

AGENDA ITEM

March 10 - Board of Trustees – January 11, 2014 Minutes

THE STATE BAR OF CALIFORNIA

MINUTES

BOARD OF TRUSTEES MEETING

NEWPORT BEACH MARRIOTT HOTEL & SPA

SALONS C & D

900 NEWPORT CENTER DRIVE

NEWPORT BEACH, CA

SATURDAY, JANUARY 11, 2014

The Board of Trustees of The State Bar of California convened in open session at 12:00 pm at the Newport Beach Marriott Hotel & Spa, Salons C & D, 900 Newport Center Drive, Newport Beach, CA, on Saturday, January 11, 2014, Luis J. Rodriguez presiding.

The following members of the Board of Trustees were present: Michael Colantuono, Glenda Corcoran, Dan Dean, Nancy Fineman, Craig Holden, Miriam A. Krinsky, Dennis Mangers, Pearl Mann, Joanna Mendoza, David Pasternak, Heather Rosing, David Torres and Hernán Vera.

The following members of staff were present: Rex Bossert, Resty Buenavidez, John Chiappetta, Laura Ernde, Kelli Evans, Mary Flynn, Dina Goldman, Francisco Gomez, Teri Greenman, Robert Hawley, Jayne Kim, Carol Madeja, Gayle Murphy, Sonja Oehler, Peggy Van Horn, Jennifer Wada, Pam Wilson, Ginnie Yee and Larry Yee.

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.

All members listed on the slip voted yes.

- 30 Mr. Rodriguez advised the Board that the State Bar would be hosting a meeting of Foreign Consulates on January 29 at the State Bar's Los Angeles offices.

Mr. Rodriguez told the Board that he had attended the January 6 grand opening of the State Bar's 845 S. Figueroa building. Mr. Rodriguez thanked Mr. Dunn for his tremendous leadership and praised the physical layout of the building. Mr. Rodriguez expressed his hope that the building facilities would be accessible to the public and State Bar stakeholders.

Mr. Rodriguez reported that the appointment process for the Civil Justice Strategies Task Force was underway.

Mr. Rodriguez informed the Board that in 2014, three seats on the State Bar's Board of Trustees would be up for election; Districts 2, 4 and 6 will each have one open seat. He also noted that the Supreme Court was accepting applications for two open slots on the Board of Trustees and that the deadline to apply was February 28.

Mr. Rodriguez reported that on January 8, the Asian Pacific American Bar Association hosted an event at Southwestern Law School honoring him as the first Latino to serve as President of the State Bar of California. Mr. Rodriguez explained that the event also included a panel discussion on how to apply to and serve on State Bar Committees. Mr. Rodriguez and the Hon. Holly Fujie moderated the panel. The other panelists were former Trustee Gretchen Nelson; the Hon. Cynthia Loo, Chair of the California State Bar Council on Access and Fairness; Jason P. Lee, Vice Chair of the Commission on Judicial Nominees Evaluation; and Vice President Craig Holden.

41/42 Executive Director Dunn, in the interest of time, did not report.

Mr. Rodriguez called for public comment, inquiring as to whether there were persons in attendance who wished to comment on a particular item on the agenda. No one present requested comment.

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

RESOLVED, that upon the recommendation of the Board Committee on Operations, the Board of Trustees hereby adopts the 2014-2016 Budget and Strategic Plan Update in the form presented to the Board this day.

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

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

RESOLVED, following publication for comment and no comments having been received, the Board of Trustees of the State Bar of California hereby adopts the proposed revisions to the State Bar of California's Conflict of Interest Code for Designated Employees, in the form attached hereto and made a part hereof.

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

113A Upon motion made, seconded and unanimously adopted, it was

WHEREAS, the existing Executive Director Agreement was extended at the meeting of the board in November 2013 to January 20, 2014, with the purpose to allow amendments to be considered at the January Planning Meeting;

WHEREAS, notice of the agenda item was inadvertently omitted when the agenda was posted on December 30, 2013, and was posted as a late item on January 2, 2014, the next business day after the New Year's holiday;

WHEREAS, action at the meeting on January 11, 2014, is necessary and appropriate so that the Executive Director's contract can be finalized before the end of its extended term and without the unnecessary expense of a separate and special meeting for this sole purpose;

RESOLVED, that the Board hereby finds that there is a need for immediate action and approve the adding of this item to the agenda as a late item.

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

113B Upon motion made, seconded and unanimously adopted, it was

RESOLVED, that upon the recommendation of the Board Committee on Operations, the Board of Trustees approves the Third Amendment to the contract between the Executive Director and the Board of Trustees in the form before the Board this date; and it is

FURTHER RESOLVED, that upon the recommendation of the Board Committee on Operations, the terms of the Third Amendment shall be reflected in a contract document consistent with the terms discussed this date, to be executed by Joseph Dunn as Executive Director and State Bar President Luis Rodriguez; and it is

FURTHER RESOLVED, that Luis Rodriguez, as State Bar President, is expressly authorized by the Board of Trustees to execute the Third Amendment to the Executive Director's contract as approved here to be effective as set forth in the contract document.

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

The Board went into closed session at 12:45 p.m. and those other persons present left the meeting.

The Board considered the appointments in closed session and the action taken is reported below.

3111 Upon motion made, seconded and unanimously adopted, it was

RESOLVED, that due to the need to make appointments before the Nominations and Appointments Committee would next meet, and upon recommendation of the Board Committee on Operations, the Board hereby suspends the consideration of this appointment to the Council on Access and Fairness by the Nominations and Appointments Committee; and it is

FURTHER RESOLVED, that upon recommendation of the Board Committee on Operations, the Board hereby appoints Martha Escutia, member, Council on Access and Fairness, effective immediately, replacing Carlos Moreno, resigned, for the remaining portion of Mr. Moreno's term, expiring on September 14, 2014, or until further order of the Board, whichever occurs earlier.

All members present and recorded on the roll-call slip voted yes, except Craig Holden and Dennis Mangers who abstained.

The Board adjourned its meeting at 1:45 pm.

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, 845 S. Figueroa Street, Board Room, 2nd Floor, Los Angeles, CA, 90017, on Friday, March 7, 2014, at a time to be determined.