

MINUTES
BOARD OF COMMISSIONERS MEETING
General Session
July 13, 2011
Sun Valley, Idaho

President Deborah Ferguson called the General Session business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:35 a.m. at the Sun Valley Resort in Sun Valley, Idaho. In addition to President Ferguson, in attendance for the meeting were Commissioners James Meservy, Reed Larsen, Molly O'Leary, Paul Daugharty, Commissioners elect Robert Wetherell and William Wellman, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy Executive Director Mahmood Sheikh and Executive Director Diane Minnich, who acted as the secretary.

CONSENT AGENDA

MINUTES

It was moved, seconded and passed to approve the minutes of the May 6, 2011 meeting as amended.

GOVERNANCE AND REGULATORY SERVICES

JUDICIAL COUNCIL REPORT – The Commissioners were joined by Judicial Council Executive Director James Carlson, and members Judge Ron Wilper, Steve Tuft and Justice Roger Burdick. Jim Carlson presented a report on the activities and statistics of the Council for the past year. The group discussed the judicial selection process, judicial recruitment and creating more awareness on how the Judicial Council operates.

JUDICIAL COUNCIL APPOINTMENT – The Commissioners discussed the Judicial Council appointment. Judicial Council member Anne Solomon's term expired on June 30, 2011. Four attorneys applied for the position: Janell Burke (CDA), Courtney Beebe (CDA), Joel Hazel (CDA) and Michael Gaffney (Idaho Falls). It was moved, seconded and the motion failed, 3-2, to appoint Joel Hazel to the Idaho Judicial Council. It was determined that Courtney Beebe is not eligible to serve due to her employment with the County. After considerable discussion, it was moved, seconded and passed to interview the other three candidates; Joel Hazel, Mike Gaffney and Janell Burke at the September meeting.

MAGISTRATE COMMISSION APPOINTMENTS – It was moved, seconded and passed to approve the magistrate commission nominees as submitted by the District Bar Associations: 1st - Heidi Fisher and Hollis J. Anderson, 2nd - Tim Greshback and Anthony Anegon, 3rd - Bryan W. Knox and Nicholas T. Bokides, 4th - Stanley W. Welsh and John DeFranco, 5th - Lance Loveland and David Gadd, 6th - James A. Spinner and Frederick F. Belzer, 7th - Royce Lee and Scott Axline.

COMMITTEE APPOINTMENTS -- It was moved, seconded and passed to approve the 2011-12 appointments as recommended by the staff and volunteers. The committee appointment list is attached.

MEMBERSHIP SURVEY – The Commission was provided with a draft of the proposed membership survey, previously approved for circulation to the membership. The Commission recommended several edits to the survey.

ILAS BOARD OF DIRECTORS APPOINTMENT – It was moved, seconded and passed to confirm the appointment of Lora Breen as the bar representative on the ILAS Board of Directors.

ILAS REQUESTS – The Commissioners considered several requests submitted by ILAS in a letter from ILAS President Mary Hunneycutt. The Commissioners discussed each of the requests and agreed to prepare a letter to Ms. Hunneycutt responding to her suggestions.

The Commissioners agreed that after the meeting with the Supreme Court, they would discuss the extent of the bar's commitment and willingness to assist Legal Aid.

2011-2012 MEETING SCHEDULE – The Commissioners were provided with the 2011-2012 meetings schedule and resolution meeting schedule.

NORTHWEST BAR LEADERS MEETING REPORT – President Ferguson and President Elect Larsen reported on the meeting in Salt Lake City with bar leaders from Utah, Washington, Oregon, Montana and Idaho.

MEETING WITH IDAHO SUPREME COURT – The Idaho Supreme Court joined the meeting at 12:30 p.m. The group discussed the following issues: the New Chief Justice effective August 1; Idaho Legal Aid and State Funding; Recruitment and Retention of Judges; the Pro Bono Commission; The Law Learning Center; 2011 Resolution Process; updates on the UBE; the Leadership Academy; and Electronic Discovery.

MEETING WITH IDAHO LEGAL AID SERVICES – The Commissioners and Idaho Supreme Court members were joined by ILAS President Mary Hunneycutt and ILAS Vice President Lora Breen. The group discussed the efforts to obtain state funding for ILAS and how to proceed in order to pursue funding. It was agreed to set up a meeting with representatives of the bar, Court, Idaho Association of Counties and ILAS. The timeframe for meeting and developing a proposal would be short; with the goal to have a proposal by mid September. For the initial meeting it was agreed that each the Court, Counties and ILAS would provide financial information along with the needs of their entities. The group will include ISB President Reed Larsen, ISB Executive Director Diane Minnich, Supreme Court Justice Jim Jones, Administrative Director of the Courts Patti Tobias, ILAS Executive Director Ernesto Sanchez, ILAS President Mary Hunneycutt and/or ILAS Vice President Lora Breen, ILAS Deputy Director James Cook and IAC Executive Director Dan Chadwick. ILAS also requested that their lobbyist Teresa Molitor be allowed to sit in on the meetings. The group agreed that each organization has one vote. The group discussed the time frame for the meetings, purpose of the meetings and assignment of tasks. The Bar agreed to serve as the organizer of the meetings. The first meeting will be scheduled as soon as possible, preferably by the end of July.

