

Board Executive Committee Referral List

November 17, 2016

Category 1 – Change in Date Only

None.

Category 2 – Possible Committee Reassignments

None.

Category 3 – New Matters Requiring Assignment to Appropriate Board Committee

November #1

Proposed Amendments to Law School Rules re Conforming to California Public Records Act

The Committee of Bar Examiners seeks approval for proposed amendments to the *Accredited Law School Rules* and the *Unaccredited Law School Rules* in order to bring them into conformance to the California Public Records Act, which the State Bar of California is now subject to.

Responsible Staff: Gayle Murphy

Recommendation: A&E – NOV

BOT – NOV

November #2

Moss Adams 2016 Audit Contract Renewal

This agenda item is submitted to request approval to renew the State Bar's financial audit contract with the firm Moss Adams, LLP. Based on the results of a Request for Proposals in 2013, Moss Adams was awarded an initial three year contract in December of 2013 for a total amount of \$400,000 for a period of three years. This audit service contract is expiring on December 31, 2016, with two optional one-year extensions. Staff recommends a contract amendment to extend the audit contract for two years for 2016 and 2017.

Responsible Staff: Christine Wong

Recommendation: Audit – NOV

BOT – NOV

November #3

2015 Statement of Expenditures of Mandatory Membership Fees and Independent Auditor's Report

The accounting firm of Moss Adams, LLP, has audited the Statement of Expenditures of Mandatory Membership Fees and prepared its Independent Auditor's Report. After its receipt by the Board of Trustees and later in the year when the annual billing statements are mailed to members, the audited statement and the auditor's report will be published by posting on the State Bar's Web site with notice to members in the billing statements and the December 2016 issue of the *California Bar e-Journal*.

Responsible Staff: Christine Wong

Recommendation: Audit – NOV

BOT – NOV

November #4

Proposed State Bar Policies Prohibiting 1) the Creation of Foundations and Nonprofit Corporations; and 2) the Pledging of Revenue from Membership Fees

On May 12, 2016, the California State Auditor completed an audit of the State Bar and issued a report with recommendations. One stand-alone recommendation related to the State Bar's ability to pledge member fee revenue, and a second set of recommendations related to the State Bar's creation, use, and oversight of foundations and nonprofit corporations. This Agenda Item proposes two new State Bar policies that would resolve any issues raised by those recommendations by 1) eliminating the State Bar's ability to pledge member fee revenue; and 2) eliminating the State Bar's ability to create any foundations or nonprofit corporations.

Responsible Staff: Leah Wilson

Recommendation: Audit – NOV

BOT – NOV

November #5

Proposed Amendments to California Rule of Court, Rules 9.6 and 9.31 and State Bar Rules 2.32 and 2.50 to Permit Expungement of MCLE Involuntary Inactive Enrollment in the Limited Circumstances.

This agenda item requests 45-days of public comment on a proposal to amend California Rules of Court 9.6 and 9.31 to permit a one-time only expungement of an isolated incident of minimum continuing legal education ("MCLE") involuntary inactive enrollment.

Responsible Staff: Erika Doherty

Recommendation: A&E – NOV/MAR

BOT – MAR

November #6

Consistency Project - Proposed amendments to the State Bar rules regarding 1) member record; 2) minimum continuing legal education; 3) law corporations; and 4) providers of continuing education services- request to release for public comment.

This Agenda Item contains proposed Rule amendments to remedy inconsistencies in State Bar Rules regarding 1) member record; 2) minimum continuing legal education; and 3) providers of continuing education services. It requests that the proposed amendments be released for a 45-day public comment period.

Responsible Staff: Saul Bercovitch

Recommendation: A&E – NOV/MAR

BOT – MAR

November #7

TFARR Task Force on Admissions Regulation Reform (TFARR) Update and Recommendations Re Experiential Competency Training Requirement

Proposal regarding TFARR experiential competency training requirement.

Responsible Staff: Elizabeth Parker

Recommendation: A&E – NOV

BOT – NOV

November #8

2017 Annual Meeting Structure

Discussion and proposal regarding 2017 Annual Meeting.

Responsible Staff: Leah Wilson

Recommendation: A&E – NOV

BOT – NOV