

State Bar of Texas

Report over Consulting and Advisory Services Procedures
over Transparency in Governance and Operations

Report Date: October 7, 2018

Issued: October 29, 2018

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Jarrold Foerster
Chair, Audit and Finance Committee
State Bar of Texas
1414 Colorado Street
Austin, Texas 78701

This report presents the results of the consulting procedures performed for the State Bar of Texas (the State Bar or Bar) during the period August 6, 2018 through October 7, 2018 related to the transparency in governance and operations of the Bar.

The objectives of the consulting engagement were to:

- A. Identify information that State Bar members and the public desire and / or require
- B. Determine if current processes are in place to ensure compliance with the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act related to:
 - o Governance
 - o Communications
 - o Finance
 - o Training (including ethics)

To accomplish these objectives, we facilitated surveys and conducted interviews with State Bar personnel throughout the organization. We also reviewed policies, documentation, and performed specific testing procedures to assess compliance with the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act. Procedures were performed both onsite at the Bar's facilities and offsite at the Weaver offices and were completed on October 7, 2018.

The following report summarizes the identified points for consideration, recommendations for improvement and management's responses.

Weaver and Tidwell, L.L.P.

WEAVER AND TIDWELL, L.L.P.

Austin, Texas
October 29, 2018

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Background

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.

In the past year, concerns related to the transparency of the Bar have been voiced by various members and stakeholders of the Bar. In November 2017, the President-elect, Joe Longley created a Transparency Task Force to explore, evaluate, investigate and consider what changes, if any, should be made to the State Bar Act, State Bar Rules, and/or State Bar Board of Directors Policy Manual to improve transparency and openness within the State Bar of Texas. At its June 2018 meeting, the Board of Directors elected to hire a third party who is independent from the Bar to provide consulting and advisory services regarding transparency in governance and operations of the State Bar.

Based on this decision, the Board engaged Weaver to evaluate the Bar's processes and procedures in place related to transparency of its governance and operations as well as compliance with the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act, regarding the requirements related to transparency.

Objective and Scope

The scope of the consulting procedures focused on the State Bar of Texas' procedures and practices for transparency in areas that are important to its Board, members, and the general public. In accordance with the AICPA Consulting Standards, we evaluated the State Bar's processes and procedures to ensure compliance with governing statutes, laws and policies related to transparency, including the State Bar Act, State Bar Rules, Texas Public Information Act and the Texas Open Meetings Act. We also facilitated surveys and performed procedures to identify information and communication that the State Bar's members and the public desire.

Objective A: Identify information that State Bar members and the public desire and / or require

Objective B: Review current processes in place to ensure compliance with the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act, related to the following:

- Governance
- Communications
- Finance
- Training (including ethics)

Our coverage period was from June 1, 2017 through June 30, 2018.

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Executive Summary

Through our procedures, we identified 10 Points for Consideration, or recommendations, to improve the processes and procedures related to transparency and communications at the State Bar. The Points for Consideration are considered to be improvements to the current processes and procedures of the State Bar, and are not considered to be non-compliance issues with transparency statutes and policies.

A summary of our results, by objective, is provided in the table below. See *Appendix B* for an overview of the Risk Ratings for the Points for Consideration.

SCOPE AREA	RESULT
<p>Objective A: Identify information that State Bar members and the public desire and / or require</p>	<p>The active and inactive members of the Bar, as well as the general public are generally satisfied with the transparency and communication of the State Bar. However, based on feedback from members of the State Bar, we identified the following opportunities for improvement:</p> <ul style="list-style-type: none"> • Provide Board meeting information to non-Board members prior to open meetings • Post quarterly financial information on the Bar's Finance webpage • Consider posting pertinent information related to State Bar vendor contracts on the State Bar website • Provide opportunities for Bar members to further customize the desired email subscriptions with the Bar • Develop an entity-wide calendar of communications to allow management to centrally monitor the dissemination of information
<p>Objective B: Review current processes in place to ensure compliance with the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act</p>	<p>The State Bar has processes and procedures in place to ensure compliance the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act. However, we identified the following opportunities for improving the communication and transparency of the Bar:</p> <ul style="list-style-type: none"> • Implement an automated tool to track the responses to Public Information Act (PIA) requests • Proactively publish information frequently requested through PIA requests • Provide Board members with State Bar email addresses to facilitate PIA request processing • Reiterate PIA processing procedures and timing with requestors • Enhance the documentation to support the completion of Board member training

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Conclusion

Based on our evaluation, the State Bar has processes and procedures in place to ensure compliance with the governing statutes, laws and policies related to transparency, including the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act. While the State Bar is in compliance with transparency requirements in these statutes, we identified opportunities to improve the processes and effectiveness of the communication and transparency of the State Bar of Texas.

Based on the survey responses from active and inactive members of the State Bar, we identified that members are generally satisfied with the quality and information provided by the State Bar related to the programs and services for members. Additionally the survey responses indicate that the members of the State Bar are satisfied with the frequency of communication and that the overall transparency of the State Bar is appropriate for their needs.

The survey results also indicated that active and inactive members are generally satisfied with the quality and accessibility of information related to the State Bar's governance; however there were three areas related to governance where more respondents were "dissatisfied" than "satisfied". These areas were Board meetings, discussion and disclosure; financial information and results; and open records/open meetings information.

The State Bar should continue to focus on increasing the quality of information provided to members in the areas of Board meetings and decisions, financial information, and open records/open meetings. To address these areas, the State Bar should consider publishing the Board Notebook for non-Board members in advance of the meeting, and posting quarterly financial information on the Bar's Finance webpage. Additionally, the Bar should consider voluntarily posting contract information to its website to further its transparency efforts.

Further, the Bar should consider enhancing procedures around the processing of Public Information Act requests. These enhancements would include providing Board members a State Bar email address to use for Bar business, proactively publishing information that is frequently requested through PIA requests, and implementing an automated tracking system to track the progress of PIA request responses.

**Detailed Procedures Performed, Points for
Consideration, Recommendations and
Management Response**

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Detailed Procedures Performed, Points for Consideration, Recommendations and Management Response

Our procedures included facilitating surveys, interviewing key personnel responsible for governance, communications, finance, and training at the Bar to gain an understanding of the current processes in place. Additionally, we examined existing documentation, evaluated the current processes in place, and performed testing over compliance with requirements related to transparency of operations, as set forth in the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act. We evaluated the existing policies, procedures, and processes in their current state.

Objective A: Information Desired by Stakeholders

Identify Information that State Bar Members and the general public desires and/or requires.

- 1. Procedures Performed:** We facilitated three surveys of active members of the State Bar, inactive members of the State Bar, and the general public to identify information Bar members and the general public desire and/or require. These surveys were designed to understand the satisfaction of the Bar's stakeholders with the transparency and communications of the Bar.

Survey Responses

Active Members

- 79,195 active members received a notification email with the survey link
- 5,550 (7%) participated in the survey (including 1,101 partial responses)

Inactive Members

- 11,269 inactive members received a notification email with the survey link
- 497 (4%) participated in the survey (including 98 partial responses)

General Public

- 141 members of the general public participated in the survey (including 52 partial responses)

Results: The number of active and inactive members of the State Bar who participated in the survey provided a statistically significant population of responses for evaluation. Overall, the active member and inactive member respondents to the survey indicated:

- 43% of active-member respondents agree that transparency of the Bar is appropriate for their needs versus 20% who disagree (37% provided a neutral response)
- 57% of active-member respondents agree that the frequency of communications are appropriate for their needs versus 11% who disagree (33% provided a neutral response)

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The responses also indicated that the members are satisfied with the quality and accessibility of information related to programs and services for members. However, in three governance-related areas, there were more “dissatisfied” respondents than there were “satisfied” respondents. The three areas of relative dissatisfaction were: Board meetings, discussion and decisions; financial information and results; and open records/open meetings information.

The majority of the active and inactive member respondents also indicated that they primarily rely on the State Bar website, Texas Bar Journal, and emails to obtain the information they desire from the Bar. These communication methods are also the preferred methods of communication by the survey participants.

Other survey responses indicated that the number of emails Bar members receive from the Bar can be overwhelming and make it difficult to identify information that is relevant for their needs.

Additionally, responses from the survey available to the general public indicate that the non-members of the Bar are generally satisfied with the information they receive from the State Bar, primarily through the Bar’s website.

The detailed survey results can be found in Appendix A.

Point for Consideration 1 – Moderate – Posting of Board Materials: While the Board Notebook and materials are posted to the State Bar’s website after the Board meeting, the materials are not posted and available in advance for the public or other Bar members who are not on the Board. Starting in September 2018, the Board meeting materials were available on the website prior to the meeting. This was also identified by the Transparency Task Force.

Recommendation: To further increase transparency, the State Bar should consider continue making the Board Notebook and/or other meeting materials available via the Bar’s website prior to the Board meeting. In addition to posting Board meeting materials in advance of the Board meetings, the State Bar should also consider publically posting the materials for Executive Committee meetings in advance. The content published should be limited to the materials and information discussed as part of the open meeting.

Management’s Response: We agree with this Point for Consideration and have already begun implementation. After receiving feedback on this topic from the Transparency Task Force, we posted the Board packet on the State Bar website in advance of the September 28, 2018, Board meeting. The State Bar of Texas will continue to post the **Board materials and** will begin posting Executive Committee materials online in advance of all future meetings.

Responsible Party: Associate Executive Director

Implementation Date: Board materials: September 28, 2018; Executive Committee materials: January 2019

Point for Consideration 2 – Low – Periodic Financial Information – The State Bar currently presents financial statement and budget information as part of the Audit and Finance Committee Report in the quarterly Board meetings. However, the quarterly financial statement and budget information is not separately posted on the Bar’s Finance page of the website.

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Recommendation: The State Bar should consider posting the Financial Highlights provided in the quarterly Board meeting separately on the Bar's Finance page of the website along with the Annual Financial Statements, Budget Reports, and the Internal Audit Reports. Additionally, the State Bar should consider including graphs, charts and tables providing historical financial and budget trends in the financial information provided on the Bar's website. This would increase the accessibility and clarity of the current financial situation to the members of the Bar.

