



**Contra Costa County
Bar Association**

**POLICIES
&
PROCEDURES**

2021 Edition

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CCCBA POLICIES & PROCEDURES

Statement of Purpose

It is the intent of the Board of Directors of the Contra Costa County Bar Association to maintain a “CCCBA Policies & Procedures” manual. Contained herein is a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The “CCCBA Policies & Procedures” manual will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of CCCBA business are to be conducted.

If any policy or portion of a policy contained within the “CCCBA Policies & Procedures” manual is in conflict with rules, regulations or legislation having authority over the CCCBA, said rules, regulations or legislation shall prevail.

CCCBA Policies & Procedures

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1. BAR ORGANIZATION AND SERVICES

A. THE PURPOSE OF THE CCCBA

As stated in the Bylaws, the Mission of the Contra Costa County Bar Association is " Empower our members to deliver outstanding legal service to our community ". The Board's Vision is as follows: "The CCCBA empowers our members to build thriving legal practices that deliver outstanding legal service to our community. We do this through educating our members, fostering fellowship among members of the bar, building strong relationships with the court and connecting the community with the legal assistance it needs." The Board of Directors is charged with the responsibility of carrying out that mission and vision. Committees and Sections are the prime means through which our specific and general purposes are accomplished.

B. THE ROLE OF THE BOARD OF DIRECTORS

The CCCBA is governed by a 17 member Board of Directors nominated from within the membership. The Board of Directors is led by a team of five officers: President, President-Elect, Secretary, Treasurer and Immediate past president.

The fundamental responsibility of any Board of Directors is to keep the overall mission of its organization clearly in focus and to satisfy itself that the various programs, committees and sections of the organization are in harmony with that mission. Accordingly, it is the responsibility of the CCCBA's Board of Directors to review and evaluate the objectives and accomplishments of the CCCBA's programs, committees, and sections to ensure they comport with and are in furtherance of the stated purposes of the.

Secondly, it is the responsibility of the Board to establish broad policies governing the programs, committees, and sections of the CCCBA. Board policies are intended to ensure that 1) CCCBA resources are prudently and soundly managed; 2) that all CCCBA activities comport with applicable laws and ethical considerations; 3) that the organization is not exposed to unacceptable financial risk; and 4) that members are treated consistently and equitably throughout the organization.

Thirdly, it is the responsibility of the Board to monitor the performance of the organization in terms of its stated objectives. Much of the quality control of CCCBA's programs has been delegated to oversight committees such as the Fee Arbitration Committee, the Lawyer Referral & Information Service Committee, and the Criminal Conflicts Committee. Their active monitoring of program rules, policies and procedures, and recommendations to the Board of Directors for program improvement are critical to the overall success of the CCCBA.

Fourthly, the Board is charged with the responsibility of long-range planning and fiscal responsibility. Again, committees and sections play a key role in identifying trends within the profession and recognizing opportunities for organizational development that should be brought before the Board. Committee requests for financial allocations, contract negotiations

or any committee or section endeavor that could lead to the financial indebtedness or exposure of the CCCBA is subject to prior Board approval.

Of particular concern at the Board level is the responsiveness of the organization as a whole to the needs of the membership. Committees and sections play a vital role in identifying and communicating these needs to the Board.

The Board works closely with the Executive Director, who is responsible for day-to-day management of association activities and implementation of Board policy. The Executive Director is charged with assisting the Board in fact-finding and supplying them with sufficient information to make well-advised decisions regarding policy. She also reports to them on at least a monthly basis concerning administrative, performance and financial issues.

The Board also acts to assure that the CCCBA is well integrated into the legal and local communities. The Board responds to requests from the Courts, County, Judicial Council, State Bar and ABA for comment and cooperation, often by referring such requests to a committee or section for recommendation. However, only the Board of Directors may take a public position on behalf of the Contra Costa County Bar Association or agree to co-sponsor another organization, program or event. The Board leads CCCBA involvement in the local community by responding to current events and matters of legal and social concern where appropriate. It seeks to improve the public image of attorneys by establishing the CCCBA as a significant and effective public service organization, and by responding to current events and matters of social concern where appropriate.

Clearly, the multi-faceted role of the Board of Directors could not be performed without the active participation of its Directors, committees and sections. Just as committee and Section Chairs need support from the Board to make their goals a reality, the Board needs Committee and Section Chairs with demonstrated commitment to professional service and open communication to make their goals a reality. It takes the Board and all committees and sections working together for the common good to establish and maintain a successful professional association.

C. THE PURPOSE OF COMMITTEES

Committees develop policy options for the Board and recommend actions for its consideration and approval. Committees implement actions with the oversight of the Board. Other than committees comprised entirely of Board members, such as the Executive and Finance, Committees, most committees are primarily self-administering.

A committee's size, the expertise of its members, and its focused charge enables it to deal with issues in greater detail than the full Board. Small groups are often more adept at problem solving than are large groups. Through discussion, study and review, committees can analyze issues within their jurisdiction more quickly, arrive at more thoroughly deliberated recommendations, and usually reach consensus more quickly. Accordingly, the Board relies upon committees to do much of the groundwork for its ultimate decision making which, in turn, may lead to the adoption, revision, or clarification of Board policy for the entire organization.

The primary role of any committee is to examine and act upon its specific function or assigned task. Descriptions of each committee may be found on the associations' website at www.cccba.org. It is important that committees begin each new year with an examination of what they believe their purpose to be. This will help in establishing specific, realistic goals for the rest of the year. Committees, under the leadership of the Chair, are encouraged to explore new opportunities and develop an action plan¹ where they perceive the greatest need.

D. TYPES OF COMMITTEES

There are two types of CCCBA Committees: "standing" and "advisory". Standing Committees are permanent committees that relate to ongoing activities of the association. Advisory Committees are committees with either a limited charge created for specific purpose or have specific program oversight responsibilities for which special knowledge and expertise is required. Committee membership is limited to appointment by the President.

E. STRUCTURE AND MEMBERSHIP

The President of the CCCBA appoints the Chair or Co-chairs and committee members. Membership in committees is a privilege limited to CCCBA members in good standing. If there is a non-member who wishes to participate in a committee, please encourage them to join the association. It is the responsibility of the Chair to relay this policy as necessary.

The optimum size of the committee depends first upon a common sense assessment of how many people are needed to do its work. If a committee is too large, a small group may assume too much responsibility leaving the others feeling underused and uninvolved. More volunteers are lost by being asked to do too little than to do too much. If a committee is too small, it will accomplish little and fail to generate enthusiasm in others to carry on its work the next year. Experience has suggested an optimum range of 5 to 10 members for most committees.

