

OPEN SESSION AGENDA ITEM

54-111 MAY 2018 EX COMM ITEM III.A.

DATE: May 17, 2018

TO: **Members, Board Executive Committee**
Members, Board of Trustees

FROM: Sarah L. Cohen, Attorney IV
Mission Advancement & Accountability

SUBJECT: Judicial Council, Annual Appointment of Members

EXECUTIVE SUMMARY

The State Bar appoints four lawyer members to the Judicial Council, with the members serving staggered three-year terms. The term of current member Patrick M. Kelly expires on September 14, 2018.

Mr. Kelly has re-applied for the position. No new applications were received. Board Executive Committee Appointments Liaison Todd Stevens has found the candidate to be qualified to be reappointed to the Judicial Council for a second three-year term.

The Board Executive Committee is set to meet on Thursday, May 17, and will consider this item at that time. The recommendation of the Board Executive Committee will be submitted to the full Board for action on May 18, 2018, when the full Board is set to meet.

BACKGROUND

The Judicial Council, a state constitutional agency established in 1926, provides policy direction to the courts, the Governor, and the Legislature concerning court practice, procedure and administration. The council consists of the Chief Justice, one associate justice of the Supreme Court, three justices of the Courts of Appeal, ten judges of the superior courts, four lawyers appointed by the State Bar, one member appointed by the

legislative leaders in each house of the Legislature, two nonvoting court administrators, and other nonvoting positions as determined by the council.

Terms and membership of the Judicial Council are set by the State Constitution. The lawyer members serve staggered three-year terms, with terms beginning September 15 and ending September 14. Members receive no compensation for services but are reimbursed by the council for approved travel expenses in accordance with the reimbursement schedule for state employees. The new members of the council typically are invited to the council's May or June meeting and must be able to attend the Orientation, which is usually held in conjunction with the council's August meeting.

Service on the Judicial Council is a significant time commitment (approximately 300 hours per year for meetings and assignments). Each year the council meets six to eight times, with the meetings typically set for two days (usually Thursday and Friday). Members serve on one of the council's internal committees, which meet frequently at a convenient location or by conference call. In addition, council members are assigned special tasks, which are supported by staff, and may serve as a liaison to the council's advisory committees.

In 2018, the term of one member expires. The current State Bar appointees to the Judicial Council and the dates their terms expire are as follows:

<u>Name</u>	<u>City</u>	<u>Term</u>
Patrick M. Kelly	Los Angeles	9/15/2015 – 9/14/2018
Audra Ibarra	Palo Alto	9/15/2016 – 9/14/2019
Rachel W. Hill	Fresno	9/15/2017 – 9/14/2020
Gretchen M. Nelson	Los Angeles	9/15/2017 – 9/14/2020

A chronological list of the State Bar's appointments to the Judicial Council is found at Attachment A.

DISCUSSION

The term of current State Bar lawyer member Patrick M. Kelly expires this year. Although no new applications have been received, Mr. Kelly has applied for reappointment.

Criteria deemed important for the lawyer member's service on the council include broad experience in the legal field, including trial experience, credibility as a leader both within the home county and statewide, collegial working relationships, and a demonstrated interest in and experience with court administration issues. Another important consideration is the applicant's ability to make the time commitment.

Mr. Kelly has been in private practice for 44 years as a civil litigator. He was admitted to the State Bar of California in January 1970, and is currently an active licensed lawyer in good standing, working as a Senior Managing Partner and Director of Litigation for the Western Region at Wilson, Elser, Moskowitz, Edelman & Dicker LLP. Mr. Kelly has had a

long commitment to the judicial branch, access to justice and diversity, as reflected in his volunteer activities. Among other accomplishments, Mr. Kelly has served as President of the State Bar; President of the Los Angeles County Bar Association, Chair of its Litigation section and founding Chair of the Minority Employment Committee (subsequently renamed Diversity Committee); President of the Center for Civic Mediation; President of the Coalition for Justice; and Chair of the Rules Committee of the Commission on Judicial Performance. Mr. Kelly has served on the Boards of the Legal Aid Foundation of Los Angeles and the Constitutional Rights Foundation, and was an early member of the Women Lawyers of Los Angeles. In 2013, Mr. Kelly was recognized by the State Bar Council on Access and Fairness for his longtime commitment to diversity, equal opportunity and access to justice.

In support of Mr. Kelly's first application for appointment to the Judicial Council, Supreme Court Justice Ming W. Chin wrote a letter of recommendation. He also received letters of recommendation from former State Bar President Jon Streeter, then an attorney with Kecker & Van Nest LLP and currently sitting as Associate Justice of the California Court of Appeal, First Appellate District, Division 4; and from Lee Smalley Edmon, then Judge of the Los Angeles County Superior Court and currently sitting as Presiding Justice of the California Court of Appeal, Second Appellate District, Division 3. Mr. Kelly's biographical statement and letters of recommendation from his first appointments process, as well as his statement of interest in reappointment, are attached, as Attachments B(1)-(4) and C.

