



# The State Bar of California

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## **OPEN SESSION AGENDA ITEM 704 JANUARY 2021 BOARD EXECUTIVE COMMITTEE III.C**

**DATE:** January 21, 2021

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

**FROM:** Christine Gonong, Appointments Liaison, Board Executive Committee  
Brandon Stallings, Appointments Liaison, Board Executive Committee

**SUBJECT:** Ad Hoc Commission on the Discipline System: Appointment of Members

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### **EXECUTIVE SUMMARY**

At its November 19, 2020, meeting, the Board approved a charter for the Ad Hoc Commission on the Discipline System, recommendations regarding the composition and size of the commission, and directed staff to solicit applications. This agenda item presents the recommendations of the Board Appointments Liaisons for the appointment of members of the Ad Hoc Commission on the Discipline System, including officers.

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### **BACKGROUND**

Over the last several years, the State Bar has implemented dozens of initiatives, policies, and procedures to improve the functioning of the attorney discipline system: to improve access to the system and promote its efficiency and effectiveness in support of the State Bar's public protection mandate. In addition to the State Bar's work to improve organizational capacity and effectiveness, the Board of Trustees has taken a proactive approach to identifying disproportionate discipline and has directed staff to develop, implement, and evaluate several reforms that address findings related to the disproportionate discipline imposed on Black, male attorneys.<sup>1</sup>

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<sup>1</sup> For a detailed listing of the many initiatives undertaken to improve the discipline system over the last 4–5 years, see the September 24, 2020, report to the Board of Trustees, Item 704, [State Bar Discipline System: Implementation of Changes to Address Disparity; Past and Planned Changes to Improve Efficiency, Process, and Experience; and Recommendation for Ad Hoc Commission on the Discipline System](#).

Given these wide-ranging and ambitious efforts, the Board determined that the attorney discipline system could benefit from a comprehensive examination and review and established an Ad Hoc Commission on the Discipline System to that effect. At its November 19, 2020, meeting, the Board approved a charter that would guide the commission's work. Briefly stated, the commission is charged with evaluating the following:

- Procedural justice and the experiences and perceptions of the system by complaining witnesses and respondents;
- Workload and operational efficiency of case processing;
- Case prioritization and differentiated case-flow management; and
- The efficacy of the system for preventing future attorney misconduct.

The evaluation will consist of:

- Reviewing the full catalogue of reforms, the Office of Chief Trial Counsel has implemented and identifying one or more sets of processes, policies, and procedures to focus on;
- Evaluating whether these processes, policies, and procedures had their intended effect; and
- Based on this evaluation, recommending additional or revised reforms.

The complete charter is included as Attachment A.

The Board also directed staff to solicit applications for the commission. As a guideline, the Board identified key institutional entities that focus on public protection from which commission members should be sought:

- Council on Access and Fairness (2)
- California Medical Board (1)
- Department of Consumer Affairs (1)
- California Lawyers Association (1)
- Association of Discipline Defense Counsel (2)
- National Organization of Bar Counsel (1)
- California criminal justice system (prosecutor, defense counsel, judge) (3)
- State Bar Board of Trustees (2)
- Office of Chief Trial Counsel (2)
- State Bar Court (2)
- Affinity Bar Associations (2)

## **DISCUSSION**

The application period for appointments began on December 9, 2020 and ended on January 5, 2021. Thirty-three applications were received following outreach activities that included an announcement in an all-licensee email, four social media posts, and links to application materials on the State Bar website homepage during the application period. Additional targeted outreach was conducted to affinity bar organizations throughout the state.

Stakeholder group composition objectives and the State Bar's diversity goals informed the Board Liaisons' recommendations for a 21 member commission as set forth below.<sup>2</sup> Acting on these appointment recommendations is within the subject matter purview of the Board Executive Committee.<sup>3</sup> The recommendations also include the ability of the chair to: (1) designate subcommittees with subcommittee officers; (2) appoint additional advisory members to add knowledge and expertise strategically; and (3) to appoint members to fill current vacancies and members should vacancies arise.