Terms for standing committee members are indefinite. Thus, it is important that each committee take written attendance at all of its first few meetings to establish whom the actual members will be. Requested changes to committees can be communicated to the President.

If a committee member fails to demonstrate a sufficient commitment to the work of the committee, fails to meet attendance requirements which the committee may establish, or the committee member is disruptive to the work of the committee, the member may be removed or replaced upon approval of the President.

F. COMMITTEE COMPOSITION

A committee's work will be more productive when its members are knowledgeable and committed and work well as a team. As discussed later, "team-building" is perhaps the single most important function of the Committee Chair.

¹ An "Action Plan Worksheet" appears in Appendix A, and should be used to evaluate any goal or potential undertaking.

The CCCBA is committed to diversity throughout the organization to insure that the viewpoints and perspectives of our membership are heard and respected. Ideally, each committee should reflect that commitment.

If a Committee Chair finds that a committee could benefit from additional members with specific experience or skills or if it lacks diversity, enlist your Board Liaison to assist you in recruiting new members. Together, s/he can identify key people that s/he would like to see on the committee and invite them to participate. More often than not, s/he will welcome your invitation and bring a greater enthusiasm to committee work.

G. THE PURPOSE OF SECTIONS

The sections of the Contra Costa County Bar Association are devoted to substantive areas of law or the special interests of a defined subgroup of members, such as Real Estate Law and Family Law. Sections are responsible for:

1. Sponsoring continuing legal education events in their area of practice or special interest;
2. Providing opportunities for attorneys who share a practice area or special interest to meet and interact through meetings, programs, social events, luncheons, brown bag discussions and other means;
3. Responding to requests for comment or cooperation from judicial departments dedicated to their substantive practice area, and giving notice to their membership of local rule changes impacting their practice area;
4. Serving in an advisory capacity should matters come before the Board of Directors which require the special knowledge and expertise of Section members, or which potentially impact the practice of law within that area;
5. Reviewing statutes relative to its area of practice and drafting or recommending CCCBA positions or resolutions for consideration at the Conference of California Bar Associations.

H. PROCEDURES FOR REPORTING TO THE BOARD

Procedures for Submitting Matters to the Board. In order for the Board of Directors to make an informed decision on matters that emanate from sections and committees (as well as from individual members of the Association), the following guidelines have been established:

Any request for Board action should be accompanied by a draft of the resolution, letter, or other form of action that the proponent desires the Board to adopt;

When the matter is complex or has several facets, it is helpful if the key issues on which differences of opinion are likely to exist are highlighted. In all events, the arguments of both proponents and opponents to the proposed action should accompany the request.

The request should also be accompanied by the name or names of the person or persons who will appear before the Board to request that action be taken along with the name or names of at least one person, agency, or group that is opposed or can be expected to oppose the proposed action, if any.

The above documents should be sent to the Executive Director at least ten days prior to the Board meeting at which the proponent would like to have the matter considered. This is necessary in order that the Executive Director may review the material submitted and make certain that the documents are in order, and that an opposing speaker can be invited when the matter will be considered by the Board. If at all possible, the documents should be submitted two weeks prior to the Board meeting.

2. BOARD POLICIES

A. CONFLICT OF INTEREST POLICY

The Conflict of Interest Policy of the Contra Costa County Bar Association (CCCBA): (1) defines conflicts of interest; (2) identifies classes of individuals within the CCCBA covered by this policy; (3) facilitates disclosure of information that may help identify conflicts of interest; and, (4) specifies procedures to be followed in managing conflicts of interest.

Definition of conflicts of interest. A conflict of interest arises when a person in a position of authority over the CCCBA may benefit financially from a decision he or she could make in that capacity, including indirect benefits such as to family members or businesses with which the person is closely associated. This policy is focused upon material financial interest of, or benefit to, such persons.

Individuals covered. Persons covered by this policy are the CCCBA's officers, directors, and the Executive Director.

Facilitation of disclosure. Persons covered by this policy will in January of each calendar year disclose or update to the President on a form provided by the CCCBA their interests that could give rise to conflicts of interest, such as a list of family members, substantial business or investment holders, and other transactions or affiliations with businesses and other organizations or those of family members.

Procedures to manage conflicts. For each interest disclosed to the President, the President will determine whether to: (a) take no action; (b) assure full disclosure to the Board of Directors and other individuals covered by this policy; (c) ask the person to recuse him/herself from participation in related discussions or decisions within the CCCBA; or, (d) ask the person to resign from his or her position in the CCCBA or, if the person refuses to resign, become subject to possible removal in accordance with the CCCBA's removal procedures. The CCCBA's Executive Director will monitor proposed or ongoing transactions for conflicts of interest and disclose them to the President in order to deal with potential or actual conflicts, whether discovered before or after the transaction has occurred.

B. WHISTLEBLOWER POLICY

This Whistleblower Policy of the Contra Costa County Bar Association (CCCBA): (1) encourages staff and volunteers to come forward with credible information on illegal practices or serious violations of adopted policies of the CCCBA; (2) specifies that the CCCBA will protect the person from retaliation; and, (3) identifies where such information can be reported.

Encouragement of reporting. The CCCBA encourages complaints, reports or inquiries about illegal practices or serious violations of the CCCBA's policies, including illegal or improper conduct by the CCCBA itself, by its leadership, or by others on its behalf. Appropriate subjects to raise under this policy would include financial improprieties, accounting or audit matters, ethical violations, or other similar illegal or improper practices or policies. Other subjects on

which the CCCBA has existing complaint mechanisms should be addressed under those mechanisms, such as raising matters of alleged discrimination or harassment via the CCCBA's personnel channels, unless those channels are themselves implicated in the wrongdoing. This policy is not intended to provide a means of appeal from outcomes in those other mechanisms.

Protection from retaliation. The CCCBA prohibits retaliation by or on behalf of the CCCBA against staff or volunteers for making good faith complaints, reports or inquiries under this policy or for participating in a review or investigation under this policy. This protection extends to those whose allegations are made in good faith but proved to be mistaken. The CCCBA reserves the right to discipline persons who make bad faith, knowingly false, or vexatious complaints, reports or inquiries or who otherwise abuse this policy.

Where to report. Complaints, reports or inquiries may be made under this policy on a confidential or anonymous basis. They should describe in detail the specific facts demonstrating the basis for the complaints, reports or inquiries. They should be directed to the CCCBA's President or President-elect; if both of the persons are implicated in the complaint, report or inquiry, it should be directed to the CCCBA's Executive Director. The CCCBA will conduct a prompt, discreet, and objective review or investigation. Staff or volunteers must recognize that the CCCBA may be unable to fully evaluate a vague or general complaint, report or inquiry that is made anonymously.

