

2015 - 16 ANNUAL REPORT



Idaho State Bar Board of Commissioners



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About Us

The Idaho State Bar (ISB) is a self-governing state agency financed by license fees paid by each attorney in Idaho. The ISB operates under authority delegated by the Idaho Supreme Court through its rule-making power, and under statutory authority of the legislature.

Five commissioners, elected for staggered, three-year terms, meet nine times yearly to govern the Bar's affairs and functions including admissions, annual licensing, and discipline.

Idaho is organized geographically into seven District Bar Associations corresponding with the state's judicial districts. A portion of the license fees collected by the ISB is remitted to each district for its local business.

The Idaho State Bar is administered by the executive director and staff, and maintains its offices and records at The Law Center at 525 West Jefferson Street in Boise.

Mission Statement

The mission of the Idaho State Bar is to administer granting the privilege to practice law in Idaho; to control and regulate the legal profession; to protect the public from the unauthorized practice of law and from unprofessional conduct by members of the Bar; to promote high standards of professional conduct; and to aid in the advancement of the administration of justice.

1. Promote high standards of professional conduct by members of the Bar.
2. Furnish programs and services which improve opportunities or professional growth and enhance the competency of members of the Bar.
3. Promote the public's access to legal services.
4. Enhance public understanding of and respect for the law and the legal system.
5. Aid in the advancement of the administration of justice.
6. Maintain effective state Bar governance and management.



Idaho State Bar Management

Executive Director: Diane K. Minnich

Bar Counsel: Bradley G. Andrews

Deputy Executive Director: Mahmood Sheikh

Deputy Bar Counsel: Julia A. Crossland

Assistant Bar Counsel: Caralee A. Lambert

Controller: Debbie Dudley

Director of Admissions: Maureen Ryan Braley

Licensing, MCLE and IT Administrator: Annette Strauser

Communications Director: Dan Black

Licensing

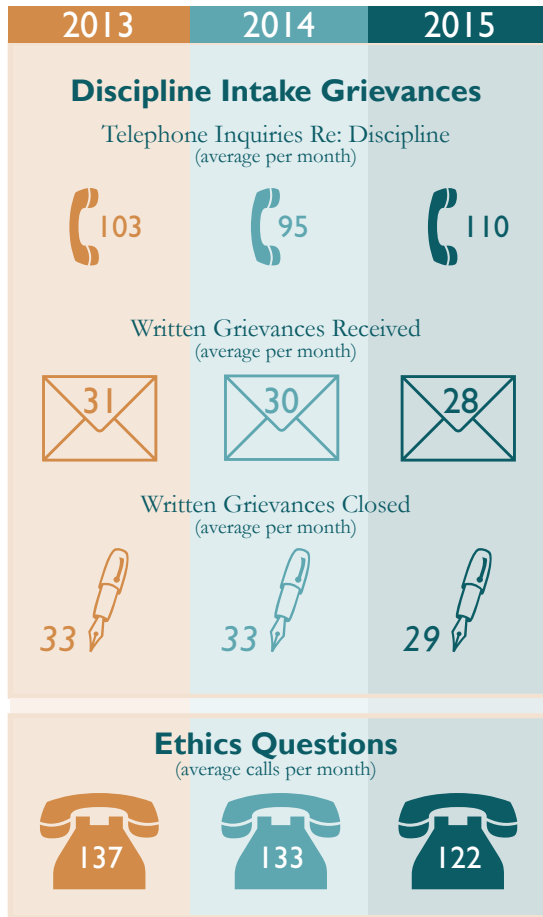
One of the primary functions of the Idaho State Bar is the licensing of attorneys in Idaho. To practice law in Idaho, all attorneys must be members of the Idaho State Bar and must meet annual licensing requirements. As of June 2016, membership grew by 117 attorneys – an increase of 1.9% from June 2015.

