

**MINUTES**  
**BOARD OF COMMISSIONERS MEETING**  
**General Session**  
**February 17, 2012**  
**Boise, Idaho**

President Reed Larsen called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:30 a.m. at the Law Center in Boise, Idaho. In attendance for the meeting were Commissioners Paul Daugharty, Molly O'Leary, Robert Wetherell and William Wellman, Deputy Bar Counsel Julia Crossland, Deputy Executive Director Mahmood Sheikh and Executive Director Diane Minnich, who acted as secretary.

**MINUTES**

It was moved, seconded and passed to approve the January 13, 2012 General Session minutes as submitted.

**EXECUTIVE SESSION**

Per Idaho Code Section 67-2345, the Commission, after an aye vote was recorded from each Commission, moved into executive session at 11:00 a.m. The executive session adjourned at 12:00 p.m.

**GENERAL SESSION**

**2011 Resolutions** – The Executive Director reported that the rules proposed through the 2011 resolution process were approved by the Idaho Supreme Court. The Court's order should be issued soon. The Executive Director also reported that the bill proposing the statutory changes required so the statutes correspond with the rule changes have passed the Senate and are now in the House Judiciary and Rules Committee.

**Legislative Funding for ILAS Meetings Update** – The Commissioners were provided with the proposed legislation that would provide state funding for ILAS. President Larsen reported on the process that generated the proposed legislation.

The Commissioners discussed proposing amendments to the Bar Commission Rules that would sunset general resolutions after 5 years.

**Requests to Transfer to active Status**

William Sali - It was moved, seconded and passed to approve William Sali's request to transfer to active status with the condition that he obtain a total of 15 CLE credits in 6 months from programs not related to land development and real estate.

Mark Lapham - It was moved, seconded and passed to approve Mark Lapham's request to transfer to active status with the condition that he obtain a total of 25 CLE credits, including 8 ethics hours, in 6 months from programs not related to land development and real estate.

Bernadette Buentgen – It was moved, seconded and passed to reaffirm the Commissioners’ previous decision to require Bernadette Buentgen to pass the MPT prior to her reinstatement to active status. However, the Commissioners agreed that no additional CLE requirements are necessary given the number of CLE hours Ms. Buentgen has obtained in the last few years.

**Medical Malpractice Hearing Panel** – The Commissioners considered a request from the Board of Medicine to appoint additional members to the Medical Malpractice Prelitigation Hearing Panels. It was moved, seconded and passed (Commissioner O’Leary abstained) to appoint David Swartley to serve as a panelist for the Medical Malpractice Prelitigation Hearing Panels.

**University of Idaho** – The Commissioners discussed the University of Idaho Professionalism and Diversity Program. Requiring all students and faculty to attend the program was questioned by some students and Idaho legislators. No formal action was taken.

**Informational Reports** – Letters, news clippings and statistical reports for the past month were provided in PDF format to the Commissioners.

#### **ADMINISTRATION AND SUPPORT**

**January Financial Report** – The Commissioners were provided with the January 31, 2012 financial report. At the end of January, 71.2% of budgeted revenue was collected and 6.6% of expenses incurred.

**2011 Audited Financials** – The Commissioners reviewed the 2011 audit engagement letters. The Executive Director reported that the Commissioners previously approved a three-year audit contract with EideBaille; 2011 is the last year of the contract.

#### **Member Services**

**Member Services** – Deputy Director Mahmood Sheikh reported on the following: the mentor program, IALL, member discounts, annual meeting planning, Lawyer Assistance Program and the new Casemaker.

**Idaho Lawyer Benefit Plan** – The Executive Director reported that ALPS is planning to terminate the Idaho Lawyer Benefit Plan due to the lack of growth. The plan has not become financially self sustaining..

There being no further business, the meeting adjourned at 10:55 a.m.

Respectfully submitted,



Diane K. Minnich  
Executive Director