



# APPLICANT EVALUATION AND NOMINATION COMMITTEE

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

(415) 538-2102

## **STATE BAR COURT RECRUITMENT FOR TWO REVIEW DEPARTMENT JUDGES AND TWO HEARING DEPARTMENT JUDGES**

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 four positions: two judges who will serve in the Hearing Department, and two judges who will serve in the Review Department, one of which will serve as the Presiding Judge of the State Bar Court.

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.

Three of the positions being recruited – one Review Department judge and both Hearing Department judges – will serve six-year terms beginning on November 1, 2022 and ending on October 31, 2028. The fourth position, the Review Department judge who serves as the State Bar Court Presiding Judge, will serve the remaining term of a vacant position that ends on October 31, 2024.

The State Bar Court Presiding Judge and the Review Department judge may be located in either the San Francisco or the Los Angeles venues of the court. One of the Hearing Department positions is located in San Francisco, the other is located Los Angeles. Each position may require frequent travel to the other State Bar Court location for extended periods of time.

The Presiding Judge and Review Department judge will be appointed by the Supreme Court; the Los Angeles Hearing Department judge will also be appointed by the Supreme Court. The San Francisco Hearing Department judge will be appointed by the California State Senate Rules Committee. The salary for the Presiding Judge and the Review Department judge is \$223,829 annually. The salary for the Hearing Department judge is \$204,406 annually. Salaries for State Bar Court judges are established by Business & Professions Code sections 6079.1(d) and 6086.65(a) and are adjusted annually by the California State Department of Human Resources between July and September.

## Minimum 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

**State Bar Court Presiding Judge:** The Presiding Judge performs all the duties of a review judge and additional adjudicatory and administrative duties. Some of these duties include providing overall supervision of calendar management and assignment of judges for all matters within the jurisdiction of the State Bar Court and taking reasonable measures to assure the prompt disposition of matters in the State Bar Court and the proper performance of the judges' other adjudicatory responsibilities. The Presiding Judge is the spokesperson for the State Bar Court, interacts with the State Bar Board of Trustees and its executives as needed, and represents the State Bar Court in the State Bar budgetary process. Additionally, the Presiding Judge appoints committees of the State Bar Court, including the Executive Committee, and presides over meetings of these committees, over all meetings of the combined Review and Hearing Department judges, and at all meetings of the Review Department.

**Review Department Judge:** Review Department judges 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 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 of 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 expeditiously and efficiently and must cooperate with the other judges of the Review Department in the consideration and disposition of the Review Department's caseload.

**Hearing Department Judge:** The responsibilities of Hearing Department judges 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 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 will be appointed by the Supreme Court to a term that will commence no later than November 1, 2022 and end on October 31, 2024. The position may be located in either Los Angeles or San Francisco.

The Review Department judge will be appointed by the Supreme Court to a term that will commence on November 1, 2022 and end on October 31, 2028. The position may be located in either Los Angeles or San Francisco.

The Los Angeles-based Hearing Department judge will be appointed by the Supreme Court to a term that will commence on November 1, 2022 and end on October 31, 2028.

The San Francisco-based Hearing Department judge will be appointed by the California State Senate Rules Committee to a term that will commence on November 1, 2022 and end on October 31, 2028.

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 AENC 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 AENC 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 MONDAY, JANUARY 31, 2022.**

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

[Apply to Become a State Bar Court Judge](#)

For further information, send an email to [dag.macleod@calbar.ca.gov](mailto:dag.macleod@calbar.ca.gov) with AENC in the subject line or call (415) 538-2102