

Admin.

March 1, 2018

## First Supplement to Memorandum 2018-12

### Minutes of Meeting on February 8, 2018 (Draft)

---

The California Law Revision Commission<sup>1</sup> held a meeting on February 8, 2018. A draft of Minutes for that meeting was attached to Memorandum 2018-12. This supplement presents a possible revision to the draft Minutes.

At the February meeting, the staff noted orally that no legislator had agreed to introduce legislation to implement the Commission's recommendation on mediation confidentiality. That fact was not mentioned in the draft Minutes.

Ordinarily, the Commission's Minutes record Commission *decisions* and do not report on information that is provided orally at a meeting (the Executive Director's report is a notable exception, because that item typically consists entirely of orally-reported information). However, it might make sense for the Minutes to record the fact that there is no author for mediation confidentiality in 2018, an important point in the history of that study.

If the Commission would like the Minutes to reflect that fact, the draft Minutes could be revised as follows:

On page 3, after line 17, add "The Executive Director reported that no Legislator had agreed to introduce a bill to implement the Commission's recommendation on *Relationship Between Mediation Confidentiality and Attorney Malpractice and Other Misconduct* (Dec. 2017)."

#### Should that change be made?

Respectfully submitted,

Brian Hebert  
Executive Director

---

1. Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website ([www.clrc.ca.gov](http://www.clrc.ca.gov)). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise.

The Commission welcomes written comments at any time during its study process. Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.