

June 21, 2006

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 June 21, 2006, at the Annual Meeting in Kauai, Hawaii.

The following members were in attendance :

Vincent Consul	President
Rew Goodenow	President-elect
Nancy Allf	Vice President
Ann Price McCarthy	Immediate Past President
Constance Akridge	
Bruce Beesley	
James Bradshaw	
Kathleen England	
Francis Flaherty	
Dara Goldsmith	
Gregory Kamer	
Bradley Kenny	
Richard Morgan	

The following participated by phone:

Cam Ferenbach
William Turner
Robert Witek

State Bar Staff Present:

Gale Skala
Rob Bare
Christopher Boadt

By phone:

Wayne Blevins
Mark Mersol
Patrice Eichman

Members of the Young Lawyers Section in attendance:

Stephanie Allen
Tabitha Keetch
Jasmine Mehta

Guest present:

Ed Kainen

1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by President Vince Consul at 8:15 am and a quorum was declared. Consul welcomed the Board to the meeting and reviewed the schedule for the day.

2. REPORT OF YOUNG LAWYERS SECTION

Jasmine Mehta reported on the events that the Young Lawyers Section hosted this year and noted upcoming events. It was reported that the Sagebrush Golf Tournament produced approximately \$4,000 in revenue for the section. The results of the Compensation Survey are in the process of being tabulated and will be available soon.

It was moved and seconded to appoint the following officers to the Young Lawyer Section:

Jasmine Mehta as Chair Elect
Stephanie Allen as Secretary
Tabitha Keetch as *Ex Officio* Treasurer

Motioned carried.

3. CONSENT ITEMS

The Board of Governors agreed that items 3, 6 and 7 should be removed from the list of Consent items. The remainder of the following Consent Items were accepted or approved unanimously, as follows:

2. Minutes of the May 10, 2006 Meeting

4. Report of Director of Admissions

Status on July 2006 Bar Exam along with status on security for the exam

5. Report of Director of Operations and Education

Status on the 2006 Annual Meeting was reported and the initial brochure for the 2007 Annual Meeting was distributed.

Robert McPeak and Kelly Brinkman were unanimously appointed to the CLE Committee.

8. Report of Fee Dispute Arbitration Committee

Dianna Hegeduis, Joyce Ramos, Michael Rowe, James Armstrong, Daniel O'Brien were reappointed to the Fee Dispute Arbitration Committee. Luke Puschnig was reappointed as the State Chairman of the Committee for a one year term.

9. Report of Clients' Security Fund Committee

Laurie Diefenbach and W. Chris Wicker were reappointed to the Clients' Security Fund Committee. David Amesbury was reappointed for a one year term as the State Chairman of the Committee.

4. REPORT OF DIRECTOR OF FINANCE AND INFORMATION SYSTEMS

The question of compensation was raised. Did the Bar have a formal compensation agreement concerning comp time and how it is accrued? Rew Goodenow agreed to address this matter at the next Board meeting.

Kathy England asked why the overhead expenses were higher than previously budgeted. Marc Mersol, Director of Finance, stated that the cost of the pro bono survey (approximately \$5,000) had not been included in the previously approved budget and was charged against overhead expenses.

5. REPORT OF THE PUBLIC LAWYERS SECTION

It was moved and seconded that the Board unanimously ratified the officer and Executive Council election results.

6. REPORT OF LAWYER REFERRAL AND INFORMATION SERVICES

Frank Flaherty spoke about his concerns that the proposed TV ad for LRIS may violate the lawyer advertising rules. Rew Goodenow and Dara Goldsmith gave a general view of the LRIS service as well as some history about the LRIS Committee. Gale Skala, Coordinator of LRIS, shared some pros and cons concerning the TV advertising.

Kathy England would like to see the LRIS Committee develop a marketing plan as well as a marketing budget. It was requested that Skala copy the TV advertising cd along with the LRIS mission statement and distribute those copies to the Board members.

It was decided that this subject would be discussed again at the next Board meeting.

7. DISCUSSION OF CORPORATE CONDUCT GUIDELINES

Rew Goodenow requested the Board to consider corporate conduct guidelines in order for the Board and employees to fulfill their responsibilities to members of the State Bar of Nevada. Greg Kamer also shared and distributed two corporate codes of conduct and adapted them for the Board. Dean Morgan spoke about the Clark County guidelines and agreed to send them to the Board members.

The motion was amended and unanimously approved that the Board favors adoption of definitive corporate conduct policies and directs Rew Goodenow and Greg Kamer to work together on guidelines for the Board of Governors and employees of the State Bar of Nevada. The State Bar staff will assist with the development of employee guidelines.

8. CONSIDER THE FAMILY LAW SECTION AS A CERTIFYING SPECIALTY ORGANIZATION

Ed Kainen of the Family Law Section of the State Bar of Nevada presented the Family Law specialty application to the Board. After discussion and some clarification, the Board unanimously approved the application.

