

OPEN SESSION AGENDA ITEM

SEPTEMBER 2018 PROGRAMS COMMITTEE III.E.

DATE: September 13, 2018

TO: **Members, Programs Committee**

FROM: Justin Ewert, Andrew Conover, Research & Institutional Accountability

SUBJECT: Programs Committee Work Plan Review

EXECUTIVE SUMMARY

This agenda item presents the Programs Committee 2017-18 Work Plan and reviews the accomplishments of the previous year.

BACKGROUND

To strengthen the Board committee process, each Board committee, with staff assistance, has developed a work plan summarizing the annual, recurring and time-limited items to be undertaken, the strategic goal(s) and objective(s) furthered by each item and an estimated timeline for the completion of this work.

Work Plans for the 2017-18 Board year were developed in the fall of 2017 and approved by the Board Executive Committee in January, 2018. At that time, however, no process was established for review of the work plans. Nor was consideration given to ensuring the alignment of the work plans with the Board's larger strategic planning efforts.

DISCUSSION

This item is intended as a discussion item for the Programs Committee and to alert the members of the Committee to a proposal before the Board Executive Committee to modify the process of developing Committee Work Plans.

Attached is the Work Plan developed by the Programs Committee in 2017 and approved by the Board Executive Committee. Staff will present the plan and discuss which items were accomplished and which remain to be accomplished. Members of the Programs Committee are encouraged to provide input regarding how the work plan can be improved in the future and better used to guide the work of the Committee and advance the Strategic Plan of the Bar.

FISCAL/PERSONNEL IMPACT

None

RULE AMENDMENTS

None

BOARD BOOK AMENDMENTS

None

STRATEGIC PLAN GOALS & OBJECTIVES

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: (b) 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 public protection mission.

ATTACHMENT(S) LIST

- A. Programs Committee Work Plan

Annual / Recurring Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan
• Annual Recommendation to the Supreme Court for Expungement of Suspensions for Nonpayment of Fees	Yes November 2017	Yes November 2017	Compliance
• Annual Recommendation for Expungement of Administrative Inactive Statuses for MCLE Non-compliance	Yes November 2017	Yes November 2017	Compliance
• Discipline Day	Yes January 2018	Yes January 2018	Compliance
• Committee on Professional Liability Insurance (COPLI) Annual Accomplishments	Yes March 2018	No	Goal 1 Objective D
• California Commission on Access to Justice Annual Report	Yes May 2018	No	Goal 4 Objective B
• Annual Recommendation to Supreme Court for Suspension of Members Delinquent in Payment of State Bar Fees, Penalties and Costs	Yes May 2018	Yes May 2018	Compliance
• Annual Recommendation re Members in MCLE Non-compliance	Yes May 2018	Yes May 2018	Goal 2 Objective E
• Report and Filing with the California Supreme Court of the Board of Legal Specialization Annual Report	Yes May 2018	Yes May 2018	Goal 1 Objective E
• Legal Services Trust Fund – Set Amounts for Distribution, Jan to Dec 2017 IOLTA Grants, including Voluntary and State Bar Contributions	Yes July 2018	Yes July 2018	Goal 4 Objective A
• Council on Access and Fairness Annual Report	Yes July 2018	No	Goal 4 Objective B
• Council on Access and Fairness Strategic Plan	Yes July 2018	Yes July 2018	Goal 4 Objective B
• Commission on Judicial Nominees Evaluation, 2015 Activities and Statistical Report	Yes July 2018	Yes July 2018	Goal 1 Objective E
• Awards (pending) Loren Miller, Pro Bono, Diversity & Pipeline, Witkin	Yes July 2018	No	Administration
• Annual Recommendation re Attorneys in Non-compliance with MCLE Audit	Yes September 2018	Yes September 2018	Compliance