C. POLICY ON PROCESS FOR DETERMINING COMPENSATION

This Policy on the Process for Determining Compensation of the Contra Costa County Bar Association (CCCBA) applies to the Executive Director:

The process includes all of these elements: (1) review and approval by the CCCBA's Executive Committee; (2) use of data as to comparable compensation; and, (3) contemporaneous documentation and recordkeeping.

Review and approval. The compensation of the existing Executive Director is reviewed and approved by the incoming Executive Committee annually, provided that persons with conflicts of interest with respect to the compensation arrangement at issue are not involved in this review and approval.

Use of data as to comparable compensation. The Executive Director's compensation is reviewed and approved using data as to comparable compensation for similarly qualified persons in functionally comparable positions at similarly situated organizations.

Contemporaneous documentation and recordkeeping. There is contemporaneous documentation and recordkeeping with respect to the deliberations and decisions regarding the compensation arrangement.

D. DOCUMENT RETENTION AND DESTRUCTION POLICY

This Document Retention and Destruction Policy of the Contra Costa County Bar Association (CCCBA) identifies the record retention responsibilities of staff, volunteers, members of the

Board of Directors, and outsiders for maintaining and documenting the storage and destruction of documents and records.

- 1. Rules.** The CCCBA's staff, volunteers, members of the Board of Directors and outsiders (i.e., independent contractors via agreements with them) are required to honor these rules: (a) paper or electronic documents indicated under the terms for retention below will be transferred and maintained by the Administrative staffs/departments or their equivalents; (b) all other paper documents will be destroyed after three years; (c) all other electronic documents will be deleted from all individual computers, data bases, networks, and back-up storage after one year; and (d) **no paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding, any CCCBA investigation or proceeding or any private litigation.**

2. Terms for retention.

Retain permanently:

Governance records – Charter and amendments, Bylaws, other organizational documents, governing board and board committee minutes.

Tax records – Filed state and federal tax returns/reports and supporting records, tax exemption determination letter and related correspondence, files related to tax audits.

Intellectual property records – Copyright and trademark registrations and samples of protected works.

Financial records – Audited financial statements, attorney contingent liability letters.

Retain for ten years:

Pension and benefit records – pension (ERISA) plan participant/beneficiary records, actuarial reports, related correspondence with government agencies, and supporting records.

Government relations records – State and federal lobbying and political contribution reports and supporting records.

Retain for seven years:

Employee Payroll records.

Retain for five years:

MCLE sign-in record sheets.

Retain for three years:

Employee/employment records – Employee names, addresses, social security numbers, dates of birth, INS Form I-9, resume/application materials, job descriptions, dates of hire and termination/separation, evaluations, compensation information, promotions, transfers, disciplinary matters, leave/comp time/FMLA, engagement and discharge correspondence, documentation of basis for independent contractor status (retain for all current employees and independent contractors and for three years after departure of each individual).

Lease, insurance, and contract/license records – Software license agreements, vendor, hotel, and service agreements, independent contractor agreements, employment agreements, consultant agreements, and all other agreements (retain during the term of the agreement and for three years after the termination, expiration or non-renewal of each agreement).

All other electronic records, documents and files – Correspondence files, past budgets, bank statements, publications, employee manuals/policies and procedures, and survey information

MCLE evaluation forms.

- 3. Exceptions.** Exceptions to these rules and terms for retention may be granted only by the CCCBA's President.

E. JOINT VENTURE POLICY

This Joint Venture Policy of the Contra Costa County Bar Association (CCCBA) requires that the CCCBA evaluate its participation in joint venture arrangements under Federal tax law and take steps to safeguard the CCCBA's exempt status with respect to such arrangements. It applies to any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity as further defined in this policy.

Joint ventures or similar arrangements with taxable entities. For purposes of this policy, a joint venture or similar arrangement (or a "venture or arrangement") means any joint ownership or contractual arrangement through which there is an agreement to jointly undertake a specific business enterprise, investment, or exempt-purpose activity without regard to: (1) whether the organization controls the venture or arrangement; (2) the legal structure of the venture or arrangement; or, (3) whether the venture or arrangement is taxed as a partnership or as an association or corporation for federal income tax purposes. A venture or arrangement is disregarded if it meets both of the following conditions:

95% or more of the venture's or arrangement's income for its tax year ending within the CCCBA's tax year is excluded from unrelated business income taxation (including but not limited to: (i) dividends, interest, and annuities; (ii) royalties; (iii) rent from real property and incidental related persona; property except to the extent of debt-financing; and, (iv) gains or losses from the sale of property); and,

The primary purpose of the CCCBA's contribution to, or investment or participation in, the venture or arrangement is the production of income or appreciation of property.

Safeguards to ensure exempt status protection. The CCCBA will: (1) negotiate in its transactions and arrangements with other members of the venture or arrangement such terms and safeguards adequate to ensure that the CCCBA's exempt status is protected; and (2) take steps to safeguard the CCCBA's exempt status with respect to the venture or arrangement. Some examples of safeguards include:

control over the venture or arrangement sufficient to ensure that it furthers the exempt purpose of the CCCBA;
requirements that the venture or arrangement gives priority to exempt purposes over maximizing profits for the other participants;
that the venture or arrangement not engage in activities that would jeopardize the CCCBA's exempt status; and,
that all contracts entered into with the CCCBA be on terms that are arm's length or more favorable to the CCCBA.

F. CONDUCT OF BOARD MEETINGS AND BOARD BUSINESS

Meetings will start on time at 5:30pm.

Consent Calendar items will not be discussed unless discussion is specifically requested (that means everyone is expected to have read the materials).

The Executive Director will provide a brief written and the Treasurer a brief oral executive summary as the Treasurer's Report each month.

The Executive Director should receive all materials, reports and agenda items at least 10 days prior to Board meetings to ensure their inclusion.

If an issue is relegated to a committee, cease discussing it during full Board meetings.

The structure of Board Meetings shall be based on Robert's Rules of Order .

G. BOARD OF DIRECTOR QUALIFICATIONS

Expectations of Directors: Effective governance of a community service organization requires a considerable commitment of time and effort on the part of each board member. Members of the CCCBA board are expected:

1. To be an “active” or “inactive” member of the State Bar of California, as defined by the State Bar of California.
2. To possess (or acquire) a basic understanding of the Bar Association and its activities.
3. To commit to the mission and values of the Association.
4. To represent the Association in a manner consistent with Board decisions.
5. To prepare for and regularly attend monthly Board meetings; to arrive in a timely manner, and to participate for the entire duration of meetings.
6. To participate on at least one committee or taskforce.
7. To attend additional meetings and bar-sponsored events as needed.
8. To follow up on missed meetings (board, committee) with the board president or committee chair as soon as possible.
9. To participate in the annual Board Orientation and Training program.
10. To willingly act as a "mentor" for new board members.

