

DRAFT
MINUTES
STATE BAR OF TEXAS
EXECUTIVE COMMITTEE
Thursday, March 21, 2024 – 10:00 a.m. CDT

Texas Law Center – Stewart Morris Board Room
1414 Colorado St.
Austin, TX 78701

A. Call to Order at 10:00 a.m. CDT from President Cindy Tisdale

President Tisdale then designated Chair of the Board Kennon Lily Wooten to serve as the presiding officer pro tem for the Executive Committee meeting. With no objections, the meeting was turned over to Chair Wooten.

B. Roll Call from Executive Director Trey Apffel

Present:

Executive Director Trey Apffel*, Immediate Past Chair of the Board Chad Baruch*, President-elect Steve Benesh, Jerry Bullard*, Elizabeth Sandoval Cantu, General Counsel Ross Fischer*, Immediate Past President Laura Gibson, Britney Harrison, Forrest Huddleston, Dwight McDonald, Kimberly Naylor, TYLA President Laura Pratt, G. David Smith, President Cindy Tisdale, Robert Tobey, Chair of the Board Kennon Lily Wooten

Excused Absence:

Kelly-Ann Clarke, Bill Kroger, Senior Justice Debra Lehrmann*, TYLA Immediate Past President Michael Ritter, Justice Evan Young*

**Nonvoting member*

C. Remarks from the General Public

Members of the public were given the opportunity to comment during the meeting. There were no comments from the public.

D. Report from President Cindy Tisdale

Report from President Tisdale was taken out of order. President Tisdale provided a general report on travels, meetings, and an update on the presidential initiatives Vacation Letter Portal and Well-Being.

Chair of the Board Kennon called for a motion to approve the September 7, 2023 Executive Committee meeting minutes. Director Robert Tobey made a motion. Seconded by Director Kimberly Naylor. No discussion; motion carried.

President Tisdale provided an update on the At-Large Director appointment reporting that 7 nominations were received for consideration. The Ad-Hoc Committee reviewed the nominations, conducted interview, and submitted two nominees to President Tisdale for consideration. President Tisdale conducted interviews with the two nominees and selected Caron Lock of Lewisville, which will be presented to the Board of Directors for consideration at the April meeting.

President Tisdale provided a general report on the Taskforce for Responsible AI including the Summit that was held on February 26, 2024.

E. Report from Executive Director Trey Apffel

Executive Director Trey Apffel provided a general report including the upcoming free CLE, Updates for Solo Practitioners and Small Firms Seminar, at the next quarterly board meeting in April, the State Bar of Texas Annual Meeting to be held in Dallas in June 2024, the Board of Directors Retreat to be held in Houston in July 2024 followed by the Local Bar Leaders Conference. Executive Director Apffel also reported that the State Bar's free legal resources library has been updated after the Boudreaux decision and is available online.

- F. **Report from Sylvia Borunda Firth, Chair of the Building Planning Special Committee**
Sylvia Borunda Firth provided a report on the Building Planning Special Committee regarding the 1415 Lavaca building including updated estimates from the CMAR, Rogers O'Brien, design elements for the building, and fundraising plans with the consultant, FBC.
- G. **Report from Chair of the Board Kennon Lily Wooten**
Chair of the Board Kennon Lily Wooten provided a general report including a community engagement opportunity for the April board meeting and board communications and tools available for the upcoming referendum, and the upcoming election for the 2024-25 Chair of the Board.
- H. **Report from President-elect Steve Benesh**
President-elect Steve Benesh provided a general report on travels and meetings and reported on the proposed 2024-25 budget.

President-elect Benesh made the motion for approval of the SBOT 2024-25 proposed budget for publication in the *Texas Bar Journal*. Coming from a committee, no second was needed. No discussion; motion carried.

- I. **Report from Immediate Past President Laura Gibson**
Immediate Past President Laura Gibson provided a general report on the Succession Planning presidential initiative.
- J. **Executive Committee
Nominations & Elections Subcommittee**
Immediate Past Chair Chad Baruch provided an update on the 2024-25 election. There will be an upcoming candidate forum on March 26 for the president-elect candidates. There will be 10 open district director positions this year. The election will begin on April 1 and will end on April 30.
- Immediate Past Chair Baruch made the motion for approval of amendments to the State Bar Board Policy Manual pertaining to the campaign period for President-elect candidates. Coming from a committee, no second was needed. No discussion; motion carried.**
- K. **Audit & Finance Committee**
Director Forrest Huddleston provided a general report on financial reports, a general review of the financial statements, and an update on internal audits.
- L. **Discipline & Client Attorney Assistance
DCAAP Subcommittee**
Director Robert Tobey provided a general report on the upcoming referendum that will take place concurrently with the president-elect and district director elections. Background information and links to the 12 proposed rule changes can be found online at texasbar.com/rulesvote.
- M. **Public Services & Education Committee
Affordable Legal Services Subcommittee**
No report was given by Director G. David Smith.

- N. **Section Representatives to the Board**
Director Jerry Bullard provided a general report including section membership and Council of Chairs which was held in February. Director Bullard announced the two nominations for Section Representatives to the Board which will be voted on at the April Board Meeting and will serve a three-year term beginning at Annual Meeting in June: Toni Nguyen of Austin as a Small-sized Section Representative and Laura Ellis Kugler of Dallas as a Large-sized Section Representative.

O. Supreme Court Liaison

Senior Justice Debra Lehrmann had an excused absence.

P. Texas Young Lawyers Association

TYLA President Laura Pratt provided a general report on travels and projects.

Q. General Counsel

No report was given by General Counsel Ross Fischer.

R. Chief Legal Counsel

No report was given by Chief Legal Counsel Chris Ritter during the open session.

1. Chair of the Board Kennon Lily Wooten recessed the open session and reconvened in closed session at 10:58 a.m. as authorized by Texas Government Code Section 551.071 for the purpose of consulting with legal counsel regarding *Boudreaux v. Louisiana State Bar Association*, 86 F.4th 620 (5th Cir. 2023), *Turnbull v. Commission for Lawyer Discipline, et al.* (No. 1:23-cv-00314) (W.D. Tex.), *Washington v. State Bar of Texas et al.* (No. 1:23-cv-00526-RP) (W.D. Tex.), *Yan v. State Bar of Texas et al.* (No 4:23-cv-758) (N.D. Tex.), *Butler v. State Bar of Texas et al.* (No. 4:23-CV-01070 (E.D. Tex.), and legal matters related to 1415 Lavaca; and as authorized by Texas Government Code Section 551.074 to deliberate regarding personnel matter(s).

2. Chair of the Board Kennon Lily Wooten reconvened the open session at 11:08 a.m.

3. During the closed session, only matters relating to consultation with legal counsel regarding *Boudreaux v. Louisiana State Bar Association*, 86 F.4th 620 (5th Cir. 2023), *Turnbull v. Commission for Lawyer Discipline, et al.* (No. 1:23-cv-00314) (W.D. Tex.), *Washington v. State Bar of Texas et al.* (No. 1:23-cv-00526-RP) (W.D. Tex.), *Yan v. State Bar of Texas et al.* (No 4:23-cv-758) (N.D. Tex.), *Butler v. State Bar of Texas et al.* (No. 4:23-CV-01070 (E.D. Tex.)). No action was taken in closed session.

S. There being no further business, Chair of the Board Wooten called for a motion to adjourn the meeting. Director Robert Tobey made the motion. Seconded by Director Dwight McDonald. Meeting was adjourned by Chair of the Board Wooten at 11:09 a.m. CDT.