### **Recommendation of Officers**

#### **Commission Chair: Ruben Duran**

Ruben Duran is the Vice-Chair of the Board of Trustees, appointed by the Speaker of the Assembly. In his legal practice Mr. Duran represents public agencies as a partner in the Municipal Law and Government Policy and Public Integrity practice groups at Best Best and Krieger LLP. Mr. Duran's service on the Board of Trustees was preceded by participation on the State Bar's Malpractice Insurance Working Group where he chaired the Subcommittee on Encouraging Insurance Coverage. He is past president of the City Attorneys Association of Los Angeles County and a member of the Los Angeles County Bar Association. He is also a frequent speaker and presenter on ethics and open government. He holds a Bachelor's Degree from the University of California, San Diego and a Juris Doctorate Degree from the University of California, Hastings College of the Law.

#### **Commission Vice- Chair: Sean SeLegue**

Sean SeLegue is the Chair of the Board of Trustees and is Litigation Partner at Arnold and Porter. Mr. SeLegue has served on the Board since 2016, first by election and currently by appointment of the California Supreme Court. Prior to serving on the Board, Mr. SeLegue

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<sup>2</sup> The recommended appointments are provided in a table in Attachment B.

<sup>3</sup> Appendix D of the Board of Trustees Policy Manual (approved by the Board on March 12, 2020) sets forth the Charter of the Board Executive Committee and, in part, provides that the Board Executive Committee shall: "Review and approve recommendations of volunteer applicants to serve on State Bar subentities and external entities with the goal of ensuring well-qualified and diverse membership on the subentities and external entities." (Board of Trustees Policy Manual at p. 53.)

served on the Committee on Professional Responsibility and Conduct and on the Rules Revision Commission. He has also engaged in a variety of volunteer activities related to legal ethics and professional responsibility for lawyers including serving 10 years as an arbitrator in the attorney-client fee arbitration program operated by the Bar Association of San Francisco. Mr. SeLegue has served on the board of directors and as Chair of the Bay Area Lawyers for Individual Freedom. He holds a Bachelor's Degree from the University of California, Los Angeles and a Juris Doctorate Degree from the University of California, Berkeley School of Law.

## **Recommendation of Members<sup>4</sup>**

### **Affinity Bar Associations**

(Two members are recommended)

#### **Ray Buenaventura**

Ray Buenaventura is an attorney in private practice at Buenaventura Law. As a criminal law specialist, Mr. Buenaventura focuses exclusively on representing indigent criminal defendants by court appointment through the Private Defender Program. He holds a Bachelor's Degree from the University of California, Berkeley and a Juris Doctorate Degree from Whittier College School of Law. Mr. Buenaventura's entire career has been committed to public service. Previously, he worked for the Los Angeles County Public Defender's Office and served as Mayor of Daly City for three terms. His prior volunteer activities are numerous and include serving on the State Bar's Criminal Law Advisory Committee. He served as Chair of the San Mateo County Bar Association's Diversity Committee and the Private Defender Committee. Most recently, he served as Treasurer for the Filipino Bar Association of Northern California and remains on its Advisory Board. He is also a current member of the Charles Houston Bar Association and the National Association of Filipino American Lawyers Association.

#### **Shanae Buffington**

Shanae Buffington is an attorney with the State of California's Employment Development Department. Ms. Buffington holds a Bachelor's Degree from Spelman College and a Juris Doctorate Degree from David A. Clarke School of Law. She has served as a volunteer attorney at the Yolo County Public Defender's Office. Ms. Buffington is the immediate past Chair of the State Bar's Client Security Fund Commission where she became intimately familiar with the State Bar's discipline system. Ms. Buffington also served on the California Attorney Practice Analysis Working Group; she currently serves as Vice-President of the California Association of Black Lawyers and she has served in a variety of leadership roles with the Sacramento County Bar Association, including president and vice-president.

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<sup>4</sup> If there are more than one recommended persons within each category they are listed in alphabetical order.

