

**OFFICIAL MINUTES  
STATE BAR OF TEXAS  
BOARD OF DIRECTORS MEETING  
The Four Seasons Hotel  
Austin, TX  
April 8, 2005**

The Board of Directors of the State Bar of Texas met in a regular session on April 8, 2005, at The Four Seasons Hotel in Austin, Texas. Chair of the Board William D. Elliott called the meeting to order at 9:00 a.m., and Executive Director John P. Edwards called the roll. A quorum of voting Board members was present. Board Member S. Leon Mitchell delivered the invocation.

***Present:***

**Board Members:** Patricia O. Alvarez, Kim J. Askew\*, Mike D. Atkins, Dr. Fred E. Aurbach, H. Mack Barnhart, Demetrius K. Bivins, Michael J. Black, Robert A. Black, Ralph H. Brock, Ronald E. Bunch, Russell G. Burwell III, Linda R. Butter, Ophelia F. Camina, Judge Jim Coronado, J. David Dickson, Michael A. Elliott, William D. Elliott, F. R. (Buck) Files, Jr., Kelly Frels, Roland Garcia, Jr., Tom Godbold, Terri L. Hagan, Jim Hall, Pauline E. Higgins, Paula W. Hinton, Roland K. Johnson, David R. McAtee, S. Leon Mitchell, Mark N. Osborn, Carmen I. Perez, Mickey R. Redwine, Lee Ann Reno, Vianei Lopez Robinson, Eduardo Rodriguez, Mark A. Shank, Laura Bellegie Sharp, Nancy A. Thomas, James C. Winton, Michele Wong-Krause, Marshall C. Wood

**Liaisons\*:** Joette Furlough, Judge Andrew S. Hanan, Judge Dean Rucker (arrived at end of meeting), Justice Dale Wainwright

**Section Representatives\*:** Suzanne Mann Duvall, W. David East, Mark L. Murdock, Judy L. Ney, Stephen J. Smith, Lisa M. Tatum

**Ex Officio\*:** John P. Edwards, Patricia A. Moore

***Excused Absences:*** Lance R. Byrd, Michael Connelly, John F. Landgraf (carry over public member), Jeffrey R. Parsons, Velva L. Price, Betsy Whitaker, Patricia J. Williams; Court of Criminal Appeals Liaison Judge Sharon Keller

(\* = *nonvoting*)

**I. REPORT FROM THE CHAIR OF THE BOARD**

A. **General Report:** Chair of the Board William Elliott acknowledged the appointment of Ophelia F. Camina to the Dallas County Department of Hospitals board.

B. **Consent Agenda Items:** **Upon motion properly made by Patricia O. Alvarez and seconded by Terri L. Hagan, the following items on the Consent Agenda were approved:**

1. Approved the minutes of the Board meeting conducted on *January 28, 2005*.
2. Ratified actions taken at the following Executive Committee meeting:

*March 17, 2005:* Approval of (1) minutes for the January 11, 2005 Executive Committee meeting, (2) Executive Director's determination of ineligibility regarding Maria Salas-Mendoza election petition.

3. Approved appointments by President Kelly Frels to the following entities:
  - a. **Commission for Lawyer Discipline:**
    - 1) for terms September 1, 2005 through August 31, 2006:
 

Chair: Mark White (Amarillo)  
Vice Chair: F. Ben Selman, Jr. (Waco)
    - 2) for three-year terms effective September 1, 2005 through August 31, 2008:
 

Mark White (Amarillo)  
Betty Blackwell (Austin)
  - b. **Law Focused Education, Inc.**, for two-year terms effective April 2005 through April 2007:
 

