

***Agenda***  
**STATE BAR OF TEXAS**  
**BOARD OF DIRECTORS**  
**JW Marriott- Lone Star Ballroom D**  
**110 E. 2<sup>nd</sup> Street**  
**Austin, TX 78701**  
**Wednesday, June 12, 2019 – 1:00pm**

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 Chelsey 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.

***Outgoing/Incoming Boards, 2018-19 and 2019-20***

- |  |                 |               |
|--|-----------------|---------------|
| 1. <b>Call to Order</b>  | Laura Gibson    |               |
| 2. <b>Roll Call</b>  | Trey Apffel     |               |
| 3. <b>Invocation</b>   | Jeff Chandler   |               |
| 4. <b>Pledge to the U.S. and Texas Flags</b>   | Chris Oddo      |               |
| 5. <b>Remarks from the General Public*</b><br><i>(Sign in sheet available for public comment)</i>  |                 |               |
| 6. <b>Presentation of Presidential Citations</b>   | Joe K. Longley  |               |
| 7. <b>Report from the Executive Director</b><br><b>Discussion:</b> General Report  | Trey Apffel     |               |
| 8. <b>Report from Outside Counsel</b><br><b>Discussion:</b> Background and update on Attorney General Opinion Request (RQ-0265-KP), <i>Fleck v. Wetch</i> , 585 U.S. __ (2018), <i>McDonald et al. v. Longley et al.</i> , 1:19-cv-00219, W.D. Tex. (2019), and other mandatory bar challenges | Tom Leatherbury | (Tab 1)       |
| 9. <b>Report from the Chair of the Board</b><br><b>A. Action:</b> Consider, discuss, and approve Consent Agenda Items  | Laura Gibson    | (Consent Tab) |

**B. Discussion:**

**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.

- 1) General Report and Overview of the Bar Year
- 2) Presentation of Outstanding Third Year Director
- 3) Presentation of Public Member Award

10. **Report from the President** Joe K. Longley (Tab 2)
- A. Discussion:** General Report
- B. Discussion: Closed Session** as authorized by Texas Government Code Section 551.074 for the purpose of discussing the evaluation, duties, and compensation of the executive director
- C. End of Closed Session/Return to Open Session**  
**Action:** Consider, discuss, and approve recommendations regarding compensation and duties of the executive director
11. **Report from the President-Elect** Randy Sorrels (Tab 3)
- A. Discussion:**
- 1) General Report
  - 2) SBOT 2019-20 Budget
  - 3) Courthouse Access Badge Task Force Update
- B. Action:** Consider, discuss, and approve appointments to the State Texas Board of Directors' Social Media Engagement Team
- C. Action:** Consider, discuss, and approve continued authority for the Ad Hoc Submission Committee and Litigation Subcommittee to make decisions regarding *McDonald et al. v. Longley et al.* and related matters, as needed
- D. Action:** Consider, discuss, and approve the creation of a work group on attorney succession planning issues and resources, to make recommendations to the State Bar Board for implementation
12. **Report from the Immediate Past President** Tom Vick
- A. Discussion:** General Report

