



**MINUTES OF THE MEETING
OF THE BOARD OF GOVERNORS**
June 27, 2007

A Regular Meeting of the Board of Governors of the State Bar of Nevada was convened on June 27, 2007 at the Squaw Creek Resort, Lake Tahoe, CA 12:00 pm.

The following members were in attendance:

Rew Goodenow, President
Nancy Alf, President-Elect
Bruce Beesley, Vice President
Vince Consul, Immediate Past President
Connie Akridge
James Bradshaw
Kathleen England
Cam Ferenbach
Francis Flaherty
Dara Goldsmith
Gregg Kamer
Richard Morgan
Bryan Scott
Robert Witek
Megan Bowen, Young Lawyers Section

By Phone:

Bradley Kenny
Bridget Robb Peck
Bill Turner

State Bar Staff Present:

Kimberly Farmer
Gale Skala
Marc Mersol
David Clark
Rob Bare

Guests

Ann Price McCarthy – by teleconference
Laurence Digesti
Elana Hatch
John White

Judge Connie Steinheimer

1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by President Rew Goodenow at 12:05 pm and a quorum was declared.

2. CONSENT ITEMS

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

Approval of Minutes of May 23, 2007

Report of Director of Finance and Information Systems

Report of Fee Dispute Committee/Client Security Fund

David C. Amesbury was approved to be reappointed as State Chair of the Clients' Security Fund Committee for a one-year term effective immediately.

The following attorneys were approved for a three year term reappointment effective June 2007:
Bert E. Wuester – Las Vegas Panel C
Richard McConnell- Reno Panel

Luke Puschnig was approved to be reappointed as State Chair for another one year term effective June 2007.

Report of Diversity Committee

3. REPORT OF DIRECTOR OF ADMISSIONS

Ms. Alf discussed the Board of Bar Examiners annual meeting with the Supreme Court. She noted that the Board plans to discuss the issue of petitions by applicants who have not met the deadline for submitting their application to take the bar exam. Ms. Alf indicated that the State Bar of Nevada should be involved in discussions regarding this matter. Mr. Goodenow suggested that a committee be established to work with the Board of Bar Examiners. It was moved and approved to establish an admissions committee to work with the Admissions Department and Board of Bar Examiners on this matter. Bridget Robb Peck, Nancy Alf and Kathleen England are the committee members.

4. REPORT OF PUBLIC LAWYERS SECTION

It was moved and approved to ratify the 2007-2008 officer and Executive Council election results for the Public Lawyer section. These results are listed below.

Officers

Chair, Bret Kandt

Vice-chair, Melanie Bruketta

Secretary, Mary Miller

Executive Council Members

Brian Chally

Rusty Jardine
Cliff Jeffers
Jim Taylor

It was moved and approved that the Public Lawyer Section dues will be increased from \$15.00 annual dues to \$25.00. After clarification, it was moved and approved to support the practice of the Public Lawyer Section that offers section members free attendance at the Nevada Advisory Council for Prosecuting Attorneys yearly conference. The section monies will cover this cost.

5. REPORT FROM ANN PRICE MCCARTHY

Ms. McCarthy shared the importance of the Jackrabbit Bar Conference and the Western States Bar Conference. She encouraged the Board members to attend these events in the future. She suggested that the Board members be more involved with the Legislature when it is in session. Ms. McCarthy suggested we might pay an individual to be a lobbyist for the State Bar when the legislature is in session. Ms. Goldsmith suggested that the Board look at this issue during 2008 when the legislature is not in session.

6. REPORT OF GAMING LAW SECTION

It was moved and approved to appoint Sean McGuiness and P. Gregory Giordano to a three year term on the Executive Committee of the Gaming Law Section beginning June 30, 2007. It was noted that Bruce Beesley and Bridget Robb Peck abstained from voting.

7. ACCESS TO JUSTICE SECTION REPORT

Judge Steinheimer gave the history on the Access to Justice Section. Judge Steinheimer also discussed the role of the Access to Justice Commission. Both the section and the commission have the same goals. Thus, Judge Steinheimer recommended that the section disband allowing the Access to Justice Commission to proceed with the goals that are being established. It was moved and approved that the Access to Justice Section will temporarily be inactive and the Board will review this issue in one year. It was moved and approved to check the amount of funds left in the Access to Justice Section; if there is money left; the members of the section should be notified and asked what they would like to do with the funds, i.e. refund to members, give to the Access to Justice Commission, etc.

8. REPORT OF ACCESS TO JUSTICE COMMISSION

It was moved and approved that the State Bar of Nevada will provide \$25,000 to the Access to Justice Commission to help fund the statewide legal needs assessment.

9. DISCUSSION NINTH CIRCUIT LAWYER REPRESENTATIVE

It was moved and approved to recommend to the United States District Court that Gloria Sturman and Pete Gibson be appointed as lawyer representatives of the Ninth Circuit. Cam Ferenbach abstained from voting.

