

THE STATE BAR OF CALIFORNIA



IS SEEKING A
CHIEF TRIAL COUNSEL

TRANSFORMATIONAL OPPORTUNITY FOR A PROVEN LEADER



The State Bar of California is seeking a collaborative, visionary, and politically astute legal professional to become the Bar's Chief Trial Counsel (CTC). The CTC is the top enforcement officer for the State Bar's attorney discipline system. The CTC is appointed by the Board of Trustees and is subject to confirmation by the State Senate for a term of four years and may be reappointed for an additional four-year term.

STATE BAR OF CALIFORNIA

Protection of the public is the highest priority of the State Bar of California and the Board of Trustees in exercising its regulatory functions.

The State Bar of California was created by the state Legislature in 1927 and is a public corporation within the judicial branch of government, serving as an arm of the California Supreme Court in matters involving the admission, regulation and discipline of attorneys. All California lawyers practicing law must be active members. With over 230,000 members, the State Bar of California is the largest state bar in the nation. Nearly 190,000 State Bar members actively practice law in California, while the rest retain their licenses as inactive members. For more than 80 years, the State Bar has enhanced the administration of justice, regulated the professional conduct of the state's lawyers and provided greater access to the justice system for all citizens. The State Bar continually seeks to respond to the demands of a changing society fulfilling its mission to its members and the public.

The State Bar is governed by a Board of Trustees, which consists of nineteen (19) members, currently classified as follows: six lawyer members elected from California's six appellate districts; five lawyer members appointed by the California Supreme Court; two lawyer members appointed by the Legislature, one by the Senate Committee on Rules and one by the Speaker of the Assembly; and six "public" or non-lawyer members, four appointed by the Governor, one by the Senate Committee on Rules and one by the Speaker of the Assembly. The Board President is elected from the Trustees for a one-year term and may continue to serve an extra year if his or her term, as one of the appointed or elected members, has expired. He or she would become the 20th board member. The Board of Trustees meet approximately eight times a year.

The State Bar has approximately 600 employees and a \$146.1 million budget, divided between general and special funds. The State Bar's two offices are in downtown San Francisco and Los Angeles.

For further information about the State Bar of California, see its website at: www.calbar.ca.gov

OFFICE OF THE CHIEF TRIAL COUNSEL (OCTC)

The State Bar's Office of Chief Trial Counsel prosecutes members of the California Bar for violations of the State Bar Act (Bus. & Prof. Code § 6000, et seq.) and the Rules of Professional Conduct. OCTC also pursues remedies against non-attorneys for the unauthorized practice of law within the Bar's statutory authority. (Bus. & Prof. Code § 6125, et seq.)

The intake unit of OCTC receives and investigates complaints. Its enforcement unit prosecutes members for professional misconduct before the State Bar Court. Cases originate from complaints from members of the public, including former clients, party adversaries in litigation, and opposing counsel in litigation.

OCTC is currently structured to include the Chief Trial Counsel, one Deputy Chief, six Assistant Chiefs, and two administrative managers. OCTC's total staff is 212, which is comprised of 65 attorneys and 137 non-attorneys (including administrative staff, intake complaint analysts, paralegals, and investigators). Of these employees, approximately 95% are unionized. There are 48 located in San Francisco with the remainder in the Los Angeles office. OCTC's annual budget totals approximately \$42.4 million.

THE POSITION

The Chief Trial Counsel reports to the Board of Trustees through the Regulation and Discipline (RAD) Committee on issues pertaining to the discipline enforcement system. The CTC is a member of the State Bar's executive management team and is responsible for overseeing the budget and personnel in the Los Angeles and San Francisco Offices of the Chief Trial Counsel, subject to the Executive Director's overall responsibility to administer the budget, personnel, facilities and related support activities in accordance with the policy parameters established by the Board of Trustees. The CTC is the chief enforcement officer for the State Bar's attorney discipline system and serves in this position consistent with Business & Professions Code section 6079.5

Under the general oversight of the RAD Committee, the CTC is responsible for overseeing, planning, organizing and directing the enforcement of attorney disciplinary standards in California and the investigation and prosecution of disciplinary and related violations by California attorneys consistent with the State Bar Act, the Rules of Professional Conduct, the Rules of Procedure of the State Bar of California, the California Business and Professions Code and related authorities. In addition, the CTC is responsible for



investigating complaints and pursuing statutory remedies for non-attorneys who engage in the unauthorized practice of law.

The CTC retains independence from the State Bar's Executive Director with respect to the investigation and prosecutorial functions of OCTC in individual cases.

This position is based in Los Angeles. Routine travel to the San Francisco office is required.

The incoming Chief Trial Counsel will have numerous priorities and serious challenges to address upon appointment to the position. Some include:

- Conducting a thorough, comprehensive and collaborative assessment of OCTC including its priorities, operations, resources and work culture;
- Initiating specific plans and activities aimed at promoting trust and credibility with all internal and external stakeholders;
- Effectively addressing performance issues impacting morale and productivity;
- Developing strategies and tactics to improve employee morale, communications, equity, fairness, productivity, and accountability at all levels within OCTC; and
- Implementing reforms identified through a statutorily mandated Workforce Planning effort.

