

THE REGENTS OF THE UNIVERSITY OF CALIFORNIA
OFFICE OF THE GENERAL COUNSEL

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TO: Interested Law Firms and Attorneys

FROM: Margaret Wu, Deputy General Counsel, Litigation & Capital Strategies
Norman Hamill, Managing Counsel-Litigation
DeeDee Schroeder, Senior Counsel-Litigation
Nicole Craig, Senior Counsel-Litigation
Jerome Mayer-Cantu, Senior Counsel-Litigation

RE: Participation in University of California General Liability Program Defense Panel for all Campuses and Medical Centers

DATE: August 29, 2019

Background

The University of California is a public corporation established under Article IX, Section 9 of the California Constitution and governed by The Regents of the University of California (see <https://regents.universityofcalifornia.edu>). The General Counsel and Vice President – Legal Affairs is a Principal Officer of The Regents and Chief Legal Officer of the University, responsible for all legal matters pertaining to the Corporation and the University.

The Office of the General Counsel in partnership with the Office of the President Risk Services oversees outside counsel and legal services required by the University's General Liability Program, providing for defense of the University and its employees in response to general liability claims arising from its ten campuses, its medical centers at the Davis, Irvine, Los Angeles, San Diego, and San Francisco campuses, as well as the medical school at the Riverside campus.

The General Liability Program now seeks applications from interested law firms to participate in our defense panel to serve all campuses and medical centers. The purpose is to secure high-quality, cost-effective legal services from qualified law firms and attorneys who would be available for retention and assignment for individual claims and legal actions, which typically involve third-party lawsuits alleging personal injuries (auto accidents, slip and fall, etc.), non-employee discrimination and harassment, ADA violations, libel, slander and invasion of privacy, among others. Program cases also include appellate work and claims involving sexual violence/harassment/Title IX, such that we welcome applications from firms with experience in these areas as well. This recruitment does not

include employment, medical malpractice or professional liability-related lawsuits or police misconduct matters.

Applications

Application materials are available online at <http://www.ucop.edu/general-counsel/index.html> and attached here. All applications and supporting documentation must be submitted as 1 PDF document via email to General.kq3s0kovpjszgz9l@u.box.com on or before **October 15, 2019**. Should you have any questions or encounter problems with submission of your applications, please contact Shari Guzman at shari.guzman@ucop.edu.

Only qualified firms should apply. Applications must document a firm's expertise and experience in general liability matters in California. Other important considerations for our selection process include a demonstrated commitment to diversity, efficiency, and cost-effectiveness. The University of California serves one of the world's most diverse communities and draws its student body, its faculty, and its employees from a wide array of backgrounds, cultures, and experiences. Providing effective legal representation and advice therefore demands that the University's legal representatives and staff are capable of understanding and communicating with individuals from many backgrounds.

Interviews

Finalists will be invited to be interviewed in person at one of two locations, which we anticipate will be in Oakland and Los Angeles. We anticipate interviews will occur in two alternate sessions in December 2019 and in January 2020. Successful applicants will be provided the opportunity to participate in the General Liability Program Defense Panel, an approved list of firms and attorneys.

Questions

Shari Guzman, Legal Support Specialist – shari.guzman@ucop.edu or (510) 987-9441
DeeDee Schroeder, Senior Counsel – deedee.schroeder@ucop.edu or (510) 987-0474

cc: Melissa Burley, Program Manager – Liability and Property Programs
Gary Leonard, Executive Director – Liability and Property Programs

**UNIVERSITY OF CALIFORNIA
GENERAL LIABILITY PROGRAM
DEFENSE PANEL APPLICANT QUESTIONNAIRE**

For answers requiring more space than is provided, please use additional sheets and attach them to the questionnaire. All applications and supporting documentation must be submitted as **1 PDF** via email to General.kq3s0kovpjszgz9l@u.box.com

Please provide the following information:

1. Recruitment point of contact – please provide the name, title, phone, email and physical address for primary point of contact for your firm for this recruitment process.

2. Relationship attorney – please identify the person you propose to have primary responsibility for the overall relationship with OGC.

