

## California Marches To A Different Drummer

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The State Bar of California has asked for public comment on a task force proposal which recommends a trial Demonstration Program leading to the certification of a Fully Integrated form of practice in which “legal services and nonlegal professional services are provided, the lawyer professionals are co-owners with the non-lawyer professionals, and where passive investment in the entity is not permitted. The concept of integration, in this MDP definition, is one of integration of people while maintaining an identifiable separation of services.”

If the proposal is ultimately adopted by the State Bar, California will have taken a giant leap putting it far ahead of New York in its acceptance of multidisciplinary practice.

The task force whose report led to the proposal described the Fully Integrated MDP model as follows:

This model is a single fully integrated professional services firm which may or may not be lawyer controlled. The single firm has organizational components that provide legal services, consulting services, accounting services, and other professional services...Legal services may be provided independently of other services, and vice-versa.

The task force report includes the following comments:

- In a Fully Integrated MDP, the values of each participating professional would be cross-imputed. Thus, the consumer would get the benefit of the highest standard applicable to a given circumstance.
- The core values of the legal profession would be preserved by the responsibility of each participant lawyer to maintain these values and by the cross-imputation of values observed by all the professions. Where core values are irreconcilable, integrated services would be forbidden.
- Fully Integrated MDP's would be allowed to exist as partnership, law corporations, limited liability partnerships or “any of the established forms of practice.”
- Individual members would be subject to the regulation and jurisdiction of their respective professions. The MDP entity would be subject to the certification and regulatory requirements of the State Bar.
- Under the Demonstration Program, the term “professional” would be defined in the same way as under existing California law. The definition would include the licensed professions of law, medicine, dentistry, pharmacy, engineering, teaching, optometry, and architecture, provided the profession maintained a code of ethics compatible with the legal profession's “core values.”