Two administrative questions have arisen in connection with Mr. Kelly's request for reappointment. The first question is whether State Bar appointees to the Judicial Council are permitted to serve more than one term. Judicial Council staff confirmed that there is no impediment at their end and that the Chief Justice has reappointed members in the past. The State Bar appointments policy is silent on the issue. I learned that former State Bar President Anthony Capozzi served two consecutive terms. Past practice therefore supports Mr. Kelly's request for reappointment. The second question is whether a request for reappointment requires the completion of a new application. The State Bar appointments policy does not explicitly include such a requirement.

Board Executive Committee Appointments Liaison Todd Stevens reviewed Mr. Kelly's qualifications for the reappointment and found him qualified.

FISCAL / PERSONNEL IMPACT

None

RULE AMENDMENTS

None

BOARD BOOK AMENDMENTS

None

STRATEGIC PLAN GOALS AND OBJECTIVES

Goal 4: Support Access to Justice for all California Residents and Improvements to the State's Justice System.

Objective b. Study and implement improved programmatic approaches to increasing access to justice.

RECOMMENDATION

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

RESOLVED, that the Board of Trustees appoint Patrick M. Kelly to the Judicial Council, as one of the four State Bar members, for a three-year term to commence on September 15, 2018, and expire on September 14, 2021, or until further order of the Board, whichever occurs earlier.

ATTACHMENT LIST

- A.** List of State Bar's Lawyer Appointments to the Judicial Council
- B.** Materials from First Appointment Process (2015-2018 Term)
 - 1. Biographical Statement for Patrick M. Kelly
 - 2. Letter of Recommendation from California Supreme Court Justice Ming W. Chin
 - 3. Letter of Recommendation from Associate Justice Jon Streeter
 - 4. Letter of Recommendation from Presiding Justice Lee S. Edmon
- C.** Statement of Interest in Reappointment (2018-2021 Term)

**List of the State Bar's Lawyer Appointments to the Judicial Council
(By Most Recent Term)**

#	Member Appointed by the State Bar	City	State Bar District	Years Served
<i>Current Members</i>				
1.	Kelly, Patrick M.	Los Angeles	2	2015-2018
2.	Ibarra, Audra	Palo Alto	6	2016-2019
3.	Hill, Rachel W.	Fresno	5	2017-2020
4.	Nelson, Gretchen N.	Los Angeles	2	2017-2020
<i>Past Members</i>				
5.	Melby, Donna D'Angelo	Los Angeles	2	2014-2017
6.	Pole, Debra Elaine	Los Angeles	2	2014-2017
7.	Bonino, Mark	Redwood City	3	2013-2016
8.	Fox, James P.	San Francisco	1	2012-2015
9.	Davis, Angela J.	Los Angeles	2	2011-2014
10.	Robinson, Mark P. Jr.	Newport Beach	4	2011-2014
11.	Matthai, Edith	Los Angeles	2 (7)	2010-2013
12.	Krinsky, Miriam A.	Studio City	2 (7)	2009-2012
13.	Miliband, Joel	Irvine	4 (8)	2008-2011
14.	Penrod, James	San Francisco	1 (4)	2008-2011
15.	Capozzi, Anthony	Fresno	5 (5)	2007-2010
16.	Aragon, Raymond G.	Bonita	4 (9)	2006-2009
17.	Girardi, Thomas	Los Angeles	2 (7)	2005-2008
18.	Parker, Barbara Jean	Oakland	1 (3)	2005-2008
19.	Capozzi, Anthony	Fresno	5 (5)	2005-2007
20.	Herman, James	Santa Barbara	2 (6)	2004-2005
21.	Heinke, Rex	Los Angeles	2 (7)	2003-2006
22.	Pasternak, David	Los Angeles	2 (7)	2002-2005
23.	Ravel, Ann	San Jose	6 (3)	2002-2005
24.	Warwick, Thomas	San Diego	4 (9)	2001-2004
25.	Heeseman, Rex	Los Angeles	2 (7)	2000-2003
26.	Collins, John J.	Los Angeles	2 (7)	1999-2002
27.	Gee, Pauline	Sacramento	3 (2)	1999-2002

