

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
September 11, 2020
Boise, Idaho

President Don Carey called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:00 a.m. The meeting was held in the classroom of the Law Center, The following were in attendance Commissioners Anne-Marie Fulfer (via Zoom), Kurt Holzer, Kristin Bjorkman Dunn, and Laird Stone, Associate Director Maureen Braley, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, and Executive Director Diane Minnich, who acted as secretary. Program and Legal Education Director Teresa Baker attended part 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

Minutes – It was moved, seconded, and passed to approve the minutes of the July 22, 2020 Board of Commissioners meeting as submitted.

Admissions/Bar Exam - The Associate Director reported on the successful administration of the July 2020 Idaho bar exam. The exam administration followed the applicable protocols and guidelines to ensure the safety of the applicants. Grading is scheduled remotely September 9-12, with results released on September 16. In addition, the Associate Director reported on plans for the October online bar exam.

Sixth District Magistrate Commission Appointment – The Commissioners considered two appointments to the Sixth District Magistrate Commission, one permanent appointment and one temporary appointment. It was moved, seconded, and passed to appoint Angela Jensen to replace Javier Gabiola, who was appointed a district judge, and to appoint Bradley Willis as a temporary replacement for Joel Beck on the Sixth District Magistrate Commission.

Committee Appointments – The Commissioners were provided with the recommendations for two committee appointments, Ben Ritchie to the Reasonable Accommodations Committee, and nonlawyer Joy Fisher to the Professional Conduct Board. It was moved, seconded, and passed to appoint Ben Ritchie to the Reasonable Accommodations Committee and Joy Fisher to the Professional Conduct Board.

BOC Section/and Committee Liaison Assignments –The Commissioners considered liaison assignments to bar sections and committees. The Commissioners approved the liaison assignments with one change, switch Commissioner Dunn to the Business and Corporate Law Section and Commissioner Fulfer to the Diversity Section.

2020 Resolution Process – The Commissioners discussed one possible resolution, a proposal to amend the bar commission rules to allow serving as a law clerk be included in the definition of the Active Practice of Law under the reciprocal admission rules. After discussion, no action was taken. The Commissioners then discussed options for the resolution meetings: CLE programs, limited attendance meetings, small group meetings with leadership. The Executive Director agreed to work with the DBA officers on meeting plans.

Office Operations Update – The Executive Director reported that Ada County is still in stage 3 of the reopening plan. The office continues to operate with some staff working at the office and some working remotely. Generally, half the staff or less are in the building each day. The main phones are answered, and the office is open to visitors from 9:00 a.m. – 4:00 p.m. each day. There are no plans for any major changes in the current operations for the foreseeable future.

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 August 2020 financial reports. At the end of August, 94.3% was collected and 62.7% of expenses incurred.

Historical Financial Information – The Commissioners were provided financial highlights of 1995-2019 revenue and expenses for the various bar funds.

MEMBER SERVICES

Appellate Practice Section Bylaw Amendment – The Commissioners considered a request from the Appellate Practice Section to amend its bylaws. The proposed amendment specifies how a vacancy on the Governing Council is filled. It was moved, seconded, and passed to approve the bylaw amendment to the Appellate Practice Section Bylaws as submitted.

Idaho Academy of Leadership for Lawyers – The Commissioners were provided with a list of the 2020-21 IALL participants.

Advocate – The Commissioners were provided with a memo from Communications Director Lindsey Welfley regarding the special edition of the Advocate. The question for consideration is whether to continue the awards edition of the Advocate, and, if so, should it be an additional issue or the August issue each year. It was moved, seconded, and passed to continue to publish 9 issues of the Advocate, with the August issue devoted to award recipients and as needed, time sensitive essential information or business.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

The Commissioners were provided with Supreme Court orders, letters, and news clippings for the past month.

The meeting adjourned at 11:25 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director