9. REPORT ON JACKRABBIT BAR CONVENTION

Ann Price McCarthy gave a report on the Jackrabbit Bar Convention. Nevada is to be the host of the Jackrabbit Bar in 2007. Goodenow spoke on behalf of McCarthy continuing the program and how important it is to the State Bar. Members of the Board of Governors are encouraged to attend this important meeting in June 2007.

McCarthy, as chancellor of the Jackrabbit Bar, is responsible for retaining the symbolic statue of the organization that will be placed in the Reno State Bar office.

It was motioned and approved that McCarthy would have full support of the Board and this project was allocated \$3,000 to facilitate its mission.

10. FEE DISPUTE ARBITRATION COMMITTEE – RE: KEVIN SEWELL

The Board adjourned into executive session. The Board reconvened in open session.

11. CONSIDER THE PUC-SCR 42 MATTER

Rob Bare spoke and suggested that David Clark attend the next PUC meeting. Bruce Beesley believed that no action needed to be taken under the current rule.

12. REPORT OF BAR COUNSEL

Rob Bare spoke and requested help in finding lay persons for the Disciplinary Board. Board of Governors were encouraged to submit names of individuals who might be interested in serving this important function. Rew Goodenow agreed to mention the need at his Rotary club. Kathy England asked for a description of the responsibilities of disciplinary board members and Bare agreed to dispatch that information to the Board of Governors.

The Board accepted the resignation of Nicole Stucki, member of the State Bar of Nevada, in accordance with SCR 98(5)(a).

The Board appointed Paul Matteoni as the chair for the Northern Nevada Disciplinary Board effective August 2006.

It was moved and approved that alternate attorney members Peter Angulo, Walter Cannon, James Christensen, Ike Epstein, Michael Mersch, and Bruce Shapiro be designated as alternate attorney members to the Southern Disciplinary Board and Larry Bertsch be approved for redesignation as a laymember.

It was moved and approved that Edward Bernard, Bruce Hahn and G. David Robertson be appointed as alternate attorney members for redesignation to the Northern Disciplinary Board.

It was moved and approved that Keegan Low be appointed to the Northern Disciplinary Board.

It was moved and approved that laymembers John Leland, Ty Levin, Larry Newman and Carolyn Vaught be approved for redesignation to the Northern Disciplinary Board.

It was moved and approved that laymember Ms. Gaub be approved for reappointment to the Northern Disciplinary Board.

It was moved and approved that Robert Bayer, Ph.D be approved as an alternate laymember to the Northern Disciplinary Board.

The Board adjourned into executive session. The Board reconvened in open session.

13. REPORT OF EXECUTIVE DIRECTOR

Wayne Blevins offered the report. It was moved and approved that Brent Kandt would be nominated to the ABA Government and Public Sector Division. Gale Skala called to make sure we could still submit the nominating form and Susan Kidd of the ABA said it was too late.

14. REPORT OF THE PRESIDENT ELECT

Rew Goodenow thanked the Board for submitting their committee liaison requests for the upcoming year. He will finalize those for the August meeting of the Board of Governors.

15. REPORT OF THE PRESIDENT

Vince Consul reported on the activities at this year's convention. There are 400 attorneys registered along with their families.

Rew Goodenow presented Vince Consul with a plaque acknowledging his meritorious service to the Bar as President of the Board of Governors during 2005-2006.

16. ELECTION OF OFFICERS OF THE BOARD OF GOVERNORS FOR 2006-2007

Nancy Allf nominated Bruce Beesley for the position of Vice President Board of Governors of the State Bar of Nevada. Rew Goodenow seconded the nomination. There were no other names submitted for consideration. Beesley's election to office was unanimously approved.

Bruce Beesley nominated Nancy Allf for the position of President Elect of the Board of Governors of the State Bar of Nevada. Rew Goodenow seconded the nomination. It was so moved and approved unanimously.

Rew Goodenow nominated Wayne Blevins as the Secretary Treasurer of the State Bar of Nevada. Nancy Allf seconded the nomination. It was so moved and approved unanimously.

Rew Goodenow as the current President Elect will succeed Vince Consul as President of the Board of Governors effective June 23, 2006.

17. DISCUSSION OF LAWYER ADVERTISING RULES

Vince Consul summarized the previous discussions regarding this matter.

Rob Bare spoke about an email from Justice Hardesty concerning the advertising rules practiced in New York.

Rew Goodenow spoke to the Board and suggested that the Board of Governors was not yet prepared to vote on the issue. The Board discussed the issues and the minority report.

After considerable discussion, Rob Bare volunteered to submit the following to the Board in a subsequent meeting.

A minority report

A majority report

Nevada rules

ABA model rules, as well as comparison tables for each rule with current Nevada rule, ABA model rule, and ABA comments and annotations

Three versions for review

It was moved and approved that Rob Bare will prepare the necessary documents regarding this matter for review by the Board. Rew Goodenow will invite Justice Hardesty to attend the next meeting of the Board of Governors when this matter is to be discussed.

ADJOURNMENT

The meeting was adjourned at 1:35 p.m.