



**BOARD OF GOVERNORS MINUTES
March 24-25, 2022**

A meeting of the Board of Governors of the State Bar of Nevada was convened on March 24-25, 2022.

The following members were in attendance:

Ann Morgan, President
Paola Armeni, President-Elect
Julie Cavanaugh Bill, Vice President
Eric Dobberstein, Immediate Past President
Seth Adams
Jeffrey Albregts
Doug Clark
Terry Coffing
Andrew Craner
Richard Dreitzer
Gene Leverty
Joel Locke
Catherine Mazzeo
Marisa Rodriguez
Kari Stephens
Brittnie Watkins

State Bar staff present:

Lisa Dreitzer
Kimberly Farmer
Dan Hooge
Marc Mersol
Gale Skala
Jennifer Smith-Pulsipher

Guests

Bryan Scott
Paul Matteoni
Barbara Buckley
Amy Honodel

Thursday, March 24, 2022

CALL TO ORDER MARCH 24, 2022

President Ann Morgan called the meeting to order with a quorum present on March 24, 2022, at 12:45 pm.

PRESIDENT'S REPORT

Strategic Plan, Mid-year Review of Progress

Ann Morgan presented an overview of the current strategic plan. Ms. Morgan highlighted the progress made on completing each goal. Board members provided feedback and their views regarding the status of each goal. Overall, the Board is on track to meeting the goals in the strategic plan.

CONSENT AGENDA

It was moved, seconded, and carried to approve consent agenda items:

- Minutes, January 5 and 6, 2022
- Resignations
- Contracts --_Annual Meeting AV Contract - Encore

INTRODUCTION OF COMMUNICATIONS CONCEPTS

Jennifer Smith-Pulsipher provided an overview covering best practices in communications. Ms. Smith-Pulsipher reviewed the social media platforms that the state bar has available to Nevada lawyers and highlighted features of each platform. Ms. Smith-Pulsipher subsequently provided an overview of different samples of social media posts and discussed the good or bad of each post. The Board weighed-in on the discussion opining on posts they thought were effective or non-effective communications.

SOCIAL MEDIA DISCUSSION

Bryan Scott provided an overview and training covering how to effectively use social media. Mr. Scott presented examples of how different platforms can be used and how each platform can be effective in communicating with members.

Ann Morgan gave an overview on the results of the Social Media survey given to members of the state bar. It was noted that Facebook and LinkedIn were used most often by the members. It was also noted that respondents indicated they primarily are on social media to stay in touch with friends and family.

PRESENTATION/ACTION

Proposed Rules of Professional Conduct for Child Welfare Lawyers representing Children

Julie Cavanaugh-Bill reported on the Legal Aid Center of Southern Nevada's (LACSN) proposed rule to the Nevada Rules of Professional Conduct.

To ensure that every child in foster care in Nevada receives a quality lawyer, LACSN promotes the adoption of a new rule to the rules of conduct based upon the American Bar Association Model Rules. LACSN representatives, Barbara Buckley and Amy Honodel reviewed the proposed rules.

It was moved, seconded, and carried to support the proposed rule to the Nevada Rules of Professional Conduct.

ADJORNMENT

There being no further business before the board, the meeting was adjourned at 4:15 pm.

CALL TO ORDER MARCH 25, 2022

President Ann Morgan called the meeting to order with a quorum present on March 25, 2022, at 8:15 am.

DISCUSSION

Revisit Legislative Positions by Sections

Ann Morgan reviewed the current state bar section policy -- Policy 8: Legislative and Public Policy. This policy provides guidelines and process for a section seeking to sponsor legislation or take a position on any rule or public policy issue.

Upon discussion, the Board will provide a checklist for sections sponsoring legislation along with directions the section should when supporting legislation. All section legislative activities should begin with a recital as to why it important and germane to the bar's mission for the section to support or revise legislation pertaining to a particular practice area. Sections will advise the Board of any legislation they submit with information noting the nature of the legislation and why this activity is germane to the bar's mission.

ABA Day 2022

Annually the American Bar Association (ABA) hosts ABA Day in Washington. ABA Day brings ABA leaders and state bar leaders from across the country to advocate on various issues. Ann Morgan gave a synopsis on each initiative the ABA will be advocating.

It was moved, seconded, and carried to support funding for the Legal Services Corporation as this funding falls under the bar's mission to protect the public through access to legal services.

REPORTS/DISCUSSION

CLE Fees

Seth Adams provided an analysis for the Board to consider when evaluating the current state bar CLE fee structure. Mr. Adams noted the state bar offers a free CLE program in the subjects of diversity, equity, and inclusion as well as substance abuse/mental health. The question before the Board -- should the state bar make continuing legal education available to all Nevada attorneys at no charge. It was noted that if the state bar offers free CLE's, it would impact the revenue for the sections and affinity bars who do profit from the CLE's they offer to members.

Upon discussion, the Board decided to reach out to the sections and affinity bars for their input on how free state bar CLE would impact their programs.

