



The State Bar *of California*

OPEN SESSION

AGENDA ITEM

54-117 JULY 2019

BOARD EXECUTIVE COMMITTEE III.F

DATE: July 11, 2019

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

FROM: Mark Broughton, Appointments Liaison, Board Executive Committee
Brandon Stallings, Appointments Liaison, Board Executive Committee

SUBJECT: Council on Access and Fairness—Annual Appointment of Members and Officers

EXECUTIVE SUMMARY

This agenda item presents the recommendation of the Board Executive Committee's Appointments Liaisons for the vacancies on the Council on Access and Fairness (COAF). There are five vacancies that need to be filled, along with appointing the Chair and Vice-Chair. The five recommended appointments will replace the five COAF members whose terms expire in September 2019. All five vacancies should be filled commencing at the close of the September 2019 meeting of the Board of Trustees for one, four-year term.

For more information about this item, please contact Director of the Office of Access & Inclusion, Hellen Hong at hellen.hong@calbar.ca.gov or 415-538-2249.

BACKGROUND

The Council on Access and Fairness was established in 2006 by the Board of Trustees (Board). In March 2019, the Board approved the following charge for COAF:

- Assist and advise the Board in defining and advancing the State Bar's diversity and inclusion strategies and goals.
- Study, recommend, and help devise curricula designed to educate California attorneys on diversity and inclusion principles.
- Promote programs and strategies to improve diversity initiatives impacting the pipeline, particularly at California law schools, for the bar exam and within the legal profession.

- Evaluate the state of diversity and inclusion in the profession annually.
- Identify barriers to entry into, and retention and advancement in the legal profession, and propose solutions to address barriers.
- Explore, promote, encourage, and partner in collaborative efforts to increase diversity and inclusion in the profession and in the judiciary.
- Comment and advise, when requested by the Board or the Executive Director, on barriers directly related to access opportunities within the profession for attorneys from diverse backgrounds.
- Serve as a representative of the State Bar, as requested by the Board, on issues of diversity and inclusion.

The Board is responsible for appointing the officers of COAF and all of its members. As part of the review of subentities, COAF was reduced from a 25 member group to a ten member group through attrition. Members may be lawyers, judges, or members of the public. At the close of the 2018-2019 COAF year, there will be five vacancies. However if the current Vice-Chair's term is extended for one-year to allow her to serve as Chair, there will be only four vacancies to fill.

DISCUSSION

Twenty-three applications were received for the vacant positions, three from public (non-lawyer) applicants and the remainder from lawyer applicants. One letter of interest was received for the Chair position and one letter of interest was received for the Vice-Chair position.

As with all of the State Bar's subentities, it is important to ensure members of COAF represent diverse perspectives and experiences. For the 2019-2020 term, current COAF membership lacks representation from the following groups:

- Hispanic/Latino
- LGBTQ
- Individuals with a disability
- Male

Geographic diversity is also an important factor to consider as the majority of current COAF members are from Southern California. Another important consideration is COAF's charge, which emphasizes law school retention and support, entry into and retention in the profession, and career advancement.

APPOINTMENT OF COAF OFFICERS

We received one letter of interest for the position of COAF Chair from the current Vice-Chair, Judge Brenda Harbin-Forte. Judge Harbin-Forte is eminently qualified to assume the responsibility of COAF chair. She was the first chair of COAF, and has maintained a strong commitment to the work of COAF and the goal of diversity of the State Bar since that time. Judge Harbin-Forte has demonstrated a strong understanding of the new State Bar objectives,

and a commitment to lead COAF to effectively implement those objectives. Judge Harbin-Forte currently serves as a State Bar liaison to the Judicial Council's ad hoc committee responsible for updating the judicial diversity toolkit. Judge Harbin-Forte is a graduate of the University of California, Berkeley and Berkeley Law, and was appointed to the Oakland-Piedmont-Emeryville Municipal Court in 1992, and elevated to Superior Court in Alameda County in 1998. As a result, we recommend that Judge Harbin-Forte's term be extended for one year and that she be appointed as COAF Chair for the 2019-2020 term commencing at the end of the September 2019 Board meeting.

We received one letter of interest for COAF Vice-Chair from COAF member Esther P. Kim. Esther joined COAF in 2016 and has been an active member of the Judicial Committee. Based on her experience as first in her family to become a lawyer, Esther is motivated to promote diversity and inclusion in the legal profession. Esther is actively involved in various minority bar associations and mentorship programs, and leads the recruitment efforts for law clerks at the Los Angeles Attorney General's Office. Additionally, COAF leadership have been impressed by Esther's engagement and commitment to COAF and the State Bar's new diversity and inclusion objectives. Esther is a graduate of the University of California, San Diego and Whittier Law School. She has held various positions at the California Attorney General's Office since 2006. We recommend that Esther P. Kim be appointed as COAF Vice-Chair for the 2019-2020 term commencing at the end of the September 2019 Board meeting.

APPOINTMENT OF COAF MEMBERS

After review of the application materials, receiving feedback from COAF leadership and staff, and interviews with select applicants, we recommend that Heather Anderson-Hayes, Ryan Harrison, Kristin Rosi, and Gonzalo "Sal" Torres be appointed to fill the member vacancies. A brief overview of each of the recommended applicants is listed below.

