



**MINUTES OF THE MEETING
OF THE BOARD OF GOVERNORS
Elko, NV
August 18, 2010**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on August 18, 2010.

The following members were in attendance:

Cam Ferenbach, President
Connie Akridge, President Elect
Frank Flaherty, Vice President
Kathleen England, Immediate Past President
James Bradshaw
Elizabeth Brickfield
Amber Candelaria
Larry Digesti
Bruce Hahn
Jenny Hubach
Alan Lefebvre
Vincent Ochoa
Bryan Scott
Richard Scotti
Mason Simons

State Bar staff present:

Kimberly Farmer
Gale Skala
Rob Bare
David Clark
Marc Mersol
Lisa McGrane

Guests:

Adrienne Cox
Julie Cavanaugh-Bill
Ryan Works
Marshall Willick via phone

The meeting was called to order by President Cam Ferenbach at 10:30 am, there being a quorum present.

President's Report, Cam Ferenbach

Cam Ferenbach provided a synopsis on the most recent Executive Committee meeting. Mr. Ferenbach also spoke about the reformation of the Diversity Committee.

Mr. Ferenbach discussed changes to the bylaws and asked that the Bylaws Committee review officer voting procedures in contested officer elections.

Mr. Ferenbach requested that the Facilities Committee move forward in their research of a new Las Vegas facility.

Executive Director's Report, Kimberly Farmer

Kimberly Farmer reported on the current employee staffing at the State Bar and discussed staff openings. Ms. Farmer also provided a synopsis of the July Bar Exam.

Discussion Items

The Board discussed the following questions:

How can the state bar realize the Supreme Court requirement of an annual meeting and engage more members in the annual meeting?

The discussion covered issues such as the location of the annual meeting (Nevada location vs. out of state); ideas to increase attendance and program suggestions. The Board indicated that we have made some strides in programming of the annual meeting and think the state bar should continue on the same track. Connie Akridge and Bryan Scott agreed to lead the Annual Meeting Committee and that this committee will include a young lawyer representative (Ryan Works volunteered), large firm representatives and some section leader representatives among others.

What should the state bar's position be on granting reciprocity to attorneys licensed in other states?

Connie Akridge provided the history on this issue of reciprocity and why it has been brought before the Board for discussion. The consensus of the Board members, at this time, is that the timing of any reciprocity agreements is not advisable.

APPOINTMENTS

Nevada Law Foundation, non attorney member

It was moved, seconded and approved to appoint Noel Anschutz for a two year term ending August 1, 2012 to the Board of Trustees of the Nevada Law Foundation.

ABA House of Delegate

It was moved, seconded and approved to appoint Rew Goodenow as the second representative to the ABA House of Delegates for a two year term commencing August 2010. Elizabeth Brickfield abstained from voting due to her working association with one of the applicants.

Discipline Panels

It was moved, seconded and approved to reappoint Julien Sourwine as Vice Chair of the Northern Nevada Disciplinary Board for another year commencing August 31, 2010.

It was moved, seconded and approved to appoint Carole Kennedy as a lay member of the Southern Nevada Disciplinary Board for a three year term commencing August 31, 2010.

It was moved, seconded and approved to reappoint Clark Seegmiller to the Southern Nevada Disciplinary Board for another three year term commencing October 1, 2010.

It was moved, seconded and approved to reappoint Marcus Cusick as a lay member of the Southern Nevada Disciplinary Board for another three year term commencing October 1, 2010.

It was moved, seconded and approved to appoint Julie Cavanaugh-Bill to the Northern Nevada Disciplinary Board for a three year term commencing August 31, 2010.

It was moved, seconded and approved to reappoint Michael Large and Lance Maiss to the Northern Nevada Disciplinary Board for another three year term commencing August 31, 2010.

It was moved, seconded and approved to reappoint Stephen Kent to the Northern Nevada Disciplinary Board for another three year term commencing October 1, 2010.

LRIS Committee

It was moved, seconded and approved to appoint Julie Cavanaugh-Bill to the Lawyer Referral and Information Service Committee for a three year term commencing September 1, 2010.

