

OFFICIAL

MINUTES

**STATE BAR OF TEXAS
EXECUTIVE COMMITTEE MEETING**

Tuesday, April 6, 2021 – 10:00 am

*Via Telephonic Open Meeting Pursuant to Governor's March 16, 2020, Temporary Suspension of Certain Open Meetings Provisions**

Join from PC, Mac, iOS or Android Device:

Meeting URL:

<https://texasbar.zoom.us/j/97433256356>

Meeting ID: 974 3325 6356

Telephone Audio or Audio-Only:

877-853-5247 (Toll Free)

Meeting ID: 974 3325 6356

(Bridge will open at 9:45 am – recording will begin at 10:00 am)

Link to April 6, 2021, Executive Committee Agenda and

Materials: www.texasbar.com/bodmaterials

The Executive Committee met on April 6, 2021, via Telephonic Open Meeting Pursuant to Governor's March 16, 2020, Temporary Suspension of Certain Open Meetings Provisions. President Larry McDougal called the meeting to order at 10:00am, and Executive Director Trey Apffel called the roll.

Present: Jerry Alexander*, Rebekah Brooker, Robert Crain, Alistair Dawson, President-elect Sylvia Borunda Firth, Victor Flores, Chair of the Board Charlie Ginn, TYLA President Britney Harrison, Matthew Kolodoski*, Justice Debra Lehrmann*, Emily Miller*, President Larry McDougal, Carmen Roe, Steve Naylor, Randy Sorrels, Diane St. Yves, G. Michael Vasquez, and James Wester.

**Nonvoting member*

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

II. REPORTS

A. Report from the President:

President Larry McDougal noted that there were no questions or adjustments to the January 12, 2021, and March 12, 2021, Executive Committee meeting minutes, and made a motion to approve the minutes for both meetings. Diane St. Yves seconded. No discussion; motion carried.

President McDougal made a motion that the Executive Committee approve the creation of an Advertising Review Task Force. Carmen Roe seconded. Discussion ensued. After a roll call vote, the motion did not carry.

President McDougal made a motion that the Executive Committee approve the creation of a Workgroup on Texas Lawyer Needs Arising From the 2020 Pandemic and 2021 Winter Storm. Rob Crain seconded. Discussion ensued. After a roll call vote, the motion carried.

B. Supreme Court Liaison Report: Justice Debra Lehrmann provided an update on court appointments, Zoom

hearings, oral arguments, four new Supreme Court emergency orders for a total of 36, and the Governor's Emergency Order No. GA-34 relating to the opening of Texas in response to the COVID-19 disaster.

- C. Report from the President (continued): President Larry McDougal gave an update on his choice of Kelly-Ann Clarke from Dallas as At-Large Director.
- D. Report from the Executive Director: Executive Director Apffel provided a Rules Vote/Referendum update and reported on the virtual Annual Meeting, Bar Leaders Conference date changes, 1415 Lavaca, Texas Law Center facilities, the reopening of the Law Center, CLE, and the in-person June Board meetings.
- E. Report from the Chair of the Board: Chair of the Board Charlie Ginn provided an update on the five chair candidates and director communication and outreach.
- F. Client Security Fund: Director Rob Crain had no report.
- G. Report from the President-elect: President-elect Borunda Firth thanked the staff and provided an update on the Task Force on Diversity, Equity, and Inclusion.

President-elect Borunda Firth made a motion to consider approval of the State Bar of Texas 2021-22 proposed budget for presentation to the Supreme Court. Coming from a committee, no second was needed. No discussion; motion carried.

President-elect Borunda Firth made a motion to accept the Committee Review Task Force report. Coming from a committee, no second was needed. No discussion; motion carried.

- H. Report from the Immediate Past President: Immediate Past President Randy Sorrels had no report.
- I. Nominations & Elections:

Nominations & Elections Subcommittee: Immediate Past Chair Jerry Alexander gave an update on the president-elect candidate race and district director races.

Policy Manual Subcommittee: Director Adam Schramek gave an update on the Code of Conduct and timing for its presentation to the Board, noting that it would be presented as an informational item for the April Board meeting.

- J. DCAAP Subcommittee: Director Steve Naylor had no report.
- K. Administration Committee: Director James Wester had no report from the Administration Committee.

Performance Measures & Strategic Planning Subcommittee: Director James Wester gave an update on the performance measures process.
- L. Audit & Finance Committee: Director Alistair Dawson provided an update on the financial reports and gave an overview of the internal audit reports.
- M. MCLE Committee: MCLE Committee Chair John Boyce gave a report on the MCLE accreditation standards and the Committee's recommendations on whether to make implicit bias training an MCLE requirement for Texas attorneys, as well as the possibility of categorizing mental health and substance abuse MCLE courses as eligible for legal ethics/professional responsibility credit.

President-elect Borunda Firth made a motion to approve the proposed amendments to the MCLE Accreditation Standards. Steve Naylor seconded. No discussion; motion carried.

- N. Professional Development Subcommittee: Director Rebekah Steely Brooker reported on various CLE topics including free CLE, the upcoming joint meeting of the PDP Subcommittee and the CLE Committee on May 7 via Zoom, and Texas Minority Counsel Program planning.
- O. Insurance/Member Benefits Subcommittee: Director Carmen Roe provided updates on the Texas Bar Private Insurance Exchange, solo insurance, non-insurance member benefits, marketing of the insurance program, and enhancement awareness of the overall benefits program.
- P. Legislative Policy Subcommittee: Section Representative Emily Miller reported that there are 55 days left in the current Legislative session. No action was taken.
- Q. Section Representatives to the Board: Section Representative Emily Miller reported that the Section Representatives are working with the Sections on virtual Annual Meeting programming and the timeline for returning to live meetings.
- R. Justice in Leadership Workgroup: Carmen Roe reported that the Workgroup has met several times, reviewed public comments from the July meetings, and would have recommendations to present to the Board at the June meeting.
- S. Texas Young Lawyers Association: TYLA President Britney Harrison reported on the National Trial competition, Pro Bono Legal Answers, “Iconic Women in Legal History” website, and racial justice hub that would be launching in May.
- T. Report from General Counsel: No report.
- U. Report from Legal Counsel: No report.

Closed Session: At 11:59 am, the Executive Committee recessed the open meeting and reconvened in closed session as authorized by Texas Government Code Section 551.071 for the purpose of consulting with legal counsel, to include discussion regarding all pending or any contemplated litigation (including regarding *McDonald et al. v. Sorrels et al* (No. 20-50448 in the Fifth Circuit Court of Appeals), *Rosalinda Solis v. Interra Sky 4801 Woodway, L.L.C* (No. 2019-18261 in the District Court of Harris County), *Samantha Carter v. Vuk Vujasinovic, et al* (No. 3:20-cv-01199-L-BT in the Northern District of Texas), and *LawHQ v. Willing* (No. 20-cv-00085 in the Western District of Texas); and Section 551.072 to deliberate regarding the potential purchase of real property at 1415 Lavaca St. in Austin.

Open Session: At 12:10 pm, the open session of the Executive Committee meeting reconvened. During the closed session, only matters relating to consultation with legal counsel, including concerning pending or contemplated litigation matters and the potential purchase of real estate at 1415 Lavaca St. in Austin were discussed. No action was taken in closed session.

- V. There being no further business, the meeting was adjourned at 12:10 pm.