

**OFFICIAL
MINUTES
STATE BAR OF TEXAS
BOARD OF DIRECTORS
Friday, September 27, 2024 – 8:00 a.m. CDT**

**Overton Hotel & Conference Center
Horizon Ballroom
2322 Mac Davis Lane
Lubbock, TX 79401**

A. Call to Order at 8:00 a.m. CDT from Chair of the Board Paul K. Stafford

B. Roll Call from Executive Director Trey Apffel

Present:

Sundee K. “Rob” Addy*, Executive Director Trey Apffel*, President Steve Benesh, Judge Jeff Brown*, Cade Browning, Judge Jerry Bullard*, Elizabeth Sandoval Cantu, Luis Cavazos, Jason Charbonnet, Craig Cherry, Steve Chiscano, Jeff Cochran, David Courreges, Kenda Culpepper*, General Counsel Ross Fischer*, Pierre Grosdidier*, Noelle Hicks, Matthew Hill, Forrest Huddleston, Krisi Kastl, Lowell Keig, Laura Ellis Kugler*, Senior Justice Debra Lehrmann*, Rebecca Linehan, Caren Lock, TYLA President-elect Alyson Martinez, TYLA President Hisham Masri, Judge Jesse McClure III*, Rudolph “Rudy” K. Metayer, Lawrence Morales II, Chris Nickelson, Rosalind Perez, TYLA Immediate Past President Laura Pratt, Shannon Quadros, Amy Rod, John Sloan, Chair of the Board Paul K. Stafford, Alex Stelly, Jr., Carlo Taboada, Radha Thiagarajan, Immediate Past President Cindy Tisdale, Aaron Tobin, President-elect Santos Vargas, Michael Vasquez, Stephen Venzor, Brandy Wingate Voss*, Immediate Past Chair of the Board Kennon Lily Wooten*, Jeff Work, Chris Wrampelmeier

Excused Absence:

Diana Gomez, August Harris, Britney Harrison, Judge Bill Miller*, Toni Nguyen*, Chris Pineda, Chris Popov, Andrew “Drew” Spaniol, Jeff Weinstein, Michael Wynne, Justice Evan Young*

**Nonvoting member*

C. Invocation by Director Cade Browning

D. Pledge to the U.S. and Texas Flags by Director Alex Stelly, Jr.

E. Remarks from General Public

Members of the public were given the opportunity to comment during the meeting. The following public members spoke during the meeting as recorded and published at www.texasbar.com/board: Steve Bresnen, Jacquelyn Carpenter, Vafa Jasemi-Zergoni, Colleen Gaido, Roy Petty, Justine Daly, Teresa Coles Davila, Judge Te’iva Bell, Judge Veronica Nelson, and Theresa “Stormy” Hayes.

F. Report from Chair of the Board Paul K. Stafford

Chair of the Board Paul K. Stafford called for a motion and a second to approve the consent agenda. Director Lawrence Morales II made such motion. Seconded by Director Noelle Hicks. No discussion; motion carried.

President Steve Benesh presented resolutions to Roger Key (Lubbock) and Justice Judy C. Parker (Lubbock).

Chair of the Board Stafford provided a general report including State Bar Update CLE presentations for directors to present to their respective districts, BoardEffect portal usage, and the December 6, 2024 deadline for letters of intent from any second-year directors interested in serving as candidates to serve as Chair of the 2025-26 Board of Directors. Chair of the Board Stafford, along with Director Shannon Quadros, paid tribute to former Director Lucy Forbes of Houston, who passed away on August 25, 2024.

G. Report from Executive Director Trey Apffel

Executive Director Trey Apffel provided a general report on travels and meetings, the 35th anniversary of the Texas Lawyer’s Creed, and the publication of the State Bar of Texas Annual Report, Commission for Lawyer Discipline Annual Report, and the 2024-25 Volunteer & Staff Guide. Executive Director recognized staff leadership positions of Michelle Fontenot (TLAP Director) as a member of the ABA Commission on Lawyer Assistance Programs and Lowry Kraft (MCLE Compliance Supervisor) as Co-Chair of the Long-Range Planning Committee of CLE-REG. Executive Director Apffel presented the quarterly Staff Excellence Award to David Espinosa, Graphic Designer for the *Texas Bar Journal*. Executive Director Apffel recognized Deputy Executive Director Ray Cantu on his retirement after 29 years with the State Bar of Texas.

H. Report from President Steve Benesh

President Benesh provided a general report on travels and meetings and the Solo Small Firm CLE held in advance of quarterly Board meetings.