Management's Response: We agree with this Point for Consideration. The State Bar of Texas will post the unaudited quarterly financial statement and budget information (provided to the Board of Directors) on the State Bar's Finance page on the State Bar website. We will post the most recent quarterly financial statement and budget information by December 1, 2018, and will also post all future quarterly reports provided to the Board beginning with the January 18, 2019, Board meeting.

Responsible Party: Finance Division Director

Implementation Date: December 1, 2018

Point for Consideration 3 – Moderate – Posting of Contracts – The State Bar does not have procedures in place to disclose significant contracts to the members of the Bar, the Board, the public, or any other oversight body.

Recommendation: Although the State Bar is not required to post on its website significant contracts entered into with vendors, the State Bar should, for future contracts, consider posting contract information on its website in order to enhance transparency. Recommended information to be presented includes vendor name, contract type, and contract amount. Prior to beginning to post the contract information, the State Bar should provide its vendors with a notice that contract information will be disclosed online.

Management's Response: We agree with this Point for Consideration. The State Bar of Texas will work with its department heads and develop procedures for posting contract information.

Responsible Party: Records Attorney

Implementation Date: March 31, 2019

Point for Consideration 4 – Moderate – Email Communications Customizations: Members of the Bar have limited opportunity to customize the categories of information about which they receive emails and other communications from the State Bar. This can result in ineffective communications from the State Bar to its members.

Recommendation: State Bar management should consider coordinating with the Bar's Information Technology and Communications Departments to increase the level of customization available to members related to email "opt-out" options. The State Bar should consider creating more granular categories of information than are currently available to further categorize the information provided in email and other communications into topics such as "President Communications", "Insurance", "CLE", etc. This would allow for Bar members to adjust which emails they would like to receive, based on the subject matter of the communications.

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In addition, the Bar should post a communication on their website, on social media outlets, and within the Texas Bar Journal so that members who have previously opted out of all Bar emails are made aware of the change and have the option to update their personal profile for future communications.

Management's Response: We agree with this Point for Consideration. The State Bar of Texas will work with its Information Technology Division and email system vendor to customize categories of information and allow attorneys to choose the types of emails they receive from the State Bar. Our goal is to have this operational by March 31, 2019.

Responsible Party: Communications Division Director

Implementation Date: March 31, 2019

Point for Consideration 5 – Moderate – Oversight of Information Transparency: Although the result of our procedures did not identify any instances of non-compliance, the State Bar does not currently have procedures in place to centrally oversee, manage, and monitor communications to ensure that information required to be communicated or published is released in a timely manner to all required parties. This includes information published to the Bar's website, reports to the Board, or information provided to external parties.

Recommendation: The State Bar should consider developing an entity-wide calendar of all required and/or desired communications, reports and other information to be disseminated by the organization. The information on the calendar should include the due date of the communication and those who should receive the information. Examples of such communications include, but are not limited to the following:

- State Bar Strategic Plan
- Reporting of performance measures included in Strategic Plan to Texas Supreme Court
- Annual and quarterly budget and financial information
- Board election results
- New contracts
- Other Bar directives, as deemed necessary

The calendar should be reviewed by Management of the Bar, at least quarterly, to ensure that the Bar has provided information in a timely manner and meets any statutory reporting requirements.

Management's Response: We agree with this Point for Consideration. The State Bar of Texas will create an organization-wide calendar that will contain all required and/or desired communications, reports, and other information. The calendar will be reviewed by management on at least a quarterly basis, and will be centrally managed by the Communications Division.

Responsible Party: Communications Division Director

Implementation Date: January 2, 2019

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2. **Procedures Performed:** We also conducted interviews with members of the Bar who are actively engaged within various Districts and Bar Associations in metropolitan and rural areas across the state, as well as current Officers to further identify information desired by current members of the State Bar of Texas.

Results: The members of the Bar interviewed indicated that they are satisfied with the transparency of the State Bar. However, several individuals indicated that they felt like the number of communications coming from the Bar is significant. The number of email communications sent can make it difficult for members of the Bar to identify the information that is relevant to them.

Point for Consideration 4 – **Moderate** – Email Communications Customizations

Objective B: Compliance with Statutes and Policies

Determine if current processes are in place ensure compliance with the State Bar Act, State Bar Rules, Open Meetings Act, and Public Information Act, related to:

- Governance
- Communications
- Finance
- Training (including ethics)

1. **Procedures Performed:** We selected two of the three Board meetings and both Executive Committee meetings that occurred during our coverage period; obtained meeting agendas, minutes, and the recording of the meeting, if available; and verified the following requirements of the Texas Open Meetings Act were met:

- Meetings were open to the public
- Meeting notices were posted in the required timeframes, and included the required information
- A quorum was present for each public meeting
- Closed sessions were held in accordance with statutory guidelines

Results: The State Bar is in compliance with the above requirements of the Texas Open Meetings Act. The State Bar could increase transparency by making the Board Notebook available on the Bar's website prior to Board meetings.

Point for Consideration 1 – **Moderate** – Posting of Board Materials

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2. Procedures Performed We selected a sample of 30 from the 46 voting members of the Board, and verified the Board members completed the following training requirements specified in the Texas Open Meetings Act:

- Board members completed online Open Meetings Act training within the 90th day of taking their oath of office or assuming official duties
- Training included the required topics and was conducted for the required length of time
- Training completion certificates for Open Meetings Act training were retained by the Bar according to the requirements of the Act

Results: No recommendations for improvement were identified.

3. Procedures Performed: We verified that the State Bar of Texas has the signage posted in the lobby of its building that is required by the Public Information Act (PIA). This signage provides the following information:

- Basic rights of a requestor
- Responsibilities of a governmental body
- Procedures for obtaining information under the Act

Results: No recommendations for improvement were identified. In addition to the physical signage in the lobby of the building, the State Bar has also posted additional information about public information requests on the Public Information page of the State Bar website.

4. Procedures Performed: We selected a sample of 35 of the 145 PIA requests received from June 1, 2017 through May 31, 2018, obtained the related communications and correspondence from the State Bar and the requestor, and verified:

- Requestors were informed if information could not be provided promptly, and a date and time was set within a reasonable timeframe
- Attorney General Opinions were requested in accordance with statutory requirements and State Bar Rules
- Redacted copies were provided to requestors in accordance with PIA requirements
- Third parties whose proprietary information was involved were notified by the Bar in compliance with the Public Information Act
- Information was provided to requestors in accordance with the requirements of the Public Information Act

Results: For the public information requests tested, the State Bar responded to the requests in compliance with the Public Information Act and the State Bar Rules. However, we did identify opportunities to improve the tracking and responding to PIA requests.

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Point for Consideration 6 – Moderate – Tracking PIA Requests: The State Bar of Texas uses a log that is manually populated and updated to track PIA requests and status of processing each request. Currently, PIA requests are received in the following ways:

1. In person
2. By phone
3. Online through an email link on the Public Information page of the State Bar website
4. Via posted mail

Each request is recorded in the log upon receipt. However, the State Bar does not have an automated tool to log and track the status of PIA request processing. Through our detailed testing of PIA requests we identified nine instances where an incorrect date was recorded in the log, in either the submission or close date of the request tracking schedule. However, all PIA requests that were tested were processed in accordance with the requirements of the Public Information Act.

Recommendation: To increase the efficiency of the processing of PIA requests and to increase the accuracy of the tracking schedule, the State Bar should consider implementing an automated tracking tool to aid in the processing of PIA requests. An automated ticketing system could be used to log all PIA requests, and assist in the tracking of due dates and tracking compliance with requests. The ticketing system could be integrated with the online form posted on the State Bar's website to automatically create a ticket when a PIA request is received. Requests received through other methods, such as phone or email requests, could be logged in the ticketing system similar to the current process to record requests that is currently in place.

An automated system could be configured to route requests to the appropriate individual(s) responsible for gathering the information after being reviewed, prioritized, and assigned by the Legal Department. Additionally, the system could track the due dates and report to the State Bar's PIA Coordinator when deadlines are approaching.

Management's Response: We agree with this Point for Consideration. The State Bar has:

- Added to the existing IT help desk ticketing system new categories for tracking PIA requests that require IT searches
- Added columns and automatic calculations of deadlines to the PIA tracking spreadsheet for ease of review

The State Bar anticipates developing or purchasing additional automated tools for tracking PIA requests, including existing or new systems and software.

Responsible Party: Records Attorney

Implementation Date: June 30, 2019

Point for Consideration 7 – Moderate – Frequent PIA Information: The State Bar receives PIA requests that are routinely requested, such as advertisement review information, or requests that are similar to one another. Each request is recorded, processed and tracked by the State Bar's team responsible for responding to PIA requests.

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The State Bar's PIA Coordinator has implemented procedures to track commonly requested items in an effort to clearly identify the categories and specific types of information that are being requested. The goal of this effort is to determine if the information could be posted to the State Bar's website, based on the Public Information Act and State Bar Rules, to reduce the number of PIA requests that are submitted and processed by Bar personnel.

Recommendation: The State Bar should continue its initiative to determine if there are categories and types of information that can be collected and published on the State Bar's website to increase transparency and reduce the number of PIA requests submitted to the Bar.

In further efforts to increase transparency and aid individuals in locating information on the State Bar's website, the Bar should consider developing an "Information Matrix" that identifies frequently requested information, the purpose and/or relevance of the information, as well as where and how members or the public can obtain the information. This matrix could be posted to the Public Information page of the State Bar website to assist individuals who seek the information in obtaining it without having to submit a PIA request.

Additionally, the State Bar should explore opportunities to include information on how to obtain information from the State Bar, including Public Information Act requests, within an existing or new Continuing Legal Education training offered by the State Bar. This information could be presented on one to two Power Point slides or on a supplemental handout to each CLE course that would provide key information and resources to individuals completing the training that would be in addition to the CLE course information.

Management's Response: We agree with this Point for Consideration. The State Bar has begun reviewing categories or types of PIA requested information to identify items frequently or repeatedly requested and post those on the Internet. Management agrees that the State Bar should develop an information matrix that identifies frequently-requested information and ways to locate this information.

