



**Minutes – Board of Governors Meeting
February 18, 2021
Via Zoom Meeting**

A meeting of the Board of Governors of the State Bar of Nevada was convened on February 18, 2021.

The following members were in attendance:

Eric Dobberstein, President
Ann Morgan, President-Elect
Paola Armeni, Vice President
Paul Matteoni, Immediate Past President
Jeff Albreghts
Seth Adams
Julie Cavanaugh Bill
Doug Clark
Terry Coffing
Andrew Craner
Richard Dreitzer
Gene Leverty
Joel Locke
Catherine Mazzeo
Kari Stephens
Brittnie Watkins

State Bar staff present:

Kimberly Farmer
Lisa Dreitzer
Marc Mersol
Manny Botello
Dan Hooge

Guests:

Claudia Aguayo, President LVNBA

CALL TO ORDER

President Eric Dobberstein called the meeting to order with a quorum present at 8:45 am. Mr. Dobberstein welcomed everyone and provided an overview of both the Board's agenda and the agenda of the joint meeting with the Supreme Court.

CONSENT AGENDA

It was moved, seconded, and carried to approve consent agenda.

- December 1, 2020 Meeting Minutes
- Section Appointments
- Resignations
- Advertising Committee Annual Report
- Clio Agreement
- Auditor Engagement Agreement

REPORTS

Blue Ribbon Committee on Diversity, Equity, and Inclusion (BRC) Report

Ann Morgan gave kudos to the Affinity Bar Roundtable participants regarding their efforts on diversity and inclusion programs. Ms. Morgan shared with the Board that the Affinity Bars are looking to work amongst themselves to make their Executive Boards more diverse drawing from the memberships of one another.

The Board discussed feedback that firms are ready to develop diversity, equity, and inclusion (DEI) programs, they just are not sure on the steps to take. The BRC reported the goal to provide a toolbox for firms on how to develop DEI programs and respond to DEI concerns. The Board discussed the five things firms can do to promote diversity, equity, and inclusion now.

1. Assess interest and assign a committee/person to lead the firm's diversity, equity, and inclusion efforts.
2. Educate yourself and encourage members of your firm to be educated by providing book/movie recommendations, promoting attendance to CLEs on diversity, equity, and inclusion, and learning from peers.
3. Get to know your personnel. If you feel comfortable, ask questions. Listen. Follow up.
4. Be a mentor and provide opportunities for learning, growth, and training within the firm.
5. Hire a diversity, equity, and inclusion consultant.

The Board discussed takeaways from the 21 -Day Racial Equity Challenge. The consensus was the challenge provided knowledge and helped the Board become more aware of DEI issues. It also highlighted the importance of knowledge and information. With an eye towards education, the Board discussed a mandatory CLE requirement on DEI as recommended by the BRC.

The BRC moved to draft an ADKT seeking to amend the SCRs to include a mandatory DEI continuing legal education credit. The draft ADKT will be reviewed by the Board at the April 2021 Board meeting. Motion carried.

Reports on Wellness

Kristine Kuzemka, Nevada Lawyers Assistance Director, presented reports covering the following wellness themes:

- Incivility Impacting Well-Being
- Diversity Equity & Inclusion: Affecting Change in Progress Toward Lawyer Well-Being
- Stigma as a Barrier to Seeking Help

The Board agreed that the next steps on wellness includes identifying stakeholders with Board members setting out to “meet, educate and repeat.” We will also publish overviews of the reports to keep the dialogue on wellness moving forward.

Nevada Board of CLE (NVCLE)

Kimberly Farmer presented the Board with an overview of the ADKT that was filed by the Court that seeks to bring the management of the NVCLE Board under state bar's umbrella.

Office of Bar Counsel Report (OBC)

Dan Hooge presented the report and statistics covering matters in the Office of Bar Counsel.

Discipline Taskforce Report

Terry Coffing, chair of the Discipline Taskforce provided an overview the Discipline Taskforce's work over the past two years. The Taskforce covered many matters, key takeaways from Taskforce's work include:

- A review of alternative discipline structures did not signal a need to change as each structure brought in their own pros and cons. The positive points of each system did not override bar's current system.
- The OBC expansion of the diversion program is effective.
- The OBC continues to press consistency from intake to post-hearing work.
- Reports show the bar's current system is efficient with no backlog of matters in the OBC and with matters below the goal of cases 80% of its cases prosecuted within 8 months.

Based on the information reviewed and discussed, the Discipline Taskforce supports the state bar's discipline model in its current form. The taskforce is confident that the current disciplinary system is efficient in completing assigned cases, consistent in its decisions through continued education and training, and extremely economical through its use of motivated volunteers. The taskforce, having brought these accomplishments to light, has served its purpose, and recommended that it be disbanded. The Board agreed to disband the Discipline Taskforce and thanked members for their excellent work.

Latino Bar Association (LBA) Report

Claudia Aguayo, President of the LBA provided an overview of programs and initiatives of the LBA. The focus of LBA programs is designed to promote, support, flourish. The LBA committees seek to develop pipeline and recognition programs, scholarships, and wellness initiatives. The LBA plans to expand support to attorneys in the North, therefore are looking at rebranding the association. When asked if there are areas the Board could support the LBA, Ms. Aguayo noted there are no minority therapists in the NLAP therapy program. She also thanked the Board for their support in highlighting LBA events in the state bar publications.

JOINT MEETING OF THE NEVADA SUPREME COURT/BOARD OF GOVERNORS

The Board adjourned the regular meeting at 1:30 p.m. to meet with the Justices of the Supreme Court. The Board reconvened their regular meeting at 3:45 p.m.

FINANCIAL REPORTS

Marc Mersol presented a summary of the state bar's Financial Report for December 31, 2020. It was moved, seconded, and carried to accept the December 31, 2020 financial report.

Budget Committee Report

The Budget Committee presented recommendations for a grant program using the state bar's designated funds. After discussion, the Board determined additional review of a grant program is warranted. The review will further define the intent of a grant program and refine an application process that is complete but not so stringent as to deter applicants.

ADKT 0575

This petition sought to amend the rules governing alternative dispute resolution and short trial rules. In response to feedback from the Nevada Justice Association (NJA) indicating the NJA had additional amendments to the SCRs governing the short trial rules the Board discussed pulling the petition. It was moved, seconded, and carried to pull ADKT 0575 to further study rule amendments.

APPOINTMENTS

The Board approved the following appointments:

Transition into Practice Mentor:

It was moved, seconded, and carried to approve the slate of applicants for a 2-year term excluding those applicants with discipline.

After discussion it was moved, seconded, and carried to prohibit individuals with any level of discipline from serving as mentors in the Transition into Practice program.

Permanent Member of the Nevada Commission on Judicial Selection:

It was moved, seconded, and carried to approve Joel Locke for a 4-year term.

AUDIT REPORT, DANIEL MCARTHUR /EXECUTIVE SESSION

Daniel McArthur presented the 2019 Audit Report and findings to the Board. It was moved, seconded, and carried to accept the 2019 audit report. At the conclusion of the audit report the Board entered executive session at 4:00 p.m. This executive session concluded at 4:10 p.m.

MEMBER OPEN FORUM

Marc Cook and Thomas Sheets requested time to speak to the Board during the open forum via an email request. At the open forum they discussed their concerns over the propriety of a Board member acting on matters brought before the Nevada Commission on Judicial Discipline.

EXECUTIVE SESSION

The Board entered this Executive Session at 4:30 p.m. and adjourned at 5:00 p.m.

The regular meeting of the Board of Governors adjourned at 5:10 p.m.