

**GENERAL SESSION MINUTES**  
**Idaho State Bar Board of Commissioners**  
**October 5, 2018**  
**Boise, Idaho**

President Mike Howard called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:30 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners, David Cooper, David Kerrick, Judge Michael Oths, Don Carey, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy 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 September 7, 2018 meeting as submitted.

**Meeting with Idaho Supreme Court** – The Commissioners were joined by Idaho Supreme Court Chief Justice Burdick and Justices Stegner, Horton, and Bevan, Clerk of the Court Karel Lehrman, and Administrative Director of the Courts Sara Thomas. The group discussed the Court's legislative and budget priorities, ICourt/Odyssey, the Fifth District Contested Judicial Election Survey, the new Child Protection Section, unified bar challenges, the Bellwood and Darrington lectures, and a statement regarding the Court's decision not to adopt the proposed changes to Idaho Rules of Professional Conduct 8.4(g). The bar staff agreed to draft a statement for review by the Chief Justice and Bar President. Justice Stegner recommended the bar send notices to judges regarding joining sections. The group decided to schedule another joint meeting in the spring.

**Unified Bar Challenges** – The Commissioners were provided with an update on the challenge to the North Dakota State Bar: Fleck v. Wetch.

**2018 Resolution Meeting Schedule** – The Commissioners were provided with the resolution meetings schedule. The Executive Director presented a draft power point presentation about the bar.

**UI College of Law Visit** – The Commissioners were provided with the agenda for the November 2 visit to the UI law school.

**Fifth District Contested Judicial Election Survey** – The Commissioners were provided with the survey for the one contested judicial election on the November ballot, Fifth District Judge. The candidates are David Gadd and Judge Roger Harris.

**July Bar Exam** – The Commissioners were provided with the results of the 2018 July bar examination.

**2018-19 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 September financial reports. At the end of September, 93.9% of revenue was collected and 68.6% of expenses incurred. The Executive Director reported that the Client Assistance Fund is now in a money market account.

**District Bar Associations Budgets** – The Commissioners were provided with the budgets for six of the seven District Bar Associations.

### **MEMBER SERVICES**

**Child Protection Section** – The Commissioners were provided with the proposed bylaws for the new Child Protection Section. It was moved, seconded and passed to adopt the proposed Child Protection Section bylaws.

**Lawyer Referral Service** – The Commissioners were provided with the answers to questions about the Community Lawyer referral service.

**Section Meetings Report** – Deputy Director Sheikh provided the current section chairs and the section meetings schedule.

**Magistrate attendance at Annual Meeting** – Judge Oths reported that the Magistrate Judges Association agreed to pay for seven magistrate judges to attend the Annual Meeting.

### **REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

**Informational Reports** – The Commissioners were provided with the September membership count, discipline and licensing Supreme Court orders, Idaho Supreme Court Oral Conference Minutes, and letters and news clippings for the past month.

The meeting adjourned at 1:05 p.m.

Respectfully submitted,

Diane K. Minnich  
Executive Director