To that end, the State Bar recently added more historical record to those current records already posted online, particularly regarding the primary governance documents of the State Bar, including but not limited to:

- State Bar Act – 2011 to present
- State Bar Rules – 2008 to present
- State Bar Board Policy Manuals – 2013 to present
- State Bar Board Meeting Materials – 2014 to present
- State Bar Strategic Plans – 2010 to present
- State Bar Performance Measures – 2014 to present
- State Bar Performance Measure Outcomes – 2012 to present
- State Bar Volunteer & Staff Guide – 2014 to present
- State Bar Annual Reports – 2011 to present

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Management will continue to review frequently-requested items for inclusion on the State Bar website. We believe this effort will satisfy many requests that might have otherwise required a formal PIA request and response.

Responsible Party: Associate Executive Director

Implementation Date: June 30, 2019

Point for Consideration 8 – Moderate – Board Member Email Addresses: The State Bar does not provide a State Bar email address to each Board member to be used for conducting official State Bar business. This limits the ability of the State Bar to have direct access to records and communication that could be subject to Public Information Act Requests. This was also identified by the Transparency Task Force.

Recommendation: While there is not a requirement in the Public Information Act or the State Bar Rules to require members of the State Bar's Board to use only official email addresses, the State Bar should consider providing its Board members with an official State Bar email address to be utilized for conducting business of the State Bar.

This would allow the Bar to be able to more efficiently and accurately identify information and communications that are relevant to responding to Public Information Act requests and increase the posture of transparency for the State Bar.

Management's Response: We agree with this Point for Consideration. The State Bar currently offers email addresses to members of the Board of Directors and officers. The State Bar will provide the policy issue to the Board for determination of whether such emails will be mandated or remain optional. Such a decision will be subject to Board approval.

Responsible Party: Records Attorney

Implementation Date: June 30, 2019

Point for Consideration 9 – Low – PIA Process Communication: Through examination of the Bar website, we verified that procedures for requesting, inspecting, and copying public information are posted to the Public Information page of the website. However, a summarized re-iteration of these procedures is not communicated to the requestor upon the Bar's acknowledgement of receipt of the request.

Recommendation: The State Bar should consider implementing procedures for the PIA Coordinator, as part of the acknowledgement of the receipt of the PIA request, to provide the requestor an overview of process and timing to respond to information request. This would enhance the communications and transparency of the procedures to process and respond to PIA requests.

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Management's Response: We agree with this Point for Consideration. The State Bar will provide information regarding the PIA response process to requesters to assist with educating them on the time necessary to complete thorough searches and to review and redact responsive records. We will include information on the procedures for seeking rulings from the OAG under the Texas Public Information Act.

Responsible Party: Records Attorney

Implementation Date: December 31, 2018

5. **Procedures Performed:** We obtained documentation for all 14 new members of the Board who were sworn into office at the June 2018 Board meeting and verified that the following training requirements within the State Bar Act were met:

- New members completed the training program prior to serving as a member of the Board
- Training materials meet the requirements of the Act. Specifically, training included coverage of the following:
 - Laws governing State Bar operations
 - Programs operated by the State Bar
 - Role and functions of the State Bar
 - Rules of the State Bar
 - Scope of and limitations on the rulemaking authority of the State Bar
 - Current budget for the State Bar
 - Results of the most recent formal audit of the State Bar
 - Requirements of laws relating to open meetings, public information, administrative procedure, and disclosure of conflicts of interest
 - Any applicable ethics policies adopted by the State Bar or the Texas Ethics Commission

Additionally, we ensured that all Directors received the State Bar Training Manual and provided the annual acknowledgement of its receipt, as required in the State Bar Act.

Results: While the Bar appears to be in compliance with the requirements of the State Bar Act, we identified opportunities to enhance the documentation to support the completion of required training by Board members.

Point for Consideration 10 – Low – Training Documentation: The Bar does not have a formal method for documenting attendance at the New Directors Orientation. The State Bar conducts a roll call at the beginning of the orientation. However, this roll call is not documented or retained by the Bar.

Recommendation: The State Bar should implement procedures to maintain the results of the roll call for the New Director Orientation, where the required State Bar Act training is provided, to document the attendance of new members. Alternatively, the State Bar should consider modifying its procedures to require new members to sign in at the beginning of the New Director Orientation in order to document their attendance and completion of the training. The documentation of the completion of the training should be maintained by the State Bar to support the issuance of completion certificates to the Board members.

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Management's Response: We agree with this Point for Consideration. Although we conduct an informal roll call of attendance of new Board members at the New Director Orientation, we do not keep documentation noting such attendance. For all future orientations, the State Bar of Texas will require all attendees to sign-in, and these sign-in sheets will be kept as a record that they completed the required training.

Responsible Party: Deputy Executive Director

Implementation Date: Immediately for all New Director Orientations (Next Scheduled orientation is in June, 2019)

6. Procedures Performed: We obtained State Bar policies and reviewed them to ensure they meet the requirements of the State Bar Act including requirements to:

- Provide the public with a reasonable opportunity to address the Board
- Issue a Strategic Plan every two years
- Report on the Bar's performance measures to the Supreme Court
- Publish the annual financial report to the Texas Bar Journal
- Present a proposed budget at a public hearing and provide a public notification at least 30 days in advance

Additionally, we verified:

- Members of the general public are allowed three minutes to address the Board at each Board meeting
- The Bar updates its Strategic Plan every two years and publishes its Strategic Plan on the State Bar's website
- Performance measures are reported in the annual financial report and provided to the Supreme Court designated liaison
- The annual financial report, including performance measures, is published in the Texas Bar Journal
- Notices of the annual budget hearing were posted in accordance with State Bar Act requirements

Results: No opportunities for improvement were identified.

7. Procedures Performed: We obtained meeting minutes to verify compliance with the requirements of the State Bar rules that are not included in the Open Meetings Act, Public Information Act or State Bar Act, including verifying:

- The Board meets at least four times annually
- Annual meeting is held in June or July of each year

Results: No opportunities for improvement were identified.

Appendices

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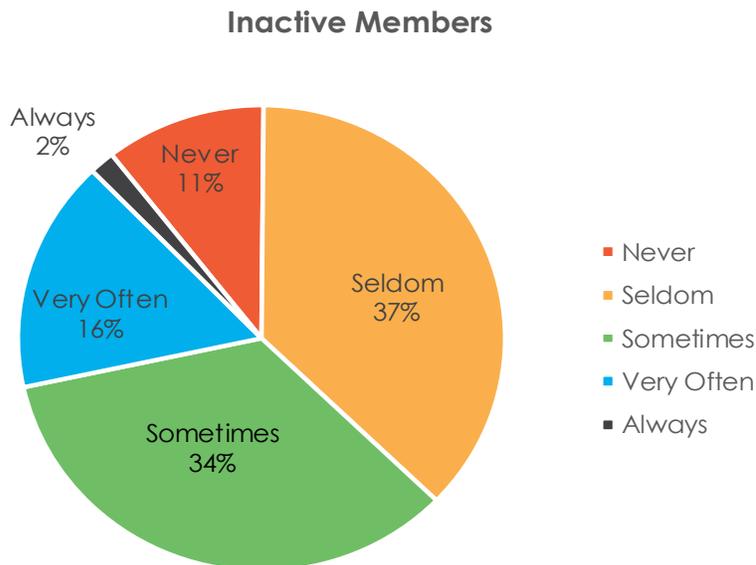
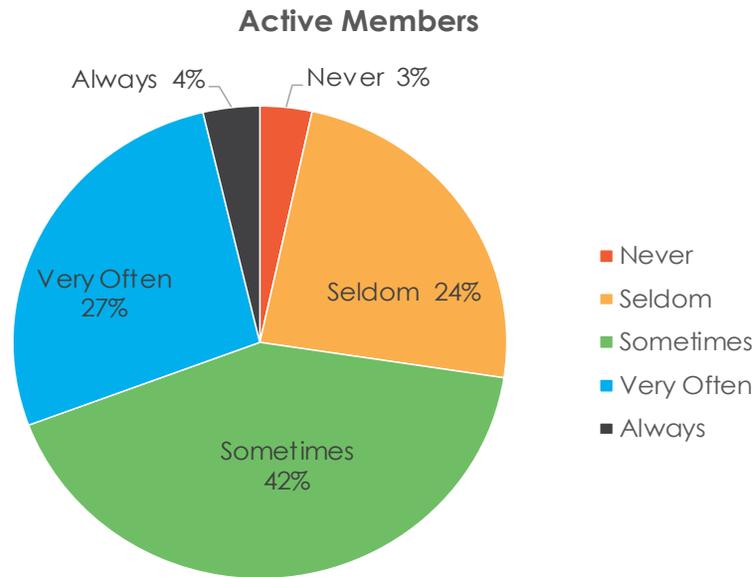
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Appendix A: Detailed Survey Results

The questions and responses below relate to the survey questions and responses from all respondents of the Active and Inactive Member surveys.

Question 1: How often do you seek or receive information from the State Bar of Texas?