ADMINISTRATION AND SUPPORT

MAY AND JUNE FINANCIAL REPORTS – The Commissioners were provided with the May 31 and June 30 financial reports. As of June 30, 91.5% of the revenue was collected and 51.5% of the expenses incurred.

MEMBER SERVICES

LAW PRACTICE MANAGEMENT – The Commissioners were provided with a recommendation from Deputy Director Sheikh to disband the Law Practice Management Section. He reported that the recommendation had the support of the current LPM section chair. It was moved, seconded and passed to disband the ISB Law Practice Management section with the funds being disbursed to the Professionalism and Ethics Section law school orientation.

YLS SECTION REQUEST TO AMEND ITS BYLAWS – The Commissioners were provided with several proposed amendments to the YLS bylaws submitted by the YLS Section leadership. It was moved, seconded and passed to approve the bylaws amendments as recommended by staff.

DIVERSITY SECTION REQUEST TO AMEND ITS BYLAWS – The Commissioners were provided with proposed amendments to the Diversity Section bylaws submitted by the Section leadership. It was moved, seconded and passed to approve the amendments as amended.

LEADERSHIP ACADEMY – President Ferguson reviewed the materials prepared by the IALL steering committee. The brochure has been completed; the application is now available and is due on August 5, 2011.

EXECUTIVE SESSION

After an aye vote was recorded from each Commissioner, the Commission moved into executive session at 3:25 p.m. The executive session adjourned at 4:10 p.m.

There being no further business, the General Session adjourned at 3:15 p.m.

Respectfully submitted,



Diane K. Minnich
Executive Director

Idaho State Bar 2011-2012 Committees

<i>Advocate Editorial Advisory Board</i>	Staff – Dan Black		
	Scott Randolph - chair	Boise	03/06/09-12
	Denise Penton	Boise	11-14
	Hethe Clark	Boise	08/11-14
	Tenielle Fordyce-Ruff (completing term)	Boise	06/09-12
	Dan Gordon	Boise	09-12
	Anna Eberlin	Boise	11-14
	Brian Kane	Boise	07/10-13
	Gene Petty	Boise	07/10-13
	Dean Bennett	Boise	11-14
	Jennifer Schindele	Boise	08/11-14
	Judge Kathy Sticklen	Boise	08/11-14
	Brent Wilson	Boise	08/11-14

<i>Bar Exam Prep</i>	Staff – Maureen Braley		
	Lane Erickson - chair	Pocatello	01/04/07/10-13
	Bruce Castleton	Boise	08/11-14
	Ted Spangler	Boise	07/10-13

This Committee will have minimal responsibilities once the UBE is implemented. Until the UBE is fully implemented, we are not ready to recommend the committee be disbanded.

<i>Character & Fitness</i>	Staff – Maureen Braley Counsel – Brad Andrews		
	Kay Christensen -chair	Boise	00/03/06/09-12
	Fritz Haemmerle	Hailey	10-13
	James Murdock	Idaho Falls	11-14
	Lance Schuster	Idaho Falls	06/09-12
	Courtney Beebe	CDA	11-14
	Matt Wilde	Boise	08/11-14
	Bud Yost	Nampa	01/04/07/10-13
	Craig Beaver*	Boise	00/03/06/09-12
	Steven Fields*	Boise	04/07/10-13

<i>Client Assistance Fund</i>	Staff – Julia Crossland, Robin Marker		
	Hon. Scott Wayman - chair	CDA	98/01/04/07/10-13
	Kenneth Howell	Boise	06/09-12
	Bron Rammell	Pocatello	99/02/05/08/11-14
	Shannon Harris*	Boise	08/11-14
	Tom South*	Boise	97/00/03/06/09-12

* Denotes non-lawyer member

<i>Lawyer Assistance Program</i>	Staff –Mahmood Sheikh & John Southworth		
	Jamie Shropshire - chair	Lewiston	04/07/10-13
	Judge Philip Becker	Gooding	04/07/10-13
	Hon. Greg Culet	Caldwell	09/11-14
	Brian Donesley	Boise	10-13
	Hon. Daniel Eismann	Boise	04/05/08/11-14
	Amanda Horton	Boise	10-13
	James Huegli	Boise	10-13
	Angela Schaer Kaufmann	Boise	05/08/11-14
	Thomas Lopez	Boise	04/07/10-13
	David Martinez	Pocatello	06/09-12
	Hon. Daniel Meehl	Twin Falls	04/05/08/11-14
	Hon. Tom Ryan	Caldwell	07/10-13
	Kevin Borger	Boise	10-13
	Thomas Vasseur	CDA	04/05/08/11-14
	Robert Williams	Boise	06/09-12
	Joseph Pirtle	Boise	10-13

<i>Lawyer Referral Service</i>	Staff – Dan Black		
	Jay Sturgell - chair	CDA	10-13
	Ralph Blount	Boise	06/09-12
	Joseph Meier	Boise	10-13
	Brooke Redmond Baldwin	Twin Falls	10-13
	Douglas Fleenor	Boise	9-12

Recommendation: No changes to the Committee, the committee was recently reconstituted with new members.

