



The State Bar of California

OPEN SESSION

AGENDA ITEM

54-112 NOVEMBER 2021

BOARD EXECUTIVE COMMITTEE II.B

DATE: November 18, 2021

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

FROM: Adrian Galang, Program Supervisor, Office of Admissions

SUBJECT: Annual Recommendation for Appointment of Members, California Board of Legal Specialization

EXECUTIVE SUMMARY

The California Board of Legal Specialization (CBLS) includes seven members, with up to two public members, all of whom are appointed by the State Bar Board of Trustees.

For the current 2021–2022 State Bar year, the CBLS has one vacancy. The State Bar received eight applications for appointment to the vacant position. This agenda item recommends the appointment of Michael David Lee to fill the vacant position.

The appointment liaisons have not been able to review this item prior to this meeting.

BACKGROUND

The CBLS recommends program rules and provides guidance on policies and protocols for certification of specialists; develops testing and legal education criteria for specialists; and advises the Board of Trustees on the establishment of specialty fields. The CBLS consists of seven members, up to two of whom may be nonattorney public members.

There is one vacancy for the current 2021–2022 State Bar year. The CBLS has prioritized the following criteria when considering appointments: (1) prior volunteer experience, particularly

experience drafting and grading specialist examinations; (2) having a range of specialties represented, including representation for each of the three largest specialty areas (estate planning, trust and probate law, family law, and workers' compensation law); and (3) allowing for diverse representation to the extent possible, including race, ethnicity, gender, sexual orientation, and geographic region.

A chronological list of the State Bar's appointments of members to the CBLS for the last five years is included as Attachment A.

DISCUSSION

As with all of the State Bar's subentities, it is important to ensure that members of the CBLS represent diverse perspectives and experiences. Below is a table describing the demographic characteristics of the current CBLS roster.

2021–2022 California Board of Legal Specialization Demographics*

Member	Location	State Bar Volunteer History	State Bar Legal Specialization Area	Race/Ethnicity	Gender–Gender Identity	Sexual Orientation	Identifies as Person with Disability	Age Group	Veteran Status
Chair Mark A. Lester	Camarillo	Estate Planning, Trust & Probate Law Advisory Commission	Estate Planning, Trust & Probate Law	White	M	-	No	60–69	No
Vice-Chair Natalie P. Vance	Sacramento	Legal Malpractice Law Advisory Commission	Legal Malpractice Law	-	-	-	-	-	-
Norma L. Acosta	San Jose	Workers' Compensation Law Advisory Commission	Workers' Compensation	Hispanic/Latino	F	-	No	50–59	No
Jeffrey T. Hammerschmidt	Fresno	Criminal Law Advisory Commission	Criminal Law	White	M–Cisgender	Heterosexual	No	60–69	No

Member	Location	State Bar Volunteer History	State Bar Legal Specialization Area	Race/ Ethnicity	Gender– Gender Identity	Sexual Orientation	Identifies as Person with Disability	Age Group	Veteran Status
Avi Levy	Los Angeles	Family Law Section	Family Law	-	-	-	-	-	-
Jake Yoon (<i>Public Member</i>)	Inglewood	Workers' Compensation Law Advisory Commission		-	-	-	-	-	-

*Responses to the demographic questionnaire were optional, and entries not received are represented by a hyphen (“-”).

MEMBER VACANCY

At the conclusion of the March 19 submission deadline, the State Bar received the following applications for appointment to the CBLS. The vacant position was filled by a public member, until their departure at the close of the September 2021 Board of Trustees meeting. As noted above, there is no firm requirement for the number of public members on CBLS. Rather, CBLS may have up to two public members. All applications received were from attorneys; no nonattorneys applied for appointment to CBLS this year. The table below describes the demographic characteristics of the applicants.

