

October 18, 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 October 18, 2006 at the State Bar of Nevada office in Las Vegas, NV.

The following members were in attendance :

Rew Goodenow	President
Nancy Allf	President – Elect
Bruce Beesley	Vice President
Vince Consul	Immediate Past President
Constance Akridge	
James Bradshaw	
Cam Ferenbach	
Francis Flaherty	
Kathleen England	
Dara Goldsmith	
Gregg Kamer	
Richard Morgan	
Bryan Scott	
Bill Turner	
Robert Witek	

State Bar Staff Present:

Wayne Blevins
Gale Skala
Rob Bare

Member of the Young Lawyers Section in attendance:

Jennifer Hilsabeck

Guests present:

William Terry
Georgia Taylor, Coordinator Clients' Security Fund
David Amesbury
Chris Hunter

1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by President Rew Goodenow at 9:40 am and a quorum was declared.

2. CONSENT ITEMS

The Board of Governors agreed that items 3, 7 and 10 should be removed from the Consent Agenda. The remainder of the following Consent Agenda items were accepted or approved unanimously, as follows:

Approval of the Minutes of August 24, 2006 Board of Governors Meeting

Report of Director of Operations and Education

Upcoming Continuing Legal Education Programs

Report of Director of Finance and Information Systems

Financial Operations Report

Report of Lawyer Referral and Information Services

Report of Law Related Education

Past and Present Law Related Education Programs

Consider Revision of Gaming Law Section By Laws

3. REPORT OF DIRECTOR OF ADMISSIONS

Patrice Eichman, Director of Admissions, shared with the Board of Governors the results of the July Bar Exam. The results reflected a 66% pass rate which is the highest it has been in the past ten years. It was recognized that Boyd School of Law students had a 74% pass rate.

It was moved and approved that Gary Fairman, Paul Taggart and Al Kacin be reappointed to the Board of Bar Examiners for a term of three years. Michael Rowe was reappointed to the Character and Fitness Committee for a term of three years. Chris Davis, Pamela Lawson, and Gloria Sturman were reappointed to the Functional Equivalency Committee for a term of three years.

4. REPORT OF THE CLIENTS' SECURITY FUND COMMITTEE

David Amesbury, Chris Hunter and Georgia Taylor were present to share with the Board the proposed amendments to the Clients' Security Fund *Rules of Procedure*. They also recommended that the Board approve a proposed contract with Wanderer and Wanderer.

David Amesbury explained to the Board why the Clients' Security Fund Committee wanted to retain Wanderer and Wanderer as their collection attorneys. After discussing the proposed contract from Wanderer and Wanderer, the Board appointed Dara Goldsmith, Kathy England, Bruce Beesley, Connie Akridge, Rob Bare and Wayne Blevins to work with Chris Hunter from Wanderer and Wanderer to finalize the wording of the contract. They will report back to the Board at the December meeting.

The proposed change in the *Rules of Procedure* was discussed. The Board wanted *1a* to read as follows: "Accused Attorney" means a person who has been accused of committing a Dishonest Act while practicing law in the state of Nevada. It was moved and affirmed that the Board approve the amendments to the *Rules of Procedure* upon making the change.

5. CONSIDER ACCESS TO JUSTICE SECTION PRO BONO AWARD NOMINEES

After discussing the nominees, the Board of Governors approved the following people to receive an award for their pro bono service: Marshal Willick, Rachelle Resnick, Alison Colvin, the Law Firm of Lee & Russell and the Law Firm of Gordon & Silver. In addition, Rew Goodenow suggested that William Terry be presented an outstanding service award. Mr. Terry asked that we also recognize Osvaldo Fumo, John Momot, Jay Siegel, Joel Mann, Maria Milano and Linda Norvell. It was moved and approved to present William Terry along with his colleagues the outstanding service award. Gale Skala will invite Mr. Terry to the award luncheon in Reno on November 1, 2006.

6. REPORT ON JUDICIAL INDEPENDENCE AND ACCOUNTABILITY

Cam Ferenbach spoke to the Board concerning the different political views on this subject. However, Greg Kamer shared that he thought it was important that the State Bar be involved. Vince Consul reminded the Board that a commission dealing with this subject was established previously. Goodenow will send a letter asking them to re-activate this commission.

Ferenbach will meet with the commission and report on the progress at the Board meeting in January.

7. DISCUSSION OF PRO BONO SURVEY RESULTS

Wayne Blevins shared concerns about the present mandatory Pro Bono reporting form. He felt that the results of the 2005 survey might not reveal a completely accurate pro bono climate. It was agreed that the form needs revision and should help us reach the goal of encouraging pro bono efforts. Blevins hopes to put the form on our website as

well as putting it in the annual dues packets that will be mailed in mid November 2006. He will work with Lynn Etkins, Barbara Buckley and Kimberly Abbott to revise the form. It was moved and approved that we continue to use the outside source to compile the survey results. The results of the survey will be posted on the State Bar of Nevada website.

8. CONSIDER POLICIES ON FUNDING AND OPERATION OF SECTIONS

It was moved and approved the revised policies on funding and operation of sections of the State Bar of Nevada be adopted.

9. CONSIDER ADKT REGARDING DISCIPLINARY BOARDS AND PANELS

Gregg Kamer shared the background of the ADKT petition with the Board. The Task Force on Discipline Panels has reached the conclusion that there is a need to increase the minimum number of board members assigned to both the Northern and Southern boards, and to increase the lifetime term limit for members from three 3-year terms to four 3-year terms. It was moved and approved to accept the ADKT petition.

