OFFICIAL MINUTES
STATE BAR OF TEXAS
BOARD OF DIRECTORS MEETING
Omni Corpus Christi Hotel
Corpus Christi, TX
April 16, 2004

The Board of Directors of the State Bar of Texas met in a regular session on April 16, 2004 at the Omni Corpus Christi Hotel in Corpus Christi, Texas. The meeting was called to order at 9:00 a.m. by Chair Kim J. Askew, and the roll was called by Executive Director Antonio Alvarado. A quorum of voting Board members was present. Invocation was presented by Board Member Roland K. Johnson.

***Present*:**
Board Members: Patricia O. Alvarez, Kim J. Askew, W. Mike Baggett, H. Mack Barnhart, Blair A. Bisbey, Michael J. Black, Mina A. Brees, Ralph H. Brock, Russell G. Burwell III, Linda R. Butter, Ophelia F. Camina, Judge Jim Coronado, Jennifer G. Durbin, Michael A. Elliott, William D. Elliott, Kelly Frels, Roland Garcia, Jr., Tom Godbold, Terri L. Hagan, Guy N. Harrison, Pauline E. Higgins, Paula W. Hinton, John H. Hofmann, Jarvis V. Hollingsworth, Roland K. Johnson, John F. Landgraf, Stephen C. Maxwell, David R. McAtee, Melinda C. McMichael, M.D., S. Leon Mitchell, Mark N. Osborn, Glenn A. Perry, Velva L. Price, Mickey R. Redwine, Vianei Lopez Robinson, Renato Santos, Jr., Charles W. Schwartz*, W. Steven Steele, Andrew L. Strong, Mark A. Shank, Amy Dunn Taylor, Betsy Whitaker, James C. Winton, Marshall C. Wood

Liaisons*: Joette Furlough, Justice Michael H. Schneider, Judge Walter S. Smith, Jr.,

Section Representatives*: William H. Betts, Jr., Demetrius K. Bivins, Suzanne Mann Duvall, W. David East, Robert V. Gibson, Mark L. Murdock

Excused Absences:
Fred E. Aurbach, D.D.S., Jeffrey R. Parsons, Patricia J. Williams; Liaisons Judge Molly M. Francis, Judge Sharon Keller

(= nonvoting)*

I. CONSENT AGENDA ITEMS

Upon motion properly made and seconded, the following items on the Consent Agenda were approved with the changes noted:

A. Minutes of Board meeting conducted on *January 23, 2004*
B. Ratification of actions taken at the following Executive Committee meetings:

***March 2, 2004*:** Approval of minutes for the January 6, 2004 Executive Committee meeting.
April 7, 2004: Approval of minutes for the March 2, 2004 Executive Committee meeting.

C. Appointments by President Betsy Whitaker to the following entities:

1. **Commission for Lawyer Discipline:**

a) for terms September 1, 2004 through August 31, 2005:

Chair: Mark White (Amarillo)
Vice Chair: ~~Raymond S. Reiner (Houston)~~ F. Ben Selman, Jr. (Waco)

b) for three-year terms effective September 1, 2004 through August 31, 2007:

Arthur Neale Potts (Belton)
~~Kimberly L. Kiplin (Austin)~~ Melody M. Wilkinson (Fort Worth)

2. **Law Focused Education, Inc**., for two-year terms effective April 2004 through April 2006:

Jamie Castaneda (Houston)
Joanne Galvan (San Antonio)
David Kent (Dallas)
Lilly Plummer (Midland)
Karen Wiggins (Dallas)
Paula Wyatt (Corpus Christi)

3. **Resolutions Committee**, for terms expiring at the 2004 Annual Meeting:

a) Temporary Committee:

