

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
July 21, 2021
Boise, Idaho

President Don Carey called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:30 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, incoming Commissioner Gary Cooper, Associate Director Maureen Braley, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, 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 May 14, 2021 Board of Commissioners meeting as submitted.

Meeting with District Bar Presidents – At 8:30 a.m. the Commissioners were joined by the following District Bar representatives. First District - Rebecca Eyman, Third District- Ingrid Batey, Fourth District - Jim Cook, Fifth District Katie Franklin, and 6th District – Mary Shea. The group discussed the resolution process and meetings, and current bar activities. The Executive Director noted that the new Dean of UI College of Law plans to attend the resolution meetings. Bar Counsel asked the District Bar representatives to let him know if they want a CLE program at the resolution meeting. The District Bar representatives each reported on the activities and programs in their districts.

Committee Appointments- The Commissioners were provided with recommendations for 2021-22 Committee appointments. It was moved, seconded, and passed to approve the Committee appointments as designated on the attached lists.

ABA Young Lawyer Delegate – The Commissioners considered two applicants for the Young Lawyer Delegate to the ABA House of Delegates: Serena Buchart and Anne Henderson. After consideration, it was moved, seconded, and passed to appoint Anne Henderson as the Idaho ABA Young Lawyer Delegate.

Resolution Process – The Commissioners were provided with the resolution process information, dates for submission of resolutions and resolution meeting dates. Commissioner Holzer discussed the possibility of proposing a resolution to increase the malpractice coverage limits.

Denial of MCLE Credit Appeal – The Commissioners were provided with an appeal of a MCLE credit determination. The MCLE staff denied credit to an attorney who requested credit for reading the power point material after having difficulty watching the program. It was, moved, seconded, and passed to deny John Goodell’s request to receive MCLE credit for reading material based on Idaho Bar Commission Rules 403 and 404.

Mandatory Bar Update – The Commissioners were provided with the Fifth Circuit decision in a case against the State Bar of Texas. The Commissioners discussed continuing to review relevant cases and results, and reviewing the programs, functions, and activities of the bar to create a comprehensive list of germane vs. non germane activities.

Magistrate Commission Appointments Update – The Executive Director reported that the Magistrate Commission statutes were amended during the 2021 legislative session. The relevant change for the lawyer members appointed by the Bar is changing the terms of the lawyer members of the district magistrate commissions to now end on September 30 (it was June 30) and to stagger the terms so one lawyer member’s term ends each year. The Commissioners were provided with the current list of lawyer members of the magistrate commissions and the new statutes.

Meeting with Idaho Judicial Council – At noon, the Commissioners were joined by members of the Idaho Judicial Council, Michelle Points, Judge Jeff Brudie, Chief Justice Bevan and Judicial Council Executive Director Tony Cantrill. The group discussed the importance of recruitment of judicial candidates and participation in the bar survey. They also discussed the difficulty in recruiting judges for rural counties. These judges are required to reside in the county but spend a considerable amount of time traveling to the larger counties where there are more cases. The group discussed requesting assistance with recruitment from the District Bar Associations. The Judicial Council members reported Judge Brudie plans to resign from the Judicial Council at the end of the year when he retires from the bench.

Jackrabbit Bar Meeting – The Commissioners were provided with the schedule and registration forms for the Jackrabbit Bar meeting, scheduled for September 23-25 in Idaho Falls.

July Bar Examination – Associate Director Maureen Braley provided an update on the July bar exam.

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 May and June 2021 financial report. At the end of June, 90.1% of the revenue was collected and 47.4% of expenses incurred.