#	Member Appointed by the State Bar	City	State Bar District	Years Served
28.	Case, Michael	Ventura	2 (6)	1998-2001
29.	Sloan, Sheldon	Los Angeles	2 (7)	1997-2000
30.	Evans, Maurice	Anaheim	4 (8)	1997-1999
31.	Holmes, Dallas	Riverside	4 (6)	1995-1997
32.	Veasey, Glenda	Los Angeles	2 (7)	1995-1999
33.	Saferstein, Harvey	Los Angeles	2 (7)	1994-1998
34.	Walsh, Brian	San Jose	2 (3)	1994-1998
35.	Illston, Susan	Burlingame	1 (3)	1993-1995
36.	McCurine, Jr., William	San Diego	4 (9)	1992-1995
37.	Phillips, Pat	Los Angeles	2 (7)	1991-1994
38.	Rothenberg, Alan	Los Angeles	2 (7)	1991-1993
39.	Culhane, Kevin	Sacramento	3 (2)	1990-1994
40.	La Mothe, Louise Ann	Los Angeles	2 (7)	1990-1992
41.	Cochran, Jr., Johnnie	Los Angeles	2 (7)	1989-1991
42.	Hinton, Peter J.	Walnut Creek	1 (3)	1988-1990
43.	Martens, Don W.	Newport Beach	4 (8)	1988-1990
44.	Larson, Kenneth W.	San Pablo	1 (3)	1987-1991
45.	Heilbron, David	San Francisco	1 (4)	1987-1989
46.	Baum, David B.	San Francisco	1 (4)	1986-1988
47.	Cummins, Joseph H.	Los Angeles	2 (7)	1986-1988
48.	Hirschberg, Gert	Calabasas	2 (7)	1984-1986
49.	Murray, Anthony	Los Angeles	2 (7)	1984-1986
50.	Midlam, Kevin	San Diego	4 (9)	1983-1987
51.	Raven, Robert	San Francisco	1 (4)	1983-1987
52.	Morgan, W. Robert	San Jose	6 (3)	1982-1984
53.	Hughes, Peter J.	San Diego	4 (9)	1981-1983
54.	Janssen, Clayton	Eureka	3 (1)	1981-1983
55.	Illston, Susan	Burlingame	1 (3)	1980-1982
56.	Hurley, Joseph G.	North Hollywood	2 (7)	1980-1982
57.	Munoz, Gregory	Santa Ana	4 (8)	1979-1981
58.	Wilson, Edwin	Long Beach	2 (7)	1978-1981
59.	Anderson, Thomas T.	Indio	4 (6)	1978-1980

#	Member Appointed by the State Bar	City	State Bar District	Years Served
60.	Price, E. Dean	Fresno	5 (5)	1978-1980
61.	Colley, Nathaniel	Sacramento	3 (2)	1977-1979
62.	Hufstedler, Seth	Los Angeles	2 (7)	1977-1979
63.	de Leonardo, Michael	Sunnyvale	6 (3)	1976-1978
64.	Cotchett, Joseph	Burlingame	1 (3)	1976-1978
65.	Robinson, Mark Parker (Sr.)	Los Angeles	2 (7)	1976-1977
66.	Jenkins, Thomas M.	San Carlos	1 (3)	1975-1977
67.	Schall, William	San Diego	4 (9)	1975-1977
68.	Mattson, Marcus	Los Angeles	2 (7)	1969-1973
69.	Miller, Harvey C.	Santa Clara	6 (3)	1968-1973
70.	Hunt, Clarence S.	Long Beach	2 (7)	1967-1972
71.	McKnight, C.Galen	Fresno	5 (5)	1967-1972
72.	Shelton, Leonard A	Claremont	2 (7)	1964-1968
73.	Wagener, Samuel H.	Oakland	1 (3)	1964-1966
74.	Focht, James L. Jr.	San Diego	4 (9)	1963-1967
75.	Wyckoff, James A.	Watsonville	6 (6)	1963-1967
76.	Belcher, Frank B.	Los Angeles	2 (7)	1963-1965
77.	Enersen, Burnham	San Francisco	1 (4)	1961-1964
78.	Finn, Howard	San Francisco	1 (4)	1961-1963
79.	Higgs, DeWitt A.	San Diego	4 (9)	1961-1963

BIOGRAPHICAL STATEMENT
Patrick M. Kelly
Revised: January 31, 2014

EDUCATION

B.A., Pomona College (1966); J.D., Loyola at Los Angeles (1969)

FIRM

Wilson, Elser, Moskowitz, Edelman & Dicker LLP, Senior Managing Partner and Director of Litigation, Western Region, Member of Firm Executive Committee (1981-2011)

PERSONAL DATA

Born Pasadena, California, 1943; two children, Patrick and Laura; married to Gail Gibson Kelly.

STATE BAR ACTIVITIES

President, California State Bar (2012-2013)
Board of Trustees, California State Bar (2009-2013)
Open Courts Coalition (Steering Committee (2013-present)
California Task Force on K-12 Civic Learning (2013-2014)
Vice-Chair - State Bar Task Force on Admissions Regulation Reform (2014)
Bench Bar Coalition (2010-present)
Chief Justice Ronald George 10th Anniversary Dinner Committee (2006)
Judge Ronald Lew Dinner Committee (2006)
President, Breakfast Club (which recommends Board of Governor (2003-2004) candidates)
Statewide Fast Track Consortium (1989-90)

Vice Chair, Conference of Delegates (1983-84), Executive Committee of the Conference of Delegates (1981-84)

District 7 Nominating Committee (1978, 1989)

Editorial Board, California Lawyer (1981-85)

Chair, Public Affairs Committee (1979-80)

Public Affairs Committee (1974-80)

Membership Poll Committee (1980-81)

Conference of Delegates Calendar Coordinating Committee (1978-80)

STATE COMMISSION ON JUDICIAL PERFORMANCE

Commission on Judicial Performance; Chair rules committee (1995-2002); Vice Chair of Commission (2002)

Co-chair, Joint Judicial Council and Commission on Judicial Performance Working Group to implement Proposition 221 (1998)

JUDICIAL COUNCIL

Civil and Small Claims Advisory Committee to the Judicial Council (1993-1995)

LOS ANGELES COUNTY BAR ASSOCIATION GENERAL ACTIVITIES

President, LACBA (1990-1991)

President-Elect, LACBA (1989-90)

Trustee (1985-87 and 1978-80)

