



Minutes
Board of Governors Meeting
February 18, 2015
Carson City, NV

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on February 18, 2015.

The following members were in attendance:

Elana Turner Graham, President
Larry Digesti, President- Elect
Bryan Scott, Vice President
Alan Lefebvre, Immediate Past President
Paola Armeni
Julie Cavanaugh-Bill
Eric Dobberstein
Richard Dreitzer
Troy Isaacson
Daniel Hamilton
Gene Leverty
Paul Matteoni
Ann Morgan
Richard Pocker
Ryan Russell
Kari Stephens
Ryan Works

State Bar staff present:

Kimberly Farmer
Gale Skala
David Clark
Brian Kunzi
Lisa Dreitzer
Marc Mersol
Shelley Young

Guests:

Matt Digesti
Jeff Conner
Dawn Gearhart
Ann Laughlin

CALL TO ORDER

President Elana Graham called the February 18, 2015 meeting to order at 8:34 am with quorum present.

PRESIDENT'S REPORT

Elana Graham gave a synopsis of the public hearing on the ADKT presented to the Supreme Court by the Board of Continuing Legal Education. The Supreme Court appointed a study committee to consider amendments to SCR 207. Members of the study committee to date are Jenny Hubach, Kathleen Paustian, Eric Dobberstein, and Richard Pocker. The study will conclude sixty days after the taskforce is in place.

The office of the Attorney General is forming a Commission to help active military personnel. Richard Pocker has been appointed as the Board of Governors representative to the Commission.

ACTION ITEMS

ADKT

David Clark provided an overview of ADKT in the matter of Amendments to Court Rules regarding attorney discipline, specifically SCR 105. It was moved, seconded and carried to approve the proposed changes to SCR 105, 102, 103, 105, 105.5, 111, 113, 116, 117 and 121.1 as listed below.

- Letter of Reprimand- Eliminate references to “private” reprimands and refer to the disciplinary action as a “letter of reprimand.” The public reprimands would remain as a public reprimand, a higher form of discipline.
- Elimination of Informal Hearings- The purpose of informal proceedings was to maintain the confidentiality of private reprimands. Given that Letters of Reprimand are now public upon conclusion, confidential proceedings are unnecessary and at odds with the increasing open nature of attorney discipline.
- Size of Hearing Panels: Concurrence to Impose Discipline- Reduce the default size of all hearing panels to three members; one of whom shall be a non-attorney member and amend Court Rule to require a simple majority concurrence to impose or recommend discipline. In instances a request exists to have a five member panel, the State Bar proposes that either party may petition the board chair or vice chair to appoint a five member panel.
- Reciprocal Subpoena Authority- Allow the State Bar to aid another lawyer disciplinary jurisdiction to compel the attendance of witnesses or production of documents. Adopting a reciprocal subpoena rule would strengthen the State Bar’s ability to investigate and prosecute cases that span across state lines.
- Interim Suspension Pending Supreme Court Review of Disbarment Recommendations- Upon a formal hearing panel entering a finding and recommendation of disbarment, the Office of bar Counsel be allowed to file a petition requesting the interim suspension of the attorney’s law license pending this Court’s review of the record.
- Remove Language Requiring Disciplinary Board Chairs to Sign Petitions for Temporary Suspensions- Allow petitions to be signed by bar counsel.
- Default Proceedings- SCR 105(2) be amended to provide for the entry of a default pleading in order to make the record clearer and allow more certainty in the Panel’s and the Court’s review of the respondent’s conduct.
- Informal Resolutions of Grievances- Allows intake counsel the authority to direct the respondent attorney to take remedial measures to resolve the issue.
- Repayment to Clients’ Security Fund Prior to Reinstatement- Amend SCR 116 and SCR 117 to make payment of costs and restitution to injured parties, including Clients’ Security Fund, mandatory before reinstatement. Paola Armeni and Richard Dreitzer abstained from voting on this amendment.

600 East Charleston Update

Kimberly Farmer reviewed the options discussed with Mike Dunn of Commerce Real Estate Solutions. It was moved, seconded and carried to place 600 E. Charleston on the market offering a lease or sale option. The list price is set at \$1.5 million. The lease price not to go below \$1.25 sf triple net lease. This approach will allow us to open up more options for disposition of the building.