**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.

- |     |  |                            |                |
|-----|--|----------------------------|----------------|
| 13. | <b>Executive Committee</b>   |                            |                |
|     | <b>A. Nominations and Elections Subcommittee</b>   | Tom Vick/Rehan Alimohammad | <b>(Tab 4)</b> |
|     | <b>Discussion:</b> General Report  |                            |                |
|     | <b>B. Policy Manual Subcommittee</b>   | Estrella Escobar           | <b>(Tab 5)</b> |
|     | <b>Action:</b> Consider, discuss, and approve Policy Manual updates regarding Director Email Accounts; International Travel; Annual Meeting Resolutions; James E. Brill Award for Excellence in Succession Planning; and Disqualification of Officers or Directors from Being Present for or Participating in Discussions or Deliberations |                            |                |
| 14. | <b>Commission for Lawyer Discipline/Chief Disciplinary Counsel Update</b>  | Noelle Reed/Seana Willing  | <b>(Tab 6)</b> |
|     | <b>Discussion:</b> General Report  |                            |                |
| 15. | <b>Audit and Finance Committee</b>   | Jarrod Foerster            | <b>(Tab 7)</b> |
|     | <b>A. Discussion:</b>  |                            |                |
|     | 1) Financial Reports and General Review of Financial Statements  |                            |                |
|     | 2) Business Expense Reimbursement Policies and Procedures  |                            |                |
|     | <b>B. Action:</b> Consider, discuss, and approve the Internal Audit Plan   |                            |                |
| 16. | <b>Discipline &amp; Client Attorney Assistance</b>   |                            |                |
|     | <b>A. DCAAP Subcommittee</b>   | Curtis Pritchard           | <b>(Tab 8)</b> |
|     | 1) <b>Discussion:</b> General Report   |                            |                |
|     | 2) <b>Action:</b> Consider and discuss approval of proposed amendments relating to Rules 1.02 (g) and 1.16 of the Texas Disciplinary Rules of Professional Conduct   |                            |                |
|     | <b>B. Client Security Fund Subcommittee</b>  | Lisa Richardson            |                |
|     | <b>Discussion:</b> General Report  |                            |                |
| 17. | <b>Administration Committee</b>  |                            |                |
|     | <b>A. Administration Committee</b>   | Christy Amuny              |                |
|     | <b>Discussion:</b> General Report  |                            |                |
|     | <b>B. Performance Measures and Strategic Planning Subcommittee</b>   | Fidel Rodriguez            | <b>(Tab 9)</b> |

**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.

**Action:** Consider, discuss, and approve updates to State Bar of Texas Performance Measures

18. **Member Services and Education Committee**
- A. Insurance/Member Benefits Subcommittee** Greg Sampson (Tab 10)
- 1) **Discussion:** General Report
- 2) **Action:** Consider, discuss, and approve resolution to the Supreme Court of Texas requesting comments to the Texas Rules of Disciplinary Procedure regarding lawyer-designated custodian attorneys
- 3) **Action:** Consider, discuss, and approve recommendation to award the first James E. Brill Award for Excellence in Succession Planning to attorney James E. Brill
- B. Appeals-Grant Review Subcommittee** Chris Oddo  
**Discussion:** General Report
- C. New Directors Orientation Subcommittee** Alison Colvin  
**Discussion:** General Report
- D. Professional Development Subcommittee** Sarah Keathley  
**Discussion:** General Report
- E. Technology Oversight Subcommittee** Brad Weber (Tab 11)  
**Discussion:** General Report
19. **Public Services and Education Committee**
- A. Legislative Policy Subcommittee** Jeff Chandler  
**Discussion:** General Report
- B. Affordable Legal Services Subcommittee** Nicole Voyles  
**Discussion:** General Report
20. **Section Representatives to the Board Committee** Erich Birch  
**Discussion:** Sections Update
21. **Texas Young Lawyer Association** Sally Pretorius  
**Discussion:** General Report
22. **Discussion:** Liaison Reports

**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.

## **Agenda** – Board of Directors Meeting

Wednesday, June 12, 2019

Page | 5

- |   |                          |
|---|--------------------------|
| <b>A.</b> Supreme Court Liaison             | Justice Debra Lehrmann   |
| <b>B.</b> Court of Criminal Appeals Liaison | Judge Barbara Hervey     |
| <b>C.</b> Federal Judicial Liaison          | Judge Karen Gren Scholer |
| <b>D.</b> Judicial Section Liaison          | Judge Randy Clapp        |

23. **Discussion:** Report from the General Counsel Ross Fischer

24. **Discussion:** Report from the Legal Counsel John Sirman

- A. Closed Session** as authorized by Texas Government Code Section 551.071 for the purpose of consulting with legal counsel, including regarding pending or contemplated litigation ((*McDonald et al. v. Longley et al.*, 1:19-cv-00219, W.D. Tex. (2019); and *Rosalinda Solis v. Interra Sky 4801 Woodway, L.L.C* (No. 2019-18261 in the District Court of Harris County)); 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

25. **For Information Only:** End of Year Reports  
State Bar Committee and Section Reports

(Tab 12)

26. **Adjournment**

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.

#### **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.