Strategic Issues Task Force (1993-1994)

LACBA Representative to the Fast Track Committee (1988-1994)

Chair, State Courts Committee (1991-93)

Chair, Affiliate Committee (1988-89)

Chair, Attorney Errors and Omissions Avoidance Committee (1986-87)

Member of the Steering Committee of the Los Angeles County Bar Association and Affiliates Committee to Oppose Proposition 61 (1986)

Chair, Legislative Activity Committee (1982-84)

Chair, Membership Development and Retention Committee (1984-85)

Chair, Minority Employment Committee (1984-86)

Chair, Membership Benefits Committee (1981-82)

Chair, Membership Development Committee (1979-81)

Chair, Special Committee which developed Los Angeles Lawyer (1977-78)

Chair, Editorial Board and Editorial Advisory Committee, Los Angeles Lawyer (1977-78)

Chair, Public Affairs Committee (1976-78)

Co-Chair, Settlement Officer Program (1977-78)

Chair, Annual Dinner (1996, 1998)

Chair, Dispute Resolution Services Annual Dinner (1997, 1998, 2002)

Olympic Committee (1984)

Judicial Appointments Committee (1980-83)

Lawyer's Image Committee (1985-86)

Centennial Committee (1977-78)

Public Affairs Committee (1974-78)

Superior Courts Committee (1976-77)

One Hundred Twenty-Fifth Anniversary Committee

LOS ANGELES COUNTY BAR ASSOCIATION SECTION ACTIVITIES

ADR Section (1992-1998)
Executive Committee (1992-1994)
Litigation Section (1984-1992)
Chair, Litigation Section, Los Angeles County Bar Association (1987-88)
Chair, Legislative Review Committee (1983-84)
Co-Chair, Publications Committee (1981-83)
Barristers Section (1970-79)
Barristers Executive Committee (1972-77)
Chair, Barristers News and Publicity Committee (1973-74)
Editor, Barrister Bulletin (1973-74)
Chair, Barristers Conference of Delegates Committee (1974-75)
Chair, Barrister Publicity Committee (1973-74)
Law Office Management Section (1980-1988)
Executive Committee (1980-82)

LACBA INN OF COURT

Founding member (1990-1996)
Dean (1996)

LACBA DELEGATION TO THE CONFERENCE OF DELEGATES (1972-2002)

Chair, Los Angeles Delegation to the State Bar Conference of Delegates (1980-81)
Executive Committee of the L.A. Delegation to the State Bar Conference of Delegates (1975-81)
Delegate (1972-2002)

DISPUTE RESOLUTION SERVICES (CENTER FOR CIVIC MEDIATION)

Dispute Resolution Services, President (2002-2004)
Griffin Bell Volunteer Service Award (2003)
Board Member (1998-present)

LOS ANGELES COUNTY BAR FOUNDATION ACTIVITIES

Secretary, LA County Bar Foundation (1987-88)
Chair, Individual Giving Committee, LA County Bar Foundation (1986-87)
Chair, Barrister Fellow Committee, LA County Bar Foundation (1986-87)
Life Fellow, LA County Bar Foundation
Board of Directors (1982-89; 1994-1997)

FEDERAL COURT ACTIVITIES

Lawyer Representative to the Ninth Circuit (1991-1994) (2000-2003)

INTERNATIONAL ACADEMY OF TRIAL LAWYERS

Fellow Member (2006-present)

**FEDERATION OF DEFENSE AND CORPORATE COUNSEL
(Limited to 1,000 Members Worldwide)**

Member (2005-present)

AMERICAN BAR ASSOCIATION ACTIVITIES

American Bar Association Litigation Section (1980-present); Tort and Insurance Practice Section (1990-present); Alternative Dispute Resolution Section (2009-present); Tort and Insurance Practice Section (1990-present)
American Bar Association, Los Angeles Delegate to the House of Delegates (1990-1996)

American Bar Foundation: Fellow (1991-present)

Metropolitan Bar Caucus: Board of Directors (1993-1998)

LEGAL AID FOUNDATION OF LOS ANGELES

Legal Aid Foundation of Los Angeles: Board (1992-2000), Chair, Fundraising Committee; Co-Chair, Maynard Toll Luncheon 1997 (1997-1998)

LOS ANGELES COUNTY SUPERIOR COURT ACTIVITIES

Central Civil Liaison Committee (2013-Present)

Committee to Redraft Local Rules (1993)

Arbitration Committee (1993-1997)

Bench-Bar Committee (Various years 1991-Present)

Fast Track Implementation Committee (1989-1992)

Joint Association Settlement Officer Program (founder) (1989-1995)

Committee to Preserve the Jury System (1989-1992)

CONSTITUTIONAL RIGHTS FOUNDATION

Board of Directors (1992-2001)

COALITION FOR JUSTICE

Coalition For Justice Board of Trustees (1995-2000); President (1996-1997)

OTHER ASSOCIATIONS AND COMMISSIONS

Asia-Pacific Lawyers Association

Association of Southern California Defense Counsel (1970-present)

Irish American Bar Association

National Panel of Arbitrators of the American Arbitration Association (1980-present)