H. ORIENTATION OF NEW BOARD MEMBERS

Upon the election or appointment of new Board members, as early as practicable and convenient, the new members will be given a complete overview of the Association and the Board and Committees. Background information, such as a brief history of the Association and its developments, will be made available to the new Directors.

The Executive Director will see that the Directors meet and are acquainted with Bar Association employees as considered appropriate or as requested by the new Board member. Opportunity will be available for the new members to discuss the overall operation of the Association or any particular area of interest.

Orientation activities should take place as soon as is practicable in advance of the Board’s Annual Strategic Planning Session.

I. BOARD OF DIRECTORS ASSESSMENT

The Board of Directors of the Contra Costa County Bar Association is committed to continuously seek ways to improve its quality of oversight of the Board and the Organization.

It is the policy of the Board of Directors that it will perform a self-assessment, which may include, but not be limited to, an overall examination of the effectiveness of the Board, its committees, and an individual self-assessment.

This self-assessment will be done from time-to-time. The Executive Director will assist the President in developing appropriate documents, tools and mechanisms to assist the Board in this process.

The results of this process will be discussed at the Strategic Planning Retreat, and will result in an action plan, if necessary.

J. DIRECTOR / EMPLOYEE INTERACTIONS

The Board of Directors of the CCCBA recognizes that employment-related concerns or issues related to individual employees of the Association are operational aspects of the association and are therefore matters delegated to Executive Director for routine handling.

In seeking clarification of employee-related concerns, members of the Board of Directors will refer such matters to the Executive Director.

The Board of Directors acknowledges that matters pertaining to individual employees related to their employment are often of a confidential personnel nature and such confidentiality needs to be protected.

The Board of Directors recognizes the importance of the chain of command in connection with events or issues pertaining to individual employees in connection with their employment and it is the policy of the Board of Directors that the chain of command in employment-related matters should be followed.

The Board of Directors recognizes that Association employees shall not be called upon to act on matters not related to Association business.

K. DIRECTOR'S NOMINATING COMMITTEE: DIVERSITY GOALS

It is the policy of the CCCBA to promote diversity within the organization. In recommending Board of Directors candidates, the Nominating Committee shall, whenever possible, select candidates in a manner that achieves diversity of race, color, national origin, sexual orientation, religion, sex, ability, geographic location of office and practice type, and shall consider the CCCBA Board of Director Qualifications (page 14), as amended from time to time.

L. DIRECTOR'S NOMINATING COMMITTEE: GUIDELINES

CRITERIA FOR NOMINATING NEW BOARD MEMBERS TO THE CCCBA BOARD OF DIRECTORS:

Our goal is to have a Board of Directors who represent the rich and diverse make-up of the Contra Costa County legal community. New Board Members should possess the personal attributes, professionalism, judgment and leadership qualities necessary to serve the needs of our members.

Absent a direct conflict of interest*, any member in good standing with the State Bar of California and the Contra Costa County Bar Association shall be deemed eligible to serve on the Board of Directors.

In order to achieve our goal of selecting highly qualified Board Members, the following guidelines shall be followed by the Nominations Committee.

Every candidate should demonstrate the following:

- Active involvement in the Bar Association and/or its programs;
- Active involvement in the legal community;
- Active involvement with other organizations;
- A respectable reputation amongst their peers and/or in the legal community as a whole;
- An availability to commit significant time to serving on the Board.

The following factors should be given additional weight in the selection process:

- The diversity that they bring to the makeup of the Board of Directors including but not limited to: race, national origin, gender, sexual orientation, age, unique practice area, years in practice, geographic location, etc;
- Their active participation in the community;
- Their active participation with the CCCBA and other organizations;
- Their track record of volunteer work;
- Their impact on the community.

***Direct Conflict of Interest.** As set forth in the CCCBA Bylaws, Board members and committee members must actively seek to avoid situations and activities that create an actual or potential conflict between the individual's personal interests and the interests of CCCBA. For purposes of these Guidelines, a "direct conflict of interest" means a situation in which being a Board member would lead to the financial gain of that Board member or a member of that Board member's immediate family. "Immediate family" means, spouse or same-sex/domestic partner, children, parents, siblings, parents-in-law, or siblings-in-law.

M. POLICY REGARDING USE OF “EXCESS” LRIS FUNDS

Rule 17.2 of the Rules and Regulations of the State Bar of California Pertaining to Lawyer Referral Services (Including Minimum Standards for a Lawyer Referral Service in California) states that “The income generated by a non-profit Lawyer Referral Service shall be used only to pay reasonable operating expenses of the Service and/or to fund programmatic public service activities of the Service or its sponsoring entity, including the delivery of pro bono legal services.” Each year the CCCBA Board of Directors approves a budget based on projected income and expenses, but, occasionally, the LRIS receives unanticipated percentage fee(s) that cause year-end LRIS income to exceed budget. Also, LRIS percentage fee income fluctuates from month-to-month and cannot be relied upon; therefore, any determination of “excess” LRIS income should not occur until the close of the fiscal year, unless exigent circumstances exist.

It is the policy of the Contra Costa County Bar Association that the following shall be considered in determining how any excess funds are allocated in order of priority:

Reserves: Consistent with recommended reserve policies for non-profit associations, the first priority should be to ensure that our reserves equal a minimum of 3 months in operating expenses, with a goal of 6 months.

Projected equipment and technology needs: Capital expenditures are funded from our reserves. Each year, the association’s IT consultants should provide recommendations re: equipment upgrades and purchases. These should be factored into the projected reserve balance.

Contributions to The BAR FUND: Once the above factors have been considered, and if the fiscal year ends with an LRIS-related surplus, the Board may elect to make a contribution to The BAR FUND, consistent with Rule 17.2 of the Rules and Regulations of the State Bar of California Pertaining to Lawyer Referral Services.

3. CCCBA POLICIES

A. CCCBA PUBLIC POSITION GUIDELINES

Basis for Taking Positions: The primary purposes for which any CCCBA public position shall be taken is to further the honor, dignity and public usefulness of the legal profession; to increase the profession's effectiveness in promoting the sound administration of justice; to act in the interest of maintaining a skilled and independent judiciary and to serve the welfare of Contra Costa lawyers.

