

7.3 Discussion and Approval of Five-Year Sunset Review Recommendations for Subentities



The State Bar of California

OPEN SESSION AGENDA ITEM 7.3 MAY 2025 BOARD OF TRUSTEES

DATE: May 22, 2025

TO: Members, Board of Trustees

FROM: Louisa Ayrapetyan, Board Secretary, Office of the Executive Director

SUBJECT: Discussion and Approval of Five-Year Sunset Review Recommendations

EXECUTIVE SUMMARY

This staff report provides an update on the five-year sunset review process for State Bar subentities. At its February 2025 meeting, the Board Executive Committee approved recommendations related to five subentities under review. This staff report advances for Board action only a subset of those recommendations, focused on operational improvements and continuation of specific bodies. Recommendations related to the California Board of Legal Specialization (CBLS) and the Client Security Fund Commission (CSF) are not being advanced at this time in light of workload and capacity considerations.

RECOMMENDED ACTION

The Board of Trustees is asked to approve the continuation of the Committee of State Bar Accredited and Registered Schools (CSBARS), the Council on Access and Fairness (COAF), and the Committee on Professional Responsibility and Conduct (COPRAC), with operational modifications outlined below.

DISCUSSION

Pursuant to [section 4.8 of the Board Policy Manual](#), a five-year sunset review was initiated in 2023 for nonstatutory subentities. The Board Executive Committee approved the recommendations for all five subentities in February 2025, and staff have continued coordination and planning efforts in the months since. Given current workload demands, staff is advancing only some of the recommendations approved by the Board Executive Committee at this time:

1. CSBARS: Retain with operational improvements, including:

- a. Broadening the definition of accreditation experts to improve recruitment.
 - b. Shortening member terms to increase engagement.
 - c. Improving feedback loops between CSBARS and the CBE.
 - d. Aligning the CSBARS meeting calendar with the CBE schedule to enhance coordination.
2. COAF: Retain under current structure, while ensuring efficiency in activities that overlap with other areas of the State Bar, such as outreach and communication. In light of the dedicated funding stream that supports COAF work, its work plans should reflect a level of effort commensurate with available resources annually.
3. COPRAC: Retain and adopt proposed operational and policy modifications, including:
 - a. Develop a mechanism for COPRAC to issue short-form guidance without requiring Board of Trustees review.
 - b. Increase staff support to reduce drafting reliance on members.
 - c. Rescind the prohibition on COPRAC addressing the unauthorized practice of law issues.
 - d. Develop a process whereby COPRAC solicits California attorneys on areas of interest/need for ethical guidance.
 - e. Require COPRAC to develop annual work plans for approval by the Board Executive Committee.

The Board Executive Committee approved staff’s recommendations to sunset CBLS and the CSF. These recommendations were based on the subentities’ limited and diminishing functions, and the ability to reassign their remaining responsibilities to existing bodies—CBLS to the Committee of Bar Examiners and CSF to the Board. However, due to current workload demands on both CBE and the Board, staff recommends postponing action on the sunset recommendations until fall 2025.

To ensure alignment and consistency across all State Bar subentities, it is recommended that all subentities, except those recommended for sunset, develop annual work plans that align with their functions. This includes the Lawyer Assistance Program Oversight Committee, the Committee on Professional Responsibility and Conduct, and the Law School Council¹. These work plans should be submitted to the Board Executive Committee for approval annually.

PREVIOUS ACTION

- [September 2023: Discussion Regarding Sunset Review of State Bar Subentities](#)
- [September 2024: Update on the Five-Year Review of Subentities](#)
- [November 2024: Review and Discussion of Five-Year Sunset Review Recommendations for Subentities](#)
- [February 2025: Discussion and Approval of Five-Year Sunset Review Recommendations for Subentities](#)

¹ Not recommended for work plans: Judicial Nominees Evaluation Commission and Review Committee for Commission on Judicial Nominees Evaluation.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES

If and when the Board moves forward with sunseting the California Board of Legal Specialization and the Client Security Fund Commission, staff will prepare and present the necessary rule amendments for Board approval at a future meeting.

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

Staff will identify and propose appropriate amendments to the Board Policy Manual for approval at a future meeting.

STRATEGIC PLAN GOALS & IMPLEMENTATION STEPS

Goal 4. Protect the Public by Engaging Partners

- c. 3. Engage diverse voices in the development and evaluation of State Bar policy.

RESOLUTIONS

Should the Board of Trustees concur, it is:

RESOLVED, that the Board of Trustees, upon recommendation of the Board Executive Committee retain the Committee of State Bar Accredited and Registered Schools, the Council on Access and Fairness, and the Committee on Professional Responsibility and Conduct, with the proposed operational modifications outlined in this staff report; and it is

FURTHER RESOLVED, that any retained subentities that do not currently submit annual work plans shall begin doing so, with such plans subject to review and approval by the Board Executive Committee, in alignment with existing practices for other Board subentities.

ATTACHMENT LIST

None