



The State Bar *of California*

OPEN SESSION AGENDA ITEM JANUARY 2020 BOARD EXECUTIVE COMMITTEE III.D

DATE: January 24, 2020

TO: Members, Board Executive Committee

FROM: Dag MacLeod, Chief of Mission Advancement & Accountability Division

SUBJECT: Approval of 2020 Board Committee Work Plans

EXECUTIVE SUMMARY

This agenda item presents 2020 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, Finance Committee, and the Regulation and Discipline Committee.

DISCUSSION

Attached to this item are work plans adopted by the Audit Committee, Finance Committee, and the Regulation and Discipline Committee. Each of these committees developed its work plan for the 2020 Board year to ensure alignment of their work with the State Bar's strategic plan and provide guidance and accountability for committee members and State Bar staff. Each work plan summarizes the work under the committee's purview in two broad categories: annual work that is part of the ongoing work of the State Bar, and time-limited, one-time projects. For each item, the work plans include an estimated timeline for completion or presentation to the Board committee and/or the full Board of Trustees.

FISCAL/PERSONNEL IMPACT

None

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

Should the Board Executive Committee concur in the proposed action, passage of the following resolution is recommended:

RESOLVED, that the Board Executive Committee approves the work plans adopted by the Audit Committee, Finance 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.** Draft Work plan of the Audit Committee
- B.** Draft Work plan of the Finance Committee
- C.** Draft Work plan of the Regulation and Discipline Committee

DRAFT AUDIT COMMITTEE 2020 WORK PLAN

Item Description	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> Review quarterly Travel Expense Reports 	Quarterly	As Needed	Core Business Operations	Completed Each Qtr.
<ul style="list-style-type: none"> MAAD 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 Development of manual to memorialize practices 	Mid 2020	Mid 2020	Compliance	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 	Late 2020 April/May 2020	May 2021	Compliance	Anticipated
<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 	January Ongoing April Ongoing Ongoing	NA As Needed May As Needed As Needed	Compliance	Anticipated
<ul style="list-style-type: none"> Business Continuity Plan Review: <ul style="list-style-type: none"> Understanding Risk & Provide Feedback Monitor implementation 	Fall		Core Business Operations	Anticipated
<ul style="list-style-type: none"> IT Systems 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 Prior Year Findings with staff 	Summer 2020 April/May 2020	Winter 2020	Goal 3.i.	Not Started

State Bar of California

Draft Finance Committee 2020 Work Plan

Annual/Recurring	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<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 	July 2020	September 2020	5(d)	Ongoing
<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 2020 October 2020 November 2020 December 2020	January 2020 & 2021	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 Review Q3 financials 	February 2020 April 2020 August 2020 November 2020	March 2020 May 2020 September 2020 January 2021	5(d)	
<ul style="list-style-type: none"> Improve communications to BOT/Stakeholders of key financial metrics 	As needed	As needed	3 (j)	Ongoing
<ul style="list-style-type: none"> Review and monitor the financial implications of policy initiatives of the Board and Sub entities 	Ongoing	Ongoing	3	Ongoing
<ul style="list-style-type: none"> Review expenses/income to assess financial performance and ensure new funding is utilized in the manner approved by the Fee Bill 	Ongoing	Ongoing	3 (l)	Ongoing

Draft Committee on Regulation & Discipline 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 System Statistical Report (DSSR) – This bimonthly report includes approved Discipline System Metrics and additional data points from all components of the discipline system 	Yes / Distribute via RAD Committee Agenda	No	Goal 2 Objective C	
<ul style="list-style-type: none"> Review of the Annual Discipline Report (ADR) <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 2020	Yes / March 2020	NA / Compliance	
<ul style="list-style-type: none"> Performance review of the Chief Trial Counsel <ul style="list-style-type: none"> Article 3, Section 3 of the Policy Manual gives RAD responsibility for conducting the Chief Trial Counsel’s evaluation. 	Yes / March 2020	Yes / TBD	NA / Compliance	
<ul style="list-style-type: none"> Reports by entities within RAD’s purview <ul style="list-style-type: none"> Professional Competence Probation / Lawyers Assistance Program State Bar Court Client Security Fund 	Yes/ March 2020 March 2020 May 2020 July 2020	No	Goal 2 Objective C	

Draft Committee on Regulation & Discipline Work Plan

Time-Limited Items	To Committee? / By When?	To Board? / By When?	Link to Strategic Plan	Status
<ul style="list-style-type: none"> ADR messaging and marketing <ul style="list-style-type: none"> Is the ADR effectively reporting the work of the State Bar? If not, what should be included in the ADR? 	Yes / March 2020	No	Goal 5	
<ul style="list-style-type: none"> Discussion of OCTC hiring and retention 	Yes / May 2020	TBD	Goal 2	
<ul style="list-style-type: none"> Conduct analyses that will inform understanding of fairness in the discipline system, predictive analytics related to discipline, challenges of aging attorneys, and incidence of substance abuse in the discipline system. For example: examine initial charges 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 role the charge of moral turpitude plays in final disposition The cost of achieving particular outcomes through litigation relative to cost of achieving similar outcomes through settlement. These projects will be also informed by in-depth review of case files to capture data points not available in electronic files 	<p>May 2020 – Report out on exploratory analyses</p> <p>July 2020 – Report out on alignment of data with categories of research (fairness, elder attorneys, substance abuse, efficiency)</p> <p>November 2020 – Report out on overall findings</p>	TBD	Goal 2	
<ul style="list-style-type: none"> Computational Law Logic Model – develop and evaluate possible algorithmic processes for identifying online complaints. 	Yes/ TBD		N/A	