



The State Bar of California

OPEN SESSION

AGENDA ITEM

54-112 MARCH 2021

BOARD EXECUTIVE COMMITTEE III.D

DATE: March 18, 2021

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

FROM: Sarah L. Cohen, Attorney, Mission Advancement & Accountability Division

SUBJECT: Judicial Council of California: Annual Appointment of State Bar Members

EXECUTIVE SUMMARY

The State Bar appoints four lawyer members to the Judicial Council for three-year terms. The term of Patrick Kelly will expire on September 14, 2021. It is recommended that the Board appoint David Fu to fill this upcoming vacancy.

BACKGROUND

The Judicial Council, a state constitutional agency established in 1926, provides policy direction to the courts, the governor, and the Legislature concerning court practice, procedure, and administration. The Chief Justice of the California Supreme Court serves as the Chair of the Council. The council also includes one associate justice of the Supreme Court, three justices of the Courts of Appeal, ten judges of the superior courts, four lawyers appointed by the State Bar, one member appointed by leaders in each house of the Legislature, two nonvoting court administrators, and other nonvoting positions as determined by the council. See California Rules of Court, rule 10.2.

Terms and membership of the Judicial Council are set by the State Constitution. The lawyer members serve staggered three-year terms, with terms beginning September 15 and ending September 14. Members receive no compensation for services but are reimbursed by the council for approved travel expenses in accordance with the reimbursement schedule for state employees. The new members of the council typically are invited to the council's May or June

meeting and must be able to attend the orientation, which is usually held in conjunction with the council's August meeting.

Serving as a member of the Judicial Council entails a significant time commitment approximating 300 hours per year for meetings and assignments. Each year the council meets six to eight times, with the meetings typically set for two days (usually Thursday and Friday). Members serve on one of the council's internal committees, which meet frequently at a convenient location or by conference call. In addition, council members are assigned special tasks, which are supported by staff, and may serve as a liaison to the council's advisory committees.

The current State Bar appointees to the Judicial Council and the dates their terms expire are as follows:

1	Kelly, Patrick M	Los Angeles	2015–2021
2	Pritt, Maxwell	Marin	2019–2022
3	Hill, Rachel W.	Fresno	2020–2023
4	Nelson, Gretchen M.	Los Angeles	2020–2023

See Attachment A, a chronological list of the State Bar's appointments to the Judicial Council.

DISCUSSION

Regarding the criteria deemed important for the lawyer members' service on the council, broad experience in the legal field is desirable, including trial experience, credibility as a leader both within the home county and statewide, collegial working relationships, and a demonstrated interest in, and experience with court administration issues. Another important consideration is the applicant's ability to make the time commitment.

In the last years, the Supreme Court has taken a more active role in assisting the State Bar in identifying suitable candidates to serve on the Judicial Council. After consultation with the Supreme Court, it is recommended that the Board of Trustees appoint David Fu to fill the 2021 vacancy.

David Fu

Mr. Fu is a real estate lawyer and the principal of David Fu and Associates, a four-attorney real estate and business law firm located in Arcadia, California. His work involves advising clients concerning real estate, general business transactions and litigation, and estate planning. Before practicing law, David was a commercial investment real estate broker, in both conventional and sealed-bid auction sale formats. Mr. Fu is a frequent speaker before real estate professional organizations and the State Bar and served on the Real Property Advisory Committee for the Continuing Education of the State Bar, the publishing entity of the State Bar. Mr. Fu served as the Co-Chair of the Real Property Law Section of the State Bar of California in 2012–2013, and as the 2017–2018 Chair of the State Bar of California Commission on Judicial Nominees

Evaluation. In 2018, Mr. Fu was honored as the Attorney of the Year by the Small Firm and Solo Section of the California Lawyers Association. Mr. Fu has a long-expressed interest in service to the legal profession and the court system, having served the California bar for twenty of his twenty-four years in practice. He believes that the Judicial Council offers a remarkable opportunity to serve and shape the courts of California.

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 appoint David Fu to the Judicial Council of California for a three-year term to commence on September 15, 2021, and to expire on September 14, 2024, or until further order of the Board, whichever occurs earlier.

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, appoint David Fu to the Judicial Council of California for a three-year term to commence on September 15, 2021, and to expire on September 14, 2024, or until further order of the Board, whichever occurs earlier.

ATTACHMENT(S) LIST

- A. List of the State Bar's Lawyer Appointments to the Judicial Council



The State Bar of California

ATTACHMENT A

List of the State Bar's Lawyer Appointments To the Judicial Council (By Most Recent Terms)