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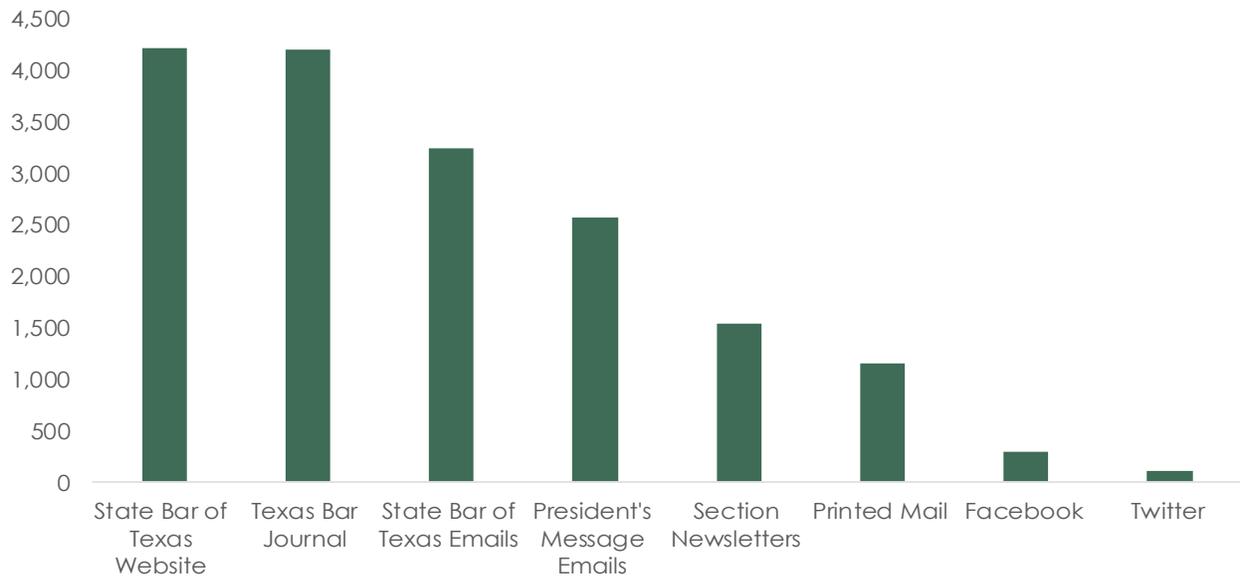
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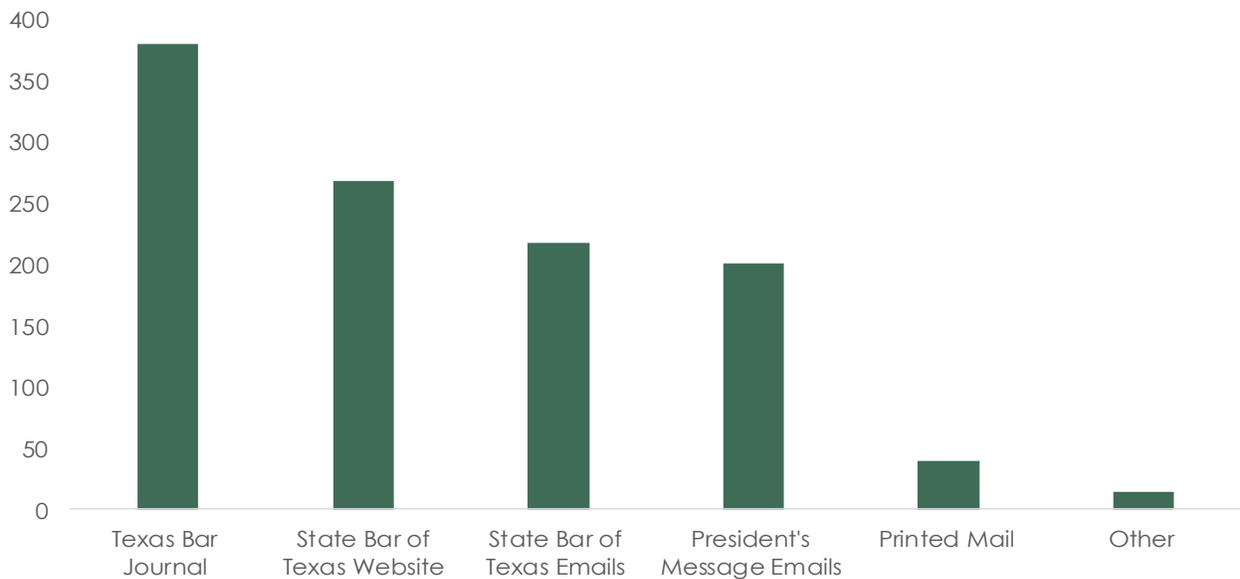
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Question 2: Which of the following outlets do you use to obtain information from State Bar of Texas?
(Select all that apply)

Active Members



Inactive Members



State Bar of Texas

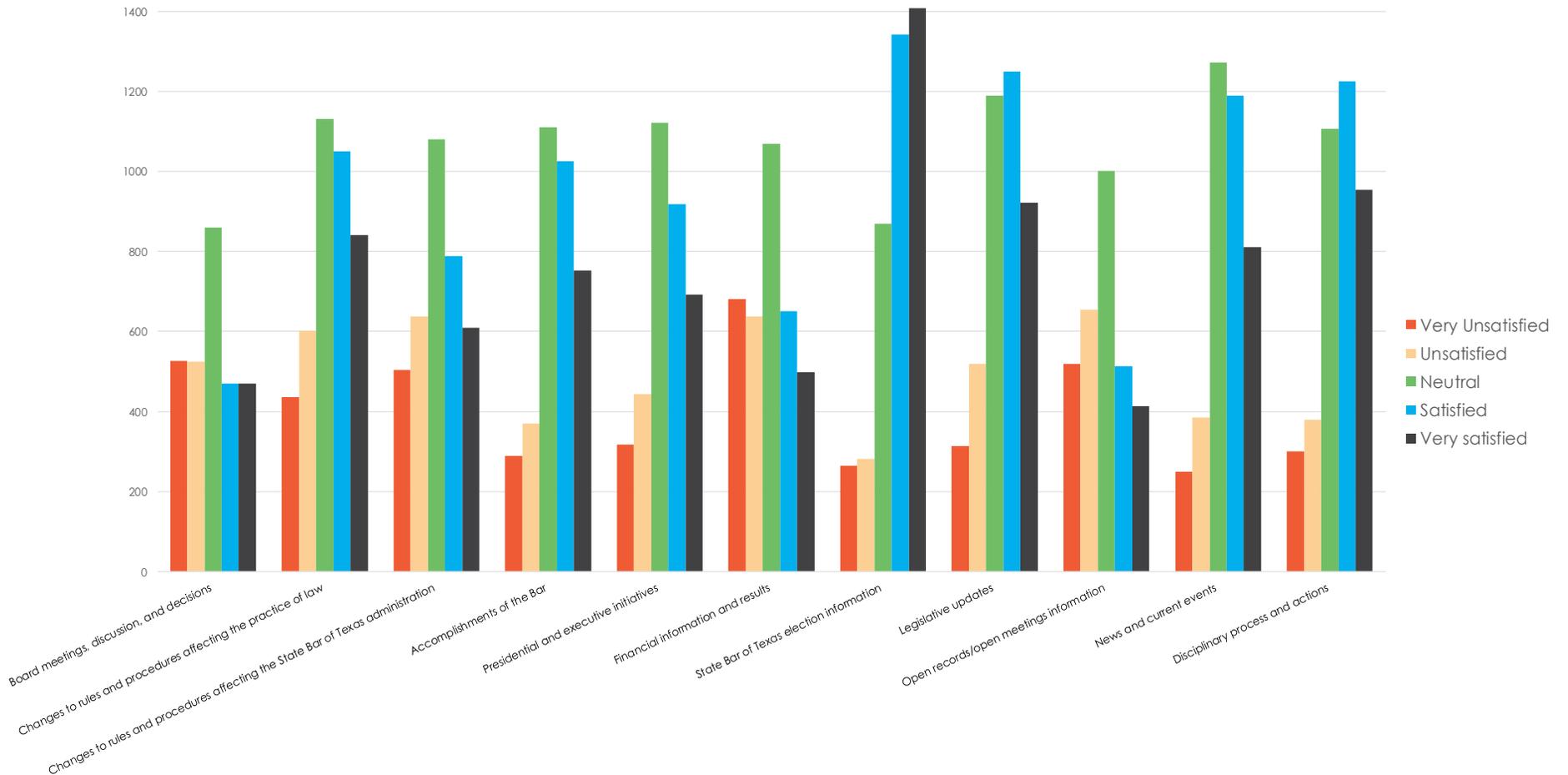
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Question 3: How satisfied are you with the quality and accessibility of information provided by the State Bar with regards to the following topics related to governance? (1 being very dissatisfied and 5 being very satisfied)

Active Members



State Bar of Texas

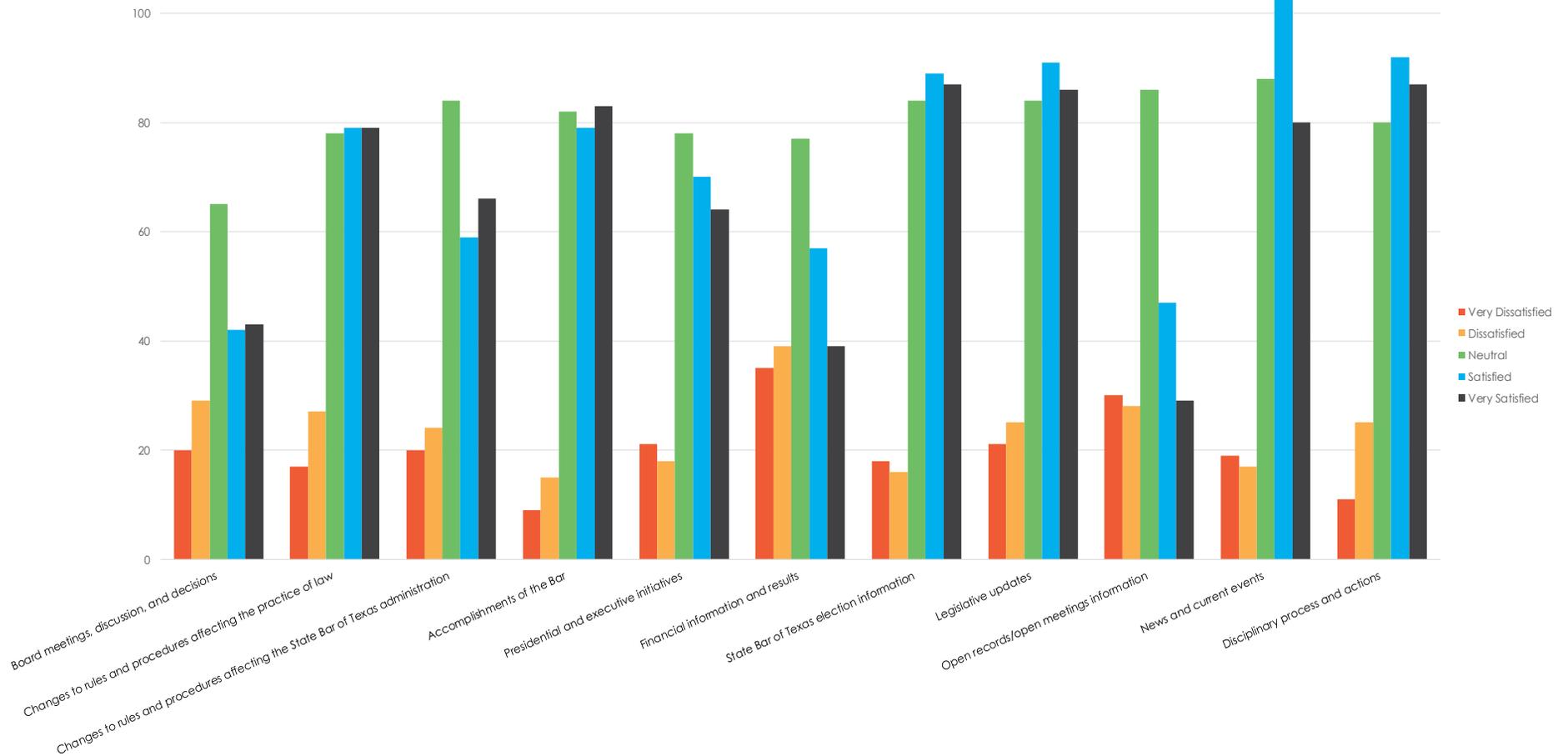
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Question 3: How satisfied are you with the quality and accessibility of information provided by the State Bar with regards to the following topics related to governance? (1 being very dissatisfied and 5 being very satisfied)