2021–2022 California Board of Legal Specialization Appointment Applicants and Demographics*

Member	Location	State Bar Volunteer History	State Bar Legal Specialization Area	Race/ Ethnicity	Gender– Gender Identity	Sexual Orientation	Identifies as Person with Disability	Age Group	Veteran Status
Wesley H. Avery	Pasadena	California Board of Legal Specialization; Bankruptcy Law Advisory Commission	Bankruptcy Law; Business Bankruptcy Law	White	M– Cisgender	Heterosexual	No	60–69	Yes
Porsche Clarke	Santa Ana			Black or African-American	F– Cisgender	Pansexual	Yes	40–49	No

Member	Location	State Bar Volunteer History	State Bar Legal Specialization Area	Race/ Ethnicity	Gender– Gender Identity	Sexual Orientation	Identifies as Person with Disability	Age Group	Veteran Status
Michelle LaPena	Sacramento			American Indian or Alaska Native	F– Cisgender	Heterosexual	No	50–59	No
Michael David Lee	San Jose	Bankruptcy Law Working Group	Bankruptcy Law	Asian	M– Cisgender	-	No	30–39	No
John C. Lemacks II	Los Angeles	Legal Specialist Examination Developer	Immigration & Nationality Law	White, Hispanic/ Latino	M– Cisgender	Heterosexual, Pansexual	No	40–49	No
Daniel Lenhoff	Houston, TX			Hispanic/ Latino	M– Cisgender	Gay	-	30–39	No
Lawrence Simons	Mission Hills	Bankruptcy Law Advisory Commission	Bankruptcy Law	White	M– Cisgender	-	No	50–59	No
Steve S. Zand	Encino		Family Law	Iranian-American	M– Cisgender	Heterosexual	-	50–59	No

*Responses to the demographic questionnaire were optional, and entries not received are represented by a hyphen (“-”).

It is recommended that Michael David Lee be appointed as member of the CBLS for a four-year term. Mr. Lee is a certified specialist in bankruptcy law and private sector attorney in San Jose. He has prior volunteer experience with the legal specialization program having served on the Bankruptcy Law Working Group to the CBLS. In addition to his legal specialization, Mr. Lee’s practice background in three of the State Bar’s 11 legal specialization areas, bankruptcy, estate planning, and taxation, brings an important perspective to the CBLS. Neither bankruptcy nor taxation are represented on the current CBLS, and the CBLS will lose its certified specialist in estate planning, trust and probate, when the current chair concludes his term in 2022. Mr. Lee’s inclusion will allow for geographic and practice diversity, contributing to increased representation of the state and our legal specialization areas.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES

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 Michael David Lee to the California Board of Legal Specialization as member, for a four-year term commencing immediately and concluding at the close of the September 2025 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, appoint Michael David Lee to the California Board of Legal Specialization as member, for a four-year term commencing immediately and concluding at the close of the September 2025 meeting of the Board of Trustees.

ATTACHMENT LIST

- A.** List of State Bar appointments of members to the CBLS in the last five years (by appointment year)

**LIST OF STATE BAR APPOINTMENTS OF MEMBERS
TO THE CBLS IN THE LAST FIVE YEARS**

(By Appointment Year)

#	State Bar Appointed Member	City	State Bar District	Type and Legal Specialization area (if any)	Appointment Year
1	Jake Yoon*	Inglewood	2	Public Member	2020
2	Norma L. Acosta*	San Jose	6	Attorney Member, Workers' Compensation Law	2019
3	Jeffrey T. Hammerschmidt*	Fresno	5	Attorney Member, Criminal Law	2019
4	Avi Levy*	Los Angeles	2	Attorney Member, Family Law	2019
5	Natalie P. Vance*	Sacramento	3	Attorney Member, Legal Malpractice Law	2019
6	Robert Hershenson*	Valencia	2	Public Member	2017
7	Cynthia Levin	Sunnyvale	6	Public Member	2017
8	Mark A. Lester*	Oxnard	2	Attorney Member, Estate Planning, Trust & Probate Law	2016
9	Neil Thakur	San Jose	6	Public Member	2016
10	Aurelio Torre	Santa Ana	4	Attorney Member, Appellate Law	2016

**current member*