#	State Bar Appointed Member	City	State Bar District	Term/Years Served
<i>Current Members</i>				
1.	Hill, Rachel W.	Los Angeles	2	2020–2023
2.	Nelson, Gretchen M.	Los Angeles	2	2020–2023
3.	Pritt, Maxwell V.	Oakland	1	2019–2022
4.	Kelly, Patrick M.	Los Angeles	2	2015–2021
<i>Past Members (Previous State Bar District)</i>				
5.	Ibarra, Audra – Resigned	Palo Alto	6	2016–2018
6.	Melby, Donna D.	Los Angeles	2	2014–2017
7.	Pole, Debra E.	Los Angeles	2	2014–2017
8.	Bonino, Mark G.	Redwood City	1	2013–2016
9.	Fox, James P.	San Francisco	1	2012–2015
10.	Davis, Angela J.	Los Angeles	2	2011–2014
11.	Robinson, Jr., Mark P.	Newport Beach	4	2011–2014
12.	Matthai, Edith R.	Los Angeles	2	2010–2013
13.	Krinsky, Miriam A.	Studio City	2	2009–2012
14.	Miliband, Joel	Irvine	4	2008–2011
15.	Penrod, James	San Francisco	1	2008–2011
16.	Capozzi, Anthony	Fresno	5	2007–2010
17.	Aragon, Raymond G.	Bonita	4	2006–2009
18.	Girardi, Thomas V.	Los Angeles	2	2005–2008
19.	Parker, Barbara Jean	Oakland	1	2005–2008
20.	Capozzi, Anthony	Fresno	5	2005–2007
21.	Herman, James	Santa Barbara	2	2004–2005
22.	Heinke, Rex	Los Angeles	2	2003–2006
23.	Pasternak, David	Los Angeles	2	2002–2005
24.	Ravel, Ann	San Jose	6	2002–2005
25.	Warwick, Thomas	San Diego	4	2001–2004
26.	Heeseman, Rex	Los Angeles	2	2000–2003
27.	Collins, John J.	Los Angeles	2	1999–2002

28.	Gee, Pauline	Sacramento	3	1999–2002
29.	Case, Michael	Ventura	2	1998–2001
30.	Sloan, Sheldon	Los Angeles	2	1997–2000
31.	Evans, Maurice	Anaheim	4	1997–1999
32.	Holmes, Dallas	Riverside	4	1995–1997
33.	Veasey, Glenda	Los Angeles	2	1995–1999
34.	Saferstein, Harvey	Los Angeles	2	1994–1998
35.	Walsh, Brian	San Jose	2	1994–1998
36.	Illston, Susan	Burlingame	1	1993–1995
37.	McCurine, Jr., William	San Diego	4	1992–1995
38.	Phillips, Patricia D.	Los Angeles	2	1991–1994
39.	Rothenberg, Alan	Los Angeles	2	1991–1993
40.	Culhane, Kevin	Sacramento	3	1990–1994
41.	La Mothe, Louise Ann	Los Angeles	2	1990–1992
42.	Cochran, Jr., Johnnie	Los Angeles	2	1989–1991
43.	Hinton, Peter J.	Walnut Creek	1	1988–1990
44.	Martens, Don W.	Newport Beach	4	1988–1990
45.	Larson, Kenneth W.	San Pablo	1	1987–1991
46.	Heilbron, David	San Francisco	1	1987–1989
47.	Baum, David B.	San Francisco	1	1986–1988
48.	Cummins, Joseph H.	Los Angeles	2	1986–1988
49.	Hirschberg, Gert	Calabasas	2	1984–1986
50.	Murray, Anthony	Los Angeles	2	1984–1986
51.	Midlam, Kevin	San Diego	4	1983–1987
52.	Raven, Robert	San Francisco	1	1983–1987
53.	Morgan, W. Robert	San Jose	6	1982–1984
54.	Hughes, Peter J.	San Diego	4	1981–1983
55.	Janssen, Clayton	Eureka	3	1981–1983
56.	Illston, Susan	Burlingame	1	1980–1982
57.	Hurley, Joseph G.	North Hollywood	2	1980–1982
58.	Munoz, Gregory	Santa Ana	4	1979–1981
59.	Wilson, Edwin	Long Beach	2	1978–1981
60.	Anderson, Thomas T.	Indio	4	1978–1980
61.	Price, E. Dean	Fresno	5	1978–1980
62.	Colley, Nathaniel	Sacramento	3	1977–1979
63.	Hufstedler, Seth	Los Angeles	2	1977–1979
64.	de Leonardo, Michael	Sunnyvale	6	1976–1978
65.	Cotchett, Joseph	Burlingame	1	1976–1978
66.	Robinson, Mark P.	Los Angeles	2	1976–1977
67.	Jenkins, Thomas M.	San Carlos	1	1975–1977
68.	Schall, William	San Diego	4	1975–1977
69.	Mattson, Marcus	Los Angeles	2	1969–1973
70.	Miller, Harvey C.	Santa Clara	6	1968–1973
71.	Hunt, Clarence S.	Long Beach	2	1967–1972
72.	McKnight, C. Galen	Fresno	5	1967–1972

73.	Shelton, Leonard A	Claremont	2	1964–1968
74.	Wagener, Samuel H.	Oakland	1	1964–1966
75.	Focht, Jr., James L.	San Diego	4	1963–1967
76.	Wyckoff, James A.	Watsonville	6	1963–1967
77.	Belcher, Frank B.	Los Angeles	2	1963–1965
78.	Enersen, Burnham	San Francisco	1	1961–1964
79.	Finn, Howard	San Francisco	1	1961–1963
80.	Higgs, DeWitt A.	San Diego	4	1961–1963