Inactive Members



State Bar of Texas

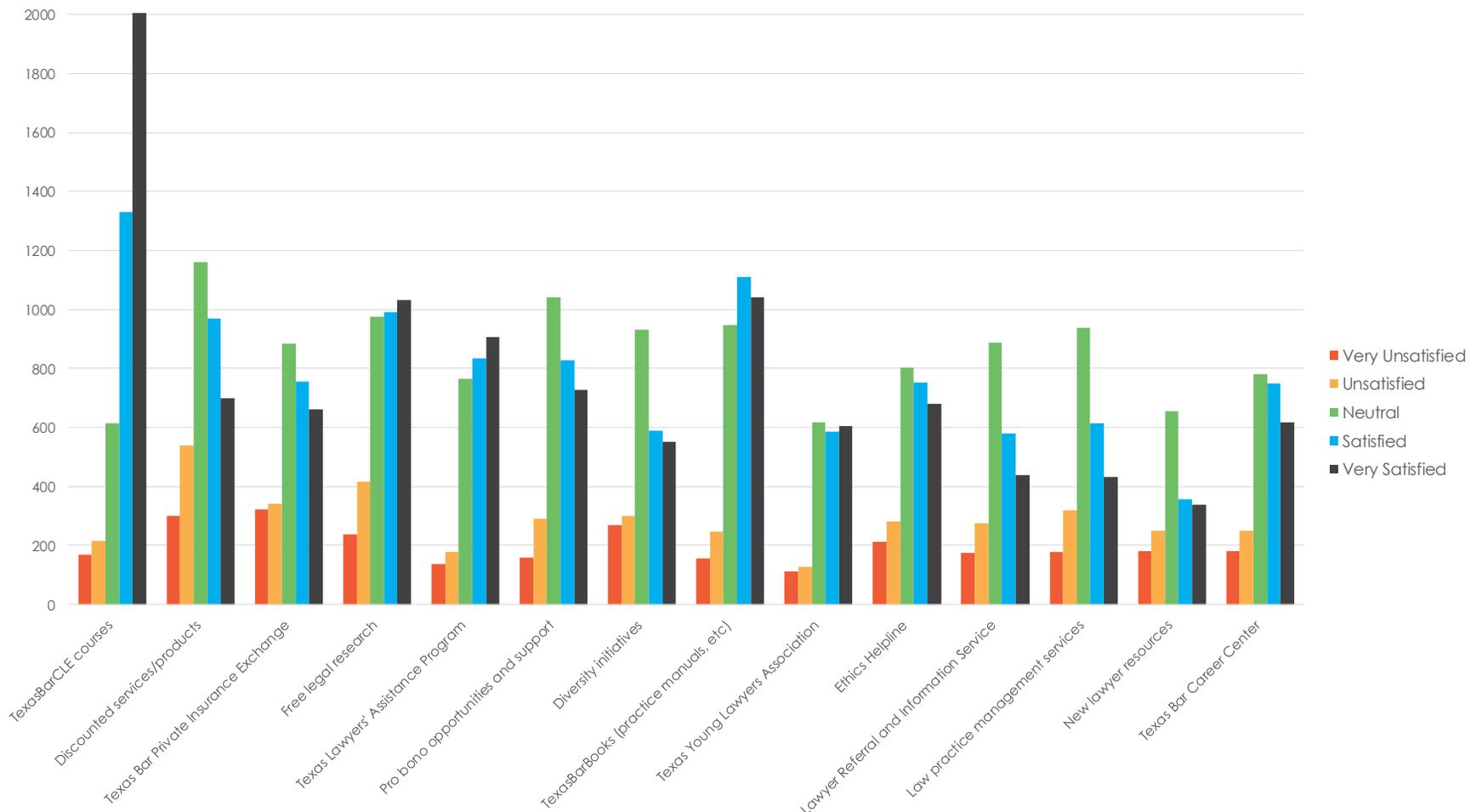
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Question 4: How satisfied are you with the quality and accessibility of information provided by the State Bar with regards to the following topics related to programs and services for members? (1 being very dissatisfied and 5 being very satisfied)

Active Members



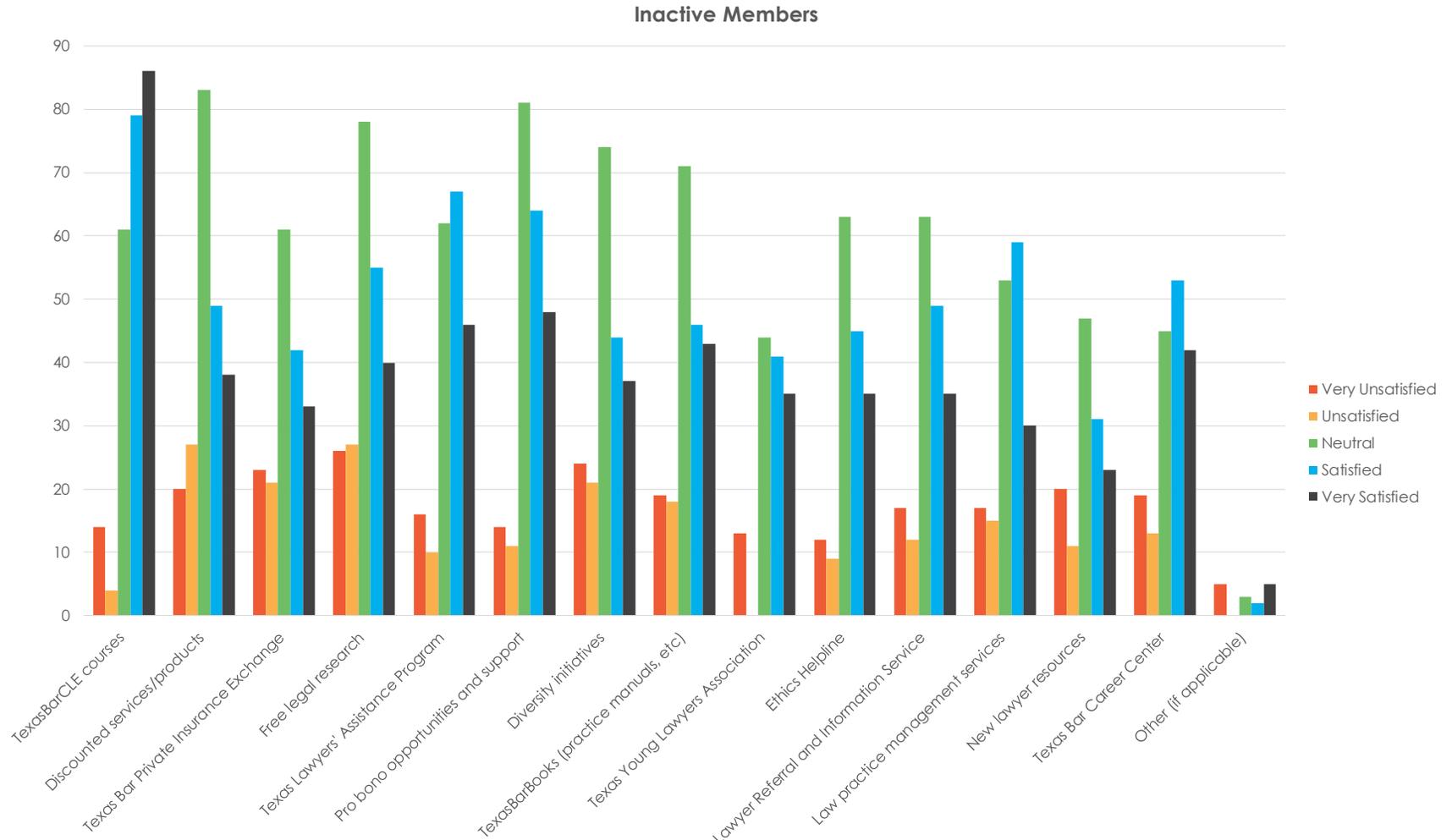
State Bar of Texas

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Question 4: How satisfied are you with the quality and accessibility of information provided by the State Bar with regards to the following topics related to programs and services for members? (1 being very dissatisfied and 5 being very satisfied)



