

BOARD OF COMMISSIONERS OF THE IDAHO STATE BAR

September 7, 2007

Boise, Idaho

Minutes

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

EXECUTIVE SESSION

Per Idaho Code Section 67-2345, 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 9:25 a.m.

CONSENT AGENDA

It was moved, seconded and passed to approve the following agenda items:

Minutes

The minutes of the July 18 and 20, 2007 meetings were approved as amended by Julia Crossland.

GENERAL BUSINESS

Financial Reports

The Commission was provided with the July 30 and August 31 financial reports. At the end of August, 87.6% of budgeted revenue was collected and 58.2% of budgeted expenses were incurred.

The Commissioners discussed section financial reports; they noted that the aggregate fund balance for sections was over \$300,000. The Commissioners discussed various ideas for encouraging sections to appropriately spend section funds rather than create large reserves.

Resolution Process

The Commissioners discussed the schedule for the resolution meetings and the University of Idaho College of Law visit. They discussed how to improve communications and gathering of information from students and faculty at the law school. The Commission agreed to contact the dean about the meeting and events, and prepare a letter from the Commission to the students about the visit.

The Commissioners then discussed the resolution amendment process; specifically should the resolution amendment process be eliminated or changed. The Commission asked the staff to develop written information about the amendment process to present at the meetings.

Proposed resolution - Rules for Review of Professional Conduct – Deputy Bar Counsel reported on the revised draft of Section V of the Idaho Bar Commission Rules prepared by the review

committee consisting of Justice Linda Copple Trout, PCB Chair Karen Gowland, and PCB members Rob Lewis and Ron Stephenson. It was moved, seconded and passed to approve the proposed Idaho Bar Commission Rules, Section V, Rules for Review of Professional Conduct, for submission to the 2007 resolution process. Commissioner Squyres volunteered to present this resolution.

The Commission also decided to create a list of additional topics for the Commissioners to present at resolution meetings.

Ninth Circuit Lawyer Representative – The Commission considered applicants for the representative to the Ninth Circuit Lawyer Conference. It was moved, seconded and passed to approve the submission of the following individuals to the Federal Judges as nominees for the Ninth Circuit Lawyers Representative; Steven Anderson, Daniel Williams, Brian Julian, and Jon Steele.

ABA House of Delegates Report – ABA State Bar Delegate Larry Hunter joined the meeting at 11:15 a.m. to report on the ABA House of Delegates Annual Meeting. He discussed three issues: US Attorney firings, mandatory retirement for lawyers, and the Rule of Law initiative established by ABA President Bill Neukom.

After the presentation by Mr. Hunter, the Commission discussed whether to submit the ABA proposal opposing mandatory retirement for lawyers during the resolution process. The Commission decided to review the information, but not submit it during the resolution process.

The executive director reported that Idaho Falls attorney Tim Hopkins was appointed as Chair of the ABA Standing Committee on the Federal Judiciary.

BOC Committee/Section Liaison Assignment – The Commission considered the proposed liaison assignments for the 2007-08 year. It was moved, seconded and passed to approve the liaison assignments as revised.

Section Bylaws – The Commission considered amendments to Litigation Section bylaws and proposed bylaws for the newly approved Diversity Section.

It was moved, seconded and passed to approve the Litigation Section bylaw change as submitted.

It was moved, seconded and passed to approve the bylaws of the Diversity Section, but changing the word “input” to “approval.”

Legal Education Director Terri Muse encouraged attendance at the Diversity Section kickoff reception and dinner on September 25 at Albertsons headquarters in Boise.

Annual Meeting – Terri Muse joined the meeting after lunch. Terri reviewed the statistics and evaluations for the 2007 annual meeting. The Commissioners noted that on the positive side, the conference was well organized and included more exhibitors. The Commissioners discussed future locations for the meeting, the absence of a family event in Boise, entertainment issues,

more giveaways, exhibitors in the room with the meals and entertainment. The Commissioners agreed to continue discussing meeting locations (is Sun Valley the best location), what we do at the meeting and why, and how to expand the audience.

2007-08 BOC Meeting Schedule

BOC Meeting Schedule - The Commission was provided with the 2007-08 BOC meetings schedule.

Grading – The Commission meeting was at the same location as bar exam grading. During the meeting, the Commissioners and staff visited the individual grading teams.

Section Reports – The Commission was provided with a synopsis of the Section Annual Reports. Terri Muse reviewed the sections that have been active and inactive. The Commission discussed ways to work more effectively with the sections.

Supreme Court Report – The Commission was provided with the Supreme Court Oral Conference minutes for July.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

The Commission was provided the following: August 2, 2007 membership statistics – 4,916; July LRS statistics; letters and news clippings for the past month.

RETREAT ISSUES

President Hawes stated that the Commission needs time to brainstorm and discuss long term, big picture issues. The Commission spent the afternoon and the morning of September 8 discussing the following topics; the current mission statement, goals and objectives, District Bar Associations, Sections, the Bar's relationship with the University of Idaho College of Law, judicial independence and selection, the resolution process and awards, CLE and the Annual Meeting. The Commission plans to meet again in October, after which a document outlining the issues under consideration, the priorities, and the plan for addressing the issues under review by the Commission, will be drafted. The Commission recommended that each year the document be reviewed at a retreat in the fall.

There being no further business, the business meeting recessed at 4:00 p.m. on Friday, September 7, and reconvened at 8:40 a.m. on Saturday, September 8, and adjourned at 11:30 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director