<i>Professional Conduct Board</i>	Clerk – Sue Nelson		
	Karen Gowland - chair	Boise	96/99/02/05/08/11-14
	Hon. Robert Caldwell	CDA	08/11-14
	Kelly Cameron	Boise	09-12
	Jean Uranga	Boise	11-14
	Gary Cooper	Pocatello	02/05/08/11-14
	Linda Edwards	Ketchum	06/09-12
	Sue Flammia	CDA	05/08/11-14
	Hon. Dick Greenwood	Twin Falls	08/11-14
	Joel Hazel	CDA	08/11-14
	Kurt Holzer	Boise	01/04/07/10-13
	Lee James	CDA	08/11-14
	Lorna Jorgensen	Boise	09-12
	Michael Kelly	Boise	09-12
	John Kormanik	Boise	09-12

* Denotes non-lawyer member

PCB	Clerk – Sue Nelson		
	Robert Lewis	Boise	97/00/03/06/09-12
	Ted Spangler	Boise	11-14
	Jim Martin	Boise	03/06/09-12
	Joe Miller	Boise	02/05/08/11-14
	Mark Monson	Moscow	10-13
	Bill Morrow	Nampa	06/09-12
	Hon. Patrick Owen	Boise	99/02/05/08/11-14
	Richard Rubin	Boise	00/03/06/09-12
	Jordan Smith	Salmon	07/10-13
	Thomas Smith	Pocatello	10-13
	Hon. Steven Thomsen	Pocatello	06/09-12
	Jeffrey Thomson	Boise	10-13
	Mitch Toryanski	Boise	09-12
	Traci Jo Whelan	CDA	08/11-14
	David Claiborne	Boise	11-14
	Therese Calovich*	Boise	09-12
	Carl Christensen*	Nampa	07/10-13
	Richard Clifford*	Lewiston	02/05/08/11-14
	Charles Correll*	Jerome	09-12
	Sarah Hope*	Jerome	09-12
	Mike Stefanic	Boise	11-14
	Kathleen Simko*	Boise	05/08/11-14
	Michael Standley*	Pocatello	09-12
	Camille Roberts	Idaho Falls	10-13
	Matt Kleffner	Moscow	11-14
	John Walhof*	Boise	09-12
	Marcia Wing*	Boise	02/05/08/11-14

Reasonable Accommodations	Staff – Maureen Braley Counsel - Brad Andrews		
	Paul Rippel - chair	Idaho Falls	98/01/04/07/10/13
	Lynnette McHenry	Boise	05/08/11-14
	Jamie Champion*	Boise	03/06/09-12

UPOL	Staff – Brad Andrews, Al Gill		
	Rick Lierz -chair	Boise	00/02/05/08/11-14
	Leslie Skinner Brown	Boise	01/04/07/10-13
	Soo Kang	Boise	08/11-14
	Mike Lojek	Boise	06/09-12

Recommendations:

Delivery of Legal Services Advisory Council	Staff – Diane Minnich Mary Hobson		
ILF	Zoe Ann Olson	Boise	10-11
Co-Ad	Mary Jo Butler (Denise Giles)	Boise	10-11
Law School	Patrick Costello	Moscow	10-11

* Denotes non-lawyer member

CAO	Hon. Mike Dennard	Boise	10-11
ILAS	Mary Huneycutt	Pocatello	10-11
Court	Hon. Jim Jones	Boise	10-11
ISB	Jack McMahon	Boise	10-11
Judicial	Hon. James Peart	Council	10-11
ILAS	Ernesto Sanchez	Boise	10-11
Fed Court	Susie Boring-Headlee*	Boise	10-11
Domestic Violence	Luann Dettman*	Boise	10-11
IVLP	Jordan Taylor	Boise	10-11
Court	Patti Tobias*	Boise	10-11
Health & Welfare	Kandee Yearsley*	Boise	10-11

No changes – Council members represent organizations

<i>Judicial Fairness</i>	Staff – Bradley G. Andrews		
	Craig Meadows – chair	Boise	
	Robert Bakes	Boise	
	Judge Larry Boyle	Boise	
	Bart Davis	IF	
	Dennis Davis	CDA	
	James Hansen	Boise	
	Fred Hoopes	Idaho Falls	
	Kevin Maloney	Boise	
	Scott McKay	Boise	
	Thomas Moss	Boise	
	Judge Mike Oths	Boise	
	Ausey Robnett	CDA	
	Leon Smith	Twin Falls	
	Kay Merriam*	Pocatello	

No Changes

* Denotes non-lawyer member