

MINUTES
IDAHO STATE BAR BOARD OF COMMISSIONERS
October 6, 2006
Boise, Idaho

President Jay Sturgell 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 Sturgell, in attendance were Commissioners Tom Banducci, Dwight Baker, and Terry White, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland and Executive Director Diane K. Minnich, who acted as secretary.

EXECUTIVE SESSION

Per Idaho Code Section 67-2345, the Commission, after an aye vote was recorded from each Commissioner, moved into executive session at 9:10 a.m. The executive session adjourned at 10:40 a.m.

CONSENT AGENDA

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

Minutes

The minutes of the September 8, 2006 meeting were approved as submitted.

GENERAL BUSINESS

Resolution Process - The Commissioners were joined by the following representatives of the District Bar Associations: Second District – Ken Nagy; Third District – Ty Ketlinski; Fourth District – Bo Davies; Fifth District – Steve Pitts; Sixth District – Mark Heideman; Seventh District – Rich Andrus.

The group considered four resolutions that were submitted to the 2006 resolution process:

06-1: Legal Services Resolution (ILAS Executive Director Ernesto Sanchez and ILAS Deputy Director James Cook) – It was moved, seconded and passed unanimously to submit this resolution to the 2006 resolution process.

06-2: ABA authorization (ABA State Bar Delegate Larry Hunter)- It was moved, seconded and passed unanimously to submit this resolution to the 2006 resolution process.

06-3: Model Standards of Conduct for Mediators (ISB Alternative Dispute Resolution Section)– It was moved, seconded and passed to submit this resolution to the 2006 resolution process.

06-4: Idaho Entity Transaction Act (ISB Business and Corporate Law Section) – It was moved, seconded and passed to submit this resolution to the 2006 resolution process.

The joint meeting adjourned at 9:05 a.m.

Financial Report – The Commission was provided with the September 30, 2006 financial reports. As of September 30, 2006, revenue was 94.97% and expenses were 72.73%. The Commission requested an estimate of costs from the conflict counsel for the Eiguren and Miller disciplinary matters.

Banking and Investment Resolution – Barbara Anderson provided a memo and proposed changes in the banking and investment resolution to be consistent with the Idaho statute. It was moved, seconded and passed to accept the Banking and Investment Resolution as proposed.

Conflict of Interest Policy – The Commission reviewed a draft Staff Conflict of Interest Policy. The Commission recommended several changes. The Executive Director reported that the ILF Board of Directors will also review the policy at its October meeting and then she will resubmit it to both Boards for approval.

Resolution Process – The Commission reviewed the schedule and discussed resolution assignments. The Commission agreed on the following assignments to present the resolutions:

Law School visit - More informal interaction with students

06-4: Idaho Entity Transaction Act – Commissioner White

06-3: Model Standards of Conduct for Mediators – Commissioner Baker

06-1: Legal Services Resolution – Commissioner Banducci

06-2: ABA authorization – Commissioner Hawes

Awards – The Commission discussed the award presentations. The Commission agreed to ask the professionalism award recipients their preferences for award presenters. The Executive Director suggested that the IVLP policy council members and IVLP staff recruit presenters for the pro bono awards; the Commission agreed.

Ninth Circuit Lawyer Representative – The Commission considered the applicants for the Ninth Circuit Lawyer Representative: Kenneth Howard and Barry McHugh. It was moved, seconded and passed to submit the names of Kenneth Howard and Barry McHugh to the Idaho Federal Judges as applicants for the Ninth Circuit Lawyer Representative.

Contested Judicial Election Survey of Candidates – The Commission was provided with the results of the contested judicial election survey done in the contested district judge election in the Seventh Judicial District.

Reactivating Licenses, *Everett Smith* – The Commission again discussed Mr. Smith's request to be transferred to active status. After discussion, it was moved, seconded and passed to approve Everett's Smith's request to reinstate an active license with the requirements that he complete 25 hours of CLE within 12 months, to include the practical skills course and 2 hours of ethics.

Legal Education Conclave – The Commission discussed the concept of holding another legal education conclave; specifically the reason and purpose for a conclave. The Commission requested the 1995 Legal Education Conclave report and the report of the Blue Ribbon Panel that visited Idaho to address moving the UI College of Law to Boise.

Certified Shorthand Reporters Board – It was moved, seconded and passed to reappoint Mike Peacock to the Idaho Certified Shorthand Reporters Board.

July 2006 Bar Examination Statistics – The Commission was provided with the July Bar Examination statistics.

Bellwood Lecture – The Commission was provided with the invitation to the 2006 UI College of Law Bellwood Lecture. President Sturgell stated that he planned to attend.

Supreme Court Report – The Commission was provided with the minutes of the August 23, 2006 Idaho Supreme Court Oral Conference.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

The Commission was provided with the following, September 5, 2006 membership statistics – 4,747; Jackrabbit Bar Meeting notice, *Miscellaneous Letters/Info*; Thanks letters, ABA Information and news clippings for the past month.

There being no further business, the business meeting was adjourned at out at 12:40 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director