MEMBER SERVICES

Annual Meeting – The Commissioners were provided with the schedule of programs and events for the 2021 Annual Meeting. The Commissioners were provided recommendations for future Annual Meetings. The Commissioners decided not to schedule the 2022 meeting in Sun Valley because July dates were not available. The Commissioners discussed either north Idaho or Twin Falls in 2022.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

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

The meeting adjourned at 12:50 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director

Idaho State Bar
2021-22 Committee Membership

<i>Advocate Editorial Advisory Board</i>	Staff – Lindsey Welfley		
Reappointed as chair	Brian Kane - Chair	Boise	07/10/13/16/19-22
	Spencer Holm	Boise	17/20-23
Reappointed	Tenielle Fordyce-Ruff	Boise	06/09/12/15/18-21
Reappointed	Jessica Harrison	Boise	18-21
	Kelsey Manweiler	Boise	19-22
	Lea Kear	Boise	14/17/20-23
Reappointed	Zack Zollinger	Boise	18-21
Reappointed	Kenneth Shumard	Boise	18-21
	Erin Tomlin	Boise	19/20-23
	Chynna Castoro	Boise	20-23
Reappointed	Joseph Andrew Law	Idaho Falls	18-21
	Michelle Vos	Boise	16/19-22
	Elizabeth Mathieu	Hailey	19/23

<i>Bar Exam Prep</i>	Staff – Maureen Braley		
Reappointed	Lane Erickson - Chair	Pocatello	01/04/07/10/13/16/19-22
	Bruce Castleton	Boise	08/11/14/17/20-23

Recommendation: Reappoint Lane as Chair

<i>Character & Fitness</i>	Staff – Maureen Braley Counsel – Brad Andrews		
Reappointed as chair	Matt Wilde - chair	Boise	08/11/14/17/20-23
Reappointed	Debra Czuba	Boise	18-21
	Courtney Beebe	CDA	11/14/17/23
Reappointed	Mia Baustista	Moscow	18-21
Reappointed	Tracy Gorman	Idaho Falls	15/18-21
	Amanda Rekow	Hailey	13/16/19-22
	Brian Wonderlich	Boise	16/19-22
Reappointed	Craig Beaver*	Boise	00/03/06/09/12/15/18-21
	Katie Best*	Boise	19-22

* Denotes non-lawyer member

Recommendations:

Reappoint Matt Wilde as chair

Reappoint Committee members: Debra Czuba, Mia Batista, Tracy Gorman and Craig Beaver

<i>Client Assistance Fund</i>	Staff – Julia Crossland & Deanna Tollefson		
Replaced with Ben Cramer	Hon. Scott Wayman - Chair	CDA	98/01/04/07/10/13/16/19-22
	Marilyn Bickle*	Boise	14/17/20-23
Reappointed	Kenneth Howell	Boise	06/09/12/15/18-21
Appointed as chair	Bron Rammell	Pocatello	99/02/05/08/11/14/17/20-23
Reappointed	Tom South*	Boise	97/00/03/06/09/12/15/18-21

<i>IALL</i>	Staff – Teresa Baker		
Reappointed as co-chair	Julie Stomper – co-chair	Idaho Falls	19-22
Reappointed as co-chair	Mike Porter – co-chair	Caldwell	19-22
	Amber Ellis	Boise	20-23
	Jana Gomez	Lewiston	20-23
Replaced with Taylor Mossman-Fletcher	Hon. Greg Culet	Nampa	18-21
Replaced with Gordon Hall	Dr. Steve Robertson	Boise	18-21

<i>Lawyer Assistance Program</i>	Staff – Teresa Baker & Ben Seymour		
Reappointed as chair	Jamie Shropshire - Chair	Boise	04/07/10/13/16/19-22
Replaced with law student rep – Courtney Lewis	Kevin Borger	Boise	10/13/16/19-22
Reappointed	Ron Christian	Caldwell	12/15/18-21
	Hon. Gene Petty	Caldwell	20-23
	Yvonne Dunbar	Boise	11/14/17/20-23
Reappointed	Doug Werth	Boise	18-21
	Jeremiah Hudson	Boise	16/19-22
	Tom Humphrey	Boise	13/16/19-22
Reappointed	Clint Bolinder	Boise	19-21
Reappointed	Matt Kinghorn	Pocatello	15/18-21
	Dylan Lawrence	Boise	14/17/20-23

