



# The State Bar of California

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## Regular Meeting of the Board of Trustees Teleconference

Open Session Minutes  
Thursday May 19, 2022  
2:01 p.m.–6:07 p.m.

**Time meeting Commenced:** The Board meeting commenced in open session at 2:01 p.m.  
**Time meeting Adjourned:** 6:07 p.m.  
**Chair:** Ruben Duran  
**Secretary:** Louisa Ayrapetyan  
**Members Present:** Mark Broughton, Hailyn Chen, José Cisneros, Juan De La Cruz, Sonia Delen, Ruben Duran, Sean SeLegue, Melanie Shelby, Arnold Sowell, Brandon Stallings, Mark Toney  
**Members Absent:** None

### OPEN SESSION

#### ROLL CALL

The Board of Trustees meeting was called to order by Chair Duran. Roll call was taken and a quorum was established.

#### PUBLIC COMMENT

Chair Duran called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item. The following comments were provided to the Board:

1. Amber Gallaway
  - Ms. Gallaway's family was represented by Thomas V. Girardi. Ms. Gallaway requested that the Board consider adding to the agenda for the next meeting Girardi case victim or witness protection program.
2. Claire Solot, Co-founder of the Legal Service Funders Network:
  - LSFN strongly encourages the Board to recommend that the California Supreme Court extend the duration of the Provisional Licensure Program until new licensure options become available rather than have the program terminate in just two weeks' time.
3. Jessica Juarez, Provisionally Licensed Lawyer:
  - Ms. Juarez requests that the Board of Trustees draft a petition to the California Supreme Court for the extension of the Provisional Licensure Program and

provide a full pathway to licensure for all provisionally licensed lawyers. It is set to expire in 12 days, and it affects not only the clients and organizations that provisionally licensed lawyers work with but it also affects the employment and livelihood of at least 250 to 300 provisionally licensed lawyers. Ms. Juarez is appreciative of the work the Board of Trustees did to make the Provisional Licensure Program a reality.

4. Charlie Gillig, Vice-President, Neighborhood Legal Services of Los Angeles:

- Mr. Gillig wants to thank the Board and the Paraprofessional Program Working Group for the tremendous work to try and solve the access to justice crisis; however, too many concerns remain to support the working group's recommendations as they stand. Many of these concerns were submitted in written comments. Mr. Gillig's concerns are specifically about the recent modification to the recommendations to include undocumented immigrants in the collateral criminal work. This modification has the potential for serious immigration harmed individuals receive assistance under the paraprofessional program. There are numerous similar examples throughout the recommendations regarding many substantive areas we believe further consideration of potential consumer harm is essential before proceeding with any program. We ask the Board of Trustees not to approve the advancement of the program at this time.

5. Sebastian Bendeck, Provisionally Licensed Lawyer:

- Mr. Bendeck requests that the Board of Trustees draft a petition to the California Supreme Court for the extension of the Provisional Licensure Program and provide a full pathway to licensure for all provisionally licensed lawyers. As it stands right now the livelihood of at least 250 to 300 provisionally licensed lawyers is set to expire June 1, 2022. This program was created in response to the coronavirus pandemic. This decision not only affects the provisionally licensed lawyers but the public at large.

6. Patrick Quinn, Provisionally Licensed Lawyer:

- Mr. Quinn thanks the Board of Trustees and the State Bar of California for the creation of the Provisional Licensure Program. Mr. Quinn requests that the Board of Trustees petition to the California Supreme Court to create a process for the current provisionally licensed lawyers to become fully admitted to the State Bar of California making the Provisional Licensure Program full circle.

7. Paul Grow, Provisionally Licensed Lawyer, Law Offices of Daniel A. Hunt:

- Mr. Grow requests that the Board of Trustees draft a petition to the California Supreme Court for the extension of the Provisional Licensure Program and to include a provision which extends the pathway to full licensure for all current provisionally licensed lawyers. Mr. Grow extends his gratitude and acknowledges all that the Board of Trustees have done to put this program in place.

8. Eric Abramian, Provisionally Licensed Lawyer:

- Mr. Abramian wants to thank the Board of Trustees for providing this small group the ability to start their careers, and requests that the Board of Trustees extend the Provisional Licensure Program and follow Washington D.C.'s example by requiring provisionally licensed lawyers to practice under the supervision of a California attorney for three years as a path to full licensure.

