



**MINUTES OF THE MEETING
OF THE BOARD OF GOVERNORS
Grand Hyatt, Kauai
June 22, 2011**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on June 22, 2011.

The following members were in attendance:

Cam Ferenbach, President
Connie Akridge, President-Elect
Frank Flaherty, Vice President
James Bradshaw
Elizabeth Brickfield
Larry Digesti
Elana Turner Graham
Bruce Hahn
Jenny Hubach via teleconference
Alan Lefebvre
Hon. Vincent Ochoa
Bryan Scott
Richard Scotti
Mason Simons
John White (ex-officio)

State Bar staff present:

Kimberly Farmer
Gale Skala
Emily Akerberg
David Clark
Jennifer Smith

Guests:

Gene Leverty
Bob Cerceo via teleconference
Briene Houldsworth – Houldsworth, Russo & Company via teleconference

The meeting was called to order by President Cam Ferenbach at 8:35 a.m. there being a quorum present.

PRESIDENT'S REPORT, CAM FERENBACH

Cam Ferenbach reported on the status of the new State Bar of Nevada website. Mr. Ferenbach presented a review on the events of the convention in Hawaii. Dean White of the Boyd School of Law reported on the impact of the recent legislative session on the law school. The yearly tuition was increased; however Dean White felt that overall the law school is doing well.

Cam Ferenbach discussed recent ethics opinions sent to the Board by the Standing Committee on Ethics and Professional Responsibility. Mr. Ferenbach suggested that the process for Board review and input become more formalized and the Board agreed. Ongoing, Bar Counsel is to provide a summary of ethics opinions put forth by the committee and sent to the Board for review and approval.

PRESIDENT- ELECT, CONNIE AKRIDGE

Connie Akridge reported that the Executive Committee has appointed Rew Goodenow as General Counsel with Dara Goldsmith as backup General Counsel..

EXECUTIVE DIRECTOR'S REPORT, KIMBERLY FARMER

Kim Farmer gave a summary of the 2011 Board of Governors election process. This was the first year the state bar had used an online voting system. Ms. Farmer thought the overall result rate was good and suggested that we continue with an online election in 2012.

Ms. Farmer reported on the current status of the Law Related Education Program (LRE). The Nevada Bar Foundation in past years received grant funds for LRE programs from the Center for Civic Education (CCE). Federal funding to the CCE was cut, thus the bar foundation will need \$71,000 to continue the We the People, Project Citizen and Representative Democracy in America programs in 2012. Further details will be presented at the next Board meeting.

DISCUSSION ITEMS

The Board discussed the following questions using the generative discussion process.

Can a member serve on more than one committee?

At the present time, there is no limit on the number of committees a member may serve on. It was suggested that the Board consider the number of committees a member serves on as part of the appointment process, taking volunteerism on multiple committees on a case by case basis.

State Bar – use of bar cards at the Courts?

The Board discussed different options regarding use of the bar card as a card to get through courthouse security. After a brief discussion the Board determined that this matter was not one to pursue as a member benefit. It was suggested that member benefits be listed on the bar card.

APPOINTMENTS

Discipline Panels

It was moved, seconded and approved to reappoint Jeffrey Albregts as Chair of the Southern Disciplinary Board for a one year term commencing July 1, 2011.

It was moved, seconded and approved to reappoint the following members to the Southern Disciplinary Board for a three year term commencing as follows:

Ike L. Epstein, June 22, 2011
Scott Smith, August 31, 2011

It was moved, seconded and approved to reappoint J. Thomas Susich as Chair of the Northern Disciplinary Board for a one year term commencing July 1, 2011.

It was moved, seconded and approved to reappoint Julien Sourwine as Vice Chair of the Northern Disciplinary Board for a one year term commencing August 31, 2011.

It was moved, seconded and approved to reappoint the following members to the Northern Disciplinary Board for a three year term commencing as follows:

Scott Freeman, August 31, 2011
Stephen Osborne, August 31, 2011
Moreen Scully, August 27, 2011

Member Benefits and Services

It was moved, seconded and approved to appoint Lesley Cohen for a two year term expiring November 1, 2012.

Fee Dispute Arbitration Committee

It was moved, seconded and approved to reappoint the following Panel Chair's to the Fee Dispute Arbitration Committee for a one year term commencing June 2011.

Peter Angulo, Las Vegas Panel C
Paul Eisinger, Las Vegas Panel B

It was moved, seconded and approved to reappoint the following members to the Fee Dispute Arbitration Committee for a three year term commencing June 2011.

Susan Brackney, lay member, Reno
Kevin Kirkendall, lay member, Las Vegas Panel A
James Kohl, Las Vegas Panel C
John Moran, II, Las Vegas Panel B
Irene Navis, lay member, Las Vegas Panel B
Evan Needham, Las Vegas Panel B
Miriam Rodriguez, Las Vegas Panel B
Earl Terry, lay member, Las Vegas Panel A
Janet Trost, Las Vegas Panel A

It was moved, seconded and approved to appoint the following members to the Fee Dispute Arbitration Committee for a three year term commencing June 2011.

Susan Krenzien, lay member, Las Vegas Panel A
Shadd Wade, lay member, Las Vegas Panel B

Section Appointments

It was moved, seconded and approved to reappoint the following members to the Gaming Law Section Executive Committee for a three year term effective June 2011.

Michael Bonner
Lou Dorn
John Godfrey
Scott Scherer

It was moved, seconded and approved to appoint the following slate of officers to the Public Lawyers Section for a one year term effective June 2011.

