

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
April 2, 2010
Lewiston, Idaho

President Doug Mushlitz called the Business Meeting of the Board of Commissioners of the Idaho State Bar to order at 8:30 a.m. at the Red Lion in Lewiston. In addition to President Mushlitz, in attendance at the meeting were Commissioners Newal Squyres, Deborah Ferguson, Reed Larsen, and James Meservy, Bar Counsel Brad Andrews, and Executive Director Diane Minnich, who acted as secretary.

EXECUTIVE SESSION

Per Idaho Code Section 67-2345, the Commission, after an aye vote was recorded from each Commission, moved into executive session at 12:45 p.m. The Executive Session adjourned at 2:00 p.m.

GENERAL BUSINESS

Minutes – It was moved, seconded and passed to approve the minutes of the February 19, 2010 Commission meeting as amended.

Survey in Contested Judicial Elections

The Commission was provided with the information regarding the survey of the bar membership for the three contested judicial elections in the May primary. The Commission proposed changes in the press release. The survey timeline is as follows: surveys sent to members on April 12, responses due on April 26, results to candidates on May 3, and results to the media on May 4.

2010 Awards

The Commission considered candidates for the 2010 Distinguished Lawyer Award. It was moved, seconded and passed to select John Hansen of Idaho Falls, Bill Parsons of Burley, and Cathy Silak of Boise as the 2010 Idaho Distinguished Lawyers.

The Commission considered candidates for the 2010 Professionalism Award. It was moved, seconded and passed to select the following as recipients of the 2010 Professionalism Award: 1st District – Denny Davis, 2nd District– David Risley, 3rd District – Bill Nichols, 4th District– Monte Stiles and Tom McCabe, 5th District– John Doerr, 6th District – Hon. Tom Clark, and 7th District– Al Stephens.

Service – It was moved, seconded and passed to select the following as 2010 Service Award recipients: Scott E. Axline (Blackfoot), Michael J. Fica (Pocatello), Joel P. Hazel (Coeur d’Alene), Charles A. Homer (Idaho Falls), Thomas South (Boise)**, Theodore V. Spangler, Jr. (Boise), James A. Spinner (Pocatello), Hon. Scott L. Wayman (Coeur d’Alene), Carole I. Wesenberg (Pocatello), and John N. Zarian (Boise). **non-lawyer**

Outstanding Young Lawyer – The Commission considered a proposal to create a new award for the Outstanding Young Lawyer. It was moved, seconded and passed to establish an Outstanding Young Lawyer Award, as recommended by staff. The award would be optional each year and therefore, not be required every year. It was moved, seconded and passed to select Chris Christensen as the recipient of the first Idaho Outstanding Young Lawyer.

2010 Licensing Update

The Commission was provided with the Supreme Court order cancelling the licenses of those attorneys who did not pay their license fee by the final deadline. The Commission also received the list of those attorneys whose licenses had been reinstated. The Executive Director reported that those attorneys who have not complied with MCLE requirements will be submitted to the Idaho Supreme Court soon. The Executive Director also reported that 25% of the attorneys used the online licensing process.

Electronic Policies and Procedures

The staff provided another proposed electronic policies and procedures. There was one issue that was not included in the last version. It was moved, seconded and passed to approve the Policies and Procedures for Electronic Communications as proposed.

License Fee Bill

The Executive Director reported that the license fee bill was passed by the Idaho legislature and approved by the Idaho Supreme Court. She noted special thanks to Senators Denton Darrington and Bart Davis, and Representative Leon Smith for their assistance.

BOC Election Notice

The Executive Director reported that the following attorneys have submitted petitions for Fourth District Commissioner position: Molly O’Leary, Bob Wetherell, and Mike French. To date, no petitions were received from the First District.

Membership Statistics

The Commission was provided with the membership statistics as of March 4, 2010 – 5,292 members.

2009 National Bar Exam Statistics

The Commission was provided with the 2009 national bar exam statistics. The Idaho pass rate for 2009 was 81% with the national average being 68%.

Idaho Supreme Court Oral Conference Minutes

The Commission was provided with the March 15, 2010 Supreme Court Oral Conference minutes.

LSC Funding Letter

The Commission discussed the ABA's request to have the ISB President sign a letter in support of increased funding for LSC. The ABA expects to attain signatures from all 50 state bar presidents. The Commission agreed that due to previous resolutions regarding this issue, President Mushlitz should sign the letter.

ADMINISTRATION AND SUPPORT

Financial Reports

The Commission was provided with the final December financial report. As of December 31, 101.6% of income was collected and 96.9% of expenses incurred. The Commission was also provided with the February financial report. As of February 28, 78.9% of income was collected and 14.6% of expenses incurred.

MEMBER SERVICES

Annual Meeting

The Commission reviewed the proposed agenda for the 2010 Annual Meeting. The Commission agreed that a family event should be held on Thursday evening. The Past Commissioners Dinner will also be held that night.

Practice Section Update

Deputy Executive Director Terri Muse provided written highlights of section activities for the past few months.

Idaho Lawyer Benefit Plan

The Executive Director reported that the ILBP had requested that the Commission discuss promoting the plan. Two Commissioners stated that their firms had submitted applications and the quotes were higher than Blue Cross or Blue Shield. They also mentioned that, for some firms, no local agent involvement is an issue.

Media and the Courts

The Commission was provided with the agenda for a Media and the Courts seminar, co-sponsored by the Andrus Center for Public Policy, the Idaho Press Club, the UI College of Law and the Idaho State Bar.

LRS Statistics

The Commission was provided with the February 2010 LRS statistics.

There being no further business, the General Session adjourned at 11:45 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director