State Bar of Texas

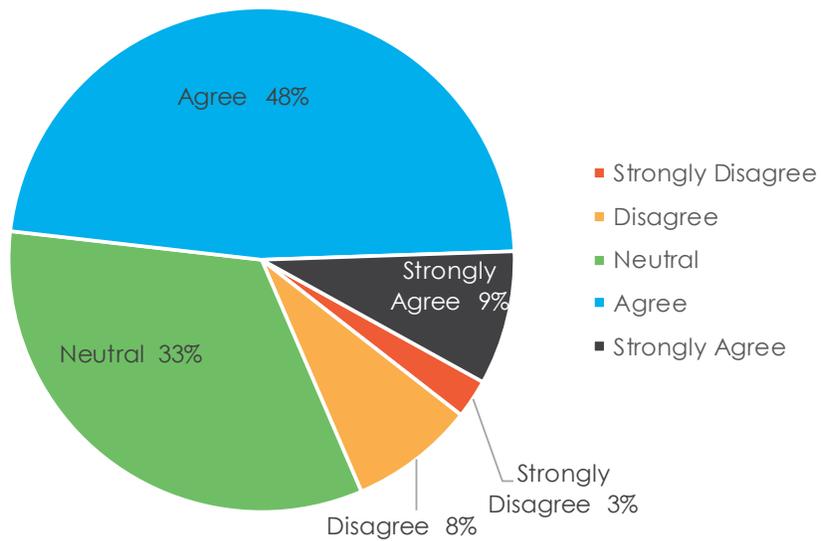
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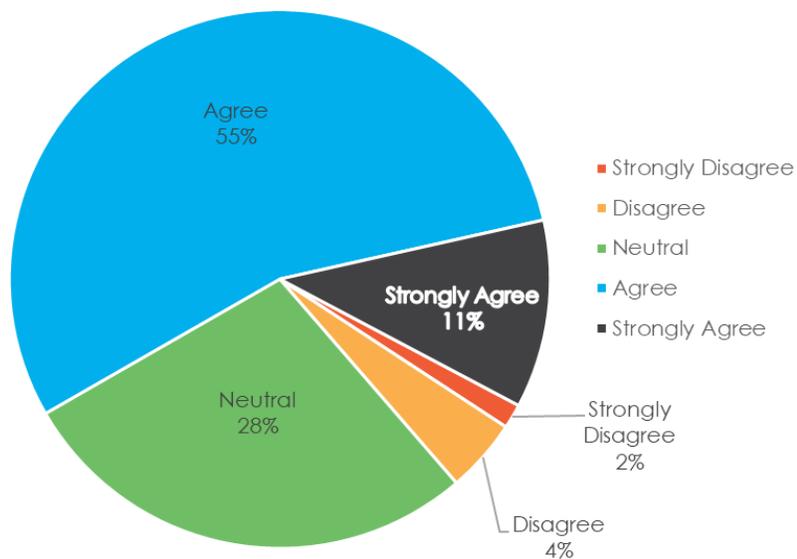
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Question 5: The frequency of communications from the State Bar of Texas is appropriate for my needs.

Active Members



Inactive Members



State Bar of Texas

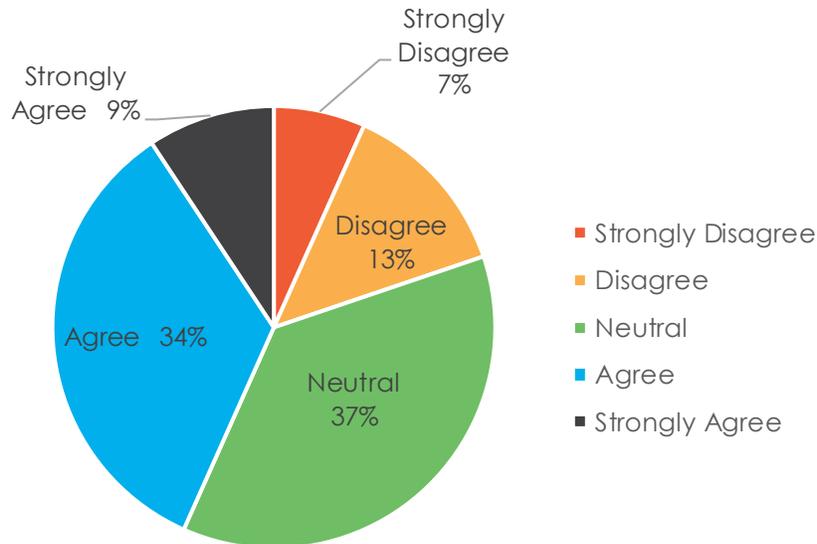
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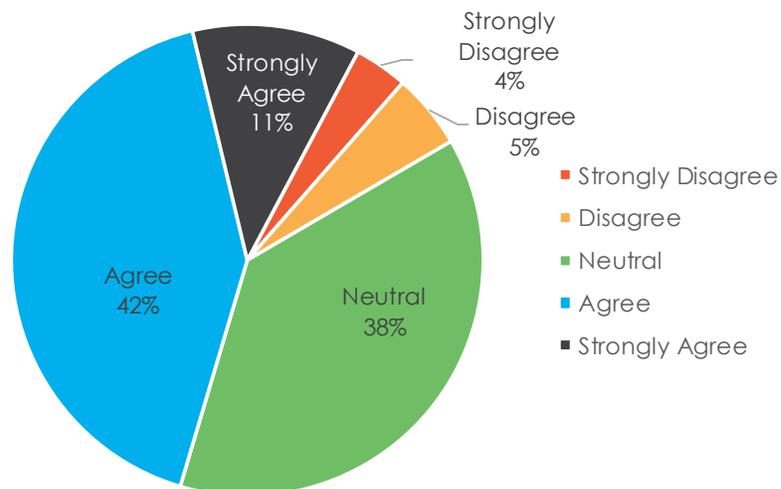
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Question 6: The overall transparency (i.e. openness and completeness of communications) of the State Bar of Texas is appropriate for my needs.

Active Members



Inactive Members



State Bar of Texas

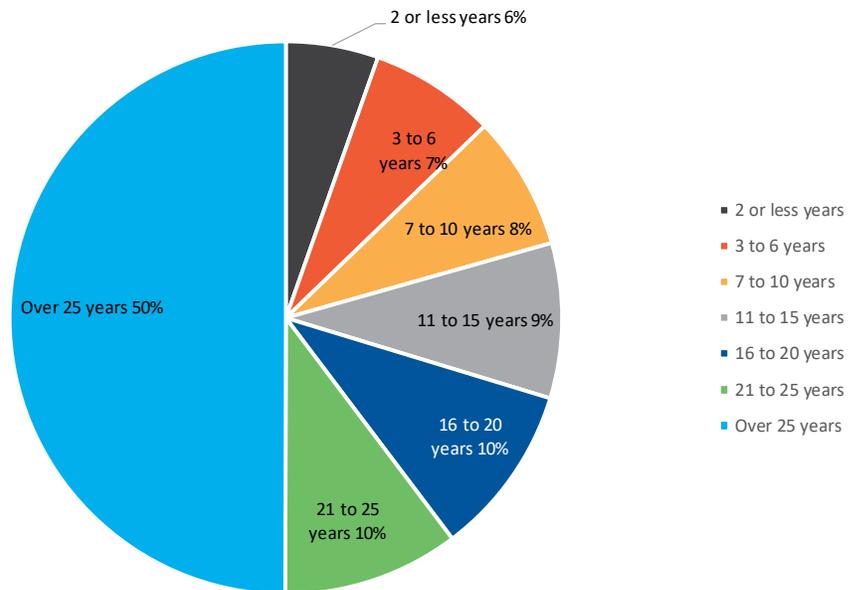
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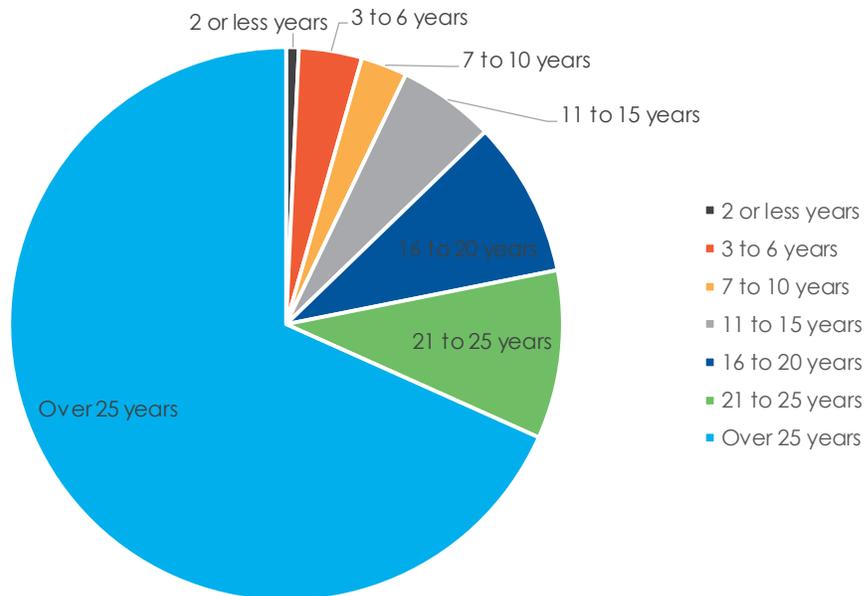
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Question 7: How many years have you been licensed?

