

Revised Agenda
STATE BAR OF TEXAS
BOARD OF DIRECTORS
Hyatt Regency Austin – Texas 4-7
208 Barton Springs Road
Austin, TX 78704
Friday, January 28, 2011 – 9:00am

Individuals with disabilities are entitled to have access to and participate in this meeting. An individual requiring an accommodation for access to the meeting must notify the State Bar by informing Candiss Held at 1/800-204-2222 or 512/427-1463 (x1416) or RELAY Texas (1-800-735-2989), in writing 24 hours prior to the scheduled meeting of the necessity of an accommodation. Upon receipt of this request, the State Bar will furnish appropriate auxiliary aids and services when necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of the Board meeting as nonhandicapped individuals enjoy.

1. **Call to Order** Pablo Almaguer
2. **Roll Call** Michelle Hunter
3. **Invocation**
4. **Pledge to the U.S. and Texas Flags**

5. **Remarks from the General Public***
(Sign in sheet available for public comment)

6. **Report from the Chair of the Board** Pablo Almaguer
 - A. **Discussion:** General Report

 - B. **Action:** Consider and discuss approval of (Consent Tab)
Consent Agenda items

7. **Report from the President** Terry Tottenham
 - A. **Discussion:**
 - 1) General Report
 - 2) Update on 2011 Referendum
 - 3) Update on Texas Lawyers for Texas Veterans' Clinics
 - 4) Award Presentation

 - B. **Discussion: Closed Session** as authorized by Texas Government Code Section 551.071 for the purpose of consultation with legal counsel concerning pending or contemplated litigation in relation to proposed changes to the Texas Disciplinary Rules of Professional Conduct and Referendum

 - C. **End of Closed Session/Return to Open Session:**
Action: Consider, discuss and approve recommendations

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of legal counsel concerning pending or contemplated litigation in relation to changes to proposed changes to the Texas Disciplinary Rules of Professional Conduct and Referendum

8. **Discussion:** Texas Lawyers' Assistance Program Mike C. Crowley/Ann Foster
9. **Texas Young Lawyers Association** Jennifer Evans Morris
Discussion: General Update
10. **Report from the President-elect** Bob Black
A. Discussion:
1) General Report
2) Update on Committee Review Task Force (Tab 1)
B. Budget Committee (Tab 2)
Action: Consider and discuss approval of SBOT 2011-12 proposed budget for publication in Texas Bar Journal
11. **Chair of the Board Election** (Tab 3)
A. Discussion: Announcement of candidates for Chair of the Board, 2011-12
1) Comments from the Chair of the Board Candidates (*four minutes per candidate*)
D. Action: Consider and discuss approval of method of voting to be used in the Chair of the Board elections during the April Board meeting (*show of hands or by written ballot*)
12. **Administration Committee** Cezy Collins
A. Discussion: General Report
13. **Audit & Finance Committee** Warren Cole (Tab 4)
A. Discussion:
1) Financial Reports & General Review of Financial Statements
B. Action: Consider and discuss acceptance of –

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- 1) Quarterly Investment Report for the Quarter ending November 30, 2010
 - 2) Financial Audit for FY ending May 31, 2010
 - 3) Internal Audit for FY ending May 31, 2010
14. **Discipline & Client Attorney Assistance Committee**
- A. Client Security Fund Subcommittee** John Jansonius
Discussion: General Report
- B. DCAAP Subcommittee** Pat Wolter
Discussion: General Report
15. **Nominations & Elections Subcommittee** Roland Johnson/David Fisher
- A. Discussion:** General Report
- B. Action:** Consider approval of candidates for 2011-2012 SBOT President-elect: **(Tab 5)**
- (Guy Choate – San Angelo)**
(Buck Files – Tyler)
- C. Comments from President-elect candidates**
(five minutes per candidate)
16. **Policy Manual Subcommittee** Arnold Aguilar
A. Action: Consider, discuss and approve proposed amendments to the following Policy Manual provisions and sections: **(Tab 6)**
- 1) Conflicts with Act and Rules
 - 2) Section 1.14 Board Committees
 - 3) Section 1.17 Associated Boards and Related Entities
 - 4) Section 4.04 Additional Committee Policies & Procedures
17. **Ad Hoc Committee to Select Minority Directors** Yvette Ostolaza
Discussion: General Report
18. **Member Services & Education Committee**
- A. Appeals Grant Review Subcommittee** Bert Jennings **(Tab 7)**
- 1) **Discussion:** Report on Grant Received
Child Welfare Legal Training Conference

