

Agenda
STATE BAR OF TEXAS
BOARD OF DIRECTORS
Hotel Galvez – The Music Hall
2024 Seawall Boulevard
Galveston, TX 77550
Friday, September 25, 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** David Fisher
2. **Roll Call** Michelle Hunter
3. **Invocation** Rabbi Jimmy Kessler
4. **Pledge to the U.S. and Texas Flags**
5. **Remarks from the General Public***
(Sign in sheet available for public comment)
6. **Report from the Chair of the Board** David Fisher
 - A. **Discussion:**
 - 1) General Report
 - 2) Solicitation of candidates to serve as Chair of the Board, 2010-11
 - B. **Action:** Consider and discuss approval of –
 - 1) Consent Agenda items (Consent Tab)
7. **Report from the President** Roland Johnson
 - A. **Discussion:**
 - 1) General Report
 - 2) Update on Mentoring Initiatives
 - 3) Update on LeadershipSBOT Academy
 - 4) Communications and Outreach Plan on the Professional Liability Insurance Disclosure Requirement
8. **Report from the Immediate Past President** Harper Estes
Discussion: General Report
9. **Report from the President-elect** Terry Tottenham
 - A. **Discussion:** General Report

SBOT MISSION

The mission of the State Bar of Texas is to support the administration of the legal system, assure all citizens equal access to justice, foster high standards of ethical conduct for lawyers, enable its members to better serve their clients and the public, educate the public about the rule of law and promote diversity in the administration of justice and the practice of law.

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B. Budget Subcommittee

Discussion: General Update and Timeline

10. **Commission for Lawyer Discipline/
Chief Disciplinary Counsel Update** Betty Blackwell (Tab 1)
Discussion: General Update
11. **Administration Committee** Tim Mountz
A. Discussion: General Report
- B. Action:** Consider, discuss and approve –
1) Changes to the Real Estate Strategic Plan (including budgetary changes), if any
2) State Bar Performance Measures for Fiscal Year 2010 Arnold Aguilar
12. **MCLE Committee** David Smith/ (Tab 2)
Discussion: First review of proposed changes to MCLE D. Hull Youngblood
Regulations and Accreditation Standards
13. **Audit & Finance Committee** Warren Cole (Tab 3)
A. Discussion:
1) Financial Reports and General Review of Financial Statements
2) Investment Overview Ken Couch
- B. Action:** Consider Acceptance of Quarterly Investment Reports for May 2009 and August 2009
- C. Action:** Consider approval of –
1) PFM Group and University of North Texas Center for Public Management as Public Funds Investment Act Trainers
2) Broker/Dealer List for Investments for 2010-11
3) Investment Policy
14. **Discipline and Client Attorney Assistance Committee**
Discussion: Discipline/CAAP and Client Security Fund Subcommittees
A. Client Security Fund Subcommittee Janna Clarke
Discussion: General Update

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- B. DCAAP Subcommittee** Lisa Tatum
Discussion:
1) Update on Disciplinary Rules Referendum
2) Update on Payee Notification Rule
3) Update on review of Board Policy amendments related to the Disciplinary System
15. **Executive Committee** Roland Johnson
Discussion: Nominations & Elections, Policy Manual Subcommittees; Ad Hoc Committee to Select Minority Directors
- A. Nominations & Elections Subcommittee** Harper Estes/Joe Shannon, Jr.
Discussion: General Report
- B. Policy Manual Subcommittee** Barbara Young (Tab 4)
Action: Consider, discuss and approve –
1) Revision of Board Policy Manual Section 1.12.05 regarding public participation at Board meetings
2) Revision of Board Policy Manual Section 1.14.01 regarding Board committees
3) New Board Policy Manual Section 8.02 regarding procedure to consider requests that the State Bar file Amicus Curiae briefs
16. **Member Services & Education Committee** Chad Baruch
Discussion: Appeals-Grant Review, New Directors Orientation, Professional Development, Insurance/Member Benefits, and Technology Oversight Subcommittees
- A. Appeals Grant Review Subcommittee** Kyle Lewis (Tab 5)
Discussion: Report of Grants Received
1) "Cyber Crimes Awareness Project"
(Sponsor: Texas Young Lawyers Association)
2) "Play by the Rules: Texas Laws for Youth"
(Sponsor: Law Focused Education, Inc.)
- B. Professional Development Subcommittee** John Sloan
Discussion: General Report

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| C. Insurance/Member Benefits Subcommittee
Discussion: General Report | Randy Howry |
| D. Technology Oversight Subcommittee
Discussion: Website Update Preview | Theresa Chang |
| 17. Public Services & Education Committee
Discussion: Affordable Legal Services and Legislative Policy Subcommittees | Guy Choate |
| A. Affordable Legal Services Subcommittee
Discussion: Update on Legal Services Funding Issues | Glenn Ballard |
| 18. Texas Young Lawyers Association
Discussion: General Update | Cori Harbour |
| 19. Discussion: Liaison Reports | |
| A. Supreme Court Liaison | Justice Phil Johnson |
| B. Court of Criminal Appeals Liaison | Judge Lawrence E. Meyers |
| C. Federal Judicial Liaison | Judge David Folsom |
| D. Judicial Section Liaison | Judge David Garcia |
| E. Out-of-State Lawyer Liaison | Scotty Holloman |
| 20. Report from the Executive Director
Discussion: General Report | Michelle Hunter |
| 21. Report from the General Counsel | Elizabeth Rogers (Tab 6) |
| A. <i>Closed Session</i> as authorized by Texas Government Code, Section 551.071 (1) (B) for the purpose of consultations with the General Counsel regarding <i>Edwards, et al v. Estes, et al</i> | |
| B. <i>End of Closed Session/Return to Open Session</i>
Action: Consider, discuss and vote on settlement of, or other action related to, <i>Edwards, et al v. Estes, et al</i> | |

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

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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.

22. ADJOURN

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

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