

MINUTES
Of the Santa Barbara County Bar Association Board of Directors
Wednesday, July 13, 2016 (JC)

	Present		Present
President James Griffith (JG)	X	Director Stephen Dunkle (SD)	X
President-Elect Mike Denver (MD)		Director Mike Brelje (MB)	X
Secretary Officer Jeff Chambliss (JC)	X	Director Leticia Anguiano (LA)	X
Chief Financial Amber Holderness (AH)	X	Director Travis Logue (TL)	
Past President Naomi Dewey (ND)	X	Director Nathan Rogers (NR)	
Director Emily Allen (EA)	X		
Director Eric Berg (EB)	X	Director James Sweeney (JS)	X
Director Joseph Billings (JB)	X	Director Elizabeth Vogt (EV)	X
Director Elizabeth Diaz (ED)	X	Staff: Exec. Director Lida Sideris (LS)	X

1. Call to Order – President’s Report

The July 2016 meeting of the SBCBA Board of Directors was called to order at approximately 5:20 p.m.

JG reported that the Justice Cuellar Reception had a “decent” turnout of 51 attendees and that the Justice gave a great talk. The Bar Association lost money, a “one off” hopefully but it was worthwhile due to the strengthening of the ties between the Bar and Bench. (July’s Financial Statements has the net loss as \$259.23).

2. State of the SBCBA

a. Minutes from June Meeting

The June Minutes were adopted unanimously with JG noting that Stephen Dunkle was present to create a forum and JG further suggested that authorship of the Minutes be noted. Note this author’s initials have been added to the title on this page.

b. Financial Report

AH and JG led an extensive discussion of the Association’s investment strategy and current financial condition. There is approx. \$35,000.00 in the Union Bank checking account (July’s Statement=\$24, 380.65) and approx. \$160,000.00 (Now=\$160,560.30) in the Union Bank Money Market Account. Expenses are up due to \$6,000.00 in Grants and a drop in Arbitration income.

JG and AH met with the Schwab Advisor David Hellewell on July 8, 2016 and they are comfortable with the investment advice he is giving the Bar Association. The Schwab account has basically regained all recent losses and stands at approximately \$198,000. (Now=\$197,828.22). JG and AH reported that David Hellewell feels that the Windhaven

Fund where the Bar's funds are invested does what the Bar wants: moderate growth with lessened vitality. ND asked if the Bar should consider diversifying to other mutual funds. A discussion of that topic and the fee charged by Schwab (.95%) ensued. The Schwab fee was deemed reasonable and the consensus was that the Bar was already diversified by the different components making up the Windhaven Fund. JS led a discussion of fiduciary duty and reliance on an investment advisor as an element of that duty. Again, it was decided to grant read-only access for the Association's CPA, Hilary Tentler, to the Schwab account.

MB posed the question: why does the Bar Association seek to accumulate money through "moderate growth?" JG asked what do we do with the approx. \$198, 000 in the Schwab account? The Union bank accounts cover nine months of operating expense. JG suggests surveying the membership and asks Executive Director Lida Sideris to survey other Bar Associations as to their reserve/excess funds policy. JC says it is the goal of his Presidency to answer the question of what to do with the funds in excess of nine month reserves. JG proposes the formation of an Ad Hoc Committee to address the Question. ND moved and AH seconded the formation of the Committee consisting of JG, MB, AH, MD, EA and JC. Passed unanimously.

c. Lawyer Referral Service Report

A written report was submitted. ND asked about adopting the flat fee rate that LA County Bar Association had started in response to inroads by Rocket Lawyer. LS to participate in an upcoming State Bar Conference Call re this issue. MB noted that the tab on the Bar Website for the Meeting Minutes is not updated, very out of date and LS informed that after years of quality website management at no charge, lately the web master has been unresponsive to phone calls and emails.

3. Directors' Reports

a. *Santa Barbara Lawyer Magazine* (James Sweeney)

A written report was submitted. An extensive discussion of the Magazine's finances ensued with a debate of the merits of the cash v. accrual basis of accounting. LS reported that Magazine has always made a little money. JS to report next month on discrepancies on the numbers.

b. MCLE (Nathan Rogers)

A written report was submitted. ND asked if there was any discussion about removing non-performing section heads? JG noted that Jan to June 2016 there were 7 MCLE events and there were 8 during the same time frame last year. JG will discuss non-performing section heads with NR (who was absent). The Real Property, Tax and Debtor-Creditor sections are non-performing.

c. Events (Mike Brelje, Elizabeth Diaz, Emily Allen)

MB reported a \$1966.00 profit or net gain from the BBQ. 80 paid and attended, 14 no shows and 90 people overall. EA and ED reported on the Justice Cuellar reception, 51 present and loss of \$259.23, as noted above.