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(Sponsor: Child Abuse and Neglect Committee)

- 2) **Action:** Consider and discuss approval of the Subcommittee's recommendations on the following appeals:

MCLE:

- a) Rodolfo Rivera Munoz – Regarding administrative suspension of law license for failure to comply with MCLE requirements
- b) Ismaili Legal Professionals- Regarding denial of application for accreditation of CLE Conference
- c) Christian Legal Society – Regarding denial of application for accreditation of 2009 National Conference

B. Professional Development Subcommittee

Talmage Boston

Discussion: General Report

C. Insurance/Member Benefits Subcommittee

Talmage Boston

Discussion: General Report

D. Technology Oversight Subcommittee

Steve Benesh

Discussion: General Report

19. **Public Services & Education Committee**

A. Affordable Legal Services Subcommittee

Travis Sales

(Tab 8)

Action: Consider and discuss approval of –

- 1) Legal Services to the Poor in Civil Matters
Committee Resolution in Support of Prime Partners Program
- 2) Legal Services to the Poor in Criminal Matters
Committee Proposed *Guidelines for Counsel in Non-Capital Cases*

B. Legislative Policy Subcommittee

Stewart Gagnon

Action: Consider and discuss approval of additions or

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changes to the SBOT Legislative Program and recommendations of the Subcommittee, if any

20. **Discussion:** Access to Justice Commission Harry Reasoner
21. **Commission for Lawyer Discipline/ Chief Disciplinary Counsel Update** Betty Blackwell/ (Tab 9)
Discussion: General Update Linda Acevedo
22. **Section Representatives to the Board Committee** Dan Micciche
Discussion: Sections Update
23. **Discussion:** Liaison Reports
A. Supreme Court Liaison Justice Phil Johnson
B. Court of Criminal Appeals Liaison Judge Lawrence E. Meyers
C. Federal Judicial Liaison Judge Jorge Solis
D. Judicial Section Liaison Judge Steve Smith
E. Out-of-State Lawyer Liaison Scotty Holloman
24. **Discussion:** Report from the Executive Director Michelle Hunter
25. **Discussion:** Report from the Legal Counsel Don Jones

If during the course of the meeting covered by this Notice, the State Bar Board of Directors should determine that a closed or executive session of the State Bar Board of Directors should be held or is required in relation to an item noticed in this meeting notice, then such closed or executive meeting or session as authorized by the Open Meetings Act will be held by the State Bar Board of Directors at that date, hour, and place given in this notice or soon after the commencement of the meeting covered by this Notice as the State Bar Board of Directors may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Sections 551.071-551.084 of the Texas Government Code, the Open Meetings Act, including, but not limited to

Section 551.071 – For the purpose of a private consultation with the Board’s attorney on any or all subjects or matters authorized by law: pending or contemplated litigation; a settlement offer, or privileged communication.

Section 551.072 – For the purpose of deliberating the purchase, exchange, lease, or value of real property.

Section 551.074 – For the purpose of deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

The Board reserves the right to change the order of items on the agenda. Agenda items may be taken out of sequence to accommodate persons appearing before the Board and/or to aid in the effectiveness of the meeting.

Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

- a. the open meeting covered by this notice upon the reconvening of this public meeting, or
- b. at a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

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26. ADJOURN

[* Comments from the public may be taken through the Board meeting.]

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