

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
October 3, 2024
Boise, Idaho

President Jillian Caires called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 11:46 a.m. at The Law Center, in Boise, Idaho. In attendance at the meeting were Commissioners Mary York, Judge Bob Jackson, Kristin Bjorkman and FJ Hahn, Bar Counsel Joe Pirtle, Associate Director Maureen Braley, Deputy Bar Counsel Julia Crossland, Communications Director Lindsey Welfley, Program and Legal Education Director Teresa Baker, 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)(a), (b), (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; (3) discuss with legal counsel pending and/or potential litigation; (4) consider a complaint brought against an employee; and (5) consider hiring an employee.

GENERAL BUSINESS

Minutes – It was moved, seconded, and passed to approve the minutes of the September 6, 2024, Board of Commissioners meeting as amended.

Magistrate Commission Appointments– The Executive Director reported that a nomination for the Third District Magistrate Commission was received, but she is still waiting for a nomination from the Fourth District. It was moved, seconded and passed to appoint Kimberly Brooks to the Third District Magistrate Commission.

2024 Resolution Process – The Commissioners discussed the resolution process and schedule. The Commissioners reviewed the three resolutions that will be submitted to the membership: (1) changes to the bar exam, (2) the addition of 1.16A: Client Files to the Idaho Rules of Professional Conduct, and (3) the request for a license fee increase. The Commissioners then discussed who would present the resolutions at the meetings. The Commissioners agreed that Commissioner Bjorkman will present Resolution 24-01, changes to the bar exam; Commissioner Jackson will present 2024-02, entire file rule and the license fee increase resolution will be shared, depending on the location by President Caires, and Commissioners York and Hahn.

Formal Ethics Opinion – Bar counsel reported on the response to the Formal Ethics Opinion on the changes in the public defense system, beginning on October 1, 2024. He has received several questions regarding the opinion.

July Bar Exam Results – The Commissioners were provided with the results of the 2024 July bar examination.

Northwest States – The Executive Director noted that the Northwest States Bar Leaders meeting is scheduled for October 8-9, 2024, in Park City, Utah. The meeting includes leadership from Washington, Oregon, Utah, Nevada, Montana and Idaho to discuss issues of common interest.

2024-25 BOC Meeting Schedule – The Commissioners were provided with the meeting and event schedule through May 2025. The Commissioners discussed the schedule for the UI College of Law visit scheduled for January 2025. They agreed that a schedule consistent with the 2024 visit to the law school was appropriate.

District Bar Representatives Meeting – At 1:00 p.m. the Commissioners were joined by the following representatives of the District Bar Associations: First District was not represented by an officer; Second District, Brennan Wright and Cody Moore; Third District, Angela Sasser and Tyler Rounds; Fourth District, David Arkoosh; Fifth District, Kyle Bastian and Qiva Dinuri; Sixth District, JD Oborn; and Seventh District, Kelsie Kirkham. The group discussed the resolution meetings and the resolutions for the 2024 roadshow.

FINANCIAL REPORTS

July Financial Reports – The Commissioners were provided with the July 31, 2024 financial reports. As of July 31, 90.25% of revenue was collected and 57.5% of the expenses incurred.

Building Lease – The Executive Director updated the Commissioners on the tenant improvements. Bids have been received for the roof, and bids are being requested for the bathroom upgrades and converting to LED lights. She also reported that the report from an energy audit will be received soon.

MEMBER SERVICES

Anniversary Celebration Committee – The Commissioners were provided with the September 13, 2024 Committee meeting notes. The Committee recommends that a dinner be scheduled in the summer to celebrate the anniversaries and present the Distinguished Lawyer and Outstanding Young Lawyer awards.

Future Annual Meetings – The staff recommended a half day CLE and the award/anniversary event be scheduled for summer, a September dinner with the judiciary and late fall regional events. Teresa Baker agreed to prepare a survey for this roadshow regarding regional events next year. She will provide the questions to the Commissioners for their review.

Communications Quarterly Report – The Commissioners were provided with the third quarter communications report, which included an updated list of Commissioners Advocate assignments, updates on the website changes and email and social media analytics.

ABA Representatives Report – The Commissioners were joined by ABA State Bar Delegate Jonathan Shirts, ABA State Bar Young Lawyer Delegate Kendall Prohaska, and ABA State

Delegate Jen Jensen to discuss the recent ABA meeting in Chicago. The representatives reported on issues discussed at the ABA House of Delegates, including judicial security, the character and fitness questions on involvement in judicial proceedings as a party or a witness, and proposed changes to IRPC 5.5. The group had a general discussion on the bar resolutions and process for submitting resolutions.

Judge Oths, who recently completed his term on the ABA Board of Governors joined the meeting at 2:41 to discuss proposed changes to IRPC 1.16, fraud. He also discussed the general status of the ABA.

The Commissioners were provided with letters, reports, and news clippings for the past month, including the Idaho Supreme Court orders approving stipulations to resign in lieu of discipline for Steven Schossberger and suspension for Bradley Calbo.

The meeting adjourned to Executive Session at 2:22 p.m., returned to General Session at in 2:41 p.m., adjourned at 2:53 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director