

Agenda

STATE BAR OF TEXAS BOARD OF DIRECTORS

Holiday Inn Downtown Marina – Texas Riviera Ballroom
797 N. Shoreline Blvd.
Corpus Christi, TX 78401
Friday, September 20, 2019 – 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 Chielsey Barber 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 nondisabled individuals enjoy.

1. **Call to Order** Jerry Alexander
2. **Roll Call** Trey Apffel
3. **Invocation** David Kent
4. **Pledge to the U.S. and Texas Flags** Bob McKnight
5. **Remarks from the General Public***
(*Sign in sheet available for public comment*)
6. **Presentation of Resolutions** Randy Sorrels
7. **Swearing-in of New Board Members** Justice Debra Lehrmann
Judge Gina Benavides (Edinburg)
Denise Reid Hoggard (Little Rock, AR)
8. **Report from the Executive Director** Trey Apffel (Tab 1)
Discussion: General Report
9. **Report from the Chair of the Board** Jerry Alexander
A. Discussion:
 - 1) General Report
 - 2) Board Member Outreach Efforts
 - 3) Board Portal
 - 4) School Supplies Drive
 - 5) Solicitation of candidates to serve as Chair of the 2020-21 Board**B. Action:** Consider, discuss, and approve Consent Agenda Items (Consent Tab)

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.

10. **Report from the President** Randy Sorrels (Tab 2)
- A. Discussion:**
- 1) General Report
 - 2) **Action:** Consider, discuss, and approve delegation of authority to the Administration Committee to study, in coordination with the Texas Access to Justice Foundation, and if warranted make a request to the Texas Supreme Court for rules updates that would allow an IOLTA deposit exemption for advanced flat fees below a certain amount
 - 3) Consider and discuss appointment to the State Commission on Judicial Conduct
- B. Action:** Election of appointee to the State Commission on Judicial Conduct, for a term effective November 20, 2019 through November 19, 2025 Candidates:
Christy Amuny (Beaumont)
Steve Fischer (El Paso)
- C. Action:** Consider, discuss, and approve appointments to the Social Media Engagement Team
11. **Report from the President-Elect** Larry McDougal (Tab 3)
- A. Discussion:**
- 1) General Report
 - 2) FY 2019-2020 Budget Committee Update
 - 3) TLAP Update
- Chris Ritter
12. **Report from the Immediate Past President** Joe K. Longley
Discussion: General Report
13. **Attorney Succession Planning Workgroup** Laura Gibson
Discussion: General Report
14. **Executive Committee**
- A. Nominations and Elections Subcommittee** Joe K. Longley/ Laura Gibson (Tab 4)
- 1) **Discussion:** General Report
 - 2) **Action:** Consider, discuss, and approve the candidates for 2019-20 SBOT President-elect:
Pablo Almaguer (Edinburg)

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.

Sylvia Borunda Firth (El Paso)

- B. Policy Manual Subcommittee** Neil Kelly (Tab 5)
Action: Consider, discuss, and approve updates to the Policy Manual regarding codes of conduct, including anti-harassment requirements, for State Bar activities, meetings, and events

15. **Audit and Finance Committee** Jarrod Foerster (Tab 6)
A. Discussion:
1) Financial Reports and General Review of Financial Statements
2) Financial and Internal Audits
B. Action: Consider and take action regarding member objection to expenditures under Policy Manual Section 3.14.

- C. Investment Overview** Barry Baughier/Jarrod Foerster

- D. Action:** Consider, discuss, and accept the State Bar’s quarterly investment reports for May 2019 and August 2019

- E. Action:** Consider, discuss, and approve:
1) Patterson and Associates, and University of North Texas Center for Public Management as Public Funds Investment Act trainers
2) The adoption of the PFM Broker/Dealer List for investments
3) The adoption of the State Bar of Texas investment policy

16. **Administration Committee**
A. Administration Committee Rob Crain (Tab 7)
1) **Discussion:** General Report
2) **Action:** Consider, discuss, and approve appointment to the Texas Commission on Judicial Selection
Lynne Liberato (Houston)

- B. Performance Measures & Strategic Planning Subcommittee** David Kent

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.