9. Nicole Cheatham, Provisionally Licensed Lawyer:

- Ms. Cheatham requests that the Board of Trustees petition to the California Supreme Court to extend the Provisional Licensure Program. The expiration of this program would be detrimental to Ms. Cheatham and to the clients of the firm.

10. John Pittman III, Provisionally Licensed Lawyer:

- Mr. Pittman thanks the Board of Trustees and the California Supreme Court for the creation of the Provisional Licensure Program which has allowed them to serve hundreds of families in the state of California. Mr. Pittman requests that the Board of Trustees petition to the California Supreme Court to extend the Provisional Licensure Program and create a pathway for full licensure.

11. Robyn Loza, Provisionally Licensed Lawyer:

- Ms. Loza requests that the State Bar of California extend the Provisional Licensure Program and grant a pathway to full licensure.

12. Nathan D. Dondi, Provisionally Licensed Lawyer:

- Mr. Dondi requests that the Board of Trustees petition to the California Supreme Court to extend the Provisional Licensure Program.

13. Bohan Chen, Provisionally Licensed Lawyer:

- Mr. Chen is a provisionally licensed lawyer and appreciates the ability to practice in the Provisional Licensure Program and requests that the State Bar of California extend the Provisional Licensure Program and provide a pathway to full licensure.

14. Burhan Cicek, Provisionally Licensed Lawyer:

- Mr. Cicek requests that the Board of Trustees grant the provisionally licensed lawyers the ability to continue practicing and provide a pathway to full licensure.

**10 MINUTES**

Approval of March 24–25, 2022, Open Session Minutes

Approval of March 28, 2022, Open Session Minutes

*Moved by Stallings, seconded by Delen.*

*Ayes – (10) Broughton, Chen, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney*

Noes – (0)  
Abstain – (0)  
Absent – (0)

*Minutes adopted.*

### **30 CHAIR'S REPORT**

Chair Duran provided an oral report.

WHEREAS, after 28 years dedicated to furthering justice and client protection, Lori Meloch will retire from the State Bar of California on May 31, 2022;

WHEREAS, Lori Meloch has dedicated her State Bar of California career to issues that protect the public, primarily with the Client Security Fund;

WHEREAS, as the Director of the State Bar of California Client Security Fund, Lori Meloch supervised reimbursements to victims of attorney misconduct totaling over \$81.3 million since 2012 and personally resolved over 8,700 cases in the amount of \$56.5 million over the course of her Client Security Fund career since 1996;

WHEREAS, through national affiliations, Lori Meloch has impacted the lives of untold individuals by providing knowledge and informational support for client security funds in the United States and Canada;

WHEREAS, Lori Meloch has been the heart, soul, and conscience of the Client Security Fund, and through her gracious leadership has been instrumental in reimbursing victims of attorney misconduct;

WHEREAS, Lori Meloch has more recently been the Program Director for the Office of Professional Support & Client Protection, learning about the Office of Case Management & Supervision and the Lawyer Assistance Program and working to implement the Attorney Supervision & Assistance Redesign to protect the public and provide support to attorneys;

WHEREAS, Lori Meloch's influence on the State Bar of California will have a positive impact lasting into the future; now, therefore, be it

RESOLVED, that the State Bar Board of Trustees and the leadership of the State Bar of California express their deepest appreciation to Lori Meloch for her invaluable contributions to the State Bar of California

Adopted by the State Bar of California on May 19, 2022

*Moved by Stallings, seconded by Shelby.*

Ayes – (10) Broughton, Chen, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney  
Noes – (0)

*Abstain – (0)*

*Absent – (0)*

*Motion carries.*

**RESOLVED**, that the Board of Trustees adopt a resolution of thanks to the entire State Bar staff for its dedication and commitment.

*Moved by Stallings, seconded by De La Cruz.*

*Ayes – (10) Broughton, Chen, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney*

*Noes – (0)*

*Abstain – (0)*

*Absent – (0)*

*Motion carries.*

**31-1 Appointment of Members: Governance in the Public Interest Task Force**

Chair Duran provided an oral report.

**40 STAFF REPORTS**

**41-1 Report from Executive Director**

Executive Director Leah Wilson provided an oral report.

