

**GENERAL SESSION MINUTES**  
**Idaho State Bar Board of Commissioner**  
**September 11, 2015**  
**Boise, Idaho**

President Tim Gresback called the meeting of the Board of Commissioners to order at 8:40 a.m. at the Downtown Hampton Inn Boise, Idaho. In attendance at the meeting were Commissioners Trudy Fouser, 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 July 22, 2015 Board of Commissioners meeting as submitted.

**Ninth Circuit Lawyer Representative** – The Commissioners considered the applicants for the lawyer representative to the Ninth Circuit Court of Appeals. Of the 19 applicants the Commissioners voted to submit the names of the following applicants to the Federal Judges for the District of Idaho: Nicole Hancock, Robert Faucher, Sheila Schwager, Charles Peterson, Daniel Williams and Howard Belodoff.

**Section/Committee Liaisons** – The Commissioners were provided with proposed liaisons to sections and committees. It was, moved, seconded and passed to approve the liaisons as proposed (see attached list).

**RESOLUTIONS**

**Senior Lawyer Transition Task Force** - The Commissioners were joined by Task Force members Bud Yost, Dennis Cain, Kim Toryanski and Chief Justice Jim Jones. The Task Force members reported on work of the committee and their proposed resolutions. Kim Toryanski explained that there will be a law school research project studying options and strategies to deal with cognitive impairment. Chief Justice Jones reported on the proposal to amend the emeritus rules which includes reducing the age of a senior lawyer and removing the exemption for lawyers over 72. Dennis Cain reported on succession planning. It was moved, seconded and passed to submit the three rule changes proposed by the Senior Lawyers Transition Task Force to the resolution process.

**Bar Exam Reevaluation**– Director of Admissions Maureen Braley used PowerPoint to present the proposed resolution to eliminate bar exam reevaluation and lower the passing score. The Commissioners discussed the resolution, proposed passing score and how to present the information. It was, moved, seconded and passed to approve the proposed resolution to eliminate reevaluation and reduce the passing score to 272.

**IBCR 521 Confidentiality**- It was, moved, seconded and passed to submit the proposed changes to IBCR 521 to the resolution process.

**IBCR Section IV MCLE** - It was, moved, seconded and passed to submit the proposed changes to the MCLE rules to the resolution process.

**Rocky Mountain Mineral Law Foundation Report** – The Commissioners were provided with a report from RMMLF Board member William Myers. The Commissioners asked the Executive Director to thank Mr. Myers for his report.

**Strategic Plan** – The Commissioners discussed the upcoming strategic planning session. The discussion included the following ideas: continuity of effort, an action plan, group projects, reviewing the North Carolina case, formalized funding for legal aid, Pro Bono, indigent defense commission, aging of the bar, a yearly theme, how to help lawyers not get in trouble, financial oversight and mentor program.

**Schedule of Meetings and Events** – The Commissioners were provided with the revised meetings and events schedule for the coming year.

## **FINANCIALS**

**July and August Financial Reports** - The Commissioners were provided with the July and August financial reports. At the end of August 92.65% of revenue was collected and 69.55% of expenses incurred.

**Audit** – The Commissioners were provided with a proposal from Eide Bailly to continue performing the audit of the Idaho State Bar Financials. It was moved, seconded and passed to approve the engagement of Eide Bailly to perform the audit of the ISB financials for the next three years.

**Financial Oversight** – President Gresback requested information on what a Board should be reviewing to adequately perform financial oversight. The Executive Director agreed to explore Board training on finances, financial oversight and investment policy.

## **MEMBER SERVICES**

**Annual Meeting** – Deputy Director Mahmood Sheikh reviewed the 2015 annual meeting, highlighting attendance, financials, and the evaluations.

**Idaho Academy of Leadership for Lawyers (IALL)** - The Commissioners were provided with the list of 2015-16 class members and session dates.

