



The State Bar of California

OPEN SESSION

AGENDA ITEM

54-115 JULY 2020

BOARD EXECUTIVE COMMITTEE III.B

DATE: July 16, 2020

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

FROM: Mark Broughton, Appointments Liaison
Juan De La Cruz, Appointments Liaison

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

EXECUTIVE SUMMARY

This agenda item presents the recommendation of the Board'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 2020. All five vacancies should be filled commencing at the close of the September 2020 meeting of the Board of Trustees for one, four-year term.

For more information about this item, please contact Acting Manager of the Office of Access & Inclusion, Elizabeth Hom at Elizabeth.Hom@calbar.ca.gov.

BACKGROUND

The Council on Access and Fairness was established in 2006 by the Board of Trustees. 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. Members may be lawyers, judges, or members of the public. At the close of the 2019–2020 COAF year, there will be six 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 five vacancies to fill.

DISCUSSION

Twenty-five applications were received for the vacant positions, two from public members (individuals not licensed to practice in California, but licensed in other states) and the remainder from lawyer applicants. One letter of interest was received for the chair position and two letters of interest were 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. Below is a chart describing the demographic characteristics of the five continuing COAF members:

Name	Location	Practice Setting	Gender/Gender Identity	Race/ Ethnicity	Sexual Orientation	Veteran Status*	Identifies as a Person with Disability*
Judge Esther P. Kim	Los Angeles	Judicial	F	Asian	Decline to state	-	-
Heather Anderson	Burbank	Corporate	F	Hispanic/ Latino; Black or African American	Heterosexual	-	No
Ryan Harrison	Sacramento	Firm	M	Black or African American	Heterosexual	-	No
Kristin Rosi	San Francisco	Quasi-judicial officer	F	White	Lesbian or Gay	-	No
Gonzalo "Sal" Torres	Redwood City	Corporate	M	Hispanic/Latino	Heterosexual	-	No

*The State Bar appointment application did not request this demographic information at the time of each member’s submission. Therefore, entries in this column are represented by a “-.”

Geographic diversity is also an important factor to consider as the majority of continuing COAF members are based in Northern California. Another important consideration is experience in areas and issues closely tied to COAF's charge, which emphasizes law school retention and support, entry into 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 Esther P. Kim. Current Chair Judge Brenda Harbin-Forte strongly supports the appointment of Judge Kim because of her personal and professional experiences in diversity and inclusion in the legal profession. Judge Kim has demonstrated a strong commitment to lead COAF to effectuate the State Bar's diversity and inclusion objectives through its work plan activities. Judge Kim identifies as Asian and female, is the first in her family to become a lawyer, and was appointed to the Superior Court in Los Angeles County in October 2019. Judge Kim is a graduate of the University of California, San Diego and Whittier Law School. We recommend that Judge Kim's term be extended for one year and that she be appointed as COAF Chair for the 2020–2021 term commencing at the end of the September 2020 Board meeting.

We received two letters of interest for COAF vice-chair from current COAF members Ryan Harrison and Donna Schuele. While both members have participated in the COAF activities, COAF leadership has been particularly impressed by Mr. Harrison's active participation and commitment to the State Bar's diversity and inclusion objectives. Mr. Harrison is a graduate of UC Hastings and is an Associate Attorney for Lozano Smith LLP. He currently serves on the executive board of the Wiley Manuel Bar Association and is a delegate to the California Association of Black Lawyers. In addition, Mr. Harrison's extensive liaison experience and work with affinity bar associations makes him especially qualified to serve as vice-chair, in line with COAF's charge and amended work plan, which specifies that its vice-chair would serve a liaison role to the California Lawyers Association and California LAW. We recommend that Ryan Harrison be appointed as COAF Vice-Chair for the 2020–2021 term commencing at the end of September 2020 Board meeting.

APPOINTMENT OF COAF MEMBERS

After review of the application materials, receiving feedback from COAF leadership and staff, we recommend that Novella Coleman, Sarah Good, Michael Rhoads, Chalak Richards, and Stephanie Santoro be appointed to fill the member vacancies. A brief overview of each of the recommended applicants is listed below.

- **Lawyer Applicant: Novella Coleman, Oakland, CA**
Ms. Coleman identifies as Black or African American and is Senior Litigation Counsel at Bay Area Legal Aid. Ms. Coleman's professional experience includes being a former high school teacher and legal aid attorney. She has served as a Harvard Law School Amicus Program mentor, and she has knowledge of social justice issues, as well as a strong research background.

