

AGENDA ITEM NOVEMBER 10 - Board of Governors September 26, 2010 Minutes

THE STATE BAR OF CALIFORNIA MINUTES

BOARD OF GOVERNORS MEETING

MONTEREY, CALIFORNIA

SUNDAY, SEPTEMBER 26, 2010

The Board of Governors of The State Bar of California convened in open session in the Portola Room, Two Portola Plaza, Monterey, CA 93940, and 9:00 AM on Sunday, September 26, 2010, William N. Hebert presiding.

The following members of the Board of Governors were present: James H. Aguirre, Lowell Carruth, Joseph L. Chairez, Alec Y. Chang, Angela J. Davis, George O. Davis, Jeannine English, William H. Gailey, Clark E. Gehlbach, Karen M. Goodman, Cheryl L. Hicks, Patrick Kelly, Loren Kieve, Micha Liberty, Wells Lyman, Dennis Mangers, Gwen Moore, Gretchen M. Nelson, Luis J. Rodriguez, Jon Streeter, and Michael A. Tenenbaum.

The following members of staff were present: Starr Babcock, Laila Bartlett, Resty Buenavidez, Mary Flynn Lavery, Francisco Gomez, Robert A. Hawley, Judy Johnson, Gayle Murphy, Nancy McCarthy, Cathy Torney, James Towery, Russell Weiner, Colin Wong, and Larry Yee.

Also present: Jennifer Wada, the Bar's outside legislative consultant

The roll-call vote was taken, and upon motion made, seconded and unanimously adopted, it was

RESOLVED, that the roll-call vote will be substituted for the vote unless otherwise noted.

30 Mr. Hebert, President spoke about his goals and objects and meeting process for the 2010-11 Board-year.

30-1 The multi-year schedule of meetings of the Board was withdrawn.

The following items were noted and affirmed by the Board.

- 30-2 RESOLVED, that the Board affirms the Board Committee Assignments for the 2010–2011 Board Year.
- 30-3 RESOLVED, that the Board affirms the Board Liaison Assignments to State Bar Standing Committees, Section Executive Committees, Special Boards, Committees and Commissions for the 2010 – 2011 Board Year.
- 30-4 RESOLVED, that pursuant to AB 2764, Amendment 2, the Board hereby creates the Governance in the Public Interest Task Force; and it is

FURTHER RESOLVED, that the Board affirms the appointment of the following to the newly created Governance in the Public Interest Task Force:

- William N. Hebert, Chair
- Loren Kieve - 1st year member
- Luis J. Rodriguez - 1st year member
- Lowell T. Carruth - 2nd year member
- Wells B. Lyman - 2nd year member
- Angela Joy Davis - 3rd year member
- Jon Streeter - 3rd year member
- Lawyer Member selected by T/F*

- Jeannine English – public member
- Dennis Mangers – public member
- Gwen Moore – public member

- Ex officio Members of T/F:*
- Judy Johnson - Executive Director
 - James Towery - Chief Trial Counsel
 - Presiding Judge JoAnn Remke - State Bar Court
 - Gayle Murphy - Director of Admissions
 - Beth Jay - Principal Attorney to the Chief Justice of the Supreme Court

41/42 Ms. Johnson, Executive Director

50 All items on the consent agenda were presented to the Board, and no objection being raised thereto, the following items on the consent agenda were deemed unanimously adopted.

RESOLVED that authority heretofore granted to persons to sign transfer orders and checks upon the various State Bar accounts and to have access to the State Bar safe deposit box is hereby revoked; and it is

FURTHER RESOLVED that each bank in which the State Bar maintains an account or safe deposit box shall be furnished a copy of this resolution and be notified that the names of the members of the Board, the Executive Director, Deputy Executive Director, Chief Financial Officer, and Finance Managers, who are now so authorized to sign withdrawal orders, transfer orders and checks and authorize transfer of funds from one State Bar account to another State Bar account are as follows:

Bill Hebert	President and Board Member
Jon Streeter	Vice President and Board Member
Robert A. Hawley	Deputy Executive Director
Loren Kieve	Board Member
Judy Johnson	Executive Director/Secretary
George Davis	Vice President and Treasurer
Micha Liberty	Board Member
Peggy M. Van Horn	Chief Financial Officer
Ray Farrish	Finance Manager
Christine Wong	Finance Manager

Signatures required for various transactions are:

For checks drawn on a commercial account:

- (a) Any single check of \$75,000.00 or more requires the manual signatures of any two of the positions listed above.
- (b) Any single check less than \$75,000.00 may be processed through a check signing machine utilizing a signature plate engraved with the name of the Executive Director.