	June 2015	June 2016	Increase/Decrease
Active	4,904	4,980	1.5%
Inactive	868	884	1.8%
Senior	69	87	20.7%
Emeritus	2	3	33.3%
House Counsel	32	27	-18.5%
Judicial	209	220	5.0%
Total	6,084	6,201	1.9%

Mandatory Continuing Legal Education (MCLE)

An important part of the attorney licensing requirements is continuing legal education. To keep abreast of changes in the law, Idaho attorneys who are actively licensed to practice law must earn at least thirty (30) credits of Idaho State Bar approved legal education, including at least three (3) credits of ethics/professional responsibility, every three years. In 2015, the Mandatory Continuing Legal Education (MCLE) Department received 5,445 applications and approved 4,289 courses for MCLE credit – a 7.52% increase from 2014. Applications were received from both course sponsors and attorneys, and MCLE credit was granted to courses held across the country. Approved courses included live presentations, online courses and recorded programs.

Bar Counsel

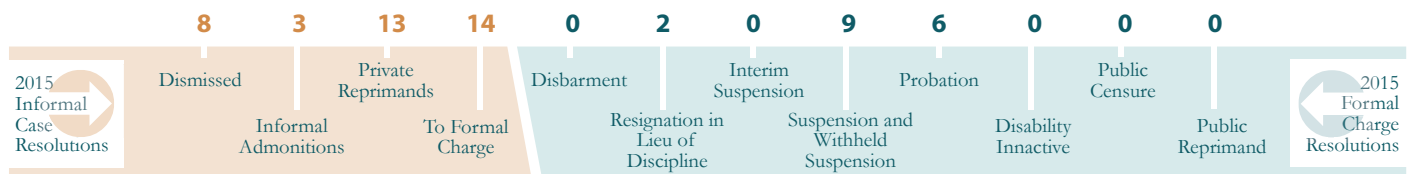


Client Assistance Fund Claims

	Opened	Closed	Pending	Paid
2013	19	13	13	\$20,500
2014	17	17	13	\$57,800
2015	11	16	8	\$52,995

Fee Arbitration Cases

	Opened	Closed	Pending
2013	47	43	21
2014	43	49	15
2015	31	30	16



Informal Disciplinary Cases

	Opened	Closed	Pending
2013	57	63	28
2014	31	44	15
2015	50	39	26

Formal Disciplinary Cases

	Opened	Closed	Pending
2013	17	18	8
2014	16	13	10
2015	8	10	8

Admissions

Idaho was the third state to adopt the Uniform Bar Examination (UBE) in March 2011. Idaho administered its first UBE during the February 2012 bar examination. As of June 17, 2016, 21 states have adopted the UBE. Since February 2012, 117 people have applied for admission in Idaho by transferring a UBE score.

Idaho currently has reciprocal admission (i.e., admission based on practice experience in another state) with 33 jurisdictions. In 2015, 60 attorneys applied for reciprocal admission. Reciprocal application numbers have declined over the past few years while UBE score transfer applicant numbers have increased.

161 people applied to sit for the July 2016 Idaho bar examination, which is the highest number of bar exam applicants since the July 2008 bar examination. Although law school enrollment continues to decline nationwide, Concordia University School of Law's presence in Idaho has led to an increase in applicant numbers. In 2016, applicant number 10,000 was issued to Idaho's 10,000th applicant for admission in this state.

Reciprocal Admission Applicants (as of June 17, 2016)

Year	2012	2013	2014	2015	2016
Total Applicants	90	73	68	60	61
Total Applicants Admitted	95	63	71	24	28

Bar Exam Applicants

Year	2011	2012	2013	2014	2015
Applicants taking exam	183	215	214	190	181
Applicants Admitted	144	171	168	129	127
Passing Percentage	78.7%	79.5%	78.5%	67.9%	70.2%

UBE Applicants (as of June 17, 2016)

Year	2012	2013	2014	2015	2016
Total Applicants	4	23	36	36	18
Applicants Admitted	0	10	34	33	23

**FINANCIAL REPORT
IDAHO STATE BAR -- GENERAL FUND**

**STATEMENT OF REVENUES, EXPENSES
AND CHANGES IN NET ASSETS **
YEAR ENDED DECEMBER 31, 2015**

Revenue

Licensing	\$ 2,051,304
Admissions	232,407
Advocate	143,147
MCLE	119,355
Annual Meeting	72,670
Lawyer Ref Svc	30,730
Other	39,530
Total Revenue	2,689,143

Expenses

Admissions	293,306
MCLE	144,613
Bar Counsel	747,773
Licensing & Governance	278,797
Advocate	231,149
Annual Meeting	143,566
Lawyer Ref Svc	63,180
Member Svcs & Admin	721,321
Total Expenses	2,623,705

