipline, and (6) Attorney Representation. [[Agenda item 701](#)].

- **Proposed New Rule of Court 9.8.5, Amended Rules of Professional Conduct 1.15 and 1.4 to Implement CTAPP, and Proposed New Rule 2.5 of the State Bar Rules:** On October 24, 2022, after the Board submitted them for approval, the Supreme Court of California [approved](#) the following rules: new Rule of Court 9.8.5, which grants the State Bar the authority to implement the Client Trust Account Protection Program (CTAPP); amended Rules of Professional Conduct 1.15 and 1.4., which govern client communications and identify that a lawyer's receipt of client funds triggers the lawyer's duty to proactively communicate with a client within 14 days; and State Bar Rule 2.5, which addresses the administrative aspects of CTAPP Phase I reporting requirement. The rules will take effect January 1, 2023. [[Agenda item 703](#)]. [[27:2](#)]

- **Proposed Formal Opinion Interim No. 20-0005 (Conversion Clauses in Contingency Fee Agreements):** At its July 29, 2022, meeting, State Bar Standing Committee on Professional Responsibility and Conduct (COPRAC) tentatively approved [Proposed Formal Opinion Interim No. 20-0005](#) for a 90-day public comment period which terminated on November 17, 2022. The opinion considers whether any “conversion clauses” in contingent fee agreements are ethically permissible. The opinion states that they are ethically prohibited under certain circumstances. No further action has been taken.

- **Proposed Formal Opinion Interim No. 19-0004 (Client File Release and Retention Duties):** At its July 29, 2022 meeting, COPRAC tentatively approved [Proposed Formal Opinion Interim No.19-0004](#) for a 60-day public comment period which terminated on October 11, 2022. Interpreting rules 1.4, 1.15, 1.16, and 3.8 of the Rules of Professional Conduct of the State Bar of California, Business and Professions Code section 6068, subdivision (e), and Penal Code section 1054.9(g), the opinion considered “the ethical obligations of lawyers with respect to retention and destruction of client files, materials, and property in closed civil and criminal matters.” No further action has been taken.

- **Elimination of Five-Year Period of Validity for Passing Bar Exam Score:** At its July 21, 2022 [meeting](#), the Board approved a 45-day public comment period. The proposed amendments to Title 4 of the Rules of the State Bar, Rules 4.17, 4.51, 4.52, and 4.60, would eliminate the requirement that an applicant for admission to the practice of law get certified for admission and sworn in within five years of the date of the bar exam they passed. [[Agenda item 707](#)]

- **Amendments to Rule 3.513 of the Rules of Procedure of the State Bar of California:** At its September 22, 2022 [meeting](#), the Board adopted amendments to Rule 3.513 of the Rules of Procedure of the State Bar of California after a 30-day public comment period. The amendment aims to make electronic submission the preferred method of filing requests for arbitration and other communications in fee arbitration matters. [[Agenda item 50-7](#)]

- **Proposed Amended State Bar Rule 7.40:** At its July 21, 2022 [meeting](#), the Board adopted proposed amended Rule 7.40 of the State Bar Rules after a 45-day public comment period. The amendment gives the Commission on Judicial Nominees Evaluation (JNE) greater flexibility in forming the teams that investigate candidates for the Court of Appeal or Supreme Court and to clarify the required membership of the teams that investigate candidates for Superior Court. The Board additionally voted to review this amendment at the May 2022 Board Meeting. [[Agenda item 702](#)]

- **Proposed Amendment to Rule 2.11 (Due date and form of payment, licensee fees):** At its July 22, 2022 [meeting](#), the Board adopted the amendment to State Bar Rule 2.11 after a 45-day public comment period. The amendment authorizes the State Bar to prescribe acceptable payment methods for annual license fees and reject any attempted payment that does not conform with the prescription of the Bar. Nonconforming payments that are not cured by the due date will result in disciplinary action pursuant to Rule 2.13 or suspension pursuant to Rule 2.33. [[Agenda item 709](#)]

- **Proposed Amendments to Rules of Procedure of the State Bar, Rule 5.127 (Public and Private Reprovals) and Rule 5.155 (Actions by Review Department):** At its May 19, 2022 [meeting](#), after a 45-day public comment period, the Board adopted amendments to two

