

MIRS OPEN AGENDA

III. A. Report and Recommendations re State Bar Appointments Process

TO: Board Committee on Member Involvement, Relations and Services

FROM: Rod Fong, Chair, Council on Access & Fairness
Patricia Lee, Special Assistant for Diversity and Bar Relations

DATE: November 23, 2009

RE: Report and Recommendations re State Bar Appointments Process

Executive Summary

Prior to the appointment of the Council on Access & Fairness and the sunsetting of the Access & Fairness Committees, the Committees conducted outreach and recruitment functions to increase the number of State Bar applications from diverse attorneys and also monitored demographic data from State Bar appointed entities to review progress made in the increased appointment of diverse attorneys. Based on their review and findings, the Committees provided feedback to the Board of Governors to generate increased diverse applications and appointments. The Council on Access & Fairness is charged by the Board of Governors with resuming this function and is providing this initial report for the Board Committee's review.

Background:

Prior to the appointment of the Council on Access & Fairness and the sunsetting of the Access & Fairness Committees in 2007, the Chair's of the Access and Fairness Committees convened by conference call on a monthly basis to share information and to strategize on initiatives to increase diversity in the profession, including increasing diversity among State Bar appointments. The charge of ensuring diverse State Bar appointments and member representation was a high priority for the committees.

The last time the committees reviewed the appointments data was for the 2005-2006 appointments cycle. At that time, the Access & Fairness Committees engaged in outreach, recruitment and assessment activities to encourage bar-wide diversity among applications and presented specific findings to the Board of Governors Volunteer Involvement Committee (VIC) for its consideration and discussion.

The Council on Access & Fairness was appointed in May 2007 and held its first meeting in June 2007. During its first year, the Council focused on developing its Mission Statement, Vision, Strategies and Goals and consolidated its activities to conform to its diversity “think tank” mode. This past year, the Council gradually resumed the appointments activities previously performed by the Access & Fairness Committees.

Consistent with its charge, the Council sought to “*identify and encourage attorneys from diverse backgrounds to become active participants in the administration and governance of the State Bar and make specific recommendations to the Board of Governors for increasing that participation.*” The Council appointed its Diversity Coalition committee to initiate outreach internally among State Bar entities and externally with diversity stakeholders. Outreach covered the State Bar appointments process and appointments opportunities and sought applications from diverse attorneys for State Bar appointment.

Also, this past year, the full Council implemented an Outreach Initiative to inform entities about the work of the Council, to promote collaboration among the diversity stakeholder groups and the Council, and to encourage diverse attorneys to consider submitting applications for State Bar appointment. In addition, for the 2009 appointments cycle, the Council conducted additional outreach to all local, minority and specialty bar associations and held two appointments workshops, one in Los Angeles at the State Bar Offices and one in San Francisco co-sponsored by the Bar Association of San Francisco.

Since the Council and the Diversity Coalition Committee have not had the opportunity to review and compare the demographics for State Bar entities until this past year, the Council will use these statistics as a starting point for measuring the impact of future outreach initiatives. On an interim basis, the Council has reviewed prior committee recommendations and offers the following for initial consideration by the Board Committee.

Recommendations:

1. Consult with Sections and Committees that appear to be making some progress toward increasing or maintaining diversity and engage in discussion to identify best practices that can be shared with other State Bar entities.
2. Encourage State Bar entities to initiate broad based outreach regarding the State Bar Appointments Process earlier in the year to provide maximum time for potential applicants to learn about the State Bar and the appointment process and to complete application packets by the February 1 submission deadline.

3. Conduct Appointments Workshops earlier in the cycle (e.g. October and November) to provide maximum time for potential applicants to learn about the State Bar opportunities, the appointments/ application process and to complete their application packets by the February 1st submission deadline and encourage representatives from State Bar entities to participate in the workshops.
- 4 Provide mentoring for potential applicants regarding State Bar appointments opportunities and provide feedback on the completion of the Appointments Application. The committees and members of the Diversity Coalition who have participated in Appointments Workshops and/or who are experienced in reviewing State Bar applications have provided direct feedback to applicants who choose to submit their draft applications for comment. This has proven to be a valuable service to potential applicants, resulting in many being appointed and expressing appreciation for the assistance received.
5. Encourage State Bar entities to partner with the COAF Diversity Coalition to gather and disseminate detailed information on specific appointments and service requirements for the various entities, so that potential applicants can be in a position to meet the initial requirements and the expectations for serving on the various entities.
6. Encourage diverse attorneys serving on State Bar entities to apply for other State Bar entities upon the completion of their terms.
7. Increase outreach at all levels regarding the State Bar and the various opportunities available for member participation and about the benefits of such participation.
8. To facilitate the entire appointments process, continue to make the State Bar Application Form available early in the year and provide for online submission of applications.