<i>Reappointments:</i> Janie Maldonado (Austin) George Rislov (TEA Repr, Austin) Ann Rogers (La Grange)	<i>New appointments:</i> Leah Blankenship (Austin) Wayne D. Haglund (Lufkin) Patricia V. Hayes (Austin) Dana Kelley (Richardson) Marcellene J. Malouf (Dallas) Cynthia L. Polinard (McAllen)
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  - c. **Resolutions Committee**, for terms expiring at the 2005 Annual Meeting:
    - 1) Chair: SBOT Immed. Past Chair/Board - Kim J. Askew (Dallas)  
 Vice-Chair: TYLA Chair - Greg Jackson (Fort Worth)  
 Secy: Local Bar Leaders Cmte Chair - M. Sue Kurita (El Paso)  
 Parliamentarian: Gary Anderson (San Antonio)  
 Alternate: Terri L. Hagan (Plano)  
 Alternate: Mark A. Shank (Dallas)
    - 2) **Review Committee:**  
 Kim J. Askew (Dallas)  
 M. Sue Kurita (El Paso)  
 Nancy A. Thomas (Dallas)
  - d. **State Bar Insurance Trust**, to complete T. Alan Hart's unexpired term through June 30, 2006:
 

Veronica M. Carmona (Austin)
4. **Items from the State Bar Committees and Sections/Division:** Approved ---
  - a. State Bar committee chairs to serve during the year 2005-06 per State Bar Rules, Art. VIII, Section 1B [See Exhibit A.]
  - b. Request by the **State Bar Health Law Section** to amend its bylaws [See Exhibit B.]
  - c. Request by the **State Bar Juvenile Law Section** to amend its bylaws [See Exhibit C.]
  - d. Request by the **State Bar Sexual Orientation and Gender Identification Issues Section** to raise its annual dues from \$10 to \$20 per year [See Exhibit D.]

- e. Request by the **Legal Assistants Division** - definitional change of "paralegal" as well as name change of Legal Assistants Division (LAD) to Paralegal Division (with commensurate changes to this term in the By-Laws of the division) as approved by the LAD Board, conditioned upon approval by the LAD membership **[See Exhibit E.]**
  - f. Name change from **State Bar Legal Assistants Committee** to State Bar Paralegal Committee, conditioned upon approval of the name change by the LAD membership during the LAD referendum
5. Approved bylaw amendments to the **College of the State Bar** adding Legal Assistants Division member to its board **[See Exhibit F.]**
6. Approved TYLA President's appointment of **Sergeants-at-Arms** to serve at 2005 Resolutions Committee:
- (All appointees are from Dallas)*
- |                    |                    |
|--------------------|--------------------|
| Cheryl S. Camin    | Jennifer E. Morris |
| Roberto Canas, Jr. | Robert J. Witte    |
| Karen D. McCloud   |                    |
7. Approved recipients for the **pro bono awards** to be presented at the Annual Meeting: **[See Exhibit G.]**
- a) Pro Bono Award: Capital Area AIDS Legal Project
  - b) Frank J. Scurlock Award: George P. Parker, Jr.
  - c) The J. Chrys Dougherty Legal Services Award: William Kimble
  - d) W. Frank Newton Award: Dallas Office of Jones Day
8. Approved recipients for the **Nancy Garms Memorial Award** to be presented at the Annual Meeting:
- Hon. Jimmy Edward Crouch (Denton)
9. Approved **resolutions** honoring Austin attorneys: **[See Exhibit H.]**
- a) Malcolm N. Greenstein
  - b) Eric M. Shepperd
  - c) Hon. Harriet M. Murphy

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## II. REPORT FROM THE STATE BAR PRESIDENT

A. General Comments/Solo and Small Firm Project

President Frels reported that a station had been set up in the Board room for those members who wanted to cast votes on line for the president-elect and general elections; and the solos and small firm project, “Going Solo,” chaired by Jimmy Brill, will debut online on the State Bar’s website on June 1, 2005.

### B. ABA Resolution

President Frels indicated the ABA had stepped forward and clarified misstatements made in the presidential debates (e.g., flu vaccine) and defended statements concerning the judiciary. President Frels requested the Board authorize the Executive Committee to develop a resolution urging the ABA to continue to take a leadership role in responding to unjustified attacks on lawyers and the legal system. The deadline for getting the resolution to the ABA is May 11.

As requested by President Frels, **Nancy Thomas moved approval to delegate development of the resolution to the Executive Committee and for the Texas delegation to support the resolution before the ABA House of Delegates. Terri L. Hagan seconded the motion. The motion passed.**

President Frels indicated he will share with the directors an “op ed” piece, which can be used in communicating with editors in perspective communities in response to misstatements about the stellar and other awards.

