

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
April 10, 2020
Idaho

President David Kerrick called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:05 a.m. Due to COVID-19 and Governor Little's March 25, 2020 Stay at Home Order, the meeting was held remotely via GoToMeeting, as noticed, with each Commissioner participating from their home district. In attendance at the meeting were Commissioners Judge Michael Oths, Donald Carey, Kurt Holzer and Anne-Marie Fulfer, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Assistant Bar Counsel Caralee Lambert, Associate Director Maureen Braley, 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)(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 February 21, 2020 Board of Commissioners meeting as submitted.

BOC Election Update – The Executive Director reported that there are two candidates for the 4th District position: Mark Manweiler and Kristin Bjorkman Dunn; and one candidate in the 5th District: Laird Stone. The electronic ballots will be available starting April 20, all ballots are due by 5:00 p.m. on May 5.

Admissions - The Commissioners discussed the following admissions issues: February bar exam grading, the swearing in process and the July bar exam. The Associate Director reported that the February bar exam grading was set up remotely. The teams will conclude the process by Wednesday April 15, 2020, and results will be released on April 21, 2020.

The Executive Director and Associate Director reported on their April 8, 2020 meeting with the Idaho Supreme Court Justices and Court Clerk. Since the May 1, 2020 swearing in ceremony was canceled, Diane and Maureen requested information on when the Court might be able to swear in successful applicants. The Court planned to meet after the meeting and discuss a plan. The Commissioners felt strongly that options be available for swearing in remotely. The Executive Director will convey the message to the Court.

The meeting also included a discussion of the July bar exam. In Idaho, unless the Court or some higher authority tells us we cannot do it, the plan is to administer the July 2020 bar exam as scheduled.

Stay at Home Order; Services to Bar Members and the Public – The Commissioners discussed how to provide information and services to the public and bar members. IVLP Director Sue Pierson, provided an update on providing services to low income individuals. The staff is posting on the website and in the Ebulletin information from sources that are providing CLE programs and services to lawyers.

2020 Professional Awards – The Executive Director noted that the information for the Commissioners to select award recipients was not ready, due to time limitations and lack of nominations for some categories. She will prepare the information and provide it before the May meeting.

Jackrabbit Bar meeting – The Commissioners discussed whether to hold the June 2020 Jackrabbit Bar meeting. At this point, the Commissioners were skeptical that bar leaders would be able or willing to attend a June conference. The Executive Director plans to contact the Jackrabbit States' executive directors soon about the Jackrabbit Bar Meeting.

2020 Meeting Schedule – The Commissioners were provided with the 2020 meetings and events schedule.

ADMINISTRATION AND SUPPORT

Financial Reports – The Commissioners were provided with the February 2020 financial reports. At the end of February, 80.7% was collected and 15.1% of expenses incurred. The Executive Director discussed how the current limitations on services and operations might affect the bar's financial condition. She noted three areas' revenue may be affected: Advocate advertising, LRS fees, and the Annual Meeting. Expenses may be lower in some areas, such as bar exam grading, travel, and Annual Meeting. The initial analysis is that the financial impact should be minimal.

MEMBER SERVICES

2020 Annual Meeting – The Commissioners discussed the feasibility of holding the Annual Meeting at Fort Hall. Teresa Baker reported that a contract with the hotel has not been signed. The staff agreed to develop some options for annual meeting events and programs for discussion at the May meeting.

Attorney Well Being Committee Plans and Survey Request – The Commissioners were provided with the Committee's preliminary action plan and a proposal to survey the bar membership regarding well-being. After discussion, the Commissioners agreed the Committee could proceed with the development of a well-being survey. The Commissioners recommended that the survey be short and simple.

Professionalism and Ethics Survey Request – The Commissioners considered a Professionalism and Ethics Section request to prepare a workplace climate survey with the assistance of BSU. The focus of the survey would be general workplace climate, workplace harassment and

discrimination. The Commissioners agreed that the section could proceed with having the survey developed, with the understanding the Commissioners would review and consider the survey once it has been developed.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

The Commissioners were provided with the Idaho Supreme Court order canceling the licenses of lawyers that did not pay license fees. Letters and news clippings for the past month were provided in PDF format to the Commissioners.

The meeting adjourned at 11:35 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director