

**Agenda**  
**STATE BAR OF TEXAS**  
**BOARD OF DIRECTORS**  
Baylor Law School – Room 127  
1114 South University Parks Drive  
Waco, TX 76798  
Friday, January 16, 2015 – 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 nondisabled individuals enjoy.

- |   |                      |               |
|---|----------------------|---------------|
| 1. <b>Call to Order</b>   | Roger Key            |               |
| 2. <b>Roll Call</b>   | Michelle Hunter      |               |
| 3. <b>Invocation</b>  | David Alders         |               |
| 4. <b>Pledge to the U.S. and Texas Flags</b>  | Sara Dysart          |               |
| 5. <b>Remarks from the General Public*</b><br><i>(Sign in sheet available for public comment)</i>   |                      |               |
| 6. <b>Consent Agenda</b><br><b>Action:</b> Consider, discuss and approve Consent Agenda Items   | Roger Key            | (Consent Tab) |
| 7. <b>Swearing-in of New Board Member</b>   | Justice Phil Johnson |               |
| 8. <b>Report from the Chair of the Board</b><br><b>A. Discussion:</b><br>1) General Report<br>2) Report on Board Member Outreach Efforts  | Roger Key            |               |
| <b>B. Chair of the Board Election</b><br>1) <b>Discussion:</b> Announcement of candidates for 2015-16 Chair of the Board<br>a. Comments from the Chair of the Board Candidates ( <i>four minutes per candidate</i> )<br><br>b. <b>Action:</b> Consider and discuss approval of method of voting to be used in the Chair of the Board Elections during |                      | (Tab 1)       |

**SBOT MISSION**

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the April Board Meeting (*show of hands or by written ballot*)

7. **Report from the President**

Trey Apffel

**A. Discussion:**

- 1) General Report
- 2) Update on Presidential Initiatives
- 3) Update on Hatton Sumners Institute

Jan Miller

**B. Action:** Consider, discuss, and approve ratification of the Ad Hoc Submission Committee's approval of the Intellectual Property Law Section's request to file an amicus brief in *B&B Hardware, Inc. v. Hargis Indus., Inc. d/b/a Sealrite Building Fasteners, d/b/a East Texas Fasteners* pursuant to Policy Manual Section 8.02.04(C)

(Tab 2)

**C. Action:** Consider, discuss, and approve ratification of the Ad Hoc Submission Committee's approval of the Bankruptcy Law Section request to file an amicus brief in *Baker Botts, L.L.P. v. ASARCO, LLC* pursuant to Policy Manual Section 8.02.04(C)

(Tab 3)

8. **Report from the President-Elect**

Allan DuBois

**A. Discussion:** General Report

- 1) General Report
- 2) Update on Committee Review Task Force

**B. Budget Committee**

**Action:** Consider and discuss approval of SBOT 2015-16 proposed budget for publication in the Texas Bar Journal

(Tab 4)

9. **Report from the Immediate Past President**

Lisa M. Tatum

**Discussion:** General Report

10. **Executive Committee**

**A. Nominations and Elections Subcommittee**

Cindy Tisdale/Lisa M. Tatum

(Tab 5)

1) **Discussion:** General Report

2) **Action:** Consider, discuss and approve the candidates for 2015-2016 SBOT President-elect:

**Randy Howry (Austin)**

**Frank Stevenson (Dallas)**

3) Comments from President-elect Candidates

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*(five minutes per candidate)*