Supreme Court Historical Society

Commissioner, Los Angeles Homeless Services Authority (1995-2002); Chair Strategic Planning Committee (1998)

Los Angeles Chamber of Commerce, Law and Justice Committee (1992-present)

Trial Attorneys of America Member (1992-present)

Association of Ski Defense Attorneys Member 1986-present ; (Board of Trustees, 1996-2002; 2013-present) ; (President, 2001-2002)

PROFESSIONAL LIABILITY UNDERWRITING SOCIETY

Professional Liability Underwriting Society, Board of Trustees (2001-present); Vice President (2004-2005); President Elect (2006-2007; President (2007-2008)

Southern California Steering Committee, Professional Liability Underwriting Society (1993-97, 1999-01, Chapter Chair 1999-01) Board of Trustees, PLUS Foundation (2009-present)

LOYOLA LAW SCHOOL ACTIVITIES AND HONORS

Loyola Board of Governors Recognition Award 2011

Loyola Law School Board of Overseers (2013-present)

Loyola Alumni Association; Board of Governors (1974-1980)

Loyola Law School Student Council (1968-69)

St. Thomas Moore Society (1968-present)

Phi Delta Phi (1966-present); President (1968-1969)

OTHER ORGANIZATIONS AND HONORS

Bench Bar Coalition Leadership Award (2013)

California State Bar Council on Access and Fairness Diversity Award (2013)

Daily Journal Top 100 Attorneys in California(First Elected 2012)
Southern California's Top Rated Lawyers(First Elected 2012)
Best Attorneys in California(First Elected 2006)
Super Lawyers(First Elected 2004)
Irish Legal 100(First Elected 2012)

Marquis Who's Who in American Law, Who's Who in Practicing Attorneys

Board of Directors, Los Angeles Youth Opportunities Unlimited (1993-1995)

Special Committee to Implement the Christopher Commission Recommendations (1990-1991)
Trustee, John Thomas Dye Board of Trustees (1990-1995)

Chancery Club (1983-present), President (2005-2006)

Pomona College Alumni (President, Junior Alumni, 1972-1973; Alumni Council 1974; Chair Class of 1965 Fund Drive (1989)

Eagle Scout, Boy Scouts of America

Friends of the Music Center (1995-present)

National Association of Railroad Trial Counsel (1970-present)

American Society of Testing and Materials (1990-present)

National Ski Areas Association (1974-present)

Association of Southern California Defense Counsel (1970-present)

Member of the Advisory Board of the International and Comparative Law Center of the Southwestern Legal Foundation (1994-2004)

Los Angeles World Affairs Council

SEMINARS PRESENTED

How to Win at Mediation, Presenter, American Bar Association, San Francisco, January 2007

Avoiding Broker E&O Claims, Presenter, Surplus Lines Association, February 2007

Private D&O Trends, PLUS D&O Symposium, New York, February 2006

D&O Litigation Trends and Predictions of Things to Come, Presenter, PLUS D&O West, San Francisco, 2006

The Elephant Revisited - Broker Compensation Practices - A Crisis in Confidence: The Fallout, Moderator, IBA West Blue Ribbon Conference, May 2006

Broker Compensation Practices - A Crisis in Confidence: The Fallout, Moderator, IBA West Blue Ribbon Conference, May 2005

Memorializing Settlement Agreements, Contributor, CEB Mediation, 2005

Recent Developments in Terrain Park Litigation, Presenter, ASDA, March 2005

Electronic Signatures, Presenter, ASDA, March 2005

Mutual Fund Timing Issues, Presenter, PLUS International Conference, November 2004

Effective Use of ADR, Presenter, ABA, TIPS, Los Angeles, October 2004

Surviving the Malpractice Insurance Crisis, Los Angeles County Bar Association, Moderator and Panelist, January 13, 1987

Practical Approaches to the Prevention and Handling of Construction Claims in the 1980's, Moderator and Panelist, September 1986

The Construction Owner Developer Architect and Engineer and Claims, Construction Education Management Corporation and Engineering News Record, Panelist, Fall 1985

How To Handle Evidence, California Continuing Education of the Bar, Justice Bernard F. Jefferson, Panelist, February-March 1986

The Construction Owner Developer Architect and Engineer and Claims, Construction Education Management Corporation and Engineering News Record, Panelist, May 1985

Motions During and After Trial, California Continuing Education of the Bar, Panelist, March 1983

Product Liability of Manufacturers Prevention and Defense,
Practicing Law Institute, Panelist, 1981

Pre-Trial Preparation: The Last 100 Days, California Continuing
Education of the Bar, Panelist, 1977

Civil Discovery, Association of Business Trial Lawyers, Panelist,
1976

Insurance Litigation, California Judges Association, Panelist,
December 1989

How to Control House Counsel, Litigation Section Los Angeles
County Bar, Panelist, May 1990

Class & Derivative Litigation in the 1990's, Prentice Hall Law &
Business, Panelist, November 1990

Insurance Litigation Problems 1990, California Judges Association
and The Rutter Group, Panelist, November 1990

Professionalism and Public Service, Los Angeles Superior Court,
Panelist, May 1991

The Latest In Insurance Issues, Litigation Section, Los Angeles
County Bar, Panelist, May 1991

