

**GENERAL SESSION MINUTES**  
**Idaho State Bar Board of Commissioner**  
**October 11, 2019**  
**Boise, Idaho**

President Mike Oths called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:00 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners David Kerrick, Donald Carey, Kurt Holzer and Anne-Marie Fulfer, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Associate Director Maureen Braley 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 6, 2019 Board of Commissioners meeting as submitted.

**2019 Resolution Meeting Schedule** – The Commissioners reviewed the schedule for the resolution meetings and visits to law schools. It was agreed to visit UI law school in Boise on the afternoon of November 14 and visit Concordia law school in conjunction with the January BOC meeting. President Oths recommended that students and mentees from the law schools be invited to the resolution meetings.

**Meeting with District Bar Association Representatives** – The Commissioners were joined by Chuck Stroschein, 2<sup>nd</sup> District Bar President; Steve Stokes, 4<sup>th</sup> District Bar President; Ira Dillman, 5<sup>th</sup> District Bar President; Jetta Matthews, 6<sup>th</sup> District Bar President; and Alan Johnston, 7<sup>th</sup> District Bar President. The group discussed the schedule and agenda for the resolution meetings.

**UI Law School Visits** – The Commissioners were provided with draft schedules for the UI law school visits. The Commissioners agreed the Moscow schedule was consistent with previous years and the Boise schedule would be a shorter version of the Moscow schedule. The Executive Director agreed to draft a schedule for the Concordia law school visit to be reviewed at a later meeting.

**Ninth Circuit Lawyer Representative Selection** – The Executive Director reported that no applicants for the position were received as of the meeting. When applications are received, they will be provided to the Commissioners for their consideration.

**PMBR Programs** – The Commissioners were provided with information about Proactive Management Based Regulation (PMBR) programs. Bar Counsel explained the programs and their intent; basically, the programs are designed to help lawyers develop ethical infrastructures aimed at preventing misconduct. The Commissioners and Bar Counsel discussed the programs and resources available for Idaho lawyers; including a self-assessment from ALPS, CLE programming, succession planning information, and ethics questions handled by phone. The Commissioners decided to continue offering the current programs and resources.

**Unified Bar Update** – The Commissioners were provided with a summary of cases and updates regarding the status of the various cases in several states.

**Northwest Bar Leaders Meeting** – President Oths reported on the Northwest States Bar Leaders meeting, which he and the Executive Director attended in Reno. He reviewed agenda items discussed at the meeting.

**July Bar Exam Statistics** – The Commissioners were provided with the statistics from the July bar exam, Idaho statistics for the past 20 years and national bar exam statistics for the past 10 years. The Commissioners reviewed and discussed the data provided.

**2019-2020 Meeting Schedule** – The Commissioners were provided with the meeting schedule for the next several months. The schedule contained the wrong date for the January meeting, it is January 13<sup>th</sup>. The schedule will be sent to the Commissioners with the corrected date.

#### **ADMINISTRATION AND SUPPORT**

**Financial Reports** – The Commissioners were provided with the September 30 financial reports. At the end of September, 99.8% was collected and 77.4% of expenses incurred.

**Lease Agreement** – The Commissioners discussed the building lease agreement between the Bar and Foundation. The lease expires on December 31, 2019. The Bar has the option to renew the lease for 5 years. Bar Counsel and Kurt Holzer agreed to negotiate on the Bar's behalf.

**DBA Association Budgets** – The Commissioners were provided with budgets from 6 of the 7 District Bar Associations. The 6<sup>th</sup> district has not yet submitted a budget.

#### **MEMBER SERVICES**

**Communications Report** – Communications Director Lindsey Welfley joined the meeting to review the communications report provided to the Commissioners. She reviewed the various types of communications used by the bar and foundation and what information is disseminated through the various communication channels.

**Electronic Communications Policy** – The Executive Director reported that the new email server limits how many emails can be sent. The staff proposed amendments to the Electronic Communications Policy that addresses emails; how many can be sent, and the lead time needed to submit emails for dissemination to bar members. It was moved, seconded and passed to approve the Electronic Communications Policy as amended.

**REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

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

The meeting adjourned at 12:15 p.m.

Respectfully submitted,

Diane K. Minnich  
Executive Director