- B. Policy Manual Subcommittee**  
**Discussion:** General Report
- Diane DeVasto
11. **Commission for Lawyer Discipline/Chief Disciplinary Counsel Update**  
**Discussion:** General Report
- Guy Harrison/Linda Acevedo (Tab 6)
12. **Texas Young Lawyers Association**  
**Discussion:** General Report
- Rebekah Steely Brooker
13. **Administration Committee**  
**A. Discussion:** General Report
- Laura Gibson
- B. Action:** Consider, discuss and approve Advertising Review Committee proposal to increase application fees for lawyer advertising (Tab 7)
- C. Facilities & Equipment Subcommittee**  
**Action:** Consider and discuss approval of an office space lease for Houston CDC
- Dr. David Teuscher
- D. Performance Measures and Strategic Planning Subcommittee**  
**Action:** Consider, discuss and approve updates to the State Bar of Texas Strategic Plan
- David Alders (Tab 8)
14. **Audit and Finance Committee**  
**A. Discussion:** Financial Reports and General Review of Financial Statements
- Tom Riney (Tab 9)
- B. Action:** Consider, discuss and accept -  
1) Financial Audit for FY ending May 31, 2014  
2) Internal Audit for FY ending May 31, 2014  
3) Quarterly Investment Reports for the Quarters ending August 31, 2014 and November 30, 2014
15. **Discipline and Client Attorney Assistance Committee**  
**A. Client Security Fund Subcommittee**  
**Discussion:** General Report
- Denise Scofield
- B. DCAAP Subcommittee**  
**Discussion:** General Report
- Larry McDougal

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**16. Member Services and Education Committee**

**A. Appeals-Grant Review Subcommittee**

Scott Rothenberg

(Tab 10)

1) **Discussion:** Report on Grant authorization requests received:

a. Law Focused Education, Inc. - *Seven Principles of the United States Constitution*

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

a. Hank Prejean - Regarding denial of application for certification in Civil Appellate Law by Texas Board of Legal Specialization

b. Kathy Roux - Regarding denial of application for certification in Estate Planning and Probate Law by the Texas Board of Legal Specialization

**B. New Directors Orientation Subcommittee**

Hap Weitzel

**Discussion:** General Report

**C. Professional Development Subcommittee**

Gary Nickelson

**Discussion:** General Report

**D. Insurance/Member Benefits Subcommittee**

David Chamberlain

**Discussion:** General Report

**E. Technology Oversight Subcommittee**

Louis Iselin

**Discussion:** General Report

**17. Public Services and Education Committee**

**A. Affordable Legal Services Subcommittee**

Susan Nelson

**Discussion:** General Report

**B. Legislative Policy Subcommittee**

Jaime Balli

**Action:** Consider, discuss and approve -

1) Additions or changes to the SBOT Legislative Program and recommendations of the Subcommittee, if any

**18. Ad Hoc Committee to Select Minority Directors**

Andrew Wallace

**Discussion:** General Report

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19. **Section Representatives to the Board Committee** Scott Rothenberg (Tab 11)  
**A. Discussion:** Sections Update  
  
**B. Action:** Consider, discuss and approve the Appellate Law Section’s request to assert a position regarding changes to the Federal Rules of Appellate Procedure
20. **Discussion: Access to Justice Commission** Trish McAllister
21. **Discussion: Liaison Reports**  
A. Supreme Court Liaison Justice Phil Johnson  
B. Court of Criminal Appeals Liaison Judge Michael Keasler  
C. Federal Judicial Liaison Judge Ed Kinkeade  
D. Judicial Section Liaison Judge David Evans  
E. Out-of-State Lawyer Liaison Harry Paul (Hap) Weitzel
22. **Discussion: Report from the Executive Director** Michelle Hunter
23. **Discussion: Report from the Legal Counsel** John Sirman  
  
**A. Discussion: Closed Session** as authorized by Texas Government Code Section 551.071 for the purpose of consulting with legal counsel concerning pending litigation, *John V. McShane v. Mary L. Greiner* (DC-13-07712, 298<sup>th</sup> District Court of Dallas)  
  
**B. End of Closed Session/Return to Open Session**
24. **ADJOURN**

If during the course of the meeting covered by this notice the board should determine that a closed or executive session of the board 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 board at the date, hour, and place given in this notice or as soon after the commencement of the meeting covered by this notice as the board 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 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.

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.

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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.

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

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