**50 CONSENT AGENDA**

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

1. For October 2022 First-Year Law Students' Exam Remote Proctoring Licenses and Support Services, with: Prometric LLC
2. For July 2022 Bar Exam Testing Space, with: Pasadena Convention Center
3. For IT Quality Engineering Services, with: GSPAN Technologies, Inc.
4. For Oracle Fusion Cloud Annual Licensing and Maintenance, with: Oracle America Inc.
5. For Microsoft Azure Cloud Management Support, with: Microsoft Corporation
6. For Annual Microsoft Unified Support, with: Microsoft Corporation
7. For Alert Logic Intrusion Monitoring Services, with: Insight Public Sector, Inc.
8. For Los Angeles Office Janitorial Services, with: ABM Commercial Janitorial Services
9. For Legal Research Subscription Services, with: Thomson Reuters

**RESOLVED**, that the Board of Trustees approves execution of the contracts listed herein.

**50-2 Report of Action Taken by Board Executive Committee Approving Specified Contracts Pursuant to Business and Professions Code Section 6008.6**

**WHEREAS**, the contracts listed herein required execution before the next regularly scheduled meeting of the Board of Trustees; and

**WHEREAS**, on April 19, 2022, the Board Executive Committee, approved said contract; it is hereby

**RESOLVED**, that the Board of Trustees affirms the action taken by the Board Executive Committee on behalf of the Board.

**50-4 Annual Report on the Use of Outside Counsel for 2021**

No recommendation.

**50-5 Annual Recommendation to California Supreme Court for Suspension of Licensees Delinquent in Payment for License Fees, Penalties, or Costs**

**RESOLVED**, that the Board of Trustees forward to the Supreme Court of California the names of those licensees to be suspended from the practice of law in California for failing to pay State Bar fees, penalties, or costs on or before June 30, 2022, and hereby:

(a) finds that State Bar staff performed the ministerial functions for determining that each person who is to be recommended to the Supreme Court of California for suspension due to nonpayment of fees is licensed by the State Bar of California;

(b) concludes that State Bar staff determined that each such person failed to fully pay fees, penalties, and/or costs as established pursuant to the provision of sections 6086.10, 6140, 6140.5(c), 6140.55, 6140.6, 6140.7, 6140.9, and 6141 of the Business and Professions Code;

(c) ascertains that State Bar staff have sent to each such person, at their address of record with the State Bar of California, two months' written notice of their delinquency which included notice of section 6143 of the Business and Professions Code;

(d) and recommends to the Supreme Court of California that each such person's State Bar license be suspended, which would suspend them from the practice of law in the State of California, effective July 1, 2022, until such time as they may be reinstated, upon the payment of the delinquent fees, penalties, or costs and of such additional fees, penalties, or costs as may have accrued at the time of such payment; and it is

**FURTHER RESOLVED**, that for the purpose of withdrawing the foregoing recommendation for suspension in particular cases, State Bar staff is authorized and directed to notify the Clerk of the Supreme Court of California of the name of any licensee of the State Bar who, by proper remittance and prior to the effective date of the Supreme Court of California order of suspension based hereon, pays to the State Bar fees, penalties, or costs in the amount in which they are delinquent; and to notify the Clerk of the Supreme Court of California of the consequent withdrawal of the Board of Trustees' recommendation for suspension; and it is

**FURTHER RESOLVED**, that for the purpose of modifying the recommendation to the Supreme Court of California for suspension for nonpayment of fees, penalties, or costs, State Bar staff is authorized and directed to change the data as to status or the amounts of delinquency of any licensee and to notify the Clerk of the Supreme Court of California accordingly of the consequent modification of the Board of Trustees' recommendation for suspension.

**50-7 Proposed Amendments to Rules of Procedure of the State Bar, Rule 5.127 (Public and Private Reprimands) and Rule 5.155 (Actions by Review Department): Return from Public Comment and Request for Approval**

**RESOLVED**, the Board of Trustees, upon recommendation of the Regulation and Discipline Committee, hereby approves and adopts amendments to rules 5.127 and 5.155 of the Rules of Procedure of the State Bar of California, provided as Attachment A, effective May 19, 2022.

**50-8 Proposed New Rules of Procedure Regarding Provisional Licensure Program: Return from Public Comment and Request for Approval**

**RESOLVED**, that the Board of Trustees hereby approves and adopts rules 5.480–5.486 of the Rules of Procedure of the State Bar of California, creating a new process to adjudicate allegations of misconduct against Provisionally Licensed Lawyers in the State Bar Court and as set forth in Attachment A, effective May 19, 2022.

