

Agenda
STATE BAR OF TEXAS
BOARD OF DIRECTORS
Texas Law Center- Room 101
1414 Colorado St.
Austin, TX 78701
Friday, January 18, 2019 – 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 Chielsey Barber 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.

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| 1. Call to Order | Laura Gibson | |
| 2. Roll Call | Trey Apffel | |
| 3. Invocation | Angelica Hernandez | |
| 4. Pledge to the U.S. and Texas Flags | Lisa Richardson | |
| 5. Remarks from the General Public*
<i>(Sign in sheet available for public comment)</i> | | |
| 6. Presentation of Resolutions | Joe K. Longley | |
| 7. Report from the Executive Director | Trey Apffel | (Tab 1) |
| A. Discussion: | | |
| 1) General Report | | |
| 2) Update on <i>Fleck v. Wetch, 2018 WL 6272044</i> | | |
| B. Action: Consider, discuss, and approve delegation of authority to the Ad Hoc Submission Committee and Litigation Subcommittee to make decisions related to the <i>Fleck</i> matter if needed before the next Board meeting | Tom Vick | |
| 8. Report from the Chair of the Board | Laura Gibson | (Tab 2) |
| A. Discussion: General Report | | |
| B. Action: Consider, discuss, and approve Consent Agenda items | | (Consent Tab) |
| C. Chair of the Board Election | | |

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.

Discussion: Announcement of candidates for 2019-20
Chair of the Board

- 1) Comments from the Chair of the Board Candidates
(five minutes per candidate)
Jerry Alexander (Dallas)
Alison Colvin (Brownsville)
Leslie Dippel (Austin)
Neil Kelly (Houston)

D. Action: Consider, discuss, and approve method of voting to be used for the chair of the board elections during the April board meeting *(show of hands or by written ballot)*

9. **Report from the President** Joe K. Longley (Tab 3)
 - A. **Discussion:** General Report
 - B. **Appointment of Marc Gravely (San Antonio) to fill an unexpired term as State Bar Director, District 10, Place 1**
 - C. **Swearing in of Marc Gravely** Justice Debra Lehrmann
 - D. **Committee Review Subcommittee**
Action: Consider, discuss, and approve subcommittee recommendations regarding standing committees
 - E. **Action:** Consider, discuss, and approve proposal regarding TYLA membership structure or voting eligibility, and/or voting in TYLA statewide elections
10. **Report from the President-Elect** Randy Sorrels (Tab 4)
 - A. **Discussion: General Report**
 - B. **Budget Committee**
Action: Consider, discuss, and approve SBOT 2019-20 proposed budget for publication in the Texas Bar Journal
 - C. **Courthouse Access Badge Task Force Update**

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D. Proposed formation of a State Bar of Texas Board of Directors social media engagement team

11. **Report from the Immediate Past President** Tom Vick
Discussion:
1) General Report
2) Introduction to new State Bar Board Portal
12. **Executive Committee**
A. Nominations and Elections Subcommittee Tom Vick/Rehan Alimohammad (Tab 5)
Discussion: General Report
B. Policy Manual Subcommittee Estrella Escobar
Discussion: Report on subcommittee’s consideration of President Longley’s proposal regarding voting in TYLA and State Bar statewide elections
13. **Audit and Finance Committee** Jarrod Foerster (Tab 6)
A. Discussion:
1) Financial Reports and General Review of Financial Statements
2) Update on Internal Audit for Fiscal Year ending May 31, 2018
B. Action: Consider, discuss, and accept:
1) Financial Audit for Fiscal Year ending May 31, 2018
2) Quarterly Investment Report for the Quarter ending November 30, 2018
3) Weaver Transparency Audit report Dan Graves/Jarrod Foerster
14. **Commission for Lawyer Discipline/Chief Disciplinary Counsel Update** Noelle Reed/Linda Acevedo (Tab 7)
A. Discussion: General Report
B. Action: Pursuant to Tex. Govt. Code section 81.076(g), provide advice and consent on the Commission for Lawyer Discipline's selection of Chief Disciplinary Counsel, or delegate such authority to the Executive Committee under Tex. Govt. Code section 81.122
15. **Administration Committee** Christy Amuny
Discussion: General Report

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- A. Performance Measures & Strategic Planning Subcommittee** Fidel Rodriguez
Discussion: General Report

