

VICE PRESIDENT CANDIDATE STATEMENT for CRAIG HOLDEN
BOARD OF TRUSTEES, STATE BAR OF CALIFORNIA

Dear fellow Trustees:

It has been one of my most gratifying professional endeavors to serve with you on the Board of Trustees for the State Bar of California. It is with enthusiasm and humility that I submit this statement in support of my candidacy to serve as your next Vice President. This statement shares my vision for the future of the State Bar. In sum, I believe in proactive leadership with a broadly defined mission of “public protection” – i.e., one that focuses on protecting consumers, but also focuses on helping lawyers become better lawyers, improves the delivery of legal services, and promotes diversity in our profession – all of which serves the interest of the public and our profession.

I am fortunate to have been around people who believe in public service. My father served in the U.S. Air Force. My mother served in California state government. My many mentors instilled in me the importance of public service. I believe public service has the ability to bring positive change to many, and have found my service on this Board to be rewarding. I am confident that our collective efforts will lead the Bar to achieve new heights as we encounter the challenges of a changing legal profession. I would like to give back to the profession that has given so much to me, and use my dedication to public service to improve the State Bar for both the public and our profession. It is for these reasons I would like to be your next Vice President.

All of us come from leadership backgrounds before joining the Board, and my philosophy is that a great board leader will leverage the “thought leadership” skills among the Trustees, appoint Trustees to leadership posts based upon Trustee skill-sets, and lead through collaboration and open communication. Many of you know my style of leadership from past or present work we have done together on this Board or other boards. My leadership background is broad-based, ranging from civic to community to the legal profession. I’m one of 50 leaders appointed to the Rand Corporation’s SoCal 50 Leadership Council, a non-partisan organization of leaders focused on business regulation and civic justice – and described by *The National Law Journal* as “the legal think tank at the top.” I have served on various State Bar task forces, executive committees and groups over the years. In my two years on the Board, I have attended all Board meetings and actively participated in committee and liaison work. I promise to demonstrate the same commitment in carrying out the duties of the Vice President position.

One of the core functions of the Vice President is to work closely with the President, and I have been fortunate to have known Luis Rodriguez for years and have led with him on this Board and others. I have met with our incoming President to discuss his priorities and am prepared to work collaboratively with him during his term in order to help advance our collective goals. We worked together this past year to design an annual planning retreat agenda that would generate active Trustee participation and debate on the core issues facing our profession. If elected Vice President, I will focus upon having a finely executed planning retreat such as those that we have had the last two years under the guidance of Pat Kelly and Luis Rodriguez.

PROACTIVE LEADERSHIP UNDER BROADLY-DEFINED PUBLIC PROTECTION

Under our new strategic plan, the State Bar's mission has been retooled and is now squarely focused on public protection, and that should continue to be our focus. However, I believe it is important that we give a holistic definition to what constitutes "public protection" so that our mission is carried out broadly in the interest of the public and the betterment of our profession. This means assuring that we have an efficient disciplinary system, but this also means ensuring that we help lawyers become better lawyers and thereby avoid discipline.

Foremost, we must have a discipline system that is efficient without compromising due process. Our Office of Chief Trial Counsel (OCTC) has done a fine job in improving efficiency in the processing of complaints, adopting the more uniform disciplinary standards imposed by the Supreme Court, and in ensuring we have no material disciplinary backlog – all under the proactive leadership of our Regulation Admissions and Disciplinary (RAD) Committee. We need to continue to make sure that Trustees on the RAD committee partner closely with OCTC to identify trends before they become crises, and to ensure that OCTC continues to provide regular status reports, and improves its processing of claims. As a member of the RAD committee, I have had the opportunity to discuss developing trends with our Chief Trial Counsel, including participating on her Immigration and Notario Fraud Forum that brought together stakeholders from various law enforcement and consumer agencies in an effort to identify solutions to immigration fraud. We need to continue to engage in similar proactive leadership, and I'm pleased our current leadership has been working with government officials to get the requisite tools to combat immigration fraud in advance of anticipated immigration reform. These are smart steps we can and should take to be proactive in our leadership of the Bar.

