

**Board Committee on Operations
Accomplishments
2010/2011 Board Year**

During this Board year, the Board Committee on Operations considered and acted upon issues as follows:

Governance Related Issues:

Received orientation materials and explanation of Committee processes.

Referred agenda items to Board Committees.

Considered and recommended to the Board, the adoption of the amendment to State Bar Rule 6.9 re California Young Lawyer Association Board Representative that requires that a candidate for office must be a constituent at the time of his or her election.

Welcomed the new Executive Director, Joe Dunn, to the management of the State Bar and as a voting member of the Board Committee on Operations.

Considered and recommended to the Board, the adoption of the revisions to the Conflict of Interest Code for Designated Employees 2011 re year 2010.

Considered and recommended to the Board, the adoption of new State Bar Rule 6.62 regarding location of State Bar Board-Appointed Committee Meetings, that requires meetings to be held in California and to only be held outside of California under special circumstances and when approved by the Executive Director.

Discussed the policy on State Bar President and Officers Making Public Communications or Statements in their Official Capacity.

Received advice on the Open Meeting Rules and Board Member Contacts and the reasons for the prohibitions.

Claims and Litigation Related Issues:

Considered and recommended to the Board, the delegation of authority to review and deny claims against the State Bar that are clearly without legal merit, to a claims officer appointed by the Executive Director, but that claims of significant political or operational importance to the State Bar be submitted to the Board of Governors for disposition.

Discussed preferred report formats and thereafter received a report on current litigation from the Office of General Counsel.

Personnel and Labor Related Issues:

Received reports on Union negotiations.

Considered and recommended to the Board, the ratification of proposed Memorandum of Understanding amendments regarding Investigator overtime.

Received a report on the Executive Director Performance Evaluation Criteria.

Received a status report on the Executive Directors Goals and Objectives.

Operational Issues

Considered and recommended that the Board direct staff to terminate the existing governmental affairs contract RFP process, to revisit the process and to issue a new RFP.

On behalf of another Board Committee, considered and recommended to the Board, the approval of the quarterly financial reports.

On behalf of another Board Committee, considered and recommended to the Board, the adoption of the 2011 proposed budget and adjustments in Legal Specialization fees.

On behalf of another Board Committee, considered and recommended to the Board, the approval of the contract for the Bar's network carrier migration.

Received a status report on the 120 Howard Street building addition.

Programmatic Issues:

Considered and recommended to the Board, the adoption of an amendment to State Bar Rule 7.8, regarding Judicial Nominees Evaluation Commission records clarifying that the Rules of Procedure apply to electronic records as well as paper.

Considered and recommended to the Board, the adoption of amendments to State Bar Rules and Government Code sections regarding the Judicial Nominees Evaluation Commission, that would call for immediate investigation of breaches of confidentiality, change the rating of “not qualified” to “not qualified at this time”, increase the size and membership of the Review Committee, create an additional standard for review which would allow the Review Committee to rescind a not qualified rating if there are insufficient facts to support the rating, provide that a candidate has thirty days from receipt of notice of their rating to request reconsideration and that the review process be completed within 90 days, and make clear that the State Bar will not make a not qualified rating public while the Review Committee process is still pending.

Considered and recommended to the Board, the adoption of amendments to the Pursuit Policy for Court-Ordered Discipline Costs and CSF Obligations that reflect changes recommended by the State Auditor that provide for collection through collection agencies and designation of debt.

On behalf of another Board Committee, and upon recommendation of the Committee of Bar Examiners, recommended to the Board, the adoption of the amended Committee of Bar Examiners Refund Policy to include situations beyond those stated in the statute, such as when applicants serving in the military receive changes in their orders that no longer permit them to take examinations for which they applied, and to expand the serious illness or injury language to include applicants who acquire conditions which occurred after submitting their applications but before taking an examination.

On behalf of another Board Committee, considered and denied recommending to the Board, the allocation of \$77,500 to reimburse local bar associations with approved fee arbitration programs the sum of \$50 for each matter in which a mediator or arbitrator is assigned.

On behalf of another Board Committee, considered and recommended to the Board, the authorization for staff to proceed with the addendum to the Rules Revision Commission Consultant agreement.

On behalf of the Board Committee on Volunteer Involvement, which had been unable to establish a quorum, and due to the need to make appointments before the next meeting, the recommendation that the Board suspend consideration by that Committee and approved several appointments to go forward to the full Board.

Actions on Behalf of the Board Between Meetings:

Acting on behalf of the Board between meetings, considered and acted upon claims.

Acting on behalf of the Board between meetings, considered and authorized the State Bar Staff to proceed to resolve the Investigator overtime issue.

Acting on behalf of the Board between meetings, considered and authorized the General Counsel to file affirmative claims for relief and cross/counter-claims for interpleader, if necessary, in a pending law suit.

Acting on behalf of the Board between meetings, considered and voted not to authorize the President to sign a letter joining with the American Bar Association and other state bar associations to support funding of the Legal Services Corporation (which was later overturned by a vote of the full Board).

Acting on behalf of the Board between meetings, considered and authorized the Executive Director and the Legislative Representative to approve or support particular amendments to SB 163.

At this meeting, the Committee will:

Make referrals to other Committees.

Review and approve the Executive Director Performance Evaluation Procedure.

Consider whether to encumber funds for 180 Howard Street facility improvements.

Receive an update on Union negotiations.

Receive information on Judicial Nominees Commission resource materials.

Receive the report of action taken by the Committee on behalf of the full Board between meetings regarding SB 163.

Receive a report on a litigation matter.

Receive this report.