- B. Facilities Subcommittee** Jerry Alexander
 - 1) **Discussion:** General Report
 - 2) **Action:** Consider, discuss, and approve Dallas CDC Regional office space lease, or delegate to the Administration Committee the authority to approve the lease if further negotiations are needed

- 16. **Member Services and Education Committee**
 - A. Appeals-Grant Review Subcommittee** Chris Oddo **(Tab 8)**
 - 1) **Discussion: Report on Grant Authorization Requests Received:**
 - a) “Bar exam Preparation Scholarship Initiative” by the Diversity in the Profession Committee
 - b) “Texas Civics: A Student’s Guide” by Law Focused Education Inc.
 - c) “Your Voice, Now” by the Texas Young Lawyers Association
 - 2) **Action:** Consider, discuss, and approve the Subcommittee’s recommendation regarding the appeal by Rahul Malhoptra of the Texas Board of Legal Specialization’s decision revoking his certification in Personal Injury Trial Law

 - B. Professional Development Subcommittee** Sarah Keathley
Discussion: General Report

 - C. Insurance/Member Benefits Subcommittee** Greg Sampson
Discussion: General Report

 - D. Technology Oversight Subcommittee** Brad Weber
Discussion: General Report

- 17. **Committee on Laws Relating to Immigration & Nationality** Charlie Ginn/ Linda Alice Brandmiller **(Tab 9)**
Action: Consider and discuss approval of Committee request for permission to travel for educational/outreach meeting with officials at the U.S. Consulate in Juarez, Mexico

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| 18. | Committee on Disciplinary Rules and Referenda
Discussion: Update on Committee activities and rule proposals | M. Lewis Kinard | (Tab 10) |
| 19. | Discipline & Client Attorney Assistance
A. DCAAP Subcommittee
Discussion: General Report | Wendy Burgower | |
| | B. Client Security Fund Subcommittee
Discussion: General Report | Lisa Richardson | |
| 20. | Public Services and Education Committee
A. Affordable Legal Services Subcommittee
Discussion: General Report | Nicole Voyles | |
| | B. Legislative Policy
1) Discussion: General Report
2) Action: Consider, discuss, and approve additions or changes to the SBOT Legislative program and recommendations of the Subcommittee, if any | Jeff Chandler | |
| 21. | Ad-Hoc Committee to Select At-large Directors
Discussion: General Report | Angelica Hernandez | |
| 22. | Section Representatives to the Board Committee
Discussion: General Report | Erich Birch | |
| 23. | Texas Young Lawyers Association
Discussion: General Report | Sally Pretorius | |
| 24. | Discussion: Access to Justice Commission | Trish McAllister | |
| 25. | Discussion: Liaison Reports
A. Supreme Court Liaison
B. Court of Criminal Appeals Liaison
C. Federal Judicial Liaison
D. Judicial Section Liaison
E. Out-of-State Lawyer Liaison | Justice Debra Lehrmann
Judge Barbara Hervey
Judge Karen Gren Scholer
Judge Randy Clapp
Judge Linda Thomas | |
| 26. | Discussion: Report from the General Counsel | Ross Fischer | |
| 27. | Discussion: Report from the Legal Counsel | John Sirman | |

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A. Closed Session as authorized by Texas Government Code Section 551.071 for the purpose of consulting with legal counsel on legal matters, including regarding travel request by Laws Relating to Immigration and Nationality Committee and regarding pending or contemplated litigation (*Jovita Pardo v. the State Bar of Texas et al.*; *Patricia Baskette v. State Bar of Texas Insurance Trust and the Prudential Insurance Company of America*; *Fleck v. Wetch*, 2018 WL 6272044; and threatened litigation regarding voting in TYLA and State Bar statewide elections); and Section 551.074 to deliberate regarding personnel matter(s)

B. End of Closed Session/Return to Open Session

C. Action, if needed, on items discussed in closed session.

28. **ADJOURN**

If, during the course of the meeting covered by this notice, the Board should determine that a closed session of the Board should be held or is required in relation to any item included in this notice, then such closed session as authorized by Texas Open Meetings Act (Tex. Govt. Code Ch. 551) will be held by the Board at that 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 session concerning any and all subjects and for any and all purposes permitted by Sections 551.071 – 551.084, inclusive, of the Texas Open Meetings Act.

Items on the agenda will not necessarily be discussed or considered in the order they are printed on the agenda above. Comments from the public may be taken throughout the Board meeting.

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