



# The State Bar *of California*

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## **OPEN SESSION**

### **AGENDA ITEM**

#### **706 JANUARY 2020**

**DATE:** January 24, 2020

**TO:** Members, Board of Trustees

**FROM:** Vanessa L. Holton, General Counsel

**SUBJECT:** Waiver for Good Cause of Policy Restricting Leah Wilson from Conducting Business with the State Bar After Leaving Office Pursuant to Board Policy Manual 11.2

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### **EXECUTIVE SUMMARY**

State Bar policy restricts senior managers from doing business with the State Bar within twelve months following the termination of their employment. The Board may waive this policy for good cause.

This item seeks Board approval to waive the restriction for good cause as to outgoing Executive Director Leah Wilson. Approval of this waiver will allow the State Bar to retain Ms. Wilson as a consultant to support the successful implementation of important policy initiatives following Ms. Wilson's resignation as Executive Director effective January 17, 2020.

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### **BACKGROUND**

State Bar policy restricts former senior managers from doing business with the State Bar within twelve months following the termination of their employment. The policy, located at Board Policy Manual Section 11.2, states:

"Members of the Board of Trustees and Senior Managers designated by the Executive Director, for a period of twelve months following expiration of their term of office or termination of employment, shall not:

Seek to do, or do, business with the State Bar for monetary gain, or act as agent or attorney for, or otherwise represent any person, for compensation by making any formal or informal appearance, or any oral or written communication before the State Bar, or any officer or

employee or agent thereof, if the appearance or communication is for the purpose of influencing official State Bar action, including the awarding or revocation of services, contracts, or the sale or purchase of goods or property.

The Board, or its designee, may waive the requirements of this policy for good cause.”

State Bar Executive Director Leah Wilson will resign her position effective January 17, 2020. This item seeks a waiver of the Board policy to allow the State Bar to retain Ms. Wilson as a consultant to support the successful implementation of policy initiatives she directed during her tenure as Executive Director.

## **DISCUSSION**

Staff recommends that the Board waive the policy restricting doing business with the State Bar for good cause because the State Bar will benefit from Ms. Wilson’s unique knowledge and expertise to further ongoing policy initiatives. These projects include:

1. Access Through Innovation in Legal Services (ATILS)
2. Office of Chief Trial Counsel Work Culture Improvement
3. Limited License Legal Technicians (LLLT) Working Group
4. State Bar Annual Report (with Annual Discipline Report appendix)
5. Follow-Up to studies regarding racial disparities in the attorney discipline system
6. California Attorney Practice Analysis Study and follow-up
7. Justice Gap Study – Phase 2
8. Office of Access and Inclusion Writing Projects

The Board of Trustees is therefore requested to waive, for good cause, the policy restricting former senior managers from doing business with the State Bar within twelve months of termination of employment.

## **FISCAL/PERSONNEL IMPACT**

Waiver of the Board policy will allow the State Bar to approve a contract with Ms. Wilson in the amount of \$48,000.

## **AMENDMENTS TO RULES OF THE STATE BAR**

None

## **AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL**

None

## **STRATEGIC PLAN GOALS & OBJECTIVES**

Goal: None - core business operations

## **RECOMMENDATIONS**

**It is recommended that the Board of Trustees approve the following resolution:**

**RESOLVED**, that the Board of Trustees waives Board Policy Manual, Section 11.2 (Policy Restricting Former Members of the Board of Trustees and the Senior Managers Designated by the Executive Director from Doing Business with the State Bar), as applied to Leah Wilson, for good cause, as discussed on this date.

## **ATTACHMENT(S) LIST**

None