Rules of Procedure, Rules 5.127 (clarifies when a reproof takes effect) and 5.155 (permits any hearing judge to act in a Review Department judge's place when one or more Review Department judges are disqualified or unavailable to serve). [[Agenda item 50-7](#)]

- **Proposed New Rules of Procedure Regarding Provisional Licensure Program:**

At its May 19, 2022 [meeting](#), after a 45-day public comment period, the Board adopted new rules 5.480–5.486 of the Rules of Procedure of the State Bar of California. The rules will create a new process to hear and decide cases alleging misconduct by Provisionally Licensed Lawyers (PLLs) in the State Bar Court. [[Agenda item 50-8](#)]

- **Proposed Formal Opinion Interim No. 20-0004 (Ethical Obligations When Working Remotely):**

At its July 30, 2021 meeting, COPRAC tentatively approved [Proposed Formal Opinion Interim No. 20-0004](#) for a 90-day public comment period. Later, at its meeting on February 18, 2022, COPRAC revised the opinion in response to the public comments and then sent the amended opinion back out for an additional 60-day public comment which terminated on May 2, 2022. The opinion considered an attorney's ethical duties while working from home interpreting Rules 1.1, 1.3, 1.4, 1.6, 5.1–5.3, and 5.5 of the Rules of Professional Conduct of the State Bar of California; Business and Professions Code sections 6068(e) and 6125, et seq.

LEGISLATION

- [AB 35 \(Reves\)](#), as amended April 27, 2022, amends section 6146 of the Business and Professions Code, section 3333.2 of the Civil Code, section 667.7 of the Code of Civil Procedure, and will add Chapter 3 (commencing with section 104340) to Part 2 of Division 103 of the Health and Safety Code, relating to civil damages. Currently, attorneys are limited in collecting contingency fees in excess of a certain amount for medical malpractice cases. When the bill takes

effect on January 1, 2023, the bill will remove the \$250,000 limit on noneconomic damages and increase the limit for noneconomic damages to \$350,000 for nonfatal medical malpractice by a physician and \$500,000 for malpractice causing death with incremental increases over the next ten years to \$1 million. This will then be adjusted annually by 2% for inflation. The law will additionally add a new chapter to the Health and Safety Code protecting and treating as privileged and confidential: statements, writings, or benevolent gestures expressing sympathy, regret, a general sense of benevolence, or suggesting, reflecting, or accepting fault relating to the pain, suffering, or death of a person, or to an adverse patient safety event or unexpected health care outcome. Governor Newsom signed AB 35 on May 23, 2022 (Chapter 17, Statutes of 2022).

- [AB 2958 \(Committee on Judiciary\)](#), as amended August 11, 2022, repeals the provisions that established and imposed duties on the State Bar’s Public Interest Task Force. The bill also holds that when a member of the Board of Trustees is appointed to fill a midterm vacancy, the time served during the remainder of the midterm vacancy will not count towards any term limits for that member. Additionally, the bill prohibits the State Bar from spending any funds on the regulatory sandbox initiative without legislative approval. The bill requires that the State Bar submit a report on how much the Bar spent since 2018 to fund the creation of a regulatory sandbox or the licensing of non-attorneys as paraprofessionals by January 15, 2023. The bill will additionally change the fee structures of the State Bar. [See [27:2 CRLR 128](#)] Currently, a licensee may deduct \$5 from the fee if the licensee elects not to support lobbying activities by the Bar. When this law becomes effective January 1, 2023, it will instead provide licensees the option of opting in to add the \$5 to the annual fee to support lobbying activities by the Bar. Accordingly, the bill will require the Bar to charge a licensing fee for 2023 of up to \$390 for active licensees, a

decrease from the previous fee of up to \$395. The bill will also require the Board to keep the required allocation of \$45 of the licensing fee to support legal services. Further, the bill will require the net proceeds from the sale of the State Bar’s San Francisco office building to be held by the State Bar without expenditure or commitment for any purpose until legislative approval is provided. The bill will remove the provisions that require the State Auditor’s Office to conduct an independent audit of whether the State Bar’s attorney complaint and discipline process adequately protects the public from misconduct by licensed attorneys. However, the bill mandates that the State Auditor’s Office conduct an audit in 2023 to evaluate each program or division of the State Bar receiving support from the annual State Bar licensing fees and other fees required of active and inactive licensees. The bill will also require the State Bar, when making its outreach activities, to include the development and certification of minimum continuing legal education courses relating to behavioral health issues and working in cooperation with organizations that provide services and support to attorneys with issues related to behavioral health. The bill will require that the State Bar comply with the disclosure requirements of the Information Practices Act of 1977. Governor Newsom signed AB 2958 on September 18, 2022 and, as an urgency statute, the bill took effect immediately (Chapter 419, Statutes of 2022).

