



The State Bar *of California*

OPEN SESSION

AGENDA ITEM

54-114 JULY 2019

BOARD EXECUTIVE COMMITTEE III.C

DATE: July 11, 2019

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

FROM: Joanna Mendoza, Alternate Appointments Liaison, Board Executive Committee
(replacing Mark Broughton due to a conflict)
Brandon Stallings, Appointments Liaison, Board Executive Committee

SUBJECT: California Board of Legal Specialization - Annual Appointment of Members and Officers

EXECUTIVE SUMMARY

The State Bar Board of Trustees is responsible for all appointments to the California Board of Legal Specialization (CBLS), with members serving staggered four-year terms.

For the upcoming year, the CBLS will have four vacancies, including two officer positions. The State Bar received 20 applications for appointment to the CBLS.

BACKGROUND

The CBLS recommends program rules and provides guidance on policies and protocols for certification of specialists; develops testing and legal education criteria for specialists; and advises the Board of Trustees (Board) on the establishment of specialty fields. The CBLS consists of the following seven members, made up of attorneys from a wide range of practice areas, and also includes non-attorney public members:

Hon. Janet M. Coulter, Long Beach – 2015-2019
Attorney Member, Workers' Compensation Judge

Louis J. Esbin, Stevenson Ranch – 2015-2019
Attorney Member, Bankruptcy Law Certified Specialist

Robert Hershenson, Valencia – 2017-2021

Public Member

Mark A. Lester, Oxnard – 2016-2020

Attorney Member, Estate Planning, Trust & Probate Law Certified Specialist

Cynthia Levin, Sunnyvale – 2017-2019

Public Member

Donald K. Sheppard, San Diego – 2015-2019

Attorney Member, Immigration & Nationality Law Certified Specialist

Aurelio Torre, Santa Ana – 2016-2020

Attorney Member, Appellate Law Certified Specialist

There are four vacancies for the upcoming 2019-2020 State Bar year. The CBLS has historically prioritized the following criteria when considering appointments: prior experience drafting and/or grading specialist examinations; having a range of specialties represented, including representation for each of the three largest specialty areas (Estate Planning, Trust & Probate Law; Family Law; and Workers' Compensation Law); allowing for diverse geographic representation to the extent possible.

A chronological list of the State Bar's appointments of members to the CBLS for the last five years is attached as Attachment A.

DISCUSSION

OFFICER VACANCIES

In order to reduce the size of the CBLS for the 2018-2019 State Bar year, no new appointments were made in 2018, letting the CBLS shrink to its authorized size of seven through attrition. At the end of the 2017-2018 year, the officer positions were vacated and unfilled. Beginning January 2019, staff sought volunteer CBLS members to fill the Chair and Vice-Chair positions for each scheduled meeting. For the upcoming year, attorney member Aurelio Torre and public member Robert Hershenson have submitted letters of interest for appointment or expressed interest in those officer positions.

It is recommended that Aurelio Torre and Robert Hershenson be considered for the Chair and Vice-Chair positions, respectively. Mr. Torre is currently one of the most tenured members on the CBLS, and has volunteered extra time and provided valuable input during this CBLS transition period. Mr. Hershenson has volunteered to serve as Chair throughout the year, and

as a public member consistently contributes to discussion on critical CBLS policy. He has exercised sound judgment when sitting as volunteer Chair. This has been a period of change for the CBLS and both Mr. Torre and Mr. Hershenson have proven to be effective, forward-thinking leaders.

MEMBER VACANCIES

At the conclusion of the June 14 extended submission deadline, the State Bar received the following applications, for appointment to the CBLS:

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|---------------------------------------|--------------------------------------|
| ○ Norma L. Acosta, San Jose | ○ Stanley L. Friedman, Los Angeles |
| ○ Frances E. Arroyo, Los Angeles | ○ Phillip W. Gillet Jr., Bakersfield |
| ○ Lucy Avedissian, Pasadena | ○ Norman H. Green, Glendale |
| ○ Wesley H. Avery, Pasadena | ○ Jeffrey T. Hammerschmidt, Fresno |
| ○ Qiang Bjornbak, Los Angeles | ○ Candice L. Lee, San Francisco |
| ○ Maria L. Capritto, Oxnard | ○ John C. Lemacks, Los Angeles |
| ○ Vyshnavi Chandrasekaran, Long Beach | ○ Avi Levy, Los Angeles |
| ○ David J. Cohen, San Francisco | ○ Laura R. Nelson, Placerville |
| ○ Beverly J. Dale, Alameda | ○ Natalie P. Vance, Sacramento |
| ○ Kerry W. Franich, Irvine | ○ Justin A. Williams, San Rafael |

