(as posted 6/15/2004)

Agenda

STATE BAR OF TEXAS
BOARD OF DIRECTORS

Marriott Rivercenter Hotel, Ballroom B & F
101 Bowie St.
San Antonio, Texas
June 23, 2004 – 1:30p

Individuals with disabilities are entitled to have access to and participate in this meeting. An individual requiring an accommodation for access to the meeting must notify the State Bar by informing Pat Hiller at 1/800-204-2222 or 512/463-1463 (x1451) or RELAY Texas (1-800-735-2989), in writing 24 hours prior to the scheduled meeting of the necessity of an accommodation. Upon receipt of this request, the State Bar will furnish appropriate auxiliary aids and services when necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of the Board meeting as nonhandicapped individuals enjoy.

Outgoing/Incoming Boards, 2003-04 and 2004-05: 7

1.	**Call to Order**	Kim J. Askew	
2.	**Roll Call**	Michelle Hunter	
3.	**Invocation**		
4.	**Action:** Consider and discuss approval of Consent Agenda items	Kim J. Askew	(Consent Tab)
5.	**Discussion:** Overview of the Bar year	Betsy Whitaker Kim J. Askew Antonio Alvarado	
6.	**Special Presentations:** a. Former Executive Director b. Outstanding Third-Year Director		
7.	**Discussion:** Report from the President-elect	Kelly Frels	
	a. ***Closed Session*** as authorized by Texas Government Code, Section 551.074, for the purpose of discussing appointment of Interim Executive Director		

SBOT MISSION

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2003-2004 Board Goals

- Improved customer service.
- Provide the best in technology.
- Active communications and involvement.

b. ***End of Closed Session/Return to Open Session*:**
Action: Consider and discuss approval of appointment of Interim Executive Director and consultation arrangement with Tony Alvarado for transition

c. **Action:** Consider and discuss General Counsel's recommendation for appointment of Assistant General Counsel

d. Consider and discuss approval of proposed revisions to the President-elect election guidelines **(Tab 1)**

8. **Task Force on Referral Fees** Richard C. Hile **(sent under separate cover)**
Action: Consider and discuss approval of submission of Final Report and Recommendations to the Texas Supreme Court

9. **Discussion:** Referendum Issues W. Mike Baggett

10. **Technology Oversight Subcommittee** Mark N. Osborn
a. **Discussion:** Update on technology issues
b. **Discussion:** Status of State Bar back office database project
c. **Action:** Consider and discuss approval of recommendations of the Administration Committee regarding the contract with Advanced Solutions International for the purchase and implementation of the iMIS software system and consider granting authority to the Administration Committee to approve the contract scope of work in consultation with the Technology subcommittee **(Tab 2)**

11. **Administration Committee** Jarvis V. Hollingsworth
a. **Discussion:** General Report
1) UPL brief filing in American **(Tab 3)**

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Home Assurance Company, Inc., and
Traveler Indemnity Company vs.
UPL Committee, Cause No. 11-02-00212-CV

2) Contracts update
3) Litigation update

b. **Action:** Consider and discuss approval of State Bar performance measures — W. Mike Baggett — **(Tab 4)**

c. **Action:** Consider and discuss approval of a Real Estate Strategic Plan — William H. Betts, Jr. — **(Tab 5)**

12. **Finance Subcommittee** — William D. Elliott — **(Tab 6)**
    a. **Discussion:** General Review of financials
    b. **Discussion:** Financial trends
    c. **Action:** Consider and discuss acceptance of Quarterly Investment Report for period ending 2/29/04

13. **Discussion:** Update on legal services funding study (Resource Development Project) — Hon. Harriet O'Neill, Dennis Dorgan

14. **Budget Subcommittee** — Kelly Frels — **(Tab 7)**
    Action: Consider and discuss approval of up to $300,000 from 2004-05 budget to provide additional support for Texas Lawyers Care

15. **Remarks from the General Public**
    (Sign in sheet available from Pat Hiller. The chair may limit each person to 5 minutes.)

16. **Appeals-Grant Review Subcommittee** — W. Steven Steele — **(Tab 8)**
    Discussion: Report of Grants Received
    "Law Office Management Program" ($10,000; Sponsor: SB Law Office Management Dept.)

17. **Policy Manual/Bar Refresher Subcommittee** — Mina A. Brees — **(Tab 9)**

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a. **Action:** Consider and discuss approval of proposed revisions to SBOT Policy Manual --
   1) proposals previously presented to the Board and/or Executive Committee
   2) proposals that have been made necessary by technical and definition consistency and correction
   3) proposals that have not been previously presented to Board and/or Executive Committee regarding:
      a) Directors
      b) Board Committees
      c) TexasBarCLE
      d) Clean Up Provisions
      e) Election of Chair of the Board
      f) Setting the Agenda for Board Meetings
      g) Annual Meeting Resolutions
      h) Client Security Fund

b. **Discussion:** Bar Refresher Questionnaire

18. **Minimum Continuing Legal Education Committee** — D. Hull Youngblood — **(Tab 10)**
Action: Consider and discuss revisions to the MCLE Rules and Regulations

19. **Commission for Lawyer Discipline/ Chief Disciplinary Counsel Update** — Mark D. White, Dawn Miller — **(Tab 11)**
Action: Consider and discuss approval of Internal Operating Rules for the Commission for Lawyer Discipline

