



The State Bar *of California*

OPEN SESSION AGENDA ITEM JANUARY 2019 BOARD EXECUTIVE COMMITTEE III.A

DATE: January 25, 2019

TO: Members, Board Executive Committee

FROM: Kimberly DaSilva, Attorney II, Mission Advancement & Accountability

SUBJECT: Approval of 2019 Board Committee Work Plans

EXECUTIVE SUMMARY

This agenda item presents the 2019 work plans of the Board's standing committees for approval by the Board Executive Committee.

BACKGROUND

The Board Executive Committee is responsible for approving work plans adopted by the standing committees of the Board: the Audit Committee, the Finance and Planning Committee, the Programs Committee and the Regulation and Discipline (RAD) Committee.

DISCUSSION

Attached to this item are work plans adopted by the Audit Committee, the Finance and Planning Committee, the Programs Committee and RAD. Each of these committees developed its work plan for the 2019 Board year to ensure alignment of the work of the Board committees with the Bar's strategic plan and provide guidance and accountability for the committees and State Bar staff. Each plan summarizes the annual, recurring and time-limited items to be undertaken, the strategic goals and objectives furthered by each item and an estimated timeline for completion or presentation of each item to the Board committee and/or the full Board of Trustees.

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.

RECOMMENDATIONS

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

RESOLVED, that the Board Executive Committee approve the work plans adopted by the Audit Committee, the Finance and Planning Committee, the Programs Committee, and the Regulation and Discipline Committee; and, authorizes staff to maintain the work plans and make technical edits and corrections to them as needed.

ATTACHMENT(S) LIST

- A.** Audit Committee 2019 Work Plan
- B.** Finance and Planning Committee 2019 Work Plan
- C.** Programs Committee 2019 Work Plan
- D.** RAD Committee 2019 Work Plan

State Bar of California
AUDIT COMMITTEE

ATTACHMENT A: 2019 Work Plan

Annual/Recurring Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> Review quarterly Travel Expense Reports 	03/19; 05/19; 09/19, 11/19	As Needed	Core Business Operations	Completed Each Qtr.
<ul style="list-style-type: none"> ORIA Compliance Review & Activities: <ul style="list-style-type: none"> Identify and implement a tool to facilitate institutionalization of practices Investigate priority areas, including fingerprinting requirements and other DOJ related items Recommend and implement corrective actions Begin development of manual to memorialize practices Begin systemic review of mandates Identify all State Bar Rules creating organizational requirements 	Planning Stage	November 2019	Core Business Operations	Ongoing.
<ul style="list-style-type: none"> State Auditor's Audit (Every 2 years): <ul style="list-style-type: none"> Monitor progress Evaluate findings and recommendations Monitor implementation of corrective actions 	Expected 2019	May 2019	Core Business Operations	Started 10/1/2018
<ul style="list-style-type: none"> LAO Review <ul style="list-style-type: none"> Monitor progress Evaluate analysis and recommendations 	Expected mid-2019	July 2019	Core Business Operations	
<ul style="list-style-type: none"> Annual Financial Statement Audit (Every Year): <ul style="list-style-type: none"> Approve scope, meet with auditor, assess independence Monitor progress Review audited financial statements Evaluate findings and recommendations Monitor implementation of corrective actions 	November 2018 Ongoing April 2019 Ongoing Ongoing	NA As Needed May 2019 As Needed AS Needed	Core Business Operations	

Annual/Recurring Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> Cybersecurity Assessment (Every 2 years): <ul style="list-style-type: none"> Approve scope and fees Monitor progress Evaluate findings and recommendations Monitor implementation of corrective actions Review status of cybersecurity with staff (in years with no assessment) 	Previously done Ongoing March 2018 Ongoing 2019	NA As Needed March 2018 As Needed As Needed	Goal 3.i.	Assessment Completed Dec 2017. 44 Recs. Ongoing Monitoring

Time-Limited Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> Implementation of Audit(s) Recommendations: <ul style="list-style-type: none"> Monitor progress 	Ongoing	NA	Core Business Operations	

State Bar of California
Finance & Planning Committee

ATTACHMENT B: 2019 Work Plan

Annual/Recurring	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> Monitoring Progress on Strategic Plan 	Ongoing	Ongoing	3	
<ul style="list-style-type: none"> State Bar Performance Metrics <ul style="list-style-type: none"> Monitor Implementation Communicate to Stakeholders 	Ongoing	Ongoing	1,3,5	
<ul style="list-style-type: none"> Review Finance Policies (could include:) <ul style="list-style-type: none"> Investment policy Cost Allocation Policy Cost Recover Policy Other Policies As Needed 	May 2019	May 2019	5(d)	
<ul style="list-style-type: none"> Ongoing improvement of communicating to BOT/Stakeholders of key financial metrics 	As needed	As needed	1,3,5	
<ul style="list-style-type: none"> Assist in Planning & Facilitation of Annual Strategic Plan Session 	January 2019	Annually		
<ul style="list-style-type: none"> Participate in Annual Budget Process <ul style="list-style-type: none"> Mid-Year Budget Review Develop annual planning & budget development cycle Review preliminary budget Review final budget 	September 2019 September 2019 November 2019 January 2020	Annually	5(d)	
<ul style="list-style-type: none"> Quarterly Review of Financial Reports <ul style="list-style-type: none"> Review Q4 financials Review Q1 financials Review Q2 financials 	March 2019 May 2019 September 2019	March 2019 May 2019 September 2019	5(d)	
<ul style="list-style-type: none"> Review Board and committee functioning, including monitoring the financial implications of policy initiatives of other committees 	Ongoing	Ongoing	1,3	
<ul style="list-style-type: none"> Review expenses/income to assess financial performance 	Ongoing	Ongoing	3	Ongoing