C. 2005 State Bar Annual Meeting

State Bar Annual Meeting Committee Chair Mark Shank reported that funds have been raised to offset the expenses related to the 2005 annual meeting. On behalf of the committee, Shank encouraged each Board member to attend the annual meeting in Dallas (June 23-24).

D. Ad Hoc Committee to Select Minority Directors

Ad Hoc Committee Chair Pauline E. Higgins presented an overview of the process used in selecting the minority directors, and stressed the criteria used in the process. One position (Vianei Lopez Robinson) becomes vacant in 2005. The Ad Hoc Committee, comprised of members from the State Bar Board, The Racial Diversity in the Profession and Women in the Profession committees, as required by Board policy, had recommended two nominees to President Frels: Edward F. Fernandes (Austin) and Charlene H. Tsang-Kao (Houston).

President Frels requested the Board to approve the appointment of Edward F. Fernandes as the minority director. Fernandes was chosen because of proven record of contributions to the legal profession and his community and to ensure the lawyer population in Austin is fairly represented on the Board (considering the geographical location of the President, President-elect and other minority directors).

**Roland Garcia, Jr., moved approval to appoint Edward Fernandes as minority director. Judge Jim Coronado seconded the motion. The motion passed.**

III. ELECTIONS

A. Chair of the Board Elections: General Counsel Patricia Moore explained the balloting process for use in the Chair of the Board elections. The election of 2005-06 Chair of the Board was conducted by written ballot pursuant to Section 1.11.04 of the State Bar Board Policy Manual. To comply with open meetings requirements, voting members were asked to verify on separate verification pages of the ballots distributed that they were authorized to and had cast their vote on behalf of the Director whose name was marked on the ballots.

The candidates for election, Michael J. Black and Tom Godbold, presented statements before the balloting process began. **After a round of voting, Tom Godbold was elected to serve as the 2005-06 Chair of the Board,** after which, he gave brief remarks.

B. Nominations & Elections (N&E) Subcommittee:

N&E Subcommittee Vice Chair Kim J. Askew gave a status report on the president-elect and district director elections and indicated that to date, 7,582 attorneys have voted online. Paper ballots will be distributed on April 15 to those who do not vote online. Askew congratulated the president-elect candidates on conducting an honorable campaign. Only one contested race occurred in the district director races - District 6, Place 4.

The Executive Committee had convened on March 17, 2005, to hear an appeal by petitioner Maria Salas-Mendoza. The Supreme Court had signed an Order on February 7, 2005, redefining El Paso as a non-metropolitan county, and Executive Director John Edwards declared Salas-Mendoza as being ineligible to run for the District 17 director

position because of the succession rule. The Executive Committee voted to uphold the decision made by the Executive Director.

#### IV. REPORT FROM THE STATE BAR PRESIDENT-ELECT

A. SB Budget: President-elect Eduardo Rodriguez reported that no one attended the public hearing, which was held on March 31, 2005, at the Texas Law Center. The proposed budget is the same as that presented during the January Board meeting, except that \$34,000 had been redirected from the building in the future to the Dallas phone system purchase.

**President-elect Rodriguez moved approval of the 2005-06 SBOT budget for presentation to the Supreme Court. The motion passed. [See Exhibit I.]**

B. Committee Review Task Force: President-elect Eduardo Rodriguez indicated a written report of the recommendations would be presented during the June Board meeting.

C. Other Projects: Planning for the new directors orientation is in progress for the June 9-10 event. PDP is working on developing the Futures Program, which is a free, one-day program for lawyers that will be presented at the SMU Law School in the Fall, possibly the University of Houston, and the University of Texas. Minority Affairs and Law Focused Education departments are working on the Pipeline Project, and developing a curriculum for fourth and fifth-grades, which attorneys can use in schools across the state to promote minority enrollment in law schools. The State Bar is co-sponsoring the ABA Pipeline Project in Houston in November. President-elect Rodriguez will work with TYLA President-elect Lee Ann Reno to encourage Board members to promote the "American Juror" video among community groups.

#### V. REPORTS FROM BOARD COMMITTEES/SUBCOMMITTEES

##### A. Administration Committee

Administration Committee Chair H. Mack Barnhart encouraged members to tell their legal assistants that the definition of legal assistants has been changed and they are now "paralegals."

