

**Board Executive Committee
Referral List**

JULY 13, 2017

Category 1 – Change in Date Only

**Annual Recommendation to Supreme Court for Suspension of
Members Delinquent in Payment of State Bar Fees, Penalties and
Costs**

This item delayed to July due to the overall extension of the 2017 billing and compliance cycle.

Responsible Staff: Dina DiLoreto

Recommendation: A&E - MAY JULY BOT – MAY JULY

Annual Recommendation re Members in MCLE Non-compliance

This item delayed to July due to the overall extension of the 2017 billing and compliance cycle.

Responsible Staff: Dina DiLoreto

Recommendation: A&E - MAY JULY BOT – MAY JULY

Category 2 – Possible Committee Reassignments

None.

**Category 3 – New Matters Requiring Assignment to Appropriate
Board Committee**

JULY # 54-111 / JULY # 703

2017 Governance in the Public Interest Recommendations

On May 15, 2017, the 2017 Governance in the Public Interest Task Force (Task Force) filed its third triennial report pursuant to statute. The 2017 Task Force Report contains recommendations for changes in the

governance structure of the State Bar. This agenda item places before the Board of Trustees for approval a number of 2017 Task Force recommendations, including a new State Bar mission statement, a change in Board committee structure, revised Board committee charters, and specific initiatives to improve Board functioning. Also before the Board of Trustees for approval are additional non-substantive changes to the Board Book.

Responsible Staff: Sarah Cohen

Recommendation: ExCom - JULY

BOT – JULY

RAD / A&E / SAA Committee Items

Governance in the Public Interest Task Force Recommendations: Appendix I, Sub-Entity Review and Related Committee Workplan Changes

Development of a 2018 workplan for review of sub-entities and their oversight by the pertinent Board committees.

Responsible Staff: Conover / Ewert / MacLeod

Recommendation: RAD / A&E / SAA - JULY

BOT – N/A

JULY #134

Proposed Amendments to Statutes, Rules and Guidelines That Would Require Unaccredited Law Schools to Become Accredited and Other Changes – Request to Circulate for Public Comment

Proposed amendments to statutes, rules and guidelines are being considered by the Committee of Bar Examiners that would affect the law schools regulated by the Committee. Among other changes, the proposed amendments would require that unaccredited law schools become accredited within a certain time period, provide an opportunity for online law schools to become accredited and require students subject to the First-Year Law Students' Examination to pass it after completing their first year of law study and before continuing with their law study

Responsible Staff: Gayle Murphy

Recommendation: A & E – JUL/NOV

BOT – NOV

JULY #135

Proposed Amendments to Admissions Rules re Qualification of Attorney Applicants to File Moral Character Determination Applications – Request to Circulate for Public Comment

An amendment to the Admissions Rules is being considered by the Committee of Bar Examiners, which would clarify that attorneys admitted in other jurisdictions may qualify to file a moral character determination application if they were suspended from another jurisdiction for administrative reasons. Attorneys who were suspended, disbarred or otherwise disciplined in another jurisdiction would continue to be prohibited from filing a moral character determination application.

Responsible Staff: Gayle Murphy

Recommendation: A & E – JUL/NOV BOT – NOV

JULY #143

Recommendation to Adjust and Align Minimum Continuing Legal Education (MCLE) and Legal Specialization Provider Certification Fees

Minimum Continuing Legal Education (MCLE) and Legal Specialization Provider Certification Fees have not been adjusted in many years. Adjustment and alignment of both types of fees is recommended at this time. The recommended 20 percent fee increase will eliminate the current structural deficit in these programs; alignment of the fee administration process and moving the renewal deadline will increase efficiency for both the State Bar and providers.

Responsible Staff: Conover

Recommendation: P&B - JULY BOT – JULY

JULY #705

Anti-Trust Policy

This policy is designed to help the Board of Trustees gain a general understanding of the antitrust laws to help you recognize potential antitrust

issues so that timely legal advice can be obtained. The Antitrust Policy is intended to assist in the identification and analysis of antitrust issues and the compliance with antitrust laws by all employees, entities and committees that comprise the State Bar.

The application of antitrust laws to the State Bar is unique because the State Bar is sui generis and therefore not in the same class as California state agencies within the executive branch that have final authority over licensing matters. The State Bar serves as an administrative arm of the Supreme Court, which retains power and control over all aspects of admissions and discipline. Actions by the Supreme Court, acting as sovereign, are generally immune from antitrust liability.

Responsible Staff: Chang

Recommendation: CTTE – n/a

BOT – JULY