Class & Derivative Litigation in the 1990's - The New Frontier,
Prentice Hall Law & Business, Panelist, October and November 1991

Depositions of Expert Witnesses, Direct and Cross Examination,
Inn of Court of the LACBA Litigation Section, February 1992

Reducing the Fear of Trying, Mock Trial, RIMS Conference,
Presenter, April 1992

Class & Derivative Litigation in the 1990's - The New
Battleground, Prentice Hall Law & Business, Panelist, October and
November 1992

Courtroom Evidence 1993: Getting a Handle on Hearsay, California
Judges Association and The Rutter Group, Panelist, January 1993

California Unfair Claims Settlement Practice Regulations,
Presenter, February, March, April 1993

Attorney Errors & Omissions Prevention, LACBA, Presenter, March
1993

Insurers v. Reinsurers: Survey of Selected Recent Reinsurance

Decisions, ABA Section of Litigation, Panelist, March 1993

Planning for Communications with the Public in the Event of a Disaster, Association of Ski Defense Attorneys Annual Meeting, Presenter, March 1993

Taking the Deposition of an Expert - How to Ferret Out Information from a Hired Gun, Inn of Court of the LACBA Litigation Section, Program Chair, March 1993

Fast Track: A Panel Discussion, California Continuing Legal Education, Panelist, October 1993

Claims, Professional Liability Underwriting Society Conference, Co-panelist, November 1993

Class & Derivative Litigation in the 1990's - The Current Battleground, Prentice Hall Law & Business, Panelist, November 1993

New Superior Court Rules, LACBA Litigation Section, Panelist, December 1993

Insurance Litigation 1994, California Judges Association and The Rutter Group, Panelist, January 1994

Employment Practices Liability, Strategic Research Institute, Panelist, May 1994

Securities Litigation 1994, Practicing Law Institute, Panelist, October 1994

Class & Derivative Litigation in the 1990's - The Post-Recession Battleground, Prentice Hall Law & Business, Panelist, November 1994

Business Development For Litigators, LACBA Inn of Court, Panelist, January 1995

Tort Litigation 1995, California Judges Association and The Rutter Group, Panelist, January 1995

Avoiding and Managing Securities Litigation & Sec Enforcement Inquiries for In-House Counsel, Practicing Law Institute, Panelist, May 1995

Product Defect Liability, Mock Trial, RIMS Conference, Presenter, April 1995

Broker & MGA Malpractice Avoidance, Mock Trial, AAMGA Conference, Presenter, May 1995

D&O Liability, PLUS, Panelist, May 1995

D&O Executive Seminar, Prentice Hall, Panelist, May 1995

1995 Insurance Series: Employment Law Liability Claims: What You Need to Know About Insurance Coverage, Practicing Law Institute, Panelist, June 1995

Sexual Harassment Liability Special Seminar, Wilson, Elser, Moskowitz, Edelman & Dicker, Presenter, June 1995

Employment Insurance, Prentice Hall, Co-Chair, June 1995

Agency Liability Litigation, Mock Trial, AAMGA, Presenter, June 1995

Insurance Litigation, California Judges Association and The Rutter Group, Panelist, November and December 1995

Recent Developments in Insurance Litigation, Loyola Law School, Adjunct Professor, January 18, 1996

Building Court - Community Collaboration, 1996 California Judicial Administration Conference, Panelist, January 1996

Employment Litigation, The Employer's Perspective, California Judges Association and The Rutter Group and West Publishing, Panelist, January 1996

Sixth Annual Institute Class and Derivative Litigation in the 1990's, Glasser Legal Works, Panelist, February 1996

The 1995 Private Securities Litigation Reform Act, Wyatt Seminar, Director's and Officer's Update, Lecturer, February 1996

Mediation: Meeting the Challenge of Change, Professional Liability Underwriting Society, Panelist, November 1996

Arbitration and Mediation in the 90's, Professional Liability Underwriting Society, Panelist, 1996

Directors and Officer's Liability, employment Liability Claims and bad Faith in the United States, Excess and Surplus Lines Association, Panelist, 1997

Current Issues in Insurance Litigation, Employment torts, bad Faith and Punitive Damages, General Reinsurance, Wilson, Elser,

Moskowitz, Edelman & Dicker, Panelist, 1997

Courtroom Tactics, Los Angeles County Bar Association Inn of Court, Presenter, November, 1997

"Emerging Areas of Directors and Officers' Liability", PLUS, D&D Symposium, January, 1998

Fundamentals of D&O Claims Handling Allianz May 1998, Presenter.

Y2K - Issues and Solutions, PLUS, June, 1998.