Brett Kandt, Chair

Tina Rossom, Vice Chair
Mary-Anne Miller, Secretary

It was moved, seconded and approved to appoint the following Executive Council Members At Large to the Public Lawyers Section.

Mark Ghan, Rusty Jardine, Cliff Jeffers, and Paul Lipparelli

It was moved, seconded, and approved to appoint the following slate of officers for a one year term to the Labor and Employment Section.

Chair: Laura Thalacker
Vice Chair: Robert Spretnak
Secretary: Cory Walker
Treasurer: Jamie Chu
CLE Chair: Roger Grandgenett
Membership Chair: Doreen Spears Hartwell

Board of Continuing Legal Education

It was moved, seconded and approved to appoint Jenny Hubach to the Board of Continuing Legal Education for a two year term expiring December 31, 2013.

Temporary Member of Commission on Judicial Selection

It was moved, seconded and approved to appoint Brian Rutledge as a temporary member of the Commission on Judicial Selection.

Lawyer Representative for the 9th Circuit

It was moved, seconded, and approved to appoint Charles McCrea, Jr and Jeff Silvestri as Lawyer Representative for the 9th Circuit, Southern Division. It was moved, seconded and approved to appoint Cassandra Joseph a Lawyer Representative for the 9th Circuit, Northern Division.

Elizabeth Brickfield abstained from voting due to her professional relationship with an applicant.

ACTION ITEMS

Financial Report

Marc Mersol reported on the financials of the State Bar of Nevada ending April 30, 2011.

Audit Report

Marc Mersol and the state bar's auditor Briene Houldsworth, Houldsworth, Russo and Co. provided synopsis on the 2010 Financial Audit Report of the State Bar of Nevada and Nevada Bar Foundation. The state bar and foundation received zero management points for the year, indicating a solid internal control structure

It was moved, seconded and approved to approve the 2010 Audit Report.

Member Benefits Services

The Member Benefits and Services Committee recommended approval of automobile rentals from Hertz and the Avis Budget Group as a member benefit.

It was moved, seconded and carried to approve the automobile rentals as a member benefit.

The state bar has been offering CoreVault Data Protection Service to members since September

2009. The Member Benefits and Services Committee recommended that the contract with CoreVault not be renewed. It was moved, seconded and approved to drop CoreVault as a member benefit provider.

Publications

The Publications Committee proposes the adoption of a *Book Publishing Incentive Program* designed to encourage state bar sections to contribute to the bar's library of published works. It was moved, seconded and carried to approve the adoption of the *Book Publishing Incentive Program*.

Admissions ADKT

The Board of Bar Examiners presented to the Board of Governors an ADKT for the submission to the Court to increase bar exam application fees and other administrative changes. Fee changes are:

Present

Student - \$475
Attorneys - \$675

Proposed

Student - \$700
Attorneys - \$1000

Present Late Fees

First tier -\$350
Second tier - \$550

Proposed Late Fees

No first tier; all applicants would pay only one late filing of \$550

Licensing fee of \$25 is unchanged, but would now be included as part of the application fee above and would be non refundable.

It was moved, seconded and carried to approve the ADKT for the submission to the Court in a joint petition with the Board of Bar Examiners.

Family Law Section

Bob Cerceo gave an overview on the proposed recertification of Family Law specialists. The Family Law Section is requesting to be recertified as the organization that administers the Family Law Specialist certification.

It was moved, seconded and carried to approve the Family Law Section as the certifying organization for the Family Law Specialist program for a 3 year period. It was moved, seconded and approved to set the individual specialist recertification fee to \$250 for a five year certification.

Fee Suspensions

It was moved, seconded and approved to approve the Fee Suspension list as of June 22, 2011.

REPORTS

Young Lawyers Section Report

The Young Lawyers Section submitted a written report highlighting their most recent activities. The YLS/State Bar of Nevada was awarded two ABA 2011 subgrants -- for materials provided to the YLS trial academy and for revamping of the current Goldilocks materials.

It was moved, seconded and carried to approve the 2011-2012 Executive Council as follows for the YLS.

- Paola Armeni, Chair
- Jeremy Reichenberg, Chair Elect
- Kendele Leascher Works, Secretary
- Tabitha Fiddymont, Ex Officio, Budget Director

Bar Counsel

David Clark reported on the Office of Bar Counsel highlighting the following:

- Patrick King began work as the first Assistant Bar Counsel assigned full time to the NNBC.
- Year to date Bar Counsel has taken over five practices of deceased attorneys.
- The Internet Advertising Sub-Committee has proposed to the Southern and Northern Advertising Committees that a rule be adopted by Nevada based on the Connecticut Superior Court General Provision Rule Sec. 2-28A (3) Attorney Advertising; Mandatory Filing which states that attorneys shall file their domain names used primarily to advertise legal services.

CONSENT AGENDA

Minutes of January 2011 and April 2011

It was moved, seconded and carried to approve the minutes of January 2011 and April 2011.

Contracts

It was moved, seconded and approved to approve the following contracts:

- Telepacific Communications
- LaJolla Beach and Tennis Club
- Lexis Nexis
- Pitney Bowes

EXECUTIVE SESSION

The Board entered into Executive Session at 12:10 pm and concluded the Executive Session at 12:40 pm.

Election of Officers

It was moved, seconded and carried to approve the following slate of officers of the Board of Governors for a one year term commencing June 24, 2011.

President, Constance Akridge
President Elect, Francis Flaherty
Vice President, Alan Lefebvre

ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 1:15 pm.