1. *Contracts and Agreements*: **On behalf of the Administration Committee, Barnhart moved approval of the following items:**

a) **STATCO contracts for the SBOT and the State Bar Legal Assistants Division (used for the collection of dues)**

b) **Jaworski Plaza Letter Agreement (used to repair the fountain and plaza area south of the Law Center building)**

**The motions (taken separately) were approved. [See Exhibits J-K.]**

2. *Facilities Issues*: Barnhart reported the San Antonio lease has been signed, and the State Bar should be able to occupy the facility at the end of April, with a one-month holdover in the present location. The Houston lease is in a build-out process, and after a month and a half holdover period, staff should be able to occupy the facility in May. The telephone system should be installed by August, including the San Antonio and Houston facilities. A project manager has been engaged to manage the five-year build out at the Law Center, which increases the cost of the project, but decreases liability issues.

The Jaworski Plaza Letter Agreement is the beginning of the restoration of the Jaworski fountain area. The 10-year agreement to maintain the fountain is subject to abolition by the Governor or Legislature and has two 10-year

options included in the agreement. **Barnhart moved approval to enter into the agreement with the Texas Building and Procurement Commission. The motion passed.**

Barnhart indicated that all tenants pay rent to occupy the Texas Law Center except for the Texas Center for Legal Ethics and Professionalism. Negotiations for payment of rent is in process, and the Administration Committee will present a report about the matter at the June meeting.

B. Finance Subcommittee: Finance Subcommittee Chair Michael Black presented an overview of the variances in the General Fund budget, and reported net positive revenues over expenditures as of February 28, 2005, of \$1,613,927.

**On behalf of the subcommittee, Chair Michael Black moved approval to accept the internal audit and to approve the revised investment policy. [See Exhibits L & M.] (Pauline Higgins did not participate in the voting on these issues.)**

C. Discipline & Client Attorney Assistance Committee: Chair Vianei Lopez Robinson indicated the State Bar Act mandates the Bar maintain a model fee dispute resolution program that can be used by local bars and other associations, and a D/CAAP subcommittee (comprised of Jim Hall, Paula Hinton, Nancy Thomas, and Robinson) is looking at that issue.

Robinson reported the referendum adopted the revisions to Part VII of the Texas Disciplinary Rules of Professional Conduct State Bar Rules, but not the commentary to the Rules. The proposed commentary was drafted by the Advertising Rules Committee and reviewed by the Disciplinary Rules of Professional Conduct Committee and the D/CAAP Committee. **On behalf of the D/CAAP Committee, Robinson moved approval of the commentary. The motion passed. [See Exhibit N.]**

D. Executive Committee

1. Policy Manual Subcommittee: James Winton indicated the proposal to address the imbalance of Board classes will require modification to the State Bar Rules, State Bar Act and Board Policy Manual. The issue has been discussed with Justice Dale Wainwright, who asked that modifications to the Rules be presented all at once. The subcommittee anticipates presenting an action item at the June Board meeting.

The proposed revision to the purpose of the State Bar is intended to clarify that sections and committees are subject to the same constraints as the State Bar.

Winton presented the proposed objection to expenditure of funds mechanism, which brings the Bar in compliance with Keller, by which attorney can object to expenditures. **On behalf of the Policy Manual Subcommittee, Winton moved approval of the objection to expenditure of funds mechanism to bring the Bar in line with Keller. The motion passed. [See Exhibit O.]**

2. Strategic Planning Subcommittee: Chair Mark Shank Mark Shank indicated the State Bar Act requires the Bar to adopt, amend or reevaluate its strategic plan, and this is the year to do that. Comments have been received from Board members and other interested parties concerning the proposed strategic plan. The latest draft reflects some of the comments made.

**On behalf of the Strategic Planning Subcommittee, Shank moved approved of the proposed strategic plan. The motion passed. (See Exhibit P.)**

3. Referendum Task Force: Chair Tom Godbold reported on those items that are ready for presentation to the membership and those that still needed work. Ready for presentation in a referendum: no sex

with clients and Jimmy Brill's resolution about solo practitioners. More information is needed about the Supreme Court's task force led by Tom Watkins to study the ABA 2000 model rules. The Referendum Task Force is working closely with the Watkins committee and the State Bar Texas Disciplinary Rules of Professional Conduct Committee to coordinate one referendum on proposed items.