**Association of Discipline Defense Counsel**  
(Two members are recommended)

**Edward Lear**

Edward Lear is a founding member, Board member, and former President of the Association of Discipline Defense Counsel. As a private practice defense attorney, Mr. Lear has tried over 300 cases, including 50 jury trials, in federal, state, and administrative courts. Mr. Lear is a frequent speaker at legal seminars on professional responsibility and conduct, has published numerous articles, and has been qualified as an expert witness in state and federal courts. He provides expert witness testimony in the field of attorney conduct to both plaintiffs and defendants in civil litigation matters. He holds a Bachelor's Degree from Dartmouth College and a Juris Doctorate Degree from University of California, Los Angeles, School of Law. He is a member of the Association of Professional Responsibility Lawyers and the American Board of Trial Advocates and he currently serves as the Member and Fee Dispute Arbitrator for the Los Angeles County Bar Association.

**Ellen Pansky**

Ellen A. Pansky specializes in the defense of attorneys, bar applicants and other professionals in regulatory and licensure proceedings and represents both plaintiffs and defendants in civil legal malpractice actions. Ms. Pansky consults with and advises lawyers in legal ethics and risk management and has published extensively in the area of legal ethics. Ms. Pansky has been active on numerous State Bar committees including an advisory committee that rewrote the State Bar Rules of Procedure and the State Bar's Committee on Women in the Law. She also volunteered in many capacities for the Los Angeles County Bar Association including serving continuously on the Professional Responsibility and Ethics Committee for more than twenty-five years, and is a long-standing member of several bar associations including the National Association of Women Lawyers and the Association of Professional Responsibility Lawyers. She holds a Bachelor's Degree from the University of California, Los Angeles and a Juris Doctorate Degree from Loyola University School of Law.

**California Lawyers Association**  
(Two members are recommended)

**Karen Bell**

Karen Bell is Founder and Principal at Bell and Kelly, LLP where she conducts neutral workplace and Title IX investigations, mediates employment-related disputes, and serves as a hearing officer in employee and student discipline matters. Ms. Bell's firm also provides training and executive coaching on matters involving harassment, discrimination, and implicit bias. Ms. Bell has served as a Chief Human Resources Officer, in-house counsel, outside counsel, and neutral investigator/mediator over the course of her 29 year career. She holds a Bachelor's Degree from

University of Michigan, Ann Arbor and a Juris Doctorate Degree from Georgetown University Law Center. She volunteered in mediation programs such as the Equal Employment Opportunity Commission and the Los Angeles Superior Court and has provided pro bono services to the community through the Public Law Center in Orange County. In 2005 and 2006 she was named a Southern California Super Lawyers Rising Star for Labor and Employment Law.

### **Eloise Rosenblatt**

Eloise Rosenblatt is a solo practitioner, specializing in family law, domestic violence, and civil harassment, and wills and trusts. A second-career attorney, Ms. Rosenblatt worked in academia for over 20 years. She holds a Bachelor's Degree from Santa Clara University, a PhD in Theology from the Graduate Theological Union, and a Juris Doctorate Degree from Lincoln Law School of San Jose. She has published several law related articles and actively engages in pro bono work in family law with the Santa Clara County Bar Association and with senior women who experience elder abuse.

### **Council on Access and Fairness (COAF)**

(One member is recommended)

### **Sarah Good**

Sarah Good is a Partner and Director of Professional Development, Diversity + Inclusion at Farella Braun + Martel LLP with over 30 years of experience. She has been named as one of the Top 100 Women Lawyers in California, a Northern California Super Lawyer, and one of the Best Lawyers in America (Securities). Ms. Good provides strategic leadership to develop her firm's overall strategy and initiatives to promote diversity and inclusion at the firm and in the legal community; actively works with firm management to increase, retain, and promote the number of women and diverse attorneys and staff at all levels of the firm. She holds a Bachelor's Degree from Princeton University and a Juris Doctorate Degree from the University of Virginia School of Law. A current member of the State Bar's Council on Access and Fairness, Ms. Good has spent much of her career expanding access to the legal profession by participating in a variety of activities including participating in the Leadership Council on Legal Diversity, the National Association of Law Placement, and the Association of Law Firm Diversity Professionals. She also served on the Board of Directors for the Bay Area Lawyers for Individual Freedom Foundation, engaging in work offering scholarships to law students for summer work engaged on behalf of LGBTQIA+ community and was a cofounder of Women in Securities, a network for Bay Area women securities litigation attorneys.