Financial Report

Marc Mersol presented a summary of the financial report as of December 31, 2021. Mr. Mersol also gave an overview of the financial operations ending February 2022. It was moved, seconded, and carried to accept the financial report of December 31, 2021 and February 2022.

Office of Bar Counsel Report

Dan Hooge reported on the latest discipline statistics noting that OBC has a goal of keeping active cases under 250.

DISCUSSION/ACTION

Program Development Grants

The Program Development Grant Committee reviewed applications for funding under the development grant program. Andrew Craner presented a review of the applications. It was moved, seconded, and carried to approve the recommendation of the Program Development Grant Committee.

It was moved, seconded, and carried to review the grant applications twice a year.

APPOINTMENTS

The Board approved the following appointments:

Family Law Section one-year term ending in March 2023:

- Chair: Vince Mayo
- Vice Chair: Lauren Berkich
- Secretary: Sabrina Dolson
- Treasurer: Brian Blackham

Young Lawyers Section two-year term ending in July 2022:

- Secretary: Kristen Matteoni

MCLE Board Approved

Melissa Flatley

ABA House of Delegates

- Tracy DiFillippo - Approved term ending August 2023
- Richard Pocker - Approved term ending August 2024

NEW BUSINESS

Ann Morgan reported on current affairs taking place in Ukraine. It was moved, seconded, and carried to support the following statement.

The Board of Governors joins the world community in condemning the actions of Russian President Vladimir Putin in Ukraine. The invasion violates the United Nations Charter on the principles of national sovereignty, rule of law, due process and universal human rights.

The Board of Governors will remain steadfast in the promotion of the rule of law and in the support of the Ukrainian people.

ADJORNMENT

There being no further business before the board, the meeting was adjourned at 12:45 pm.

APRIL 22, 2022, MEETING HELD VIA ZOOM

A Zoom meeting was held with the agenda item to appoint the temporary member on the Commission on Judicial Selection regarding the vacancy in the Eighth Judicial District, Department 9.

Board members present were:

Ann Morgan, President
Julie Cavanaugh Bill, Vice President
Jeff Albregts
Andrew Craner
Richard Dreitzer
Gene Leverty
Cathy Mazzeo
Marisa Rodriguez
Brittanie Watkins

After discussion the board appointed Randolph Fiedler as the temporary member to the Commission on Judicial Selection regarding the vacancy in the Eighth Judicial District, Department 9.

EMAIL VOTE 5/2/22

The Family Law Section requested approval to file a Joinder in support of the American Academy of Matrimonial Lawyers (AAML) Amicus Brief in a pending appeal before the Nevada Supreme Court in a case called *Martin v. Martin*. It was moved, seconded, and carried to approve the Family Law Section's request to file a Joinder in support of the AAML Amicus Brief.

EMAIL VOTE 05/05/22

The Probate and Trust Law Section sought board approval to file an amicus curiae brief. The amicus curiae brief will be filed in the pending Nevada Supreme Court case: *Lynita Sue Nelson, Individually and as Trustee of the LSN Nevada Trust Dated Mary 30, 2021, Appellants, vs. Jeffrey L. Burr, Esq; and Jeffrey Burr, Ltd, Respondents*. The written request adhered to the State Bar of Nevada's Process for Submitting Amicus Curiae Briefs. The Probate and Trust Law Section will file on its own volition rather than on invitation from the court. The Section may be required to obtain an extension of time from the Court to obtain the required approvals.

Via an email vote, it was moved, seconded and carried to authorize the Probate and Trust Law Section to file an amicus curiae brief in the pending Nevada Supreme Court case: *Lynita Sue Nelson, Individually and as Trustee of the LSN Nevada Trust Dated Mary 30, 2021, Appellants, vs. Jeffrey L. Burr, Esq; and Jeffrey Burr, Ltd, Respondents*. The Section must provide the completed, or near final draft of the proposed amicus curiae brief, to the Board of Governors or Executive Committee for review and approval.

Kari Stephens abstained from voting.

EMAIL VOTE JUNE 2, 2022

It was moved, seconded and approved to support ADKT 0437 In the Matter of Amendment to Supreme Court Rule 216: Client Interest Bearing Trust Accounts; Creation of Foundation. Marisa Rodriguez abstained.

EMAIL VOTE JUNE 3, 2022

It was moved, seconded and approved to appoint the following chair and vice chairs to the Southern Nevada Disciplinary Board for a one-year term.

Chair: Russell Marsh

Vice Chair: Christopher Lalli

Vice Chair: Dana Oswalt

EMAIL VOTE JUNE 8, 2022

It was moved, seconded and approved to authorize the Probate and Trust Law Section to file an amicus curiae brief as presented to the Board of Governors. The Amicus Curiae Brief request is made for the pending Nevada Supreme Court case: *Lynita Sue Nelson, Individually and as Trustee of the LSN Nevada Trust Dated Mary 30, 2021, Appellants, vs. Jeffrey L. Burr, Esq; and Jeffrey Burr, Ltd, Respondents.*

Kari Stephens abstained from voting.

Govern Serve Protect