

From the Profession

California – Bar Split Proposed

USA

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The Californian State Bar represents around one sixth of all practising lawyers in the United States, and is facing a crisis over moves to separate its regulatory and trade union functions.

Two bills are before the Californian legislature: one would make the bar's trade union function voluntary; the other would abolish the Bar altogether and move the regulatory functions to the state supreme court.

It is hoped that practitioners would still continue to participate in the Bar's voluntary work – but the proposed split could weaken the lobbying power of the Bar.

Californian lawyers are lobbying for the first bill, now before the state

assembly and needing a two thirds majority before it can go to the Senate. The Bar has already laid off 45 of its 700 staff, and further redundancies are likely in the face of a proposed reduction of membership dues from last year's \$458 to \$399 by 1999.

March's *American Bar Journal* reported that the confusion surrounding the future of the Bar was a reflection of the fact that California was the only state where the legislature rather than the supreme court must approve the mandatory Bar's dues request. Many proponents of the Bar were concerned that the upheaval would affect its ability to discipline wayward practitioners. Seventy percent of its budget is spent on disciplinary matters.

Law Week 1998 Making Sense of the Law

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Springs and Darwin to hear visiting academic Dr Stan Ross deliver the post-lunch address entitled *Whistleblowing for Lawyers*, which in both venues generated volumes of discussion in the question and answer sessions which followed.

Dr Ross began his address by discussing whistleblowing provisions in various jurisdictions and continued on to look at how these were viewed, the degrees of compulsion to report misfeasance and reactions within the profession to both whistleblowing and to dishonest and fraudulent conduct on the part of a lawyer. He referred to examples of the consequences and dilemmas facing whistleblowers, and included among these his own experience as a young lawyer in a neighbourhood legal service in the Berkeley/San Francisco Bay area during President Johnson's 'War on Poverty'.

Reports from the Alice Springs lunch, which was again held at *Ristorante*

Puccini, indicate that Dr Ross's address 'touched a professional nerve which engendered interest' and the discussion which resulted went on for several hours.

In addition to an interesting afternoon, enhanced by good food and wine, lunchers at both centres were rewarded for their attendance by the opportunity to win door prizes. In Alice Springs, a dinner at *Ristorante Puccini* was won by Murray Preston, whilst in Darwin magnums of champagne were won by James Brohier and Steven Smith of Hunt & Hunt, Danny Masters of Cridlands, Margaret Rischbieth, Registrar at the Supreme Court, Rick Andruszko from AGS and Ned Aughterson from the NTU.

Barrister Tony Young took out the dinner at *Pee Wees at the Point* provided by Law Week sponsors, Sedgwick and Martin Toohey, new CEO of the Office of Courts Administration was fortunate in winning the major prize of a trip for two to Cairns, presented by Qantas.

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