3100 West Charleston Update

Kimberly Farmer reported on the progress of 3100 W. Charleston. The scheduled move in date is April 18, 2015. We will have a grand opening celebration on June 1, 2015.

Building contractors, BMC reported that there is significant patchwork required on the roof. Thus recommend replacement of the roof rather than patching the roof. It was moved, seconded and carried to replace the roof before we move in to the building.

Young Lawyers Section

Matt Digesti and Jeff Conner presented highlights of the latest activities of the Young Lawyers Section (YLS). Trial Academy at the Annual Convention will focus on criminal law. YLS is working with the CLE committee on the possibility of a midyear trial academy.

Financial Report

- 2014 Year End

Marc Mersol gave a synopsis on the 2014 year end budget.

- 2015 Proposed Budget

Marc Mersol presented an overview of the 2015 proposed budget highlighting the changes made to the budget since being passed on December 9, 2014. Changes primarily due to NLS backing out of leasing 600 East and the addition of staffing in the Office of Bar Counsel. It was moved, seconded and carried to approve the revised 2015 budget as presented,

ADKT- Pro Hac Vice

Kimberly Farmer gave a synopsis of the proposed amendment to SCR 42 that would increase *pro hac vice* applications and renewals. It was moved, seconded and carried to approve the proposed increase to the *pro hac vice* application fees and renewal fees.

Personal Injury Specialization Board

Gene Leverty suggested that a taskforce to be appointed to interview and recommend Personal Injury Specialization Board applicants to the Board of Governors. Eric Dobberstein, Troy Isaacson, Julie_Cavanaugh-Bill and Gene Leverty volunteered to be on the taskforce.

Nevada Lawyer Editorial Board

Kimberly Farmer presented an overview of the research and evaluation the Nevada Lawyer Editorial Board Completed in effort to reduce expenses related to the production of the magazine. It was moved, seconded and carried to survey the members regarding their preferences in how they obtain information and that the data obtained from this survey be used as a base for a strategic plan on the future of how Nevada Lawyer is published.

Access to Justice Member

Nevada Supreme Court Rule 15 (2)(f) provides that the composition of the Access to Justice Commission shall be comprised of "one representative each from the Clark County Bar Association, the State Bar of Nevada and the Washoe County Bar Association. As Elana Graham is the current State Bar representative and currently serves as the State Bar President, a representative from the State Bar is requested to serve on the

Commission. It was moved, seconded and carried to appoint Julie Cavanaugh Bill as the representative from the State Bar of Nevada.

New Section – Federal Indian Law/Tribal Court

Julie Cavanaugh Bill presented an overview of the proposed new Federal Indian Law/Tribal Court section. It was moved, seconded and carried to approve the new section with annual dues of \$30. It was moved, seconded and carried to approve the following officers.

Kathleen Bliss, Dawn Gearhart, Anna Marie Johnson, Anne Laughlin and Scott Souers

Julie Cavanaugh Bill will be the Board of Governors liaison to the section.

ABA Day in Washington

ABA Day in Washington DC is scheduled for April 14-16, 2015. During ABA Day bar associations from across the country participate to lobby on issues. Each year the ABA selects issues that they believe are core concerns to the legal profession and on which the legal profession can make a difference. The core issues for 2015 are Funding for the Legal Services Corporation, Tax Legislation Affecting Law Firms, and the Voting Rights Act.

It was moved, seconded and carried to support the issues being discussed during the 2015 ABA Day in Washington.

CONSENT AGENDA

Approved Minutes of December 2014

Approved – Renewal of ALPS Contract for a 3 year period

The ALPS agreement is expiring and it is recommended that the agreement be extended to cover a three year period. In 2014, the State Bar signed a one year agreement with ALPS Property and Casualty Company (ALPS) whereby the Bar exclusively endorsed ALPS as the preferred insurance company for the offering and underwriting of lawyers’ professional liability insurance in the State of Nevada.