**50-9 Correction to Approval of Exception to CalPERS 180-Day Wait Period and Waiver of Board of Trustees Policy Manual 12-Month Wait Period for Appointment of Dag MacLeod as a Retired Annuitant under Government Code Section 21224**

**RESOLVED**, that the Board of Trustees adopts the correction to the March 24, 2022, resolution with respect to the hourly rate of pay for Dag MacLeod, as set forth in Attachment A.

**50-10 Appointment of New Arbitrators to Mandatory Fee Arbitration Program**

**RESOLVED**, that the Board of Trustees approve the appointment of the fee arbitrator applicants whose names appear on the list attached here as Attachment A to the State Bar Mandatory Fee Arbitration program, each for a term commencing May 19, 2022, and expiring December 31, 2022.

**54-142 Approval of Reserve Policy Revision and Budget Reserve Spend Down Plans**

**RESOLVED**, that the Board of Trustees, upon recommendation of the Finance Committee approves the proposed amendments to the Reserve Policy as proposed by the Chief Financial Officer; and it is

**FURTHER RESOLVED**, that the Board of Trustees, upon recommendation of the Finance Committee approves the plan for addressing excess reserves in the Lawyers Assistance Program fund, Legal Specialization fund, and Legislative Activities fund.

#### **54-143 Licensee Requests for Adjustment of Fees, Penalties, and Charges**

**RESOLVED**, that the Board of Trustees, upon recommendation of the Finance Committee, approves the fee adjustments for the State Bar licensees as presented this day, and on file in the San Francisco office of the State Bar.

#### **54-181 Approval of Quarter One Board and Management Travel Expenses**

**RESOLVED**, that the Board of Trustees approve the first quarter of 2022 Board and management travel expense report in the form presented this day before the Board, for the three months ended March 31, 2022, as certified by the chief financial officer, and on file with the San Francisco office of the State Bar.

*Moved by SeLegue, seconded by Cisneros.*

*Ayes – (10) Broughton, Chen, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney*

*Noes – (0)*

*Abstain – (0)*

*Absent – (0)*

*Motion carries.*

The following agenda items were pulled from the consent calendar for a separate discussion

#### **50-1 Approval of Specified Contracts Pursuant to Business and Professions Code Section 6008.6**

1. For June 2022 First-Year Law Students' Exam Remote Proctoring Licenses and Support Services, with: ExamSoft Worldwide, Inc.

**RESOLVED**, that the Board of Trustees approves execution of the contracts listed herein.

*Moved by Cisneros, seconded by De La Cruz.*

*Ayes – (8) Broughton, Chen, Cisneros, De La Cruz, Delen, SeLegue, Sowell, Stallings*

*Noes – (1) Toney*

*Abstain – (1) Shelby*

*Absent – (0)*

*Motion carries.*

The following item was inadvertently pulled from the consent calendar instead of line item 11. For Special Deputy Trial Counsel Administrator Services, with: Stacia Laguna. The Board voted separately on agenda item 50-1, item 12 to correct the error.

#### **50-1 Approval of Specified Contracts Pursuant to Business and Professions Code Section 6008.6**



12. Notification Services Related to Nonpublic Information Disclosure, with: Epiq Corporate Services, Inc.

**RESOLVED**, that the Board of Trustees approves execution of the contracts listed herein.

*Moved by SeLegue, seconded by Shelby.*

*Ayes – (9) Broughton, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney  
Noes – (0)  
Abstain – (0)  
Absent – (1) Chen*

*Motion carries.*

**50-3 Report of Action Taken by Audit Committee on behalf of the Board of Trustees on April 27, 2022, Regarding Annual Financial Statement Audit Pursuant to Business and Professions Code Section 6145(a) Including Legal Services Trust Fund Report under Business and Professions Code Section 6222: (1) Presentation by Independent Auditors Macias Gini & O'Connell, (2) Review of Financial Statements; and (3) Authorization for Submission by Staff to the Legislature and Supreme Court**

**RESOLVED**, that the Board of Trustees hereby affirms the action taken by the Board Audit Committee on April 27, 2022, when it received and reviewed final draft of audited financial statements and audit reports and adopted a resolution directing staff to file the audited financial statements and audit reports for fiscal year ended December 31, 2021, with the Legislature and Supreme Court on behalf of the Board of Trustees, as it is authorized to do.