The Shernoff Seminar, The Rutter Group, April 2001, Presenter

Summary Judgments and Terrain Parks, ASDA, March 2001, Presenter and Seminar Chair

California Judge Association, The Rutter Group. Employment Litigation, Attorneys Fee Award in Employment Litigation, January 1999, Presenter

Insurance Litigation, The Rutter Group, May 1999, Presenter

High Profile Litigation, Professional Liability Underwriting Society, November 1999, Presenter

Commission on Judicial Performance, Chancery, June 2000, Presenter

Commission on Judicial Performance, Los Angeles Superior Court, August 2000, Presenter

Proposition 221-Effect on Commissioners, California Judicial Council, September 1998, Presenter

Emerging Trends in Non-Securities D&O Liability, Professional Liability Underwriting Society, D&O Symposium, February 2002, Presenter

Defending Cases Involving Alternative Activity, ASDA, March 2002, Presenter

Development in Ski Liability Seminars Involving Terrain Parks, ASDA, March 2002, Presenter

Current Trends in Private Company D&O, Professional Liability Underwriting Society, February 2003, Presenter

Terrain Park Liability, ASDA, March 2003, Presenter

D&O Liability in the New Economics, Professional Liability Underwriting Society, March 2003, Presenter

Third Party Liability in a Post Enron Environment, ABA, Section of Business Law, April 2003, Presenter

D&O - Where are We Going, Insurance Brokers of America, May 2003, Presenter

Coverage Aspects of Section 17200, Professional Liability Underwriting Society, September 2003, Presenter

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Terrain Park Update, ASDA, March 2005, Presenter

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PUBLICATIONS

Co-Author, The Rutter Group, Insurance Litigation Practice Guide, 1995-present

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Co-author, Closing the Case, Resolving Multi-Party Suits Through Good Faith Settlements, Business Insurance, October 31, 1983

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Contributor, California Continuing Education of the Bar Civil Procedure Before Trial, 1979

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Co-author, Securities Litigation 1994, Practicing Law Institute,
Panelist, October 1994

Co-editor, California Judges Association and The Rutter Group,
Insurance Litigation 1994, 1994

Co-Chair, Practicing Law Institute, Employment Law Liability
Claims, 1995

Contributor, CEB Mediation, Memorializing Settlement Agreements,
2005



California Supreme Court
350 McALLISTER STREET
SAN FRANCISCO, CA 94102-4797

MING W. CHIN
JUSTICE

January 30, 2014

(415) 865-7050
ming.chinejud.ca.gov

**Appointments Office of the California State Bar
180 Howard Street
San Francisco, CA 94105**

**Re: Judicial Council of California
Nomination of Patrick M. Kelly**

Dear Trustees of the State Bar of California:

I am especially pleased to nominate Patrick M. Kelly to the 2014 Judicial Council. Since his graduation from Pomona College and Loyola Law School in Los Angeles, Pat has been a stellar member of our profession, and a seat on the Judicial Council is the logical next step for him to take. He is dedicated to the law, erudite, and experienced in significant leadership positions. I am confident that Pat will serve the council with great discretion and intelligence, and I am pleased to give his nomination my highest recommendation.

After law school, Pat immediately took a leadership role in private practice. He joined Wilson, Elser, Moskowitz, Edelman & Dicker, where he now serves as the firm's Senior Managing Partner and Director of Litigation (Western Region). In his early years, Pat dedicated himself to service to the State Bar, commencing with his appointment to the Conference of Delegates' Calendar Coordinating Committee in 1978-1980. He soon followed that position with several prominent appointments, including the Statewide Fast Tract Consortium, State Bar Task Force on Admissions (Vice Chair), Open Courts Coalition Steering Committee, and the Board of Trustees, California State Bar. He recently culminated his public service as President of the State Bar from 2012-2013. I have been impressed with Pat's strong leadership in all positions. His commitment to excellence and knowledge about our court system has been impressive, and his generosity in helping our profession navigate some tumultuous times has been remarkable.

Appointments Office of the California State Bar
January 30, 2014
Page 2

Pat's commitment to public service extends to the judiciary as well. He served on the Commission on Judicial Performance, and was Chair of the Rules Committee before he became Vice Chair of the Commission in 2002. He is also no stranger to Judicial Council work. During 1993-1995, he served as a member of the Civil and Small Claims Advisory Committee to the Council.

Pat has also given substantial time to the Los Angeles County Bar in various capacities. He was a trustee for two separate terms, and served as its President in 1990-1991. He founded the Los Angeles County Bar's Inn of Court program, and has presented numerous practice seminars on settlement agreements, ADR, civil discovery, insurance litigation, and product defect liability. He has also authored several publications on construction claims and good faith settlements, and is co-author of the Rutter Group's practice guide on insurance litigation.

Pat's keen intelligence, calm under pressure, and passion for public service are the hallmarks of his long and stellar career of service to our profession. The Judicial Council will benefit significantly from his presence and guidance. I also trust that his leadership in serving on the council will positively influence our ability to promote fair and equal justice in our state. Pat is a remarkable man who has dedicated his life to helping others, and I am proud to nominate him to the Judicial Council.

Cordially,

A handwritten signature in black ink, appearing to read "Ming W. Chin", with a stylized flourish at the end.

Ming W. Chin

MWC:jl

KEKER & VAN NEST LLP

633 Battery Street
San Francisco, CA 94111-1809
415 391 5400
kvn.com

Jon Streeter
(415) 676-2249
jstreeter@kvn.com

January 31, 2014

VIA EMAIL AND U.S. MAIL

Appointments Office
State Bar of California
180 Howard Street
San Francisco, California 94105

Re: Application of Mr. Patrick Kelly for Appointment to Judicial Council

Dear Trustees of the State Bar of California:

I write in full support of the application of Patrick Kelly for an appointment to the Judicial Council. Pat and I served together for two years as members of this Board in 2009 – 2011 and for the year of my Presidency 2011-2012. He then succeeded me as President in 2012 – 2013. During that time, I came to know him well and admire him even more.