E. Member Services & Education Committee

1. Appeals-Grant Review Subcommittee: Section Representative David East presented the report on behalf of the subcommittee. **Upon motion made by F. R. (Buck) Files, Jr., and second by TYLA President David R. McAtee II, the Board voted to uphold the decisions previously made by the Texas Board of Legal Specialization (TBLS) and Minimum Continuing Legal Education Committee (MCLE) in the following cases: [See Exhibit Q.]**

a) TBLS:

1) **James R. Claunch - regarding denial of application for certification in Criminal Law**

2) **Daniel R. Rutherford - regarding revocation of Civil Trial Law certification and denial of recertification in Personal Injury Trial Law**

b) MCLE: David Melasky - regarding the denial of participatory credit for a Mock Trial/Moot Court Judging

2. New Directors Orientation Subcommittee: Chair Russell Burwell III reported that the subcommittee met on April 7 to discuss the June 9-10 orientation. Included in the orientation is a presentation by representatives from the Ethics Commission on completing the financial disclosure form.

3. Professional Development Subcommittee

a) *Book Fund*: Out-of-State Lawyer Liaison Joette Furlough reported the subcommittee had studied the issue of whether the Book Fund is a trust, and whether the monies could be used for general fund purposes. The subcommittee concluded the Book Fund is not a trust, but a dedicated fund administered in the manner provided in the State Bar Policy Manual. Leon Mitchell presented the Statement of the Book Fund, which outlines the Board policy towards managing the Book Fund, and which will assist future committees in supervising the Fund and assist staff in handling projects within the Book Fund. **[See Exhibit R.]**

b) *Starting the Practice Task Force*: Jimmy Brill presented an overview of the work of the task force, which included categorizing hundreds of articles of particular interest to solo and small firm practitioners. Attorneys will have access to a free database, currently on the Law Practice Management Web site, which will soon be linked to other sites.

4. Technology Oversight Subcommittee: Chair Mark Osborn reported that [as of his report] 7,725 electronic votes have been cast in the 2005 president-elect/district director elections, the iMIS database project is expected to go online in August-September of this year, a survey of the Board was conducted to give directors options on how to receive the Board packets (80 percent wants to receive the packets via mail; 20 percent, electronically), news clips will be included on the Web site (pending permission required), and a six-month, online advertising pilot project is planned. Free legal research is now available at mybarpage.com. Casemaker premium library will soon be launched at texasbarcle.com, and the end of calendar year 2005 expects implementation of the hyperlinks. The Bar is pulling the research capabilities from the mytexasbar.com website and adding a link to Casemaker, and implementation is anticipated in 2006 to allow firms to pay dues online with one check. A

subcommittee headed by Carmen Perez has been formed to present an updated, long-range plan for the Technology Subcommittee.

F. Public Services & Education Committee

1. Legislative Policy Subcommittee: Chair Roland Johnson reported over 5,500 bills were filed, and a bill status report as of April 7 was distributed during the Board meeting. H.B. 3, of particular interest to the Bar because it includes taxation of services (including legal) to compensate for a proposed decrease in the property tax rate, has been referred to the Senate Finance Committee, but no hearing has been set. Judicial pay raise has gone from one house to another. Five State Bar section bills that went before the Bar are making their way through the system. Governmental Relations Director KaLyn Laney can provide speaking points for use in communicating with constituencies about the legislative program.

2. Legal Services Subcommittee: Chair Vianei Lopez Robinson indicated Texas Access to Justice Commission had provided a written report to the Board; and online pro bono reporting should be available by June at the Bar's Web site. ABA and National Legal Assistants Program Equal Justice Conference is scheduled for May 5-7 in Austin, and ABA Day is April 27-28 in Washington, D.C. The student-loan repayment program has 24 legal aid attorneys enrolled, who are receiving payments from the Texas Bar Foundation. On the legal research network, over 335 legal aid attorneys and 85 paralegals have signed up using the Lexis preferred rate.