- **Lawyer Applicant: Heather Anderson-Hayes, Burbank, CA**
Ms. Anderson-Hayes identifies as Hispanic/Latino and Black or African American, and is actively involved in Diversity and Inclusion work at the Walt Disney Company. She is the founder and co-lead of her division's Black Employee Resource Group and a founding member of both the Disney Lawyers of Color and the Walt Disney Women Lawyer's Group.
- **Lawyer Applicant: Ryan Harrison, Sacramento, CA**
Mr. Harrison identifies as Black or African American and male. He serves on the executive board of the Wiley Manuel Bar Association, and is a delegate to the California Association of Black Lawyers.
- **Lawyer Applicant: Kristin Rosi, San Francisco, CA**
Ms. Rosi identifies as Lesbian or Gay, and is an administrative law judge for the Department of Insurance, and a pro tem in the Alameda Superior Court, where she presides over small claims, traffic, and unlawful detainer matters. She is actively

involved with LGBTQ diversity-related initiatives with affinity bars including as a Board Member for the International Association of LGBTQ Judges.

- **Lawyer Applicant: Gonzalo “Sal” Torres, Redwood City, CA**

Mr. Torres identifies as Hispanic/Latino and as male. He is a former mayor and council member of Daly City. He has experience with diversity and inclusion issues in various practice settings, and is also the President-elect of the Board of Governors of the University of San Francisco Law School.

The applicants not selected are listed below in alphabetical order:

- Lawyer Applicant: Norma Acosta, San Jose, CA, Female, Hispanic/Latino
- Lawyer Applicant: Melvin Avanzado, Pasadena, CA, Male, Filipino-American
- Lawyer Applicant: Stephen Chong, Alameda, Male, Asian American
- Public Applicant: Leslie Cunningham, American Canyon, CA, Female, Black or African American
- Lawyer Applicant: Keith Del Prete, Los Angeles, CA, Male
- Lawyer Applicant: F. Esther Fan, Redwood Shores, CA, Female
- Lawyer Applicant: Daniel Galindo, San Francisco, CA, Male, Hispanic/Latino
- Lawyer Applicant: Mark Jackson, Dublin, CA, Male, Black or African American
- Lawyer Applicant: Candice Lee, San Francisco, CA, Female, Asian American
- Lawyer Applicant: Patricia Lee, Redwood City, CA, Female, Asian American
- Lawyer Applicant: Sonny Lo, Sacramento, CA, Male, Asian American
- Lawyer Applicant: Protima Pandey, San Jose, CA, Female, Asian American
- Lawyer Applicant: Ann Park, Los Angeles, CA, Female, Asian American
- Lawyer Applicant: Armando Pastran, Oakland, CA, Male, Hispanic/Latino
- Lawyer Applicant: Jenny Rodriguez, Female, Hispanic/Latino
- Lawyer Applicant: Armilla Staley-Ngomo, San Diego, CA, Female, Hispanic/Latino and Black or African American
- Public Applicant: Joann Thach, San Francisco, CA, Female, Asian American
- Public Applicant: Zachary Tinker, Los Angeles, CA, Male, White
- Lawyer Applicant: Daniel Xuli, San Francisco, CA, Male, Asian American

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 appointment of Heather Anderson-Hayes, Ryan Harrison, Kristin Rosi, and Gonzalo "Sal" Torres as COAF members for one, four-year term to commence at the close of the September 2019 meeting of the Board of Trustees, and expiring at the close of the September 2023 meeting of the Board of Trustees.

FURTHER RESOLVED, that the Board of Trustees extend the term of Judge Brenda Harbin-Forte for one year and approve the appointment of Judge Harbin-Forte as the Chair and Esther P. Kim as the Vice-Chair of COAF for the 2019-2020 COAF year and expiring at the close of the September 2020 meeting of the Board of Trustees.

ATTACHMENT(S) LIST

- A.** 2019 Roster of the Council on Access and Fairness

2019 Roster of the Council on Access and Fairness

First Name	Last Name	Role	Location	Practice Setting	Gender/ Gender Identity	Race/Ethnicity	Sexual Orientation	Veteran Status	Term ends	Vacant
Judge Holly	Fujie	Chair	Los Angeles	Judicial	F	Asian Pacific	Heterosexual	-	2019	
Adeyinka	Glover	Member	Bakersfield	Non-profit/Legal Aid	F	African American	Heterosexual	-	2019	
Judge Brenda	Harbin-Forte	Vice Chair	Oakland	Judicial	F	African American	Heterosexual	-	2019	
Melissa	Hung	Member	Oakland	Corporate	F	Decline to state	Decline to state	-	2019	
Catalina	Lozano	Member	San Rafael	Solo/Civil	F	Hispanic/Latino	Decline to state	No	2019	
Kwixuan	Maloof	Member	San Francisco	Public Defender	M	African American	Heterosexual	-	2019	
Gary D.	Roberts	Member	Los Angeles	Corporate/Retired	M	Caucasian	Gay	-	2019	
Mark	Shem	Member	San Jose	Firm/Civil	M	Asian Pacific	Gay	-	2019	
Barry	Weissman	Member	Los Angeles	Firm/Civil	M	Caucasian	Decline to state	-	2019	
Connie	Broussard	Member	San Diego	Solo	Decline to state	Decline to state	Decline to state	Decline to state	2020	
Genevieve	Jones-Wright	Member	San Diego	Public Defender	F	African American	Heterosexual	-	2020	
Esther P.	Kim	Member	Los Angeles	Attorney General	F	Asian Pacific	Decline to state	-	2020	
Emily	Quinlan	Member	Laguna Niguel	Academic	F	Caucasian	Decline to state	-	2020	
Donna	Schuele	Member	Woodland Hills	Academic	F	Caucasian	Decline to state	-	2020	

Key

"-" = application did not request this info