3. Basic firm information – please provide the information below or you may attach your current National Association for Law Placement (“NALP”) form (but all points below must be addressed in your response).

a. Location of all firm offices _____

b. Number of attorneys firm-wide _____

c. The year your firm was founded _____

d. The year the office was founded in which all or the bulk of your proposed UC defense team will be located _____

e. Number of equity partners/members, non-equity partners/members, associates, counsel, non-traditional track/staff attorneys, and summer associates in total and in each NALP-designated population (gender identity, race/ethnicity, disability status, and openly LGBTQ) as well as veterans _____

f. Number of associates in U.S. offices who were promoted to partner within the past three years, in total and in each NALP-designated population (gender identity, race/ethnicity, disability status, and openly LGBTQ), as well as veterans_____

g. Annual billable hour requirements or minimums_____

h. The name and contact information for your diversity chair (or comparable role) _____

i. Information about your firm's recruitment methods, in general, and including any efforts related specifically to increasing diversity_____

j. Information about diversity fellowships or scholarships offered by your firm_____

k. Information about any other initiatives sponsored or supported by your firm aimed at promoting diversity within your firm, both generally and in leadership positions_____

l. Information about any other initiatives sponsored or supported by your firm aimed at promoting diversity within the profession_____

m. Information about any other initiatives sponsored or supported specifically by the proposed relationship attorney identified in your response above aimed at promoting diversity within your firm and the profession _____

n. How many attorneys left your firm and how many attorneys joined your firm on an annual basis from 2015 to the present? _____

4. Proposed UC defense team – please identify all attorneys at your firm who you propose will represent The Regents, and their respective titles (partner, associate, etc.) and number of years of practice. _____

In addition, for all of the attorneys identified above:

- a. Please submit current CVs
- b. Please provide hourly rates
- c. Please identify what courts/jurisdictions each attorney has practiced in and is most familiar with
- d. Please identify which of the attorneys have participated in a trial as a first chair and identify the type of matter, type of trial (jury or court), year of the trial and outcome
- e. Have any of these attorneys been the subject of a complaint from a client of your firm from 2015 to the present?
- f. Please provide the following:
 - i. Experience and approach to preservation holds and eDiscovery (identification, scoping, collection, processing and production)
 - ii. Experience with in-house defense teams composed of more than one client contact
 - iii. An example of a creative or innovative approach in a recent matter (less than 2 years ago)
- g. Please provide a 5 page writing sample (it may be an excerpt) from each of the attorneys identified that highlights their public entity knowledge or other relevant experience
- h. What public entities have these attorneys represented in the past five

years?

i. What higher educational institutions have these attorneys represented in the past five years?

j. Which of these attorneys have experience with the following types of cases? Please be specific:

- i. personal injury
- ii. discrimination
- iii. ADA violations
- iv. libel, slander or disparagement
- v. invasion of privacy
- vi. sexual violence/harassment/Title IX
- vii. appellate work

5. Client reference – would your firm be willing to consent to the University speaking to an existing client of your firm as a reference? If yes, please provide a client reference we may contact. _____

6. Third party billing companies – does your firm have experience working with third party billing companies such as Quovant? If so, please list the billing company(s).

7. Task-based billing – does your firm use task-based billing codes, such as the ABA task codes, and can it provide these codes on invoices for the University? _____

8. Information security – describe your firm’s information security infrastructure including, data security, document security and safeguards against release of confidential information. _____

9. eDiscovery, litigation support & knowledge management – describe your firm’s resources in these areas, and explain how these will be used to benefit the University.

10. Future changes – describe any potential or planned changes that, in the next 12-24 months, could significantly change any of the information provided in your response to this RFP. _____

11. Existing UC/OGC relationships – describe any business or personal relationships your firm has with OGC or any other employees of the University of California. _____

12. Legal malpractice history – has your firm or any firm attorney been a named defendant in a legal malpractice case during the past 10 years, or has any firm attorney been sanctioned as an attorney by a court or regulatory authority or disciplined by the California State Bar Association? If so, please provide details. _____

13. Other services – describe any additional services (at no cost) that you would provide OGC to enhance the value of your service. _____

14. Conflicts of interest – how does your firm handle conflict checks? Please describe the procedure, any requirements or protocols and tools or databases your firm uses in this regard. Who is responsible for ensuring conflicts are thoroughly vetted before and during representation? Does your firm have any potential conflicts of interest if selected to represent the University? If so, please describe. _____

15. Prior UC work – has your firm represented the University in the past 5 years? If yes, please identify some representative matters. _____

16. Other considerations – discuss any other issues or considerations you believe are relevant as a candidate for UC General Liability Program Defense Counsel. _____

By signing below, I represent that I have read the information included in this response, and I attest that my firm has made its best effort to provide full and accurate information.

Date

Signature