To review the full Workforce Planning Report, visit the State Bar's website at <http://calbar.ca.gov/AboutUs/Reports.aspx>

THE IDEAL CANDIDATE

The selected Chief Trial Counsel will bring a demonstrated history of exercising exceptional legal judgment, and solid leadership and managerial expertise to provide guidance and direction to staff while clearly articulating a forward-thinking vision for OCTC. The ideal candidate will establish an open and trusting partnership with the Board of Trustees, advise the Board on discipline policy, and effectively develop collaborative relationships with internal stakeholders such as the Office of General Counsel and external stakeholders including the Legislature, Supreme Court, Governor's Office, bar members, the public, while at the same time, preserving the CTC's independent exercise of prosecutorial discretion.

The successful candidate will be an experienced legal professional who possesses a management philosophy of trust and decisiveness, and who seeks to empower and motivate staff while holding him/herself and staff to high standards of performance and accountability. The CTC will be highly skilled in leading a large organization in a collaborative, inclusive manner while ultimately making critical decisions after considering varying viewpoints.

Key attributes for this position include the art of balancing tact and diplomacy while being assertive and decisive in leading staff to accomplish the responsibilities and operational goals of the OCTC.

In addition, the CTC must possess a high level of political acumen in a dynamic environment, as well as maintain composure in what are often challenging circumstances. With integrity and objectivity, the role of the CTC is to balance public interest, public protection and due process capably and effectively.

QUALIFICATIONS & EXPERIENCE

Qualified candidates for this position will bring significant, progressively responsible experience in the practice of law. By statute, the position requires a minimum of five years of legal experience, however, a minimum of ten years is strongly preferred including substantial trial experience and a broad base of legal knowledge. In addition, a minimum of two years (5 years preferred) of prosecutorial or similar experience in administrative agency proceedings or with a licensing agency, as well as administrative oversight and senior management experience. Candidates must be active members in good standing with the State Bar of California and have a demonstrated verifiable reputation for integrity and no history of disciplinary offenses as an attorney or in any other capacity. Experience working with immigrant, non-English speaking, or other vulnerable populations is desirable.

In addition to the previously stated requirements, the State Bar is desirous of attracting strong leaders who also possess the following characteristics and competencies:

LEADERSHIP COMPETENCIES

- Open and accessible attitude and approach in working with the Board of Trustees, OCTC staff and various external stakeholders in order to instill trust and confidence with these groups
- Uncompromising ethics and integrity
- Innovative problem solving skills and a solution oriented commitment to continuous quality improvement and implementing enhanced technology efficiencies
- Inspiring and transformational leader who manages with integrity and vision
- Great motivator; sensitive and collegial

- Mission driven and results-oriented
- Strategic and collaborative with effective consensus problem solving skills
- Excellent people management and staff development skills.
- Outstanding judgment and inclusive decision making skills
- Great communicator; open, honest and transparent
- Ability to listen and encourage dialogue; open door policy
- Diplomatic, candid and politically astute
- Skilled working in a complex environment with multiple interests and stakeholders
- Skilled negotiator

TECHNICAL COMPETENCIES

- Prosecutorial experience, ideally, at both the staff and management levels
- Experience managing large workforces, preferably in a unionized setting
- Solid budget and staff management expertise
- Skilled using data to make informed decisions; embraces technology to improve operations and efficiencies
- Good administrative and operational skills
- Understands case management from both strategic and tactical perspectives



- Seeks-out and implements best practice relative to operations and administrative functions.

COMPENSATION AND BENEFITS

The current annual salary range for the Chief Trial Counsel is \$155,623-\$229,536 (appointment in the range will be commensurate with qualifications and experience). As an employee of the State Bar of California, the Chief Trial Counsel also receives a comprehensive benefit plan including, but not limited to:

Retirement

- California Public Employees' Retirement System (CalPERS) 2% @ 55 Plan employee contribution fully paid for by the State Bar

Deferred Compensation

- 457 Deferred Compensation Program (no matching contribution)

Insurance

- Medical, dental, and vision coverage fully paid for by the State Bar (employees and eligible dependents)
- Long Term Disability Insurance coverage
- Life Insurance (Basic and Optional)

APPLICATION PROCESS

The Chief Trial Counsel recruitment is being conducted on a national basis. The process for this recruitment is highly confidential. References will not be contacted until mutual interest has been established. All applications and candidates will initially be screened and evaluated by the State Bar's recruitment firm, The Hawkins Company.

Interested and qualified individuals are invited to submit a letter of interest and resume, electronically, to W.D. Hawkins, The Hawkins Company, 8939 S. Sepulveda Blvd., 110-216, Los Angeles, CA 90045; calbar@thehawkinscompany.com. Materials received by November 15, 2016 will receive first consideration. This position is open until filled. Confidential inquiries may be directed to Bill Hawkins at 213-308-0945; bill@thehawkinscompany.com or Ms. Brett Byers at 323-403-8279; brett@thehawkinscompany.com.



THE HAWKINS COMPANY

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