

WS2-Legal Requests

Subgroup	Legal Requests	Assigned to *	Status **	Notes
		ICANN Legal / External Lawyer / LC (Legal Committee) /	pending validation, refused, approved, awaiting delivery.	
Open Requests				
Human Rights	1. What is the definition ICANN legal uses for 'applicable law'? 2. What does the term "Respect" mean according to the bylaws (in relation to Core Values)? 3. What is the relationship between core values and commitments in general; and the HR core value and commitments in particular 4. How does the balancing progress between Core Values, as described in the bylaws, take place? Is it documented?	ICANN Legal	Awaiting delivery	[11/30] question sent to ICANN Legal by Leon [11/17, LC] request will be assigned to ICANN Legal, but needs to be reframed. David McAuley to reframe the question [11/16] Question sent to Karen.
Closed Requests				
Ombudsman (IOO-DT)	Is the current ICANN Ombudsman [and his predecessor] placing himself in a conflict of interest by participating in the sub-group which will have responsibility for the external review of the Office of the Ombudsman? If so what should the Ombudsman do to avoid such a conflict (completely recuse himself from all aspects or only from making or approving recommendations)?	Legal Committee	Delivered	[12/01] LC accepts the answer and Leon forwarded the answer to the subgroup, with suggestion to bring the question for discussion to the CCWG Plenary. [11/30] answer provided by Sam Eisner " In summary, if the Ombudsman or his predecessor is willing to participate in the subgroup's work, we see no legal reason why they should not participate." [11/21] request sent to ICANN legal [11/17] request assigned to ICANN Legal by Legal committee
Good Faith Conduct...	Good Faith subgroup requests to have a review by a legal expert with substantial experience in California nonprofit governance, once the draft guidelines are completed	Subgroup	Pending completion of draft guidelines	[11/17, LC]: LC agrees that ICANN Legal should do a review first, before going to external counsel. [11/03.ICANN Legal]: recommend, as a starting point, that the guidelines be presented to the ICANN legal department for review before going to external counsel. [10/18,Lori]: anticipate maybe 8-10 hours of very experienced, independent attorney time at a maximum