

AGENDA
STATE BAR OF TEXAS
BOARD OF DIRECTORS
Wednesday, June 21, 2023 – 1:00 p.m. CDT

JW Marriott
110 E. 2nd Street
Austin, TX 78701
Lone Star Ballroom D

The presiding officer will be physically present at the meeting location listed above.

Members of the Public:
View the meeting via PC, Mac, iOS or Android Device:
www.youtube.com/statebaroftexas

Public comments will be received under agenda item 5.

Those who wish to address the board in-person during this meeting should fill out a speaker card at the beginning of the meeting and submit it to a staff member onsite. To sign up to speak remotely, please email lowell.brown@texasbar.com or call (512) 427-1713 or (800) 204-2222 (toll free) before 5 p.m. CDT on Tuesday, June 20, 2023. Please provide the agenda item number you wish to speak on.

Written comments regarding agenda items must be received by 5 p.m. CDT on Friday, June 16, 2023, for timely distribution to the Board of Directors before the meeting. Please submit written comments by email to boardofdirectors@texasbar.com and indicate the agenda item you are referring to.

Link to the June 21, 2023, Board of Directors Agenda and Materials:
www.texasbar.com/bodmaterials

Under the Americans with Disabilities Act, an individual with a disability must have an equal opportunity for effective communication and participation in public meetings. Upon request, the State Bar of Texas will provide reasonable modifications and equal access to communications. For assistance, please contact Tami Knoll at (512) 427-6850 or (800) 204-2222 (toll free) at least two working days prior to the scheduled meeting so that appropriate arrangements can be made. Individuals with speech or hearing disabilities can contact Ms. Knoll by routing through Relay Texas at phone number 7-1-1 or another designated phone number provided at relaytexas.com.

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| 1. Call to Order | Chad Baruch | |
| 2. Roll Call | Trey Appfel | |
| 3. Invocation | Kimberly Pack Wilson | |
| 4. Pledge to the U.S. and Texas Flags | Luis Cavazos | |
| 5. Remarks from the General Public
<i>(Members of the public will have an opportunity to comment during the meeting.)</i> | | |
| 6. Report from Chair of the Board
A. Action: Consider and discuss approval of Consent Agenda Items | Chad Baruch | (Materials) |

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| | B. Presentation of Resolution | Laura Gibson | |
| | C. Discussion: | | |
| | 1) General Report and Overview of the Bar Year | | |
| | 2) Presentation of Outstanding Third Year Director Award | | |
| | 3) Presentation of Public Member Award | | |
| 7. | Report from Executive Director
Discussion: General Report | Trey Apffel | (Materials) |
| 8. | Report from President
A. Presentation of Presidential Citations

B. Discussion: General Report

C. Action: Consider and discuss approval of the continuation of the Building Planning Special Committee, including approval of its roster, and grant authority to the committee to work with State Bar staff regarding decisions on remodeling, repairs, and uses of the 1415 Lavaca Building | Laura Gibson | (Materials) |
| 9. | Report from President-elect
A. Discussion: General Report

B. Action: Consider and discuss approval of the creation of an Artificial Intelligence (AI) Workgroup, including approval of its roster

C. Budget Committee
Discussion: General Report | Cindy Tisdale | (Materials) |
| 10. | Report from Immediate Past President
A. Discussion: General Report

B. Discussion: Update on the Building Planning Special Committee pertaining to the 1415 Lavaca Building | Sylvia Borunda Firth | |
| 11. | Executive Committee
A. Nominations & Elections Subcommittee

Discussion: Update on 2023 State Bar Elections

B. Policy Manual Subcommittee
1) Discussion: General report
2) Action: Consider and discuss approval of policy relating to expense stipend for TYLA officers | Sylvia Borunda Firth/
Santos Vargas

Kennon Wooten | (Materials)

(Materials) |
| 12. | Audit & Finance Committee
A. Discussion:
1) Financial Reports and General Review of Financial Statements | David Calvillo | (Materials) |