Temp. Chair: SBOT Immediate Past Chair of the Board Charles W. Schwartz (Houston)
Temp. Vice-Chair: TYLA Chair Laura Beckman (Houston)
Temp. Secretary: San Antonio Bar Assn., Jennifer Durbin (San Antonio)
Temp. Parliamentarian: Gary L. Anderson (San Antonio)
Alternate: Laurie A. Weiss (San Antonio)
Alternate: Lisa M. Tatum (San Antonio)

b) Review Committee:

Charles W. Schwartz (Houston)
Michael J. Black (San Antonio)
W. Steven Steele (Bryan)

4. **State Bar Insurance Trust**, to complete Claire Arenson's unexpired term through June 30, 2006:

James W. Mills III (Dallas)

5. **Texas Legal Protection Plan**, for three-year terms June 1, 2004 through May 31, 2007:

Robert P. Clines (Hurst)
Richard Geiger (Dallas)
Kellis Richter (Austin)
Ray Rische (Austin)

D. Appointments by President-elect Kelly Frels of --

1. State Bar committee chairs to serve during the year 2004-05, per State Bar Rules, Art. VIII, Section 1B
2. Members to serve on two or more committees

E. Revisions to bylaws – State Bar Litigation Section **(See Exhibit A.)**

F. Appointments by TYLA President Marshall C. Wood=s of Sergeants-at-Arms to serve at 2004 Resolutions Committee:

(All appointees are from San Antonio)

Veronica D. Elizalde
Daniel L. Hargrove
Tara L. Adami Hoelscher
Ramon A. Molina
F. Denise Russell

G. Recipients for the pro bono awards to be presented at the Annual Meeting **(See Exhibit B.)**:

1) **Pro Bono Award:** St. Mary's University School of Law with the Community Justice Program of the San Antonio Bar

2) **Frank J. Scurlock Award:** Kenneth D. Fuller (Koons, Fuller, Vanden Eykel & Robertson, P.C., Dallas)

3) **The J. Chrys Dougherty Legal Services Award:** Susan F. Zinn (Texas Rio Grand Legal Aid, San Antonio)

4) **W. Frank Newton Award:** Baker Botts L.L.P. Pro Bono Program

H. Recipients for the Nancy Garms Memorial Award to be presented at the Annual Meeting:

Richard M. Alderman (Houston)

I. Courtesy resolutions for 2004 Annual Meeting **(See Exhibit C.)**

J. Resolution honoring Hon. Robert J. Galvan (El Paso) **(See Exhibit D.)**

II. ELECTION OF 2004-05 CHAIR OF THE BOARD

The election of 2004-05 Chair of the Board was conducted by written ballot pursuant to Section 1.11.04 of the State Bar Board Policy Manual. To comply with open meetings requirements, voting members were asked to verify on separate verification pages of the ballots distributed that they were authorized to and had cast their vote on behalf of the Director whose name was marked on the ballots.

Candidates for election were: W. Mack Barnhart, William D. Elliott, Roland Garcia, Jr., and Paula W. Hinton. After three rounds of voting, William D. Elliott was elected to serve as 2004-05 Chair, after which, he gave brief remarks.

III. REPORTS

A. Minority Director Appointments: Ad Hoc Committee to Select Minority Directors Chair Ophelia Camina reported on the selection process taken by the committee, which resulted in four finalists being recommended to President Whitaker for consideration.

President Whitaker moved to approve the appointment of Demetrius K. Bivins (Houston) and Carmen I. Perez (El Paso) as Minority Members of the Board of Directors, for three-year terms, effective Annual Meeting 2004 and expiring Annual Meeting 2007. Properly seconded, the motion passed.

B. Nominations & Elections Subcommittee: N&E Subcommittee Chair Kelly Frels reported the subcommittee will meet Saturday morning to vote on the proposed revisions to the Board Policy Manual regarding the 2005 elections, after which the proposals will be sent to the Policy Manual/Bar Refresher

Subcommittee for review and then to the Board for consideration at its June meeting in San Antonio. Election ballots were mailed April 15 and are due back April 30.

