

**OFFICIAL MINUTES
STATE BAR OF TEXAS
EXECUTIVE COMMITTEE MEETING
Texas Law Center
Austin, TX
Thursday, September 5, 2019**

The Executive Committee met on September 5, 2019, in Austin at the Texas Law Center. President Randy Sorrels called the meeting to order at 10:02am, and Executive Director Trey Apffel called the roll.

Present: Chair Jerry Alexander, Rebekah Brooker, Alison Colvin, Leslie Dippel, TYLA President Victor Flores, Jarrod Foerster, Immediate Past Chair Laura Gibson*, Charlie Ginn, Wendy-Adele Humphrey, Shelby Jean*, Justice Debra Lehrmann*, Immediate Past President Joe K. Longley, Aldo Lopez, President-elect Larry McDougal, TYLA Immediate Past President Sally Pretorius, Dinesh Singhal, President Randy Sorrels, and James Wester

Excused absence: Emily Miller*

**Nonvoting member*

I. Remarks from the General Public: There were no remarks from the general public.

II. REPORTS

A. Report from the Executive Director:

Executive Director Apffel reported on recent travels, meetings, and activities. He reported that September is National Suicide Prevention Month and that the Texas Bar Journal includes stories focusing on lawyer wellness and suicide prevention. Mr. Apffel also reported that he will be participating in the Governor's Executive Development Program over a course of three weeks. He also gave an update on online dues, solo/small firm CLE, the uniform bar exam and the McDonald lawsuit. {SEE ENCLOSURES}

B. Report from the President: President Randy Sorrels reported on recent travels and activities. He gave an update on the pro bono work, donations and relief funds in El Paso and Midland/Odessa. President Sorrels reported on his 'Idea of the Month' challenge, the additional members to the Social Media Engagement Team and the appointment to the State Commission on Judicial Conduct. {SEE ENCLOSURES}

E. Report from the Chair of the Board: Chair Jerry Alexander reported on the Judicial Conduct Commission and recent speaking engagements. Chair Alexander encouraged directors to increase their communication to their constituents and to reach out to local bar associations and offer CLE presentations. He also reported that he will be requesting that any second year director who is interested in running for chair to contact him prior to the January board meeting.

C. Report from the President-elect: President-elect Larry McDougal reported on recent travel and speaking engagements. He also gave updates on TLAP and lawyer wellness, social media issues, grievance issues and the upcoming budget meeting in December. President-elect McDougal reported that the first budget meeting is scheduled for September 19 to discuss the SBOT's budget process and the timeline for preparation of the fiscal year 2020-21. He reported that committee will meet again December 12 to meet with division and department directors. The committee will finalize a proposed fiscal year 2020-21 budget for presentation to the Executive Committee and then to the Board for approval.

D. Report from the Immediate Past President: Immediate Past President Joe K. Longley had no report.

E. Nominations & Elections:

Immediate Past President Joe K. Longley and Immediate Past Chair Laura Gibson reported that the Nominations and Elections committee held six interviews on August 28 and after much deliberation the subcommittee voted to select Pablo Almaguer and Sylvia Borunda Firth. {SEE ENCLOSURES}

¹ Enclosures are available at www.texasbar.com/bodmaterials

On behalf of the Nominations and Elections Subcommittee, Immediate Past Chair Laura Gibson made a motion that the Executive Committee approve Pablo Almaguer of Edinburg and Sylvia Borunda Firth of El Paso as the State Bar Candidates for President-elect for the 2020 election. Immediate Past President Joe K. Longley seconded. No discussion; motion carried.

- F. Policy Manual Subcommittee: No report.
- G. Minimum Continuing Legal Education Committee: Chair John Boyce and staff liaison Nancy Smith called in to report that the MCLE Committee has proposed changes to the MCLE Regulations regarding changing the accreditation fee schedule. {SEE ENCLOSURES}

Director Jarrod Foerster made a motion approve the changes to the MCLE Regulations. Seconded by Wendy-Adele Humphrey. No discussion, motion carried.

- H. Discipline and Client Attorney Assistance Committee: Director Steve Naylor called in and gave a high level overview of how lawyer disciplinary rules are amended. Mr. Naylor reported that the tentative projection is that the vote on the proposed rules could happen in the fall of 2020. {SEE ENCLOSURES}
- I. Audit & Finance Committee: Director Jarrod Foerster reported on the “Financial Highlights” document showing the actual variances – both positive and negative – for the period ending July 31, 2018. He reported that the CPA firm, RSM, is currently performing the State Bar’s financial audit for fiscal year 18-19. Mr. Foerster reported that the internal auditors, McConnell & Jones, will begin fieldwork in October, with a final report due to management in January. The auditors will present their report to the full Board at the April Board meeting. {SEE ENCLOSURES}
- J. Administration Committee: Director James Wester reported the Legislature passed HB 3040 to provide for an interim study by the Texas Commission on Judicial Selection regarding the method by which certain trial and appellate judges are selected. The Commission’s charge is to submit to the Governor and Legislature no later than December 31, 2020 a report of their findings and recommendations for the method or methods for selecting judges that ensure a fair, impartial, qualified, competent, and stable judiciary, including recommendations for any necessary specific constitutional and statutory changes. Mr. Wester reported that after much discussion and consideration, the Committee is pleased to recommend Lynne Liberato as the committee’s recommendation to the Board for the State Bar’s Appointee to the Judicial Selection Commission. {SEE ENCLOSURES}
- K. Insurance/Member Benefits Subcommittee: Director Leslie Dippel provided updates on the Texas Bar Private Insurance Exchange and on non-insurance member benefits. {SEE ENCLOSURES}
- L. Section Representatives to the Board: Director Charlie Ginn provided an update on the Animal Law Section issues. Discussion ensued.
- M. Supreme Court Liaison Report: Justice Lehrmann reported that the Supreme Court has started a new term, that Justice Jane Bland will be sworn in on September 11, 2019 and that Justice Busby’s investiture will be held on September 6, 2019. Justice Lehrmann reported that the ABA asked the Supreme Court to look at the future of legal education and that she is a member of the committee.
- N. Texas Young Lawyers Association: TYLA President Victor Flores reported on various TYLA initiative’s this year including attorney wellness, podcasts, and videos for attorneys. He reported that TYLA will be hosting a mini CLE in October with Lacy Durham, and in December with Mindy Gulati. Mr. Flores reported on “For Lawyers, By Lawyers” which is a free CLE roadshow that will be presented throughout the state. He reported that all new TYLA directors have been assigned to the team project, “Texas Courts for Texas Veterans”.

- O. Report from General Counsel: No report.
- P. Report from Legal Counsel: No report.

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Q. **Closed Session:** At 11:48 am, the Executive Committee recessed the open meeting and reconvened in closed session pursuant to Texas Government Code Section 551.071 for the purpose of consulting with legal counsel, including regarding pending or contemplated litigation (*McDonald et al. v. Sorrels et al, [Solis – see prev. agenda]*); and Section 551.074 to deliberate regarding personnel matter(s) With the exception of Board liaisons and Section representatives, all other individuals including non-essential staff and other guests excused themselves from the closed session.

Open Session: At 11:56 am, the open session of the Executive Committee meeting reconvened. During the closed session, only matters relating to consultations with legal counsel concerning contemplated litigation were discussed. No action was taken in closed session.

Immediate Past President Joe K. Longley moved for adjournment of the Executive Committee, seconded by Director Charlie Ginn. There being no further business, the meeting was adjourned at 11:57 am.