

Agenda

**STATE BAR OF TEXAS
BOARD OF DIRECTORS
Baylor Law School – Room 127
1114 South University Parks Drive
Waco, TX 76798
Friday, January 30, 2009 – 9:00am**

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 Candiss Held at 1/800-204-2222 or 512/427-1463 (x1416) 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.

1. **Call to Order** Joe Shannon
2. **Roll Call** Michelle Hunter
3. **Invocation** Dr. Clifton Howard
4. **Pledge to the U.S. and Texas Flags** Jim Higdon

5. **Remarks from the General Public***
(Sign in sheet available for public comment)

6. **Report from the Chair of the Board** Joe Shannon
 - A. **Discussion:** General Report
 - B. **Action:** Consider and discuss approval of Consent Agenda items (Consent Tab)

 - C. **Chair of the Board Election**
 - a. **Discussion:** Announcement of candidates for Chair of the Board, 2009-2010
 - 1) Comments from the Chair of the Board Candidates (*four minutes per candidate*)

 - b. **Action:** Consider and discuss approval of method of voting to be used in the Chair of the Board elections during the April Board meeting (*show of hands or by written ballot*)

7. **Report from the President** Harper Estes
 - A. **Discussion:**
 - 1) General Report
 - 2) Update on LeadershipSBOT Academy
 - 3) Task Force on Grievance Committee Structure Orrin Harrison (Tab 1)

SBOT MISSION

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- B. ***Discussion: Closed Session*** as authorized by Texas Government Code, Section 551.074, for the purpose of discussing recommendations concerning the appointment of a new Chief Disciplinary Counsel
 - C. ***End of Closed Session/Return to Open Session:***
Action: Vote on the recommendation concerning the selection of a new Chief Disciplinary Counsel
8. **Report from the President-elect** Roland Johnson
- A. **Discussion:** General Report
 - B. **Budget Committee**
Action: Consider and discuss approval of –
 - 1) SBOT 2009-10 proposed budget for publication in Texas Bar Journal (Tab 2)
 - 2) Designation of the FY 2007-08 Increase in Fund Balance
 - C. **Committee Review Task Force**
Action: Consider and discuss approval of recommendations of the Task Force (Tab 3)
9. **Report from the Texas Legal Protection Plan** Jim Buck
10. **Report from the Immediate Past President** Gib Walton
Discussion: General Report
11. **Nominations & Elections Subcommittee** Gib Walton/Travis Vanderpool
- A. **Discussion:** General Report
 - B. **Action:** Consider and discuss approval of Revisions to Policy Manual Sections 1.15 and 2.01 concerning Executive Committee Members, Board Members and Staff participation in the President-elect Campaign
 - C. **Action:** Consider approval of candidates for 2009-2010 SBOT President-elect: (Tab 4)

(Rhonda Hunter)

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(Terry Tottenham)

- D. Comments from President-elect candidates
(ten minutes per candidate)
12. **Commission for Lawyer Discipline/
Chief Disciplinary Counsel Update** Betty Blackwell/ (Tab 5)
John Neal
Discussion: General Update
13. **Administration Committee** Randy Sorrels
A. **Discussion:** General Report
B. **Action:** Consider and discuss approval of –
1) Changes to the Real Estate Strategic Plan (including
budgetary changes), if any
2) Revisions to Policy Manual Section 3.12.04
concerning Parking
14. **Audit & Finance Committee** Warren Cole
A. **Discussion:**
1) Financial Reports & General Review of (Tab 6)
Financial Statements
B. **Action:** Consider and discuss acceptance of – (Tab 7)
1) Quarterly Investment Reports for Quarters
ending August 31, 2008 and November 30, 2008
2) Financial Audit for FY ending May 31, 2008
3) Internal Audit for FY ending May 31, 2008
15. **Discipline & Client Attorney Assistance Committee**
A. **Client Security Fund Subcommittee** Michelle Cheng
Discussion: General Report
B. **DCAAP Subcommittee** Lisa Tatum (Tab 8)
Action: Consider and discuss approval of Payee
Notification Resolution
16. **Executive Committee** Harper Estes

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A. Policy Manual Subcommittee

Barbara Young

(Tab 9)

Action: Consider and discuss approval of –

- 1) Revisions to the Policy Manual Definitions
- 2) Revisions to Section 1.02.01 concerning the Board members to reflect the changes in the policy manual definitions
- 3) Revisions to Section 1.05 concerning Liaisons to the Board
- 4) Revisions to Section 1.12 concerning Meetings of the Board
- 5) Revisions to Section 1.14.01 concerning the descriptions of Board Committees
- 6) Revisions to Section 3.08.03 concerning the Building Fund
- 7) Revisions to Section 7.08 concerning the appeals of MCLE decisions to the Board
- 8) Revisions to such other sections of the Policy Manual as necessary to reflect the above changes

B. Ad Hoc Committee to Select Minority Directors

Michelle Cheng

Discussion: General Report

17. Member Services & Education Committee

Goodwille Pierre

Discussion: Appeals-Grant Review, New Directors Orientation, Professional Development, Insurance/Member Benefits, and Technology Oversight subcommittees

A. Appeals Grant Review Subcommittee

(Tab 15)

Action: Consider and discuss approval of the subcommittee's recommendations regarding the following appeals-

- 1) **MCLE:** Moria Cue, The HELP Center - regarding non-accreditation of the “Not Your Father’s Union Campaign” activity
- 2) **TBLS:**
 - a) James Lynn - regarding denial of application for certification in Tax Law
 - b) Dean Hawkins – regarding denial of application for certification in Tax Law

B. Professional Development Subcommittee

Van Hilley

Discussion: General Report

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- C. Insurance/Member Benefits Subcommittee** Guy Choate (Tab 10)
Discussion: General Report
18. **Public Services & Education Committee** Debbie Bullion
A. Legal Services Subcommittee
Action: Consider and discuss approval of professional liability insurance requirement for State Bar Lawyer Referral Service Participants (Tab 11)
- B. Legislative Policy Subcommittee**
Action: Consider and discuss approval of –
- 1) Additions or changes to the SBOT Legislative Program and recommendations of the Subcommittee, if any (Handout)
2) Revisions to Policy Manual Section 8.01 concerning Ad Hoc Emergency Legislative Response Committee
19. **Section Representatives to the Board Committee** Chad Baruch
A. Discussion: Sections Update
- B. Action:** Consider and discuss approval of recommendation regarding proposed Immigration & Nationality Law Section (Tab 12)
20. **Discussion:** Liaison Reports
A. Supreme Court Liaison Justice Dale Wainwright/
Justice Phil Johnson
B. Court of Criminal Appeals Liaison Judge Lawrence E. Meyers
C. Federal Judicial Liaison Judge Vanessa Gilmore
D. Judicial Section Liaison Judge Suzanne Stovall
E. Out-of-State Lawyer Liaison R.E. Thompson
21. **Texas Young Lawyers Association** Sylvia Cardona
Discussion: General Update
22. **Discussion:** Report from the Executive Director Michelle Hunter
23. **Discussion:** Report from the General Counsel Elizabeth Rogers (Tab 13)
24. **Discussion:** Annual Meeting Resolutions Committee Joe Shannon
Request for Sergeant-at-Arms for Resolutions
Committee meeting at the State Bar Annual Meeting

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25. For Information Only: Mid-Year State Bar Section Reports

(Tab 14)

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, or privileged communication.

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.

26. ADJOURN

[* Comments from the public may be taken through the Board meeting.

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