

# **OPEN SESSION**

## **AGENDA ITEM**

### **41 JULY 2018**

**DATE:** July 20, 2018

**TO:** Members, Board of Trustees

**FROM:** Leah T. Wilson, Executive Director

**SUBJECT:** Executive Director's Report

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Your July meeting agenda is replete with items that advance the State Bar's 2017-2022 Strategic Plan. These include the sub-entity, or "Appendix I", discussions to occur during meetings of the Programs and RAD Committees as well as the full Board; these discussions should result in a consensus framework for the Board to use in making final decisions regarding the existence and structure of State Bar sub-entities later this fall. In addition, Professor William Henderson will provide an overview of the *Legal Landscape Analysis* he recently authored for the Bar. The report and corresponding Board discussion are designed to assist the Board in finalizing the scope of an upcoming review of the relationship between State Bar regulations and the exponentially growing legal tech sector, and opportunities for the State Bar to harness the potential of this new sector to increase access to legal services. Lastly, the Board will consider new discipline metrics. The corresponding discussion will provide the Board with its first formal opportunity to address a longstanding question – if the backlog is not the appropriate measure to assess the efficacy of the discipline system what is?

You have been provided with a large amount of material to read for the July meeting; my Executive Director's report will not present another hurdle for you in your preparation! Instead I will focus briefly on appointments to assist in your review of related meeting agenda items.

Staff has begun to attempt to more systematically capture demographic information for potential Board nominees and existing appointees to help inform future appointment deliberations and to assess the efficacy of efforts underway to ensure that nomination pools reflect the public that we serve.

Unfortunately we have no surefire way to collect this data; related fields are routinely left blank on appointment application forms. In an effort to gather comprehensive information which can be used by the Board as baseline data, staff recently distributed a survey to all current State Bar appointees.

The results, summarized below, suggest that we have additional work to do:

**May 2018 State Bar Sub-entity Demographic Data**

<b>Race/Ethnicity</b>	<b>Male</b>	<b>Female</b>	<b>Total</b>	<b>Sub-entity Population</b>	<b>California Population*</b>
White alone (not Hispanic / Latino)	49	32	81	<b>63%</b>	<b>37%</b>
Asian	9	8	17	<b>13%</b>	<b>15%</b>
Black / African-American	5	9	14	<b>11%</b>	<b>7%</b>
Hispanic / Latino	2	7	9	<b>7%</b>	<b>39%</b>
Two or More Races	2	4	6	<b>5%</b>	<b>4%</b>
Unidentified	0	1	1	<b>1%</b>	<b>--</b>
Native American / Alaskan Native / Native Hawaiian, Other Pacific Islander	0	0	0	<b>0%</b>	<b>2%</b>
Total Responses	67	61	128	<b>100%</b>	<b>104%</b>
<b>Percent Male / Female</b>	<b>52%</b>	<b>48%</b>	<b>100%</b>		

The data, which reflects responses from 128 of 205 current appointees, suggests that:

- Whites are significantly over-represented on State Bar sub-entities;
- Asians are slightly under-represented;
- African Americans are slightly over-represented;
- Latinos are significantly under-represented;
- Women (who currently make up about 50.3 percent of California's population) are slightly under-represented.

In addition to documenting current sub-entity composition, staff have begun to formulate a strategy around outreach and recruitment. This effort will include annual outreach to affinity organizations throughout the state that foster and promote board and committee participation. I will be doing a presentation about appointment opportunities to several Los Angeles based affinity organizations in early August in this vein.

I will provide the Board with updated demographic and outreach information to facilitate the appointments process on a periodic basis going forward.