

GENERAL SESSION MINUTES
Idaho State Bar Board of Commissioners
September 8, 2017
Boise, Idaho

President Kent Higgins called the business meeting of the Board of Commissioners of the Idaho State Bar to order at 8:30 a.m. at the Hampton Inn in Boise, Idaho. In attendance at the meeting were Commissioners, David Cooper, Mike Howard, Judge Mike Oths, David Kerrick, Bar Counsel Brad Andrews, Deputy Bar Counsel Julia Crossland, Deputy 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 §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 July 12, 2017 Board of Commissioners meeting as submitted.

2017 Resolution Process – The Commissioners reviewed the resolution meeting schedule. The Commissioners considered a recommendation from the Professionalism and Ethics Section to submit a resolution recommending the adoption of revisions to Idaho Rule of Professional Conduct 8.4(g). The ABA adopted a revised Model Rule 8.4(g). The committee reviewed the model rule and is recommending a revised version of the rule. After considerable discussion, it was moved, seconded and passed (4-1) to sponsor the resolution recommending changes to IRPC 8.4(g). Commissioner Howard noted he plans to submit a resolution to address out-of-state active attorneys, their voting rights and the distribution of funds to district bars.

DBA Bylaws Task Force – The Commissioners considered a recommendation from Deputy Director Mahmood Sheikh to form a taskforce to consider and recommend revisions to the District Bar Association Uniform Bylaws. It was moved, seconded and passed to approve the formation of a DBA Uniform Bylaw Revision Task Force to consist of Nancy Austin, Kristin Bjorkman Dunn, Nance Ccarelli, Rich Diehl (Chair) and Commissioner Mike Howard.

Magistrate Commission Appointments – The Commissioners voted to confirm the appointment of the lawyer magistrate commission members for the first and second districts; First: Brent Featherston, Erica Grubbs, and Second: Karin Seubert and Jennifer Ewers. The Executive Director noted that there was an issue with the timing of the appointments and a meeting of one of the Commissions. In the future, the bar will communicate sooner with the Courts and the lawyer members of Commissions regarding the appointments.

Malpractice Coverage Requirement Update – The Executive Director noted that notices were sent to those lawyers that indicated they did not currently have malpractice coverage. She and Maureen Braley have fielded calls from lawyers and have prepared an information sheet about the requirement.

Committee/Section Liaison appointments – The Commissioners considered the proposed committee and section liaison assignments for Commissioners. The assignments were approved with a few adjustments. (attach list).

ABA Fund for Incoming ABA President Bob Carlson – The Commissioners considered a request from a former Montana State Bar President to donate to a fund for costs associated with serving as the ABA president. The Commissioners decided not to donate.

Executive Order 2017-06 – The Commissioners were provided with Executive Order 2017-06, Idaho's Licensing Freedom Act. The Commissioners decided that the bar should put a link to the order on the website.

2017-18 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 July financial reports. At the end of July, 30, 93.5% of revenue was collected and 60.1% of expenses incurred. The Commissioners discussed the section financials and fund balances. The Executive Director noted that additional capital costs will be incurred this year to update wiring and computer switches.

MEMBER SERVICES

Annual Meeting Report – The Commissioners were provided with the evaluations from the 2017 Annual Meeting in Moscow, Idaho. Overall, the reviews were positive. The Commissioners discussed some of the ideas noted in the evaluations.

Desk Book Directory Review – Deputy Director Sheikh submitted a proposal to survey a random group of attorneys regarding their use of the Desk Book Directory. The staff is reviewing what is in the Desk Book, what should be included in the Desk Book and the delivery options, hard copy or electronic. The Commissioners supported the proposal.

2017-18 Idaho Academy of Leadership for Lawyers Class – The Commissioners were provided with the IALL class members for the coming year.

REPORTS/CORRESPONDENCE/NEWS CLIPPINGS

Disciplinary/Admissions Information – The Commissioners were provided Idaho Supreme Court disciplinary orders for Noel Pitner and Jacob Deaton.

Informational Reports – The Commissioners were provided with the August membership count, Supreme Court Oral Conference minutes, Access to Justice Idaho Campaign update, and news clippings for the past month.

The meeting adjourned at 2:00 p.m.

Respectfully submitted,

Diane K. Minnich
Executive Director

**Idaho State Bar
Commissioner Liaison Assignments to Committees**

<u>ISB Committees</u>	<u>Chairperson</u>	<u>August 16-July 17</u>	<u>August 17-July 18</u>
<i>Advocate</i>	Brian Kane	David Cooper	Judge Oths
<i>Practice Section Council</i>		Michelle Points	David Cooper
<i>Lawyer Assistance Program</i>	Jamie Shropshire	Kent Higgins	David Kerrick
<i>Lawyer Referral Service</i>	Jay Sturgell/Ralph Blount	Mike Howard	Mike Howard
<i>IALL</i>	Judge Carnaroli		
<i>Idaho Law Foundation</i>	President Craig Meadows	Dennis Voorhees	Kent Higgins
<i>Bar Exam Prep</i>	Lane Erickson		
<i>Character & Fitness</i>	Kay Christensen		
<i>Client Assistance Fund</i>	Hon. Scott Wayman		
<i>UPOL</i>	Rick Lierz		
<i>Prof. Conduct Board</i>	Karen Gowland		
<i>Reasonable Accommodations</i>	Kimberly Ross		