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From: MLAus [mlaus@callpcsolutions.com]
Sent: Friday, May 29, 2009 4:32 PM
To: ALL MLA MEMBERS
Subject: California Certification

Dear MLA Member:

As you may know, the State Bar of California has now certified Admiralty as a specialty area of practice. The MLA opposed this when the initiative was first presented by a group of lawyers from Southern California. The MLA also opposed a similar proposal in Florida several years ago.

Many Admiralty practitioners from all parts of California, both MLA members and nonmembers and including at least one former State Bar President, wrote to the California Board of Legal Specialization in opposition to the proposal, believing that although certification purports to cover all admiralty practitioners, the criteria for certification are directed primarily to personal injury practice. While that practice is certainly among the central matters covered by maritime law, those who opposed the California certification initiative, and the MLA, believe that the criteria used in California fail to reflect the breadth of maritime practice, and award too much credit for a few activities while awarding too little for several others, and omitting some areas of admiralty practice entirely.

The group which sponsored the initiative in California is now seeking non-California attorneys to "pre-test" the California certification examination, and has been soliciting some members of the Association to do so. The MLA of course does not, and cannot, tell its member what to do, but the Association continues to oppose certification. However, members may also express their personal opposition by refusing to be "pre-testers" and so advising those making the request. The Association believes that the way California has structured it, certification is both improper and unnecessary, because Proctor status with the MLA speaks to the experience and skill of those maritime lawyers who have achieved it. A separate, discriminatory rating system is likely to mislead those who may need the assistance of a maritime attorney, and furthermore, is unnecessary.

Warren J. Marwedel
President
Maritime Law Association of the United States

Dated: May 29, 2009