### **California Department of Consumer Affairs**

(One member is recommended)

## **Linda Schneider**

Linda Schneider recently retired from a 38-year career as an attorney. Her expertise was in litigation with a 20-year specialization in license discipline prosecution and associated civil litigation. Her management experience included serving in the role of senior assistant attorney general of the Licensing Section of the California Department of Justice, Office of the Attorney General, a unit of 140 attorneys and paralegals that primarily represents the licensing boards and bureaus of the Department of Consumer Affairs. She has volunteered as a pro bono attorney with the Harriett Buhai Center for Family Law and has been a leadership guest speaker with the Department of Consumer Affairs Future Leadership Development Cohort. She holds a Bachelor's Degree from the University of Minnesota and a Juris Doctorate Degree from Southwestern University School of Law.

## **California Criminal Justice System: Defense Counsel** (Two members are recommended)

## **Shelan Joseph**

Shelan Joseph has been a public defender with the Los Angeles County Public Defender's Office for 24 years. Ms. Joseph has defended a variety of cases, including capital cases. She is currently developing a comprehensive implementation plan for newly passed legislation, the Racial Justice Act, a key component of which is a data-driven approach and analysis of the disproportionate filing of criminal cases against defendants of color. She holds a Bachelor's Degree from the University of California, Los Angeles and a Juris Doctorate Degree from Loyola Law School. Ms. Joseph has given presentations to the California Public Defender's Association, served on the Juvenile Justice Advisory Council formed by U.S. Congressman Tony Cardenas, and taught Trial Advocacy at Loyola Law School. She has also served on the Board of the National American Civil Liberties Union and on the Los Angeles County Gang Task Force Committee.

## **Alexia Mayorga**

Alexia Mayorga is a Deputy Public Defender in the Alameda County Public Defender's Office where she focuses on felony trials. Prior to this, Ms. Mayorga served as an Associate Public Defender at the Sacramento County Public Defender's Office for four years, working in the Felony Unit and the Juvenile Delinquency Division. As an Equal Justice Works/AmeriCorps Employment Opportunity Legal Corp Fellow Attorney at the East Bay Community Law Center, she provided criminal record remedies to Alameda County residents in order to break down barriers to employment. Ms. Mayorga holds a Bachelor's Degree from Santa Clara University and a Juris Doctorate Degree from the University of San Francisco School of Law. She has volunteered in a variety of capacities that promote interest in the legal profession including serving as a mentor for the Florin High School Law Academy Mentorship Program and the

Sacramento County District Attorney Youth Academy and as a judge and witness for law school mock trial competitions.

**Criminal Justice System: Judge**

TBD

**Criminal Justice System: Prosecutor**

(Two members are recommended)

**Michelle Anderson**

Michelle Anderson is a career prosecutor with the Los Angeles City Attorney's office. Ms. Anderson has spent her entire career working on issues involving racial diversity, disparate treatment, and relations with underserved and communities of color. In her role as a Deputy Attorney, she leads a Criminal Justice Data Review Team that reviews filing practices and resolutions of matters for racial disparities and their impact on underserved communities. She holds a Bachelor's Degree from the University of California, Irvine and a Juris Doctorate Degree from Southwestern University School of Law. She is a member of the Langston Bar Association (where she sits on the Scholarship committee), Black Women Lawyers (where she serves as Legislative Chair), Women Lawyers of Los Angeles, California Women Lawyers, and the California Association of Black Lawyers. She previously served as Chair of the Los Angeles County Bar Association's Criminal Justice Section.