VI. OTHER REPORTS

A. State Bar Insurance Trust (SBIT): SBIT Administrator Brooks Davis presented a history of the Trust, which provides health and life insurance coverage for small firms (less than 50 members), and indicated the staff of eight represents about 105 congregate years of experience with the Trust. The Trust last month established an insurance agency to help Bar members and law firms shop the market for the best plans and services.

B. Report From Section Representatives to the Board Committee (SRBC): Section Representative David East indicated members of the SRBC have looked at the work of the section representatives, Section Coordination and Council of Chairs committees - two committees that closed relate to the work of the section representatives - and make the following recommendations: (1) the SRBC should continue to exist, needs a mission statement, and should be expanded from six to seven members (appointed from the small sections); (2) at least one section representative should be appointed to the Bar's CLE Committee; (3) one section representative should be appointed to the Board's Executive Committee; (4) the section representatives should become voting members of the Board; (5) the SRBC should be a Board committee rather than a standing State Bar committee; (6) the Council of Chairs Committee should be continued, but tweaked to provide more continuity and allowed to set their own agenda; (7) the Section Coordination Committee should be abolished, as regulatory/compliance issues concerning the sections should be the responsibility of a Board committee; (8) reimbursement of expenses for the SRBC should be reconsidered; and (9) the Board should appoint an ad hoc committee to consider the recommendations for discussion at the June Board meeting.

East also reported that customarily the section representatives select one of its members to serve as the chair of the committee, and it is anticipated that Judy Ney will be selected to serve as chair during the 2005-06 Bar year. New section representatives will be Carolyn Moore and Pat Allison.

Chair of the Board Elliott indicated David Dickson will chair, and other members will be appointed to, the special task force to present a set of recommendations to the Board in the future.



C. Board Liaisons:

1. Supreme Court Liaison: Justice Dale Wainwright reported the following: (1) former Amarillo Court of Appeals Chief Justice Phil Johnson has been confirmed by the Senate and will be sworn in as Supreme Court justice on April 11, thus completing the complement of justices on the Court; (2) the Court has hired a new director for the Office of Court Administration, Carl Reynolds, former general counsel for the Texas Dept. of Criminal Justice; and (3) the Governor's office is working on a list of non-lawyers, which will facilitate the Court's appointment of public members, three of whom are needed this year and expected to be appointed in time to participate in the new directors orientation.

2. Court of Criminal Appeals Liaison: Judge Lawrence L. Meyers attended the Board meeting in Judge Sharon Keller's absence. No report.

3. Federal Judicial Liaison: Judge Andrew Hanen emphasized that security remains a priority issue at the courts in light of recent incidents across the nation.

4. Out-of-State Lawyer Liaison: Joette Furlough indicated that approximately 20 per cent of the State Bar membership is out-of-state attorneys, half of whom are active, dues-paying members. Furlough is seeking to streamline the CLE reporting requirements, thus capturing more dues from out-of-state members.

5. Commission For Lawyer Discipline: Commission Chair Mark White reported that 18-year employee and Chief Disciplinary Counsel (CDC) Dawn Miller had submitted her resignation from the State Bar. White and Public Member Paddy Burwell presented a glass, state of Texas flag to Miller to commemorate her "unwavering loyalty to the State Bar and your passionate ideas and your passion for protecting the public all across the state of Texas." Miller thanked the State Bar for the opportunity for having served the Bar.

White reported the Commission has appointed Michelle Hunter as Interim CDC, and a 10-member search committee comprised of six Commission members and four State Bar Board members has been appointed to select the new CDC. Commission members: F. Ben Selman, Jr. (Chair, Waco), Al Ellis (Dallas), Mark White (Amarillo), and public members Raymond S. Reiner (Houston), George Edwards (Houston), Janie Landin Ramirez (Lubbock); SB Board members: Paula W. Hinton (Houston), F. R. (Buck) Files, Jr. (Tyler), Vianei Lopez Robinson (Abilene) [later replaced by Tom Godbold, Houston], Lisa M. Tatum (San Antonio).

**Michael Black moved approval to appoint Michelle Hunter as Interim CDC. Laura Sharp seconded the motion. The motion passed.**

6. Texas Young Lawyers Association (TYLA): TYLA President David McAtee highlighted ongoing projects, including the "Just Hang Up" (third celebrity has been added, Freddy Fender), "American Juror" and highly acclaimed "Ten-Minute Mentor" projects.