Discussion: General Report

C. Facilities Subcommittee

Amy Welborn

Discussion: General Report

17. **Minimum Continuing Legal Education Committee**

John Boyce

(Tab 8)

Action: Consider, discuss, and approve proposed amendments to sections 10.3.1-10.3.3 and 11.0 of the Texas MCLE Regulations

18. **Discipline & Client Attorney Assistance**

A. DCAAP Subcommittee

Steve Naylor

(Tab 9)

Discussion: General Report

B. Client Security Fund Subcommittee

Bob McKnight

(Tab 10)

- 1) **Discussion:** General Report
- 2) **Action:** Consider, discuss and approve proposed amendments to Section 3.08.02 of the Board Policy Manual pertaining to the Client Security Fund Rules

19. **Member Services & Education Committee**

A. Insurance/Member Benefits Subcommittee

Leslie Dippel

(Tab 11)

- 1) **Discussion:** General Report
- 2) **Action:** Consider, discuss, and approve recommendation regarding insurance exchange provider contract and delegation of authority to the Insurance/Member Benefits Subcommittee to negotiate and finalize an agreement

B. Appeals/Grant Review Subcommittee

Amie Peace

(Tab 12)

Action: Consider, discuss, and approve recommendation of the Appeals/Grant Review Subcommittee to uphold the decision of the Texas Board of Legal Specialization denying the application of Mr. Justin Pfeiffer for Civil Appellate Law specialization

C. Professional Development Subcommittee

Nicole Voyles

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.

- D. Technology Oversight Subcommittee** Aldo Lopez
Discussion: General Report
20. **Commission for Lawyer Discipline/Chief Disciplinary Counsel** Seana Willing/Noelle Reed (Tab 13)
Discussion: General Report
21. **Section Representatives to the Board Committee** Emily Miller
Discussion: General Report
22. **Texas Young Lawyers Association** Victor Flores
Discussion: General Report
23. **Discussion:** Liaison Reports
A. Supreme Court Liaison Justice Debra Lehrmann
B. Court of Criminal Appeals Liaison Judge Bert Richardson
C. Judicial Section Liaison Judge Gina Benavides
D. Federal Judicial Liaison Judge Xavier Rodriguez
E. Out of State Lawyer Liaison Denise Hoggard
24. **Texas Access to Justice Foundation** Terry Tottenham
25. **Discussion:** Report from the General Counsel Ross Fischer
26. **Discussion:** Report from the Legal Counsel John Sirman

A. Closed Session as authorized by Texas Government Code Section 551.071 for the purpose of consulting with legal counsel, including regarding pending or contemplated litigation (*McDonald et al. v. Sorrels et al;* and *Rosalinda Solis v. Interra Sky 4801 Woodway, L.L.C* (No. 2019-18261 in the District Court of Harris County)”; and Section 551.074 to deliberate regarding personnel matter(s)

B. End of Closed Session/Return to Open Session

C. Action, if needed, on items discussed in closed session.

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.

27. **For Information Only: State Bar Committees**
Projects and Objectives Report

(Tab 14)

28. **Adjourn**

If, during the course of the meeting covered by this notice, the Board should determine that a closed session of the Board should be held or is required in relation to any item included in this notice, then such closed session as authorized by Texas Open Meetings Act (Tex. Govt. Code Ch. 551) will be held by the Board at that date, hour and place given in this notice or as soon after the commencement of the meeting covered by this notice as the Board may conveniently meet in such closed session concerning any and all subjects and for any and all purposes permitted by Sections 551.071 – 551.084, inclusive, of the Texas Open Meetings Act.

Items on the agenda will not necessarily be discussed or considered in the order they are printed on the agenda above. Comments from the public may be taken throughout the Board meeting.

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.