**Cynthia Nakao**

Cynthia Nakao has worked for the Los Angeles County District Attorney's Office for over 20 years and currently serves as a Deputy District Attorney. Ms. Nakao is also the Office's Professional Responsibility Advisor where she provides guidance on misconduct hearings and State Bar inquiries, and she advises staff on matters of ethical and professional conduct. Ms. Nakao is a former member of the Committee of Bar Examiners and has served as a subject matter expert for the Multistate Professional Responsibility Examination. She is also a frequent guest lecturer and teacher for the National District Attorneys Association. Ms. Nakao holds a Bachelor's Degree from the University of Southern California and a Juris Doctorate Degree from Loyola Law School.

**Medical Board of California**

(One member is recommended)

**Jenna Jones**

Jenna Jones is the Chief of Enforcement at the Medical Board of California where she administers and manages the board's enforcement division of 100 staff addressing over 11,000 complaints annually. Her long career in the public sector has centered on roles that promote



public protection and includes 16 years as Executive Director for regulatory agencies. She holds a Bachelor's Degree from Baylor University and is a certified Medical Board Executive having participated in the Strategic Management of Regulatory and Enforcement Agencies Administrators in Medicine program at the Harvard Kennedy School.

#### **National Organization of Bar Counsel**

(One member is recommended)

#### **Jerry Larkin**

Jerry Larkin is the Administrator of the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois. Mr. Larkin has been involved in leadership positions within the Illinois disciplinary agency for more than 35 years and has served as its Administrator (principal executive and regulatory officer) for almost 14 years. He has been active in the National Organization of Bar Counsel for most of his career and formerly served as the organization's president. He has also been a member of American Bar Association disciplinary consulting teams (California and New Jersey) and has provided consultations in Wisconsin and New Jersey.

#### **Office of Chief Trial Counsel**

(Two members are recommended)

#### **Melanie Lawrence**

Melanie Lawrence is the current Interim Chief Trial Counsel at the State Bar of California. As the chief enforcement officer for the attorney discipline system, Ms. Lawrence oversees, plans, organizes, and directs the enforcement of attorney discipline standards and the investigation and prosecution of disciplinary and related violations by California attorney. She has served in a variety of roles during her 15 years with the Office of Chief Trial Counsel including Deputy Chief Trial Counsel, Supervising Attorney, and Deputy Trial Counsel. Ms. Lawrence holds a Juris Doctorate Degree from the Willamette University, College of Law.

#### **Steven Moawad**

Steven Moawad is the Special Assistant to the Chief Trial Counsel at the State Bar. Prior to this Mr. Moawad served as the Chief Trial Counsel. In these roles he has identified operational improvements, including technological solutions to inefficient processes, and developed a case prioritization system to differentiate cases with significant impact on the protection of the public. Prior to joining the State Bar he served as a Senior Deputy District Attorney with the Contra Costa County District Attorney's Office. Mr. Moawad holds a Bachelor's Degree from the University of California, San Diego, a Juris Doctorate Degree from the University of San

Francisco, School of Law, and an MBA from Saint Mary's College. He is on the Board of Directors of the National Organization of Bar Counsel and teaches law enforcement on a variety of topics.

#### **State Bar Court**

(Two members are recommended)

#### **Judge W. Kearsse McGill**

Judge W. Kearsse McGill has been a judge with the State Bar Court of California for five years. Judge McGill currently serves as a Review Department judge and in that capacity is responsible for reviewing Hearing Department decisions involving cases related to both the professional discipline of licensed attorneys and contested applicant admissions. Judge McGill is the former Chair of the State Bar Court's Outreach Committee (2015–2020). Judge McGill earned his Bachelor's Degree from Clemson University and his Juris Doctorate Degree from McGeorge School of Law. He is a recognized speaker and has published numerous articles. He is a founding member and previous board member of the Sacramento Lawyers for the Equality of Gays and Lesbians, has served as voluntary judge at his law school alma mater, and participated on the Voluntary Legal Services Program of Northern California's AIDS Legal Referral Panel.

#### **Judge Phong Wang**

Judge Wang has been a judge with the State Bar Court of California since 2019. She currently serves as a Hearing Department judge. Prior to her appointment, Judge Wang served as a Senior Deputy Public Defender with the San Francisco Public Defender's Office for nearly 20 years. She is a graduate of UC Hastings College of the Law.

