

AGENDA ITEM

November 10 - Board of Governors - September 17, 2011 Minutes

THE STATE BAR OF CALIFORNIA

MINUTES

BOARD OF GOVERNORS MEETING

LONG BEACH, CALIFORNIA

SATURDAY, SEPTEMBER 17, 2011

The Board of Governors of The State Bar of California convened in open session at 9:45 am in the Hyatt Regency Hotel, Rooms Regency E & F, 200 South Pine Avenue, Long Beach, CA 90802, on Saturday, September 17, 2011 William Hebert presiding.

The following members of the Board of Governors were present: James Aguirre, Lowell Carruth, Alec Y. Chang, Angela J. Davis, George O. Davis, Karen M. Goodman, Cheryl L. Hicks, Patrick M. Kelly, Loren Kieve, Micha Star Liberty, Wells Lyman, Dennis Mangers, Gwen Moore, Luis J. Rodriguez, Jon B. Streeter, and Michael Tenenbaum.

The following members of staff were present: Starr Babcock, Resty Buenavidez, Laila Bartlett, Dina DiLoreto, Joseph Dunn Mary Lavery Flynn, Francisco Gomez, Teri Greenman, Robert A. Hawley, Gayle Murphy, Sonja Oehler, Cathy Torney, Peggy Van Horn, and Colin Wong.

Also present: Jennifer Wada, the Bar's outside legislative consultant

The roll-call vote was taken, and upon motion made, seconded and unanimously adopted, it was

RESOLVED, that the roll-call vote will be substituted for the vote unless otherwise noted.

- 30 Mr. Hebert, President reported on the coming activities at the Annual Meeting and thanked everyone for their attendance.
- 41/42 Mr. Dunn, Executive Director gave no report.
- 50 All items on the consent agenda were presented to the Board, and no objection being raised thereto, the following items on the consent agenda were deemed unanimously adopted.

54-111

RESOLVED, that the Board Operations Committee recommends that the Board of Governors adopt the following resolution:

WHEREAS IOLTA funds in California have decreased significantly over the last three years, resulting in unavoidable cuts in IOLTA funding for legal services for Californians in need; and

WHEREAS California legal services organizations have undertaken a "Campaign for Justice" to increase resources for legal services; and

WHEREAS the lead entities in the Campaign to date are the Office of Legal Services of the State Bar of California and the Legal Aid Association of California, and

WHEREAS the Campaign for Justice will launch a coordinated statewide effort in October 2011 that includes a Campaign website and other outreach strategies;

NOW, THEREFORE, BE IT RESOLVED that the Board of the Governors of the State Bar of California approves the State Bar's partnership in the Campaign for Justice, and recognizes October 2011 as Campaign for Justice Month.

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Upon motion made, seconded and adopted, it was

RESOLVED, that upon recommendation of the Board Committee on Member Oversight, and in conformity with the Board's Policy Book, Tab 22 [General Authority of the Board], Article 2 [Public Communications], the Board of Governors authorizes the Office of Media & Information Services to conduct a survey of the State Bar's membership; and it is

FURTHER RESOLVED, that the State Bar contract with an appropriate firm to conduct the survey at a cost not to exceed \$75,000; and it is

FURTHER RESOLVED, that if the cost of the contract is over \$50,000, the contract will return to the Board for approval; and it is

FURTHER RESOLVED, that the content and format of the survey shall be subject to the approval of the Executive Director in consultation with the State Bar's Office of General Counsel.

All members present and recorded on the roll-call slip voted yes on the above matter.

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Upon motion made, seconded and unanimously adopted, it was

WHEREAS, representatives of the State Bar of California ("State Bar") and Service Employees International Union (SEIU) Local 1000, operating under a Service Agreement with SEIU Local 535 ("Union"), met and conferred pursuant to California Government Code sections 3505 and 3505.1 and the State Bar's Rules & Regulations for the Administration of Employer-Employee Relations, with a view to reaching agreement on the Memoranda of Understanding (MOUs) for the General and Attorney Bargaining Units to be effective in 2011 and after; and

WHEREAS, the Union and State Bar bargaining teams have met in good faith and reached tentative agreement on MOU terms to be effective in 2011 and after; and

WHEREAS, the Union is presenting the tentative agreement to its membership with a recommendation that it be ratified; and

WHEREAS, the State Bar's Rules and Regulations for the Administration of Employer-Employee Relations provides at Sections 6.8 and 6.9 that the proposed MOU terms be submitted to the Board of Governors for ratification; now therefore, it is

RESOLVED that upon the recommendation of the Board Committee on Operations, the Board of Governors ratifies the proposed Memoranda of Understanding amendments for the General and Attorney Bargaining Units in the form discussed this date to be effective upon full ratification of the amendments by both the Board and the Union; and it is; and it is

FURTHER RESOLVED that the Board's action here is contingent upon the Union fully ratifying the tentative agreement in the same form as presented here. The Board action here does not become effective until the Union confirms that its membership has fully ratified the tentative agreement as set forth here. If, for any reason, Union ratification does not occur, the action of the Board here is voided. The Board further reserves the right to withdraw this action at any time prior to Union ratification; and it is

FURTHER RESOLVED that the Office of General Counsel and the Office of the Executive Director take the appropriate steps to effectuate these amendments.

All members present and recorded on the roll-call slip voted yes except Michael Tenenbaum who voted no.

701 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, that the Board hereby appoints and elects the following as the 2011-12 Vice-Presidents of The State Bar of California:

Lowell T. Carruth
George O. Davis
Jeannine English
Clark E. Gehlbach
Cheryl Hicks
Patrick Kelly
Wells Lyman
Gwen Moore

and it is

FURTHER RESOLVED, that the Board hereby elects Patrick M. Kelly as the 2011-12 treasurer of The State Bar of California; and it is

FURTHER RESOLVED, that the Board hereby reaffirms its selection of Joseph Dunn as secretary of The State Bar of California.

All members present and recorded on the roll-call slip voted yes

The Board adjourned its meeting at 10:15 am.

The Board may meet again at the call of the President at any time prior to the next regularly scheduled meeting of the Board, or, if no such meeting be called, at the State Bar offices, 1149 South Hill Street, Los Angeles, CA 90015, on Friday, November 4, 2011, at a time to be determined.