CONTRACT

Approved LaJolla Beach and Tennis Club contract.

Approved – Pitney Bowes contract.

RESIGNATIONS

Approved the following attorney resignations:

- Winifred Jacob
- James Forman
- James Woodall
- Craig Penrod
- Sean Martin Turner
- Patrick Lee Hinton
- Lisa Holmes
- Kenneth Hoch

Name		Effective	Renewal Date
Sean	Claggett	12/20/2012	12/20/2014
Noreen	DeMonte	12/20/2012	12/20/2014
Nicholas	Drakulich	12/20/2012	12/20/2014
Jeffrey	Garofalo	12/20/2012	12/20/2014
Paul	Georgeson	12/20/2012	12/20/2014
Paul	Giordano	12/20/2012	12/20/2014
Michael	Haight	12/20/2012	12/20/2014
Karen	Hanks	12/20/2012	12/20/2014
Craig	Hendricks	12/20/2012	12/20/2014
Jack	Juan	4/30/2012	4/30/2014
Jennifer	Kissel-Morales	12/20/2012	12/20/2014
Joseph	Kistler	12/20/2012	12/20/2014
Michael B.	Lee	12/20/2012	12/20/2014
Jim	Leslie	12/20/2012	12/20/2014
Michele	LoBello	12/20/2012	12/20/2014
Donald G.	Martin	12/20/2012	12/20/2014
Alexandra	McLeod	12/20/2012	12/20/2014
Janice	Michaels	12/20/2012	12/20/2014
Becky	Pintar	12/20/2012	12/20/2014
Dennis	Prince	12/20/2012	12/20/2014
Wade	Rabenhorst	12/20/2012	12/20/2014
Jordan	Savage	12/20/2012	12/20/2014
Jay	Schutttert	12/20/2012	12/20/2014
Richard	Segeberblom	7/30/2012	7/30/2014
Adam	Smith	12/20/2012	12/20/2014
Ariel	Stern	12/20/2012	12/20/2014
Robert	Werbicky	12/20/2012	12/20/2014
Jason	Williams	12/20/2012	12/20/2014
Bernard	Zadowski	12/20/2012	12/20/2014

TIP Appointments

Approved as TIP mentors:

Name	Firm/Organization	Location
Nell Christensen	Clark County District Attorney's Office	Las Vegas
Kenneth S. Friedman	Walsh & Friedman, Ltd.	Las Vegas
Vicki Greco	Greco Law Group, LLC	Las Vegas
Joseph A. Gutierrez	Maier Gutierrez Ayon, PLLC	Las Vegas
Artemus W. Ham IV	Eglet Law Group	Las Vegas
Daniel Hooge	Lincoln County District Attorney	Pioche
Mohamed A. Iqbal, Jr.	Iqbal Law, PLLC	Las Vegas
Kelley Nyquest Goldberg	Brownstein Hyatt Farber Schreck	Las Vegas

Sections

Approved:

The *Administrative Law Section* slate of officers be appointed to a one year term ending December 2015:

Chair: Richard Galin, Gordon Silver

Vice Chair: Hal Taylor

Secretary: Stephanie Allen, Kaempfer Crowell Renshaw

Treasurer: Andrew Platt (reappointment), Erickson Whitaker & Maurice

The *Construction Law Section* slate of officers below be reappointed to a second one year term ending December 2015:

Chair: Michael Kimmel, Hoy Chrissinger Kimmel

Vice Chair: Casey Quinn, Newmeyer & Dillon

Secretary: Michael Wadley, Holland and Hart

Treasurer: Carolyn Renner, Maupin Cox & LeGoy

Discipline Appointments

Approved for reappointment- three year term beginning March 2015:

Southern Board:

Douglas Brooks

Joshua Dickey

Christopher Laurent

Thomas Ryan

Robert Schumacher

Peter Ossowski

Northern Board:

Kathleen Breckinridge

Clark Vellis

G. David Robertson

Michael Johnson

Approved- Appointment for a three year term on Northern Board:

John Boyden commencing February 2015

ADJOURN

There being no further business before the Board, the meeting was adjourned at 11:58 am