State Bar of California
Programs Committee

ATTACHMENT C: 2019 Work Plan

Annual / Recurring Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan
• Annual Recommendation to Supreme Court for Suspension of Members Delinquent in Payment of State Bar Fees, Penalties and Costs	Yes May 2019	Yes May 2019	Compliance
• Annual Recommendation re Members in MCLE Non-compliance	Yes May 2019	Yes May 2019	Goal 2 Objective E
• Report and Filing with the California Supreme Court of the Board of Legal Specialization Annual Report	Yes May 2019	Yes May 2019	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 2019	Yes July 2019	Goal 4 Objective A
• Council on Access and Fairness Annual Report	Yes July 2019	No	Goal 4 Objective B
• Council on Access and Fairness Strategic Plan	Yes July 2019	Yes July 2019	Goal 4 Objective B
• Commission on Judicial Nominees Evaluation, 2018 Activities and Statistical Report	Yes July 2019	Yes July 2019	Goal 1 Objective E
• Annual Recommendation re Attorneys in Non-compliance with MCLE Audit	Yes September 2019	Yes September 2019	Compliance
• 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

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 to complete the California Attorney Practice Analysis to determine the knowledge, skills, and abilities for entry level attorneys. 	Yes Late 2019	Yes Late 2019	Goal 2 Objective N
<ul style="list-style-type: none"> Collaborate with the Committee of Bar Examiners to evaluate the implications of the study on the Productive Mindset intervention, establish plan to make the intervention more broadly available to applicants to the Bar and determine follow-up evaluation as needed. 	Yes July 2019	No	Goal 4 Objective A
<ul style="list-style-type: none"> Provide continued oversight of the implementation of the Admissions Information Management System: receive reports on implementation through the fall of 2019. 	Ongoing	No	Goal 2 Objective I
<ul style="list-style-type: none"> The Committee will assist staff in strategizing about how to maintain and enhance funding sources for the Equal Access Fund. 	Yes Ongoing	No	Goal 4 Objective A
<ul style="list-style-type: none"> Dues Statement Contributions: The Committee will consider other options 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. 	Yes Ongoing	No	Goal 4 Objective A
<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	No	Goal 4 Objective B
<ul style="list-style-type: none"> Reevaluate Free and Low-Cost MCLE 	Yes	Yes	Goal 2 Objective E
<ul style="list-style-type: none"> Consideration of new topics for MCLE requirement 	Yes	Yes	Goal 2 Objective E

State Bar of California
Committee on Regulation & Discipline

ATTACHMENT D: 2019 Work Plan

Annual / Recurring Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> Discipline Day <ul style="list-style-type: none"> Orientation of new Board members to the functions of the discipline system 	Yes / January 2019	Yes / January 2019	NA / Administrative	
<ul style="list-style-type: none"> Discipline Hearings <ul style="list-style-type: none"> Business & Professions Code section 6095(a) says that the State Bar “shall annually hold at least two public hearings, one in southern California and one in northern California, to hear proposals on bar disciplinary procedures, attorney competency, and admissions procedures.” 	NA	NA	NA /	Completed. Discipline hearings were held in LA and SF in December 2018. No comments to report.
<ul style="list-style-type: none"> Review of the Annual Discipline Report <ul style="list-style-type: none"> Business & Professions Code section 6086.15 says that State Bar “shall issue an Annual Discipline Report by April 30 of each year describing the performance and condition of the State Bar discipline system, including all matters that affect public protection.” 	Yes / March 2019	Yes / March 2019	NA / Compliance	
<ul style="list-style-type: none"> Performance review of the Chief Trial Counsel 	Yes / TBD	Yes / TBD	NA / Compliance	
<ul style="list-style-type: none"> Reports by entities within RAD’s purview <ul style="list-style-type: none"> March meeting - Professional Competence March meeting - Probation / LAP May meeting – SBC July meeting - CSF 	Yes/ March 2019 March 2019 May 2019 July 2019	No	Goal 2 Objective C	

State Bar of California
Committee on Regulation & Discipline

ATTACHMENT D: 2019 Work Plan

Time-Limited Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> Annual Discipline Report – update on ADR messaging and marketing 	Yes / March 2019	No	Goal 5	
<ul style="list-style-type: none"> Monthly Discipline System Statistical Reports for RAD – Incorporate the approved Discipline System Metrics and standardize reports from all components of the discipline system 	Yes / March 2019	No	Goal 2 Objective C	Automation completed. Currently working on incorporating approved discipline metrics into the report.
<ul style="list-style-type: none"> Case Management System Implementation for OCTC, State Bar Court and Office of Probation <ul style="list-style-type: none"> Every meeting through end of implementation – Q1 2019 	Yes / March 2019	No	Goal 2 Objective A	Go-live scheduled for February 11 th , 2019.
<ul style="list-style-type: none"> Discussion of training programs for OCTC attorneys: prepare for discussion with the Board. 	Yes / May 2019	TBD		
<ul style="list-style-type: none"> Evaluation of allegations charged and ultimate disposition of OCTC cases to determine: <ul style="list-style-type: none"> The relationship between allegations and the final disposition of cases; The cost of achieving particular outcomes through litigation relative to cost of achieving similar outcomes through settlement. 	Yes / March 2019 (For initial discussion)	TBD		
<ul style="list-style-type: none"> Computational Law Logic Model – develop and evaluate possible algorithmic processes for identifying online complaints. 	Yes/ March 2019			