

**OFFICIAL MINUTES
STATE BAR OF TEXAS
EXECUTIVE COMMITTEE MEETING
Texas Law Center
Austin, TX
Thursday, January 9, 2020**

The Executive Committee met on January 9, 2020, in Austin at the Texas Law Center. President Randy Sorrels called the meeting to order at 10:0am, 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, , Emily Miller*, Dinesh Singhal, President Randy Sorrels, and James Wester

Participated via phone: Aldo Lopez, President-elect Larry McDougal and TYLA Immediate Past President Sally Pretorius

**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 on upcoming FY2020-21 budget meetings and his participation in the Governor's Executive Development Program last year. He also gave an update on current ATJ efforts, active shooter training, the judicial poll, the possible purchase of 1415 Lavaca, and the McDonald lawsuit. Mr. Apffel reported on the proposal that the Bar should examine the Client Security Fund claims payment rules and determine some measures to contain the costs of the fund. {EXHIBIT A}

B. Report from the President: President Randy Sorrels reported on recent travels and activities. He gave an update on solo/small firm CLE's, free 30-day contract attorney job postings, new AT&T benefits, and QR codes for MCLE reporting. President Sorrels reported on his 'Idea of the Month' challenge, and the additional members to the Social Media Engagement Team.

E. Report from the Chair of the Board: Chair Jerry Alexander reported on the Judicial Conduct Commission and recent speaking engagements. He encouraged directors to increase their communication to their constituents and to reach out to local bar associations and offer CLE presentations. {EXHIBITS B}

C. Report from the President-elect: President-elect Larry McDougal reported that the Budget Committee met on December 11 to hear presentations from various State Bar divisions and departments, and that the committee approved the FY 2020-21 budget as presented. {EXHIBITS C}

On behalf of the Budget Committee, President-elect McDougal made a motion that the State Bar's proposed budget for fiscal year 2020-2021 be approved for presentation to the Board and for publication in the March 2020 issue of the Texas Bar Journal. Coming from a committee, no second was needed. No discussion; motion carried.

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

E. Texas Young Lawyers Association: TYLA President Victor Flores reported on various TYLA initiatives including attorney wellness, podcasts, and videos for attorneys. He reported that TYLA's goal is to engage lawyers across the state through roadshows and social media. Mr. Flores reported on the Texas Lawyers Passport Guide to Immigration

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

Law. He reported that all new TYLA directors have been challenged with a team project, “Texas Courts for Texas Veterans.”

F. Nominations & Elections:

Immediate Past President Joe K. Longley and Immediate Past Chair Laura Gibson reported that Pablo Almaguer of Edinburg and Sylvia Firth of El Paso were selected as candidates for State Bar President-elect. They also reported that there are 10 district director positions up for election this year. The election will begin on April 1 and end on April 30.

- F. Discipline and Client Attorney Assistance Committee: Director Charlie Ginn reported on three items, all relating to Texas Disciplinary Rules of Professional Conduct amendments proposed by the Committee on Disciplinary Rules and Referenda (CDRR): revising Rule 1.01 of the Texas Disciplinary Rules of Professional Conduct, dealing with Competent and Diligent Representation; the creation of a new rule 6.05 of the Texas Disciplinary Rules of Professional Conduct; and CDRR’s proposal on the lawyer advertising rules. {EXHIBIT D}

Director Charlie Ginn made a motion that the Executive Committee approve the DCAAP Subcommittee recommendation to reject the proposed amendments submitted by CDRR relating to Rule 1.01 of the Texas Disciplinary Rules of Professional Conduct. Coming from a committee, no second was needed. Discussion ensued; motion carried.

Director Charlie Ginn made a motion that the Executive Committee approve the proposed amendments relating to new Rule 6.05 of the Texas Disciplinary Rules of Professional Conduct. Coming from a committee, no second was needed. No discussion; motion carried.

- G. Administration Committee: Director James Wester reported that the committee has been studying the possibility of IOLTA exemptions for flat fees.

- H. Audit & Finance Committee: Director Jarrod Foerster reported on the General Fund, the FY2018-19 Internal Audit, and the FY 2018-19 Financial Audit. {EXHIBITS E}

I. Ad Hoc Committee to Select At-Large Directors:

Director Wendy-Adele Humphrey reported on the at-large director nomination process and thanked the committee as well as SBOT staff.

J. Succession Planning Workgroup:

Immediate Past Chair Laura Gibson reported on the process of addressing the need for the appointment of cessation of practice custodian attorneys independent of court supervision. She reported that the workgroup plans to present and recommend an electronic designation process to the board at the January meeting.

- K. Insurance/Member Benefits Subcommittee: Director Leslie Dippel provided updates on the Texas Bar Private Insurance Exchange and on non-insurance member benefits.

- L. Section Representatives to the Board: Section Representative Emily Miller reported on the October 2019 Council of Chairs meeting, where the council discussed financial policies of the Sections

- M. Supreme Court Liaison Report: Justice Lehrmann reported that the Supreme Court welcomed a new Justice, Jane Bland. Justice Lehrmann reported that the ABA asked the Supreme Court to look at the future of legal education, to look at testing and changing the bar exam.

- N. Report from General Counsel: No report.

- O. Report from Legal Counsel: No report.

- P. **Closed Session: At 12:24 pm, the Executive Committee recessed the open meeting and reconvened in closed**

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

session pursuant to Texas Government Code Section 551.071 for the purpose of consulting with legal counsel, including regarding pending or contemplated litigation including McDonald et al. v. Sorrels et al; 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). 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 12:35 pm, 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.

There being no further business, the meeting was adjourned at 12:37 pm.