*Moved by Shelby, seconded by Delen.*

*Ayes – (9) Broughton, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney  
Noes – (0)  
Abstain – (0)  
Absent – (1) Chen*

*Motion carries.*

**50-6 Annual Recommendation Regarding Licensees Not in Compliance with Minimum Continuing Legal Education Requirements**

**RESOLVED**, pursuant to California Rule of Court 9.31 and the Rules of the State Bar, that the Board of Trustees hereby authorizes that those attorneys in MCLE Compliance Groups 1, 2, and 3 who do not bring themselves into compliance with their MCLE requirements by June 30, 2022, be enrolled as inactive and placed on “Not Eligible to Practice” status, effective July 1, 2022; and it is

**FURTHER RESOLVED**, that the Board of Trustees hereby authorizes staff to remove individual attorneys from inactive status once they have provided proof of compliance and paid all outstanding noncompliance fees.

*Moved by Toney, seconded by Cisneros.*

*Ayes – (9) Broughton, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney*  
*Noes – (0)*  
*Abstain – (1) Chen*  
*Absent – (0)*

*Motion carries.*

#### **54-141 Discussion of 2021 Quarter Four Financial Statements and 2022 Quarter One Financial Statements and Investment Report**

Presenter: Aracely Montoya-Chico, Chief Financial Officer

**RESOLVED**, that the Board of Trustees approves the Financial Reports in the form presented this day before the Board, for the twelve months ended March 31, 2022, as certified by the chief financial officer and filed with the San Francisco office of the State Bar.

*Moved by Toney, seconded by Sowell.*

*Ayes – (9) Broughton, Chen, Cisneros, De La Cruz, Delen, SeLegue, Shelby, Sowell, Stallings, Toney*  
*Noes – (0)*  
*Abstain – (0)*  
*Absent – (0)*

*Motion carries.*

#### **700 MISCELLANEOUS**

##### **702 Discussion of Amendments to 2022–2027 Strategic Plan**

Presenters: Leah Wilson, Executive Director  
Kelsey Lyles, Principal Program Analyst, Office of Research & Institutional Accountability

**RESOLVED**, that the Board accepts the revisions to the adopted 2022–2027 Strategic Plan as reflected in Attachment B and considers the Plan to be final.

*Moved by Stallings, seconded by Toney.*

*Ayes – (7) Broughton, Chen, Cisneros, De La Cruz, SeLegue, Stallings, Toney*  
*Noes – (0)*  
*Abstain – (0)*

*Absent – (3) Delen, Shelby, Sowell*

*Motion carries.*

**703 Discussion Regarding Parliamentary Rule Changes**

Presenters: Roberta Boomer, Consultant  
Brandon Stallings, Vice-Chair, Board of Trustees  
Mark Toney, Member, Board of Trustees

No recommendation. Discussion only.

**704 Follow-Up Regarding State Audit 2022-030 and Implementation Steps**

Presenters: Leah Wilson, Executive Director  
George Cardona, Chief Trial Counsel

No recommendation. Discussion only.

**705 Proposed Adoption of Consumer Alert for Interim Actions in Other Jurisdictions**

Presenter: George Cardona, Chief Trial Counsel

The Board requested that staff come back to the Board in July with a proposal that implements the recommendation of the state auditor that is consistent with how the State Bar posts disciplinary decisions on its website.

**706 Approval of Revised Guiding Principles for the State Bar Legislative Program; Recommended Positions on Legislation and Budget Items**

**RESOLVED**, that the Board of Trustees adopts the Revised Guiding Principles for the State Bar Legislative Program set forth in Attachments A (redline) and B (clean version); and it is

**FURTHER RESOLVED**, that the Board of Trustees directs staff to communicate the State Bar's support for budget proposals to increase access to legal services by increasing funding for homelessness prevention, consumer debt, and the Equal Access Fund, generally, and to adopt a Loan Repayment Assistance Program to support increased recruitment and retention of legal aid lawyers.