#### **State Bar Board of Trustees**

(Three members are recommended. See above recommendations of Ruben Duran as Chair and Sean SeLegue as Vice-Chair.)

#### **Brandon Stallings**

Brandon Stallings is a Supreme Court appointee to the Board of Trustees and has served on the Board since 2015. Mr. Stallings is the current Chair of the Regulation and Discipline Committee and has served in this capacity since 2019. During his tenure on the Board, he has helped to transition the State Bar from being a hybrid regulatory and trade association entity to its current, more narrowly focused mission as a purely regulatory agency. He has served the citizens of Kern County as a prosecutor for the past 11 years and continues his public service to the community, both at the local bar level as a Past Chair of the Young Lawyer's Section of the Kern County Bar, and through local nonprofits that seek to reduce recidivism and reintegrate people back into the community. Mr. Stallings guest lectures on the role of a prosecutor in the criminal justice system

as well as maintaining mental and physical health as a lawyer. Mr. Stallings graduated from Oak Brook College of Law.

### **Recommendation of Alternates**

Staff recommends that the Board Executive Committee authorize the chair of the commission to solicit and appoint members for current vacancies and for vacancies that may arise prior to the commission's completion.

### **FISCAL/PERSONNEL IMPACT**

Commission activities will be limited and will be absorbed by the Office of Research & Institutional Accountability's budget. Reasonable additional funding will be authorized from existing funding for 2021 and 2022 if needed to support the commission.

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

None

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

None

### **STRATEGIC PLAN GOALS & OBJECTIVES**

Goal: 2. Ensure a timely, fair, and appropriately resourced admissions, discipline, and regulatory system for the more than 250,000 lawyers licensed in California.

Objective: b. Develop and implement transparent and accurate reporting and tracking of the health and efficacy of the discipline system, and measures to improve the fairness and efficacy of the discipline system to include: (a) an updated workload study for OCTC; (b) identification of staffing and resource needs based on the results of that study; (c) evaluating the different points of contact between the State Bar and Complaining Witnesses/Respondents to identify areas where modifications to the form or content of communication could improve the sense of procedural fairness; and (d) pilot changes in the form or content of communication w/ Complaining Witnesses and Respondents to identify measures that will improve the sense of procedural fairness by complaining witnesses or Respondent Attorneys.

### **RECOMMENDATIONS**

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

**RESOLVED**, the Board Executive Committee appoint the following officers and members to serve on the Ad Hoc Commission on the Discipline System, for a term expiring on June 30, 2022, unless earlier terminated or extended by subsequent Board action:

Officers:

1. Ruben Duran, Chair
2. Sean Selegue, Vice-Chair

Members:

1. Edward Lear
2. Ellen Pansky
3. Ray Buenaventura
4. Shanae Buffington
5. Karen Bell
6. Eloise Rosenblatt
7. Sarah Good
8. Linda Schneider
9. Shelan Joseph
10. Alexia Mayorga
11. Jenna Jones
12. Jerry Larkin
13. Melanie Lawrence
14. Steve Moawad
15. Michelle Anderson
16. Cynthia Nakao
17. Brandon Stallings
18. Judge W. Kearse McGill
19. Judge Phong Wang

**FURTHER RESOLVED**, that the Board Executive Committee authorize the chair of the Ad Hoc Commission on the Discipline System solicit and appoint members to fill current vacancies and vacancies that may arise prior to the commission's completion of a final report; and it is

**FURTHER RESOLVED**, that the Board Executive Committee authorize the chair of the Ad Hoc Commission on the Discipline System to designate subcommittees with subcommittee officers; and it is

**FURTHER RESOLVED**, that the Board Executive Committee authorize the chair of the Ad Hoc Commission on the Discipline System to appoint additional nonvoting advisors as needed to assist the commission in carrying out its charter; and it is

**FURTHER RESOLVED**, that the Board Executive Committee recommend that the Board of Trustees, upon recommendation of the Board Executive Committee approve the appointments to the Ad Hoc Commission on the Discipline System and the authority granted to the chair of the commission to appoint members, subcommittees with subcommittee officers, and additional nonvoting advisors as needed.

