

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
March 22, 2023
Boise, Idaho

President Laird Stone called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 10:15 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners Gary Cooper, Kristin Bjorkman, and Jillian Caires, Bar Counsel Joe Pirtle, Associate Director Maureen Braley, and Executive Director Diane Minnich, who acted as secretary. Also in attendance were the following District Bar Presidents: Casey Simmons, First District; Brennan Wright, Second District; Jeffrey Phillips, Third District; Jason Brown, Sixth District; and Hyrum Erickson, Seventh District.

GENERAL BUSINESS

Bar Exam Passing Score Resolution – President Stone reported the meeting was scheduled to discuss a resolution proposed by the Idaho Supreme Court and the Board of Commissioners. The genesis of the resolution was the Idaho Supreme Court’s determination that the Idaho bar exam passing score should be lowered from 272 to 270 to be more consistent with the surrounding states. Associate Director Braley explained the resolution and rationale for changes to the bar exam passing score. Currently, of the 41 jurisdictions that administer the Uniform Bar Exam only 3 states (including Idaho) have a passing score greater than 270. The Court prefers the change to take effect prior to conclusion of the fall resolution process. The time frame for the proposed change eliminates the option of proposing the rule change through the 2023 resolution process.

Idaho Bar Commission Rule 906(l) allows for the Commissioners to determine an emergency exists, which allows the District Bar Presidents to vote on adopting a resolution and/or approve a resolution for submission to the members for a vote. After discussion it was moved, seconded, and passed to declare an emergency exists pursuant to IBCR 906(l).

The Commissioners and District Bar representatives then discussed the importance of continuing to involve bar members in proposed changes to the rules. The current rules, which have been in place for many years, anticipate participation by bar members in evaluating proposed changes in the rules. Concerns were expressed by several District Bar representatives about the Court amending rules without submission to the membership for comment or a vote.

After considerable discussion it was moved, seconded and passed unanimously by the District Bar representatives to request the Idaho Supreme Court to allow the bar to submit the resolution to the members for a vote on a short time frame, with voting concluding on March 31, 2023, and the District Bar representatives meeting again to confirm the vote on April 3, 2023.

The meeting adjourned at 11:15 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director