C. Administration Committee:

1) Leases: Administration Committee Chair Jarvis Hollingsworth reported the Dallas lease for the CDC field office is due to expire May 31, 2004. Negotiations to extend the current lease at the same cost until the newly located space at Lincoln Center is completed were unsuccessful, so the Bar will incur a holdover penalty at a rate of approximately $7,000 per month until the move is effected.

On behalf of the committee, Hollingsworth moved that the Board approve the Dallas lease. The motion carried.

2) Litigation: Hollingsworth gave updates on several cases, including the new litigation, Williams v. Guy Harrison, *et.al.*, seeking various documents, and indicated a full report of the litigations is available for review.

3) Performance Measures: Subcommittee Chair W. Mike Baggett indicated the Sunset Commission had recommended the Bar develop a strategic plan and performance measures to track execution of that plan. Staff is in the process of completing the measures, and Board members will receive the information for review and subsequent action at the June Board meeting. The measures will facilitate prioritizing spending and resources in a way that is supportive of the strategic goals and performance needed on a macro basis.

4) Amicus Brief: Administration Committee Chair Hollingsworth presented background information about the UPL case**,** American Home Assurance Company, Inc., and Traveler Indemnity Company vs. UPL Committee, Cause No. 11-02-00212-CV. The original request of the UPL Committee was for the State Bar to file an *amicus brief* with the Texas Supreme Court supporting its position in the litigation. The Administration Committee was subsequently informed after the January Board meeting that the UPL Committee has revised its request and simply asks the State Bar to urge the Supreme Court to take the case. The primary issue is whether Section 81.102 of the Government Code, the statues that provide for the unauthorized practice of law in Texas, prohibits an insurance company from using lawyers employed by the company, staff counsels/full-time employees, to defend the company's insured. (**See Exhibit E** for PowerPoint presentation.)

Chair Askew invited public input concerning the UPL *amicus brief* issue, and indicated the time limit for each speaker's comments. Chair Askew also noted that Supreme Court Liaison Justice Michael H. Schneider did not participate, nor was he in the room, during the discussions concerning the UPL issue.

The following individuals signed in and addressed the Board on the *amicus brief* issue. (Seven others signed in but did not speak.)

Against filing (3):
Steve Amis (Farmers Insurance, Arlington)
Kelly O'Conner (USAA – Law Offices of Kelly O'Conner, San Antonio)
Eric Stahl (Vinson & Elkins, LLP, Dallas)

Hollingsworth indicated the Board at its January 2004 meeting had authorized the Executive Committee to take necessary action regarding the fees. The issue was discussed during the April 7 Executive Committee meeting, and no action taken. The Board also requested the Administration Committee to review and study the UPL issues and report back to the Board.

Options considered by the Administration Committee:

a. File an *amicus brief* supporting the UPLC position.
b. Do nothing.

c. File an *amicus brief* requesting Supreme Court take the case without recommending issues to be decided.
d. File an *amicus brief* requesting Supreme Court take the case and recommending issues to be decided.

MOTION 1: On behalf of the Administration Committee, Hollingsworth moved "that the State Bar of Texas, without taking a position, file a short amicus brief requesting the Supreme Court grant writ because of the importance of the issues to all lawyers of Texas, and requesting the Court decide the following questions:

1. **Is it the unauthorized practice of law for attorneys licensed in Texas who are insurance company employees to render legal services to third party insureds?**
2. **When a licensed attorney in Texas represents an insured under an insurance policy, does the attorney have one client, the insured – or two clients, the insured and the insurer?**
3. **Can or should the UPLC be held liable for attorney's fees in this case?"**

Hollingsworth indicated the brief would be drafted by the State Bar General Counsel, reviewed and edited by the Administration Committee, and signed by the President in early May 2004 (after the 30-day response time for insurers).

Much discussion ensued. Upon request for clarification of the committee's charge, Hollingsworth indicated the request by the UPLC, not the attorney's fees, had already been assigned to the Administration Committee, before the January meeting, to review and make a recommendation to the Board.

