

**GENERAL SESSION MINUTES**  
**Idaho State Bar Board of Commissioners**  
**October 14, 2011**  
**Boise, Idaho**

President Reed Larsen called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:40 a.m. at the Law Center in Boise. In attendance at the meeting were Commissioners, Molly O'Leary, Paul Daugharty (by phone until noon), Robert Wetherell, William Wellman, Bar Counsel Brad Andrews, Deputy Executive Director Mahmood Sheikh, Deputy Bar Counsel Julia Crossland, Assistant Bar Counsel Caralee Lambert attended part of the meeting 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 1:15 p.m. The executive session adjourned at 2:30 p.m.

**GENERAL BUSINESS**

**Minutes** – It was moved, seconded and passed to approve the minutes of the September 9, 2011 Commission meeting as amended.

**2011 Resolution Process** – The Commissioners were joined by the District Bar representatives: 3<sup>rd</sup> District Matt Johnson, 4<sup>th</sup> District Scott Muir, 5<sup>th</sup> District Paul Arrington, 6<sup>th</sup> District Todd Garbett and 7<sup>th</sup> District Lee Radford. The Commissioners and District Bar representatives reviewed the 2011 proposed resolutions. Pursuant to I.B.C. R. 906, the first two resolutions are privileged and are automatically circulated to the membership. The second two resolutions must be approved by the Commissioners and District Bar representatives

**11-1 Amendments to IBCR 206 Reciprocal Applicants – years of practice requirement (*ISB Board of Commissioners*)** – Requests that the members of the Idaho State Bar recommend to the Idaho Supreme Court that Idaho Bar Commission Rule 206 be amended to amend the years of practice requirement for attorneys seeking reciprocal admission. The proposed rule would impose the same years of practice requirement on attorneys seeking reciprocal admission in that jurisdiction if that jurisdiction's years in practice requirement are greater or more stringent than Idaho's.

**11-2 Amendments to IBCR Section III and the addition of IBCR Section XIII (*ISB Board of Commissioners and Idaho Law Foundation, Inc. Board of Directors*)** – Requests that members of the Idaho State Bar recommend to the Idaho Supreme Court that IBCR Section III Licensing be amended as proposed and that a new IBCR Section XIII Trust Accounts be added to the Bar Commission Rules.

**11-3 Reciprocal Admission for Spouses of military stationed in Idaho (*ISB Bar Member Bradley Mumford, in collaboration with, and on behalf of, the Military Spouses JD Network*)** – Requests that the Idaho State Bar recommend to the Idaho Supreme Court that a Rule 229 Military Spouse Provisional Admission be added to IBCR Section II Admissions. After

considerable discussion, it was moved, seconded and passed to approve the submission of Resolution 11-3 Reciprocal Admission for Spouses of military stationed in Idaho to the 2011 resolution process.

**11- 4 Third Federal District Judge** (*The Litigation, Family Law, Diversity, Real Property, Intellectual Property Law and Workers Compensation Sections of the Idaho State Bar; Idaho Women Lawyers; Idaho Association of Defense Counsel; American Board of Trial Advocates (Idaho chapter); Federal Bar Association (Idaho chapter)*) - Urges Idaho lawyers to encourage Congress to support the addition of a third Federal District Judge for the District of Idaho. It was moved, seconded and passed to approve the submission of Resolution 11-4 Third Federal District Judge to the 2011 resolution process.

**Legislative funding for ILAS Funding** – President Larsen reported on the progress of the meetings with representatives of the bar, Idaho Supreme Court and Idaho Legal Aid Services. President Larsen reported that the concept of an assessment of attorneys was not feasible due to the statutory changes required. The group did agree that a check off on the license fee notice for civil legal services for the poor would be added to the 2012 attorney license fee notice. President Larsen also reported that the group has agreed on approaches for legislative funding that will be pursued during the 2012 legislative session.

**Transfer to active status** – The Commission considered a request from Scott Learned to transfer from affiliate to active status. It was moved, seconded and passed to approve Scott Learned's request to transfer to active status if he completes the requirements of I.B.C.R. 304 and an additional 15 CLE credits within 6 months of his transfer to active status.

William Russell – The Commission considered a request from William Russell to transfer from affiliate to active status. It was moved, seconded and passed to approve William Russell's request to transfer to active status if he completes the requirements of I.B.C.R. 304 and an additional 15 CLE credits not in the area of business law within 90 days of his transfer to active status.

#### **ADMINISTRATION AND SUPPORT**

**Financial Reports** – The Commission was provided with the September financial reports. At the end of September 96.5% of revenue was collected and 76.1% of expenses incurred.

#### **MEMBER SERVICES**

**ALPS Report** – The Commission was joined by ALPS VP Chris Newbold. Mr. Newbold discussed several issues; professional liability coverage, ALPS efforts to obtain admitted carrier status in all states in which it does business, Southern Title Co. update and the Idaho lawyer benefit plan. The group discussed ways to expand the participation in the health benefit plan.

**ABA Report** – The Commission was joined by ABA Delegate Larry Hunter. Mr. Hunter reported on the business of the House of Delegates at the ABA Annual Meeting in August. He also reviewed the delegate process and selection. He mentioned two specific issues discussed at the August meeting; collaborative law and ethics 2020, which discussing on addressed changes

changed in the Model Rules of Professional Conduct related to changes in technology and cross border practice.

**Member Benefits** – Deputy Director Mahmood Sheikh reviewed the current policies regarding member benefits. The Commissioners agreed that the policies were adequate. The Commissioners agreed with the Deputy Director that a specific timeframe for submission of potential member benefits should be set (probably in spring). The Commissioners agreed that the following new options seemed appropriate to be added as member benefits; local hospitality.com and OfficeMax.

**Leadership Academy** – Deputy Director Mahmood Sheikh reported on the first session of the IALL.

**YLS** – The Commissioners were joined by members of the YLS section: Section Chair Ritchie Eppink, and Council members Jeremiah Hudson, Susan Wilson, Mark Coontz and Jordan Taylor. The group discussed attendance at YLS events, the mentoring program and ideas for providing mentoring to YLS members.

**REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

Letters and news clippings for the past month were provided in PDF format to the Commissioners.

There being no further business the meeting adjourned at 2:30 p.m.

Respectfully submitted,



Diane K. Minnich  
Executive Director