



# The State Bar *of California*

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## **OPEN SESSION AGENDA ITEM 41-1 NOVEMBER 2020**

**DATE:** November 19, 2020

**TO:** Members, Board of Trustees

**FROM:** Donna S. Hershkowitz, Interim Executive Director

**SUBJECT:** Report from Executive Director

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Although the discussion section of the meeting agenda is not particularly lengthy, today's Board meeting and Committee meetings nonetheless represent important progress toward finalizing key initiatives and launching others.

One action item to which I wanted to draw the Board's attention is the rule changes related to accreditation of law schools. This proposal represents one of the final Admissions-related initiatives stemming from the Board's review of its governance and oversight of State Bar subentities. The Board directed that the State Bar modernizes its accreditation rules, drawing from best practices of other institutional accreditors.

A critical path to developing these rules was to agree on the principles, or philosophical underpinnings, of why the State Bar accredits law schools. It is only after establishing clear principles that one can determine what we should be reviewing to determine if a school should become or remain accredited. The proposal establishes the following principles for State Bar accreditation activities: consumer protection and transparency; student success; diversity, equity, and inclusion; and preparation for licensure and professionalism. The work product before the Board today represents approximately 18 months of in-depth work by the Committee of State Bar Accredited and Registered Schools (CSBARS), with the assistance of the Committee of Bar Examiners. The Board is being asked today to approve circulating these rules for public comment to bring this project closer to finalization.

Also on the agenda today is the launch of the Ad Hoc Commission on the Attorney Discipline System, an effort that is part of continuing steps to ensure a fair and effective discipline system for Californians. The agenda proposes a continuing and renewed look at effectiveness, efficiency, procedural fairness, disparity in the discipline system, and ensuring public protection is the guiding force in investigating and prosecuting disciplinary matters. This is an important

continuation of the Board's efforts to ensure transparency, accountability, and fairness in carrying out the mission of the State Bar.

Board and Committee agendas for today also include an update on the membership of the soon-to-commence Closing the Justice Working Group, and a request to appoint a new chair for the already-in-progress California Paraprofessional Program Working Group, both of which are critical efforts to bring to bear innovative ways to increase access to justice for Californians.

Drafting these reports for each Board meeting is an opportunity for me to think about the vast amount of work performed by the Board and by State Bar staff throughout the year, and selecting what to highlight is never an easy task. The items noted above are representative of efforts made to continually seek to carry out the State Bar's mission: to regulate the legal profession, to expand access to justice and diversity and inclusion in the legal profession, and to discipline attorneys in furtherance of public protection.

Although the Board year runs from September to September, the last scheduled meeting of 2020 seems somehow like an ending, deserving of a send-off as we look forward to 2021. And as 2020 is a year beyond comparison; I find myself thinking of a memorable toast delivered on a New Year's Eve episode of M\*A\*S\*H by Colonel Sherman T. Potter, "Here's to the new year. May she be a damn sight better than the old one."