

## AGENDA ITEM

### 54-113 MARCH 2017

**DATE:** February 14, 2017

**TO:** Members, Board of Trustees

**FROM:** Staff

**SUBJECT:** Report of Action Taken - Council of State Bar Sections: Consideration of Options for Separation

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#### EXECUTIVE SUMMARY

On January 16, 2017 staff requested that the Executive Committee authorization to work with the Council of Sections to advance a legislative proposal which could be jointly developed by Bar leadership in discussions with the Council of Sections, under the oversight of the Supreme Court, both Legislative houses, and the Office of the Governor.

#### BOARD COMMITTEE RECOMMENDATION

Staff recommended and the Board Executive Committee adopted the following resolutions on behalf of the Board of Trustees:

**RESOLVED**, that, in continuing consultation with the Supreme Court, the Board of Trustees authorize State Bar leadership to negotiate with the Legislature and Governor provisions in the 2017 Fee Bill, which will have as a central feature the separation of the Sections from the State Bar; and it is

**FURTHER RESOLVED**, that State Bar leadership seek to include provisions in the 2017 Fee Bill that will ensure that the sixteen State Bar Sections are assisted to move into a free-standing unified entity; that a special relationship between the State Bar and the Sections be established, enabling collection of Sections' membership dues and such other support as may be appropriate; that the Bar be authorized to explore the transfer of intellectual property and reserve funds held on behalf of the Sections and such other support as may be useful to a successful separation, while keeping in mind the obligation to maintain as a priority the licensing, regulatory and disciplinary responsibilities of the State Bar; and it is

**FURTHER RESOLVED**, that the Board of Trustees instructs staff to prepare an analysis of the fiscal and personnel impact of separation of the Sections from the Bar, along with a transition plan which prioritizes the licensing, regulation and discipline responsibilities of the State Bar, and report back to the Board to action and adoption.