

## ATTACHMENT B

Redline Version

### Tab 15, Appointment Policies and Procedures

#### Article 6

#### GUIDELINES FOR APPOINTMENT OF STATE BAR REPRESENTATIVES TO BOARDS OF DIRECTORS OF PROGRAMS FUNDED BY THE LEGAL SERVICES CORPORATION

##### **Section 1    *Review of Candidates by Board Committees***

Appointments by the Board of Trustees of State Bar representatives to serve on boards of directors of programs funded by the Legal Services Corporation will be accomplished through a process that includes the recommendation of candidates by the Nominations and Appointments Committee, [Insert begins]or its successor,[Insert ends] to the Board of Trustees. Appointments are made by the full Board of Trustees.

(Source: Board of Governors' Resolutions, March 1983, April 1985, June 1987, July 1995, Annual Board Resolution, Governance Action Plan October 2001; Volunteer Involvement Committee Charter.)

##### **Section 2    *Program Request for Appointments***

- a) Prior to the State Bar making any commitment to appoint representatives to the board of directors of a legal services program, the program's board of directors must submit a specific request to the Nominations and Appointments Committee, [Insert begins]or its successor,[Insert ends] which shall include the following information:
  - (1) Number of appointments;
  - (2) Minimum requirements it wishes the board committee to consider in making its recommendations; and
  - (3) A copy of its current bylaws and[Delete begins], if necessary, proposed revisions showing how the bylaws will be amended to conform to the number and terms of requested appointments[Delete ends] [Insert begins]any updates[Insert ends].
- b) Requests for appointments from programs shall include the number of vacancies to be filled [Delete begins]and[Delete ends][Insert begins]:[Insert ends]
  - (1) The number of vacancies to be filled[Insert begins]:[Insert ends]
  - (2) ~~A profile of the current board, including sex, race, ethnicity, geographic location and type of practice~~ **board's diversity demographics;**

(3) A description of the program board's methods for soliciting applications[Insert begins];[Insert ends] and [Delete begins]reviewing the qualifications of applicants shall accompany all requests.(5)  
[Delete ends]

(4) [Insert begins]A description reviewing the qualifications of applicants.[Insert ends]

[Insert begins](5) The dates of proposed term for the appointment.[Insert ends]

(Source: Board of Governors' Resolutions, March 1983, June 1987, October 2001, Volunteer Involvement Committee Charter.)

### **Section 3 Staggered Terms**

Where the total number of appointments to be made by the State Bar is greater than (4) four, the terms of such appointments must be staggered so that the regular terms of no more than half of the State Bar's appointees begin in any twelve-month period.

(Source: Board of Governors' Resolution, June 1987.)

### **Section 4 Legal Services Boards: [Delete begins]Appointment of Minorities and Women[Delete ends] [Insert begins]Diversity Outreach[Insert ends]**

Appointments to Legal Services Boards shall be made so as to ensure [Delete begins]that[Delete ends][Insert begins]diversity among[Insert ends] the [Delete begins]State Bar's[Delete ends][Insert begins]State Bar's[Insert ends] appointees [Delete begins]include women and minorities[Delete ends] and reasonably reflect the population of the areas served by the program, as provided by 45 C.F.R. section 1607.3(c).

(Source: Board of Governors' Resolution, June 1987, 45 C.F.R. section 1607.3(c).)

### **Section 5 Reappointments**

It is the policy of the State Bar not to consider for reappointment any member who has served on a board for two (2) terms or six (6) years, whichever is greater, unless the reappointment is required to continue the term of any officer, in which case a member may be reappointed for a period of time sufficient to allow completion of the term of office[Insert begins], or for other good cause, such as lack of eligible candidates from the service area.[Insert ends]

(Source: Board of Governors' Resolutions, March 1983, January 1984, June 1984, June 1987.)

### **Section 6 Press Releases**

The State Bar's Office of Bar Communications and [Insert begins]Information Services[Insert ends] ~~Bar Relations [Office of Media Services and Information]~~ shall issue a press release soliciting applications for all vacancies in positions appointed by the State Bar. The press release will include all requirements for membership identified by the program board and will inform potential applicants that applications will be reviewed by and recommendations will be solicited from the board of directors of the relevant program.

The press release shall allow for [Delete begins]no less than [Delete ends]a [Delete begins]two[Delete ends][Insert begins]one[Insert ends]-month solicitation period and a [Delete begins]three[Delete ends][Insert begins]one[Insert ends]-month period for review by appropriate board committees and the Board of Trustees. The press release will indicate that applicants must submit a brief resume accompanied by a cover letter describing the reasons why they should be appointed to serve on the board of directors. The resume should include any past experience, interest or involvement in providing legal services to the poor. The press release will also be sent to the appropriate representatives of the programs so that they can inform potential applicants to send their letters and resumes by the specified date to the Office of Legal Services[Delete begins] [Legal Services Outreach][Delete ends].

(Source: Board of Governors' Resolutions, March 1983, June 1984, March 1987.)

### **Section 7    *Recommendations by Program's Board of Directors***

Within thirty (30) days following the end of the solicitation period, the program's board of directors (or committee thereof) shall give the Office of Legal Services [Delete begins][Legal Services[Delete ends][Delete begins]Outreach] [Delete ends]its recommended appointments listed in order of preference. The recommendations shall include information describing how the applicants were evaluated[Delete begins] and[Delete ends][Insert begins],[Insert ends] the reasons for the recommendations[Insert begins], and the dates for the term of the appointment.[Insert ends]

(Source: Board of Governors' Resolution, June 1987.)

### **Section 8    *Review of Requests for Appointment***

Prior to review by the ~~Nominations and Appointments Committee~~ **board committee**, the Office of Legal Services [Delete begins][Legal Services Outreach] [Delete ends]will review all requests for appointment to ensure that all the required information has been submitted in the proper form, and that the recommended appointments meet the requirements of the program board's bylaws, experience requirements, other specific requirements, and the provisions of section 4 herein.

In the event that all relevant requirements have not been met, the program board will be asked to provide revised recommendations. If revised recommendations are not made, the appointment process will, at the direction of the board committee either be extended or proceed without revised recommendations from the program board.

(Source: Board of Governors' Resolutions, March 1983, June 1987, October 2001; Volunteer Involvement Committee Charter.)

### **Section 9    *Board Committee Recommendations***

The Nominations and Appointments Committee[Insert begins], or its successor,[Insert ends] shall make the specified number of recommended appointments to the Board of Trustees. The board shall make the appointments in conformity with its procedures on appointments to external entities.

(Source: Board of Governors' Resolutions, March 1983, June 1987, July 1995, October 2001,

Volunteer Involvement Committee Charter.)

***Section 10 Appointee Expenses--No Reimbursement***

No State Bar funds shall be expended to reimburse any appointee for any expenses incurred through his and her service on a board of directors of a program funded by the Legal Services Corporation.

(Source: Board of Governors' Resolutions, March 1983, June 1987.)