We also need to ensure that we have a Client Security Fund (CSF) that has easily understood and fair rules to provide victims of theft timely reimbursement of their claims. Our current Treasurer has been vigilant in identifying areas for improvement in the administration of and processing of claims under the CSF. We need to fully explore if reforms are necessary.

Further, public protection also means ensuring that we proactively help lawyers become better lawyers – whether it is requiring practical skills training for newly admitted lawyers, improving our continuing legal education requirements or exploring the challenges facing our senior lawyers – to better serve the public and profession. This is consistent with our duty to help lawyers satisfy the highest standards of competence and legal ethics. The Report from the Task Force on Admissions Regulation Reform is a model example of our efforts to improve our admissions system and help young lawyers entering our profession. With historically high unemployment rates among our young lawyers, the need for these and similar proactive reforms are necessary. Further, it's important that we continue to stay engaged with the California Young Lawyers Association to find ways to serve the unique challenges facing our young lawyers. Similarly, we need to keep on our radar the challenges facing our senior lawyers who many expect to continue working beyond traditional retirement years. My colleague Pearl Mann has done a fine job leading our Senior Lawyers working group, and we should partner with our local bar association senior lawyer groups for their input on how to address challenges facing our baby boomer population of lawyers. Improving the capacity of the Lawyers Assistance Program

is necessary to serve the needs of all our members in need, whether young or old, so that they can satisfy the highest standards of competence and ethics for the benefit of the public and our profession.

As a member of the Board's Information Technology subcommittee, I am prepared to lead discussion regarding the technology needs of OCTC and the State Bar. We need to make sure our staff is given the necessary tools to effectively and efficiently perform their duties.

As a member of the Board's Real Estate Subcommittee, and as a licensed real estate broker and investor, I enjoyed participating in the historic purchase of the new State Bar building in Los Angeles, and the discussion regarding the redesign of our San Francisco office. The building purchase was done in a fiscally responsible manner, with the full engagement of this Board and effective execution by our Treasurer Gretchen Nelson and our CEO Joe Dunn. Going forward, we need to ensure we maximize rental income opportunities from leasable space.

As a member of the Board's Governance working group, I have worked collaboratively with other Trustee group members to generate ideas on streamlining our Board committee structure, to strengthen our written policies, and to help define the roles of our Board officers.

Finally, I believe we should continue to invest in a robust annual planning retreat that explores developing trends and the future needs of the State Bar. I have been fortunate to serve on the Program, Planning, Development and Budget (PPDB) committee for the last two years, including as Vice Chair for the last year assisting Luis Rodriguez as Chair, in planning the annual Planning and Budget retreat. This will be among the most important duties of the Vice President, and I am prepared to fully explore with Trustees what initiatives will improve the profession, engage in robust discussion and thought leadership, and ensure fiscal discipline by working with our treasurer to vet and approve our budget during the planning retreat.

IMPROVING THE DELIVERY OF LEGAL SERVICES & ACCESS TO JUSTICE

Improving the delivery of legal services – what we euphemistically refer to as improving “access to justice” – is a secondary but important mission of the State Bar. This concept means providing leadership to ensure the public has adequate access to competent attorneys and to our judicial system notwithstanding their financial status or geographic location.

This year I've led this Board's Working Group on the issuance of a Limited License to Practice Law, and believe the group has developed ideas that can and should be explored to address substantial access to justice challenges we face. These challenges include vast numbers of lower and middle income families that cannot afford lawyers, and are representing themselves in *pro per* in unprecedented numbers, but that are also in need of limited technical legal assistance in order to cost-effectively navigate through our judicial system. There are also substantial concerns the Board should keep on its radar regarding the unauthorized practice of law by immigration consultants and Notarios Públicos. The group's report will be presented at our upcoming meeting, and it's a good opportunity to consider expanding our evaluation of other areas in need of improved access to justice – whether it is finding ways to increase funding of legal services or supporting the implementation of technology to improve access to our courts.

