

OPEN SESSION AGENDA ITEM

54-111 SEPTEMBER 2018 EX COMM AGENDA ITEM III.A.

DATE: September 13, 2018

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

FROM: Donna S. Hershkowitz, Chief of Programs

SUBJECT: Recommendation to Extend Chair and Vice-Chair Terms of Certain Sub-entities

EXECUTIVE SUMMARY

This agenda item seeks approval for a brief extension of the terms of Chairs and Vice-Chairs of sub-entities currently subject to review conducted pursuant to Appendix I of the May 2017 Governance in Public Interest Task Force report (the Appendix I review). This request is limited to those Chairs and Vice-Chairs whose terms are set to expire in September 2018.

BACKGROUND

The final report of the 2017 Governance in the Public Interest Task Force (Task Force) recommended that the State Bar continue its evaluation of the role played by committees, boards, and other oversight bodies ("sub-entities") in the governance of the State Bar.

Traditionally, recommendations to the Executive Committee and the Board of Trustees ("Board") to fill vacancies on sub-entities are presented on or about May or July or each year. Due to the pendency of the Appendix I review, which includes a discussion of the appropriate size of the various State Bar sub-entities, staff did not present to the Board recommendations to fill the expiring terms of members serving on sub-entities subject to the review.

DISCUSSION

The Appendix I item on the Board's agenda today presents the Board with various options for reconsidering the organization of the work of the Bar and its various sub-entities. Those options range from elimination of a sub-entity to minor streamlining efforts. Since staff was aware that among the Board's decisions would be whether each sub-entity is currently the appropriate size, it made little sense to conform the typical schedule of making recommendations to fill vacant positions in May or July. Staff opted to wait until after the outcome of the Appendix I decisions to bring any such recommendations to the Board. Regardless of the decisions the Board makes

as to each sub-entity, however, the sub-entity will need to continue to function, either on an ongoing basis or for a set period of time to transition its efforts to staff or an outside entity. To effectuate this, staff recommends extension of the terms of current Chairs and Vice-Chairs whose terms were set to expire in September 2018. The extension requested is through the end of the 2018 calendar year.

Staff will return to the Executive Committee or the Board prior to the extended terms' expiration for appropriate action consistent with the resolution adopted by the Board with regard to the specific sub-entity.

Staff is recommending that the terms for the following Chairs and Vice-Chairs be extended through December 31, 2018:

- Mandatory Fee Arbitration Committee
 - Chair, Lorraine Walsh
 - Vice-Chairs/Assistant Presiding Arbitrator Clark Stone
 - Vice-Chairs/Assistant Presiding Arbitrator Lee Straus.
 - Note that the term of the Presiding Arbitrator does not expire until December 31, 2018.
- Client Security Fund Commission
 - Chair Etan Rosen
- Legal Services Trust Fund Commission (LSTFC)
 - Cochair Rich Reinis.
 - Note that Mr. Reinis' Cochair, Corey Friedman, whose term also expires in September, was appointed by the Supreme Court to fill one of its vacant slots on the LSTFC.
- California Commission on Access to Justice (CCAJ)
 - Chair Mark Juhas
 - Vice Chair Catherine Blakemore
- Council on Access and Fairness (COAF)
 - Chair Diana Becton
 - Vice-Chair Holly Fujie
- California Board of Legal Specialization
 - Chair Glenn Plattner
 - Vice Chair Michael Berg

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: c. No later than September 30, 2018, determine the appropriate role of, and Board responsibility for, State Bar Standing Committees, Special Committees, Boards, and Commissions in the new State Bar.

RECOMMENDATION

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

RESOLVED, that an extension of the terms of the following sub-entity Chairs and Vice-Chairs through December 31, 2018 is approved:

- Mandatory Fee Arbitration Commission:
Chair, Lorraine Walsh
Vice-Chairs/Assistant Presiding Arbitrators Clark Stone and Lee Straus
- Client Security Fund Commission:
Chair Etan Rosen
- Legal Services Trust Fund Commission:
Cochair Rich Reinis
- California Commission on Access to Justice:
Chair Mark Juhas
Vice Chair Catherine Blakemore
- Council on Access and Fairness:
Chair Diana Becton
Vice-Chair Holly Fujie
- California Board of Legal Specialization:
Chair Glenn Plattner
Vice Chair Michael Berg

ATTACHMENT(S) LIST

None