Clients' Security Fund Committee

It was moved, seconded and approved to appoint Edwin Keller as Vice Chair for a one year term to the Clients' Security Fund Committee concluding on June 30, 2011.

It was moved, seconded and approved to reappoint Jon Greene as a lay member of the Clients' Security Fund Committee for a three year term concluding on June 30, 2012.

It was moved, seconded and approved to appoint Carl B. Weller as a lay member to the Clients' Security Fund Committee for a three year term concluding on June 30, 2012

Fee Dispute Arbitration Committee

It was moved, seconded, approved to approve the following Chair reappointments of the Fee Dispute Arbitration Committee for a one year term concluding on June 30, 2011.

Luke Puschnig – State Chair
Paul F. Eisinger – Regional Chair, Las Vegas Panel B
John C. Hope, Jr. – Regional Chair, Reno Panel
Todd Kennedy – Regional Chair, Las Vegas Panel A

It was moved, seconded and approved to approve the following reappointments to the Fee Dispute Arbitration Committee for a three year term concluding on June 30, 2013.

Lee A. Drizin, Las Vegas Panel A
Roger Harada, Reno Panel
Christopher Van Dyck, Carson City Panel
Clark V. Vellis, Reno Panel

It was moved, seconded and approved to approve the following appointments to the Fee Dispute Arbitration Committee for a three year term concluding June 30, 2013.

David M. Doto, Panel A
Lawrence E. Lermusiaux, Panel B
Robert E. Schumacher, Panel C
David Stahl, Panel A
Jason P. Stoffel, Panel B
Carl B. Weller, Panel C

Elizabeth Brickfield abstained from voting due to her working association with Region Chair, Las Vegas Panel A.

CLE Committee

It was moved, seconded and approved to appoint Melanie Muldowney and Zachary Redman to the CLE Committee for a three year term concluding on June 30, 2013.

Section Appointments

It was moved, seconded and approved to approve the following slate of officers for the Young Lawyers

Section for a one year term commencing August 31, 2010.

Ryan Works, Chair
Paola Armeni, Chair Elect
Jeremy Reichenberg, Secretary
Tabitha Fiddymment, Budget Officer

It was moved, seconded and approved to approve the following new council members to the Young Lawyers Section for a two year term commencing August 31, 2010.

Brian Gonzalves
Layke Stolberg

It was moved, seconded and approved to approve the following slate of officers to the Energy, Utilities and Communication Law Section for a one year term commencing September 1, 2010.

Frederick Schmidt, Chair
Dan Reaser, Vice Chair
Susanne Stark, Secretary
Michael Saunders, Treasurer

Elizabeth Brickfield abstained from voting due to her working association with one of the officers.

It was moved, seconded and approved to approve the bylaws of the Tax Law Section.

It has been requested by the Board that when a section is submitting their bylaws for approval, that the Chair of the section request the approval of the Board.

ACTION ITEMS

Financial Report/Revised 2010 Budget

Marc Mersol reported on the 2010 revised budget. It was moved, seconded and approved to approve the 2010 revised budget. It was moved, seconded and approved to transfer \$1million from the designated dues fund to the designated building fund.

State Bar support of SJR2

Cam Ferenbach reported on Ballot Initiative I that is on the November 2010 ballot. The ballot initiative reads:

Shall the Nevada Constitution be amended to provide for the appointment of Supreme Court Justices and District Court judges by the Governor for their initial terms from lists of candidates nominated by the Commission on Judicial Selection, with subsequent retention of those justices and judges after independent performance evaluations and voter approval.

It was moved, seconded and approved that the Board of Governors would support Ballot Initiative I. Vincent Ochoa abstained from voting as he is currently running for a judicial office.

State Bar support of Appellate Court

Cam Ferenbach reported on the Ballot Initiative II measure that is now on the November ballot. The ballot initiative reads:

Shall the Nevada Constitution be amended to allow for the establishment of an intermediate appellate court that would have jurisdiction over appeals of certain civil and criminal cases arising from the district courts?

