

First Supplement to Memorandum 2016-8

Relationship Between Mediation Confidentiality and Attorney Malpractice and Other Misconduct: Public Comment

The following material was received by the Commission¹ at the meeting on February 4, 2016, in connection with Study K-402 (relationship between mediation confidentiality and attorney malpractice and other misconduct), and is attached as an Exhibit:

	<i>Exhibit p.</i>
• Robert Flack, <i>Real World Perspectives of Mediation Confidentiality</i> (2/4/16)	1
• Nancy Neal Yeend, <i>Comments Presented at CLRC Meeting</i> (2/4/16)	10
• Nancy Neal Yeend, <i>The Superheroes of Facts, Evidence and Logic Enter the Fray Over Legal Malpractice Protection in Mediation</i> , Plaintiff Magazine (Nov. 2015)	11

Please note the following:

- Mr. Flack’s use of the State Seal and the Commission’s name on page 3 of his materials (Exhibit p. 3) should not be construed to imply that the page has any official sanction or status.
- Ms. Yeend’s article (Exhibit pp. 11-12) is attached with permission from the author and the publisher.

Respectfully submitted,

Barbara Gaal
Chief Deputy Counsel

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). 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.