

AGENDA ITEM

JANUARY 55
California ALL Board -
Ratification of Appointment of
Members

Date: December 17, 2007

TO: Members of the Board Operations Committee
Members of the Board of Governors

FROM Patricia Lee, Director,
Office of Legal Services, Access & Fairness Programs

RE: California ALL Board
Ratification of Appointment of Members

Executive Summary

In June 2007, the Board of Governors received an initial report describing the proposal for the creation of California ALL (originally referred to as California Aspire Achieve Lead Pipeline Project or CaAAL). The proposal was the result of a collaborative partnership to close the student achievement gap along the pipeline and to generate a competent cadre of individuals ready to ensure the success of California's economic and political future. Initial partners included the California Public Utilities Commission (CPUC), CalPERS, the California Department of Insurance (CDI) and the State Bar of California. At that time the Board authorized staff to work with the California ALL founding partners to determine in what ways the State Bar can assist their efforts and define the State Bar's possible role as a "founder" or other appropriate status. Since that time the State Bar has participated as a partner in ongoing planning to create the California ALL entity as a separate, non-profit corporation. California ALL bylaws provide for two board appointments to the California ALL Board by each of the four partners and a "consensus" appointment, to be agreed upon by all four partners. This item seeks Board ratification of the two board appointments made by President Bleich. The appointments were made to enable the State Bar appointees to attend and participate in the initial organizational meeting of the new California ALL board, which was held on November 29, 2007. Subsequent appointments to the California ALL Board will be made through the regular State Bar appointments process.

Background:

California ALL was created through a collaborative partnership to close the student achievement gap along the pipeline and to generate a competent cadre of individuals ready to ensure the success of California's economic and political future. The Initial partners include the CPUC, CalPERS, the CDI and the State Bar of California.

The project will focus on creating the structure and initiatives, as well as providing support to build the pipeline along a different career pathway each year, starting with the Legal Profession in the first year

and moving to the financial institutions in the second year and the high tech industry in the third year. Thereafter, additional career pathways will be identified and incorporated into the California ALL programs. (See Attachment A for a description of California ALL.)

The Legal Profession was identified for the first year's focus, due to the extensive work done by the State Bar Diversity Pipeline Task Force and continued work by the Council on Access & Fairness. The diversity pipeline efforts of the State Bar will also serve as the basis for the work done in the other professional areas.

In 2005, the State Bar of California created the Diversity Pipeline Task Force that focused on creating a resource of "best practices" of pipeline programs from preschool to the profession, P-20. These best practices met the standard of Continuity, Sustainability, Impact and Replicability (CSIR). The Bar's pipeline resources are intended to enable any entity to build and replicate pipeline programs in partnership with others and to assist in the creation of pipeline programs nationwide.

The work of the Pipeline Task Force has provided the impetus for other pipeline initiatives. The Task Force Courts Working Group presented the 2006 Judicial Summit, culminating in a collaborative effort between the Judicial Council, Legislature, Governor's Office and State Bar to address judicial diversity and to achieve the passage of SB 56 and AB 159 providing for demographic information related to the judicial appointments process. The Pipeline Task Force information served as the framework for the June 2007 Los Angeles County Bar Association Diversity Summit, convening close to 500 stakeholders with interests along the diversity pipeline. The demographics and other information compiled by the Task Force also provided support for the Santa Clara County Bar President's Blue Ribbon Commission on Diversity in the Profession, as well as the Los Angeles County Superior Court Diversity Summit. The Task Force material has been used on numerous occasions during diversity presentations at State Bar events and at meetings of the ABA, local bar associations and other entities.

Much of the State Bar's work is ready to be implemented along the diversity pipeline. As noted above, California's county bars and judiciary are involved in pipeline work through high level diversity summits and related projects; and the State's law schools are also active along the pipeline. The rich potential for using involved stakeholders and building on current activities makes the legal model an ideal first foray for California ALL, as well as the stepping-stone and basis for the creation of similar models in the other identified career pathways.

