



**MINUTES
BOARD OF GOVERNORS MEETING
Carson Valley Inn, Minden, NV
August 22, 2012**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on August 22, 2012.

The following members were in attendance:

Frank Flaherty, President
Alan Lefebvre, President-Elect
Elana Turner Graham, Vice President
Connie Akridge, Immediate Past President
Elizabeth Brickfield
Larry Digesti
Eric Dobberstein
Gene Leverty
Paul Matteoni
Ann Morgan
Bryan Scott
Richard Scotti
Mason Simons

State Bar staff present:

Kimberly Farmer
Gale Skala
Laura Gould
Lisa McGrane
Marc Mersol
David Clark
Jennifer Smith
Lori Wolk
Stephanie Hirsch

Guests:

Jeremy Richenberg

The meeting was called to order by President Frank Flaherty at 1:05 pm there being a quorum present.

EXECUTIVE SESSION

The Board entered into Executive Session at 1:30 pm and concluded the Executive Session at 2:20 pm.

DISCUSSION ITEMS

5 year Projection/License Fee Discussion

The Board discussed the 5 year budget projections and license fees. No action was taken.

REPORTS

Jeremy Reichenberg reported on the activities of the Young Lawyer's Section. Project Salute is scheduled for November 12 with an attorney training planned for October 5th in Las Vegas and Reno. The Law Suits Clothing Drive is now running and will conclude mid-October.

ACTION ITEMS

Financials

Marc Mersol gave an overview of the 2012 Proposed Revised Budget. Mr. Mersol highlighted and explained some of the variances between the 2012 approved budget and the 2012 proposed revised budget. It was moved, seconded and carried to approve the 2012 Proposed Revised Budget.

Fee Dispute Arbitration Committee

Lisa McGrane discussed the proposed changes to the Fee Dispute Arbitration Committee Policy and Procedures. The proposed changes are as follows:

- Implementation of a statute of limitations for filing a claim that is consistent with N.R. S. 11.190 (6 year limitations), unless the time limitation is waived with the consent of the Respondent. This change is also consistent with the opinion rendered in the 2009 *Stalk v. Muskin* case (199.P.3d 838).
- Dissemination of arbitration decisions to the parties by the state bar staff. This process change, which still provides the Regional Chair the discretion to return a decision the arbitrator to amend procedural errors, will eliminate administrative tasks currently assigned to the Regional Chair. The change also puts in place a cover letter to the parties clearly stating the appeal timeframe.
- Allocation of certain administrative duties regarding correspondence with the parties to state bar staff regarding the enforcement of awards.

It was moved, seconded and carried to approve the proposed changes to the policies and procedures of the Fee Dispute Arbitration Committee.

ADKT: Mandatory CLE

Lisa McGrane presented a review of the ADKT amending SCR 210. The ADKT would make mandatory one CLE credit each year in the area of substance abuse, addiction and/or mental health disorders. It was moved, seconded and carried to file the ADKT with the Supreme Court.

TIP Report

Lisa McGrane provided a summary of the draft Transitioning into Practice (TIP) report to the Supreme Court in October. It was moved, seconded and carried to approve the draft report and giving the Executive Committee the authority to approve the final report that will be submitted to the Court.

ADKT: Amendment SCR 52 and 54

Laura Gould discussed the proposed changes to SCR 52 and 54. The Admissions Department requests that SCR 52 (1)(a), SCR 54 (3), Addendum 1, Paragraph 14(c), and the Amendment to Rules Regulating Admission to the Practice of Law and Instructions Regarding Applications be amended to reflect an initial submission date of March 1st and a final submission date of May 1st, effective with the July 2013 bar examination.

It was moved, seconded and carried to approve the proposed ADKT amending SCR 52 and 54.

ADKT: Amendment SCR 51

Laura Gould gave a synopsis of the proposed ADKT amending SCR 51. The Board of Bar Examiners and the Board of Governors (collectively known as the "Board") requests that all applicants who have been disbarred from the practice of law in another jurisdiction should be summarily denied admission to the State Bar of Nevada and this denial should not be limited to "grounds of unfitness of character." The Board would also like to amend SCR 51(2) by including SCR 51(c) which requires an applicant to have graduated from an ABA law school or have been certified by the Functional Equivalency Committee.

It was moved, seconded and carried to approve the ADKT amending SCR 51..

Solo and Small Firm Section

Lori Wolk requested the approval for a Solo and Small Firm Section and presented all the required documents to form a new section. It was moved, seconded and carried to approve the formation of Solo and Small Firm Section.

Temporary Member on Judicial Selection Commission

It was moved, seconded and carried to approve Janine Prupas as a temporary member on the Judicial Selection Committee. Gene Leverty and Larry Digesti abstained from voting.

Nevada Bar Foundation Bylaws

Dara Goldsmith worked with the current Board of Trustees of the Nevada Bar Foundation to rework the bylaws of the Nevada Bar Foundation. It was moved, seconded and carried to approve the revised bylaws.

CONSENT AGENDA

It was moved, seconded and carried to approve the following consent agenda items.

Minutes of June 2012

Attorney Resignations – approved the resignations of Kiersten Cluster and Carey Meadors.

Suspensions – approved the amended suspension list.

Author Agreement – approved the Author Agreement for book and reference manual projects.

CLE Video Production Agreement – approved the proposed Video Production Agreement between the State Bar of Nevada and LUMINEX/COPY PRO.

Appointments

Fee Dispute Arbitration Committee

Approved John Hope, Reno Panel Chair and Denise Mikrut, Las Vegas Panel Chair for reappointment to a one year term effective August 2012.

Approved the following names for reappointment to a three year term:

Todd Leventhal, Las Vegas Panel C	Effective August 2012
Terri MacTaggart, Las Vegas Panel C	Effective August 2012
Richard Scotti, Las Vegas Panel B	Effective August 2012
Dee Newell, Las Vegas Panel A	Effective August 2012
Troy Peyton, Las Vegas Panel A	Effective September 2012

Approved for appointment to a three year term effective August 2012 is:

Jason Gerber, Las Vegas Panel A
Terry Johnson, Las Vegas Panel B

Nevada Lawyer Editorial Board

Approved appointment of Nancy Harkess for a three year term effective August 2012.

Sections: Elder Law

Approved the following slate of officers to a one year term ending June 2013.

Chair: Nancy Sollinger
Vice Chair: Alice Denton
Secretary: John Michaelson
Treasurer: Elizabeth Brickfield

ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 4:17 pm.