Change in Net Assets 65,438

Net Assets, Beginning of Year 1,911,121

Net Assets, End of Year \$ 1,976,559

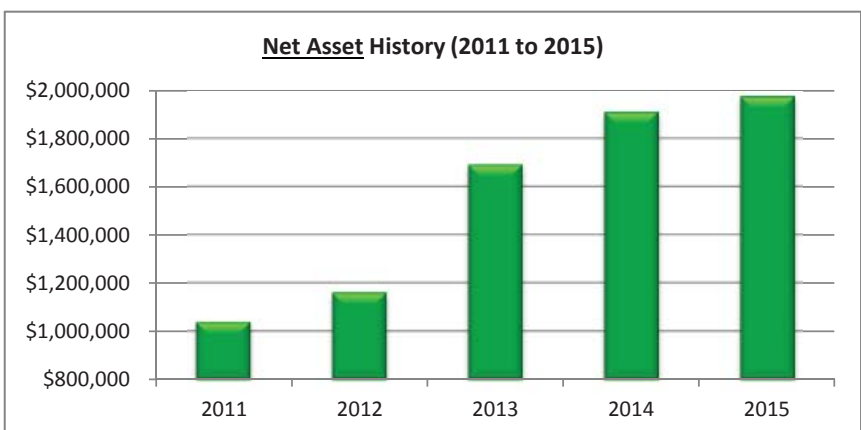
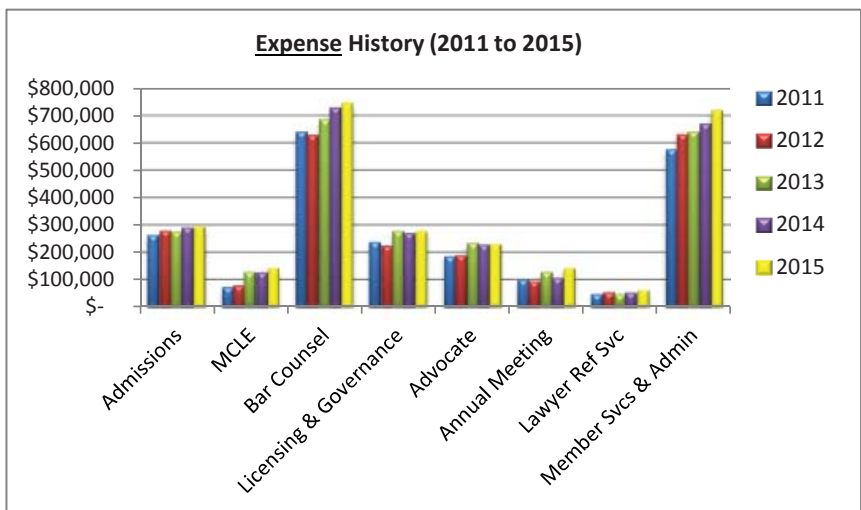
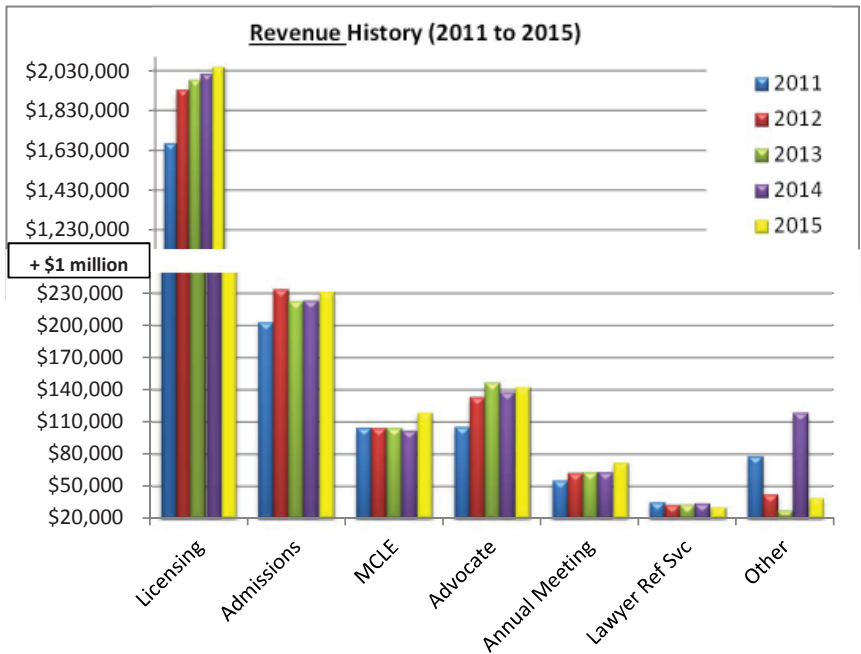
**STATEMENT OF NET ASSETS **
AS OF DECEMBER 31, 2015**