Procedural Guidelines: The Board of Directors has the responsibility to adopt public positions on behalf of CCCBA.

Any current member who wants the CCCBA to consider a public position must submit it to the Executive Director and President using the attached format. The Executive Director will forward the request to the Board of Directors for consideration at the next regularly scheduled Board meeting.

To adopt a position on behalf of the CCCBA, the Board of Directors must approve a position by a minimum 2/3rds vote. Before taking a public position, the Board may solicit the views of the membership if time permits.

In cases where the timing of a response is especially important and a vote at a regularly scheduled Board meeting would be inadequate, the Executive Committee may adopt, by unanimous vote, the public position on behalf of the CCCBA, provided that the Executive Committee has a reasonable belief that 2/3rds of the Board of Directors would approve the position. Prior to adopting a public position under this paragraph, the Executive Committee shall have informed the Board of Directors of the proposed public position and provided the Board of Directors with at least forty-eight (48) hours to provide any comment. The Executive Committee shall consider any comment received by any member of the Board of Directors.

Standards for Consideration:

- 1) The Board shall consider the views of the membership.
- 2) The Board should believe that the public considers that the opinion of lawyers on the matter in question would be enlightening and persuasive.
- 3) The particular position should be an issue of significant interest to the administration of justice or the practice of law.
- 4) The position should have some impact on the outcome of the issue if the CCCBA position is made public.
- 5) The position should be consistent with CCCBA's goals.

Procedures for Disseminating Public Positions:

Public positions should be published through CCCBA's communication channels. Where legislation or other governmental action is involved, the position should be made known through the appropriate elected representatives. All actions taken shall be consistent with applicable law concerning the tax-exempt status of CCCBA.

CCCBA Public Position -Submittal Form

1. Proponent/Submitter:

2. Summary of Issue and proposed position:

3. Proposed Position:

4. History:

5. Statement of Reasons:(e.g., existing law, problem, proposed position/change)

6. Impact Statement:

7. Author and Contact Info

B. GUIDELINES FOR LICENSING USE OF CCCBA MAILING LIST

CCCBA maintains a mailing list of its members. CCCBA is sensitive to the desire of its members (a) to be appropriately informed of pertinent legal events and programs, and (b) to be appropriately spared from commercial and/or charitable solicitations and "junk mail." Accordingly, CCCBA adopts the following:

The mailing list maintained by CCCBA shall not be sold, and may be licensed, in the sole discretion of its Board of Directors as may from time to time be delegated to its Executive Director, in these circumstances:

1. The intended use of the mailing list is to announce the formation of a new firm, new associates, new partners/shareholders, new addresses, and other similar information.
2. The intended use of the mailing list is to announce events and programs of particular interest to our members as lawyers, such as MCLE programs, addresses by the Chief Justice of the Supreme Court, or programs/announcements relating to our local courts.
3. The intended use of the mailing list is to announce special discounts or products available to CCCBA members by an entity participating in CCCBA's Member-Only Discount Program.
4. The intended use of the mailing list is reasonably related to the improvement of (a) the quality or extent of legal services available to the public, (b) the science of jurisprudence, or (c) the administration of justice.

In advance of using the mailing list, the user must furnish to the CCCBA a sample copy of all matter to be distributed to CCCBA members. The request must have the approval of the Executive Director or designee and a License Agreement must be signed indicating that it will be used only for that purpose and only one time.

C. RESPONSE TO JUDICIAL CRITICISM

Upon request to the Contra Costa Bar Association's Executive Director (henceforth "Director") by the bench officer assigned by the CJA for the Association's response to the criticism, the Director shall immediately contact the President, who may then contact the Executive Committee for purposes of determining 1) whether the bar should become involved in the controversy, and if so, 2) to decide on the general nature of that involvement and 3) to suggest to the President the composition of an ad hoc team of bar members to deal with the issue. The President and Director shall remain the sole spokespersons on the issue, unless otherwise delegated by the President.

The spokesperson shall promptly report to the CJA the outcome of the committee's deliberations, and, assuming that a decision to act is recommended, work with that Committee in coordinating the CCCBA response, understanding that the bench officer who is the subject of the criticism has final approval as to whether any response is desired.

D. CANDIDATE FORUM GUIDELINES

The Contra Costa County Bar Association is a voluntary membership organization and has a policy against taking political positions or supporting political candidates in any capacity. Consistent with this, we must ensure that any CCCBA-sponsored forum presenting prospective candidates to our membership and the public be conducted in a neutral, non-partisan manner. Moderators participating in a candidates' forum should adhere to this long-standing policy, and must be neutral persons not affiliated with any candidate participating in the forum.

The purpose of the forum is to provide candidates with the opportunity to express their views on issues pertaining to their candidacy in an atmosphere conducive to free expression. Moderator questions and comments should reflect this purpose.

Candidates are expected to adhere to time limitations placed by the moderators.

E. CCCBA INVESTMENT POLICY

This policy is intended to provide guidelines for the prudent investment of the Contra Costa County Bar Association's (CCCBA) funds available for investment, and outline the procedures for maximizing the efficiency of the CCCBA's cash management system. This policy applies to all financial assets and investment activity.

This policy and the CCCBA's cash and investment management practices are based upon federal, state and local laws and prudent money management practices. To the extent that this policy conflicts with applicable law, the applicable law shall prevail. The primary goals of this policy are:

1. To assure compliance with all federal, state and local laws governing the investment of monies and proceeds of issuance of debt.
2. To preserve and protect the principal of the CCCBA and provide reasonable assurance of income.
3. To generate investment income within the parameters of this policy.

OBJECTIVES

The CCCBA's investment objective shall be to maintain safety and liquidity while attempting to achieve a satisfactory yield. The CCCBA's cash management system shall provide monitoring and forecasting of revenues and expenditures, thus enabling the CCCBA to invest funds to the fullest extent possible.

The criteria for selecting investments and the order of priority are:

1. **Safety** – The safety and risk associated with an investment refers to the potential loss of principal, interest or combination of these amounts. Safety of principal is the foremost objective of the CCCBA. Each investment transaction shall seek to ensure that capital losses

are avoided. The CCCBA shall only participate in those investments that are considered very safe, such as through the purchase of corporate bonds with a minimum rating of A1A. Bonds shall be purchased to ensure staggered maturity.

The CCCBA shall seek to preserve principal by mitigating the two types of risk, credit risk and market risk.

Credit Risk is defined as the risk of loss due to failure of an issuer of a security. Credit risk shall be mitigated by investing in only very safe institutions and by diversifying the fund so that failure of any one issuer would not unduly harm the CCCBA's cash flow.

