

**GENERAL SESSION MINUTES**  
**Idaho State Bar Board of Commissioners**  
**July 13, 2016**  
**Boise, Idaho**

President Trudy Fouser called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:45 a.m. at the Riverside Hotel in Boise, Idaho. In attendance at the meeting were Commissioners Tim Gresback, Michelle Points, Kent Higgins, and Dennis Voorhees, Bar Counsel Brad Andrews, Deputy Executive Director Mahmood Sheikh, Deputy Bar Counsel Julia Crossland and Executive Director Diane Minnich, who acted as secretary. Also in attendance were Commissioners Elect David Cooper and Michael Howard.

**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 May 5, 2016 Board of Commissioners meeting as submitted.

**Meeting with the Idaho Supreme Court** – The Commissioners reviewed the agenda for the lunch meeting with the Idaho Supreme Court.

**ABA State Bar Delegate** – The Commissioners considered the appointment of the ABA State Bar Delegate. The current Delegate, Deborah Ferguson, is interested in serving another term. It was moved, seconded and passed to reappoint Deborah Ferguson as the ABA State Bar Delegate.

**2016-17 Committee Appointment Recommendations** - The Commissioners were provided with recommendations for committee appointments for the 2016-17 year. The Executive Director reviewed the process for generating the recommendations. After discussion and review of the recommendations, it was moved, seconded and passed to approve the 2016-17 Committee appointments as recommended; the 2016-17 committee lists are attached as part of the minutes.

**Licensed Nursing Facilities Pre-litigation Hearing Panelists** – The Commissioners considered applicants to serve as licensed nursing facilities pre-litigation hearing panelists. It was moved,

seconded and passed to submit the names of Steven Kraft and George Patterson to the Board of Examiners of Nursing Home Administrators.

**Lawyer Serve! Update** – President Fouser provided an update on the Lawyers Serve! project. She noted that the brochure was completed and provided to attorneys at the Annual Meeting; it will also be added to the website. The vignettes have been in the Ebulletin and stories in the Advocate. The Executive Director and Deputy Executive Director noted that they plan to continue to gather this information and disseminate it through the various avenues available.

**Future of the Profession/Access to Justice** – The Commissioners agreed to discuss this issue with the Idaho Supreme Court justices and determine their interest in the concept.

**3L Early Bar Exam Testing** – The Commissioners were provided with a memo from Director of Admissions Maureen Braley updating them on the discussions with the law schools about this concept. She reported that both law schools expressed interest but wanted to further research the concept and discuss it with law school administration and faculty.

**2016 Resolution Meeting Schedule** – The Commissioners were provided with the final schedule for the 2016 resolution process.

**Strategic Planning Retreat** – The Commissioners discussed having the yearly retreat in conjunction with the September BOC meeting. The Commissioners agreed to have a retreat and review the following: last year's notes, current strategic plan, current projects and progress.

**2016- 17 Meetings and Events** - The Commissioners were provided with an updated meetings and events schedule for the coming year.

## **ADMINISTRATION AND SUPPORT**

**Financial Reports** – The Commissioners were provided with the May and June financial reports. At the end of June, 91.8% of revenue was collected and 49.4% of expenses incurred. Incoming Commissioner David Cooper suggested we break out investment income by cash and cash equivalents and changes in market value.

**BOC Conference Attendance Policy** – The Commissioners reviewed the current BOC Conference Attendance Policy, BOC attendance at conferences, and the BOC expenses for conference travel for the current Commissioners.

## **MEMBER SERVICES**

**Annual Meeting Schedule and Update** – The Commissioners were provided the Annual Meeting schedule of events and meetings, BOC/DBA presidents meeting agenda, and list of scholarship recipients.

**Member Services Update** – The Commissioners were provided with an update from Deputy Director Sheikh on the following programs: Mentor program, IALL, LAP, Casemaker, Practice Sections, and the approved member services. He also provided the IALL 2016 class evaluations,

and a memo regarding the discontinuation of the Law Center rental library as of December 31, 2016.

### **MEETING WITH THE IDAHO SUPREME COURT**

At noon, the Commissioners were joined by members of the Idaho Supreme Court and the new Administrative Director of the Courts Sara Thomas. The group discussed the following issues: the concept of forming an Access to Justice Commission, modest means programs, Icourts email addresses, 2016 legislative session update, 2017 court legislative and budget priorities, and a big thank you to all for their assistance with the National Mock Trial Competition.

### **MEETING WITH THE ISB APPOINTED MEMBERS OF THE IDAHO JUDICIAL COUNCIL**

At 1:30 p.m. the Commissioners were joined by the Idaho Judicial Council Executive Director Tony Cantrill and Judicial Council members Judge Thomas Ryan, Reed Larsen, and Joel Hazel. The Judicial Council representatives and Commissioners discussed the work of the Council for the past year.

### **REPORTS/CORRESPONDENCE/NEWS CLIPPINGS**

**Disciplinary/Admissions Information** – The Commissioners were provided with Idaho Supreme Court Order Granting Stipulation to Resign in Lieu of Disciplinary Proceedings for John Souza and the Order Granting Petition for Reinstatement for Karl Kime.

**Informational Reports** – The Commissioners were provided with the Access to Justice Idaho Campaign update, along with letters and news clippings for the past month in PDF format.

The meeting adjourned at 2:45 p.m.

Respectfully submitted,

Diane K. Minnich  
Executive Director