Pat is one of the most well-known trial lawyers in the State of California and has deep knowledge our justice system. His professional record includes not only his leadership of the State Bar, but leadership within his law firm, as a past President of the Los Angeles County Bar Association, as a member of the Commission on Judicial Performance, and as a member of the prestigious International Academy of Trial Lawyers.

Pat's leadership style has always been marked by a dedication to volunteer service, ethics civility, and diversity in the profession. His outstanding tenure as President of the State Bar, during which he built upon and went beyond many of the things that I worked on the previous year, reflects his commitment to service and the effectiveness of his leadership. He was enormously prolific. The agenda he set -- centrally focused on the issue of court funding and access to justice, but also on elevating professional standards among lawyers -- promoted values that every one of the more than 230,000 California licensed lawyers should know and understand. And by the end of his tenure, through his speeches, writings, and indefatigable visits to bar associations up and down the state, the vast majority of those lawyers were far more familiar with those values than they were before he became President.

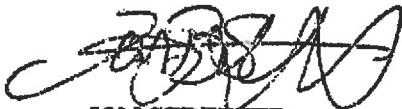
I believe that service on the Judicial Council, one of the most important and sensitive appointments that this Board makes, would be the natural next step for Pat. He would not only

Appointments Office
State Bar of California
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Page 2

come to the Council well-prepared for the high profile policy issues that come before that body, but would fit in very well as a colleague with the esteemed judges and lawyers who serve on it. I can say without reservation that he is one of the finest, most collaborative, ego-free colleagues with whom I have had the privilege of serving on a policy-making board. I recommend him to you without reservation.

Very truly yours,

KEKER & VAN NEST LLP

A handwritten signature in black ink, appearing to read "Jon Streeter", written over a horizontal line.

JON STREETER

JBS:mse

cc: Pat Kelly



CHAMBERS OF
The Superior Court
600 SOUTH COMMONWEALTH AVENUE
LOS ANGELES, CALIFORNIA 90005
LEE SMALLEY EDMON, JUDGE

TELEPHONE
(213) 351-8595

January 30, 2014

Trustees of the State Bar of California
c/o Appointments Office of the California State Bar
180 Howard Street
San Francisco, CA 94105

RE: Patrick M. Kelly - Application for Judicial Council

Dear Trustees of the State Bar of California:

You have an opportunity to appoint a truly outstanding person to the Judicial Council – Pat Kelly. As the immediate past-President of the State Bar, he is well known to you. You are aware of his energy and commitment to our judicial branch, access to justice and diversity. I cannot imagine a better candidate or anyone who would be willing to work harder on the important work of the Council.

I have known Pat personally for more than thirty years, having worked with him on the Los Angeles County Bar Association's (LACBA) Executive Committee and innumerable other committees. I also worked with him on LACBA's delegation to the Conference of Delegates. More recently, I was Presiding Judge of the Los Angeles Superior Court when Pat began his term as President of the State Bar, and I personally know and appreciate his commitment and efforts to support adequate funding for our state's trial courts. We cannot have had a better champion for what is essentially an access to justice issue than Pat.

I also have served on the Judicial Council, so I am familiar with the qualities necessary to be a successful, contributing member of the Council. Pat has a remarkable ability to listen to all points of view and to build consensus around positive outcomes, even on the most difficult political issues. In addition, he can be an articulate spokesperson when called on to do so. He would be an excellent Council member.

He has my highest, unqualified recommendation for the appointment, and I urge you to do so.

Sincerely,


Lee Smalley Edmon

Statement of Interest

From: Kelly, Patrick M.
Sent: Friday, April 20, 2018 4:15 PM
To: Cohen, Sarah
Subject: RE: Judicial Council reappointment

I wanted to confirm again that I am seeking reappointment to the Judicial Council.

My goals, commitment, qualifications and recommendations are as set forth in the application that supported my initial appointment. You have indicated that application is sufficient for this reappointment process. Since my prior appointment, as a Council member I have worked very hard supporting the mission of the Council in meetings, committee work and in interacting with the legislature. In this regard I am strongly committed to our courts, court funding and equal and effective access to our courts and support the Chief Justice's initiatives in each of these areas. I am committed to continuing to make a significant contribution to the important work of the Council and would very much appreciate the opportunity to do so.

One particular area of my commitment is implementation of the recommendations of the Commission on the Future of the California Courts. In this regard, by appointment of the Chief Justice I was a Commissioner and Special Advisor to the Executive Committee of that Commission which in 2017, after a two year intensive study, delivered a 290 page report which contained a number of recommendations for improvement of our California justice system. The Judicial Council adopted as a priority four key recommendations of that Commission and the governor has mentioned them as one of the priorities for the courts in supporting budget increases this year. I would very much like to continue in the implementation of these important recommendations as a member of the Council. All are related to fair and equal access to justice which is a cause I have championed for many years.

Thank you for the opportunity to apply for reappointment and please let me know if you need further information.

Best regards,

Pat Kelly