

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
January 18, 2019
Boise, Idaho

President Mike Howard 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 David Cooper, David Kerrick, Judge Michael Oths, Don Carey, Bar Counsel Brad Andrews, Assistant Bar Counsel Caralee Lambert, Deputy Director Mahmood Sheikh 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 9, 2018 meeting as submitted.

Judicial Council – The Commissioners discussed the appointment of Judge Jeff Brudie to the Idaho Judicial Council. Judge Brudie was appointed in March 2018 to fill the unexpired term of Judge Tom Ryan, who resigned from the Council because he retired. Judge Brudie's term expires on June 30, 2019. The Executive Director requested that the Commissioners reappoint Judge Brudie for another term, with the hope that the Senate can confirm his appointment during the 2019 legislative session. It was moved, seconded and passed to reappoint Judge Jeff Brudie to the Idaho Judicial Council for the term July 1, 2019-June 30, 2025.

Prelitigation Screening Panelists – The Executive Director reported that both additional prelitigation panelists were needed for the medical malpractice and the nursing home prelitigation panels. It was moved, seconded and passed to appoint Regina McCrea as a panelist for the nursing home prelitigation hearing panels. It was moved, seconded and passed to appoint Susan Servick as a panelist for the medical malpractice hearing panels.

Professional Conduct Board – The Executive Director reported that Kent Marlor, a longtime member of the Professional Conduct Board resigned. The PCB is need of non-lawyers from eastern Idaho. Commissioner Carey agreed to seek additional non lawyer volunteers from Eastern Idaho to serve on the PCB.

Public Defense Commission – The Executive Director reported that attorney and lobbyist Jeremy Chou contacted her about upcoming legislation regarding adequate funding for the public defense system in Idaho. He wanted to know if the bar would consider issuing a statement about the importance of having a consistent and reliable indigent public defense services. It was explained that without a resolution on this issue it was unlikely the Commissioners would issue a statement given the political nature of the discussion. The Commissioners agreed that no statement would be issued because it was not an issue that had been submitted to the bar members through the resolution process.

Second District Magistrate Commission – The Commissioners were informed that both attorney members of the Second District Magistrate Commission resigned. Second District Bar President Jeremy Carr recommended that Anthony Anegon and Rob Kwate be appointed to serve. It was moved, seconded and passed to appoint Anthony Anegon and Rob Kwate to complete the terms of Karin Seubert and Jennifer Ewers on the Second District Magistrate Commission.

Commissioner Photos – The Executive Director presented a proposal to reframe the Commissioner photos in to frames that hold multiple photos. The cost of the project is approximately \$5,000. It was moved, seconded and passed approve the proposal to reframe the Commissioners' photos.

Federal Attorneys License Fees – The Commissioners considered a request from the U.S. for the District of Idaho to allow for some modification of the licensing deadline for attorneys that work for the federal government due to the government shutdown. After discussion, it moved, seconded and passed (4-1) to approve waiver of late fees for lawyers that work for the Federal government.

2018-19 Meetings and Events – The Commissioners were provided with an updated meetings and events schedule for the coming year.

ADMINISTRATION AND SUPPORT

Financial Reports – Controller Debbie Dudley joined the meeting. The Commissioners were provided with the December unaudited financial reports. At the end of December, 100.5% of the budgeted revenue was received and 98% of the budgeted expenses incurred.

2019 Proposed Budget – The Commissioners reviewed the proposed 2019 budget. After discussion, it was moved, seconded and passed to approve to budget as submitted, including the capital expenditures.

Auditor's Engagement Letter – The Commissioners were provided with the engagement letter for the audit of the 2018 ISB financial records. Controller Debbie Dudley noted the letter was consistent with previous years and the fee was consistent with the new three-year engagement contract signed with EideBailly. It was moved, seconded and passed to approve the engagement of Eide Bailly for the audit of the 2018 ISB financial records.

MEMBER SERVICES

2019 Annual Meeting – The Commissioners were provided with the proposed schedule for the 2019 Annual Meeting in Boise. Deputy Director Mahmood Sheikh provided the Commissioners with potential Annual Meeting keynote speakers. The Commissioners were agreeable to the potential speakers.

District Bar Association Bylaws – The Commissioners considered the revised District Bar Association bylaws submitted by Districts 1, 3, 4, 5 and 7. It was moved, seconded and passed to approve the proposed bylaws as submitted. The Deputy Director noted he is working with Districts 2 and 6 to finalize their bylaws for submission to the Commissioners for approval.

Advocate – The Commissioners were provided with the proposed schedule for the Commissioners messages in The Advocate, rotating the articles among the Commissioners. The Commissioners noted that it will be important to inform other Commissioners of the article theme so there is no duplication of topics.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

Informational Reports – The Commissioners were provided with the January membership count, Idaho Supreme Court Oral Conference Minutes, and letters and news clippings for the past month.

The meeting adjourned at 11:45 a.m.

Respectfully submitted,

Diane K. Minnich
Executive Director