

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
May 12, 2023
Boise, Idaho

President Laird Stone called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:30 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners Gary Cooper, Jillian Caires, Mary York and Kristin Bjorkman, Bar Counsel Joe Pirtle, Deputy Bar Counsel Julia Crossland, Associate Director Maureen Braley, 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 14, 2023, Board of Commissioners meeting.

Judicial Council Interviews – The Commissioners interviewed four applicants for the Idaho Judicial Council: Keely Duke, John Bush, Norm Semanko, and John Rumel. The Commissioners agreed to set up interviews with the other four candidates at a meeting to be scheduled in June. After the interviews the Commissioners will make decisions about the names to submit to the Governor.

Resolution 23-01 - Bar Exam Pass Rate Proposal, – The Executive Director reported on the results to date of the resolution voting. The resolution is passing, about 60% for, 40% against the resolution. The deadline to submit ballots is May 23, 2023.

NextGen Bar Exam Taskforce Update – Associate Director Maureen Braley reported the first meeting of the task force is scheduled for June 8, 2023.

ABA Delegate Appointment – The Executive Director reported that Anne Henderson's term as the Idaho ABA Young Lawyer Delegate ends in August; she is not eligible to be reappointed. The Commissioners agreed that notice of the open position should be posted in the Advocate, the ebuletin and on the website.

ABA State Bar Delegate Request – The Commissioners discussed ABA State Bar delegate Jonathan Shirts question as to whether he is permitted to sponsor or cosponsor an ABA Resolution as one of the ISB-appointed ABA Delegates. The Commissioners expressed concern that an ISB-appointed ABA delegate’s sponsorship or co-sponsorship of an ABA Resolution might create the appearance that the Commissioners and the ISB endorse a Resolution. Upon motion, duly seconded, the Commissioners voted unanimously that the ISB State Bar Delegate to the ABA House of Delegates should not sponsor or cosponsor ABA Resolutions, and that Bar Counsel and President Stone will draft a letter to Mr. Shirts communicating the Board’s rationale and decision.

Strategic Planning Update – The Commissioners agreed to schedule a short meeting with ILF Board of Directors at the Annual Meeting.

Past Commissioners Dinner – Commissioner Bjorkman reported she and past Commissioner Mike Oths plan to prepare a letter to past commissioners encouraging them to attend the past commissioners’ dinner. They also plan to follow up with the commissioners that do not respond.

BOC Election Update – The Commissioners were provided with the official election canvass for the 2023 BOC election. Kristin Bjorkman was reelected to represent the 4th District; and Judge Bob Jackson was elected to represent the 3rd and 5th Districts.

February Bar Exam Results – The Commissioners discussed the February bar exam results; the pass rate was 35.5%. Associate Director Maureen Braley noted the pass rates were lower in most jurisdictions. The Commissioners discussed potential reasons for the low pass rates.

2023 BOC Meeting Schedule – The Commissioners were provided with the BOC meeting through September 2023. The Commissioners requested the staff work with the Commissioners on the scheduling of next year’s meetings.

FINANCIAL REPORTS

Financial Reports – The Commissioners were provided with March financial reports. As of March 31, 81.2% of the revenue was collected and 23.3% of the expenses incurred.

Staff Update – The Executive Director reported that the new Controller, Craig Kenyon, started on May 1. She also reported Debbie Dudley is back working, handling the audit and training Craig.

Member Portal Proposal – The Commissioners were provided with a proposal to update the bar’s database technology and develop a member portal. The portal would allow bar members to securely login and access and update their membership records. It was moved, seconded, and passed to approve the expenditures of up to \$37,500 to develop a member portal and update the database.

MEMBER SERVICES

2023 Annual Meeting – The Commissioners were provided with the most recent 2023 Annual Meeting schedule.

YLS Section Proposed Bylaw Amendments – The Commissioners were provided with a request from the Young Lawyers section to amend its bylaws to allow for up to five at large members on the governing council, add a process for filling a vacant seat and make minor housekeeping changes. It was moved, seconded, and passed to approve the amendments to the YLS bylaws as submitted.

The Commissioners were provided with the Idaho Supreme Court order cancelling the licenses of attorneys who did not meet the MCLE requirements and the membership count for May 2, 2023.

The meeting was adjourned at 1:45 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director