Market Risk is defined as the risk of market value fluctuations due to overall changes in the general level of interest rates. Market risk shall be mitigated by limiting the maximum maturity of any single investment to five (5) years unless there is full flexibility of withdrawal of funds. Additionally, the average maturity for operating funds of the portfolio may not exceed two (2) years.

2. **Liquidity** – The liquidity associated with an investment refers to the salability of the investment at any time with minimal risk of loss of principal or interest. Liquidity is the second most important objective of the CCCBA. The CCCBA shall maintain the degree of liquidity necessary to meet the CCCBA's current cash needs.
3. **Yield** – Yield is the potential dollar earnings an investment can provide. Yield is often referred to as the rate of return. Yield is the third most important objective. The CCCBA's investment strategy shall be designed to attain a market-average rate of return though economic cycles. The market average rate of return is defined as the average return of a three-month United States Treasury bill. Whenever possible, and consistent with risk limitations as defined in this policy, and prudent investment principles, the CCCBA shall seek to augment returns above the market average rate of return.

PERFORMANCE MONITORING

The Finance Committee will review the results of CCCBA's investments on an annual basis, or more frequently as deemed necessary by the Finance Committee. The investment manager will report portfolio holdings and quarterly performance.

F. CCCBA RESERVE POLICY

This policy is intended to provide guidelines for maintaining the Contra Costa County Bar Association's (CCCBA) reserve funds. Reserve funds are maintained by CCCBA to:

- Cover shortfalls in revenues due to short-term drops in membership, LRIS income, or other sources;
- Provide a source of funding for emergency or other unplanned capital expenses;
- Cover unexpected, unbudgeted operating expenses; and/or
- Cover planned capital expenditures such as computer/telephone systems, website redesign, database upgrades, etc.

It is the policy of CCCBA to maintain reserve funds totaling a minimum of 35% of the current year's total budgeted operating expenses, excluding the Criminal Conflict Program (CCP).

G. POLICY ON REIMBURSEMENT FOR ORGANIZING A CCCBA EDUCATIONAL PROGRAM INVOLVING TRAVEL

In the event a Contra Costa County Bar Association (CCCBA) member organizes an educational program that involves travel outside Contra Costa County, sponsored by the CCCBA for its members (hereafter "program"), the following provisions will apply:

In consideration for organizing the program, the program organizer may be reimbursed a maximum of one-half (50%) of the advertised cost of said program, exclusive of any extras such as alcoholic drinks, excursions, etc.

Any reimbursement paid to the organizer shall be paid solely from the profits, if any, of the program. If there are no profits, no reimbursement is owed by CCCBA or due the organizer.

Any profit in excess of organizer's reimbursement shall be the sole property of CCCBA. The organizer is to provide an accounting of all income and expenses (and payment of profits, if applicable) to the CCCBA's Executive Director within thirty (30) days after the last day of the program.

This Agreement does not create any entitlement to or benefit for any person or entity except as specifically set forth herein, and specifically does not require CCCBA to sponsor the program or any other educational program involving travel. Selection of the program organizer shall be in the sole discretion of CCCBA.

Notwithstanding any provision above to the contrary, if expenses of the program exceed the income for the program, the program shall be cancelled and all moneys refunded to the payers before the trip departure date. If this occurs, no reimbursement of the program organizer shall be due or paid.

H. DIVERSE SPEAKER POLICY

1. Statement of Purpose

- a. The Contra Costa County Bar Association's ("CCCBA") mission statement and goals include initiatives that support diversity, equity, and inclusion of marginalized and underrepresented persons or groups, which include, but are not limited to, people of color, women, people who identify as non-binary, people who identify as LGBTQ+, people with non-traditional gender expressions, people with a disability, and people who come from a low socio-economic status ("marginalized groups"). As a result, the CCCBA is committed to promoting diversity, equity, and creating a more inclusive legal community through its speaking opportunities and educational programs. To meet these objectives, CCCBA requires that panels of greater than three (3) people sponsored by the CCCBA, its sections or committees, include speakers from

marginalized groups. CCCBA aspires to achieve a goal of 50% representation of marginalized groups on such panels.

- b. Additionally, reasonable efforts and accommodations will be made to ensure CCCBA programs are fully accessible to individuals with a disability.

2. Diversity Requirement

- a. For programs consisting of one to two (1 - 2) speakers, it is recommended and encouraged that at least one (1) of the speakers be from a marginalized group.
- b. For panels consisting of three (3) or more speakers, including the moderator, at least one (1) speaker from marginalized groups is required.
- c. For panels of four to six (4 - 6) speakers, including the moderator, at least two (2) speakers from marginalized groups are required.
- d. For panels of seven (7) or more speakers, including the moderator, at least three (3) speakers from marginalized groups are required.

3. Exceptions

- a. An exception to the diverse speaker requirement may be granted by the chairperson of the DEI committee if a good faith effort was made to include the requisite number of speakers from marginalized groups, but inclusion was unattainable. The sponsoring entity's historic inclusion of marginalized groups in its panels shall also be considered.
- b. When evaluating good faith exceptions, the totality of the circumstances and all relevant information shall be considered.
- c. CCCBA reserves the right to cancel or delay programs from sponsoring entities with repeated non-compliance.

4. Diversity Statistics

Sponsoring entities will certify that program speakers meet the diversity requirement on the [CCCBA Event/Program form](#). Demographic data about speakers will also be asked for on this form, though speakers will have the option to opt out of providing this data.

5. Recognition

The DEI committee will recognize entities that make concerted efforts to increase the diversity of their speakers.

4. CCCBA COMMITTEE POLICIES

A. JUDICIAL APPOINTMENTS EVALUATION COMMITTEE

The rules of procedure of the Judicial Appointments Evaluation Committee shall be as follows:

1. Definitions

The term "Association" means the Contra Costa County Bar Association.

The term "Board" means the Board of Directors of the Contra Costa County Bar Association.

The term "Committee" means Judicial Appointments Evaluation Committee.

2. Purpose

The purpose of the Committee shall be to evaluate the qualifications of all candidates seeking appointment to the office of Judge of the Contra Costa County Superior and Municipal Courts; to the office of Justice of the First District Court of Appeal of the State of California; and to the office of the Justice of the Supreme Court of the State of California.