Time-Limited Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan
<ul style="list-style-type: none"> Collaborate with the Committee of Bar Examiners on Studying Various Components of the Bar Exam: In March of 2017 the Board of Trustees authorized staff to proceed with studies on Sources of Variation of Passing Rates, Collecting and Linking Law School Performance, Evaluating Content Validity, and Evaluating the Passing Standard. The committee will need to review these studies and provide guidance and oversight to confirm the continued effectiveness of the examination while ensuring the protection of the public. 	Yes Mid 2018	Yes Mid 2018	Goal 2 Objective H
<ul style="list-style-type: none"> Oversee the Separation of the Sections from the State Bar of California: The Council of State Bar Sections is working with the legislature and other key stakeholders on separation from the State Bar. This process will contain many complex issues and the committee will need to provide direction to staff in order to minimize disruption to the Bar and review potential separation agreements between the two organizations. 	Yes December 2017	Yes January 2018	Goal 1 Objective A
<ul style="list-style-type: none"> Admissions Management System updates: Every meeting following contract award through end of implementation 	Yes Mid 2019	No	Goal 2 Objective A
<ul style="list-style-type: none"> Pro Bono Participation: The Committee will assess existing State Bar efforts and explore new strategies to increase pro bono engagement 	Yes Mid 2018	No	Goal 4 Objective B
<ul style="list-style-type: none"> Evaluation of Existing and Providing Guidance on the Creation of Mandatory Continuing Legal Education (MLCE): The committee will need to work with the Office of Admissions, the Office of Sections, the Lawyer Assistance Program and the California Young Lawyers Association to develop 10 hours of specific "New Attorney Training". 	Yes February 2018	Yes March 2018	Goal 2 Objective D
<ul style="list-style-type: none"> Equal Access Fund: The Committee will assist staff in strategizing about how to maintain and enhance funding sources. 	Yes Mid 2018	No	Goal 4 Objective A
<ul style="list-style-type: none"> Dues Statement Contributions: The Committee will consider other options 	Yes	No	Goal 4

Time-Limited Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan
for enhancing funding for legal aid services, aid the communication effort of the Campaign for Justice, and review the implications of electronic billing of Bar dues for these funding streams.	Mid 2018		Objective A
<ul style="list-style-type: none"> Joint Meeting with the Programs Committee and the California Commission on Access to Justice Executive Committee to discuss the CCAJ's Work Plan and to develop ways the Board of Trustees and CCAJ can work as partners to advance access to justice and further the mission of the State Bar. 	Yes November 2017	No	Goal 4 Objective B
<ul style="list-style-type: none"> Governance in the Public Interest Task Force Restructuring Evaluations: Sub-entities review: <ul style="list-style-type: none"> California Commission on Access to Justice (CCAJ) Legal Services Trust Fund Commission (LSTFC) Council on Access and Fairness (COAF) Committee of Bar Examiners (CBE) Law School Council California Board of Legal Specialization (CBLS) Committee on Professional Liability Insurance (COPLI) 	Yes August 2018	Yes September 2018	Goal 1 Objective E
<ul style="list-style-type: none"> Lawyer Referral Services: The Committee will assist staff in a comprehensive review of the rules, with input from a wide range of stakeholders including existing lawyer referral services as well as other players including the companies that are using technology to reach large numbers of consumers. The goal is to protect consumers while facilitating access to legal services. 	Yes July 2018	Yes September 2018	Goal 4 Objective B
<ul style="list-style-type: none"> Council on Access & Fairness: Review and support the work of the Council to achieve the Bar's diversity goals. 	Yes July 2018	No	Goal 4 Objective B
<ul style="list-style-type: none"> Council on Access & Fairness Mentoring Program review and oversight 	Yes March 2018	Yes March 2018	Goal 1 Objective C
<ul style="list-style-type: none"> Council on Access & Fairness Bar Passage Program review and oversight 	Yes	Yes	Goal 1

Time-Limited Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan
	January 2018	January 2018	Objective C
<ul style="list-style-type: none"> Evaluate Alternatives to the Existing Annual Meeting 	Yes July 2018	No	Goal 1 Objective C
<ul style="list-style-type: none"> Reevaluate Free and Low-Cost MCLE 	Yes August 2018	Yes September 2018	Goal 2 Objective E
<ul style="list-style-type: none"> Consideration of new topics for MCLE requirement 	Yes August 2018	Yes September 2018	Goal 2 Objective E
<ul style="list-style-type: none"> Evaluation of Special Admission Rules (Multijurisdictional Practice, Pro Hac Vice, Registered In-House Counsel, Out of State Attorney Arbitration Counsel, Foreign Legal Consultants, and Practical Training of Law Students Program) and consider if amendments should be made and proposed to the whole committee per the Strategic Plan. 	Yes August 2018	Yes September 2018	Goal 2 Objective I