10. REPORT ON THE DIVERSITY COMMITTEE/CONFERENCE

Bryan Scott had attended a conference on Diversity. He shared with the Board that after attending the conference he felt that the State Bar of Nevada was at the same stage in this process as most other State Bars. Bryan suggested that we conduct a survey to determine the Bar's diversity by composing a form to be included with the annual Bar dues statement. He thought it would be beneficial to coordinate the diversity efforts with the local Bars, distribute information to the schools to promote law programs, and encourage larger law firms to recruit minority candidates. Jennifer Hilsabeck, chair of the Young Lawyer Section, is going to an ABA conference dealing with diversity. She agreed to share with the Board ideas she might gather at the conference at the December Board meeting. It was moved and approved that Bryan Scott organize a meeting with the diversity committee and report to the Board in December.

11. DISCUSSION OF ONLINE VOTING IN BOG ELECTIONS

Dara Goldsmith, being a member of the State Bar of Hawaii, shared how Hawaii accomplishes their online voting. Hawaii uses a program by the name of Ballot Box. It was suggested that we put a notice in the E newsletter and the next Nevada Lawyer edition to determine how members might feel about voting online. Bob Witek will work with Blevins concerning the rural counties. Blevins and Goldsmith will report the progress at the December Board meeting. This discussion will be held over until a later date.

12. REPORT OF THE EXECUTIVE DIRECTOR SEARCH COMMITTEE

Wayne Blevins gave a status report on the Executive Director search. The goal of the Search Committee is to present a candidate for consideration at the December 13th meeting of the Board of Governors. Franny Forsman had to resign from the committee and Rew Goodenow replaced her with Dennis Kennedy. It was agreed that the application packets of the finalists would be sent to members of the Board for examination and comments. It was moved and approved that the salary range for the new Executive Director will be \$120,000 - \$150,000.

13. REPORT OF THE YOUNG LAWYERS' SECTION

Jennifer Hilsabeck spoke to the Board about upcoming events of the Young Lawyers' Section. She spoke about the most recent golf event that raised \$5000 for charity. The section will have a strong presence at the swearing in ceremonies in hopes that the new admittees will participate in the section. The Rocky Mountain Regional Young Lawyers Conference scheduled for March 2-3, 2007 is hosted this year by the Young Lawyers Section of the State Bar of Nevada and co-sponsored by the American Bar Association. This conference will include CLE and other social events. The conference dates are March 9-10, 2007.

14. REPORT OF THE PRESIDENT-ELECT

Nancy Allf gave a report of the progress of the Nevada Lawyer. She shared that they had an editorial retreat and felt that the Nevada Lawyer is highly stabilized now.

15. REPORT OF THE PRESIDENT

Rew Goodenow spoke about the upcoming visit with the Ukrainian Judges. They will be here October 21-28, 2006 and the State Bar of Nevada is hosting a meeting on Thursday, October 24th. Goodenow mentioned the swearing in ceremonies in Reno and Las Vegas and encouraged Board members to attend. Rew had distributed a report from the Busick Group concerning the Nevada Plan, and he asked that the Board look at the draft and be willing to discuss it at the December meeting. Goodenow shared with the Board the events of his meeting with Chief Justice Rose – EXECUTIVE SESSION

He reported to the Board the outcome of the meeting with Justice Hardesty, Bill Turner, Gregg Kamer, Bruce Beesley, Rob Bare, Kristina Marzec and Wayne Blevins. Goodenow felt that the meeting went very well and the other participants were happy with the outcome of the meeting. It was moved and approved that Bar Counsel draft a new ADKT for Lawyer Advertising with the changes. There will be a special teleconference meeting of the Board of Governors on November 2nd to approve the ADKT if so moved.

16. REPORT OF BAR COUNSEL

Rob Bare gave a report on the circumstances surrounding Joseph Caramagno. Rob wanted to impress on the Board what William Terry has done to help with all the Caramagno cases. Rew Goodenow presented William Terry with a plaque of appreciation for his service. Mr. Terry thanked the Board for their recognition and gave a report on the status of the cases.

Rob Bare gave a report on the case load of Mr. Carl Lovell Jr. Marina Koliass was appointed as counsel under SCR 118 – EXECUTIVE SESSION

It was moved and approved to accept the application for resignation from Parminder S. Gill. It was moved and approved to accept the application for resignation from Carol S. Comer. It was moved and approved that Dr. Joseph Chenin, Mr. Dan Pearce and Ms. Barbara Schell be reappointed to the Southern Disciplinary Board as laymembers. It was moved and approved that Ronald Moonin be appointed to the Southern Disciplinary Board as a laymember. It was moved and approved that Ms. Shelley O'Neill be reappointed to the Northern Disciplinary Board. It was moved and approved that Judy Southard, Rick Lund, Frank Gallagher, Lin Phillips and Thomas Kelly be appointed as alternate laymembers to the Northern Disciplinary Board.

17. REPORT OF THE EXECUTIVE DIRECTOR

Wayne Blevins shared some ideas on the present Compensation Plan. It has been suggested by a board member that we hire someone to do a Compensation and Benefit survey. Rew Goodenow asked that the present compensation committee review the present plan and report back to the Board. This item will be held for discussion at a later date.

ADJOURNMENT

The meeting was adjourned at 3:35 p.m.