3. Organization

a. Membership

The membership of the Committee shall consist of eleven (11) persons to be appointed by the President of the Association. The members of the Committee shall be attorneys who are members in good standing of the Association. Each year at the September Board meeting, each of the Officers of the Association and each elected member of the Board of Directors of the Association may submit the names of two (2) attorneys of the Association or publically employed attorneys whom he or she desires the President to appoint to the Committee. The President, with the concurrence of the Board, shall appoint the members of the Committee from the names submitted to him or her by said Officers and Directors. It is desirable that a broad cross-section of the Association be represented and that the members be persons of recognized standing, good judgment and independence. The members should include women, minorities, public officials (District Attorneys and Public Defenders), sole practitioners and lawyers practicing in small, medium and large firms. The President may appoint publicly employed attorneys who are not members of the Association. The President should appoint as members of the Committee only those attorneys who are willing to make the time commitment essential for quality evaluation. The President shall avoid any political considerations in the choice of members. Each member shall forbear making reference to and affirmatively assume responsibility for preventing the use of, or reference to, his or her membership on the Committee in connection with any candidacy for appointment or election to any judicial office within the jurisdiction of the Committee.

b. Terms of Office

The term of office of the members shall be for three (3) full calendar years. No member shall serve for more than two (2) consecutive terms. Any vacancy in the Committee membership shall be filled by appointment of the President of the Association with the concurrence of the Board. Committee membership to fill a vacancy for any calendar year shall not be considered as a year of service in determining the two (2) consecutive terms as a member of the Committee. Any member of the Committee who is absent from two (2) consecutive meetings

of the Committee, without leave of absence or his or her absence being excused by the Chairperson, automatically forfeits his or her office and said member shall be deemed to have resigned as a member of the Committee, thereby creating a vacancy in the Committee membership.

The President of the Association, with the concurrence of the Board, may remove from the Committee any member who -- for any reason -- may have a conflict which could affect the objectivity of that member or give the appearance of impropriety or violates the confidentiality provisions of 6 (i)(1).

c. Committee Officers

The President of the Association, with the concurrence of the Board, shall appoint the Chairperson, Vice-Chairperson and Secretary of the Committee.

d. Ex-Officio Member

The President and President-Elect of the Association shall be ex-officio members of the Committee, and shall be given notice of all Committee meetings.

4. Rules

Roberts Rules of Order shall govern the parliamentary proceedings at all meetings of the Committee.

5. Standards of Committee

The Committee shall evaluate candidates as "exceptionally well qualified," "well qualified," "qualified," or "not qualified." To be "exceptionally well qualified" or "well qualified" the candidate must possess professional ability, experience, confidence, integrity, and temperament indicative of superior fitness to perform the judicial function with a high degree of skill and effectiveness. To be "qualified" the candidate must possess professional ability, experience, confidence, integrity, and temperament indicative of fitness to perform the judicial function satisfactorily. To be "not qualified" the candidate must lack some or all of the qualities of professional ability, experience, confidence, integrity, and temperament indicative of fitness to perform the judicial function satisfactorily.

6. Evaluation Procedure and Investigation

a. Persons to be Evaluated

The Committee shall evaluate those candidates who are seeking appointment to the office of Judge of any of the Courts described in the forgoing Purpose of the Committee. Whenever a Judgeship vacancy exists on any of said Courts and the vacancy is to be filled by appointment, the Committee may notify all members of the Association of said vacancy and may invite suggestions of names of Judges or members of the Bar of the State of California to be considered by the Committee. To be evaluated by the Committee, a person must have formally applied to the Governor's office for the particular position sought. To be eligible for consideration and evaluation by the Committee, a person shall be required to answer any questionnaire that is prepared by the Committee unless the Committee finds good cause to the contrary as to any particular person. The Committee may determine to use information contained in the Personal Data Questionnaire submitted to the Governor's office in lieu of any specially prepared questionnaire. No person shall be recommended by the Committee for any

appointment unless the Committee shall have received such person's assurance that the appointment will be accepted, if tendered.

b. Investigation Teams

The members of the Committee shall form two (2) person teams to conduct an investigation of the qualifications of each candidate for appointment and candidates shall be assigned to teams in like manner for investigation. In conducting its investigation, the teams shall inquire, among other matters, into the following attributes of the candidate:

- Integrity and character;
- Judgement and intellectual capacity;
- Experience, including but not limited to trial experience;
- Industry and diligence;
- Judicial temperament including whether the candidate would be courteous and considerate of counsel, parties, witnesses, and jurors and whether the candidate is even-tempered;
- Professional ability and knowledge of the law;
- Health;
- General reputation in the community;
- Civil and community service;
- Any other relevant matters of concern.

In order to obtain information to supplement that contained in any questionnaire or personal data information given to the Committee by the candidate, members of the investigating team shall confer with judges and others having knowledge of the candidate's aforementioned attributes, and may take other reasonable steps to obtain information.

Efforts shall be made to verify all information, and special efforts shall be made to verify information from sources that decline to have their names disclosed to the Committee. The Committee may interview any or all candidates.

c. Other Action by Committee and Chairperson

The Committee and Chairperson may take other reasonable steps in furthering the evaluation of a candidate.

d. Evaluation Meetings

The Committee shall meet to evaluate the candidates. Each team shall prepare a detailed report of their candidates for circulation to the other Committee members prior to the evaluation meetings. This should include a suggested evaluation. Pertinent information obtained by other members of the Committee shall be presented. Following due deliberation, the Committee shall evaluate each candidate. The Committee may rank all candidates evaluated by the Committee for any one (1) judicial office in the order of the preference established by the Committee. A quorum at all evaluation meetings shall be six (6) members.

e. Non-Cooperating Candidates

The Committee may, although it is not required to do so, evaluate those candidates who decline to submit any necessary questionnaires to the Committee for evaluation. The Chairperson may, although he or she is not required to do so, contact any known candidate

seeking appointment to any judicial office within the jurisdiction of the Committee who declines to submit a questionnaire and personally request said candidate to do so.

f. Procedure Upon Rating of "Not Qualified"

If the Committee evaluates a candidate as "Not Qualified," the Committee shall notify said candidate of this rating and provide that person the opportunity to meet with the full Committee to discuss any issues which the candidate or the Committee feel pertinent to the rating. After meeting with the candidate, the Committee shall deliberate and determine whether the rating should be changed.

g. Submission to Appointing Authority

The final evaluations shall be submitted to the Appointing Authority by the Chair of the Board of Directors and the Judicial Appointments Evaluation Committee. No evaluation shall be publicly disclosed. In submitting the final evaluation, the Appointing Authority shall be advised as to any known candidate for judicial appointment who refused to submit to the Committee for evaluation if that supposed candidate was given the opportunity to do so.

h. Miscellaneous

1. Confidentiality

All investigations and proceedings of the Committee and the investigating teams shall be treated as confidential. All inquiries concerning the Committee's proceedings shall be referred to the Chairperson of the Committee or to the President of the Contra Costa County Bar Association. Names of persons submitting information to members of the Committee shall not be reported to the Committee if the person so requests. Each member of the Committee and each member of the Board of Directors shall not discuss outside any meetings of the Committee or the Board any information or data received during the investigation procedures or any deliberations of the Committee or the Board.

