



**Minutes
Board of Governors Meeting
April 3, 2014
Las Vegas, NV**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened at 10:50 am on April 3, 2014.

The following members were in attendance:

Alan Lefebvre, President
Elana Turner Graham, President-Elect
Larry Digesti, Vice President
Frank Flaherty, Immediate Past President
Paola Armeni
Elizabeth Brickfield
Julie Cavanaugh-Bill
Eric Dobberstein
Richard Dreitzer
Daniel Hamilton
Gene Leverty
Paul Matteoni
Ann Morgan
Richard Pocker
Bryan Scott
Richard Scotti

Guests:

Kimberly Buchanan
Mason Simons

State Bar staff present:

Kimberly Farmer
Gale Skala
David Clark
Marc Mersol

CALL TO ORDER

President Alan Lefebvre called the meeting to order at 10:50 am with a quorum present.

PRESIDENT'S REPORT

Alan Lefebvre reported on the issues that will be discussed during 2014 ABA Day in Washington.

Funding for Legal Services Corporation: Once again the ABA is supporting the President's request of \$430 million to fund LCS.

Burdensome Tax Legislation Affecting Law Firms: Opposition to House and Senate draft legislation requiring many law firms to pre-pay their taxes on phantom income long before it is actually received.

It was moved, seconded and carried to support the issues being discussed during 2014 ABA Day in Washington.

Alan Lefebvre outlined the Medical Marijuana ADKT submitted by the Board to the Supreme Court. This matter is scheduled for a May 6 Public Hearing.

EXECUTIVE DIRECTOR REPORT

Kim Farmer reported on the status of the tenant improvements to 3100 West Charleston including layout and design and funding.

Kim Farmer provided a synopsis on the discussions that have taken place in preparing to take over the IOLTA program by the Nevada Bar Foundation. The State Bar has targeted a July 1 date for transition to be completed. The Nevada Bar Foundation has recommended changes to the NBF bylaws and Board structure to manage the IOLTA program.

It was moved, seconded and carried to approve the ADKT amending SCR 216 and amending the Nevada Bar Foundation bylaws. Elana Turner Graham abstained from voting.

Kim Farmer reported on the recent break in of the storage unit and how the State Bar is addressing the issue. It was moved, seconded and carried to approve the budget request that will cover credit monitoring for individuals who were affected by the break in.

DISCUSSION

Do the Rules of Professional Conduct under RPC 7.5a Registration of Multijurisdictional Law Firms Go Far Enough in the Regulation of Multijurisdictional Law Firms?

After discussing the rules, it was moved, seconded and carried to form a taskforce to address the MJP rules. Ann Morgan, Julie Cavanaugh Bill and Gene Leverty agreed to be members on the taskforce. It was suggested to invite a member from Clark County Bar Association and Washoe County Bar Association to be on the taskforce.

REPORTS

Discipline Taskforce Report

Larry Digesti provided an overview on the recent meeting of the Discipline Taskforce including changes to the hearing process, need for increased training and internal changes to the Office of Bar Counsel.

Personal Injury Specialization

Gene Leverty provided a synopsis on the process of developing a Personal Injury Specialization. A taskforce was created, Gene Leverty, Julie Cavanaugh Bill and Eric Dobberstein to review the draft guidelines for the PI

Specialization. The taskforce will reach out to the other organizations for feedback. Upon completion of this review the guidelines will be published for comment.

Clark County Bar Association

Kimberly Buchanan provided a report on the Clark County Bar Association. Ms. Buchanan highlighted the upcoming *Meet the Judges* Event taking place at the Four Seasons.

ACTION ITEMS

Financial Report

Marc Mersol reviewed the financial report ending February 2014. He emphasized the restructuring of the budget due to the purchase of 3100 West Charleston.

Judicial Ethics and Election Appointments

It was moved, seconded and carried to approve Patricia Halstead for a two year term ending December 31, 2015 to the Standing Committee on Judicial Ethics and Election Practices.

CLE Board Appointments/Information

Alan Lefebvre discussed the recent interview process with candidates for the Board of CLE. It was moved, seconded and carried to reappoint Jenny Hubach for a three year term to the Board of CLE. It was moved, seconded and carried to appoint Kathleen Paustian for a three year term to the Board of CLE. Ann Morgan, Richard Dreitzer, Elizabeth Brickfield, Gene Leverty, Larry Digesti and Bryan Scott abstained from voting.

A taskforce was created, Ann Morgan, Richard Dreitzer, Elizabeth Brickfield and Gene Leverty charged with review of the Supreme Court Rules governing the Board of CLE and the rules governing CLE regulation.

LRIS ProBono/Public Service Grants

It was moved, seconded and carried to approve the following LRIS Grants. Elana Turner Graham abstained from voting.

Organization	Project Name	\$ Awarded
Project REAL	Play by the Rules	\$10,000
SNSLP	SCAM	\$11,000
SNSLP	Reach for the Clouds	\$22,319
NLS	Rural Legal Services	\$11,157
A-Tech	Legal Studies Program	\$2,669
VARN	Website Redesign	\$5,000
LACSN	Technology	\$22,500
LACSN	Classroom Outreach Materials	\$12,000
Northeast Nevada CASA	Recruit, train and monitor volunteers	\$5,000
Boyd School of Law	Alternative Spring Break	\$550
NFCE	People's Law School	\$8,950
RMIC	Correction and Prevention of Innocent People Wrongfully Convicted in Nevada	\$15,000
Total		\$126,145

Revisions to SCR 49.9

Judge Mason Simons presented an overview of the proposed changes to SCR 49.9. It was moved, seconded and

carried to approve the rule to read as follows:

Rule 49.9

1. Requirement. Notwithstanding the provisions of Rule 49, an attorney who is admitted to practice law in any other jurisdiction, and who becomes an employee of the state or county, to practice in a county whose population is less than 100,000 persons, may be certified to practice before all courts of this state subject to the conditions of this rule and to such further conditions as the court may hereafter direct.

