

**GENERAL SESSION MINUTES**  
**Idaho State Bar Board of Commissioners**  
**January 12, 2018**  
**Boise, Idaho**

President Kent Higgins called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:05 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners, David Cooper, David Kerrick, Judge Mike Oths, and Mike Howard (by phone), Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy Director Mahmood Sheikh, and Executive Director Diane Minnich, who acted as secretary. Controller Debbie Dudley joined the meeting for the Administration and Support portion of the meeting.

**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**

**Past President Herbert Rettig** – The Commissioners and staff held a moment of silence in honor of former bar president Herb Rettig, who passed away on January 1, 2018.

**Minutes** – It was moved, seconded and passed to approve the minutes of the December 8, 2017 Board of Commissioners meeting as submitted.

**Meeting with the Idaho Supreme Court Agenda** – The Commission reviewed and discussed the agenda items for the lunch meeting with the Idaho Supreme Court.

**Idaho Judicial Council Appointment** – The Commissioners discussed the appointment of a District Judge to the Idaho Judicial Council to replace Judge Tom Ryan, who resigned as of January 31, 2018. The Executive Director reported that letters were sent to all District Judges informing them of the opening on the Judicial Council. Nine District Judges applied for the position: Nancy Baskin, Boise; Jeff Brudie, Lewiston; Barbara Buchanan, Sandpoint, Richard Christensen, Coeur d'Alene; Jonathan Medema, Boise; John Mitchell, Coeur d'Alene; Michael Reardon, Boise; Dane Watkins, Idaho Falls; and Scott Wayman, Coeur d'Alene. After considerable discussion, it was moved, seconded, and passed to appoint John Mitchell to the Idaho Judicial Council. Judge Oths noted that he contacted the Idaho Judicial Council regarding his participation in the vote; no response was received prior to the meeting.

**Request to Transfer to Active Status** – The Commissioners considered a request from Lori Dingel to transfer from inactive to active status pursuant to IBCR 306. After discussion it was moved, seconded, and passed to require Lori Dingel to complete the 30 hours of CLE.

**Attorneys Northwest** – The Commissioners reviewed a letter from Idaho attorney Virginia Robinson. Ms. Robinson established Attorneys Northwest, Inc. a nonprofit law firm in Coeur d’Alene, Idaho. The Commissioners agreed to invite Ms. Robinson to a future meeting to discuss the nonprofit law firm concept.

**Utah Licensed Lawyer** – The Commissioners reviewed the website of the Utah Licensed Lawyer, an online referral service created by the Utah State Bar. President Higgins requested that the staff review the program and consider the adoption of a similar program in Idaho.

**2018 Meetings and Events** - The Commissioners were provided with an updated meetings and events schedule for the coming year.

### **ADMINISTRATION AND SUPPORT**

**Financial Reports** – The Commissioners were provided with the December financial reports. At the end of December 101% of revenue was collected and 98.9% of expenses incurred.

**2018 Proposed Budget** – The Commissioners reviewed the proposed 2018 budget. After discussion, it was moved, seconded and passed to approve to budget as submitted.

**Auditors Engagement Letter** – The Commissioners were provided with the engagement letter for the audit of the 2017 ISB financial records. Controller Debbie Dudley noted the letter was consistent with previous years. It was moved, seconded and passed to approve the engagement of Eide Bailly for the audit of the 2017 ISB financial records.

### **MEMBER SERVICES**

**Animal Law Section** – The Commissioners were provided with a proposal from the Animal Law Section to amend its bylaws. It was moved, seconded and passed to approve the bylaw amendments that clarify the term of the Section chair.

**Annual Meeting Schedule Review** - The Commissioners were provided with proposed schedule for the 2018 Annual Meeting in Sun Valley. Deputy Director Sheikh noted that the cost of the Annual Meeting in Sun Valley is higher than other locations. The Commissioners were provided with potential Annual Meeting keynote speakers. The Commissioners were agreeable to the potential speakers. President Higgins requested that Harvard Law School Dean John F. Manning also be considered as a potential keynote speaker.

**Social Media and Electronic Communication Policy** – The Commissioners were provided with revised versions of the Bar and Foundation Social Media and Electronic Communication Policy. Deputy Director Sheikh explained that the policies had not been updated since 2009. Since that time the availability and use of social media has changed considerably. It was moved, seconded and passed to approve the policies as submitted.

**DBA Bylaw Taskforce** – Deputy Director Sheikh reported that the taskforce will have a recommendation for amendments to the DBA Bylaws to Board in April.

**REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

Disciplinary/Admissions Information – The Commissioners were provided with the order granting stipulation to reinstate Dale L. Russell to the practice of law, the disciplinary order for Jonathan C. Callister, and the order denying application for waiver of requirement to re-take the Idaho Bar Exam for Mikela French.

**Informational Reports** – The Commissioners were provided with the Access to Justice Idaho Campaign update, along with letters and news clippings for the past month in PDF format.

The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Diane K. Minnich  
Executive Director