Sylvia Borunda Firth provided an update on behalf of the Building Planning Special Committee regarding the 1415 Lavaca building.

Chair of the Board Paul K. Stafford called for a motion and a second to authorize State Bar staff to move forward with design and construction planning. Director Krisi Kastl made such motion. Seconded by Director Rosalind Perez. No discussion; motion carried.

Chair of the Board Paul K. Stafford called for a motion and a second to approve the Building Planning Special Committee’s recommendation to select Owner’s Representative. Director Shannon Quadros made such motion. Seconded by Director Craig Cherry. No discussion; motion carried.

I. Report from President-elect Santos Vargas

President-elect Vargas provided a general report on travels and meetings, an update on the FY 2025-26 Budget Committee, and an update on the Committee Review Taskforce.

J. Report from Immediate Past President Cindy Tisdale

Immediate Past President Tisdale provided an update on travels and meetings and her Presidential Initiative, BetterHelp.com.

K. Nominations & Elections Subcommittee

Immediate Past Chair of the Board Kennon Lily Wooten provided a general report on the upcoming 2025 president-elect and district director elections. Interviews for president-elect candidates will take place in December and the subcommittee’s recommendations will be brought to the Board of Directors at the January 2025 Board Meeting.

Chair of the Board Paul K. Stafford called for a break at 9:31 a.m. and reconvened at 9:47 a.m.

L. Administration Committee

Director Elizabeth Sandoval Cantu overviewed the proposed changes regarding the Texas Supreme Court’s preliminary approval of rules governing licensed legal paraprofessionals and licensed court-access assistants and proposed comments. During discussion, Director Rudy Metayer moved that the Board have an Executive Session to seek legal counsel on Agenda Item 12. Executive Session began at 10:17 a.m. and ended at 10:32 a.m.; no action was taken.

Directors David Courreges, Jason Charbonnet, Chris Wrampelmeier, Rudy Metayer discussed the proposed comments. Director Chris Wrampelmeier moved to amend the proposed comments Section 7(d) to include other retirement division orders along with the QDROs. Motion was seconded by Director Rosalind Perez;

motion carried. Senior Justice Debra Lehrmann asked for clarification on the amendment.

Director Chris Wrampelmeier made a motion to amend the proposed comments Section 9(j) to prohibit paraprofessionals from providing immigration services or any services in a case in which there is a no-citizen as a party or as a client. Motion was seconded by Director Matthew Hill. After comments from Directors David Courreges and Rudy Metayer, along with Justice Brett Busby, the motion failed.

M. Performance Measures & Strategic Planning Subcommittee

Director Alex Stelly, Jr. provided a general report.

N. Texas Access to Justice Commission

Harriet Miers, Chair of the Texas Access to Justice Commission, provided a general report.

O. Audit & Finance Committee

Director Forrest Huddleston provided a report on financial reports, a general review of financial statements, and an update on financial and internal audits.

Nathan Smith, of PFM, provided an investment overview.

Director Forrest Huddleston made a motion to approve the State Bar’s quarterly investment reports for May 2024. Coming from a committee, no second is needed. No discussion; motion carried.

Director Forrest Huddleston made a motion to approve the adoption of PFM Broker/Dealer List for investments. Coming from a committee, no second is needed. No discussion; motion carried.

Director Forrest Huddleston made a motion to approve the adoption of the State Bar of Texas investment policy. Coming from a committee, no second is needed. No discussion; motion carried.

P. Minimum Continuing Legal Education Committee

Stuart Colburn, Chair of the Minimum Continuing Legal Education Committee, provided a report on the recommendation to change Section 2.1.2 of the Texas MCLE Regulations.

Chair of the Board Paul K. Stafford called for a motion and a second to approve the MCLE Committee’s recommendation to change Section 2.1.2 of the Texas MCLE Regulations on accredited CLE activities to include credit for attorney participating in moot court/mock trial competitions. TYLA President Hisham Masri made such motion. Seconded by Director Aaron Tobin. No discussion; motion carried.

Q. DCAAP Subcommittee

Director Jeff Cochran provided a general report on approved rules effective October 1, 2024.

R. Client Security Fund Subcommittee

Director Lawrence Morales II provided a general report. Fiscal year 2024-25 totals to date are 91 applications reviewed with 41 approved for a total of \$254,356.00.

S. Appeals-Grant Review Subcommittee

Director Cade Browning provided a report on the grant authorization request received: “Leadership Class” by the State Bar of Texas Family Law Section.