Closed Session: The Board of Directors met from 11:15 a.m. to 11:40 a.m. in closed session, as authorized by Texas Government Code, Section 551.071, for the purpose of a private consultation with the Board's attorney regarding the UPLC litigation.

(Open Session) Upon return to open session, Chair Askew announced that during the closed session, pursuant to Texas Government Code, Section 551.071, only items pertaining to the UPLC litigation were discussed. No action was taken in closed session.

In open session, more comments were heard from Board members.

MOTION 2: A motion was made to call the question. Upon the call to vote, the motion *failed*.

MOTION 3 - AMENDMENT: Judge Jim Coronado moved [to amend] "that the first question be removed and that the motion pass as recommended without the first recommendation." The motion was seconded.

Chair Askew clarified Judge Coronado's motion to read: **"that the State Bar of Texas, without taking a position, file a short amicus brief requesting the Supreme Court grant writ because of the importance of the issues to all lawyers of Texas, and requesting the Court decide the following questions:**

1. ~~**Is it the unauthorized practice of law for attorneys licensed in Texas who are insurance company employees to render legal services to third party insureds?**~~
2. **When a licensed attorney in Texas represents an insured under an insurance policy, does the attorney have one client, the insured – or two clients, the insured and the insurer?**
3. **Can or should the UPLC be held liable for attorney's fees in this case?"**

MOTION 4 - SUBSTITUTION: James Winton moved to substitute the following language:

1. **Is it the unauthorized practice of law for attorneys licensed in Texas who are ~~insurance company employees~~ employed by insurance companies to render legal services to third party insureds?**

Judge Coronado seconded the motion to substitute.

On request for clarification, Chair Askew indicated that the motion on the floor was **[Motion 3]** Judge Coronado's motion to amend by deleting the first bullet under the original motion. **The motion to amend *failed*. Upon a request for a hand count, the motion to amend *failed*.**

More discussion ensued, including comments by Ralph Brock and Charles Schwartz about whether the issue of attorneys' fees was ready for action by the Bar. General Counsel Patricia Moore indicated concern that the issue has been remanded to the trial court and the Bar is not a named party in the law suit, and there is an outstanding general attorney's opinion that says that if the State Bar is responsible for funding the UPLC that in a case where there might be a determination of fees, that we are functionally the party that would pay that. Putting the issue in front of the Supreme Court is a fact issue and does not go to the determination of fees. Schwartz responded that there is no chance that the Supreme Court would take the position that the attorneys' fee issue is ripe at this juncture.

MOTION 5 - AMENDMENT: Patricia Alvarez moved to amend the motion to read "that the State Bar of Texas, without taking a position, file a short amicus brief requesting the Supreme Court grant writ because of the importance of the issues to all lawyers of Texas."~~, and requesting the Court decide the following questions:~~

1. ~~**Is it the unauthorized practice of law for attorneys licensed in Texas who are insurance company employees to render legal services to third party insureds?**~~
2. ~~**When a licensed attorney in Texas represents an insured under an insurance policy, does the attorney have one client, the insured – or two clients, the insured and the insurer?**~~
3. ~~**Can or should the UPLC be held liable for attorney's fees in this case?"**~~

Properly seconded, the motion *failed*.

MOTION 6 - AMENDMENT: TYLA President Marshall Wood moved to remove the words "practicing in captive law firms" and amend that to say "those who are full time insurance company employees." Properly seconded, the motion *carried*.

MOTION 7 - AMENDMENT: TYLA President Wood moved another friendly amendment to withdraw the phrase "full time." Properly seconded, the motion *carried*.

MOTION 8 - AMENDMENT: Ralph Brock moved to amend the motion to delete the third point regarding attorneys' fees. Properly seconded, the motion *failed*.