Assets

Cash & investments	\$ 2,610,539
Other current assets	170,273
Capital assets, net of depreciation	72,554
Total Assets	\$ 2,853,366

Liabilities & Net Assets

Current liabilities	\$ 873,790
Long-term liabilities	3,017
Net assets	1,976,559
Total Liabilities & Net Assets	\$ 2,853,366



The audited financial statements of the Idaho State Bar are available upon request.

** Excludes the effects of GASB 68 "Accounting and Financial Reporting for Pensions" and GASB 71 "Pension Transition for Contributions Made Subsequent to the Measurement Date".

FINANCIAL REPORT
IDAHO STATE BAR -- RESTRICTED FUNDS *

STATEMENT OF REVENUES & EXPENSES **
YEAR ENDED:

	Client Assistance Fund		Sections Funds	
	2014	2015	2014	2015
Revenue				
Dues & assessments	\$ 121,705	\$ 120,415	\$ 98,480	\$ 103,315
CLE fees, recorded programs & publications	-	-	178,611	197,104
Contributions, interest & other	1,114	1,072	34,672	30,520
Total Revenue	122,819	121,487	311,763	330,939
Expenses				
Overhead (rent, salaries/benefits, general office)	-	-	72,556	71,237
CLE, recorded program & publication expense	-	-	135,677	137,476
Governing board & travel	-	-	32,915	41,404
Claims paid (net of reimbursements)	57,800	52,955	-	-
Donations & sponsorships	-	-	31,496	30,013
Other	3,295	1,170	28,879	26,639
Total Expenses	61,095	54,125	301,523	306,769
Change in Net Assets	\$ 61,724	\$ 67,362	\$ 10,240	\$ 24,170

STATEMENT OF NET ASSETS **
AS OF DECEMBER 31:

	Client Assistance Fund		Sections Funds	
	2014	2015	2014	2015
Assets				
Cash & investments	\$ 745,458	\$ 812,656	\$ 168,691	\$ 202,333
Other current assets	30,397	30,561	49,656	45,724
Total Assets	\$ 775,855	\$ 843,217	\$ 218,347	\$ 248,057
Liabilities & Net Assets				
Current liabilities	\$ -	\$ -	\$ 23,834	\$ 29,374
Net assets	775,855	843,217	194,513	218,683
Total Liabilities & Net Assets	\$ 775,855	\$ 843,217	\$ 218,347	\$ 248,057

The audited financial statements of the Idaho State Bar are available upon request.

* Funds can only be used for specific purposes and are not available for General Fund purposes.

** Excludes the effects of GASB 68 "Accounting and Financial Reporting for Pensions" and GASB 71 "Pension Transition for Contributions Made Subsequent to the Measurement Date".

Idaho lawyers boost National Mock Trial

The Idaho Law Foundation hosted the 2016 National Mock Trial Competition in Boise, with help from 278 volunteers from the Idaho State Bar. Teams came from 46 high schools in U.S. states and territories to test their presentation and reasoning skills. The event was held May 12-14, 2016, at the Ada County Courthouse. There, teams were placed in competition brackets and assigned courtrooms to conduct the competition, which was rated by volunteers made up largely of Idaho judges and lawyers.

For the national event, a local steering committee and national volunteers began planning three years prior. They did research, fundraising, recruiting, and planning to organize a smooth, fair and fun competition. A national committee provided a case for the plaintiff and defense.

The teenagers got to meet competitors from far away at informal events. After the first day of competition, the teams were treated to a feast at the Basque Block, including folk dancing and pin exchanges. During the day, however, it was all business as teams practiced their arguments and tried to calm their nerves.

