



The State Bar of California

AGENDA ITEM

JANUARY 10 – Open Session Minutes Approval – November 19, 2020, Meeting

Meeting of the Board of Trustees

The State Bar of California
Zoom

Thursday, November 19, 2020

11:00 a.m. –

Time Meeting Called to Order:	10:25 a.m. [Closed session commenced at 1:20 p.m. and concluded at 2:20 p.m. followed by adjournment of Meeting in Open Session.]
Time Meeting Adjourned:	2:24 p.m.
Chair:	Sean SeLegue
Acting Secretary:	Dag MacLeod
Members Present:	Mark Broughton, Hailyn Chen, José Cisneros, Juan De La Cruz, Sonia Delen, Ruben Duran, Christine Gonong, Renée LaBran, Joshua Perttula, Arnold Sowell, Brandon Stallings.
Members Joined in Progress:	N/A
Members Absent:	None

OPEN SESSION

Public Comment:

10 MINUTES – *minutes not presented or approved; put-over to the January Board meeting*

30 CHAIR'S REPORT – *oral*

40 STAFF REPORTS

41 Executive Director – *oral report from the Executive Director in addition to posted report. No action*

50 CONSENT

50-1 Approval for Specified Contracts Pursuant to Business and Professions Code Section 6008.6

50-2 Report of Action Taken by Board Executive Committee Regarding Composition of Closing the Justice Gap Working

50-3 **Moved to Business agenda**

50-4 Annual Recommendation to the Supreme Court of California for Expungement of Suspensions of Licensees Delinquent in Payment of License Fees, Penalties, and Charges

Approved as modified:

RESOLVED, that upon recommendation of the Finance Committee and the Executive Committee, the Board of Trustees approves the proposed amendment to the Finance Committee Charter as proposed by the Chief Financial Officer.

50-5 Annual Recommendation for Expungement of Administrative Inactive Status for Minimum Continuing Legal Education (MCLE) Noncompliance in Accordance with Rule 9.31

50-6 Adoption of Judge Pay Schedules

50-7 Adoption of Employee Pay Schedules

54-111 Annual Recommendation for Appointment and Reappointment of Fee Arbitrators; Reappointment of Presiding Arbitrator and Assistant Presiding Arbitrator

54-112 Annual Recommendation for Appointment of Legal Services Trust Fund Commissioner and Officers

54-113 Proposal to Revise Finance Committee Charter

54-121 Proposed New and Amended State Bar Rules of Procedure: (1) Rule 5.137; (2) Rules to Implement Rule 5.137; and (3) Rule to Clarify When Court Orders May Require Reimbursement to the Client Security Fund: Return from Public Comment and Request for Approval

54-122 Proposed Amendment to Client Security Fund Rule 3.434 to Implement Procedure for Reimbursement of Monetary Sanctions from the Client Security Fund: Return from Public Comment and Request for Approval

54-123 Amendment to Lawyer Referral Service Proposed Rules of Procedure Governing the Review Process for Certification, Revocation, and Suspension Decisions: Return from Public Comment and Request for Board Adoption for Approval by the California Supreme Court

54-141 3rd Quarter 2020 Financial Statement Report, Investment Report, Client Security Fund Report

54-142 Annual Review and Proposal to Revise Investment Policy

54-181 3rd Quarter 2020 Board and Management Travel Expenses

Consent item 50-3 moved to the Business agenda by the Chair. The remainder of the consent agenda moved for approval by the Chair without second -

Ayes – Broughton, Chen, Cisneros, De La Cruz, Delen, Duran, Gonong, LaBran, Perttula, Sowell, Stallings

Noes – none

Motion carries.

50-3 Proposed Changes to Conflict of Interest Code for Designated Employees: Request for Approval

Correction to resolution as posted:

RESOLVED, that Board of Trustees hereby adopts the proposed Conflict of Interest Code for Designated Employees of the State Bar of California, including Appendix A and B, as set forth in Attachments A, B, and C, with the following correction to Attachment B: the disclosure categories for the position of Senior Program Analyst listed under the office of the Executive Director shall be as follows: 2, 8, 12, 13.

Moved for approval by Duran, Seconded by Stallings:

Ayes - Broughton, Chen, Cisneros, De La Cruz, Delen, Duran, Gonong, LaBran, Perttula, Sowell, Stallings

Noes – none

Motion carries

700 MISCELLANEOUS

701 Proposed Rules for Law School Accreditation: Request to Circulate for Public Comment (Ching/Leonard)

RESOLVED, that the Board of Trustees moves to circulate the Committee of Bar Examiners' proposal to replace the Rules for Accredited Law Schools for a public comment period of 60 days.

Moved for approval by Cisneros, Seconded by Delen:

Ayes - Broughton, Chen, Cisneros, De La Cruz, Delen, Duran, Gonong, Perttula, Sowell, Stallings

Noes – none – LaBran not present

Motion carries

702 Ad Hoc Commission on the Discipline System: Recommendation for Composition and Charter (Chavez)

RESOLVED, that the following charter will guide the work of the Ad Hoc Commission on the Discipline System:

...

FURTHER RESOLVED, that the Board of Trustees directs State Bar staff to solicit membership for the Ad Hoc Commission and it is

FURTHER RESOLVED, that the Ad Hoc Commission on the Discipline System will begin its work in early 2021 and present a final report on its findings and recommendations no later than June 30, 2022, with periodic status updates provided to the Board of Trustees.

Moved for approval by De La Cruz, Seconded by Stallings:

Ayes - Broughton, Chen, Cisneros, De La Cruz, Delen, Duran, Gonong, Perttula, Sowell, Stallings

Noes – none – LaBran not present

Motion carries

703 Implementation of Changes to Address Disparities in the Discipline System: Update (Chavez)

RESOLVED, that the Board of Trustees directs staff to continue its work on projects that address disparities in the discipline system and provide an update to the Board of Trustees at the January 2021 meeting.

Moved for approval by Duran, Seconded by Cisneros:

Ayes - Broughton, Chen, Cisneros, De La Cruz, Delen, Duran, Gonong, Perttula, Sowell, Stallings

Noes – none – LaBran not present

Motion carries

704 Appointment of Chair for California Paraprofessional Program Working Group (Katz)

RESOLVED, that the Board of Trustees appoints Justice Ioana Petrou as Chair of the California Paraprofessional Program Working Group; and it is

FURTHER RESOLVED, that the Board of Trustees authorizes the expansion of the California Paraprofessional Program Working Group with the addition of up to five new slots, and delegates to the Chair of the Working Group the authority to appoint up to five additional members; and it is

FURTHER RESOLVED, that the Board of Trustees approves an amended due date of September 30, 2021, for submission of the California Paraprofessional Program Working Group final report and direct staff to update Goal 4, objective f. of the State Bar’s 2017–2022 Strategic Plan accordingly.

Moved for approval by De La Cruz, Seconded by Gonong:

Ayes - Broughton, Chen, Cisneros, De La Cruz, Delen, Duran, Gonong, Perttula, Sowell, Stallings

Noes – none – LaBran not present

Motion carries

705 Brainstorming Session for January 2021 Strategic Planning Session (Hershkowitz)