

January 22, 2004

MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on January 22, 2004, at the Brewery Arts Center, Carson City, Nevada.

The following members were in attendance:

N. Patrick Flanagan III	...	President
Ann Price McCarthy	...	President-Elect
Vincent A. Consul	...	Vice President
Nancy L. Alf		
Bruce T. Beesley		
James W. Bradshaw		
John A. Curtas		
Kathleen J. England		
Cam Ferenbach		
Dara J. Goldsmith		
Rew R. Goodenow		
Richard Morgan		
Bridget Robb Peck		
John P. Schlegelmilch		
Bruce I. Shapiro		
William C. Turner		
Steven B. Wolfson		

The following members were absent:

Gloria J. Sturman

STATE BAR STAFF PRESENT

Allen W. Kimbrough

Rob Bare

Audrey Bath

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Chris Boadt

Patrice Eichman

Mae Flennoy

Gina MacLellan

Marc Mersol

GUESTS PRESENT

Shawn Pearson

Jasmine K. Mehta

Lewis R. Zaumeyer

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1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by the President at 9:01a.m. and a quorum was declared.

2. APPROVAL OF MINUTES OF PRIOR MEETING OF BOARD OF GOVERNORS

The minutes of the December 5, 2003 meeting of the Board of Governors were approved as amended as to section 25 thereof.

3. REPORT ON ACTIONS AND RECOMMENDATIONS OF OPERATIONS COMMITTEE

The Board accepted and ratified the actions of the Operations Committee taken at its meeting of January 14, 2004, concerning the Northern Nevada Bar Center and the annual review of Bar Counsel.

4. REPORT OF DIRECTOR OF FINANCE AND INFORMATION SYSTEMS

Marc Mersol provided comments on the financial statements of the State Bar at November 30, 2003, and December 31, 2003 (preliminary). He advised the Board that cash on hand was approximately \$1.7 million and that it appeared 2003 would end with approximately \$385,000 in excess revenues over expenses.

5. CONSIDER MATTERS RELATED TO NORTHERN NEVADA STATE BAR OFFICE

Lewis R. Zaumeyer, AIA, the architect for the Northern Nevada Bar Center project presented his preliminary drawings for the building and responded to questions from members of the Board. On motion made and seconded the Board approved the plans as presented.

6. REPORT ON MIDYEAR MEETING OF THE STATE BAR

Nancy Allf, Chair of the Midyear Meeting Committee, advised the Board that the third annual Midyear Meeting would occur on February 20-21 at the Alexis Park Resort in Las Vegas. Friday afternoon will be devoted to committee and section meetings followed by a reception for all participants. Saturday morning will be the Bar Leadership Forum using the same basic format as prior years. It is hoped that at least 50 bar leaders will attend.

7. REPORT OF THE YOUNG LAWYERS SECTION

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Shawn Pearson, Chair of the YLS, presented the Board with a written report on the recent activities of the Section and the Section's 2004 Budget. Mr. Pearson responded to questions regarding the Budget. On motion made and seconded, the Board approved the YLS Budget for 2004.

8. CONSIDER MATTERS RELATED TO THE FAMILY LAW SECTION

President-Elect McCarthy advised the Board that the annual Family Law Conference would be held in Ely March 18-20. The Section is also investigating whether to seek certification to offer a specialization exam in family law for Nevada.

9. CONSIDER MATTERS RELATED TO LAWYER ADVERTISING

The Board discussed various issues related to lawyer advertising and desirability of having a Supreme Court commission look into this area. The President stated that he would raise this issue with the Court in the afternoon meeting. Bar Counsel provided historical information regarding the inception of the lawyer advertising rules in 1990 and reviewed same with the Board.

10. CONSIDER RESIGNATION OF MEMBERS

The Board approved the petitions for resignation from the State Bar of the following: Kurt B. Chadwell, Aaron R. Gary, Charles E. Hill, and Richard K. Sager.

11. REPORT OF ETHICS 2000 COMMITTEE

Steve Wolfson, Chair of the Ethics 2000 Committee, presented the report of the Committee to the Board for its review and requested the Board's approval with the understanding that minor corrections would be made before submission to the Court. The Board voted to defer consideration of the Report and ADKT Petition to the March 5 meeting. Bar Counsel advised that a revised report would be provided to the Board within two weeks.