**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 approve the appointments to the Ad Hoc Commission on the Discipline System and the authority granted to the chair of the commission to appoint members, subcommittees with subcommittee officers, and additional nonvoting advisors as needed.

#### **ATTACHMENT(S) LIST**

- A.** Ad Hoc Commission on Discipline System Charter
- B.** List of Recommended Officers and Members
- C.** List of Applicants Considered but Not Selected for Appointment

## **State Bar of California Ad Hoc Commission on the Discipline System**

### **Charter**

The Ad Hoc Commission on the Discipline System will take inventory of the changes that have been proposed and implemented in the Office of Chief Trial Counsel since 2016 and evaluate their impact on public protection. The evaluation will focus on the impact of these reforms on a number of key aspects of the discipline system, including:

- Procedural justice and the experiences and perceptions of the system by complaining witnesses and respondents;
- Workload and operational efficiency of case processing;
- Case prioritization and differentiated case-flow management; and
- The efficacy of the system for preventing future attorney misconduct.

In particular, this body will:

- Review the full catalogue of reforms OCTC has implemented and identify one or more sets of processes, policies, and procedures to focus on;
- Evaluate if these processes, policies and procedures had their intended effect; and
- Based on this evaluation, recommend additional or revised reforms.

In so doing, the commission will review research studies that have been completed and determine whether additional research is needed. It will also review research studies in progress and generate policy recommendations as results become available.

Another key element of the State Bar's discipline system is the State Bar Court, which on its own initiative, also continually evaluates its processes to improve the adjudication of cases. With the participation of the State Bar Court, the commission may examine the structure of the court, principally issues involving its independence and autonomy.

As a guiding principle, the commission will focus on the dual goals of ensuring public protection and fairness in the discipline system.

### **Commission Composition**

The Ad Hoc Commission will consist of 19 members appointed by the Board of Trustees. Members will represent key institutional entities that focus on public protection and reflect the state's diversity, both demographic and geographic. As a guideline, below are areas from which commission members will be sought and the recommended number of members from each:

- Council on Access and Fairness (2)
- California Medical Board (1)
- Department of Consumer Affairs (1)
- California Lawyers Association (1)
- Association of Discipline Defense Counsel (2)
- National Organization of Bar Counsel (1)
- California criminal justice system (prosecutor, defense counsel, judge) (3)
- State Bar Board of Trustees (2)
- Office of Chief Trial Counsel (2)
- State Bar Court (2)
- Affinity Bar Associations (2)

The commission 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 to be provided to the Board of Trustees.

**ATTACHMENT B**

**List of Recommended Officers and Members**

<b>Name</b>	<b>Category Recommended For</b>	<b>Other Categories</b>	<b>Attorney/Nonattorney/Judge</b>	<b>Race/Ethnicity</b>	<b>Gender Identity</b>	<b>Sexual Orientation/Identity</b>	<b>Identifies as Person with a Disability</b>	<b>Is a Veteran</b>	<b>Location</b>
Ray Buenaventura	Affinity Bar Association	Criminal Justice System: Defense Counsel	Attorney	Asian		Heterosexual	No	No	Daly City
Shaena Buffington	Affinity Bar Association		Attorney	Black/African American	Female	Heterosexual	No	No	Sacramento
Edward Lear	Association of Discipline Defense Counsel		Attorney	White	Male	Heterosexual	No	No	Los Angeles
Ellen Pansky	Association of Discipline Defense Counsel	Affinity Bar Association;  California Lawyers Association							South Pasadena
Sarah Good	Council on Access and Fairness			White	Female	Lesbian	No	No	San Francisco
Sean SeLegue	Board of Trustees	Affinity Bar Association	Attorney	White	Male	Gay	No	No	San Francisco
Ruben Duran	Board of Trustees		Attorney	Hispanic/Latino	Male	Heterosexual	No	No	Inland Empire
Brandon Stallings	Board of Trustees		Attorney	White	Male	Heterosexual	No	No	Central Valley
Shelan Joseph	Criminal Justice System: Defense Counsel		Attorney	Black/African American	Female	Heterosexual	No	No	Los Angeles
Alexia Mayorga	Criminal Justice System: Defense Counsel		Attorney	Hispanic/Latino	Female	Heterosexual	No	No	Dublin



