

[date], 2016

Ms. Audrey Hollins  
Office of Professional Competence, Planning and Development  
State Bar of California  
180 Howard Street  
San Francisco, CA 94105-1639

Re: Proposed Rules of Professional Conduct 1.12  
Former Judge, Arbitrator, Mediator Or Other Third-Party Neutral

Dear Ms. Hollins:

The Professional Responsibility and Ethics Committee of the Los Angeles County Bar Association (“PREC”) appreciates the opportunity to comment on the draft rules of conduct (the “Proposed Rules”) proposed by the State Bar’s Commission for the Revision of the Rules of Professional Conduct (the “Rules Revision Commission”). Please see our letter dated [date], 2016, describing PREC and praising the efforts of the Rules Revision Commission.

Paragraph (b) of Proposed Rule 1.12 [Former Judge, Arbitrator, Mediator Or Other Third-Party Neutral] states, in pertinent part, “A lawyer serving as a judicial staff attorney or law clerk to a judge or other adjudicative officer may participate in discussions regarding prospective employment with a party, or with a lawyer or a law firm\* for a party, in a matter in which the clerk is participating substantially, but only with the approval of the court.” We recommend that the second reference to “clerk” in this sentence be changed to “judicial staff attorney or law clerk” to make clear that this provision applies to both positions.

Thank you again for the opportunity to comment on the Proposed Rules.

Very Truly Yours,