

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
January 15, 2021
Boise, Idaho

President Don Carey called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:05 a.m. The meeting was held in the classroom of the Law Center. The following were in attendance, Commissioners Anne-Marie Fulfer, 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.

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 December 4, 2020, Board of Commissioners meeting as submitted.

Meeting with Supreme Court – The Commissioners were provided with an invitation from Chief Justice Bevan to meet with him. The Chief Justice provided date options for the meeting, which will be scheduled on a date convenient for all in February.

UI College of Law Visit – The Commissioners discussed setting up a Zoom meeting with the UI College of Law faculty and students. The Commissioners agreed on a January 27, 2021 meeting with students and faculty. Commissioner Fulfer agreed to schedule the student meeting. The Executive Director agreed to contact Dean Long to set up the faculty meeting.

ABA Board of Governors – The Executive Director stated that an Idaho representative is eligible to serve on the ABA Board of Governors for the next term, starting in July 2021. Judge Michael Oths has submitted a nominating petition for the position. Judge Oths requested the Commissioners consider providing some financial support for his travel and lodging to ABA Board meetings. The Commissioners agreed to provide support. The Executive Director agreed to provide a proposal on the amount for the next meeting.

Professional Conduct Board Appointment – The Commissioners were provided with a recommendation from PCB Chair Jim Martin to appoint Pocatello attorney David Gardner to the PCB. It was moved, seconded, and passed to appoint David Gardner to serve on the Professional Conduct Board.

Admissions/Bar Exam – Associate Director Maureen Braley reported on the online February 2021 Bar Exam.

2021 Meeting Schedule – The Commissioners were provided with the 2021 meetings and events schedule.

Idaho Legal History Society – Federal Magistrate Judge Bush joined the meeting to discuss the future of the Idaho Legal History Society. The organization is struggling to maintain continuity in its leadership. Judge Bush is interested in creating a Legal History Society Section of the Bar. Judge Bush agreed to meet with a group to discuss how to proceed. The Commissioners requested the Society provide its governing documents to the Bar Commissioners.

ADMINISTRATION AND SUPPORT

Financial Reports – The Commissioners were provided with the November 2020 financial reports. At the end of November 99.7% was collected and 86.4% of expenses incurred.

2021 Proposed Budget - Controller Debbie Dudley reviewed the 2021 proposed budget. It was moved, seconded, and passed to approve the 2021 budget as proposed. The Executive Director noted the costs of the IALL program were increasing. The Commissioners asked for more information about the program, its costs, and the effectiveness of the program.

Auditors Engagement Letter – The Commissioners were provided with the proposed Eide Bailly engagement letters for the audit of the 2020 ISB financials. It was moved, seconded to passed to approve the auditor’s engagement letters.

MEMBER SERVICES

Section Carryover Balances – The Commissioners considered two requests from Sections to carryover the end of year fund balance in their accounts to 2021. It was moved, seconded, and passed, to approve the section carryover balance requests from the Taxation, Probate and Trust Law Section and the Family Law Section.

Member Benefit Providers – Program and Legal Education Director Teresa Baker provided the list of current member benefit providers and recommended adding one company as a member benefit provider, Indexed I/O. The company is a cloud-based electronic discovery platform. It was moved, seconded, and passed to approve Indexed I/O as an Idaho State Bar member benefit provider.

Climate Survey Report – The Commissioners reviewed a plan form the Professionalism and Ethics Section on how to disseminate the Climate Survey Report. After considerable discussion, the Commission agreed to meet with the section representatives to discuss how to present the report and the explanation that will be provided with the report. Commissioner Bjorkman Dunn and Program and Legal Education Director Teresa Baker agreed to set up a meeting with the Section representatives.

2021 Annual Meeting – The Commissioners discussed the pros and cons of having the 2021 Annual Meeting in Sun Valley. After discussion, it was moved, seconded, and passed to move the 2021 Annual Meeting to Boise. The Commissioners requested that the staff review the costs and feasibility of holding the Annual Meeting in Sun Valley at a different time, i.e. early summer or fall.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

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

The meeting adjourned at 12:15 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director