- [AB 2520 \(Gabriel\)](#), as amended August 11, 2022, would have added and repealed Chapter 4 (commencing with section 15210) of Part 6 of Division 3 of Title 2 of the Government Code, to create a Department of Justice Office of Access to Justice, “for the purpose of increasing the availability of meaningful access to justice for all Californians.” Governor Newsom [vetoed](#) the bill citing budgetary concerns and suggesting that such a significant expenditure should be considered and accounted for as part of the annual budget process.

LITIGATION

- ***Roe v. State Bar of California*, Case No. 30-2022-01250695-CU-AT-CXC (Super. Ct., Orange County).** On March 18, 2022, the Law Offices of Lenore Albert, on behalf of four Roe defendants, filed a [class action complaint](#) related to the data breach of State Bar case records. [See [27:2 CRLR 129](#)] On May 16, 2022, the Court held that this case is Complex and scheduled an Initial Case Management Conference for August 19, 2022. On September 16, 2022, the State Bar filed a motion to dismiss with prejudice. This matter is ongoing.

- ***Kassas v. State Bar of California*, 49 F.4th 1158 (9th Cir. 2022).** On August 1, 2022, the Ninth Circuit released its [opinion](#) where it reversed in part and affirmed in part the bankruptcy court's decision. First, the Court concluded that indebtedness arising from a disbarred attorneys' obligation to reimburse the State Bar for payments made by the Client Security Fund (CSF) to victims of that attorney's misconduct are not excluded from discharge under section 523(a)(7). Additionally, the Court upheld the bankruptcy court's finding that disciplinary costs are nondischargeable under section 523(a)(7).

- ***State Bar Court of California*, SBC Case No. 22-O-30655 (State Bar Court):** On July 5, 2022, the State Bar filed [disciplinary charges](#) against its former Executive Director, Joseph Dunn. Dunn faces potential disbarment for the alleged charges of moral turpitude and breach of his fiduciary duties as executive director, a position he was fired from in 2014. These charges are alleged after Dunn made misleading statements regarding policy matters and overspent on trips with State Bar funds. On August 1, 2022, Dunn's team filed a [response](#) to the Notice of Disciplinary Charges claiming that Dunn fulfilled all his duties while serving in the capacity of Executive Director. Additionally, Dunn alleges that the State Bar's claims are time barred. Lastly,

Dunn argues that the charges are fundamentally unfair as all of the crucial witnesses are deceased. This litigation is currently pending.

- ***Los Angeles Times v. State Bar of California*, Case No. S269401 (Cal. Sup. Ct.) (filed June 17, 2021):** In June 2021, the *Los Angeles Times* sued the State Bar after it denied a reporter’s request for records regarding the Girardi investigation. The newspaper asked that the California Supreme Court order the Bar to release the records. The Bar claimed that most disciplinary records are confidential. However, on October 7, 2022, in a [supplemental brief](#), the Bar announced that it would release its records in accordance with its new interpretation of Business and Professions Code section 6086.1(b)(2) in furtherance of its mission to be more open and accountable to the public (see HIGHLIGHTS). The *Los Angeles Times* submitted its [response](#) on October 11, 2022, contending that “this case continues to present issues ‘of public significance’ for which ‘there is a need for clarification of the law.’” *Lod Angeles Times Commc’ns LLC v. State Bar of California*, No. S269401, 2022 Cal. LEXIS 6569, at *1 (Oct. 26, 2022). The Court held that once the documents were released (on November 7, 2022), the parties should “file briefs apprising the court of their respective positions on the issues set forth in this court’s September 1, 2021 order.” *Id.* at *1–*2.