

# AGENDA ITEM

116 SEPT 13 2014

**DATE:** September 4, 2014

**TO:** Members, Board Committee on Operations  
Members, Board of Trustees

**FROM:** David A. Torres

**SUBJECT:** Proposed Process For Reviewing Possible Legislation/Liaison Assignment

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## EXECUTIVE SUMMARY

This item would provide for two Trustees of the Board Committee on Operations to serve as liaisons with the Chief Executive Officer, the State Bar's legislative advocate, and Governmental Affairs staff during the course of any year of a legislative session regarding developing legislative proposals that may lead to requests for an affirmative vote by the Board of Trustees to sponsor specific legislation.

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## BACKGROUND

Under existing State Bar policy, a legislative position by the Board of Trustees must be adopted by an affirmative vote of two-thirds of those present. State Bar Trustee David Torres has requested that potential State Bar sponsorship of legislation be brought to the Board as early as possible to facilitate fuller Board discussion and public comment. This item would provide that two Trustees of the Board Committee on Operations (Executive Committee) serve as liaisons with the Chief Executive Officer, the State Bar's legislative advocate, and State Bar staff dealing with legislative affairs. The liaisons would help in determining when development of a legislative proposal has reached a point of sufficient specificity, for presentation to the full Board for its consideration of State Bar sponsorship.

## DISCUSSION

A proposal to sponsor legislation is often preceded by informal, preliminary discussions with legislators and their staffs. Legislators sometimes come to the State Bar with ideas they would like to pursue, and we sometimes approach legislators with ideas, to see if there is legislative interest in pursuing those ideas. These ideas often result in ongoing, conceptual discussions that do not involve fully developed substantive details, such as proposed statutory language.

The timeline for bringing forward actual language for a bill is driven by legislative deadlines. It is not uncommon for proposed statutory language to be fully developed close to those deadlines. Under this proposal, two Trustees of the Board Committee on Operations (Executive Committee) would serve as liaisons with the Chief Executive Officer, the State Bar's legislative advocate, and staff dealing with legislative affairs. Those liaisons would help in determining when the development of a legislative proposal has reached a point of sufficient specificity, for presentation to the full Board for its consideration of State Bar sponsorship. Under this proposal, legislative requests for State Bar sponsorship would be brought to the Board as early as possible, to facilitate full Board discussion and public comment.

**FISCAL / PERSONNEL IMPACT:**

None

**RULE AMENDMENTS:**

None

**BOARD BOOK IMPACT:**

Language would be added to reflect the resolution adopted by the Board.

**RECOMMENDATION**

It is recommended that two Trustees of the Board Committee on Operations be appointed to serve as liaisons with the Chief Executive Officer, the State Bar's legislative advocate, and State Bar Governmental Affairs staff during the course of any year of a legislative session regarding the development of legislative proposals that may lead to requests for an affirmative vote by the Board of Trustees to sponsor specific legislation.

**PROPOSED BOARD COMMITTEE RESOLUTION:**

Should the Board Committee on Operations agree with the above recommendation, the following resolution would be appropriate:

**RESOLVED**, that the Board Committee on Operations recommends that the Board establish the appointment of two Trustees of the Board Committee on Operations, to be designated, to serve as liaisons with the Chief Executive Officer, the State Bar's legislative advocate, and State Bar Governmental Affairs staff during the course of any year of a legislative session regarding the development of legislative proposals that may lead to requests for an affirmative vote by the Board of Trustees to sponsor specific legislation.

## **PROPOSED BOARD OF TRUSTEES RESOLUTION:**

Should the Board concur with the Board Committee on Operations's recommendation, the following resolutions would be in order:

**RESOLVED**, that upon the recommendation of the Board Committee on Operations, the Board hereby establishes the appointment of two Trustees of the Board Committee on Operations, to be designated, to serve as liaisons with the Chief Executive Officer, the State Bar's legislative advocate, and State Bar Governmental Affairs staff during the course of any year of a legislative session regarding the development of legislative proposals that may lead to requests for an affirmative vote by the Board of Trustees to sponsor specific legislation.