

OPEN SESSION

AGENDA ITEM

III.C. JANUARY 2018

DATE: January 19, 2018

TO: Members, Board Executive Committee

FROM: Sarah L. Cohen, Attorney IV
Office of Board Support, JNE Commission and Appointments

SUBJECT: Cyclical Trustee Training Calendar and Mentorship Program

EXECUTIVE SUMMARY

On May 15, 2017, the 2017 Governance in the Public Interest Task Force (Task Force) filed its third triennial report. The 2017 Task Force Report contains recommendations for changes in the operational and governance structure of the State Bar, including enhanced Trustee orientation and training. The Board Executive Committee is charged with the responsibility for Trustee orientation and development. This agenda item places before the Board Executive Committee for approval a Cyclical Trustee Training Calendar.

BACKGROUND

The 2017 Task Force Report observed:

Given the expected reduction in the size of the Board, as well as the complex and diverse nature of the State Bar and its programs, the Task Force recognizes an even greater need for preparing trustees for their oversight and policy role at the earliest possible time. Both the timing and content of a new trustee orientation and ongoing trustee training program are important.

To that end, the Task Force developed a set of orientation modules designed to offer an overview of the information essential for new Trustees to have about the State Bar, the Board of Trustees and the law governing Trustee activities. The 2017 Task Force Report also recognizes the importance of mentorship as an additional mechanism to orient new Trustees to their roles on the Board. The 2017 Task Force Report observes that historically Trustee orientation has included attendance at Discipline Day, to familiarize Trustees about this core function of the State Bar. The 2017 Task Force recommended that the State Bar develop a parallel Admissions Day, similar in purpose to Discipline Day, to familiarize new Trustees with the State Bar's critical licensing function.

In addition to the onboarding orientation of new Trustees, the 2017 Task Force Report recommends that educational components be incorporated into each Board meeting to make education a continuous activity. As the 2017 Task Force Report states:

By creating an “information cycle” by which a series of topics would be included in Board meetings on a recurrent and regular basis, the Board will ensure that each incoming group of trustees is eventually briefed in depth on all significant functional areas of the Bar, rather than first learning about them in the context of a specific issue or concern.

At its August 2017 meeting, the Board of Trustees approved changes to the Board Executive Committee charter, contained in Tab 2.6 of the Board Book, to incorporate the 2017 Task Force recommendations relating to Trustee orientation, training and development. The Board Executive Committee charter describes the committee’s charge as follows:

Trustee Orientation and Development: Develop and oversee execution of a formal Board member capacity building program to ensure that each incoming group of Trustees receives timely training on all significant aspects of the State Bar, the elements of which may include:

- On-boarding orientation about the State Bar, its governance structure and the Trustees’ role and responsibilities.
- Discipline Day and Admissions Day.
- Ongoing continuing education and training pursuant to a cyclical training calendar.
- A mentoring program pairing new members with senior Board members.

DISCUSSION

The proposed Cyclical Trustee Training Calendar (calendar), attached as Attachment A, is based in part on the training modules developed by the 2017 Task Force. The calendar follows the Board year, beginning with the Annual meeting in the fall and ending with the in-person meeting in July. Topics assigned to the first meeting of the Board year will provide new Trustees with an orientation, including an overview of the State Bar and the Board of Trustees, and an understanding of Trustee roles and responsibilities, as well as developing deeper knowledge for continuing Trustees. Thereafter, certain topics are calendared to provide Trustees with the training they will need to address issues before they arise. For example, training on finance is calendared for the November meeting so that Trustees will be prepared to review and approve the proposed budget at the November meeting, and the final budget at the January meeting. Other topics are distributed on the calendar to ensure that by the conclusion of the first Board year, all critical subject areas are covered. In subsequent Board years, the basic framework and order of topics will not change, but the trainings will be updated and could be modified depending on Board composition and needs.

Regarding the other elements of the Trustee orientation and training recommendation made by the 2017 Task Force, Admissions and Discipline System training is now a formal training component set to occur on the first day of the three-day Strategic Planning Session and Board of Trustees meeting in January. Regarding mentorship, the concept of a mentorship program had been memorialized in the Board Book as a responsibility of the Board Executive Committee previously. A renewed effort to pair new Trustees with more senior Trustees would round out

implementation of the 2017 Task Force Report recommendations on Trustee orientation and training.

FISCAL/PERSONNEL IMPACT

None

RULE AMENDMENTS

None

BOARD BOOK IMPACT

None

STRATEGIC PLAN GOALS & OBJECTIVES 2017-2022

Goal: 1. Successfully transition to the “new State Bar”— an agency focused on public protection, regulating the legal profession, and promoting access to justice.

Objective: c. Implement and pursue governance, composition, and operations reforms needed to ensure that the Board’s structure and processes optimally align with the State Bar’s focus on its public protection and regulatory functions.

RECOMMENDATION

It is recommended that that the Board Executive Committee approve the following resolution:

RESOLVED, that the Board Executive Committee approve a Cyclical Trustee Training Calendar, as presented in Attachment A; and authorize staff to update the Cyclical Trustee Training Calendar as needed; and it is

FURTHER RESOLVED, that the Board Executive Committee adopt a Trustee mentorship program whereby the Chair of the Board Executive Committee assigns a second, third or fourth year Trustee to every new Trustee to serve in a mentorship role for the duration of the new Trustee’s first year on the Board of Trustees.

ATTACHMENT(S) LIST

- A.** Cyclical Trustee Training Calendar

Cyclical Trustee Training Calendar

September (Annual Meeting – First meeting of new Board)

1. Legal Construct under which the State Bar Operates: Roles of the Supreme Court, Legislature and Governor
2. Trustee Roles, Responsibilities and Fiduciary Duties
 - a. Conflict of Interest (Form 700 Reporting Obligations)
 - b. Incompatible Activities
3. One State Bar: The State Bar and its Sub-Entities
 - a. Role of the Board and Board Committees
 - b. Role of Staff liaisons and Board Committee Coordinators
 - c. Advice and Counsel function of the Office of General Counsel
4. Strategic Communications and Stakeholder Engagement

November Meeting

1. Overview: Finance
 - a. Understanding the Financials
 - b. The Budget Process and Sources of Funding
 - c. Travel and Expense Reimbursement Policy
2. The Deliberative Body
 - a. Roberts Rules, Parliamentary Procedure (guest speaker)
 - b. The Bagley-Keene Act – Open meeting requirements

January (Planning Session)

1. Overview: Admissions
2. Overview: Discipline System

March Meeting

- Overview: Access to Justice
- a. Grants Administration
 - b. Diversity / Inclusion Policy Initiatives
 - c. Access to Justice Policy Initiatives

May Meeting

Labor Relations

July Meeting

1. Anti-Trust Policy
2. California Public Records Act