



# APPLICANT EVALUATION AND NOMINATION COMMITTEE

180 HOWARD STREET, 10<sup>TH</sup> FLOOR, SAN FRANCISCO, CALIFORNIA 94105-1639

(415) 538-2102

## STATE BAR COURT ONE PRESIDING JUDGE (REVIEW DEPARTMENT) AND TWO HEARING JUDGES FACT SHEET

The California Supreme Court's Applicant Evaluation and Nomination Committee (AENC) is seeking qualified candidates to serve as judges for the State Bar Court. The AENC is seeking applications for the position of Presiding Judge of the Court (a position that will also serve on the Review Department) and two Hearing Court Judges.

The State Bar Court is the independent, adjudicative entity acting as an administrative arm of the California Supreme Court to hear and decide attorney disciplinary and regulatory proceedings and to make recommendations to the Supreme Court regarding those matters. The State Bar Court consists of a three-member Review Department and a five-member Hearing Department with judges located in Los Angeles and San Francisco. The Review Department is the appellate level of the State Bar Court. The Hearing Department is the trial level of the State Bar Court.

All three of the positions being recruited will serve six-year terms beginning on November 1, 2018 and ending on October 31, 2024. The Presiding Judge / Review Judge position may be located in either the San Francisco or Los Angeles venue of the court. One of the Hearing Judge positions will be located in San Francisco and one will be located in Los Angeles.

Appointments of the Presiding Judge and the San Francisco based Hearing Judge will be made by the Supreme Court. Appointment of the Los Angeles based Hearing Judge will be made by the Governor. The salary for the Presiding Judge / Review Judge is \$200,042 annually. The salary of the State Bar Court Hearing Judge positions is \$182,683 annually.

### Qualifications

A State Bar Court Judge:

- Shall have been a member of the State Bar of California for at least five years;
- Shall be an accomplished writer, with the ability to perform legal analysis;
- Shall have practical knowledge of or experience in areas such as supervising a law office, managing client trust funds, professional ethics, courtroom procedures and demeanor, client interaction;

- Shall have the ability to work independently and to maintain a professional demeanor while resolving conflicts and making decisions;
- Shall not have any record of discipline as an attorney in California or any other jurisdiction; and
- Shall meet the requirements established by rule 9.11 of the California Rules of Court and Government Code section 12011.5 [industry, legal and judicial experience (including prior service as a judge of the State Bar Court), judicial temperament, honesty, objectivity, community respect, integrity, and ability].

### **Preferred experience**

- More than 10 years practice as an attorney;
- Courtroom or equivalent experience;
- Management responsibilities in a legal office setting;
- Background in professional ethics and responsibilities.

### **Job Description**

**Presiding Judge / Review Judge:** The administrative responsibilities of the presiding judge are defined in Rule 1013 of the [Rules of Procedures of the State Bar Court](#) and include: serving as the spokesperson for the State Bar Court; presiding at meetings of the Executive Committee and over all meetings of the combined Review and Hearing Department judges and at all meetings of the Review Department; appointing standing or special committees of the State Bar Court to assist the State Bar Court, the Executive Committee and the presiding judge in the proper performance of their respective duties; providing for the overall supervision of calendar management and assignment of judges for all matters within the jurisdiction of the State Bar Court; representing the State Bar Court in the State Bar budgetary process; and taking reasonable measures to assure the prompt disposition of matters before the judges of the State Bar Court and the proper performance of their other adjudicatory responsibilities.

In addition to these administrative duties, the Review Judge will serve as part of a three-member Review Department. The Review Department acts upon requests for emergency or interlocutory relief in pending attorney disciplinary and regulatory proceedings and in acting upon matters delegated to the State Bar Court pursuant to rule 9.10 of the California Rules of Court. The duties of a review judge include: reviewing and analyzing the record of proceedings for the State Bar Court Hearing Department; participating in periodic Review Department conferences and in oral argument; and writing both published and unpublished opinions detailing all material findings of fact, conclusions of law and a decision or recommendation for discipline or other appropriate disposition of the proceeding. A review judge must also manage the preparation and decision of the individual cases to which he or she is primarily

assigned on an expeditious and efficient basis and must cooperate with the other judges of the Review Department in the consideration and disposition of the Review Department's caseload.

**Hearing Judge:** The responsibilities of a State Bar Court Hearing Judge are to hear and decide attorney disciplinary and other State Bar regulatory cases, to make written recommendations to the Supreme Court regarding the imposition of discipline or other appropriate disposition in those matters which require Supreme Court action and to perform related judicial duties. A State Bar Court Hearing Judge is expected to work independently, with limited staff support and to handle multiple tasks in a timely and efficient manner, including successfully managing a caseload and complying with deadlines. The duties of a hearing judge include: scheduling and holding status, settlement and pretrial conferences; hearing motions; scheduling and holding trials; writing decisions and orders detailing all material findings of fact and conclusions of law; and issuing other orders as necessary. Each hearing judge must manage his or her caseload expeditiously and efficiently.

In carrying out his or her duties, each State Bar Court Judge is subject to the administrative direction of the Presiding Judge of the State Bar Court and must cooperate with other judges and court officials in the administration of court business, including preparing administrative reports and attending periodic judicial conferences.

### **Appointments and Terms**

The State Bar Court Presiding Judge/Review Judge will be appointed by the Supreme Court to a term that will commence on November 1, 2018 and end on October 31, 2024. The position can be located in either San Francisco or Los Angeles.

The State Bar Court Hearing Judge in San Francisco will be appointed by the Supreme Court to a term that will commence on November 1, 2018 and end on October 31, 2024.

The State Bar Court Hearing Judge in Los Angeles will be appointed by the Governor to a term that will commence on November 1, 2018 and end on October 31, 2024.

State Bar Court Judges have the same immunity which attaches to judges of California courts of record. They are also subject, during their terms, to admonition, censure, removal or retirement upon the same grounds as provided for judges of courts of record as provided under Business and Professions Code Section 6079.1(a) and California Rules of Court, Rule 9.11(d).

### **Review and Rating of Applicants for Appointment**

Pursuant to rule 9.11 of the California Rules of Court, the Supreme Court has created the Applicant Evaluation and Nomination Committee to solicit, receive, screen and evaluate all applications for appointment or reappointment to any appointive position of judge of the State Bar Court. Only applicants recommended by the Committee or by the Supreme Court may be appointed.

An extensive professional and personal history, references and background investigation, and personal interview may be required. Early applications are highly encouraged. **THE DEADLINE FOR RECEIPT OF APPLICATIONS IS 5:00 P.M. ON FRIDAY, APRIL 20, 2018.**

Application forms are available on the State Bar Court's website at:

<http://www.statebarcourt.ca.gov/Portals/2/documents/SBCApplication-2018.pdf>

For further information or to request an application packet by mail, please write or call:

The State Bar of California  
Mission Advancement and Accountability – JUDGE  
180 Howard Street, 10<sup>th</sup> Floor  
San Francisco, CA 94105-1639  
(415) 538-2102