

# Assembly Approves Bar Dues Increase to \$417 for Next Year

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SACRAMENTO — The California Assembly has approved annual dues of \$417 in 1989 for most lawyers. The compromise measure, passed Thursday, includes a \$110 assessment to finance improvements in the State Bar of California's lawyer discipline program.

The Bar originally requested dues of \$470 in 1989, including a \$145 fee for discipline and an increase from \$25 to \$45 of the Client Security Fund fee.

That \$20 increase was rejected under terms of AB 4391 by Assembly Speaker Willie Brown, D-San Francisco. The bill now goes to the Senate Judiciary Committee and is expected to be approved in the full Senate.

The bill is the result of weeks of compromise negotiations involving legislative leaders and the State Bar. It is a companion measure to SB 1498, by Sen. Robert Presley, D-Riverside, which contains policy changes in the discipline

program to be funded by the Brown bill.

SB 1498 has been approved by the state Senate and the Assembly Judiciary Committee and is currently before the Assembly Ways and Means Committee on its way to the Assembly floor.

Legislative and State Bar leaders hailed the Assembly-approved fee bill as a fair compromise that will lead to necessary improvements in the discipline program without costing Bar members too much.

"It's essentially acceptable to all parties," said Gene Erbin, counsel to the Assembly Judiciary Subcommittee on the Administration of Justice and a key player in the negotiations. "I don't think anyone is elated, but everyone is satisfied."

State Bar President P. Terry Anderlini said the bill is "a fair reduction" in the Bar's original proposal. "The compromises that were made were sensible, and I'm extremely pleased that the bill received an Assembly vote of 61-3," Anderlini said.

"The 61 votes showed strong bipartisan support for a dues bill, and it's the

first time the State Bar has received a vote of confidence from the Republican Caucus," he said.

Anderlini said approval of the bill in the Assembly represents a new era in the sometimes stormy history of Bar-Legislature relations. "It was very nice to see that the past years of rancor and accusations have been put aside," Anderlini said. "It was about the smoothest bill session in the Bar's 60-year history."

"They [legislators] realize that we're committed to solving our discipline problem, and there has been a marked change of attitude and perception as to what the State Bar is doing, and how dedicated we are to the cause of getting the discipline program straightened out," he added. "They see us as being fiscally responsible. Both sides of the aisle feel we're doing the right thing."

Anderlini said the Bar's Board of Governors will also "reexamine" so-called "scaling" proposals — the pegging of dues to income rather than years in

SEE ASSEMBLY PAGE 18

## Assembly Approves Bar Dues Hike 61 to 3; Sends Bill to Senate

CONTINUED FROM PAGE 2

practice — in light of the dues bill approval.

The increases approved by the Assembly would raise the total annual dues and fees required of attorneys with three or more years of membership in the State Bar to \$417 in 1989 and \$440 in 1990.

First-year dues would be \$318, and lawyers with two to three years' experience would pay \$349. The \$110 discipline fee would expire in 1992 unless there is further action by the Legislature.

The cuts made in the original \$470 proposal were made principally in the State Bar Court's allotment, which was reduced by \$35, and the Client Security Fund assessment, which was reduced by \$20.

Anderlini said reductions in the Bar's proposal will include reducing the number of State Bar Court administrative judges from 14 to 8½ full-time equivalents. The bill also reduces the judges' salaries at the trial level from state superior court ranges to those of the municipal court, and decreases salaries for the Bar Court's appellate judges from state appellate court levels to superior court incomes. The number of courtrooms and staff also was reduced from the original proposal.

State Bar Monitor Robert Fellmeth expressed some concern about cutting the State Bar Court appellate salaries to the superior court salary level, because the intent of legislative changes in the Bar's appellate level is to streamline the lengthy appeals process by creating a panel of professional judges at appellate-level salaries. Under the current system, the discipline review department — the appellate arm of the discipline system — includes a panel of attorneys and citizens.

Fellmeth said that most of the cuts were reasonable, such as those entailing reductions in office size and accoutrements.

"We don't want any super-plush, walnut-paneled offices," he said. "The legal profession already has enough elitism to go around."

Despite no increase in the Client Security Fund assessment, Anderlini said he is optimistic that "certain reforms can be put in place."

Voting against the dues bill in the Assembly were Assembly Judiciary Committee Chairman Elihu Harris, D-Oakland; Assemblyman Bill Leonard, R-Redlands; and Assemblyman Charles Quackenbush, R-Saratoga. Sixteen members were absent or did not vote.