MAIN MOTION AS AMENDED: Upon the call to vote on the main motion as amended, the motion *carried (with some nays heard)*, resulting in the following:

"… that the State Bar of Texas, without taking a position, file a short amicus brief requesting the Supreme Court grant writ because of the importance of the issues to all lawyers of Texas, and requesting the Court decide the following questions:

1. **Is it the unauthorized practice of law for attorneys licensed in Texas who are insurance company employees to render legal services to third party insureds?**
2. **When a licensed attorney in Texas represents an insured under an insurance policy, does the attorney have one client, the insured – or two clients, the insured and the insurer?**
3. **Can or should the UPLC be held liable for attorney's fees in this case?"**

Paula Hinton nor Velva Price participated in the voting on these issues.

D. Referendum Issues: Referendum Subcommittee Chair Mike Baggett indicated the list of referendum items were being reviewed for presentation to the membership by possibly Fall/October 2004. Topics under consideration include: Referral Fee Task Force, Texas Disciplinary Rules, Supreme Court Task Force on ABA Ethics 2000, SB Annual Meeting Resolution on no sex with clients, items left from the 1998 Referendum that passed but did not get 51 percent (including disciplinary procedures, board certification), Nominations and Elections Subcommittee proposal to move El Paso from the metropolitan category for State Bar President-elect elections, Advertising Review Committee recommendations, and various other items.

E. Referral Fee Task Force: Task Force Chair Richard C. Hile indicated the results of the survey of attorneys regarding referral fees should be available soon. In discussing the Task Force's report **(See Exhibit F.)**, Hile highlighted preliminary action items regarding five areas where the most controversy exists:

1) Whether the rule proposed in Rule 8a or any rule regarding referral fee should be part of the Disciplinary Rules and not part of the Rules of Civil Procedure.
2) Public disclosure of referral fee agreements
3) Client consent at outset of representation, signed by all parties
4) Capping of fees
5) Pure forwarding fee (most controversial)

Hile also reported that during the public hearing, a large part of the time was devoted to more problematic concerns raised about advertising, and the Task Force will probably recommend changes, including in the area of using actors portraying clients. Hile suggested the Bar should address all the issues involving advertising at one time.

F. Supreme Court Liaison: Justice Michael H. Schneider reported that the Supreme Court just experienced its worst year of back-logged cases for various reasons, including rotation of justices on the Court. Justice Schneider shared the possibility of his leaving the Court for a federal appointment, but that he would continue his present job until that was confirmed. The Court is working on Rules of Judicial Conduct and not waiting on the ABA to discuss issues, such as judicial spouses, privacy/Internet issues, referral fees (Justice Schneider indicated that the referral fee rule was not withdrawn or pulled down, but was abated), monitoring the Rules of Disciplinary Procedure; and are reviewing the recent Grievance Oversight Committee critique.

G. Legal Services Funding: Chair Askew invited public input concerning the legal services funding request, and indicated each speaker's comments were limited to five minutes. The following individuals signed in and addressed the Board on the funding issue. (Three others signed in but did not speak.)

For funding (4):
Pamela Brown (Co-chair, SBOT Legal Services to the Poor in Civil Matters Committee, Weslaco)
Carol M. Barger (Member, SBOT Legal Services to the Poor in Civil Matters Committee, Dallas)
Charles Herring (Herring & Irwin, LLP, Austin)
Errol A. Summerlin (Texas Rio Grande Legal Aid, Corpus Christi)

Against funding (2):
Charles H. Awalt (Attorney, Plano)
Stephen J. Smith (Attorney, Houston)

During a PowerPoint presentation, Legal Funding Workgroup Chair Tom Godbold presented the original request to the Workgroup, long-term solutions, the process used to gather the facts, questions and findings. The Workgroup addressed several questions:

