

MINUTES
IDAHO STATE BAR BOARD OF COMMISSIONERS
February 29, 2008
Boise, Idaho

President Terry White called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:35 a.m. at the Law Center in Boise, Idaho. In addition to President White, in attendance were Commissioners Dwight Baker, Andy Hawes, Doug Mushlitz, and Newal Squyres, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Legal Education Director Terri Muse and Executive Director Diane K. Minnich, who acted as secretary.

EXECUTIVE SESSION

Per Idaho Code Section 67-2345(1), the Commission, after an aye vote was recorded from each Commissioner, moved into executive session at 8:50 a.m. The executive session adjourned at 9:50 a.m.

MINUTES

The minutes of the January 18, 2008 meeting were approved as submitted.

FINANCIAL

Auditors Engagement Letter – The Commission discussed the proposed engagement letters submitted by the auditors. The letter is considerably more extensive than the previous year. The Commission requested that the staff discuss with the auditors the changes in the letters from the previous year's letter and request an explanation for the need for the extensive changes in the letter. The Commission determined it would not agree to be bound by the laws of North Dakota.

Code of Ethical Conduct Policy – The Commission again discussed the proposed Code of Ethical Conduct Policy. The Commission determined that the time frame for the receipt of gifts should be removed, a reporting requirement for gifts should be included, and that the language needed to be amended to correct grammatical errors. It was moved, seconded and passed to approve the Code of Ethical Conduct Policy as amended.

Lease Negotiations – The Executive Director reported that the building note is due in July 2008, the Idaho Law Foundation will be negotiating the terms of the loan. As a part of the Foundation Board's discussions, the ILF Board discussed the lease between the bar and foundation. The Foundation may consider renegotiating the lease terms with the Bar. The Commission assigned Doug Mushlitz to work with the Idaho Law Foundation on the lease negotiations.

GENERAL BUSINESS

Third District Magistrate Commission Appointment– Third District Bar President Chad Gulstrom reported to the Commission that Susan Wiebe resigned from the Commission. He recommended that Nick Bokides be appointed to replace Ms. Wiebe. It was moved, seconded and passed to appoint Nick Bokides to the Third District Bar Magistrate Commission to replace Susan Wiebe.

Bar Commission Rule Change Request – The Commission discussed a request from attorney Joe Stanzak regarding the disability status and a reduction in license fees. The Board will address the issue through the review of the IBCR 300 rules. Bar Counsel will respond to Mr. Stanzak, explaining that the license fees are statutory and that the Commission is not inclined to

change rules now but will consider the issues when Section III of the Bar Commission Rules is reviewed.

Bar Exam – The Commission agreed to establish a committee to discuss whether to follow the NCBE recommendation to change the weighting of the bar exam sections and to eliminate the Idaho generated questions. The Commission agreed that the Committee to discuss these issues should include, a Supreme Court Justice, a Bar Commissioner, the Chair of Bar Exam Preparation Committee and a representative of the UI College of Law.

Character and Fitness Committee – Judge Dan Steckel resigned from the Character and Fitness Committee due to his new position. The Commission considered a recommendation from the Character and Fitness Committee to replace Judge Dan Steckel with Dick Stubbs. It was moved, seconded and passed to appoint Dick Stubbs to the Character and Fitness Committee to replace Judge Steckel on the Character and Fitness Committee.

Annual Meeting – The Commission discussed the dates and locations for 2009 Annual Meeting. Legal Education Director Terri Muse provided several options for both 2009 and 2010. The Commission decided to hold the meeting in Boise in July of 2009, either at the Red Lion Riverside or Boise Centre on the Grove. The Commission requested that Ms. Muse investigate potential locations in northern or eastern Idaho for the 2010 Annual Meeting.

Member Benefits – At the Executive Director's request, the Commission discussed the current member benefit and bar group insurance policies. The Commission recommended a few changes to the policy. The Commission asked that the staff make recommendations to the Commission regarding the policies. The staff also agreed to check with ABA about its member benefits programs.

Board Vacancy – Past President Andy Hawes reported that he is moving both his home and office by April and he will not longer be eligible to serve as a Commissioner. The Commissioners discussed how to fill the vacancy. The Executive Director agreed to contact Fourth District Bar President Judge Mike Oths about the upcoming vacancy.

Law Day – President White discussed Law Day activities and the ABA Law Day publication.

Bellwood Lecture Series – President White reported on the Bellwood Lecture Series and the Bar's involvement in the Bellwood Lectures. He reported that Kenneth Starr would be the Bellwood lecturer on April 21, in Moscow.

Law School in Boise – President White and Executive Director Minnich reported that Concordia University is proposing to open a law school in Boise. If Concordia University's Board of Directors approves the proposed business plan for the establishment of a law school in Boise, the University hopes to open the law school in fall 2009.

MEWA Update – President White reported on the progress of the MEWA; the application was filed with the Department of Insurance in January, approval should occur by April 1, the marketing would start in May, with the policies available starting in July.

Idaho Court Administrative Rule 4 – President White reported on a request from Reginald Reeves to promote the concept of pro tem judges.

District Court Opinions online – The Executive Director reported on a problem with putting District Court opinions online. There is a new rule (ICAR Rule 32) that prohibits the disclosure of certain pieces of information, such as the first six characters of the social security number, street addresses for parties involved in the action, telephone numbers, driver’s license numbers and financial account numbers. John Peay, the Courts IT Director is not sure how many opinions contain this information. He is working on obtaining software that will redact this information from opinions prior to submission to be posted online.

Supreme Court Report – The Commission was provided with the proposed minutes for the January meeting of the Court and the Bar Commission, and the Supreme Court Oral Conference minutes for January 24, 2008.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

The Commission was provided with the following, February 2, 2008 membership statistics – 5,047; January 2008 LRS Statistics, *Miscellaneous Letters/Info*; ABA Information, and news clippings for the past month.

There being no further business, the business meeting was adjourned at 1:15 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director