It is further recommended that the following applicants be appointed to the CBLS: Norma L. Acosta, Jeffery T. Hammerschmidt, Avi Levy, and Natalie P. Vance. Their inclusion allows for geographic diversity, contributing to better representation of specialization in the state, and lastly, their inclusion provides representation in a wide range of specialty practice areas. These applicants have prior volunteer experience with the legal specialization program, including drafting and grading of the legal specialist examination.

Norma L. Acosta is a publicly employed attorney in workers' compensation defense, residing and working in San Jose, California, and she is a certified specialist in Workers' Compensation Law. Ms. Acosta has volunteered on the Workers' Compensation Law Advisory Commission to the CBLS, first as a member, then as Vice-Chair, and later Chair of the commission.

Jeffrey T. Hammerschmidt runs his own criminal law practice in Fresno, California, and he is a certified specialist in Criminal Law. His experience includes volunteer service with the Criminal Law Advisory Commission to the CBLS, service as Deputy District Attorney in Fresno County, and teaching at San Joaquin College of Law in Clovis, California.

Avi Levy is the managing partner at his firm in Los Angeles, California, and in addition to being a certified specialist in Family Law, he is a real estate broker. Mr. Levy is currently a voting member of the Family Law Executive Committee for the California Lawyers Association, and is also the current Legislative Director of the Association of Family Law Certified Specialists.

Natalie P. Vance works in private practice in Sacramento, California. She is a certified specialist in Legal Malpractice Law and her practice areas include legal malpractice, professional liability and employment. Ms. Vance has served on the Legal Malpractice Law Advisory Commission to the CBLS, the Diversity Fellowship Committee of the Sacramento County Bar Association, and she regularly volunteers to speak and provide CLE to local bar groups on topics related to legal ethics.

FISCAL/PERSONNEL IMPACT

None

RULE AMENDMENTS

None

BOARD BOOK AMENDMENTS

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None - core business operations

RECOMMENDATIONS

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

RESOLVED, that the Board of Trustees approve the appointments of Aurelio Torre and Robert Hershenson as Chair and Vice-Chair, respectively, of the California Board of Legal Specialization, each for a one-year term effective at the start of the 2019-2020 State Bar year; and it is

FURTHER RESOLVED, that the Board of Trustees approve the appointments of Norma L. Acosta, Jeffery T. Hammerschmidt, Avi Levy, and Natalie P. Vance to the California Board of Legal Specialization as members for four-year terms effective at the start of the 2019-2020 State Bar year.

ATTACHMENT(S) LIST

- A.** List of the State Bar's appointments of members to the CBLS in the last five years (by appointment year)

**LIST OF THE STATE BAR'S APPOINTMENTS OF MEMBERS
TO THE CBLS IN THE LAST FIVE YEARS**

(By Appointment Year)

#	State Bar Appointed Member	City	State Bar District	Appointment Year
1	Robert Hershenson* [◊]	Valencia	2	2017
2	Cynthia Levin* [◊]	Sunnyvale	6	2017
3	Mark A. Lester*	Oxnard	2	2016
4	Neil Thakur [◊]	San Jose	6	2016
5	Aurelio Torre*	Santa Ana	4	2016
6	Janet M. Coulter*	Long Beach	2	2015
7	Louis J. Esbin*	Valencia	2	2015
8	Donald K. Sheppard*	San Diego	4	2015
9	Michael Berg	San Diego	4	2014
10	Miles D. Friedman	Laguna Niguel	4	2014
11	Jeremy B. Kline	Los Angeles	2	2014
12	John W. Munsill	Gold River	3	2014
13	L. Robert Vermes	Santa Ana	4	2014

**current member*

[◊]public member