1) Is granting the request something the State Bar can legally do? Yes
2) Is there a need? Yes
3) How much is the need? $1.29M (at the time of the finding)
4) Is the need an emergency? Yes
5) If the State Bar granted the request, what could it do to assure the funds were used for the appropriate purposes, and how should it establish and maintain accountability? Allocate through TEAJF with strict conditions yet to be determined.
6) Does the State Bar have adequate resources to grant all or a portion of the request? No

MOTION 1: On behalf of the workgroup, Godbold moved: "Based on its findings that it is not fiscally prudent at this time for the State Bar of Texas to grant the request by the State Bar Legal Services to the Poor in Civil Matters Standing Committee that the State Bar allocate, on an emergency basis, $1.35M to the Texas Equal Access to Justice Foundation for legal services to the poor in civil matters, the Workgroup recommends to the State Bar Board that it not grant the Standing Committee's request." (See Exhibit G.)

Much discussion ensued. Out-of-State Lawyer Liaison Joette Furlough clarified certain aspects of the report, including the vote was not unanimous that a need exists for emergency funding, the workgroup had focused on the three largest legal services agencies versus all 34 distributees, and the unbudgeted needs that exist at the Bar. William Betts, Mark Osborn, and John Landgraf spoke to the Bar's pending needs regarding real estate/building fund, technology (expect to need contributions of $400,000 per year to the Tech Fund through year 2010 just for technology), and reserve level (review of reserve level had begun before the legal services funding request was received).

MOTION 2 - AMENDMENT: Judge Jim Coronado indicated the issue is one of balancing the Bar's fiduciary responsibility and its mission - it's duty to the public to facilitate access to justice, and **moved to amend the motion to ["… that it not grant the Standing Committee's request,] but to grant $300,000." The motion to amend was seconded.**

Responding to James Winton's request for clarification regarding the legality of funding the request, Chair Askew convened the closed session.

Closed Session: The Board of Directors met from 3:20 p.m. to 3:41 p.m. in closed session, as authorized by Texas Government Code, Section 551.071, for the purpose of a private consultation with the Board's attorney regarding the legal funding issue.

(Open Session) Upon return to open session, Chair Askew announced that during the closed session, pursuant to Texas Government Code, Section 551.071, only items pertaining to the legal funding issue were discussed. No action was taken in closed session.

MOTION 3 – AMENDMENT: Mark Osborn offered a friendly amendment that the funds come out of the 2003-04 State Bar budget, go to Texas Equal Access to Justice Foundation in an appropriately restricted fund, and subject to obtaining approval from the Supreme Court. Judge Coronado accepted the friendly amendment.

Pauline Higgins cautioned the Board about spending unbudgeted line items, other Board members spoke for or against the motion, and John Landgraf voiced concern over the Bar's setting an inappropriate precedent in becoming a granting entity instead of seeking funding through an entity such as the Bar Foundation.

MOTION 4 – AMENDMENT: Andrew Strong offered a friendly amendment that the funds should not be limited to the current budget, but to the budget and/or reserves. Judge Coronado accepted the friendly amendment.

Restated, the amendment read: "To grant $300,000 for legal services to the poor to come out of reserves to flow through the current fiscal year's budget to TEAJF with all requirement conditions, subject to Texas Supreme Court approval."

Chief of Staff Michelle Hunter indicated if the Board voted "yes" on the amendment, the $300,000 would come from reserves and the Supreme Court would be asked to amend the budget.

Upon the call to vote on the amendment, the Chair determined a hand count was needed. The amendment failed (17 for, 18 against; 1 abstention - Pauline Higgins).

MAIN MOTION: Upon the call to vote by hand on the main motion [Workgroup's recommendation to not fund], the motion carried (20 for, 15 against).