Name	Category Recommended For	Other Categories	Attorney/ Nonattorney /Judge	Race/Ethnicity	Gender Identity	Sexual Orientation /Identity	Identifies as Person with a Disability	Is a Veteran	Location
Jenna Jones	Medical Board of California		Nonattorney	White	Female	Heterosexual	No	No	Sacramento
Melanie Lawrence	Office of Chief Trial Counsel		Attorney	White	Female	Lesbian	No	No	Los Angeles
Steve Moawad	Office of Chief Trial Counsel	National Organization of Bar Counsel	Attorney	White	Male	Heterosexual	No	No	Los Angeles
Michelle Anderson	Criminal Justice System: Prosecutor	Affinity Bar Association	Attorney	Black/ African American	Female	Heterosexual	Yes	No	Long Beach
Cynthia Nakao	Criminal Justice System: Prosecutor		Attorney	Asian	Female	Heterosexual	No	No	Los Angeles
W.Kearse McGill	State Bar Court		Attorney	White	Male	Gay	No	No	Los Angeles
Phong Wang	State Bar Court		Attorney	Asian	Female	Heterosexual	No	No	San Francisco
Jerry Larkin	National Organization of Bar Counsel		Attorney	White	Male	Heterosexual	No	No	Chicago
Linda Schneider	California Department of Consumer Affairs	Criminal Justice System: Prosecutor	Attorney	White	Female	Heterosexual	No	No	Encinitas
Karen Bell	California Lawyers Association		Attorney	White	Female	Heterosexual	No	No	Irvine
Eloise Rosenblatt	California Lawyers Association	Affinity Bar Association	Attorney	White	Female		No	No	Saratoga

### List of Applicants Considered but Not Selected for Appointment

Name	Categories	Attorney / Nonattorney / Judge	Race / Ethnicity	Gender Identity	Sexual Orientation /Identity	Identifies as Person with a Disability	Is a Veteran	Location
Kristine Adams-Urbinati	California Lawyers Association; Criminal Justice System: Defense Counsel	Attorney	Other	Female	Heterosexual	No	No	Santa Ana
Johnathan Arons	Association of Discipline Defense Counsel	Attorney	White	Male		No	No	San Francisco
Jean Cha	California Lawyers Association	Attorney	Asian	Female	Heterosexual	No	No	Orange
Stanley Friedman	California Lawyers Association; Criminal Justice System: Defense Counsel	Attorney	White	Male	Heterosexual	No	No	Los Angeles
Mark Harvis	Affinity Bar Association; Criminal Justice System: Defense Counsel	Attorney	White	Male	Heterosexual	No	No	Los Angeles
Heather Horn	California Lawyers Association	Attorney	Black/African American		Heterosexual	No	No	Los Angeles
Ashod Mooradian	Affinity Bar Association; California Lawyers Association	Attorney	Other		Heterosexual	No	No	Montebello
Timothy Morgan	California Lawyers Association	Attorney	White	Male	Heterosexual	Yes	No	Benicia
Thomas Nolan	California Lawyers Association / Criminal Justice: Defense	Attorney	White	Male	Heterosexual	Yes	Yes	Palo Alto

Name	Categories	Attorney/ Nonattorney/ Judge	Race/Ethnicity	Gender Identity	Sexual Orientation/ Identity	Identifies as Person with a Disability	Is a Veteran	Location
Dennis Saab	State Bar Court	Judge	Hispanic/Latino	Male	Heterosexual	No	No	Los Angeles
Jeremy Thornton	Criminal Justice System: Defense Counsel	Attorney	Middle Eastern or North African		Heterosexual	Yes	No	San Diego
Neil Wertlieb	Affinity Bar Association; California Lawyers Association; Office of Chief Trial Counsel	Attorney	White	Male	Heterosexual	No	No	Pacific Palisades