

State Bar of Texas



2020 – 2021 Committee Review Task Force Report

Overview

The State Bar Act (Section 81.122) requires the State Bar Executive Committee to review standing and special committees of the State Bar on a biennial basis. The Executive Committee is charged with determining whether there is a continued need for each committee and whether there is any unnecessary overlap of committee activities, as well as recommending any changes to State Bar policies governing committees.

Since 2004, standing and special committees have been reviewed and various recommendations have been adopted by the State Bar Board of Directors. Recommendations have included making changes to Board Policy, changing committee names, redefining purpose clauses, and eliminating several committees.

A Committee Review Task Force, made up of Executive Committee members, was appointed at the beginning of the current Bar year. The task force members conducted an extensive review of all standing and special committees by attending meetings and gathering information from committee leadership, board liaisons, and staff liaisons.

Committee Review Process

The task force established a review process to evaluate the effectiveness of all State Bar standing and special committees. Committees were evaluated on their relevance in accordance with the State Bar Act, Strategic Plan, and Board Policy. The task force also evaluated whether a committee's purpose or activities overlap with the purpose and activities of other committees or sections of the State Bar. The review included the following:

- Collecting information about the purposes, goals, and activities of each standing committee;
- Comparing the goals and activities of each standing committee, including each committee's purpose clause with the reasons why each committee was originally created, and with the requirements of the State Bar Act, Strategic Plan, and Board Policy;
- Assessing each standing committee's activities, accomplishments, and financial information; and
- Reviewing State Bar policies and procedures governing standing and special committees.

Task Force Recommendations

After extensive review, the Committee Review Task Force recommends that all committees should continue in their current format with no changes. The task force also recommends additional considerations as explained below.

General Findings

Over the past year, all committees have adapted to virtual meetings through the use of Zoom or other virtual conference technologies. We appreciate the effort that committees have put forth during the pandemic and the unique circumstances that have been presented with no in-person meetings being conducted. Since Board Policy states that meetings of the full committee should be kept to a minimum, we encourage committees to continue to use video and teleconferencing even when in-person meetings resume when possible.

Disability Issues Committee

The committee is considering whether to expand the name of the committee and whether to expand their purpose clause to expand their focus. During the next committee review process, the Task Force should coordinate with the committee to consider whether to recommend such changes to the Executive Committee.

Legal Services to the Poor in the Civil Matters Committee

The chair of the committee indicated that there seemed to be confusion at times regarding their mission and what tasks they should be completing. The committee recognizes that there are other resources and entities that have similar missions, such as the Texas Access to Justice Commission and the Poverty Law Section. The committee would like to evaluate their future role to further define an effective path for them moving forward. During the next committee review process, the Committee Review Task Force should revisit this issue with the committee to see what suggestions they may have regarding their mission.

Pattern Jury Charges – Family and Probate

During the review of the committee, there was discussion about whether it should be split into two separate jury charge committees. There was also discussion about whether to expand the number of committee members that serve on the committee. Additionally, there was a suggestion to appoint more family law attorneys to have a balance of practice area lawyers serving on the committee. The task force determined that no changes should be made to the committee at this time, but that these issues should be monitored and discussed again in the near future to determine whether changes should be made.

Committee Chair Appointments

As prescribed by the Board Policy Manual, the office of chair of a standing committee is one year in duration. The chair is appointed by the incoming President, and may be reappointed provided his or her term as a regular member has not expired. The Task Force observed that the chairs typically serve multiple years as a way to maintain consistent leadership and maintain experience in the position. The position of chair seems to rotate on a limited basis based on the needs of each committee. While there is a term limit on regular member positions, there is no term limit on the number of consecutive years to serve in the chair position.

The Task Force understands the need for maintaining experience in the chair position. However, it believes there may also be value in rotating the chair position on a more frequent and consistent basis, in order to give other committee members an opportunity to serve in a leadership role. The terms of the committee chairs should be monitored over the next two years to see how the rotation patterns develop. After such a review, the Executive Committee and the Board may consider implementing term limits for the chair position, and limit the amount of consecutive years in that position to two or three years.

Committee Highlights

The Committee Review Task Force wanted to thank the standing committees for all their efforts.

Additionally, the Task Force wanted to recognize several committees for their work on specific projects.

Advertising Review	The department and IT staff are in the final stages of developing an online portal that will allow attorneys to submit their advertisements online. This will make the review process more efficient and streamline the administrative process for lawyers.
Diversity in the Profession	<ul style="list-style-type: none"> • Bar prep scholarship program: Received grants through Texas Bar Foundation and donations from bar prep companies (like Kaplan). The committee assists law school students by providing small grants to help pay costs for bar preparation courses. • Texas Minority Law Students Program: They are holding conferences at two law schools (Texas Tech and St. Mary's) to discuss interviewing and resume building. There will be a networking luncheon and panel discussion with lawyers from all different stages of their career • Texas Minority Attorney Program: They are working on a one-day CLE and presentations for client development strategies. • K-12 Pipeline: They are working with schools across the state to present information to children about the legal profession
Jury Service	<ul style="list-style-type: none"> • Developed the "juror's bill of rights" to identify best practices for the coordinating of jurors. It includes considerations for parking, breaks, access to communication devices and other things jurors have indicated were issues affecting their prior service. • Jury service public service announcements. They are working on the final drafts of several printed ads featuring Texas celebrities encouraging jurors to respond when called for jury duty. • Jury scams- They are working on producing materials to assist law enforcement in identifying and preventing jury scams by public education. • COVID reintegration- They discuss safety issues from around the state at every meeting.
Law Focused Education	The LFE Committee members are recruiting high school students to participate in their region's Texas Citizen Bee competition and some are serving as officials. The Committee continues to provide a wide range of services to help educators teach students about the rule of law despite the impact of the pandemic.
MCLE	In response to a request from the State Bar Board, the committee developed recommendations for changes to the MCLE regulations that would allow courses on implicit bias or wellness to count as ethics credit. The Committee researched similar regulations by other Bar associations and reviewed all the public comments submitted to the State Bar. The committee's final recommendations will be presented to the Board of Directors for consideration at their April 16, 2021 meeting.
Professionalism	The committee obtained the Texas Supreme Court and the Texas Court of Criminal Appeals' Proclamation of The Texas Day of Civility in the Law as September 17, 2021 . They are working with the SBOT staff for the State Bar to recognize the same date (to be presented/requested at an upcoming Board of Directors meeting). They are also preparing a short article to accompany the proclamation in the May issue of the Texas Bar Journal.

Conclusion

The State Bar currently has a total of 28 standing committees and one special committee. Overall, the committee structure of the Bar is sound and is meeting the goals established by the State Bar Act, Strategic Plan, and Board Policy. The Committee Review Task Force concludes that there is a continuing need for all committees and that no changes to the committee structure is needed at this time. In summary, the task force makes the following recommendations to the State Bar Board of Directors:

1. Coordinate with the Disability Issues Committee to determine whether there should be a change made to their committee name and purpose clause during the next committee review process;
2. In the next two years, obtain feedback from the Legal Services to Poor in Civil Matters to determine whether their mission should be changed or refocused in a different direction;
3. In 2023, the next Committee Review Task Force should review the terms of Chair position appointments again to determine whether term limits should be incorporated.

This report is submitted on behalf of the Committee Review Subcommittee, whose members include: Sylvia Borunda Firth, (Chair), Charlie Ginn, Wendy-Adele Humphrey, Michael Smith, and James Wester.

Respectfully Submitted,

Sylvia Borunda Firth, Chair