*Moved by Stallings, seconded by Delen.*

*Ayes – (10) Broughton, Chen, Cisneros, Delen, De La Cruz, SeLegue, Shelby, Sowell, Stallings, Toney*

*Noes – (0)*

*Abstain – (0)*

*Absent – (0)*

*Motion carries.*

**707 Proposed Amendment to Rule 7.40 (Assignment of Judicial Nominees Evaluation Commissioners) of the Rules of the State Bar: Request to Circulate for Public Comment**

**RESOLVED**, that the Board of Trustees authorizes staff to make available for a 45-day public comment period the proposed amended rule 7.40 of the State Bar Rules attached hereto as Attachment A.

*Moved by Stallings, seconded by Cisneros.*

*Ayes – (5) Broughton, Cisneros, Delen, De La Cruz, Stallings*

*Noes – (3) Shelby, Sowell, Toney*

*Abstain – (0)*

*Absent – (2) Chen, SeLegue*

*Motion carries.*

**708 Approval of Exception to CalPERS 180-Day Wait Period and Waiver of Board of Trustees Policy Manual 12-Month Wait Period for Appointment of Lori Meloch as a Retired Annuitant under Government Code Section 21224**

**RESOLVED**, that the Board of Trustees adopts the resolution set forth in Attachment A and certifies that there is a critical need to appoint Ms. Meloch as a retired annuitant prior to the 180-day CalPERS waiting period; and it is

**FURTHER RESOLVED** that the Board of Trustees, for good cause, waives the 12-month waiting period provided for in section 11.2 of the Board of Trustees Policy Manual (Policy Restricting Business with the State Bar After Leaving Office), as applied to Lori Meloch.

*Moved by Stallings, seconded by Broughton.*

*Ayes – (8) Broughton, Cisneros, Delen, De La Cruz, Shelby, Sowell, Stallings, Toney*

*Noes – (0)*

*Abstain – (0)*

*Absent – (2) Chen, SeLegue*

*Motion carries.*

**709 Approval of Exemption to CalPERS 180-Wait Period for Appointment of George Hue as a Retired Annuitant under Government Code Section 21224**

**RESOLVED**, that the Board of Trustees, adopts the resolution set forth in Attachment A and certifies that there is a critical need to appoint Mr. Hue as a retired annuitant prior to the 180-day CalPERS waiting period.

*Moved by Stallings, seconded by Cisneros.*

*Ayes – (8) Broughton, Cisneros, Delen, De La Cruz, Shelby, Sowell, Stallings, Toney*

*Noes – (0)*

*Abstain – (0)*

*Absent – (2) Chen, SeLeague*

*Motion carries.*

**ADJOURN**

Regular Meeting of the Board of Trustees  
Teleconference

Open Session Minutes  
Friday, May 20, 2022  
11:28 a.m.–4:22 p.m.

**Time meeting Commenced:** The Board meeting commenced in open session at 11:28 a.m. The Board moved to closed session at 2:10 p.m.

**Time meeting Adjourned:** 4:22 p.m.

**Chair:** Ruben Duran

**Secretary:** Louisa Ayrapetyan

**Members Present:** Mark Broughton, Hailyn Chen, José Cisneros, Juan De La Cruz, Sonia Delen, Ruben Duran, Sean SeLegue, Melanie Shelby, Arnold Sowell, Brandon Stallings, Mark Toney

**Members Absent:** None

**OPEN SESSION**

**ROLL CALL**

The Board of Trustees meeting was called to order by Chair Duran. Roll call was taken and a quorum was established.

**PUBLIC COMMENT**

Chair Duran called for public comment, inquiring as to whether there were person(s) who wished to comment on any agenda item. The following comments were provided to the Board:

1. Steven Fleischman, Member, California Paraprofessional Program Working Group:
  - Mr. Fleischman commented on the financial aspects of the proposal. There was a similar program in Washington which was canceled after five years at a cost of \$1.4 million. Mr. Fleischman opposes the State Bar's recommendation to take donations from the Gates Foundation, Google.org, and the Zuckerberg initiative in order to pay the startup costs for the paraprofessional program
2. Jacquie Serna, Deputy Legislative Director, Consumer Attorneys of California:
  - Ms. Serna submitted written comments regarding the paraprofessional program on behalf of the Consumer Attorneys of California in support of the revised dissents by the California Paraprofessional Program Working Group. Ms. Serna urged the Board to consider two public comments that were submitted during the public comment period before taking action on the proposal: (1) letter from Attorney General Rob Bonta; and (2) the letter from 24 legal aid organizations.
3. Ken Wang, Policy Associate, California Employment Lawyers Association:
  - Mr. Wang provided comments on agenda item 701 and urged the Board to strongly consider the dissents provided by the members of the California

Paraprofessional Program Working Group, along with the letter from Attorney General Rob Bonta, as well as the 24 legal aid organizations.