2) Business Expense Reimbursement Policies and Procedures

B. Action: Consider and discuss approval of Internal Audit Reports Darlene Brown/Liz Meyer

13. **Administration Committee**

A. Administration Committee

D. Todd Smith (Materials)

- 1) **Discussion:** General Report
- 2) **Action:** Consider and discuss approval of referral of the State Bar Court Rules Committee’s proposed amendments to Texas Rules of Civil Procedure 21(d) and 21a(e) to the Supreme Court of Texas for consideration
- 3) **Action:** Consider and discuss approval of referral of the State Bar Court Rules Committee’s proposed amendments to Texas Rules of Civil Procedure 21(e) to the Supreme Court of Texas for consideration
- 4) **Action:** Consider and discuss approval of referral of the State Bar Court Rules Committee’s proposed amendments to Texas Rules of Appellate Procedure 9.5 to the Supreme Court of Texas for consideration
- 5) **Action:** Consider and discuss approval of referral of the State Bar Court Rules Committee’s proposed amendments to Texas Rules of Appellate Procedure 49.3 to the Supreme Court of Texas for consideration

B. Performance Measures & Strategic Planning Subcommittee

Luis Cavazos (Materials)

- 1) **Discussion:** General Report
- 2) **Action:** Consider and discuss approval of updated performance measures based on updated State Bar Strategic Plan

14. **Discipline & Client Attorney Assistance Committee**

A. DCAAP Subcommittee

Robert Tobey (Materials)

- 1) **Discussion:** General Report
- 2) **Action:** Consider and discuss approval of proposed amendments to Rule 1.08(a) of the Texas Disciplinary Rules of Professional Conduct, relating to conflict of interest regarding Prohibited Transactions

B. Client Security Fund Subcommittee

Discussion: General Report

Lucy Forbes

15. **Member Services & Education Committee**

A. New Directors Orientation Subcommittee

Discussion: General Report

Forrest Huddleston

B. Insurance/Member Benefits Subcommittee

Discussion: General Report

Audie Sciumbato

C. Professional Development Subcommittee

Discussion: General Report

Dwight McDonald

D. Technology Oversight Subcommittee

Discussion: General Report

Andrew Tolchin

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| <p>16. Public Services & Education Committee
 Affordable Legal Services Subcommittee
 1) Discussion: General Report
 2) Action: Consider and discuss approval of Affordable Legal Services Subcommittee recommendation for the board to approve the Legal Services to the Poor Criminal Matters Standing Committee’s “Ability to Pay Guidelines”</p> | <p>Steve Fischer</p> | <p>(Materials)</p> |
| <p>17. Section Representatives to the Board
 Discussion: General Report</p> | <p>Carlos Cardenas</p> | |
| <p>18. Commission for Lawyer Discipline/Chief Disciplinary Counsel
 Discussion: General Report</p> | <p>Bobby Ramirez/
Seana Willing</p> | <p>(Materials)</p> |
| <p>19. Discussion: Texas Young Lawyers Association</p> | <p>Michael Ritter</p> | <p>(Materials)</p> |
| <p>20. Discussion: Texas Access to Justice Commission</p> | <p>Chief Justice Nathan Hecht/
Harriet Miers</p> | |
| <p>21. Discussion: Liaison Reports
 A. Supreme Court Liaison
 B. Court of Criminal Appeals Liaison
 C. Judicial Section Liaison
 D. Out of State Lawyer Liaison</p> | <p>Senior Justice Debra
Lehrmann
 Judge Jesse McClure III
 Judge Melody Wilkinson
 Rakhi Israni</p> | |
| <p>22. Discussion: Report from General Counsel</p> | <p>Ross Fischer</p> | |
| <p>23. Discussion: Report from Chief Legal Counsel
 Closed Session:
 A. As authorized by Texas Government Code Section 551.074 for the purpose of discussing the evaluation of the general counsel and the evaluation, duties, and compensation of the executive director
 B. Closed Session As authorized by Texas Government Code Section 551.071 for the purpose of consulting with legal counsel regarding <i>Harrison v. State Bar of Texas Insurance Trust</i> (No. 2023-07552)(55th District Court of Harris County), <i>Turnbull v. Commission for Lawyer Discipline, et al.</i> (No. 1:23-cv-00314)(W.D. Tex.), <i>Washington v. State Bar of Texas et al.</i> (No. 1:23-cv-00526-RP (W.D. Tex.)), and tax law matters regarding fundraising for 1415 Lavaca; and as authorized by Texas Government Code Section 551.074 to deliberate regarding personnel matter(s)
 C. End of Closed Session/Return to Open Session
 D. Action, if needed, on items discussed in closed session</p> | <p>Chris Ritter
 Laura Gibson</p> | |

- 24. **For Information Only:** End of Year Reports **(Materials)**
State Bar Committee and Section Reports
- 25. **SBOT Mission Statement** Jeff Cochran
- 26. **Adjourn** Chad Baruch

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. Gov't 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. The Board reserves the right to take action in open session on any item discussed in closed session.

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.