Director Cade Browning made a motion to approve the recommendation of the Appeals/Grant Review Subcommittee to uphold the decision of the Texas Board of Legal Specialization to revoke certification of Mr. David Leigh Sheller in Personal Injury Trial Law. Coming from a committee, no second is needed. Discussion ensued by Director Forrest Huddleston; motion carried.

Director Cade Browning made a motion to approve the recommendation of the Appeals/Grant Review Subcommittee to uphold the decision of the Texas Board of Legal Specialization denying the application of Judge Melissa Morris for certification in Criminal Law. Coming from a committee, no second is needed. No discussion; motion carried. Director Krisi Kastl abstained, and Director Kenda Culpepper (non-voting member) announced abstention.

Director Cade Browning made a motion to approve the recommendation of the Appeals/Grant Review Subcommittee to uphold the decision of the Texas Board of Legal Specialization denying the application of Judge Maria Aceves for certification in Civil Trial Law. Coming from a committee, no second is needed. Discussion ensued by Directors Krisi Kastl, Jason Charbonnet, and Kenda Culpepper; motion carried. Directors Krisi Kastl and Aaron Tobin abstained.

T. Professional Development Subcommittee

Director Aaron Tobin provided a general report including the revamped Texas Bar CLE website launch happening the first week of November.

U. Insurance/Member Benefits Subcommittee

Director Radha Thiagarajan provided a general report on the Texas Bar Private Insurance Exchange and member benefits including BetterHelp.com and Smokeball.

V. Affordable Legal Services Subcommittee

Director Kenda Culpepper provided a general report.

W. Legislative Policy Subcommittee

Director David Courreges provided a general report on four legislative proposals from the Texas Access to Justice Commission included in the materials.

X. Section Representatives to the Board

Judge Jerry Bullard reported that section membership is up to a total section membership of 89,545 members and provided highlights on various section events.

Y. Commission for Lawyer Discipline/Chief Disciplinary Counsel

Judge Monica Gonzalez, Chair of the Commission for Lawyer Discipline, provided a general report and reported that for the quarter of June 1, 2024, to August 31, 2024 a total of 148 complaints were resolved through 64 sanctions, and revenues collected for attorney fees was \$101,147.

Z. Texas Young Lawyers Association

Texas Young Lawyers Association President Hisham Masri provided a report on meetings, travels, and TYLA projects.

AA. Supreme Court of Texas Liaison

Senior Justice Debra Lehrmann provided a general report, an overview of the disciplinary rules referendum, and expressing gratitude for comments from the State Bar regarding the proposed rules governing licensed legal paraprofessionals and licensed court-access assistants.

BB. Court of Criminal Appeals Liaison

Judge Jesse McClure III provided a general report.

CC. Judicial Section Liaison

Judge Bill Miller had an excused absence; no report was given.

DD. Federal Judicial Liaison

Judge Jeff Brown provided a general report.

EE. Out of State Liaison

Director Sundeep K. “Rob” Addy provided a report on how many out-of-state and out-of-country attorneys the State Bar of Texas currently has, which is 15,425 which is a 54% increase in the last 10 years.

FF. Report from General Counsel

No report was given by General Counsel Ross Fischer.

GG. Report from Chief Legal Counsel

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

1. Chair of the Board Paul K. Stafford recessed the open session and reconvened in closed session at 1:46 p.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.), *Butler v. State Bar of Texas et al.* (No. 4:23-CV-01070) (E.D. Tex.), *Robins v. State Bar of Texas, et al.* (No. 202418660) (129th District Court, Harris County), *Turnbull v. Commission for Lawyer Discipline, et al.* (No. D-1-GN-24-002025) (201st District Court, Travis County), *Alford v. State Bar of Texas, et al.* (No. 4:24-CV-01679), 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 Paul K. Stafford reconvened the open session at 1:57 p.m. 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.), *Butler v. State Bar of Texas et al.* (No. 4:23-CV-01070) (E.D. Tex.), *Robins v. State Bar of Texas, et al.* (No. 202418660) (129th District Court, Harris County), *Turnbull v. Commission for Lawyer Discipline, et al.* (No. D-1-GN-24-002025) (201st District Court, Travis County), *Alford v. State Bar of Texas, et al.* (No. 4:24-CV-01679), and legal matters related to 1415 Lavaca.
3. No action was taken in closed session.

HH. SBOT Mission Statement

Director Radha Thiagarajan led the Board in reciting the mission statement.

II. There being no further business, Chair of the Board Paul K. Stafford called for a motion and a second to adjourn the meeting. TYLA Immediate Past President Laura Pratt made such motion. Seconded by Director Rosalind Perez. Meeting adjourned at 1:59 p.m. by Chair of the Board Stafford.