It was moved, seconded and approved that the Board of Governors would support Ballot Initiative II.

Conflict of Interest Policy

Kimberly Farmer reported on the current Conflict of Interest Policy as well as the proposed changes to the

policy. It was moved, seconded and carried to approve the following changes to the Conflict of Interest Policy procedures.

- The instructions for submitting an acknowledgement form upon appointment
- Inclusion of the waiver process and instructions
- Revised volunteer application form that states volunteers will be asked to sign a conflict of interest acknowledgement form.

Use of State Bar Logo Policy

The Board has been asked to approve a formal State Bar of Nevada logo policy that allows members to use the state bar logo to convey membership in the organization. After discussion the board determined the state bar should register the state bar logo as a trademark before the Board sets usage policies in place.

Bylaws Change

In consideration of the proposed bylaw change, it was moved, seconded and approved to waive the notice requirement regarding amending the bylaws of the State Bar.

It was moved, seconded and carried to approve the change to 4.10 of the bylaws of the State Bar of Nevada. The bylaw revision shall read:

4.10 Ex officio members of the Board of Governors All past presidents of the State Bar of Nevada, Dean of the William S. Boyd School of Law and the chair of the Board of Bar Examiners shall be nonvoting, ex officio members of the Board of Governors. The immediate past President, Dean of the William S. Boyd School of Law and the chair of the Board of Bar Examiners shall be reimbursed by the State Bar for any travel expenses incurred in attending Board meetings in accordance with the reimbursement policy for all Board members.

Section Listserve

It was moved, seconded and approved to approve the Listserve program and amended Listserve Terms of Use as presented.

Client Security Fund ADKT

Kimberly Farmer reported on the proposed ADKTs making amendments to SCR 42 and SCR 86.5. It was moved, seconded and carried to approve submission of the ADKT petitions to the Court.

Lexis Nexis Agreement

Connie Akridge reported on the status of the Jury Instructions license agreement with Lexis Nexis. It is recommended to approve the contract pending three forthcoming revisions. It was moved, seconded and approved to approve the revised agreement.

It was moved, seconded and carried to approve the amended Publications' Authorship Agreement.

REPORTS

Young Lawyers Report

Ryan Works, Chair of the Young Lawyers Section (YLS), reported on the success of the YLS programs presented at the annual meeting. The section is presently beginning to focus on their legal education programs offered to local schools.

Demographics Survey

Kathleen England reported on the results of the demographic survey that was conducted last spring by UNR Center for Research Design and Analysis.

Litigation

The Board entered into Executive Session at 1:50 p.m. and concluded the Executive Session at 2:10 pm

CONSENT AGENDA

Minutes of June 23, 2010

It was moved, seconded and approved to approve the minutes of the June 23, 2010 Board of Governors meeting. Bryan Scott abstained from voting as he was not a member of the Board in June.

Member Benefit – Clearline Financial Group (Guardian Life Insurance)

It was moved, seconded and approved to discontinue our relationship with Clearline Financial Group. We will reevaluate offering disability insurance as a member benefit.

Ad Hoc Advisory Committee for Client Protection

It was moved, seconded and carried to approve the formation of an Ad Hoc Advisory Committee for Client Protection as presented.

Clients' Security Fund Rules of Procedure

It was moved, seconded and carried to approve the amended Rules of Procedure for the Clients' Security Fund.

CLE Committee

It was moved, seconded and carried to approve the creation of an ex-officio role for a representative on the CLE Committee from the National Judicial College.

Administrative Suspensions

It was moved, seconded and carried to approve the Administrative Suspensions of David Finley and Don Shreve Jr.

OTHER BUSINESS

Connie Akridge spoke on aspects of instituting a mentoring program for new admittees. One concept is the mentoring program would replace the Bridge the Gap CLE program for new Nevada attorneys. This concept is in the initial discussion stages. Ms. Akridge presented the idea of including the Professionalism Summit Committee in the planning of the mentor program as both programs have similar goals and objectives.

Adjournment

There being no new business before the Board, the meeting adjourned at 3:00 pm.