* Denotes non-lawyer member

	Susan Mauk	Boise	16/19-22
	Paul McFarlane	Boise	13/16/19-22
	Hon. Vicki Olds	Nezperce	13/16/19-22
Reappointed	Andrea Patterson	Boise	15/18-21
	Joseph Pirtle	Boise	10/13/16/19-22
	Julie Stomper	Idaho Falls	14/16/19-22
	Thomas Vasseur	CDA	04/05/08/11/14/17 /2-23

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<i>Lawyer Referral Service</i>	Staff – Kyme Graziano		
Reappointed as chair	Jay Sturgell – Chair	CDA	10/13/16/19-22
Reappointed	Edward Dindinger	Boise	19-21
	Sara Mello	Boise	16/19-22
	Brooke Baldwin Redmond	Twin Falls	10/13/16/19-22
Reappointed	John Crowell-Mackie	Meridian	18-21

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<i>Professional Conduct Board</i>	Clerk – Layce Johnson		
Reappointed as chair	Jim Martin – chair	Boise	03/06/09/12/15/18-21
	Joseph Borton	Meridian	(04-10) 14/17/20-23
	David Claiborne	Boise	11/14/17/20-23
Replaced with Carole Wesenberg	Gary Cooper	Pocatello	02/05/08/11/14/17/20-23
	Hon. Rick Carnaroli	Pocatello	20-23
Reappointed	Jim Davis	Boise	15/18-21
Reappointed	Linda Edwards	Ketchum	06/09/12/15/18-21
	Hon. Dick Greenwood	Boise	08/11/14/17/20-23
	Greg LeDonne	Boise	19-22
	Lee James	CDA	08/11/14/17/20-23
Reappointed	Lorna Jorgensen	Boise	09/12/15/18-21
Reappointed	Michael Kelly	Boise	09/12/15/18-21
Reappointed	John Kormanik	Boise	09/12/15/18-21
	Michael Kane	Boise	(94-03)17/20-23
	Jennifer Marcus	Boise	16/19-22

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	William McAdams	CA/CDA	14/17/20-23
	Shelley Akamatsu	Boise	17/20-23
	Mark Monson	Moscow	10/13/16/19-22
Replaced with Steve Stokes	Bill Morrow	Nampa	06/09/12/15/18-21
	Alycia Moss	CDA	14/17/20-23
Reappointed	Richard Rubin	Boise	00/03/06/09/12/15/18-21
	Thomas Smith	Pocatello	10/13/16/19-22
	Ted Spangler	Boise	11/14/17/20-23
	Mike Stefanic	Boise	11/14/17/20-23
No replacement yet	Hon. Steven Thomsen	Pocatello	06/09/12/15/18-21
	Ken Robins	Boise	19-22
	David Gardner	Pocatello	21-24
	David Morse	Boise	19-22
	Traci Jo Whelan	CDA	08/11/14/17/20-23
	Sherry Montosa*	Boise	17/20-23
	Richard Clifford*	Lewiston	02/05/08/11/14/17/20-23
Replace with Ann Faltin	James Denison*	Boise	12/15/18-21
Reappointed	Larry Kirk*	Boise	12/15/18-21
Reappointed	Denise McClure*	Boise	12/15/18-21
	Marcia Wing*	Boise	02/05/08/11/14/17/20-23
Reappointed	Marci Cope*	Boise	18-21
	Deanna Brock *	Caldwell	19-22
	Joy Fisher	Moscow	20-23
Newly appointed member	Rick Sager	Meridian	21-24

Reasonable Accommodations	Staff – Maureen Braley Counsel - Brad Andrews		
Reappointed	Melissa Luna - chair	Moscow	15/18-21
Reappointed	Ben Ritchie	Idaho Falls	20-21
	Dennis Woody*	Boise	13/16/19-22

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<i>UPOL</i>	Staff – Brad Andrews, Al Gill		
	Rick Lierz -Chair	Boise	00/02/05/08/11/14-17
	Soo Kang	Boise	08/11/14-17