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## INTERNAL OPERATING POLICY ON PUBLIC ADVOCACY

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### Internal Operating Procedures for Public Policy Communication and Advocacy

*Because of its advantages in terms of speed, record retention, and dissemination of information, e-mail is the preferred method of formal communication between the State Bar and committee/section chairs.*

#### Responsive Positions

- When a proposed court rule or administrative order is published for comment, or the State Bar staff identifies a newly-introduced piece of legislation as arguably Keller-permissible and within the jurisdiction of a committee or section, the State Bar will notify the designated public policy liaison of the committee/section by e-mail. The notice will include a hyperlink to the text and status of the court rule/administrative order or legislation. If action by the Board of Commissioners or Representative Assembly on the proposed court rule or legislation is contemplated on a date certain, the notice will include that date and a date by which comments are needed.
- A committee/section may submit comments and recommendations on any proposed court rule/administrative order or legislation to the appropriate Commissioner Standing Committee at any time, whether or not the committee/section has received notification from the State Bar.
- Once a section has notified the State Bar of a position, it may advocate the position publicly, provided the position is not in conflict with the State Bar's position. A committee, by contrast, must receive authorization from the State Bar. If the comment period for a proposed **Court rule/administrative order** will expire before a regularly scheduled meeting of the Commissioner Standing Committee in whose jurisdiction the rule or order falls, either a special meeting will be scheduled to consider the proposal, followed by Executive Committee consideration, or the committee will be advised that it may take and directly advocate a position to the Supreme Court on the proposal, following the requirements of Bylaw Article VIII.
- If the committee/section has information that immediate State Bar action on **legislation** is desirable, it may request expedited action. The request should be as specific as possible about the reason for the request and the date by which action should be taken.
- When the State Bar receives a request for expedited action, staff will immediately prepare for the Executive Director a recommendation on a course of action. The recommendation will be copied to the Board of Commissioners and the committee chair. The recommendation will advocate one of the following responses:
  - Approval of the request by the Executive Director, after consultation with the Chair of the appropriate Commissioner Standing committee.
  - Approval of the request by the Executive Director, after consultation with the State Bar officers.
  - Approval of the request by the Executive Committee.
  - Denial of the request.
- A request for expedited action will be answered within 5 working days of the receipt of the request.

#### Pro-active Positions by Committees

A committee recommendation that advocates initiating court rule/administrative order or statutory change may not be advocated by the committee before consideration by the Board of Commissioners or Representative Assembly.