4. Leigh Ferrin, Director of Legal Services, Public Law center:
  - Ms. Ferrin provided comments regarding agenda item 701 and stated that there are a number of issues with the proposal even as amended. The paraprofessional program is not the access to the justice gap and studies show that there is an education gap that California does not know when they have a legal problem. There is insufficient data to confirm that the appropriate solution is creating an entirely new licensee.
5. Daniel Forouzan, President, West Side Bar Association:
  - Mr. Forouzan provided comments regarding agenda item 701. Mr. Forouzan echoed the comments provided by other public commenters regarding the creation of the paraprofessional program.
6. Minyong Lee, Senior Attorney, Neighborhood Legal Services of Los Angeles:
  - Ms. Lee provided comments regarding agenda item 701. As a legal services organization there are many things about the current proposed program that concern the legal aid community. The current proposed professional program will lead to more clients experiencing bad acts, which is why the legal aid organizations continue to oppose to the program.
7. Mike Belote, California Defense Counsel:
  - Mr. Belote provided comments regarding agenda item 701. Mr. Belote echoed the comments provided by other public commenters regarding the creation of the paraprofessional program.
8. Jason Solomon, Standard Center of the Legal Profession:
  - Mr. Solomon provided comments supporting agenda item 701. The working made changes to the recommendations in response to the public comments received, and that this makes the final report and recommendations ready to be approved.

#### **701 Proposed Amendments to Final California Paraprofessional Program Working Group Recommendations and Rules**

Presenters: Leah Wilson, Executive Director  
Justice Ioana Petrou, California First District Court of Appeal, Division Three

**RESOLVED**, that the Board accepts the CPPWG proposed amendments and clarifications to the program recommendations and Rules of Professional Conduct for Licensed Paraprofessional provided to the Board in the September 23, 2021, CPPWG report, and directs that these amendments and clarifications be incorporated into the final program design.

*Moved by SeLeague, seconded by Delen.*

Ayes – (9) Broughton, Chen, Cisneros, Delen, De La Cruz, SeLegue, Shelby, Sowell, Stallings  
Noes – (1) Toney  
Abstain – (0)  
Absent – (0)

*Motion carries.*

## **710 SB 211 Case Processing Standards Update**

Presentation and discussion only.

Chair Duran stated that pursuant to Government Code section 11126(c)(7), Government Code section 11126(a)(1), Government Code section 11126(a), and Government Code section 11126(e)(1) the Board will move into closed session to discuss the closed session agenda.

### **CLOSED SESSION**

#### **7000 MISCELLANEOUS**

##### **7001 Discussion Regarding the Appointment of State Bar General Counsel**

*\*Closed pursuant to Government Code § 11126(a)(1).*

##### **7002 Discussion Regarding Sale Price and Terms and Leasing Price and Terms for 180 Howard Street, San Francisco**

*\*Closed pursuant to Government Code § 11126(c)(7).*

##### **7003 Evaluation of the Executive Director**

*\*Closed pursuant to Government Code § 11126(a).*

##### **7004 Evaluation of the Chief Trial Counsel**

*\*Closed pursuant to Government Code § 11126(a).*

##### **7005 Discussion Regarding Potential Litigation Concerning the July 2021 California Bar Examination**

*\*Closed pursuant to Government Code § 11126(e)(1).*

##### **7006 Kohn v. The State Bar of California, U.S. Court of Appeals, Ninth Circuit, Case No. 20-17316 (appeal filed November 25, 2020)**

*\*Closed pursuant to Government Code § 11126(e)(1).*

##### **7007 John Roe 1 v. The State Bar of California, et al., Orange County Superior Court, Case No. 30-2022-01250695-CU-AT-CXC (filed March 18, 2022)**

*\*Closed pursuant to Government Code § 11126(e)(1).*

### **OPEN SESSION**

The Board returned to open session and reported that there is no action to report from closed session.