20. **Discussion:** Reports
    a. TYLA — Marshall C. Wood
    b. General Counsel — Patricia A. Moore
    c. Chief of Staff — Michelle Hunter

21. **For Information Only:** End of year State Bar Committees and Sections reports — **(Tab 12)**

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If during the course of the meeting covered by this Notice, the State Bar Board of Directors should determine that a closed or executive session of the State Bar Board of Directors should be held or is required in relation to an item noticed in this meeting notice, then such closed or executive meeting or session as authorized by the Open Meetings Act will be held by the State Bar Board of Directors at that date, hour, and place given in this notice or soon after the commencement of the meeting covered by this Notice as the State Bar Board of Directors may conveniently meet in such closed or executive meeting or session concerning any and all subjects and for any and all purposes permitted by Sections 551.071-551.084 of the Texas Government Code, the Open Meetings Act, including, but not limited to

Section 551.071 – For the purpose of a private consultation with the Board's attorney on any or all subjects or matters authorized by law: pending or contemplated litigation; a settlement offer.

Section 551.072 – For the purpose of deliberating the purchase, exchange, lease, or value of real property.

Section 551.074 – For the purpose of deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

The Board reserves the right to change the order of items on the agenda. Agenda items may be taken out of sequence to accommodate persons appearing before the Board and/or to aid in the effectiveness of the meeting.
Should any final action, final decision, or final vote be required in the opinion of the Board with regard to any matter considered in such closed or executive meeting or session, then such final action, final decision, or final vote shall be at either:

a. the open meeting covered by this notice upon the reconvening of this public meeting, or

b. at a subsequent public meeting of the Board upon notice thereof, as the Board shall determine.

22. ADJOURNMENT

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Consent Agenda

June 23, 2004 - Board Meeting

C1. APPROVAL OF MINUTES:

(Minutes Tab) Approval of minutes of Board meeting conducted on *April 16, 2004*

C2. ITEMS FROM 2004-2005 PRESIDENT:

Approval of appointments to the following entities:

a. **College of the State Bar Board,** for terms effective June 1, 2004 through May 31, 2007:

Justice Eugene Cook (College Station)
Lauren Beck Harris (Houston)
Baynetta M. Jordan (Lubbock)
Katherine Julia (Edinburg)
Robert D. "Bob" Miller (Big Spring)
Kerry L. Russell (Tyler)

b. **Section Coordination Committee,** for two-year terms effective Annual Meeting 2004 through Annual Meeting 2006:

Michael J. Black, Chair (San Antonio, Board)
Michael Connelly (Houston, Board)
Charles A. Spain, Jr. (Houston, Section)
Constance C. Westfall (Dallas, Section)

c. **Section Representative to the Board Committee**:

1) for three-year terms effective Annual Meeting 2004 through Annual Meeting 2007:

Stephen J. Smith (Houston, Large Section)
Judy L. Ney (Houston, Medium Section)

2) to complete Demetrius K. Bivins' unexpired term through Annual Meeting 2006:

Lisa M. Tatum (San Antonio, Small Section)

d. **State Bar Insurance Trust**, for three-year terms effective July 1, 2004 through June 30, 2007:

Christopher W. Martin (Houston)
Melvin L. Burner, Jr. (Austin)

e. **Texas Access to Justice Commission**, for three-year terms effective June 2004 through June 2007:

Douglas Caldwell (Houston, Program Representative)
Guy N. Harrison (Longview, At-Large Member)

f. **Texas Board of Legal Specialization**, for three-year terms effective July 1, 2004 through July 30, 2007:

Olan J. Boudreaux (Houston)
Alene R. Levy (Houston)
John R. Mercy (Texarkana)
Robert E. Valdez (San Antonio)

g. **Texas Equal Access to Justice Foundation (IOLTA)**, for three-year terms effective September 1, 2004 through August 31, 2007:

Rep. Brian McCall (Plano, Public Member)
Karen M. Neeley (Austin)

(Yellow Tab A) h. Approval of State Bar committee chairs to serve during the year 2004-05, per State Bar Rules, Art. VIII, Section 1B

C3. OTHER APPOINTMENTS:

Nominating Committee to Select ABA Delegates *(Chair Guy N. Harrison)*

Approval of appointment of delegates to the American Bar Association House of Delegates for two-year terms beginning at the conclusion of the 2004 ABA Annual Meeting and expiring at the conclusion of the 2006 ABA Annual Meeting:

Delegates:

Eduarado R. Rodriguez (Brownsville)
Elizabeth D. Whitaker (Dallas)
H. Mack Barnhart (Gainesville)
Walter L. Sutton, Jr. (Richardson)

C4. ITEMS FROM COMMITTEES AND SECTIONS/DIVISIONS:

(Yellow Tab B) a. Approval of Public Utility Law Section's request to conduct its annual meeting in August 2004 other than in conjunction with the State Bar Annual Meeting

(Yellow Tab C) b. Approval of request by Taxation Section to revise bylaws on condition of subsequent approval by section at its June 25 meeting

C5. OTHER ITEMS:

(Yellow Tab D) Approval of resolutions honoring --

a. Executive Director Antonio Alvarado (Austin)
b. Chief Justice Thomas R. Phillips (Austin)
c. Late Federal Judge Filemon Vela (Brownsville)

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