This year the Idaho Law Foundation's Law Related Education Director Carey Shoufler and the Mock Trial Committee organized both the national competition and the Idaho mock trial season. In the Idaho competition, 19 teams argued, examined and objected their way to a state championship held in April.

Not every Idaho high school has a mock trial team. Successful programs often have a lawyer or group of lawyers assisting a civics or history teacher. To volunteer or get involved in next year's state competition, contact Carey Shoufler at cshoufler@isb.idaho.gov.

Governance – 2015 Resolution Process

The ISB membership considered six resolutions during the 2015 resolution process, all six resolutions recommended changes to the Idaho Bar Commission Rules (IBCR). The following rule changes to the IBCR were approved by the membership and adopted by the Idaho Supreme Court. With the exception of IBCR 217, the amendments to the rules were effective July 1, 2016.

Idaho Bar Commission Rule 217 (k). Reevaluation

The rules are amended to eliminate reevaluation of bar exams and change the passing score to 68%. The change is effective with the February 2017 bar exam.

Idaho Bar Commission Rule 228. Emeritus Attorney License

The emeritus rules are amended to expand the ability to practice pro bono under an Emeritus license. The revisions remove the supervising lawyer requirement, address the scope of the practice, and provide that Emeritus Attorneys shall complete three credits of continuing legal education from the Approved Legal Assistance Organization (offered at no cost) each year the Emeritus Attorney holds a limited license.

Idaho Bar Commission Rule 302. Licensing Requirements and 304 Annual License Fee

The rules are amended to change the age requirement for senior status from 72 to 65.

Idaho Bar Commission Rule 402

The rules are amended to change the eligibility requirements for MCLE exemptions, eliminating the ability for attorneys over the age of seventy-two to request an exemption, except for special circumstances constituting an undue hardship, disability or severe or prolonged illness.

Idaho Bar Commission Rule 521. Access to Information

The amendments eliminate the provisions in IBCR 521 that prohibit individuals, other than disciplinary authorities, from disclosing information about disciplinary proceedings. The ABA revised the Model Rule corresponding to IBCR 521 following review by the ABA House of Delegates, which questioned the constitutionality of prohibiting individuals other than disciplinary authorities from disclosing information about disciplinary proceedings. Based on caselaw, the ABA's analysis, and its own independent review, the Board of Commissioners agreed that prohibiting attorneys and other individuals involved in disciplinary proceedings from disclosing information about those proceedings raises constitutional issues that are addressed by the revisions to I.B.C.R. 521.

Idaho Bar Commission Rules Section IV Mandatory Continuing Legal Education

The amendments clarify references and language. Also, a late fee will now be assessed for applications that are submitted longer than 90 days after a program concludes. Course providers are now required to submit the roster of attorney participants, including both the printed name and Bar numbers.

Practice Sections: Contributions for a better future

Animal Law

- Three complimentary Section membership to law students
- Pro bono service to animal cause organizations

Appellate Practice

- Gifted \$50 to the Access to Justice Campaign
- Gifted \$50 to the 2016 National High School Mock Trial Competition
- Donated a copy of their Appellate Handbook to the law schools, ITLA, IVLP, ILAS and Disability Rights Idaho

Business & Corporate Law

- Pro bono service through Idaho Volunteer Lawyers Program's Volunteer Lawyers for Emerging Businesses
- Gifted \$500 to the University of Idaho College of Law scholarship fund
- Gifted \$500 to Concordia University School of Law scholarship fund
- Gifted \$1,000 to the Access to Justice Campaign
- Gifted \$500 to the Professionalism & Ethics Section in support of the 1L Professionalism Orientation programs

Commercial Law & Bankruptcy

- Gifted \$5,000 to Access to Justice Campaign
- Gifted \$3,261 to University of Idaho College of Law Moot Court Bankruptcy Teams
- Gifted \$2,000 to University of Idaho College of Law Scholarship Fund
- Gifted \$2,000 to Concordia University Law School Scholarship Fund

Dispute Resolution

- Gifted \$1,000 to the 2016 National High School Mock Trial Competition
- \$250 sponsorship to the Idaho Mediation Association Annual Conference

