

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
February 26, 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, Program and Legal Education Director Teresa Baker, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, and Executive Director Diane Minnich, who acted as secretary.

In addition, the following guests joined the meeting: Laurie Frost, Judge Nancy Baskin, Jennifer Hearne, Edith Pacillo, Wendy Olson, Judge Fafa Alidjani, Shakirrah Sanders, Catie Freeman, Jodi Nafzger, Edwina Elcox, and Grace DeWitt.

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 January 15 and February 24, 2021 Board of Commissioners meetings as submitted.

University of Idaho College of Law Visit – The Commissioners agreed to prepare a letter thanking Dean Jerry Long for his service as the Dean of the UI College of Law.

2021 Professionalism Awards – The Commissioners were provided with the list of award categories, previous award recipients, and a few potential recipients. The Executive Director noted that nominations for the 2021 awards would be provided at the April meeting.

Code Commission Appointment – The Commissioners considered applicants to serve on the Idaho Code Commission to replace Dan Bowen, whose term expired in December 2020. It was moved, seconded, and passed to recommend to the Governor that Jeremy Vaughn be appointed to the Idaho Code Commission. (Commissioner Stone abstained.)

Idaho Judicial Council – The Executive Director reported that Reed Larsen's term on the Idaho Judicial Council ends on June 30, 2021. The Commissioners agreed that, although Reed Larsen could be reappointed, the position opening should be advertised to bar members.

BOC election – The Executive Director provided the timeline for the 2021 BOC election to replace President Don Carey. She noted that the election notice would be sent to the members of the 6th and 7th judicial districts on March 7. The nominating petitions are due on April 6, ballots are provided on April 19, and ballots are due on May 4, 2021. The Commissioner candidates must be from the 6th district.

Jackrabbit Bar Meeting – The Executive Director noted that she and Judge Oths are hoping to schedule the Jackrabbit Bar meeting for late summer.

ABA Annual Meeting Report – ABA State Bar Delegate (and incoming ABA Board of Governors member) Judge Mike Oths provided a written report on the resolutions and actions of the ABA House of Delegates at its virtual mid-year meeting.

Admissions/Bar Exam – Maureen Braley reported on the online February 2021 Bar Exam, which concluded the day of the meeting.

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

ADMINISTRATION AND SUPPORT

Financial Reports – The Commissioners were provided with the December 2020 and January 2021 financial report. At the end of January, 66.6% was collected and 7.7% of expenses incurred. IALL costs were discussed. Staff agreed to provide additional information about the increase in IALL costs at the next meeting.

Code of Ethical Conduct Statement – Each Commissioner was provided with the Code of Ethical Conduct Statement, which needs to be signed by each commissioner each year.

MEMBER SERVICES

Climate of the Legal Profession in Idaho Survey Report – The Commissioners were provided with the minutes of the February 24 meeting with the Professionalism and Ethics Section Anti-Discrimination and Anti-Harassment Committee, the proposed talking points and Short and Long Statement to the Membership prepared by the Committee, revised statements prepared by Commissioner Holzer, and comments and proposed revisions to the Executive Summary of the survey prepared by Commissioner Holzer. The Commissioners discussed how to proceed with the survey and its distribution. After considerable discussion, it was moved, seconded, and passed 3-2, to submit Commissioner Holzer's comments and proposed revisions to the Executive Summary, Methodology and Conclusion of the survey to the Committee for submission to the BSU Public Policy Institute requesting that it consider his comments and proposed revisions.

2021 Annual Meeting – Program and Legal Education Director Teresa Baker reviewed the proposed annual meeting schedule. The Commissioners discussed the proposed schedule and when final decisions need to be made.

Lawyer Referral Service – The Commissioners were provided with the 2020 Lawyer Referral Service end-of-year statistics.

Rural Initiatives – Commissioner Holzer reported he is working on ideas to present to the Commissioners regarding a rural initiative project.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

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

The meeting adjourned at 11:45 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director