We can all take pride in the effective partnership we have between the Bench and the Bar that led to better advocacy in seeking an increase in court funding. Our President, Pat Kelly, has been an excellent advocate for court funding, and I've also enjoyed working with the Bench-Bar Coalition to advocate for increased funding. Keeping our courtrooms open remains a top priority in safeguarding the public's access to our justice system.

Meanwhile, the historically low interest rates on lawyer trust accounts (IOLTA) has had a devastating impact on the funding of legal services programs but we must continue to explore available resources to increase the funding of legal services. We have made some favorable strides with some of our recent initiatives and should remain diligent in our effort to support the funding of legal services – since the need is greater now, but the resources are diminishing.

DIVERSIFYING OUR LEGAL PROFESSION

I'm proud of the work of the State Bar's Council on Access and Fairness (COAF), which continues to serve as the State Bar's diversity "think tank" to promote the diversification of the legal profession and judiciary. The COAF has given the State Bar an effective means of promoting diversity through "pipeline" diversity initiatives. These initiatives seek to bring more rigor and critical thinking skills to children from all backgrounds so they can be prepared for a career in law, and ensure that the legal profession and judiciary better reflect the diverse population of the State of California so we can increase confidence in our legal and judicial system. These and other innovative approaches should continue to be supported. As past Chair of COAF, I engaged in dialogue with the editor of U.S. News & World Report (USNWR) regarding our desire to improve their ranking methodology by also grading schools based upon their student body and faculty diversity – in addition to the various other objective and subjective factors used by USNWR. I will continue to support innovative measures to promote diversity.

I will also continue to support the State Bar's involvement in the implementation of law academies in California's high schools – which promotes instruction on civics and careers in the legal profession through a partnership with the California Department of Education. As a member of the task force on law academies, I've seen how these efforts increase the pipeline of diverse students who enter law school and hopefully the legal profession.

There are numerous other stakeholders that are doing great work to diversify our legal profession and we should continue to encourage collaboration with such stakeholders to improve diversity – including with our colleagues at the California Bar Foundation and local and state based voluntary bar associations.

Moreover, we should continue to promote outreach efforts to ensure diversity in State Bar appointments. The diversity of our candidates this year for State Bar officer positions confirms the Board is leading by example on diversity.

INSTITUTIONALIZING OUR NEW LEADERSHIP CULTURE

The State Bar's Governance Task Force in 2011 led to significant reforms in the governance of the State Bar's Board. These changes, including the new focus upon public protection, have led to a new culture where both elected and appointed, public and attorney trustees all work closely together to advance the Bar's mission. While there was some past dissonance on the Board, such is the case no longer. It's important, however, that we institutionalize our new leadership culture. This should include (a) having our leaders and senior Trustees serve as mentors to newly appointed or elected Trustees, (b) having new Trustees participate in orientation programs that reduce the learning curve to serve on the Board, (c) ensuring we appoint members to Chair committees based on merit rather than seniority, and (d) implementing and refining as needed our strategic plan, governing rules and bylaws.

We are fortunate to have great foresight and leadership among our State Bar executives and managers, including CEO Joseph Dunn and Chief Trial Counsel Jayne Kim, but we still need to ensure that it is the Board that is leading the State Bar, that there is an open and regular line of communication between Trustees and State Bar managers, and that we continue to carefully vet the work of staff to ensure that the Board's directives are being carried out.

Last but not least, we need leadership that will advocate for the independence of the judicial branch, which I have done through the Bench-Bar Coalition, while still partnering closely with our Legislative leaders to ensure that our Dues Bill passes without conditions. I was able to visit Sacramento this year to advocate for additional court funding with our Legislature, and am proud of the collective work we have done to reverse cuts in court funding.

Based upon my many years of Bar service, I understand the time commitment necessary to lead this Bar. I have my firm's support and will make the necessary commitment to fulfill the requirements of the Vice President position. If given your support to serve as Vice President, I will lead with focus, dedication, transparency and through collaboration with each of you.

Thank you in advance for your consideration and support.

Very Truly Yours,

Craig Holden

Craig Holden

Further resume details at: www.lewisbrisbois.com/attorneys/holden_craig