Active Members



Inactive Members



State Bar of Texas

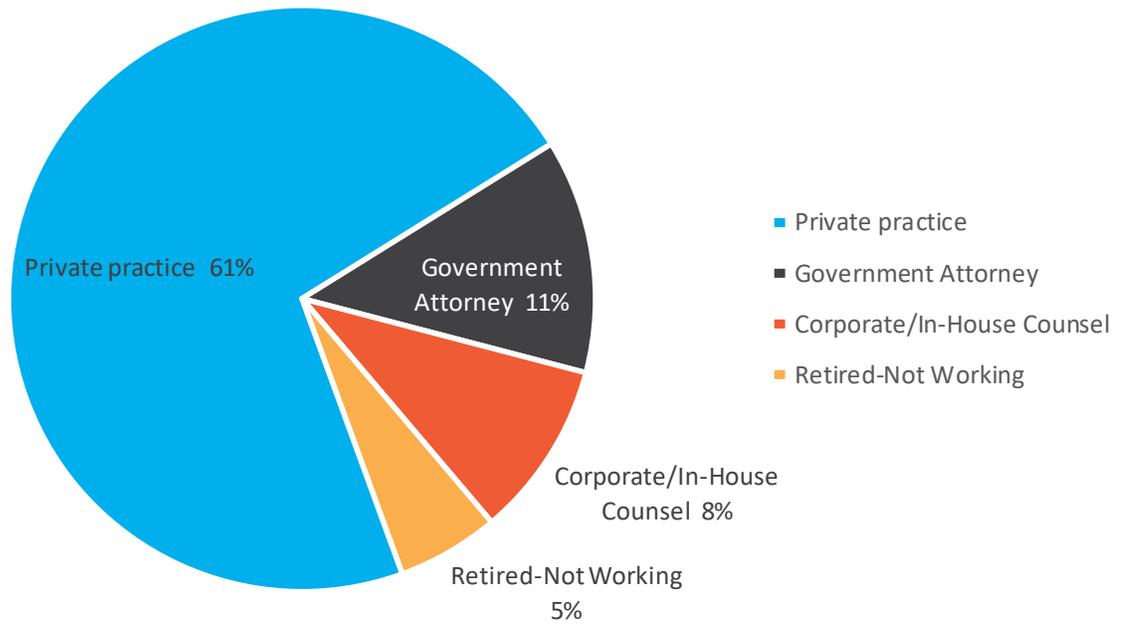
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Question 8: What is your occupational practice?

Active Members



**This question was not included in the Inactive Member Survey*

State Bar of Texas

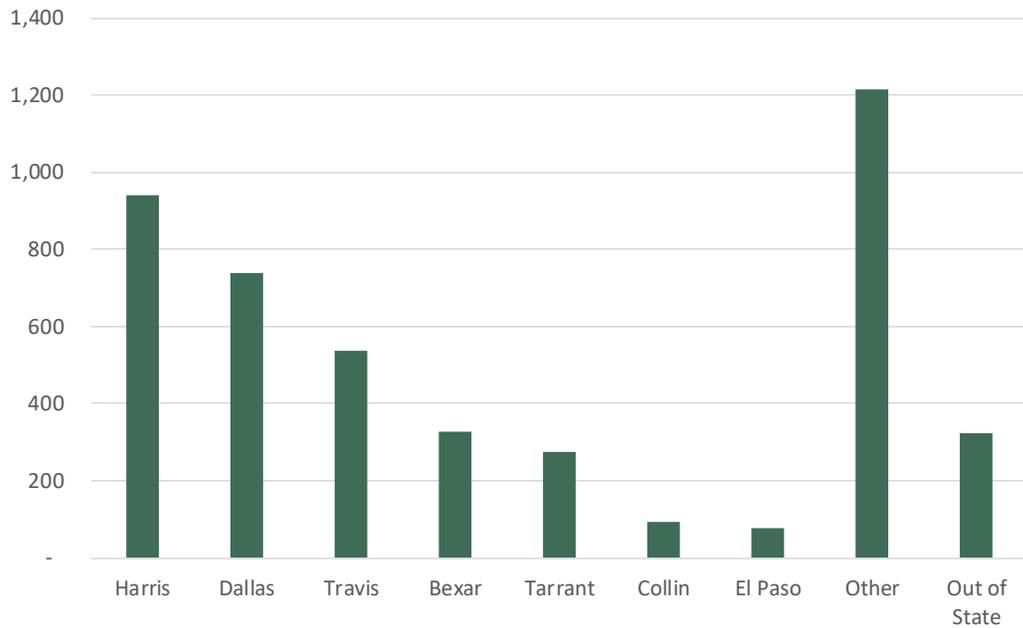
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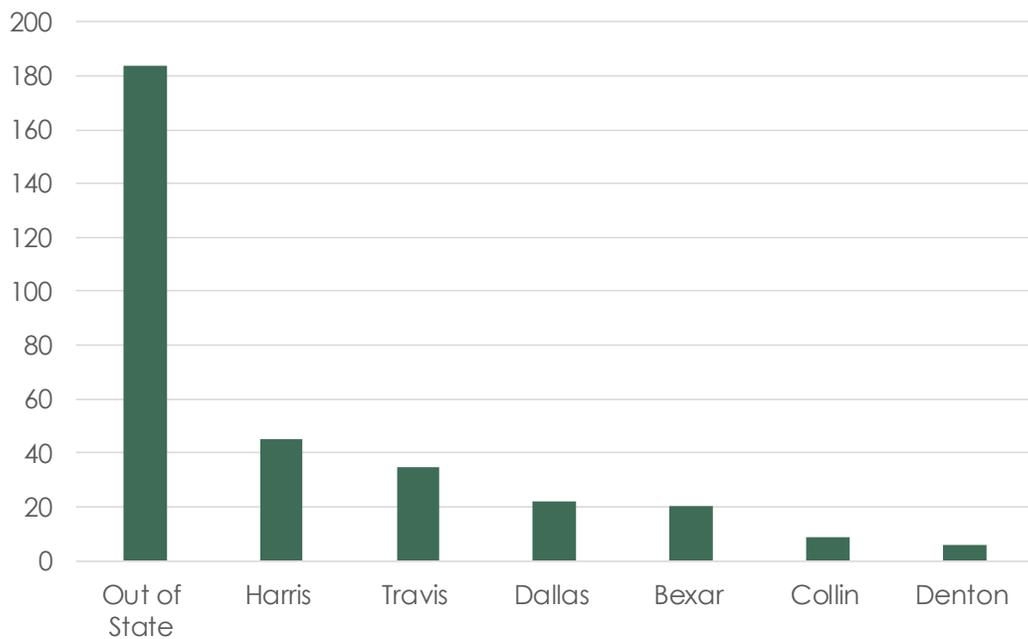
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Question 9: In which Texas County do you primarily practice law (Active Members) / reside (Inactive Members)?

Active Members



Inactive Members



State Bar of Texas

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Note: The following voluntary demographic information is used to provide detailed economic trends and measure diversity in the practice of law in Texas. The State Bar of Texas follows the U.S. Census Bureau and U.S. Equal Employment Opportunity guidelines for collecting information on age, sex and race/ethnicity.

Question 10: Please indicate your age range below:



State Bar of Texas

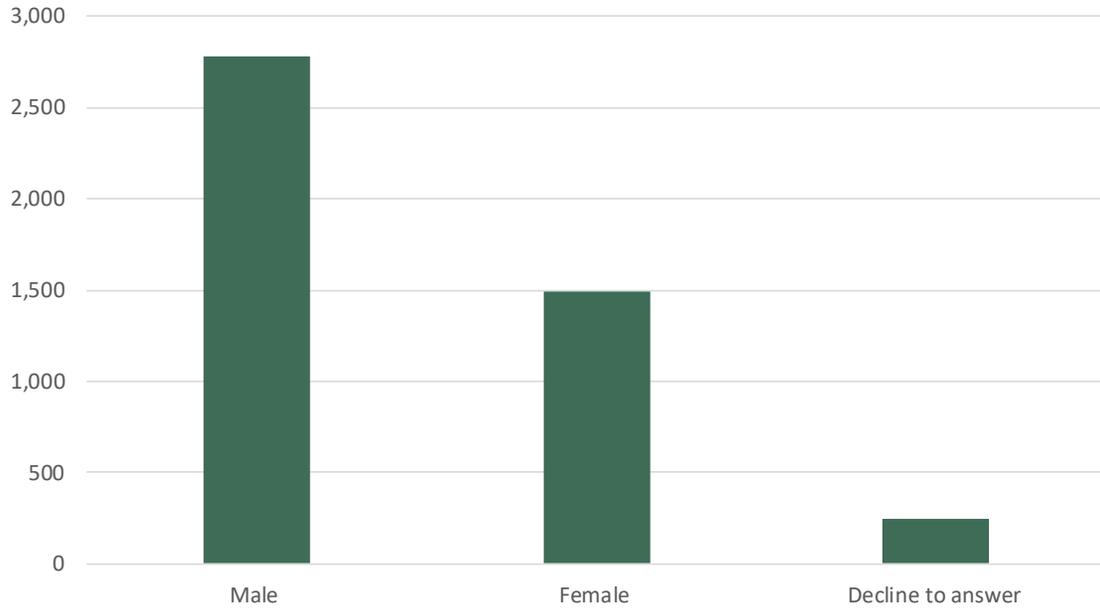
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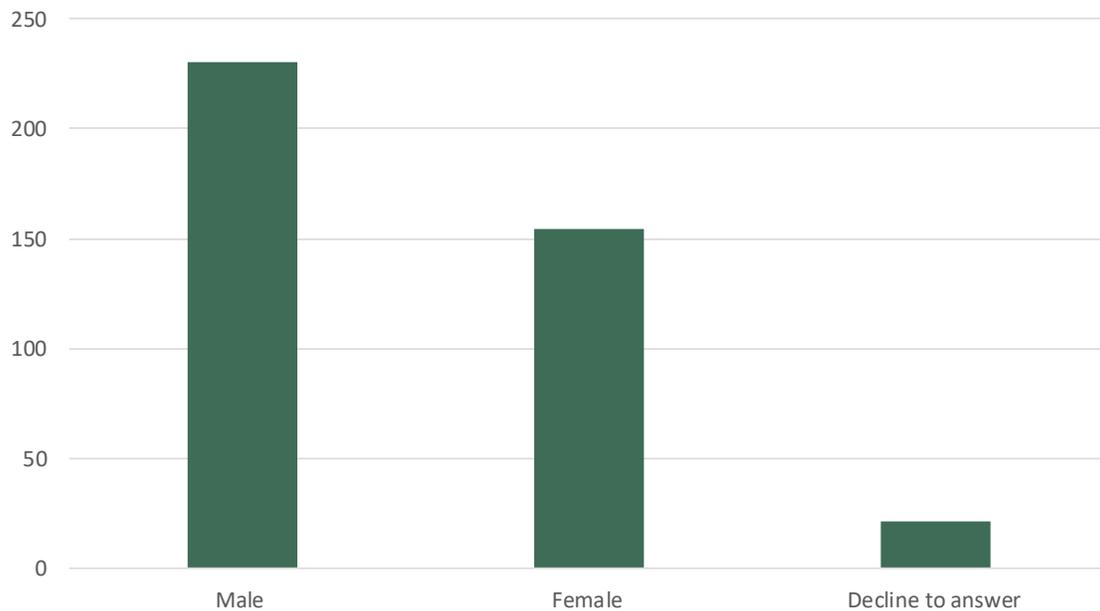
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Question 11: Please indicate your sex:

Active Members



Inactive Members



State Bar of Texas

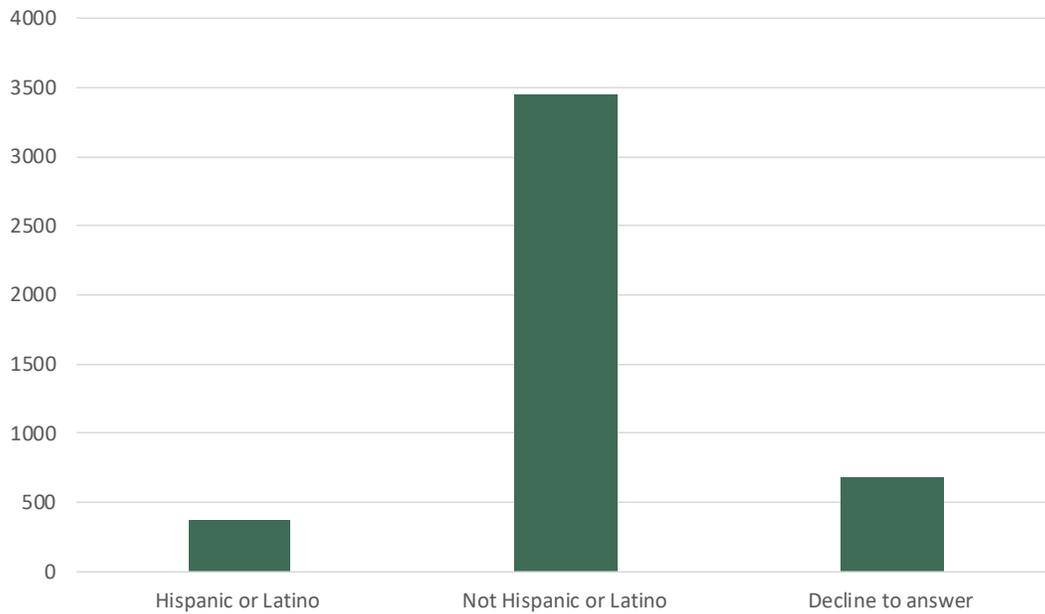
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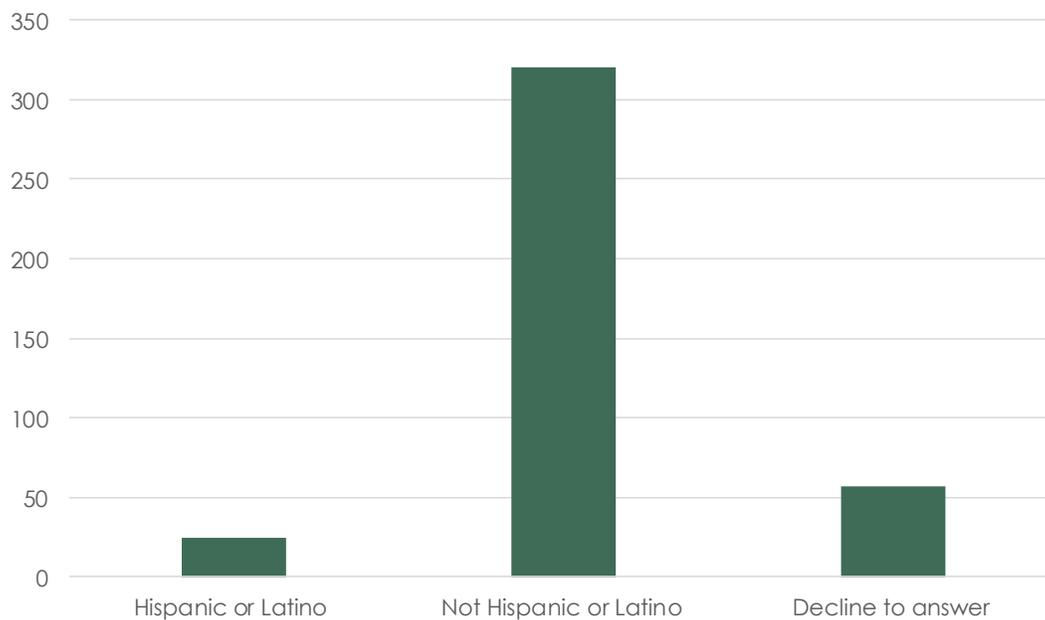
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Question 12: Please indicate your ethnicity:

Active Members



Inactive Members



State Bar of Texas

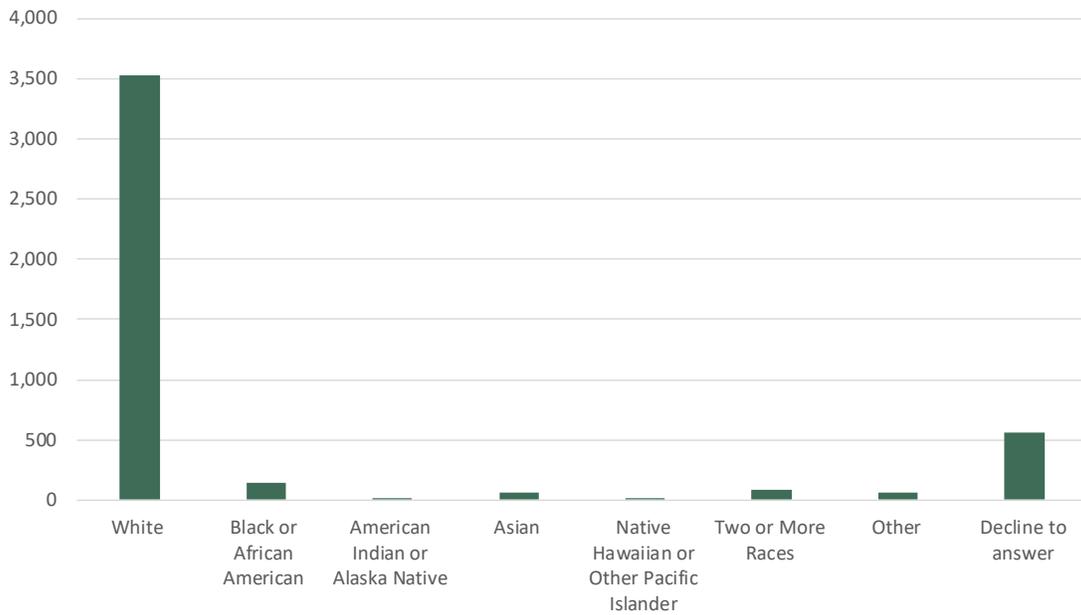
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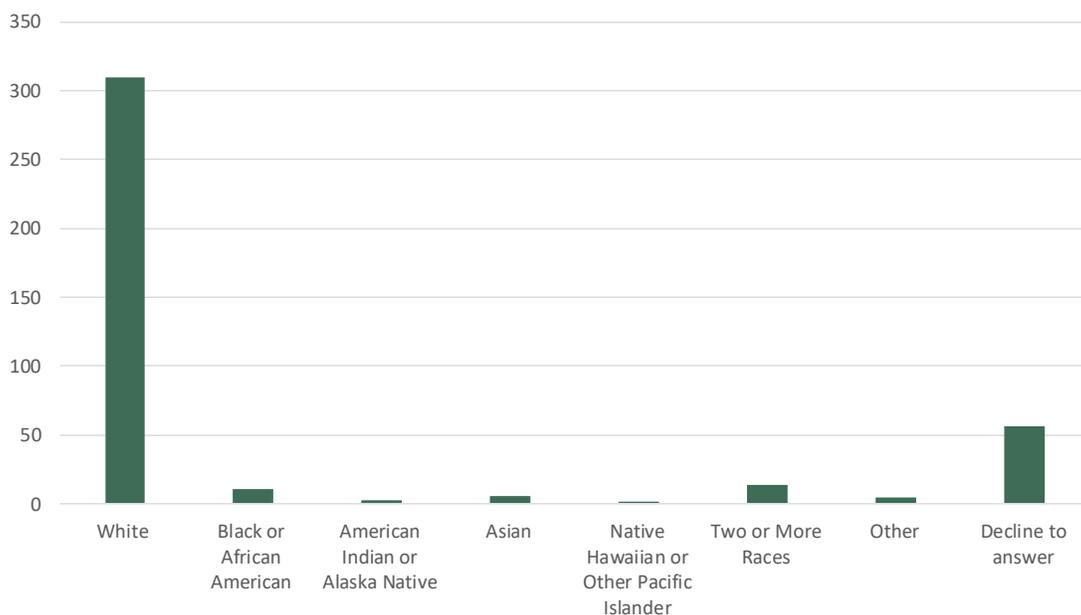
Issued: October 29, 2018

Question 13: Please indicate your race:

Active Members



Inactive Members



State Bar of Texas

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Appendix B: Risk Ratings

The points for consideration have been assessed and prioritized utilizing the following risk management classification system.

High

High risk points for consideration have qualitative factors that include, but are not limited to:

- Events that threaten the Bar's achievement of strategic objectives or continued existence
- Impact of the finding could be felt outside of the Bar or beyond a single function or department
- Potential material impact to operations or the Bar's finances
- Remediation requires significant involvement from senior Bar management

Moderate

Moderate risk points for consideration have qualitative factors that include, but are not limited to:

- Events that could threaten financial or operational objectives of the Bar
- Impact could be felt outside of the Bar or across more than one function of the Bar
- Noticeable and possibly material impact to the operations or finances of the Bar
- Remediation efforts that will require the direct involvement of functional leader(s)
- May require senior Bar management to be updated

Low

Low risk points for consideration have qualitative factors that include, but are not limited to:

- Events that do not directly threaten the Bar's strategic priorities
- Impact is limited to a single function within the Bar
- Minimal financial or operational impact to the organization
- Require functional leader(s) to be kept updated, or have other controls that help to mitigate the related risk