(as of 4/21/11 1:40 PM)

Agenda

STATE BAR OF TEXAS
BOARD OF DIRECTORS

Overton Hotel & Conference Center
2322 Mac Davis Lane - Sunset C
Lubbock, TX 79401
Friday, April 29, 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, discuss and approve Consent Agenda items — **(Consent Tab)**

   C. Chair of the Board Elections
   1) **Action:** Election of Chair of the Board for 2011-12 *(by written ballot)* — **(Tab 1)**

      Candidates:
      Beverly Godbey
      Bert Jennings
      Travis Sales

   2) Comments by Chair-Elect

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

SBOT MISSION
The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.

4) Update on 2011 Legislative Session
5) Update on You Tube Contest Entries

B. **Action:** Consider, discuss and approve –
1) Ratification of actions of the Ad-Hoc Emergency Legislative Response Committee taken pursuant to Policy Manual Section 8.01.07(C): **(Tab 2)**

(a) approving a supplement to the Real Estate, Probate & Tax Law Section's legislative package, and a resolution supporting increased funding for legal aid in Texas

(b) authorizing the Litigation Section to assert its own position Under Policy Manual Section 8.01.07(C) concerning HB 274 as Substituted, HB 2031, and HB 2661

(c) authorizing the State Bar to take a position in opposition to HB2307/SB1476 relating to the minimum continuing legal education requirements for an attorney employed in the executive branch of state government, HB1072 relating to the State Bar of Texas membership dues for an attorney employed by the office of the attorney general, and HB2919 relating to State Bar rules adopted or amended by the Supreme Court

2) Appointment of Minority Member to the Board of Directors, for three-year term, effective Annual Meeting 2011 and expiring Annual Meeting 2014 **(Tab 3)**

Judge Jo Ann S. Reyes (Fort Worth)

8. **Report from the President-elect** Bob Black

A. **Discussion**: General Report

B. **Budget Committee** **(Tab 4)**
Action: Consider, discuss and approve the SBOT 2011-12 proposed budget for presentation to the Supreme Court

C. Committee Review Task Force **(Tab 5)**
Action: Consider, discuss and approve the task force

recommendations

9. **Report from the Immediate Past President** — Roland Johnson
   Discussion: General Report

10. **Administration Committee** — Cezy Collins
    A. Discussion: General Report

    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 regarding employment matters, including *Miller v. The State Bar of Texas*

    C. ***End of Closed Session/Return to Open Session***:
    Action: Consider, discuss and approve recommendations of legal counsel concerning pending or contemplated litigation regarding employment matters, including *Miller v. The State Bar of Texas*

    D. Performance Measures & Strategic Planning Subcommittee — Susan Fisher
    Action: Consider, discuss and approve adoption of updated SBOT Strategic Plan — **(Tab 6)**

11. **Audit & Finance Committee** — Warren Cole
    A. Discussion: Financial Reports & General Review of Financial Statements — **(Tab 7)**

    B. Action: Consider, discuss and approve –
    1) Acceptance of Quarterly Investment Report for the period ending February 28, 2011
    2) Internal Control Audit Plan
    3) One-year Extension of PFM Group's Contract for Investment Management Services

12. **Discipline & Client Attorney Assistance Committee**
    A. Client Security Fund Subcommittee — John Jansonius
    Discussion: General Report

B. DCAAP Subcommittee — Pat Wolter
Discussion: General Report

13. **Executive Committee**

A. Nominations & Elections Subcommittee — Roland Johnson/David Fisher
Discussion: Update on President-elect Candidates and District Director Elections **(Tab 8)**

B. Policy Manual Subcommittee — Arnold Aguilar
Action: Consider, discuss and approve proposed revisions to Board Policy Manual Section 1.12 concerning meetings of the Board, Section 1.15 concerning meetings of the Executive Committee, and Sections 4.01 and 4.03 concerning members of Standing and Special Committees **(Tab 9)**

14. **Member Services & Education Committee** — Talmage Boston
Appeals-Grant Review, New Directors Orientation, Professional Development, Insurance/Member Benefits, and Technology Oversight subcommittees

A. Professional Development Subcommittee — Talmage Boston
Discussion: General Report

B. Insurance/Member Benefits Subcommittee — Pamela Gilbert
Discussion: General Report

C. Technology Oversight Subcommittee — Steve Benesh
Discussion: General Report

15. **Public Services & Education Committee**

A. Discussion: Affordable Legal Services Subcommittee — Travis Sales
1) General Report
2) Update from Legal Services to the Poor in Civil Matters Committee — Professor Larry Spain

B. Legislative Policy Subcommittee — Stewart Gagnon
Action: Consider, discuss and approve additions or changes to the SBOT Legislative Program and recommendations of the Subcommittee, if any

16.	**Commission for Lawyer Discipline/ Chief Disciplinary Counsel Update** **Discussion:** General Update	Betty Blackwell/ Linda Acevedo	**(Tab 10)**
17.	**Section Representatives to the Board Committee** **Discussion:** General Update	Dan Micciche	
18.	**Discussion:** Update from Women in the Profession Committee	Judy Ney	
19.	**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	
20.	**Texas Young Lawyers Association** **Discussion:** General Update	Jennifer Evans Morris	
21.	**Discussion:** Report from the Executive Director	Michelle Hunter	
22 .	**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.

SBOT MISSION

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.

23. **ADJOURN**

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

SBOT MISSION
The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.