

AGENDA ITEM

March 10 - Board of Trustees – January 24, 2015 Minutes

THE STATE BAR OF CALIFORNIA

MINUTES

BOARD OF TRUSTEES MEETING

SONOMA, CALIFORNIA

SATURDAY, JANUARY 24, 2015

The Board of Trustees of The State Bar of California convened in open session at 10:50 am at The Lodge at Sonoma Renaissance, Sonoma Ballroom, 1325 Broadway, Sonoma, California on Saturday, January 24, 2015, Craig Holden presiding.

The following members of the Board of Trustees were present: Janet Brewer, Michael Colantuono, Glenda Corcoran, Dan Dean, Terrance Flanigan, James Fox, Miriam Krinsky, Dennis Mangers, Joanna Mendoza, David Pasternak, David Torres and Hérnan Vera.

Danette Meyers join the meeting at 10:55 a.m.

The following members of staff were present: Resty Buenavidez, John Chiappetta, Kelli Evans, Dina Goldman, Francisco Gomez, Robert A. Hawley, Jayne Kim, Gayle Murphy, Peggy Van Horn, Sam Quan, Christine Wong and Larry Yee.

Also present: Jennifer Wada, the State Bar's legislative advocate.

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.

Mr. Holden asked if there was anyone present that would like to comment on any of the matters on the Board's agenda.

Ms. Julie D'Angelo Fellmeth, Administrative Director, University of San Diego School of Law's Center for Public Interest Law, addressed the Board regarding 6001.2 State Bar Governance in the Public Interest Task Force and that the Board should adopt open and closed meeting rules that are consistent with Bagley-Keene.

- 30 Mr. Holden reported that he and Jennifer Wada, the State Bar's legislative advocate, had met with the new Senate and Assembly Judiciary Committees leadership: State Senator Hannah-Beth Jackson (D-Santa Barbara); and Assembly Member Mark Stone (D-Monterey Bay).

Mr. Holden introduced Jennifer Wada who spoke about legislation of interest to the State Bar. Ms. Wada advised that the State Bar's fee bill would be introduced by the Senator Jackson, Chair of the Senate Judiciary Committee.

Regarding AB 60 that was introduced by Assembly member Lorena Gonzalez, Ms. Wada explained that it would revise the definition of an immigration reform act to include the Executive Order issued by the President in November 2014, relating to immigration reform.

Ms. Wada advised that Assembly Member Alejo had introduced legislation (Assembly Bill 100) that would establish the California Law Fellowship Program for the purpose of offering licensed attorneys and other qualifying law school graduates limited-term placements in public sector positions within state government and encouraging each participant to seek permanent public-sector employment at the conclusion of his or her fellowship, as specified. State funds would not be used to administer the program.

Ms. Wada reported that Senator Bob Hertzberg had introduced legislation (Senate Bill 134) that would ask California attorneys to contribute to the Public Interest Attorney Loan Repayment Program through donations via their annual Bar bills. The Legislature created the program years ago to help repay the student loans of new attorneys who agree to practice in certain public interest areas of the law, including district attorneys' offices and legal services for the poor.

Mr. Holden asked that the Board of Trustees keep Trustee Gwen Moore in their thoughts as her sister in-law, had passed and funeral services were being held on this day.

701 Part 1 Adoption of the 2015-17 Budget: Upon motion made, seconded and unanimously adopted, it was

RESOLVED, that the Board of Trustees hereby adopts the 2015-17 Budget in the form presented to the Board this day; and it is

FURTHER RESOLVED, that spending authority under the budget ends April 30, 2015, subject to further review and action at the Board's March meeting; and it is

FURTHER RESOLVED, that staff is directed to submit a revised budget with spending authority identified by program cost center by April 30, 2015.

701 Part 2 Budget Augmentation Los Angeles Facilities Funding Planning (late item): This was carried over to a future meeting, no discussion had or action taken.

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

RESOLVED, that 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.

703 President's Allowance Policy: Referred to Michael Colantuono and Jim Fox to research and develop with staff and report back to the Board.

704 Institutional Change and Structural Change Considerations: Joanna Mendoza and David Pasternak were assigned to work with staff on potential changes to the Board Policy Book and report back to the Board.

Action was taken by the Board to approve late Item 705 - Second Commission for the Revision of the Rules of Professional Conduct: Appointments – pursuant State Bar Rule 6.51(B)(2)).

705 Upon motion made, seconded and unanimously adopted, it was resolved that

WHEREAS, on November 7, 2015, the Board of Trustees created the Second Commission for Revision of the Rules of Professional Conduct ("Commission"), adopted a charter for the Commission, and delegated authority to the President to appoint the membership of the Commission, not to exceed 12 members; and

WHEREAS, the President, working with the appointed Chair of the Commission, has developed a preliminary set of appointments that exceeds 12 members and must therefore seek Board approval to modify the size of the Commission; and

WHEREAS; the President plans to finalize the appointments as soon as possible and the deadline for completing the appointments will occur before the Board's next regular meeting; it is hereby

RESOLVED, that the Board of Trustees hereby finds that there was a need to post the item related to appointments to the Commission as a late item so that action can be taken at the Board's January 24, 2015 meeting.

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

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

RESOLVED, that the Board reaffirms the action of the Board taken November 2014 on Agenda Item 123 [Attachment 1]; and it is

FURTHER RESOLVED, that the delegation to the President to appoint the members of the second Commission is amended so as not to set any maximum number of appointees.

Board went into closed session at 1:15 pm and those other persons present left the meeting

The Board returned to open session and adjourned its meeting at 1:30 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 Citizen Hotel Sacramento, Metropolitan Terrace, 926 J Street, Sacramento, CA 95814, on Friday, March 13, 2015, at a time to be determined.