Diversity Section

- \$200 sponsorship to the Canyon County Prosecutor's Office Diversity Conference
- Committed \$4,037 to the Love the Law! Program

Employment & Labor Law Section

- Gifted \$700 to the Access to Justice Campaign
- Gifted \$400 to the Idaho National High School Mock Trial Competition
- Gifted \$300 to the Diversity Section Love the Law! Program

Environment & Natural Resources Law

- \$250 sponsorship to the University of Idaho College of Law Environmental Law Society Speaker Bureau Fund
- Gifted \$250 to the Access to Justice Campaign
- Gifted \$250 to the National High School Mock Trial Competition
- Gifted \$250 to the Professionalism & Ethics Section in support of the 1L Professionalism Orientation programs
- Partnered with The Land Trust to build a trail near Harrison Hollow
- \$500 sponsorship to the Access to Justice Fund Run/Walk

Family Law Section

- Gifted \$500 to the Diversity Section Love the Law! Program
- Gifted \$3,500 to the Access to Justice Campaign
- Gifted \$1,000 to the Diversity Section 225th Anniversary of the Bill of Rights Celebration
- \$1,500 sponsorship of the Idaho State Bar Annual Meeting
- Donated a copy of their Handbook and Formsbook to the law schools, ITLA, IVLP, ILAS and Disability Rights Idaho

Government & Public Sector Lawyers Section

- Gifted \$200 to the Professionalism & Ethics Section in support of the 1L Professionalism Orientation programs
- Gifted \$500 to the Idaho Law Foundation
- Gifted \$500 to the National High School Mock Trial Competition
- Service project is Attorneys for Civic Education

Health Law

- \$500 sponsorship to the Idaho Women Lawyers Inc. Gala

Indian Law

- Gifted \$500 to the University of Idaho College of Law Native American Moot Court Competition Team
- Gifted \$250 to the National High School Mock Trial Competition

Intellectual Property Law

- Complimentary section membership to law students
- Gifted \$1,000 scholarship to a University of Idaho College of Law student
- Awarded a \$855 stipend for a University of Idaho College of Law student's expenses associated with an externship with the U.S. Patent Office
- Provided pro bono work through the University of Idaho College of Law IP Clinic and the Rocky Mountain Regional Patent Office

International Law Section

Litigation Section

- Gifted \$5,250 to the Access to Justice Campaign
- Gifted \$2,000 to the National High School Mock Trial Competition
- Gifted \$500 to the Idaho Trial Lawyers Association Street Law Clinic
- Gifted \$1,000 to the Professionalism & Ethics Section in support of the 1L Professionalism Orientation programs
- Gifted \$750 to the Diversity Section's Love the Law! Program

Professionalism & Ethics

- Awarded \$500 to the Richard C. Fields Civility Plaque housed at Concordia University School of Law
- Gifted \$300 to the Access to Justice Campaign
- Gifted \$300 to the National High School Mock Trial Competition

Practice Section Fun Facts:

21 Sections in the
Idaho State Bar

3,369

total Section members in 2015.

Top 5 largest individual Section membership

➔ Business & Corporate Law: 369 members

➔ Litigation: 342 members

➔ Real Property: 330 members

➔ Taxation, Probate & Trust Law: 328 members

➔ Family Law: 316 members

Practice Sections: Donations/sponsorships = \$30,013

Section chairpersons were from:
Spokane, Worley, Coeur d'Alene, Meridian and Boise.

Real Property

- Gifted \$1,000 to the Diversity Section 225th Anniversary of the Bill of Rights Celebration
- \$500 sponsorship to the Access to Justice Fund Run/Walk

Taxation, Probate and Trust Law

- Provided over 1,500 copies of their *Guardianship & Conservatorship Q/A*, *Basic Estate Planning Q/A* and *Do You Really Need a Living Trust?* brochures
- Complimentary attendance of six law students at each quarterly Section meeting

Water Law

- Gifted \$100 to the Access to Justice Campaign
- \$500 sponsorship of the Idaho Water User Associations Conference
- Purchased mailing labels (ISB membership list) for the Idaho Water Users Association Annual Conference invitation

