

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
January 13, 2022
Boise, Idaho

President Anne-Marie Fulfer called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:36 a.m. The meeting was held in the classroom of the Law Center. In addition to President Fulfer, the following were in attendance: Commissioners Kurt Holzer, Kristin Bjorkman Dunn, Laird Stone, and Gary Cooper, 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 10, 2021, Board of Commissioners meeting as submitted.

2021 Resolution Process – The Commissioners were provided with the letter to the Idaho Supreme Court presenting the results of the resolution process. The Executive Director noted that the Court was accepting letters in support and opposition of the proposed rule change.

Medical Malpractice Prelitigation Screening Panelists – The Commissioners were provided with the statute and an explanation of the process for appointing lawyer panelists to the medical malpractice prelitigation screening panels. Two lawyers were appointed in 2017 but have not served. Their names (John Burke and Andrew Masser) will be forwarded to the Board of Medicine. Susan Servik volunteered to serve in 2019. It was moved, seconded, and passed to appoint Susan Servik as a medical malpractice prelitigation screening panelist.

UI College of Law Visit – The Commissioners discussed the February meeting with the UI College of Law. They discussed which meetings and events were most important to the Bar. The Commissioners agreed that the student meeting, faculty meeting, and a meeting with the Dean and some faculty reporting on clinical programs, statistics, etc., were the most relevant and important events. They requested that reports be available prior to the meeting so they have an opportunity to review. The Commissioners requested more information on the role the Commissioners serve as a Board of Visitors. The Commissioners discussed focusing on what the Bar can do for faculty

and students and why the UI College of Law faculty and students should care about the relationship with the Bar.

Darrington Lecture – The Commissioners were provided with information about the Darrington Annual Lecture on Law and Government, an event hosted by the College of Law, Idaho Supreme Court, and Idaho State Bar. The guest lecturer this year is Harvard Business School Professor David Moss. The lecture is scheduled for April 13, 2022, at 5:30 p.m.

Meeting with the Idaho Supreme Court – The Executive Director noted that the Commissioners met with the Idaho Supreme Court in May 2021. She suggested the Commissioners set up a meeting with the Idaho Supreme Court this May. The Commissioner agreed.

Admissions – Associate Director Maureen Braley reported on the February Bar exam statistics and change of location to have more space to social distance. She also noted that she, Justice Brody and Carole Wesenberg are attending a virtual admissions conference on the Next Gen Bar Exam. She plans to report on the conference at the February meeting. The Associate Director provided a memo on bar exam menstruation policies and the proposed FAQ's regarding the ISB policies. After discussion, it was moved, seconded, and passed to approve the bar exam menstruation policies and FAQ's.

Licensing Update – The Executive Director noted that approximately 1/3 of the bar members submitted their licensing paperwork, of those, about 76% of the licensing submissions were completed online.

ADMINISTRATIVE

Financial Report – Debbie Dudley joined the meeting. The Commissioners were provided with the November 30, 2021 financial reports. As of the end of November, 99.2% of the revenue was collected, and 87.9% expenses incurred.

2022 Proposed Budget – Controller Debbie Dudley joined the meeting to present the 2022 proposed budget. The Commissioners reviewed and discussed the budget. The Commissioners discussed the costs associated with the transition to a new bar counsel and potential technology costs to assess the current technology and future technology needs. After discussion, the Commissioners agreed to hold the approval of the 2022 budget until February when the additional costs are added to the proposed budget.

2021 Audit Engagement Letter – The Commissioners were provided with the proposed letter describing the engagement to audit the 2021 Idaho State Bar financials. It was moved, seconded, and passed to accept the Eide Bailly engagement letter for the audit of the 2021 financials.

MEMBER SERVICES

Annual Meeting – Teresa Baker joined the meeting to discuss the proposed Annual Meeting schedule. She reviewed the venue and proposed schedule for the 2022 Annual Meeting in Twin Falls. The Commissioners discussed potential CLE programs. The meeting is currently planned for an “in person” gathering.

2021 Membership Survey – The Executive Director provided an overview of the membership survey results.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

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

The meeting adjourned at 12:38 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director