7. Executive Director: F. R. "Buck" Files praised Executive Director John Edwards for establishing a line of communication with the Texas Criminal Defense Lawyers and Texas District and County Attorneys associations. Executive Director Edwards recently had met with the executive directors of both associations over lunch. Files also praised President Frels for ensuring criminal defense lawyers were included on the Commission for Lawyer Discipline and other entities.

Executive Director Edwards indicated he has met with about 40 per cent of the Board members, who are encouraged to call him with suggestions. After the elections, President-elect candidates Dan Boulware and Martha Dickie have been asked to meet with Edwards to discuss lessons learned and other issues that arose out of the campaign process. Edwards has also met with metropolitan bar executives. A map of the future will become more definitive once employees complete personal objectives for the coming year. Technology remains an issue, and

staff has been asked to include tips on successful teleconferencing with each meeting notice to help facility video and teleconference calls.

8. Wrap Up by the President: President Frels indicated the International Law Section resolution concerns developing more restrictions on foreign legal consultants and temporary practice. A meeting has been scheduled in June to discuss the issue. VIP packages will be sent to Board members to register for the State Bar annual meeting, and members should encourage other attorneys to attend the annual meeting. President Frels has developed an ed opt piece (regarding support of the judiciary and barratry issues), which will be sent by email to directors to help in communicating with local media. President Frels indicated the Bar's disaster response policy needs to be revisited.

There being no further business, the meeting was adjourned at 12:15 p.m.

### **EXHIBITS ATTACHED**

EXHIBIT A: 2005-06 SB Committee Chairs  
EXHIBIT B: Health Law Section - Revision to Bylaws  
EXHIBIT C: Juvenile Law Section – Revision to Bylaws  
EXHIBIT D: Sexual Orientation & Gender Identification Issues Section – Dues Increase  
EXHIBIT E: Legal Assistants Division – Definitional Change of “Paralegal”  
EXHIBIT F: College of the State Bar – Revision to Bylaws  
EXHIBIT G: Pro Bono Award Recipients  
EXHIBIT H: Resolutions Honoring Austin Attorneys (Greenstein, Shepperd, Murphy)  
EXHIBIT I: Proposed 2005-06 SB Budget  
EXHIBIT J: STATCO Contract  
EXHIBIT K: Jaworski Plaza Letter Agreement  
EXHIBIT L: Internal Audit  
EXHIBIT M: Revised Investment Policy  
EXHIBIT N: Commentary to State Bar Rules, Part VII, Texas Disciplinary Rules of Professional Conduct  
EXHIBIT O: Objection to Expenditure of Funds Mechanism  
EXHIBIT P: Strategic Plan  
EXHIBIT Q: TBLS & MCLE Appeals  
EXHIBIT R: Book Fund Report/Statement

## NECHMAN, SIMONEAUX, AND FRYE, PLLC

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PATRICIA A. CANTU

February 22, 2005

Pat Hiller  
Via Fax: 512-475-0818

**Re: Fees for the section on Sexual Orientation and Gender Identifications Issues**

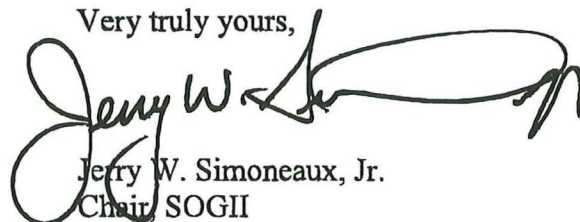
Dear Ms. Hiller:

On June 25, 2004, the Council and Members of the Sexual Orientation and Gender Identifications Issues section of the State Bar of Texas met and considered a motion to raise annual dues from \$10 to \$20 per year. The full council was present and there was a quorum. The motion was seconded and passed unanimously.

Could you please add our dues increase to the agenda of the next meeting of the State Bar Board? I believe this was on the agenda at the last meeting, and I have only just learned that our dues increase has not yet been considered.

Thank you for your help. If you have any questions, please feel free to call me.

Very truly yours,



Jerry W. Simoneaux, Jr.  
Chair, SOGII