Workers Compensation

- Raised funds for the Kids Chance Program scholarship

Young Lawyers

- \$500 sponsorship to the Access to Justice Fund Run/Walk
- Raised close to \$4,000 for the Attorneys Against Hunger Campaign – funds given directly to Idaho Foodbank

Member Services

The Idaho State Bar helps members expand their knowledge of the law, keep up on changes in the legal services industry and promote professionalism and collegiality among those in the legal community. These activities continued last year with the following:

ISB Annual Meeting - The ISB Annual Meeting was held at the Sun Valley Resort in Sun Valley July 22-24, 2015. The keynote presenter was Hon. Rebecca Love Kourlis, the Executive Director and Founder of the Institute for the Advancement of the American Legal System. The attorney/ judge registrant count was up 7.2% from the previous year. Sun Valley last hosted the meeting in 2011.

Special Discounted Pricing - Special Discounted Pricing for various goods and services is made available to members. Details are found on the ISB website under Member Services.

Lawyer Referral Service - The ISB Lawyer Referral Service implemented changes that were approved two years ago by the membership to change the rules and procedures. The program now charges callers \$35 for each referral. Staff members screen callers to help create a better match between attorney and one caller. Participating attorneys agree to provide up to a half hour consultation for free. These new rules were implemented alongside a new web portal that attorneys and staff can use to better track referrals.

Communications - The Communications Department took on a project initiated by ISB President Trudy Hanson Fouser to improve the general reputation of lawyers in Idaho. To do so, the ISB sent a digital survey to all lawyers asking them to document the charities they assist. Partial results of that survey were used to create the "Lawyers Serve!" feature in the weekly E-Bulletin, and to create a brochure distributed to leaders, attorneys and the media.

The ISB and ILF also issued numerous press releases illustrating the exceptional community service and pro bono commitment by Idaho lawyers in their communities across the state. Our press releases touted the work of District Bar Associations, Committees, Sections, and Law Related Education activities.

The Communications Department also kept the membership up to date on all the regular and special news and events important for the legal community. The weekly E-Bulletin posted special events, rule changes and CLEs that impact every Idaho attorney. The E-Bulletin is ideal for a compact, easy-to-read format with links to technology tips, legal history, and advice for soloists.

Notably, the web site now contains a comprehensive Online Desk Book Directory which is updated regularly. *The Advocate* is also available online, as is a special storehouse of attorney information, "*The Advocate Extra!*" which has a wonderful reference, "The Idaho Canons of Construction." It also has previous columns addressing bullying by Past President Tim Gresback.

The Advocate - The magazine published meaningful articles written by members of the bar nine times last year. Along with substantive articles about the law, it publicized important events in the legal community and accomplishments by the membership.

Social Media - The ISB significantly improved its number and quality of postings on social media, rousing interest and comments from bar members on Facebook (116% increase), LinkedIn and Twitter (63% increase).



Idaho Academy of Leadership for Lawyers - This is the leadership training program designed for lawyers who show a strong interest in developing their leadership skills. Graduating class members embark upon legacy projects as part of the Academy's practicum. The 2015-16 class graduated on May 6, 2016, and consisted of 12 attorneys from four of the seven judicial districts. Idaho Academy of Leadership for Lawyers now proudly claims four graduating classes with a total of 61 graduates representing a variety of backgrounds and law practice areas. The IALL graduates from 2015-16:

- Brenda Michelle Bauges, *Office of the Attorney General*
- Andrea Lynn Courtney, *Office of the Attorney General*
- Amber Champree Ellis, *St. Luke's Health Systems, Ltd.*
- William Kendall Fletcher, *Hawley Troxell Ennis & Hawley, LLP*
- Patrick John Geile, *Foley Freeman, PLLC*
- Jamila Daphne Holmes, *Kootenai County Prosecutor's Office*
- Teri Jones, *Ada County Public Defender's Office*
- Matthew James McGee, *Moffatt Thomas*
- April Lea Pope, *Battelle Energy Alliance, LLC*
- Michael Kaye Porter, *Canyon County Prosecutor's Office*
- Julie Stomper, *Beard St. Clair Gaffney PA*
- Robert James Taylor, *Taylor Law & Mediation PLLC*

IDAHO STATE BAR

525 W. Jefferson Street | Boise, ID 83702
ph. (208) 334-4500 | fax (208) 334-4515
www.isb.idaho.gov