

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
January 13, 2017
Boise, Idaho

President Dennis Voorhees called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:35 a.m. at the Law Center in Boise, Idaho. In attendance at the meeting were Commissioners Michelle Points, Kent Higgins, David Cooper, and Mike Howard, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Assistant Bar Counsel Caralee Lambert and Executive Director Diane Minnich, who acted as secretary. Deputy Director Mahmood Sheikh joined the meeting in progress.

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, 2016 Board of Commissioners meeting as amended.

Meeting with the Idaho Supreme Court – The Commissioners reviewed the agenda for the lunch meeting with the Idaho Supreme Court. The agenda items included: the resolution process, 2017 court legislative and budget priorities, iCourt e-filing update, admissions, Access to Justice update, Civil Justice Reform Initiative, IVLP and a committee to review the future of the practice.

Malpractice Insurance – The Commissioners discussed the process for implementing the requirement for attorneys that represent private clients to have malpractice insurance. The questions discussed included the definition of private clients, how quickly an attorney can obtain insurance and should consideration be given for an extension or exemption. The Commissioners agreed to review the issues with the Idaho Supreme Court.

Concordia Visit – The Executive Director noted that the meeting with the administration and faculty at Concordia University School of Law is scheduled for 2:00 p.m.

Qualified Lawyer Referral Service – The Commissioners considered a request for approval for a qualified lawyer referral service off the record pursuant to IRPC 7.2. The Commissioners discussed why a company would want to become a qualified LRS and whether or not the program qualifies. Bar Counsel agreed to contact the representative of the company to discuss the requirements for a qualified LRS and the pros and cons of becoming qualified.

Medical Malpractice Prelitigation Screening Panel – The Commissioners were provided with William Hancock’s resignation from the medical malpractice prelitigation panel. Mr. Hancock recommended that Kent Hawkins be appointed to take his place as a panelist. It was moved, seconded and passed to appoint Kent Hawkins as a panelist for the medical malpractice prelitigation panels to replace William Hancock.

2017 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, 98.9% of revenue was collected and 98.1% of expenses incurred. Controller Debbie Dudley noted that the financials were not final, additional expenses will be incurred in 2016.

2017 Proposed Budget – The Commissioners were provided with the proposed 2017 budget. The Commissioners discussed the current fund balance; reasons for and potential uses of the fund balance. After discussion, it was moved, seconded and passed to approve the 2017 budget as presented.

Auditors Engagement Letter – The Commissioners were provided with the engagement letter for the 2016 audit of the ISB financials. It was moved, seconded and passed to accept Eide Bailly’s engagement letter for the audit of the 2016 Idaho State Bar financials as submitted.

MEMBER SERVICES

CLE Report – The Commissioners were provided with the 2016 CLE attendance report as well as the program schedule for 2017.

2017 Annual Meeting Update – Deputy Director Sheikh reviewed the proposed agenda and provided a list of potential speakers. After discussion the Commissioners determined their three top choices for the keynote speaker: Mitnick, Motley and Bowling.

Section Fund Balances Carry Over Calculation – Deputy Director Sheikh provided information on the sections that are over their fund balance carryover limit. He has explained the process to request a waiver of the carryover limit to the affected sections and requested they submit waiver requests in time for the February Board meeting.

New Section Request: Law and Religion – The Commissioners reviewed and discussed the section formation request. After discussion, it was moved, seconded and passed to table a decision and ask the section organizers to meet with Commissioners next month.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

Informational Reports – The Commissioners were provided with reports, letters and news clippings for the past month in PDF format.

The meeting adjourned at 12:25 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director