10. DISCUSSION NEVADA LAW FOUNDATION TRUSTEE

It was moved and approved to reappoint the following individuals whose terms expire June 30, 2007.

- Roberta Prutzman (northern lay person appointment)
- Robert Eglet (southern appointment)
- Carolyne Myers (southern appointment) and chair person-elect

It was moved and approved to appoint David McElhinney to fill the northern vacancy created by the expired term of Curtis Coulter.

11. DISCUSSION STANDING COMMITTEE ON JUDICIAL ETHICS AND ELECTION PRACTICES

After discussion and review of the applications seeking appointment to the Standing Committee on Judicial Ethics and Election Practices, it was moved and approved to appoint Bernard Zadrowski to the committee effective immediately

12. REPORT OF THE YOUNG LAWYERS SECTION

Megan Bowen, representative from the Young Lawyers Section, gave a report on the latest activities of the Young Lawyers Section. Ms. Bowen shared that the section will be having a planning meeting in July and would welcome any suggestions the Board might have for the section. It was moved and approved to appoint Ryan Works to serve as a new Southern Nevada Executive Council Member for a two year term.

13. REPORT OF SCR 42

The Board discussed the ADKT amending SCR 42 regarding practice of attorneys not admitted in Nevada. The Board made a few changes, noted below. It was moved and approved to authorize the President to file the ADKT as amended.

- On page 4 of 6; the second paragraph, first line should read: In the alternative, the U.S. District Court for the District of Nevada adopted a similar *pro hac vice* rule to that proposed here,
- On page 5 of 6; the first paragraph, fourth line should read: "extraordinary, and not unnecessarily consume the Court's time."
- On page 6 of 6, the third paragraph should read: "The changes requested herein will promote a clients' viable ability to choose a counsel of their choosing in multi-state and multi-national matters and thus promote the administration of justice."

14. REPORT ON LAWYER ADVERTISING OPERATING RULES AND PROCEDURES

After a lengthy page by page review of the Rules and Procedures, President Goodenow appointed Kathy England, Bryan Scott, and David Clark, charging them with the task of finalizing the Board's changes to the Operating Rules and Procedures. It was moved and approved to finalize the rules and procedures with Board amendments and send them to the Supreme Court on or before July 27, 2007.

15. REPORT OF THE PRESIDENT

Mr. Goodenow reviewed the passage by the U.S. Senate and Legislature of the budget for the Legal Services Corp. which was signed by President Bush. The SBN supported passage of this bill.

Mr. Goodenow shared that Justice Hardesty had called him requesting that the Board appoint two attorneys, one from private defense practice and another from the public defender's office, to review the Nevada Justice System. It was moved and approved to appoint Larry Digesti and Phil Kohn. Mr. Goodenow was unable to confirm this appointment with Phil Kohn. If Mr. Kohn does not accept the appointment, Mr. Goodenow will contact the public defender's office for suggestions.

Mr. Goodenow shared the history on the ADKT 413 Amendment to Cannons 5 (C) (2) and 5 (C) (3) of the Nevada Code of Judicial Conduct and noted that this was a result of the passage of Assembly Bill 505 which changed the filing date for those seeking judicial office.

16. REPORT OF THE PRESIDENT-ELECT

Ms. Allf provided the dates for 2007-2008 Board of Governors meetings. It was noted that the meeting in Ely, NV will be changed due to a conflict. She gave a short synopsis of her goals during her term as President.

17. REPORT OF BAR COUNSEL

It was moved and approved to appoint Jeffrey Albregts as Chair of the Southern Disciplinary Board created by expired term of Howard Miller and to appoint John Mulligan as Chair of the Northern Disciplinary Board created by expired term of Paul Matteoni. It was moved and approved to appoint Christine Needham, Noel Anschutz and Randall Scott as laymembers on the Southern Disciplinary Board.

It was noted that the notary on Mr. Ernesto Aldover's resignation application should be reviewed as the notary is a relative of Mr. Aldover. It was moved and approved to accept the resignation of Ernesto Aldover upon revising the application to meet the requirements.

18. REPORT OF EXECUTIVE DIRECTOR

Ms. Farmer reported on the status of the members that are being fee suspended. At the time of the Board meeting, there were 22 members.

The Board went into Executive Session.

19. ELECTION OF PRESIDENT-ELECT AND VICE PRESIDENT

It was moved and approved to appoint Bruce T. Beesley as the President Elect of the State Bar of Nevada.

Kathy England and Dara Goldsmith were nominated for the position of Vice President of the State Bar. Each candidate gave a statement to the Board. The Board voted via written ballot and submitted their written ballots for counting Gale Skala and Kimberly Farmer. Board members participating via telephone submitted their ballots via email to Gale Skala. Kathy England received the majority vote. It was then moved and approved to appoint Kathy England as Vice President.

ADJOURNMENT

There being no further business before the Board the meeting was adjourned at 5 p.m.