**Mentor Program** – The Commissioners were provided with a history and review of the mentor program. The Commission discussed future options for a mentor program.

**REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

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

The meeting adjourned at 2:45 p.m.

Respectfully submitted,

Diane K. Minnich  
Executive Director

**Idaho State Bar**  
**Commissioner Liaison Assignments to Sections**

<b><u>Sections</u></b>	<b><u>Chairperson</u></b>	<b><u>July 14-June 15</u></b>	<b><u>August 15-July 16</u></b>
<i>Animal Law</i>	Sunrise Ayers	Michelle Points	Michelle Points
<i>Appellate Practice</i>	William Pooser	Tim Gresback	Tim Gresback
<i>Business &amp; Corporate Law</i>	Claire Rosston	Tim Gresback	Tim Gresback
<i>Commercial Law &amp; Bankruptcy</i>	Randal JayFrench	Trudy Fouser	Trudy Fouser
<i>Diversity Section</i>	Jason Gray	Trudy Fouser	Trudy Fouser
<i>Dispute Resolution</i>	Annie-Noelle Kerrick	Tim Gresback	Tim Gresback
<i>Employment &amp; Labor Law</i>	Mark DeMeester	Michelle Points	Michelle Points
<i>Environment &amp; Natural Resources</i>	Dylan Lawrence	Michelle Points	Michelle Points
<i>Family Law</i>	Jennifer Schindele	Paul Rippel	Kent Higgins
<i>Government &amp; Public Sector</i>	Elizabeth Koeckeritz	Dennis Voorhees	Dennis Voorhees
<i>Health Law</i>	Thomas Mortell	Tim Gresback	Tim Gresback
<i>Indian Law</i>	Helaman Hancock	Tim Gresback	Kent Higgins
<i>Intellectual Property</i>	Christopher Cuneo	Dennis Voorhees	Dennis Voorhees
<i>International Law</i>	Christine Nicholas	Trudy Fouser	Trudy Fouser
<i>Litigation</i>	Charles Gill	Michelle Points	Michelle Points
<i>Professionalism &amp; Ethics</i>	Sherry Morgan	Paul Rippel	Kent Higgins
<i>Real Property</i>	Thomas Clark	Dennis Voorhees	Dennis Voorhees
<i>Tax, Probate &amp; Trust</i>	Kimmer Callahan	Dennis Voorhees	Dennis Voorhees
<i>Water Law</i>	Candice McHugh	Michelle Points	Michelle Points
<i>Workers Comp</i>	Emma Wilson	Paul Rippel	Kent Higgins
<i>Young Lawyers</i>	Meghan Carter	Trudy Fouser	Trudy Fouser

**Idaho State Bar**  
**Commissioner Liaison Assignments to Committees**

<b><u>ISB Committees</u></b>	<b><u>Chairperson</u></b>	<b><u>July 14-June 15</u></b>	<b><u>August 15-July 16</u></b>
<i>Advocate</i>	Brian Kane	Trudy Fouser	Trudy Fouser
<i>Practice Section Council</i>		Michelle Points	Michelle Points
<i>Lawyer Assistance Program</i>	Jamie Shropshire	Tim Gresback	Kent Higgins
<i>Lawyer Referral Service</i>	Jay Sturgell	Dennis Voorhees	Dennis Voorhees
<i>Idaho Law Foundation</i>	President Mike Felton	Paul Rippel	Tim Gresback
<i>Delivery of Legal Services Council</i>		ISB Rep – Jack McMahon	ISB Rep – Jack McMahon
<i>Bar Exam Prep</i>	Lane Erickson		
<i>Character &amp; Fitness</i>	Kay Christensen		
<i>Client Assistance Fund</i>	Hon. Scott Wayman		
<i>UPOL</i>	Rick Lierz		
<i>Prof. Conduct Board</i>	Karen Gowland		
<i>Reasonable Accommodations</i>	Kimberly Ross		