

## PROPOSED ADDITIONS TO REQUEST FOR INFORMATION

1. The legislature is interested in receiving “recommendations for enhancing the protection of the public and ensuring that protection of the public is the highest priority in the licensing, regulation, and discipline of attorneys.”

- What do you understand “protection of the public” to mean in the context of governance of the State Bar?
- Can you identify any specific actions or decisions by the board, as currently comprised and selected, that, because of how the board is comprised and selected, were not in the best interest of the public? If so, please explain.
- As to those actions or decisions, please describe how a board that was comprised and selected differently would have acted or decided the issue differently in a way that would have better served the best interest of the public.

2. Who should serve on the board that governs the State Bar?

- Should there be different criteria for selection of lawyer-members as opposed to non-lawyer members.
- Under the current system, there are no criteria for appointing non-lawyer members. Should there be? If so, what should the criteria be? For example, should there be a requirement that a lawyer-member have practiced for “x” number of years?
- Do you think it is important that the Bar be governed by lawyers, or at least by a board comprised of a majority of lawyers? If so, why? If not, why not?
- Under the current system, the members appointed by the Governor and Legislature have to be non-lawyers. Should this be changed to allow these appointees to be lawyers? If so, why? If not, why not?
- Should non-lawyer-governors have certain specified criteria or qualifications for serving on the board? If so, what criteria should there be? For example, is it important that lawyers who are sole practitioners or members of small firms (who make up the majority of practicing lawyers in the State) have some board representation? Should there be representation of government lawyers? Others?
- Should bar governors – however selected – represent geographically diverse areas of the state? If so, why? If not, why not?
- Would you favor a board comprised entirely of lawyers, but have certain members be selected by different selecting/electing bodies, for example, some by the members of the Bar, some by the Governor, some by the Supreme Court, some by the Legislature?

3. How should each of these individuals be selected? By whom and by what criteria?

- If you do favor the appointment of lawyer-members, what process would you propose, and who or what persons or bodies, if more than one, should make the appointments?
- Should there be some form of nominating process where prospective bar governors can submit their names for consideration (or have someone else do so for them) and have a selecting body appoint, or recommend for appointment, a selected number of prospective candidates?
- Do you favor the appointment, as opposed to the election, of lawyer-members of the board? If so, why? If not, why not?

4. What size should the board be? Why?

6. How long should the terms of the members (and the president) be? And should members (and the president) serve more than one term? If so, how many?

7. How should the president and other officers be selected?

8. What changes or other governance models may enable the board to better serve and enhance the interest of public protection?