

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
February 18, 2016
Boise, Idaho

President Trudy Fouser called the meeting of the Board of Commissioners to order at 8:40 a.m. at the Law Center in Boise, Idaho. In addition to President Fouser, in attendance at the meeting were Commissioners Tim Gresback (by phone), Kent Higgins, Dennis Voorhees and Michelle Points, 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 § 74-202(4)(a), 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 § 74-206(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.

GENERAL BUSINESS

Minutes – It was moved, seconded and passed to approve the minutes of the January 15, 2016 Board of Commissioners meeting as submitted.

ABA Meeting Report – The Commissioners were joined by ABA Delegates Deborah Ferguson and Jennifer Jensen. The Delegates reported on the ABA House of Delegates midyear meeting. Specifically, they reported that Resolution 105, Model Regulatory Objectives for the Provision of Legal Services, was passed by the House after considerable discussion and two amendments.

Professional Award Nominations – The Commissioners were provided the 2016 Award Nomination form, past distinguished lawyer and professionalism award recipients, and recommendations for both awards. The Commissioners discussed potential recipients and generated additional names for consideration. The Executive Director noted that award selection generally takes place at the April and May Board meetings. The Executive Director agreed to contact DBA officers for potential recipients and provide the updated list prior to the next meeting.

Lawyers Serve! Update – President Fouser and Deputy Director Sheikh reported on the survey distributed to attorneys requesting information about their philanthropic activities. Over 300 attorneys had responded to the survey. The information gathered will be utilized to publicize the good works of lawyers to the profession and the public.

Continuity of Leadership: BOC Yearly Overview – The Commissioners were provided with a yearly overview of BOC meetings, agenda items and events, along with a sample BOC meeting agenda.

Contested Judicial Election Survey – The Executive Director reported that if there is a contested judicial election, the bar does a survey of the membership regarding the candidates. Justices Jim Jones and Roger Burdick and Judge Molly Huskey will be on the primary ballot. To date, no one has indicated they plan to run against any of these judges. The Commissioners were provided with the timeline for the survey and examples from the last survey.

Schedule of Meetings and Events – The Commissioners were provided with an updated meetings and events schedule for the coming year. The Commissioners discussed the BOC election process and dates.

2016 Licensing Process - The Commissioners requested information about the licensing process. The Executive Director reported that about 200 attorneys had not paid their license fees by the February 1 deadline. Attorneys have until March 1 to pay the licensing fees or their license will be cancelled by the Idaho Supreme Court.

FINANCIALS

January Financial Reports - The Commissioners were provided with the January financial reports. At the end of January, 69.8% of revenue was collected and 7.3% of expenses incurred.

Proposed Investment Policy Statement – The Commissioners were provided with an updated version of the proposed Investment Policy Statement. The Commissioners discussed the policy. It was moved, seconded and passed to approve the policy to include an amendment stating who and when the asset allocation would be reviewed and some technical changes noted by Bar Counsel.

MEMBER SERVICES

Member Services Update – Deputy Director Mahmood Sheikh reported on the following member services: Mentor Program, IALL, Annual Meeting, Lawyer Assistance Program and Casemaker. He also reported that potential new member benefits will be provided at the May meeting and provided the section meeting calendar and governing council members.

Section Fund Balance Waiver Requests - The Commissioners were provided requests from the following sections for a waiver of the section fund balance limit: Appellate Practice, Commercial Law and Bankruptcy, Diversity, and Professionalism and Ethics. It was moved, seconded and passed to approve the Appellate Practice, Diversity, and Professionalism and Ethics sections' waiver requests as presented. It was moved, seconded and passed to approve the Commercial Law and Bankruptcy waiver request, with the following amendments to the distribution schedule: donations to all of the entities, except IBCR Preservation, will be made by April 1. The IBCR donation should be confirmed and distributed by May 1 or distributed to a law related charity.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

Letters reports and news clippings for the past month were provided to the Commissioners.

The meeting adjourned at 1:15 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director