Amicus Brief

Alan Lefebvre gave a synopsis of the Amicus Brief that the North Carolina State Bar is seeking support. The request is to join amicus brief in The North Carolina State Board of Dental Examiners v. Federal Trade Commission, United States Supreme Court, No. 13-534. The decision by the Fourth Circuit Court of Appeals in North Carolina State Board of Dental Examiners v. Federal Trade Commission held that under the federal antitrust laws, “a state agency that is operated by market participants who are elected by other market participants . . . is a “private actor.” The North Carolina State Bar, along with other bars seeks to overturn the Dental Board opinion because their governing councils are comprised of primarily of licensed attorneys selected by peers who are charged with the duty to regulate the profession. It was moved, seconded and carried to sign onto the Amicus Brief.

EXECUTIVE SESSION

The Board entered into Executive Session at 3:30 pm and concluded the Executive Session at 4:00 pm

CONSENT AGENDA

Approved Minutes of January 2014

Approved - License Fee Exemption to extend to our inactive military members making clear the exemption does not apply to annual disclosures such as trust account and insurance reporting.

Approved upon making revision - Nevada Lawyer Editorial Board-Bylaw Change

Nevada Lawyer Editorial Bylaw 3.03 shall read as follows:

To provide editorial review, suggestions and advice to maintain and improve the quality of professional articles published in the Nevada Lawyer magazine. The Board and editors are responsible for making all editorial decisions concerning its publication including types of articles, page limitations, format, and deadlines. As permitted by applicable law, the Board shall have full discretion to edit any article or to choose not to publish submitted material. Articles not authored by Nevada-licensed attorneys must be approved by the majority of the Board. The Board will not publish any material that violates any applicable law or that encourages, solicits, or incites a member to violate any applicable law or ethical guidelines.

Supported the Formal Opinions submitted by the Standing Committee on Ethics and Professional Responsibility

APPOINTMENTS

Fee Dispute Arbitration Committee

Approved reappointment for a one-year term:

Name	Regional Panel	Effective Date
Ara Shirinian	LVC	April 2014

Approved reappointment for a three-year term:

Name	Regional Panel	Effective Date
Theresa Santos	LVB	April 2014
Kevin Sutehall	LVC	April 2014
Bob Valdez	LVA	April 2014

Approved for a three-year appointment to the Fee Dispute Arbitration Committee.

Name	Regional Panel	Effective Date
Donald P. Paradiso	LVB	April 2014
Jeffrey G. Sloane	LVA	April 2014
Brenda Weksler	LVC	April 2014

Clients' Security Fund

Approved reappointment for a one year term of Janet Pancoast, Chair effective February 2014 and Jeffrey Posin, Vice Chair effective June 2014.

Approved Jeffrey Sloane for a three year term effective April 2014.

Discipline Panels

Approved reappointment of Sam Robnett for a three year term effective April 2014 to the Northern Discipline Panel.

Approved Ronald Bloxham, Jacob Bundick and Jeffrey Sloane for a three year appointment to the Southern Discipline Panel effective April 2014.

Approved Douglas Rands as Vice Chair of the Northern Discipline Board.

Lawyer Advertising

Approved reappointment for a two year term, Chet Glover and Farhan Naqvi to the Southern Lawyer Advertising Board effective July 2014.

Approved two year appointment of Bryce Rader to the Northern Lawyer Advertising Board effective April 2014.

CLE Committee Appointments

Approved three year appointment of Krissta Kirschenheiter, Kurt Mattson and Rene Valladares effective June 2014.

Approved for a one year term, Andrew Mierins, Chair and Melanie Muldowney, Vice Chair effective June 2014.

Nevada Editorial Board

Approved reappointment of officers Patricia Cafferata, Michael Saunders and Scott Wasserman for a one year term effective June 2014.

Approved appointment of Chad Olsen for a three year term effective June 2014.

Section Appointments

Approved officers for Construction Law Section

Chair: Michael Kimmel, Hoy and Hoy

Vice Chair: Secretary: David Carroll, Rice Silbey Reuther and Sullivan

Secretary: Michael Wadley, Holland and Hart
Treasurer: Carolyn Renner, Maupin Cox & LeGoy

Approved officers for Family Law Section
Chair: Katherine Provost, The Dickerson Law Group
Vice Chair: Jessica Anderson, Anderson Keuscher
Secretary: Amber Robinson, Robinson Law Group
Treasurer: Sarah Hardy-Cooper, Routsis Hardy-Cooper

Job Target Partnership

Approved one year contract with Job Target Services.

RESIGNATIONS

Approved resignations of the following attorneys:

Robert Aicher, Gary Barr, Peter Beckwith, Charles Brewster Burnett, Margaret Springgate, Michael Kent Goldman, Karen Sure Greene, Cheryl Johnson, Marc Marmaro, Roland Martin, Jr., Erica Michaels, Jeannie Jiwon Park, Donald Saxon and M. Steven Wang.

ADJOURN

There being no further business before the Board, the meeting was adjourned at 4:10 pm