

AGENDA ITEM

DATE: April 17, 2013

TO: Members, Nominations and Appointments Committee
Members, Member Oversight Committee (information only)

FROM: Pam Wilson, Interim Senior Director of Education

SUBJECT: Request for Public Comment – Rules of the State Bar, Title 3, Div. 2, Rule 3.54 (A) and (B)

EXECUTIVE SUMMARY

The sections are seeking to amend sections of State Bar Rule 3.54 which limit the number of members appointed to a section executive committee. Currently an executive committee must have fifteen members who are appointed for a three year term and allows for a seventeen member committee only for the purpose of permitting an officer, vice chair and/or chair to serve an extended term.

The sections would like the ability to have up to a seventeen member executive committee regardless of the term of service for officers. Staff has prepared a proposed amendment to the rules and seeks the Board Committee's approval to circulate the proposed amendment for public comment.

BACKGROUND / ISSUE

Section Executive Committees have fifteen to seventeen members. Typically, vice chairs, chairs and chair elects serve in a fourth, fifth or sixth year, but occasionally, they serve as an officer during their original three year term. In the latter set of circumstances, where all officers are within their three year term, a committee would not be permitted to have more than fifteen members.

A slight change in the rules will allow a section to have a seventeen member executive committee even if the officers are all serving within their first 3 years of membership.

SUMMARY OF PROPOSAL

The request is to circulate for public comment a proposed amendments to the State Bar Rule 3.54(A) and (B) in the form attached hereto as Attachment A. The amendment to section (A) allows a section executive committee to have a seventeen member

committee without tying it to the purpose of permitting service as an officer, in a fourth year, or as Chair, Vice Chair or Chair-elect in a fifth year, or as Chair, in a sixth year. The amendment to section (B) amends the number of appointments for new sections with a seventeen member committee.

LENGTH OF PUBLIC COMMENT PERIOD

Thirty day public comment period commencing on May 14, 2013 and ending on June 12, 2013.

EFFECTIVE DATE OF PROPOSAL

If the Board of Trustees ultimately approves the amendment to the rules, it is anticipated the rule change would become effective July 19, 2013.

FISCAL / PERSONNEL IMPACT:

None.

RULE AMENDMENTS:

Rules of the State Bar, Title 3, Div. 2, Rule 3.54 (A) and (B)

BOARD BOOK IMPACT:

Tab 20, Article 1, Section 5(A) and (B)

RECOMMENDATION:

Staff recommends that the Board Committee on Nominations and Appointments approve the request that the proposed amendments to the Rules, as attached as Attachment A, be circulated for public comment.

PROPOSED BOARD COMMITTEE RESOLUTION:

Should the Nominations and Appointments Committee agree with the above recommendation, the following resolution would be appropriate:

RESOLVED, that the Nominations and Appointments Committee authorizes staff to make available for public comment for a period of 30 days, the proposed revisions to the Rules of the State Bar, Title 3, Div. 2, Rule 3.54 (A) and (B) in the form attached; and it is

FURTHER RESOLVED, that this authorization for release for public comment is not, and shall not be construed as, a statement or recommendation of approval of the proposed item.