

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
July 17, 2013
Coeur d'Alene, Idaho

President Paul Daugharty called the business meeting of the Idaho State Bar Board of Commissioners to order at 8:30 a.m. at The Coeur d'Alene Resort, Coeur d'Alene, Idaho. In attendance at the meeting were Commissioners Molly O'Leary, Robert Wetherell, Paul Rippel, and William Wellman, Commissioners Elect Trudy Fouser and Tim Gresback, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy Executive Director Mahmood Sheikh and Executive Director Diane Minnich, who acted as secretary.

EXECUTIVE SESSION

Consistent with the authority granted in Idaho Code § 3-408, and under the supervisory power of the Idaho Supreme Court and acting as an agency thereof for purposes of Idaho Code § 67-2341(4)(a), at 11:45 a.m. it was moved, seconded and passed that the Board move into a confidential session to discuss matters involving admissions and professional discipline as provided under Idaho Bar Commission Rules 223 and 521. It was also moved, seconded and passed, after an aye vote was recorded from each Commissioner, to move into Executive Session pursuant to Idaho Code § 67-2345(1)(d) and (f), to: (1) review personal records of attorneys for licensing purposes; (2) consider information obtained as part of an inquiry into an individual's fitness to practice law; and (3) discuss with legal counsel pending and/or potential litigation. The Executive Session adjourned at 12:45 p.m.

GENERAL BUSINESS

Minutes – It was moved, seconded and passed to approve the May 17, 2013 minutes of the Board of Commissioners meeting as submitted.

Judicial Council – At 8:30 a.m., the Commissioners were joined by Idaho Judicial Council members Chief Justice Roger Burdick, Joel Hazel and Judge Tom Ryan, along with Judicial Council Executive Director James Carlson. The Council reviewed the work of the Council for the past year. The group discussed proposed new judicial canons, completing the bar survey for judicial candidates, and current and future judicial openings.

Resolution Process and Proposed Resolutions – The Commissioners were provided with the final resolution meeting schedule. The Commissioners discussed the following proposed resolutions: practical skills, MCLE rules, changes to the admission fees, Section IX of the Idaho Bar Commission Rules, including electronic voting for BOC election, changes in the legal intern rules and Client Assistance Fund rules, amendments to the Idaho Rules of Professional Conduct, and support for the National Mock Trial Competition in Boise.

Magistrate Commission Appointments – The Commissioners were provided with the nominations for the magistrate commission appointments. It was moved, seconded and passed to approve the nominations as submitted.

Appointments are as follows:

- 1st District Bar – Heidi Fisher and Hollis Anderson
- 2nd District Bar – Tim Gresback and Anthony Anegon
- 3rd District Bar – Bryan Knox and Nick Bokides
- 4th District Bar – Stan Welsh and John DeFranco
- 5th District Bar – Lance Loveland and David Gadd
- 6th District Bar – Jim Spinner and Fred Belzer
- 7th District Bar – Royce Lee and Sean Moulton

2013 Committee Appointments – The Commissioners discussed committee appointment recommendations for the coming year. It was moved, seconded and passed to approve the committee appointments as recommended – see attached list.

BOC Retreat – The Commissioners discussed possible topics for the Friday, September 6th BOC retreat: Lawyer Assistance Program, rural lawyer initiative, and judicial compensation.

UBE Transfer Score – The Commissioners were provided with a memo from Admissions Director Maureen Ryan Braley regarding accepting UBE scores earned in early testing. She reported that some states allow applicants to sit for the bar exam prior to having earned a law degree. In order to apply for admission in Idaho, applicants must have graduated from an ABA accredited law school. Given the requirements for admission in Idaho, Ms. Braley proposed to accept UBE transfer applicants, even if they sat for the bar exam prior to earning their law degree. The Commissioners agreed with the analysis proposed.

Jackrabbit Bar Meeting Report – Past President O’Leary and Commissioner Rippel reported on the Jackrabbit Bar meeting held in Keystone, South Dakota in June.

Practical Skills Task Force – The Commissioners were joined by Justice Daniel Eismann and UI College of Law Associate Dean Lee Dillion who presented the recommendation of the Practical Skills Task Force. Justice Eismann outlined the recommendations as a shorter practical skills course designed for new lawyers – ten (10) credits in one year which would include three (3) online course options for all new admittees. The Task Force also recommended that District Bar Associations be encouraged to introduce new attorneys to the area, courts, and lawyers. It was moved, seconded and passed to approve the recommendations proposed by the Practical Skills Task Force.

Lunch and Meeting with the Idaho Supreme Court – The Commissioners were joined for lunch by members of the Idaho Supreme Court and its administrative staff. The Commissioners and ISC discussed the following issues: legislative update, advancing justice, court technology, potential 2013 resolutions, coordinated fundraising campaign for civil legal services, National Mock Trial Competition and the Senator Darrington lecture series.

Coordinated Fundraising Campaign for Civil Legal Services – The Executive Director reported that an MOU for the campaign would be proposed to the Idaho Law Foundation Board of Directors at its July meeting.

2013-14 BOC Meeting and Events Schedule – The Commissioners were provided with the schedule of meetings and events for the coming year. The December 6th BOC meeting was rescheduled to December 12th.

ADMINISTRATION AND SUPPORT

Financial Reports – The Commissioners were provided with the May and June financial reports. At the end of June 90.45% of revenue was collected and 48.93% of expenses incurred.

Investment Agreement – The Commissioners appointed President Elect Wellman as acting secretary to sign the Key Bank Investment Services Agreement. The agreement is required to transfer funds to an investment account.

Trust Account Overdraft and IOLTA Agreements – The Executive Director reported that signed bank agreements were received by all except Chase Bank. She reported that if the signed agreement is not received from Chase by the end of August, letters will be sent to attorneys explaining that their trust account funds will need to be transferred to a bank that has complied with the trust account rules.

MEMBER SERVICES

Member Services Update – Deputy Director Sheikh provided updates on the following: mentor program, Annual Meeting attendance, Lawyer Assistance Program, member benefits, and practice sections. He also reviewed the 2013-14 IALL brochure. The Commissioners were provided with a report from the Business and Corporate Law Section, which has complied with the section funding policy by reducing its fund balance to comply with the fund balance cap.

ALPS Report – Chris Newbold joined the meeting at 11:00 a.m. to report on the activities and operations of ALPS for the past year. Provide report on who has malpractice coverage.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

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

The meeting adjourned at 2:45 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director