

**MINUTES**  
**IDAHO STATE BAR BOARD OF COMMISSIONERS**  
**General Session**  
**April 4, 2008**  
**Meridian, Idaho**

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

**EXECUTIVE SESSION**

Per Idaho Code Section 67-2341(4)(a), the Commission, after an aye vote was recorded from each Commissioner, moved into executive session at 8:35 a.m. The executive session adjourned at 10:00 a.m.

**Western States Bar Conference**

President White and Commissioner Baker reported on the Western State Bar Conference. They highlighted the key topics discussed at the conference and the issues facing bar associations, including Client Assistance Funds, independence of the bar and judiciary, future of the practice, and immigration issues.

**Bar Leadership Institute (BLI)**

Commissioners Squyres and Mushlitz reported on the BLI. They reported on some of the topics and issues discussed, including governance, planning, and sections. In light of the conference, the Commission discussed the value of the retreat and agreed to continue the retreat. The Commission discussed including a topic or policy issue on each meeting agenda to be addressed in more depth. It was also suggested that discipline be moved to later in the meeting. The Commission agreed to further discuss how to restructure meetings in the future.

**Minutes**

It was moved, seconded and passed to approve the minutes of February 29, 2008 as submitted.

**Financial Report**

The Commission was provided with the February 29, 2008 financial reports. At the end of February 66% of revenue was collected and 15% of expenses incurred.

**Lease of Office Space**

The executive director reported that ALPS Corporation needs an office space in Boise for the staff member hired to market the group health plan and has requested to lease space in the Law

Center. It was moved, seconded and passed to approve the lease of space to ALPS Corporation. The staff agreed to determine market rate for the space. To sublease the space also requires the approval of the Idaho Law Foundation. The executive director will place this issue on the Foundation Board of Directors April meeting agenda.

### **Contested Judicial Election Survey**

The Executive Director reported that the survey for the contested Idaho Supreme Court election will be submitted to the bar on April 7<sup>th</sup>. Survey responses will be due on April 18<sup>th</sup>, the results released to candidates and then to the media the week of April 20<sup>th</sup>.

### **Reasonable Accommodations**

Paul Rippel, the Reasonable Accommodations Committee Chair, joined the meeting to review the committee's processes, procedures and analysis regarding the review and recommendations of reasonable accommodations requests.

### **Transfer to Active Status**

The Commissioners were provided with a request from Gary Robinson to transfer his license from inactive to active. The Commission approved his request with the following conditions; he obtain 10 CLE credits in 60 days as the rule requires, he attend the 2008 April or October practical skills course, and then he obtain an additional 10 non environmental law CLE credits within 90 days. The additional credits are not to be included as part of his 30 credit requirement.

**Casemaker** – The Commission reviewed an amendment to the Casemaker contract that increases the price of Casemaker. The original contract anticipated an increase in the cost at the end of 5 years. It was moved, seconded and passed to approve the contract as amended.

### **Bellwood Lecture**

President White discussed the Bellwood lecture and the provisions of Judge Bellwood's Will regarding the Bellwood lecture series. President White reported that there is a meeting scheduled of the Bellwood Committee, consisting of the Bar President, Chief Justice of the Idaho Supreme Court and Dean of the UI College of Law on April 15 to discuss the Bellwood lectures and the relationship of the committee to the planning of the lectures.

### **ABA Delegate Report**

ABA Delegate Larry Hunter joined the meeting to discuss the ABA Midyear Meeting, the Rule of Law Forum and ABA Delegate position. He reported two issues of interest from the ABA meeting were the election of the ABA president-elect designee, and the discussion and approval of a model conditional admission rule. He reported on the Rule of Law Forum, scheduled for April 30, 2008, 7:30 – 9:30 a.m., at the Ada County Courthouse, which he and Jeanne Barker are planning. He then explained the ABA governance and house of delegate representation. Mr.

Hunter reported he would like to be renominated to serve as the State Bar Delegate to the ABA House of Delegates. The Commission agreed to place a notice in the Advocate advertising the position.

### **2010 Annual Meeting**

Legal Education Director Terri Muse provided location options for the 2010 Annual Meeting. It was moved, seconded and passed to schedule the 2010 annual meeting in Idaho Falls.

### **Legal Services**

A group of State Bar representatives requested that the Idaho State Bar sign a letter to congress in support of funding for legal services. The Commission reviewed previous resolutions on these topics and agreed that the bar had, in principal, supported funding for legal services through the resolution process. It was moved, seconded and passed to have President Terry White sign the letter on behalf of the Idaho State Bar.

### **Practice Section Update**

Terri Muse has prepared a summary of the section activities as of March 27, 2008.

### **Licensing Update**

The Commission was provided with the Idaho Supreme Court order cancelling the licenses of those attorneys that did not pay their license fees.

### **Supreme Court Report**

The Commission was provided with the Supreme Court Oral Conference minutes for February 14, 2008.

### **Bar Counsel and Executive Director Performance Appraisals**

The Commission reviewed the performance of Bar Counsel Brad Andrews and Executive Director Diane Minnich for the past year. The Executive Director advised the Board she continues to serve as a member of the Board of Directors of ALPS Corporation and that this is a compensated position. The Board noted the disclosure and has no objection.

### **REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

The Commission was provided with the following, March 3, 2008 membership statistics – 5,039; February 2008 LRS Statistics, *Miscellaneous Letters/Info*; letters, ABA Information, and news clippings for the past month.

### **Board of Commissioner**

Commissioner Andy Hawes tendered his resignation as a Commissioner because he moved to Portland, as did his office, and consequently he is no longer eligible to serve as a Commissioner. The Fourth District Bar officers nominated past Commissioner Tom Banducci to serve the remainder of Mr. Hawes term as a Commissioner. It was moved, seconded and passed to accept

the nomination of the 4<sup>th</sup> District and appoint Tom Banducci to serve as a Commissioner for the remainder of Andy Hawes' term.

The business meeting recessed at 1:45 p.m. for the Commissioners and staff to attend Federal Magistrate Candy Dale's swearing in. The meeting reconvened at 4:45 p.m. There being no further business, the business meeting was adjourned at 6:05 p.m.

Respectfully submitted,

Diane K. Minnich  
Executive Director