- Lawyer Applicant: Sarah Good, San Francisco, CA**
 Ms. Good identifies as Lesbian or Gay, and is the Director of Professional Development, Diversity + Inclusion at Farella Braun + Martel LLP. Ms. Good has been involved in talent management (recruiting, retention, and advancement) with the goal to make her firm reflect the diversity of the communities it serves. Ms. Good also oversees the firm's high school pipeline program and diversity scholarship program for first-year law school students. She has extensive volunteer experience, having served on the Board of Directors for the BALIF (Bay Area Lawyers for Individual Freedom) Foundation and as the Co-Founder of Women in Securities, a network for Bay Area women securities litigation attorneys.
- Lawyer Applicant: Michael Rhoads, San Francisco, CA**
 Mr. Rhoads identifies as Lesbian or Gay and male, and is an attorney for the Supreme Court of California, where he is the Chair of the Court's Equity and Inclusion Committee. In this role, Mr. Rhoads has facilitated collaborations across affinity bar associations and has worked to strengthen the Court's own informal affinity groups. In recognition of his diversity and inclusion efforts, Mr. Rhoads received a letter of support from Chief Justice Tani Cantil-Sakauye. He is a board member for the Sacramento LGBT Bar Association and has volunteered in BALIF's mentorship program.
- Public Applicant: Chalak Richards, Malibu, CA**
 Ms. Richards identifies as Black or African American and is the Dean of Student Life, Diversity and Belonging at Pepperdine University Caruso School of Law, where she leads diversity and inclusion programs. She is a first-generation attorney and immigrant. Ms. Richards has served as Vice-Chair for the American Immigration Lawyers Association and was the Alumni Advisor for the National Black Law Students Association.
- Lawyer Applicant: Stephanie Santoro, Los Angeles, CA**
 Ms. Santoro identifies as Asian and is a Deputy Attorney General III for the California Department of Justice. She is a first-generation attorney and alumni mentor at Loyola Law School. Ms. Santoro also participates in government and public interest career fairs at the local law schools, and is involved with diversity and inclusion efforts at the Department of Justice.

The applicants not selected are listed below in alphabetical order:

- Lawyer Applicant: Judge Tony J. Cho, Los Angeles, CA, Male, Asian
- Lawyer Applicant: Komal Chokshi, Oakland, CA, Female, Asian
- Lawyer Applicant: Fhanysha J. Clark-Gaddis, Sacramento, CA, Female, Black or African American
- Lawyer Applicant: Eli Salomon Contreras, Hollister, CA, Male, Hispanic or Latino
- Lawyer Applicant: Keith Hayden Del Prete, Los Angeles, CA, Male
- Lawyer Applicant: Nicholas Emanuel, San Jose, CA, Male, White
- Lawyer Applicant: Faisal M. Gill, Los Angeles, CA, Male, Middle Eastern or North African
- Lawyer Applicant: Gregory F. Gillet, San Luis Obispo, CA, Male, Hispanic or Latino
- Lawyer Applicant: James M. Graff-Radford, San Luis Obispo, CA, Male, White
- Lawyer Applicant: Nerissa J. Huertas, Oakland, CA, Female, Asian

- Lawyer Applicant: Thomas J. Johnston, Los Angeles, CA, Male, White
- Lawyer Applicant: Diane M. Kwok, Los Angeles, CA, Female, Asian
- Lawyer Applicant: Lauren S. Lofton, San Francisco, CA, Transgender, Gender Variant / Nonconforming / Nonbinary, White, African American, multi-racial, mixed race, biracial
- Lawyer Applicant: Cynthia M. Lopez: Pasadena, CA, Female, Hispanic or Latino
- Lawyer Applicant: Enid Perez, Central Valley, CA, Female, Hispanic or Latino
- Public Member Applicant: Thiadora Pina, Santa Clara, CA, Female, Black or African American
- Lawyer Applicant: Jacob J. Rivas, Fresno, CA, Male, Hispanic or Latino
- Lawyer Applicant: Kyla K. Rowe, San Francisco, CA, Female, White
- Lawyer Applicant: Tracey A. Werner, Redding, CA, Female, White
- Lawyer Applicant: Candice L. Youngblood, Fresno, CA, Female, White/Black or African American

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 recommends that the Board of Trustees approves the appointment of Novella Coleman, Sarah Good, Michael Rhoads, Chalak Richards, and Stephanie Santoro as COAF members for one, four-year term to commence at the close of the September 2020 meeting of the Board of Trustees, and expiring at the close of the September 2024 meeting of the Board of Trustees; and it is

FURTHER RESOLVED, that the Board Executive Committee recommends that the Board of Trustees extends the term of Judge Esther P. Kim for one year, and approves the appointment of Judge Esther P. Kim as the Chair and Ryan Harrison as the Vice-Chair of

COAF for the 2020–2021 term, commencing at the close of the September 2020 meeting of the Board of Trustees, and expiring at the close of the September 2021 meeting of the Board of Trustees.

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

RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, approves the appointment of Novella Coleman, Sarah Good, Michael Rhoads, Chalak Richards, and Stephanie Santoro as COAF members for one, four-year term to commence at the close of the September 2020 meeting of the Board of Trustees, and expiring at the close of the September 2024 meeting of the Board of Trustees; and it is

FURTHER RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee, extends the term of Judge Esther P. Kim for one year, and approves the appointment of Judge Esther P. Kim as the Chair and Ryan Harrison as the Vice-Chair of COAF for the 2020–2021 term, commencing at the close of the September 2020 meeting of the Board of Trustees, and expiring at the close of the September 2021 meeting of the Board of Trustees.

ATTACHMENT(S) LIST

- A. 2019–2020 Roster of the Council on Access on Fairness

ATTACHMENT A

"-" application did not request this information