MB reported on plans for the Annual Dinner. He had investigated numerous sites including the Barcara, the Goodland, etc and had ranked as his top three, The Canary, The Biltmore and La Cumbre CC in that order. MB recommended the Canary for its rooftop venue, downtown location, parking and convenience. MB moved and JC seconded, passed unanimously, that Thursday November 3, 2016 starting at 5:30pm, dinner at 6:30pm, at the Canary is the date and time of the Annual Dinner. ND moved and JG seconded, passed unanimously, to authorize MB to reserve the date and negotiate food types and cost with The Canary. It was decided that it was a good idea to have appetizers from 5:30pm to 6:30pm with MB estimating the cost at approx.\$1500.00. MB to report back on food options and cost.

JC noted that MB had done a fantastic job organizing the annual dinner and the Golf & Tennis Tournament.

d. Bench & Bar Conference (Eric Berg, Joe Billings)

A written report was submitted. JB and EB reported that the date has been reserved (1/21/17) and contract signed to use the Courthouse (\$400.00) at a reduced rate thanks to Judge Herman. The Keynote speaker has been found, Steven Zipperstein, General Counsel for Blackberry. Other potential speakers were discussed. Changes in the format to encourage roughly equal attendance at all sessions, as opposed to only the MCLE specialty sessions was discussed.

e. Bench & Bar Relations (Stephen Dunkle)

A written report was submitted. ND moved and AH seconded, passed unanimously, to authorize SD to contract with the Santa Barbara Club to hold the October 19, 2016 Justices' Reception.

f. Liaison (Emily Allen)

A written report was submitted and accepted without comment.

g. Fiscal (Amber Holderness)

See above. There were no new fiscal items to discuss following the financial report.

h. Awards and Board Development (Elizabeth Vogt)

A written reported was submitted and accepted. Tom Hinshaw had written an appropriate piece nominating Donna Lewis for an award. A discussion ensued of having spouses nominate each other for awards. EV reported that she had interviewed Brian Cota, Deborah Boswell and Seann Thomas and all would be excellent candidates to join the Board. ND nominated MD to help vet candidates for next year's Board.

i. Special Projects (Travis Logue, Amber Holderness, James Griffith)

JG discussed the recruitment of in-house counsel to join the Bar, but said that was on hold for now as a special project as he wanted to focus on the question of what to do with the Board's reserves/excess funds.

j. Legislative Liaison (Elizabeth Diaz)

ED presented a report and JG discussed the meeting with State Senator Hannah Beth Jackson re AB 2878, to end State Bar. HBJ was critical of the State Bar and thinks the State Bar needs reform but critically she does not support public regulation, self-regulation is best. AB 2878 is tabled to April 2017.

k. Grant Committee (James Griffith)

JG reported on the Legal Aid Grant Requests. Legal Aid has dropped the grant request for Emily Allen to work with the homeless as EA has moved her program to the United Way of Northern Santa Barbara County. Instead, Legal Aid was now requesting \$18,000.00 for their Violence Against Women Act ("VAWA") project. The second request remained \$10,000 for Chowderfest.

An extensive discussion ensued about Legal Aid's requests and Grants in general. To date the Board had approved approx. \$13,800.00 in Grants (\$8000.00 to DPHS Mock Trial Team; \$2500.00 to Food From the Bar-Foodbank; \$3300.00 to the HS Mock Trial Competition) leaving a balance of about \$32,000.00 of the \$45,000.00 budgeted for Grants in 2016. JS expressed a preference to fund capital projects, such as the PIKA software system and HVAC at Legal Aid, as they would be a long term benefit to the recipients. JG noted the publicity benefits to the Bar to be a title sponsor of the Chowderfest, and that last year the Bar was a sponsor of Chowderfest. JG moved, JS seconded, passed unanimously, to grant Legal Aid \$10,000.00 for the Bar to be a title sponsor of Chowderfest in 2016. It was decided to defer the request for VAWA funds until later in the year when it is clearer how much Grant money remains in the 2016 Budget. Also, it was decided that no gratis tickets will be accepted for Chowderfest.

4. New Business

a. Conflict of Interest Policy.

ND introduced a Conflict of Interest Policy that she had drafted. A discussion followed of the need, required by law, and structure of the Policy. LS noted that compared to other Bar Association Policies, our proposed policy was concise and well written. SD moved and MB seconded, passed unanimously, to adopt the proposed Conflict of Interest Policy.

b. Teen Court Ads

JC stated that he had recently been contacted by Ann Cowell, Director of Teen Court, requesting ad space in the Magazine to recruit more Teen Court Judges. LS had already worked with Ann Cowell to add language to the Bar's email news letter to members that

resulted in the recruitment of five new judges! JS suggested that an article would generate more interest than an Ad. JC to author article with Ann Cowell about Teen Court to help recruit more judges.

5. Coming SBCBA Events

Event	Event date	Last chance for <i>SBL</i> ad	Event	Event date
Next Board Meeting	8-10-2016	NA		
Golf & Tennis Tourn.	Sept. 29	Will be in July SBL		
Justices' Reception	Oct. 19			
Annual Dinner	Nov. 3			
Joint Board Meeting	12-14-2016			
Bench & Bar Conf.	1-21-17			

6. Adjournment

The long meeting was adjourned at 7:46 p.m.