

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

President Kurt Holzer called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 10:05 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners Anne-Marie Fulfer, Gary Cooper, Laird Stone, Kristin Dunn, and Bar Counsels Brad Andrews and Joe Pirtle, Assistant Bar Counsel Caralee Lambert, Associate Director Maureen Braley, 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 April 8, 2022, Board of Commissioners meeting as submitted.

Meeting with the Idaho Supreme Court – The Commissioners discussed the agenda items for the meeting with the Idaho Supreme Court later in the day.

The Commissioners, Bar Counsels, the Executive Director and Associate Director met with the justices of the Idaho Supreme Court, Administrative Director of the Court Sara Omundson, and ISC Staff Attorney Jason Spillman. The group discussed the following: 2022 Idaho legislative session report, next gen bar exam and remote swearing in, contested judicial election survey, response to criticism of judges, regulatory reform, Pro Bono Commission, disciplinary reports and rural initiatives. The main discussion was focused on the Idaho Judicial Council, the bills to change the selection and composition of the Council and how the ISB-appointed members are selected. The group agreed to schedule the next meeting for September 2022.

Judicial Council Appointment – The Commissioners reviewed the applicants received for the open position on the Judicial Council. The Commissioners selected the following applicants to be interviewed in June: Keely Duke, Andy Brassey, and John Rumel.

BOC Election Update – The Commissioners were provided with the election canvass for the 2022 Board of Commissioners election. Two new Commissioners were elected: Jillian Caires, replacing

Anne-Marie Fulfer, representing the First and Second Districts; and Mary York, replacing Kurt Holzer, representing the Fourth District.

Contested Judicial Election Survey – The Commissioners were provided with the results of the contested judicial election survey. The survey was conducted for three contested judicial elections in the First, Second and Third Districts. In the Second District there were three judicial candidates, none of whom received 50% of the vote, so there will be a runoff in the general election in November. The Executive Director reported a survey will be conducted for the Second District judicial election in November.

Response to Criticism of Judges – The Commissioners were provided with a 2000 resolution regarding the response to criticism of judges. The Commissioners agreed to discuss this issue with the ISC. It was suggested that ISC Communication Manager Nate Poppino, and ISB Communications Director Lindsey Welfley meet to discuss whether statements can be prepared in advance of an incident.

Website – Disciplinary Notice Posting Policy – The Commissioners received additional information from an attorney regarding the disciplinary notice posting policy. The Commissioners again discussed the policy and determined the policy was appropriate as written.

Bar Exam Results – The Commissioners were provided with the February 2022 bar exam results.

FINANCIAL REPORTS

2021 Audited Financials Report – Auditor Lee Miller joined the meeting to report on the audit of the 2021 Idaho State Bar Financials. Mr. Miller reviewed the audit report, which stated the ISB received a clean financial audit.

Corporate Resolution – The Executive Director noted that due to Brad Andrews’ retirement, the signers on the ISB bank accounts need to change. It was moved seconded and passed, to approve the signers on the Idaho State Bar accounts as the Executive Director Diane Minnich, Bar Counsel Joe Pirtle, and Associate Director Maureen Braley.

Financial Reports – The Commissioners were provided with the April financial reports. At the end of April, 78.5% was collected and 30.9% of expenses incurred.

MEMBER SERVICES

2022 Annual Meeting – The Commissioners were provided with the draft agenda for the Annual Meeting. After discussion, the Commissioners agreed that the 2022 Annual Meeting CLE programming would not be webcast live this year, lawyers must attend in person to receive live CLE credit. The programs will be recorded and available for viewing after the Annual Meeting.

Admitted 50 Years Ago Milestone Awards – The Executive Director reported an attorney admitted 50 years ago questioned which attorneys should be honored in 2022. There was a group of unsuccessful 1972 bar exam takers who successfully petitioned the Idaho Supreme Court appealing the results of the 1972 exam results and were admitted in 1973. The attorney suggested the attorneys that were admitted as a result of the successful petition should be honored as 50-year

members this year. The Commissioners determined that attorneys should be honored in the year they were admitted.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

Letters and news clippings for the past month were provided in PDF format to the Commissioners.

The meeting adjourned at 3:55 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director