

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioner
July 16, 2014
Fort Hall, 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 Shoshone-Bannock Hotel & Event Center in Fort Hall, Idaho. In attendance at the meeting were Commissioners Tim Gresback, William Wellman, Paul Rippel, and Trudy Fouser, Commissioners elect Michelle Points and Dennis Voorhees, 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 8:45 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 10:15 a.m.

GENERAL BUSINESS

Minutes – It was moved, seconded and passed to approve the minutes of the May 1, 2014 Board of Commissioners meeting as submitted.

2014-15 Committee Appointments– The Commissioners were provided with recommendations for committee appointments for the 2014-15 year. The Executive Director reviewed the process for generating the recommendations. After review of the recommendations and discussion, it was moved, seconded and passed to approve the recommendations for 2014-15 Committee chairpersons and members for bar committees (final list attached).

Contested Judicial Election Attorney Survey – The Commissioners were provided with the results of the surveys sent to Bar members for the May contested judicial elections. Bar Counsel reported that the survey will be done again for the November election. The Commissioners agreed to review the survey and the process after the November election.

Judicial Award – The Commissioners reviewed a proposal prepared by Bar Counsel to create a Judicial Award. After discussion, the Commissioners agreed to defer any further discussion or action to the next meeting.

Resolution Schedule – The Commissioners were provided with the resolution deadlines and meeting schedule. They were also provided with a proposed resolution generated by Justice Jim

Jones, Richard Boardman and Bar Counsel Brad Andrews. The proposal would amend the House Counsel rules to allow house counsel members to provide pro bono assistance under specific circumstances.

BOC Annual Retreat – The Commissioners discussed topics for the fall retreat. The following items were submitted for the agenda: Past BOC Committee, aging lawyers, succession plans for Executive Director and Bar Counsel.

ALPS Report – The Commissioners were joined by ALPS Executive Vice President Chris Newbold. Mr. Newbold reported on ALPS performance, statistics and financials for the past year. He also explained a new program, Attorney Match, which is designed to connect retiring lawyers with new lawyers. The Commissioners agreed to discuss this project further at the next meeting.

Idaho Supreme Court Meeting – At noon, the Commissioners were joined by Supreme Court Justice Joel Horton, Judges Barry Wood and Thomas Ryan, and Administrative Director of the Courts Patti Tobias. The following topics were discussed:

Contested Judicial Elections Survey

2014 Bar Resolution Process – Potential Resolutions

Last Legislative Session / Court Priorities / Thank You to Bar

Preliminary Court Legislative and Budget Priorities – 2015

Court Reports; Advancing Justice, Judicial Performance reviews, Public Defense Reform Commission, Justice Reinvestment Initiative and Law and Justice Learning Center

National Mock Trial Competition – May 2016 (Boise)

Idaho Judicial Council Meeting – The Commissioners were joined by Judicial Council members Steve Tuft, Judge Thomas Ryan, Judge Tom Borreson, Kathy Simpson, Joel Hazel and Elizabeth Chavez; and Executive Director James Carlson. Judge Borreson reported on the progress of review of the new Model Code of Judicial Conduct. Mr. Tuft reported on the judicial evaluation project. Other members commented on their experience and observations. Mr. Carlson reported on complaints against judges.

Concordia University School of Law – The Commissioners reviewed a memo from Richard Hall, explaining the intent of Concordia to submit a petition to the Idaho Supreme Court for a waiver of the ABA accreditation rule.

Law Learning and Justice Center Report – The Commissioners were joined by UI College of Law Dean Mark Adams, Associate Dean Lee Dillion, and Professor Don Burnett.

BOC Meeting and Event Schedule – The Commissioners were provided with the schedule of meetings and events for 2014-15.

Disciplinary/Admission Information – The Commissioners were provided with the following disciplinary orders: Jolene Maloney, Michael Robinson and Craig Jorgensen.

ADMINISTRATION AND SUPPORT

Financial Reports – The Commissioners were provided with the April, May and June financial reports. At the end of June 92.4% of revenue was collected and 49.4% of expenses incurred.

MEMBER SERVICES

Appellate Practice Section – The Commissioners considered a request from the newly established Appellate Practice Section to approve its bylaws. It was moved, seconded and passed to approve the Appellate Practice Sections bylaws as submitted.

Member Services Update – Deputy Director Mahmood Sheikh provided an update on the following programs and activities: Mentor Program, IALL, Annual Meeting, Lawyers Assistance Program, Casemaker, ALPS, Practice Sections, and approved vendors.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

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

The meeting adjourned at 3:30 p.m.

Respectfully submitted,



Diane K. Minnich
Executive Director