

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
May 1, 2014
Boise, Idaho

President Robert Wetherell called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 9:00 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners Tim Gresback, William Wellman, Paul Rippel, and Trudy Fouser, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy Executive 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 § 67-2341(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. At 11:00 a.m., 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 § 67-2345(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. The Executive Session adjourned at 11:50 a.m.

GENERAL BUSINESS

Minutes – It was moved, seconded and passed to approve the minutes of the April 4, 2014, Board of Commissioners meeting as amended.

ABA State Bar Delegate Report – ABA State Bar Delegate Deborah Ferguson joined the meeting to report on the ABA midyear meeting in Chicago. She noted that initial membership in the ABA is free to new lawyers.

After Ms. Ferguson left the meeting, the Commissioners considered the appointment of the ABA State Bar Delegate. It was moved, seconded and passed to reappoint Deborah Ferguson as the ABA State Bar Delegate.

Contested Judicial Election Attorney Survey – The Commissioners were provided with the surveys sent to Bar members for the May contested judicial elections. The Executive Director reported that the results of the survey would not be available until May 2. The Commissioners reviewed comments regarding the survey from Judge Bradbury and Karl Shurtliff.

2014 Pro Bono and Professional Awards – It was moved, seconded and passed to approve the following pro bono award recipients, as recommended by the Idaho Volunteer Lawyers program staff: 1st – Sean Walsh & Dennis Reuter; 2nd Jonathan Hally; 3rd – Deborah Gates; 4th – Douglas Leavitt, Anthony Pantera IV, Krista Thiry and Nicholas Harden; 5th – Tracy Dunlap and Jennifer Haemmerle; 6th – Tyler Olson; and 7th – Chad Campos and Marcia Murdoch.

It was moved seconded and passed to select the following attorneys as the 2014 Professionalism award recipients – 1st – Bill Appleton, 2nd – Mandy Miles, 3rd – Chuck Kroll, 4th district – Chuck Blanton, Brad Andrews, 5th district - Robyn Brody, 6th - Tom Dial, 7th – Steve Martin.

Judicial Award – The Commissioners discussed creating a new ISB award for judges. The Commissioners asked Bar Counsel to develop criteria for a judicial award for their consideration.

Client Assistance Fund – The Executive Director suggested that the assessment for the Client Assistance Fund be reduced for inactive members. Bar Counsel stated that the rules would not allow the CAF fee to be reduced for some members without a resolution. After discussion, the idea was tabled.

Public Defense Commission – The Commissioners discussed the Idaho Supreme Court appointment to the Idaho Public Defense Commission. After discussion, it was moved, seconded and passed to recommend Judge Molly Husky be appointed.

Idaho Legal Aid Services Board of Directors – The Commissioners considered the Idaho State Bar appointment to the Idaho Legal Aid Services Board of Directors. It was moved, seconded and passed to reappoint Lora Breen as the ISB representative to the ILAS Board of Directors.

Professional Conduct Board Appointments – The Commissioners discussed additional appointments to the PCB needed due to a conflict for the current members. The Commissioners decided to wait and appoint members in July.

MCLE Standards – The Commissioners were provided with a memo and recommendation from Director of Admissions Maureen Braley. Pursuant to IBCR 402(o), she developed proposed standards for the new admittee credit. It was moved, seconded and passed to approve the *Standards for New Admittee Credit Approval under Section IV of the Idaho Bar Commission Rules*.

Disciplinary/Admission Information – The Commissioners were provided with the following: February 2014 Bar Examinations Statistics and the Idaho Supreme Court order Granting Petition to Transfer to Disability Inactive Status for Bryninn T. Erickson.

ADMINISTRATION AND SUPPORT

Financial Reports – The Commissioners were provided with the March financial reports. At the end of March 84.7% of revenue was collected and 23.1% of expenses incurred.

2013 Audited Financials – Eide Bailly audit partner Kevin Smith and Controller Debbie Dudley joined the meeting to report on the 2013 audit. Mr. Smith reviewed the audited financials and supplemental information. He reported that there would be no management letter, nor recommendations for changes in procedures, from the auditors.

Lease Agreement – The Executive Director stated that the Law Center lease agreement between the Bar and Foundation expires at the end of 2014. The Commissioners appointed Bar Counsel and Commissioner Fouser to negotiate on the Bar's behalf.

MEMBER SERVICES

Family Law Section – The Commissioners considered a request from the Family Law Section to amend its bylaws. It was moved, seconded and passed to approve the Family Law Section’s bylaw amendment, which will amend Article III, Section 2 and Article VII, Section 3.

2014 Annual Meeting – The Commissioners reviewed the Annual Meeting schedule.

Member Benefit Update – Deputy Director Mahmood Sheikh recommended that the Bar enter into an additional product line agreement with Local Hospitality to provide car rental discounts. It was moved, seconded and passed to approve entering into an agreement with Local Hospitality to provide rental car discounts for Idaho Bar members.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

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

The meeting adjourned at 12:45 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Diane K Minnich". The signature is written in a cursive, flowing style.

Diane K. Minnich
Executive Director