



The State Bar *of California*

OPEN SESSION AGENDA ITEM MAY 2019 BOARD EXECUTIVE COMMITTEE III.C

DATE: May 16, 2019

TO: Members, Board Executive Committee

FROM: Jason Lee, Chair, State Bar Board of Trustees

SUBJECT: Replacement of Cyclical Trustee Training Calendar with Web-Based Learning Modules

EXECUTIVE SUMMARY

The Board Executive Committee (Committee) is charged with the responsibility for Trustee orientation and development. This agenda item places before the Committee for approval a proposal to replace the existing Cyclical Trustee Training Calendar model, based on in-person training, with web-based learning modules. This change from an in-person model to a web-based model would provide multiple benefits, as discussed below.

BACKGROUND

In 2017 the Governance in the Public Interest Task Force (2017 Task Force) recommended that the State Bar Board of Trustees (Board) enhance trustee orientation and training. In August of that year, the Committee's charter was amended to add trustee orientation and development. Pursuant to that amendment, the Committee is required to "develop and oversee execution of a formal Board member capacity building program to ensure that each incoming group of Trustees receives timely training on all significant aspects of the State Bar, the elements of which include(s)", among other responsibilities "ongoing continuing education and training pursuant to a cyclical training calendar." (See Charter for Board Executive Committee, State Bar of California Board of Trustees Policy Manual, Standing Committee Charters, Appendix D.)

In January of 2018 the Committee approved a Cyclical Trustee Training Calendar (Training Calendar) based on an in-person model. (See Attachment A.) The in-person Training Calendar provides for specific trainings during each Board meeting throughout the Board year based upon the coming duties of the Board. For example, training on finance is scheduled for the November meeting so that Trustees will be prepared to review and approve the final budget during the January meeting, before its required filing February.

DISCUSSION

This agenda item proposes changing the format of the trainings in the Training Calendar from in-person to web-based for the reasons described below.

- Flexibility of Participation: With web-based modules that cover the same topics set forth in the current Training Calendar, Trustees will be able to participate at times that fit their individual schedules without the need to travel.
- Consistency: The trainings will be more consistent following a web-based model, as opposed to an in-person model. The courses will be developed to present material in the most effective way possible, and all Trustees will participate in the same way. With the current, in-person trainings, Trustees who miss a required training must view it through archived video, receiving a less effective training than those who participate in person. Also, if a regular presenter is unavailable for a training, the Trustees may not receive the same level of training from a presenter unaccustomed to teaching that material. A web-based model will ensure that all participants receive the same, high-quality training.
- Staff Time and Travel Savings: Web-based training would save time and money in multiple ways. First, once the modules have been developed, staff will not be required to take time away from other tasks and incur travel and lodging to conduct the trainings during Board meetings. Web-based training can also, generally be delivered in less time and, importantly, they can be reused multiple times.
- Board Meetings Focused on Developing State Bar Policy: From a macro-perspective, with the time saved during Board meetings from the elimination of the scheduled in-person trainings, the Board will be able to focus more of its time on its primary function, developing policy to further the public protection mission of the State Bar.

Mandatory completion dates, by which time Trustees must have taken specified trainings to prepare them for their coming Board duties, along the same lines as the current in-person Training Calendar, would ensure that Trustees are prepared to effectively review and approve necessary materials for each meeting.

The Committee should also consider whether this proposal would require it to amend its charter, which currently requires it to “develop and oversee execution of a formal Board member capacity building program,” including “ongoing continuing education and training pursuant to a cyclical training calendar.” If the Committee determines that this proposal to change the format of the Training Calendar from in-person to web-based, rises to the level of a charter amendment, staff will prepare a charter amendment for the next scheduled Committee meeting.

FISCAL/PERSONNEL IMPACT

Staff time and travel savings is anticipated as a result of this proposal once the development of the modules is complete because staff will not be required to take time away from other tasks

and incur travel and lodging to conduct the trainings during Board meetings. However, it is not possible to quantify the amount of the anticipated savings at this time.

RULE AMENDMENTS

None

BOARD BOOK AMENDMENTS

Consider necessity of amending Board Executive Committee charter to reflect this change.

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: 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 replacement of the existing Cyclical Trustee Training Calendar based on in-person trainings with a web-based model.

ATTACHMENT(S) LIST

- A. Cyclical Trustee Training Calendar

Cyclical Trustee Training Calendar

September (Annual Meeting – First meeting of new Board)

1. Legal Construct under which the State Bar Operates: Roles of the Supreme Court, Legislature and Governor
2. Trustee Roles, Responsibilities and Fiduciary Duties
 - a. Conflict of Interest (Form 700 Reporting Obligations)
 - b. Incompatible Activities
3. One State Bar: The State Bar and its Sub-Entities
 - a. Role of the Board and Board Committees
 - b. Role of Staff liaisons and Board Committee Coordinators
 - c. Advice and Counsel function of the Office of General Counsel
4. Strategic Communications and Stakeholder Engagement

November Meeting

1. Overview: Finance
 - a. Understanding the Financials
 - b. The Budget Process and Sources of Funding
 - c. Travel and Expense Reimbursement Policy
2. The Deliberative Body
 - a. Roberts Rules, Parliamentary Procedure (guest speaker)
 - b. The Bagley-Keene Act – Open meeting requirements

January (Planning Session)

1. Overview: Admissions
2. Overview: Discipline System

March Meeting

- Overview: Access to Justice
- a. Grants Administration
 - b. Diversity / Inclusion Policy Initiatives
 - c. Access to Justice Policy Initiatives

May Meeting

Labor Relations

July Meeting

1. Anti-Trust Policy
2. California Public Records Act