This information was presented to the Board of Governors in July 2007, at which time the Board agreed that given the State Bar's accomplishments and ongoing focus on pipeline activities, and the reliance of California ALL on the State Bar's pipeline model, methodology and materials, that the State Bar staff work with the California ALL founding partners to determine in what ways the State Bar can assist with their efforts and to define the State Bar's possible role as a "founder" or other appropriate status, with staff providing status reports and further recommendations to the Board through the Board Stakeholders Committee. (See Attachment B for State Bar Press Release.)

Since then, staff from the Office of Legal Services, Access & Fairness Programs and Office of General Counsel have participated on the planning committee with the other original partners to create California ALL as a separate, non-profit entity. The resulting California ALL by-laws provide that each of the four original partners will have two appointments to the California ALL Board. Further, the four partners will have a "consensus" appointment, with all four entities agreeing on the consensus candidate. Once appointed to the California ALL Board, the State Bar appointees (as well as the other partner appointees), will serve as individuals, independent of the State Bar or other appointing entities.

With the timing of the formation process, the first organizational meeting of the new California ALL Board was scheduled for November 29, 2007. The other three partners confirmed their board appointments in advance of the meeting date. Given the State Bar appointments process, candidates were solicited and encouraged to submit applications and accompanying information for review by the Board of Governors. By the time two candidates were identified, the timing did not allow for presentation through the regular board process. To enable the candidates to be seated and to participate in the November 29, 2007 organizational meeting of the California ALL board, President Bleich agreed to make appointments on behalf of the State Bar, with ratification by the full Board at the January 2008 meeting.

The two appointees are:

- James Hsu: Partner, Sonnenschein, Nath & Rosenthal, Los Angeles
(See Attachment C for biographical statement taken from law firm website)
- Douglas Scrivner, General Counsel and Secretary, Accenture, San Jose
(See Attachment D for biographical statement taken from Accenture website)

Fiscal Impact: No State Bar general funds will be used for this project. Support will be covered by the current approved budget, with funding coming from voluntary contributions to the Elimination of Bias/Bar Relations Fund.

Personnel Impact: No additional staff required. Support will be provided by existing staff funded through the Elimination of Bias/Bar Relations Fund.

Board Book: No impact.

Alignment with Strategic Plan: The project promotes diversity in the legal profession through the building of the diversity pipeline, consistent with Goal 5 of the State Bar Strategic Plan, Strategies 5.1 (Diversity of Bar Membership).

RECOMMENDATIONS:

The Board Committee on Operations makes the following recommendations:

RESOLVED, that the Board Committee on Operations recommends that the Board ratify the appointment of James Hsu, Los Angeles member, to the California ALL Board, effective November 29, 2007, and expiring December 31, 2008, or until further order of the Board, whichever occurs earlier; and it is

FUTHER RESOLVED that the Board Committee on Operations recommends that the Board ratify the appointment of Douglas Scrivner, San Jose member, to the California ALL Board, effective November 29, 2007, and expiring December 31, 2009, or until further order of the Board, whichever occurs earlier; and it is

FURTHER RESOLVED, that due to the need to make appointments before the Board Committee on Volunteer Involvement would next meet, the Board Committee on Operations recommends that the Board suspend the consideration of this appointment by the Committee on Volunteer Involvement.

Proposed Board Resolution

Should the Board concur with the recommendations by the Board Committee on Operations, the following resolutions would be in order:

RESOLVED, upon recommendation of the Board Committee on Operations, that the Board hereby ratifies the appointment of James Hsu, Los Angeles member, to the California ALL Board, effective November 29, 2007, and expiring December 31, 2008, or until further order of the Board, whichever occurs earlier; and it is

FUTHER RESOLVED that the Board hereby ratifies the appointment of Douglas Scrivner, San Jose member, to the California ALL Board, effective November 29, 2007, and expiring December 31, 2009, or until further order of the Board, whichever occurs earlier; and it is

FURTHER RESOLVED that due to the need to make appointments before the Board Committee on Volunteer Involvement would next meet, the Board hereby suspends the consideration of these appointments by the Committee on Volunteer Involvement.