12. CONSIDER APPOINTMENTS TO LAW RELATED EDUCATION COMMISSION

On a divided vote the Board approved the appointment of the following persons to the Advisory Commission on Law Related Education: Timothy C. Williams, Donald L. Christensen, Kimberly Maxson-Rushton, and laymember Sara Gardner.

13. CONSIDER APPOINTMENTS TO THE FEE DISPUTE ARBITRATION COMMITTEE

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The Board made the following appointments of attorney members to the Fee Dispute Arbitration Committee, Las Vegas Panel B: Stephanie Cooper Christensen, Lawrence E. Mittin, Dana E. Morris, Robert Christopher Reade, David Stroebing, Kelly H. Swanson, and Michael C. Van.

14. CONSIDER APPOINTMENTS TO SOUTHERN AND NORTHERN NEVADA DISCIPLINARY BOARD

The Board appointed Bernard Zadrowski as Vice-Chair of the Southern Nevada Disciplinary Board for a term expiring in January 2005. The Board re-designated Scott Smith as a primary attorney member of the Southern Board and the following persons as primary lay members: Susan Krenzien, Mark Nichols, John Sullivan, and Norma Whitney (Mr. Wolfson abstained from this vote). Hardin Embry was appointed as an alternate lay member to the Southern Board.

The Board re-designated the following lay members to primary lay members of the Northern Nevada Disciplinary Board: David A. Clark, Dale J. Edward, Robert M. Larkin, and John LaTourette. John P. Leland, Larry Newman, and Carolyn Vaught were appointed as alternate lay members to the Northern Board.

15. CONSIDER APPOINTMENTS TO CONTINUING LEGAL EDUCATION COMMITTEES

The Board appointed Mark Lenz to the CLE Seminars Committee for and Walter Fey, Jason Carr, and Rene Feinstein to the CLE Publications Committee, all for terms expiring January 2007.

16. CONSIDER MATTERS RELATED TO SPECIALIZATION

The Board was advised that the new Supreme Court Rules relating to specialization became effective on January 18 and that the State Bar staff was at work developing forms and procedures for implementing the registration process.

17. CONSIDER MATTERS RELATED TO LAWYER REFERRAL AND INFORMATION SERVICE

The Board reviewed the written report of Damon Dias, LRIS Coordinator, as supplemented by comments from the Executive Director, and the Board discussed the Committee's continuing concerns regarding the expenditure of LRIS-generated funds by the Board. The Board also discussed whether certification of our LRIS program by the American Bar Association was a desirable thing.

18. CONSIDER MATTERS RELATED TO 2004 ANNUAL MEETING

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The President and Mr. Boadt reported on planning for the 2004 Annual Meeting of the State Bar to be held in Coronado June 16-20. Mr. Flanagan announced several sponsorships had been obtained (including \$10,000 from his firm for the Sally Ride dinner) and that he was in the process of soliciting more. At that time 73 members of the State Bar had registered for the convention.

19. REPORT OF BAR COUNSEL

Mr. Bare reported to the Board on several pending litigation matters. In Executive Session a motion to increase the amount of settlement authority in the Herb Michel matter failed on a divided vote.

20. CONSIDER MATTERS RELATED TO CLARK COUNTY PUBLIC DEFENDER

The Board then considered a request from the County Manager of Clark County seeking three names of persons who could serve on the advisory committee established to choose a new Clark County Public Defender. The Board agreed to send the County Manager the following names: John Curtas, Vincent Consul, and Steven Wolfson.

21. REPORT OF EXECUTIVE DIRECTOR

Mr. Kimbrough made comments in supplementation of his written report to the Board.

22. REPORT OF DIRECTOR OF ADMISSIONS

Patrice Eichman, Director of Admissions, gave the Board an update regarding the upcoming February bar examination to be held in Las Vegas.

23. REPORT OF PRESIDENT-ELECT

Ms. McCarthy gave the Board an update on plans for her year as President, including the 2005 Annual Meeting to be held in Santa Fe, New Mexico.

24. REPORT OF PRESIDENT

Mr. Flanagan discussed with the Board the agenda for the joint meeting with the Supreme Court and other matters.

25. INFORMATIONAL ITEMS

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Mr. Kimbrough responded to questions regarding the election process for the Board of Governors.

26. ADJOURNMENT

There being no further business, the meeting was adjourned at 12:40 p.m.

Respectfully submitted,

N. Patrick Flanagan
President

Allen W. Kimbrough
Executive Director