

AGENDA ITEM

November 10 - Board of Governors – October 5, 2011 Minutes

THE STATE BAR OF CALIFORNIA

MINUTES

BOARD OF GOVERNORS MEETING SAN FRANCISCO, CALIFORNIA

WEDNESDAY, OCTOBER 5, 2011

The Board of Governors of The State Bar of California convened in open session in the 180 Howard Street, Room 8B, San Francisco, CA 94105, 1149 South Hill Street, Room 723 Los Angeles, CA 90015 and by conference on October 5, 2011 Jon B. Streeter presiding.

The following members of the Board of Governors participated: Lowell Carruth, Alec Y. Chang, Samson Elsbernd, Jeannine English, Nancy Fineman, Clark Gehlbach, Karen M. Goodman, Cheryl L. Hicks, Patrick M. Kelly, Wells Lyman, Dennis Mangers, Gwen Moore, Gretchen Nelson, Heather Linn Rosing and Mark Shem.

The following members of staff were present: Starr Babcock, Joseph Dunn, Raymond Farrish, Francisco Gomez, Teri Greenman, Gayle Murphy, Cathy Torney, Peggy Van Horn, and Colin Wong.

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 President Streeter gave no report

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.

50-1 RESOLVED, that upon the recommendation of the Planning, Program Development and Budget Committee, the Board hereby sets—subject to SB 163 becoming statute and effective January 1, 2012—the annual membership fee for active members in 2012 at \$400 (\$410 minus the \$10 one-time rebate) and the annual membership fee for inactive members at \$115 (125 minus the \$10 one-time rebate); and it is

FURTHER RESOLVED, that the total Keller deduction for the 2012 annual membership fee be set at \$10, which shall include \$5 for legislative activities under Business and Professions Code section 6140.05 and \$5 for activities in the Bar Relations and Elimination of Bias programs; and it is

FURTHER RESOLVED, that under the Temporary Emergency Legal Services Voluntary Assistance Option in Business and Professions Code section 6140.01, a \$20 deduction from the annual membership fee is to be provided to each member if the member elects not to have this amount allocated to support nonprofit organizations that provide free legal services to persons of limited means; and it is

FURTHER RESOLVED, that the penalties imposed on delinquent 2012 annual membership fees be set at \$100 for active members and \$30 for inactive members; and it is

FURTHER RESOLVED that the penalties on delinquent 2011 annual membership fees for all members, other than new admittees, billed on or after December 19, 2010 be set at \$100 for active members and \$30 for inactive members; and it is

FURTHER RESOLVED, that said penalties in the preceding paragraphs shall be assessed on February 2, 2012; and it is

FURTHER RESOLVED, that the reinstatement penalties for members to terminate suspension for nonpayment of accrued fees, penalties, and/or costs be set at \$100; and it is

FURTHER RESOLVED, that the membership fees for new members admitted in 2012 be set as follows: fees of \$400 (\$410 minus the \$10 one-time rebate) for those admitted between January 1 and May 31, 2012 and \$200 for those admitted between June 1 and November 30, 2012; and it is

FURTHER RESOLVED, that late payment penalties for new members admitted in 2012 be assessed and set on the 46th day from the invoice date as follows: \$100 for those admitted between January 1 and May 31, 2012, and \$50 for those admitted between June 1 and November 30, 2012; and it is

FURTHER RESOLVED, that the MCLE noncompliance fee be set at \$75 and the reinstatement fee to terminate MCLE inactive enrollment be set at \$200 for 2012; and it is

FURTHER RESOLVED, that the interest on assessed costs for reimbursement to the Client Security Fund be set at 10% annually calculated from the date of disbursement as set forth by the Board, pursuant to Business and Professions Code §6140.5(c); and it is

FURTHER RESOLVED, that the administrative penalty on failure to comply with binding arbitration is charged at a fee not to exceed 20% of the amount ordered refunded to the client or \$1,000 whichever is greater.

The Board adjourned its meeting at 10:45 a.m.

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.