MEMBER ATTENDANCE:
P = present in person; T = present telephonically; A = absent.

☒ Charles W. Wirken (P)
☒ James B. Penny (P)
☒ Robert E. Schmitt (P)
☒ Matthew A. Gerst (P)
☒ Rosemary H. Rosales (P)

OTHER ATTENDEES:

Guests: None
State Bar Staff: Kathy Gerhart, CFO
Karen Oschmann, CPF Administrator
Linda Shirey, Administrative Assistant

Minutes taken by: Karen Oschmann, CPF Administrator

PUBLIC SESSION

I. CALL TO ORDER
   By: Rosemary Rosales
   Time: 10:00 a.m.

II. Review and approval of meeting minutes

Individuals addressing the Board of Trustees: None

Discussion: The September 19, 2017 CPF meeting minutes were reviewed by the Trustees.
Motion: To approve the September 19, 2017 CPF meeting minutes
Made by: James Penny
Seconded by: Matthew Gerst
Motion: Passed – unanimous

II. FINANCIAL UPDATE

Individuals addressing the Board of Trustees: James Penny, Kathy Gerhart

Discussion: The Fund’s total assets are currently approximately $2.5 million, and Fund restitution has increased due to the recent criminal prosecution of a lawyer. Mr. Penny also reported that the fund has several CDARS maturing in February and March 2018, which will be renewed for 52 weeks. There were no other outstanding issues regarding the financial report.

Motion: N/A
Made by: N/A
Seconded by: N/A
Motion: N/A

III. APPROVAL OF THIRD QUARTER 2017 STATE BAR INVOICE

Individuals addressing the Board of Trustees: Kathy Gerhart

Discussion: The SBA invoice for the third quarter of 2017 was presented for payment approval.

Motion: To approve payment of the third quarter of 2017 SBA invoice.
Made by: James Penny
Seconded by: Rosemary Rosales
Motion: Passed – unanimous

IV. APPROVAL OF THE PROPOSED 2018 CPF BUDGET

Individuals addressing the Board of Trustees: James Penny, Kathy Gerhart

Discussion: The Trustees reviewed the proposed 2018 CPF budget.

Motion: To approve the proposed 2018 CPF budget.
Made by: James Penny
Seconded by: Matthew Gerst
Motion: Passed – unanimous
V. COLLECTION COSTS/RESTITUTION TRACKING

Individuals addressing the Board of Trustees: Kathy Gerhart

**Discussion:** The State Bar’s Accounting Department will maintain a spreadsheet of restitution income and attorney’s fees/costs from CPF collection activities. The tracking will include actual per claim restitution and costs. As this spreadsheet will include claimant names, this information will be kept confidential per Declaration of Trust Rule 16(A).

**Motion:** N/A
**Made by:** N/A
**Seconded by:** N/A
**Motion:** N/A

VI. HARLAN GREEN COLLECTION MEDIATION

Individuals addressing the Board of Trustees: Charles Wirken

**Discussion:** Mr. Wirken reported he attended the Harland Green collection mediation in November. CPF has filed three claims against Mr. Green, which will be consolidated into one action with three counts. Because Mr. Green did not attend the mediation, the justice court will set a trial date.

**Motion:** N/A
**Made by:** N/A
**Seconded by:** N/A
**Motion:** N/A

VII. BOARD OF GOVERNORS APPROVED DECLARATION OF TRUST AMENDMENTS

Individuals addressing the Board of Trustees: Charles Wirken

**Discussion:** Mr. Wirken reported that several recently proposed amendments to the Declaration of Trust were approved by the State Bar Board of Governors on September 29, 2017. Amendments included: Rule 8 was amended to reflect the State Bar’s Open Meetings Policy; Rule 15 was amended regarding collections attorney fees and costs; and Rule 16 was amended regarding the confidentiality of CPF files/documents.

**Motion:** N/A
**Made by:** N/A
**Seconded by:** N/A
**Motion:** N/A
EXECUTIVE SESSION

VIII. Claims Consideration

Discussion: The Trustees considered and decided on the following claims:

<table>
<thead>
<tr>
<th>Claim No.</th>
<th>Lawyer</th>
<th>Action Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>CPF-17-0006</td>
<td>James R. Andrews</td>
<td>Approved $51,073.73</td>
</tr>
<tr>
<td>CPF-17-0005</td>
<td>Charles W. Bassett</td>
<td>Approved $2,000.00</td>
</tr>
<tr>
<td>CPF-17-0044</td>
<td>James F. Brook</td>
<td>Approved $12,256.71</td>
</tr>
<tr>
<td>CPF-17-0008</td>
<td>T. Anthony Guajardo</td>
<td>Approved $2,185.00</td>
</tr>
<tr>
<td>CPF-17-0013</td>
<td>Kathy McCoy O'Quinn</td>
<td>Approved $2,600.00</td>
</tr>
<tr>
<td>CPF-16-0062</td>
<td>Kissandra L. Tysman</td>
<td>Approved $1,966.25</td>
</tr>
<tr>
<td>CPF-17-0015</td>
<td>James Roger Wood</td>
<td>Denied – Fee Dispute</td>
</tr>
<tr>
<td>CPF-17-0007</td>
<td>James Roger Wood</td>
<td>Denied – Fee Dispute</td>
</tr>
<tr>
<td>CPF-17-0011</td>
<td>James Roger Wood</td>
<td>Denied – Fee Dispute/Malpractice</td>
</tr>
<tr>
<td>CPF-17-0009</td>
<td>James Roger Wood</td>
<td>Denied – Fee Dispute/Malpractice</td>
</tr>
</tbody>
</table>

The Trustees approved a total of $72,081.69 with $59,824.98 to be paid immediately. All approved claims were eligible for payment as of the date of this meeting.

PUBLIC SESSION

VIII. READING OF CLAIM DECISIONS

Individuals addressing the Board of Trustees: Charles Wirken

XV. CALL TO THE PUBLIC

Individuals addressing the Board: None

XV. ADJOURN

Motion: To adjourn the meeting.
Made by: Charles Wirken
Seconded by: James Penny
Motion: Passed - unanimous

Meeting adjourned by: Charles Wirken
Time: 10:50 a.m.

¹ Payment deferred pending determination of aggregate of all potential claims against this lawyer.