H. Budget Subcommittee: Budget Subcommittee Chair Kelly Frels explained the process taken to develop the 2004-05 State Bar budget. **On behalf of the Budget Subcommittee, Frels moved adoption of the 2004-05 State Bar budget for presentation to the Supreme Court. The motion carried. (See Exhibit H.)**

I. Finance Subcommittee: Finance Subcommittee Chair William D. Elliott presented an overview of the Bar's financial condition. In presenting action items for consideration, Elliott offered the following motions:

Motion 1:
On behalf of the Finance Subcommittee, Elliott moved to:

1. **Accept the Internal Audit for fiscal year 2003 (See Exhibit I.)**
2. **Accept the Investment Transaction Report for quarter ending November 30, 2003 (See Exhibit J.)**
3. **Approve the revisions to Board Policy Supplement S3.05 Investment Policy (See Exhibit K.)**
4. **Approve increase in threshold for second signature on State Bar checks from $200 to $1,000 (See Exhibit L.)**

The motion carried.

Motion 2:
After the discussion concerning legal funding, Elliott indicated the Finance Subcommittee had met in response to the March letter from the auditors. **On behalf of the Finance Subcommittee, Elliott moved that "the reserve be set at $5.5 million, with the understanding that we are going to continue to look at that intently going forward with future modification." The motion carried. (See Exhibit M.)**

J. Appeals/Grant Review Subcommittee: Appeals/Grant Review Subcommittee Chair Steven Steele reported no appeals had been received. Two grants had been received, and the subcommittee had approved unanimously submission as requested.

1) "Brown v. Board of Education: Half Century Later … Are We Half-Way There ($11,265; Sponsor: SB Racial Diversity in the Profession Committee – *submission to Texas Bar Foundation*)
2) Child Protective Services (CPS) Guidebook ($2,500; Sponsor: SB Child Abuse and Neglect Committee – *submission to Child Protection Court of Central Texas*)

K. Legislative Policy Subcommittee: Legislative Policy Subcommittee Chair Blair Bisbey reported Governor Perry has called a special session on school finances to begin next Tuesday (April 20) to discuss issues of interest to State Bar members: creation of a business activity tax, expansion of the corporate franchise tax and sales tax to include a tax on services (including legal services), increase in attorney occupation tax, payroll tax, gross receipt tax, personal income tax, and other options that may develop as the session progresses. Blair anticipates the net effect will result in an increase in the cost of the delivery of legal services and access to the legal system.

L. Commission for Lawyer Discipline: Incoming Commission Vice Chair Ben Selman reported that implementation of the new disciplinary rules, Part IV, is in progress, and the Commission can now meet in closed sessions and by panel/action groups, which has sped up the work process. The proposed revisions to the Internal Operating Rules will be presented to the Board at its June meeting.

M. Policy Manual/Bar Refresher Subcommittee: James Winton indicated Policy Manual/Bar Refresher Subcommittee Chair Mina Brees and committee members will contact Board members before the June meeting about the proposed changes to the Board Policy Manual. Proposals will be included on the June agenda for action.

N. TYLA Update: TYLA President Marshall Wood highlighted a few of the TYLA projects, including distribution of "Law of the Land" brochure (translated in Spanish), printing a survivor guide for TYLA members, development of an annual report.

There being no further business, the meeting was adjourned at approximately 4:45 p.m.

EXHIBITS ATTACHED

EXHIBIT A: Amendment – Litigation Section Bylaws
EXHIBIT B: Pro Bono and Legal Service Awards
EXHIBIT C: Courtesy resolutions for 2004 Annual Meeting
EXHIBIT D: Resolution honoring Hon. Robert J. Galvan (El Paso)
EXHIBIT E: Administration Committee Amicus Brief PowerPoint Presentation
EXHIBIT F: Referral Fee Task Force Preliminary Report
EXHIBIT G: Legal Service Funding Workgroup Report
EXHIBIT H: 2004-05 SBOT Budget
EXHIBIT I: Internal Audit 2003
EXHIBIT J: Investment Transaction Report ending November 30, 2003
EXHIBIT K: Revision – SBOT Policy Manual S3.05 Investment Policy
EXHIBIT L: Second Signature Threshold Increase
EXHIBIT M: Reserve Level Increase to $5.5 Million

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