2. Amendment of the Committee Rules

The Board of Directors of the Contra Costa County Bar Association may amend these rules and regulations and adopt additional rules and regulations governing the deliberations of the Committee, its procedures and decisions which are consistent with the purpose of the Committee.

B. COMMITTEE ON BIAS PROCEDURES

The Contra Costa Superior Court judges, along with the Contra Costa County Bar Association (CCCBA), have agreed upon a procedure addressing issues of age, gender, sexual orientation, disability or mental impairment, socioeconomic status, religion, national origin, marital status, medical condition, and race bias in the courts.

The purpose of this procedure is not one of discipline, but to educate and preserve the integrity and impartiality of the judicial system.

Pursuant to this procedure, if a participant (participant includes, but is not limited to counsel, court personnel, witnesses, parties or jurors) believes a judicial officer has engaged in an act of bias, as previously defined, or otherwise failed to ensure that proceedings are conducted in a

manner that is fair and impartial to all participants, such person may forward a letter addressed to the Committee on Bias, c/o CCCBA, 2300 Clayton Road, Suite 520, Concord, CA 94520.

The Committee on Bias will review the letter. If the Committee believes the letter raises issues of bias as described herein, the Committee will forward the substance of the letter, without disclosing the identity of the complainant, to a judge who has agreed to facilitate such matters on his or her court. That judge will then meet and confer with the judicial officer who is the subject of the letter.

In determining whether a complaint raises issues of bias as described herein, the Committee may conduct its own investigation that may include contacting the complainant for additional information.

Any investigation conducted shall be undertaken with the utmost care not to violate the confidentiality of the complainant.

It is hoped that making the judicial officer aware of the complaint will resolve the issue if one exists. If both the judicial officer and the complainant wish to confer about the matter or try to further resolve any outstanding problems, they may do so. However, this would be subject to the agreement of both and to the complainant's decision not to remain anonymous.

After the Committee forwards the substance of the letter to the facilitating judge and the facilitating judge informs the Committee that the judicial officer who is the source of the complaint has been contacted, the letter will be returned to the complainant. However, for educational purposes, the Committee may maintain data as to the types of complaints received.

Neither the Committee nor the facilitating judge will use those matters referred in this manner as a basis for a referral to the Commission on Judicial Performance. However, the complainant is free to pursue any procedures s/he may feel are appropriate.

In those incidents that if substantiated would warrant discipline, the Committee will advise the complainant of the appropriate disciplinary authority.

The facilitator judges in the Superior Court will be the Presiding Judge and a judge selected by the Presiding Judge.

The Committee on Bias will consist of five members, appointed by the president of the CCCBA. Committee members will serve for staggered terms. A quorum of four will be necessary for meetings and three votes will be required before any action can be taken.

5. CCCBA SECTION POLICIES

A. RULES REGARDING ESTABLISHING BAR ASSOCIATION SECTIONS

General Purpose

The general purpose of these rules is to set forth the criteria, conditions and standards for the formation of sections of the Contra Costa County Bar Association. The interests of the Bar Association shall be superior to the interest of the sections when in conflict.

Section Formation

Groups consisting of a number of attorneys and/or law students who have a common interest in traditional specialty areas (Family Law, Criminal Law, Patent Law, etc.) may form a section of the Contra Costa County Bar Association which shall be known as the _____
_____ Section of the Contra Costa County Bar Association.

Authorization

A group of members of the Contra Costa County Bar Association desiring to form a specialty section shall make written application to the Board of Directors setting forth the name of the section, the name of the individual or individuals assuming responsibility for the formation of the section, and the time, date and location of the initial organizational meeting. Upon receipt of the application for the section authorization, the Bar Association shall publicize the meeting through various free publications. Members desiring to form a section acknowledge that they do not have the authority to enter into contracts binding the CCCBA without approval from the Board of Directors.

Membership Interests

Sections shall have at least 15 registered members. All section members must be members of the Contra Costa County Bar Association.

Section Government

At the organizational meeting for the section, the individuals assuming responsibility for the formation of the section shall appoint a governing board for the section. The board shall elect a chair and such other officers as it deems necessary or appropriate for the section. Thereafter, the board shall promulgate bylaws or other rules governing the election of future board members, the chair, and any officers, which shall be submitted to and adopted upon majority vote of the section members. Such elections shall occur annually

Dues

These rules shall apply to all sections established after May 7, 1997:

Sections may charge such dues or meeting charges as the members by majority vote deem necessary.

In order to preserve the organization's tax-exempt status, the Contra Costa County Bar Association shall maintain a separate account for each section, and shall collect dues, pay bills, and otherwise administer section finances.

The Bar Association shall be reimbursed from section accounts for actual expenses incurred by the Bar Association on behalf of the section for mailing, program publicity, or any other actual

expenses. Sections shall be responsible for ensuring that adequate funds exist in their accounts to cover such expenses.

Responsibility of the Bar Association

It shall be the responsibility of the Bar Association upon the formation of a section to provide the section with reasonable access to Bar publications, mailing lists and all other Bar facilities in order to allow the section to further its purposes.

Responsibility of the Section

It shall be the obligation of the section to conduct itself in a manner both to effectuate its own purposes and to further the interests of the Bar Association itself. The section shall allow any member of the Contra Costa County Bar Association Board of Directors access to its meetings, books and records. Summary records of the section's activities shall be kept and copies delivered at regular intervals to the Bar Association for permanent filing.

Termination / Suspension of Section

When:

A section no longer has 15 members; or

A section cannot or does not pay its fair operating share of expenses; or

A section performs adversely to the interests of the Contra Costa County Bar Association; or

A majority of the section members so vote,

A section fails to notice and conduct two programs/events for its members in any calendar year.

Then said matter shall be referred to the Board of Directors of the Bar Association which shall vote to terminate the section, or place it on probation. Upon termination, any remaining section funds shall revert to the Bar Association's general fund. Upon being placed on probation, the Board of Directors of the Bar Association shall take such actions as it deems necessary to bring the section back into compliance with these policies, which may include but are not limited to, appointing new leadership for the section, assisting the section in planning additional programs/events, or merging the section into another section.

Amendment of These Rules

These rules may be amended from time to time by a majority vote of the Board of Directors of the Contra Costa County Bar Association.

Approved by BOD 06/06/2018