Authority is hereby granted to any two of the above persons to open cash accounts for the State Bar of California at securities brokerage firms and to place orders in such accounts to purchase and sell securities.

Transfer of funds from one State Bar account to another State Bar account, whether requested by telephone, internet, fax, orally or in writing requires the signature of any of the persons listed above.

In addition, for checks drawn on the Los Angeles commercial account:

(a) Any single check less than \$3,000.00 requires the signature of one of the following:

Steven Mazer Director of Operations
Gilda Munoz Manager, Human Resources Labor Relations, Los Angeles
John R. Rodriguez Operations and Management Director, Los Angeles

(b) Any single check of \$3,000.00 or over requires the signature of any two of the above listed persons.

50-2 RESOLVED, pursuant to Government Code, section 1062, that each member of the Board of Governors is granted permission to leave the State of California at any time during the incumbency of the present Board and is authorized to remain absent from the state for a period longer than 60 days.

50-3 RESOLVED that the Board hereby expresses its appreciation and thanks to the Office of Section Education and Meeting Services for its diligent and devoted work in connection with the 2010 State Bar Annual Meeting in Monterey and its contribution in making this convention a highly successful one.

RESOLVED that the Board hereby expresses its appreciation and thanks to CEB for cosponsoring the State Bar Luncheon on Thursday, September 23, the 5K Fun Run on Saturday, September 25, and its contribution in making the 2010 State Bar Annual Meeting a highly successful convention.

RESOLVED that the Board hereby expresses its appreciation and thanks to the State Bar's Business Law Section for cosponsoring the State Bar Breakfast on Friday, September 24 and its contribution in making the 2010 State Bar Annual Meeting a highly successful convention.

RESOLVED, that the Board hereby expresses its appreciation and thanks to the State Bar Sections, CalBar Connect, St. Francis Vineyards and Winery, West, a Thomson Reuters business, UPS, and LexisNexis for their gracious assistance in connection with the 2010 State Bar Annual Meeting and their contributions in making this convention a highly successful one.

50-4 RESOLVED that the Board hereby receives with thanks and orders filed the Canvassing Board Certificates dated July 9, 2010, for the 2010 State Bar Board of Governors election; and it is

FURTHER RESOLVED that the following are declared elected as members of the Board of Governors of The State Bar of California

Karen M. Goodman District 2
Alec Y. Chang District 3
Loren Kieve District 4
Gretchen M. Nelson District 7, Office #1
Luis J. Rodriguez District 7, Office #2; and it is

FURTHER RESOLVED that the President is authorized at the 2010 State Bar Annual Meeting to report the receipt and filing of the certified count and to officially declare the results of the election.

50-5

WHEREAS, Howard B. Miller, President, and Rex Heinke, Paul A. Kramer, Michael D. Marcus, Richard A. Rubin, and Patricia P. White, members of the Board of Governors, have served this Board and The State Bar of California with devotion and distinction; and

WHEREAS, it is appropriate that the minutes of this meeting officially record the warm gratitude and respect, both personal and professional, of their fellow Board members;

NOW, THEREFORE, BE IT RESOLVED that the Board of Governors hereby expresses to Howard B. Miller, President, and Rex Heinke, Paul A. Kramer, Michael D. Marcus, Richard A. Rubin, and Patricia P. White, members of the Board of Governors, its sincere appreciation for their admirable accomplishments and selfless efforts expended on behalf of the State Bar, and also expresses to them the high esteem and personal affection of their fellow members of the Board.

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Reports of Committees

The Chairs of the following Committees presented their 2010-11 Goals and Objectives:

- 111 Board Operations Committee - Report of Chair
- 121 Regulation Admissions and Discipline Committee
- 131 Member Oversight Committee
- 141 Planning, Program Development and Budget Committee
- 151 Volunteer Involvement Committee
- 161 Stakeholder Relations Committee
- 171 Task Force on Sections
- 181 Audit Committee
- 191 Governance in the Public Interest Task Force

EXTRA
EMERGENCY
ITEM – Rule
6.9

Upon motion made, seconded and adopted, it was

RESOLVED, that the Board of Governors hereby adopts on an interim basis retroactive to April 10, 2010 the proposed revisions to State Bar Rule 6.9 in the form attached; and it is

FURTHER RESOLVED, that the Board of Governors hereby authorizes staff to make available for public comment for a period of 45 days the revisions to State Bar Rule 6.9 in the form attached.

All members present and recorded on the roll-call slip voted yes except Micha Liberty who abstained.

The Board may meet again at the call of the President at any time prior to the next regularly scheduled meeting of the Board, or, if no such meeting be called, at the State Bar offices, 180 Howard Street, San Francisco, CA 94105, on Saturday, November 20, 2010, at a time to be determined.