



**BOARD OF GOVERNORS MINUTES
January 5 and 6, 2022**

A meeting of the Board of Governors of the State Bar of Nevada was convened on January 5 and 6, 2022.

The following members were in attendance:

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

State Bar staff present:

Lisa Dreitzer
Kimberly Farmer
Dan Hooge
Marc Mersol
Gale Skala

Our mission is to govern the legal profession, to serve our members, and to protect the public interest.

CALL TO ORDER JANUARY 5, 2022

President Ann Morgan called the meeting to order with a quorum present on January 5, 2022, at 12:30 pm.

Ann Morgan provided an overview of the upcoming joint meeting with the Supreme Court.

Ms. Morgan gave a synopsis of the state bar strategic plan and the current objectives. Ms. Morgan highlighted the benefits that the state bar offers noting that they are germane to the state bar's mission. Ms. Morgan reviewed phone calls and questions she receives from members. Ms. Morgan noted that most questions can be answered by looking on the State Bar of Nevada website.

Ms. Morgan spoke about the recent concern and scam alert on Notario fraud. The Board discussed past measures the state bar took to inform the public about Notarios and other unauthorized practice of law measures. Dan Hooge provided an overview of how the OBC handles UPL complaints. The Board took no action on this matter.

The Board meeting was adjourned at 1:45 pm on January 5, 2022.

CALL TO ORDER JANUARY 6, 2022

President Ann Morgan called the meeting to order with a quorum present on January 6, 2022, at 9:00 am.

PRESIDENT'S REPORT

Ann Morgan toasted the New Year and presented an overview of the Board meeting. Ms. Morgan discussed highlights from the meeting Paola Armeni, Kimberly Farmer and she had with Justice Parraguirre and Chief Justice Hardesty. Ms. Morgan also presented a review of meetings with Chief Judge Freeman and Chief Judge Bell.

Ms. Morgan presented a summary of the Annual Conference schedule with a focus on leadership. The meeting will be in Sonoma, Ca, June 23-24, 2022, at the Fairmont Mission Inn and Spa.

2021 ANNUAL REPORT

Kimberly Farmer reviewed the 2021 Annual Report. Ms. Farmer noted the number of volunteers the state bar works with to achieve its mission to serve our members, regulate the legal profession and to protect the public. Ms. Farmer highlighted the percentage of out of state attorneys as a statistic of note as well as expanded efforts to offer varied CLE programs and other programs that are germane to the state bar's mission.

DISCUSSION ON CONTINUING LEGAL EDUCATION (CLE)

Eric Johnson, CLE Director presented an overview of 2022 CLE programming. A broad focus of 2022 CLE programming stems from the state bar's strategic plan in the following five areas:

- 1) Ethics;
- 2) Substance Abuse/Well-being;
- 3) Trial Skills;
- 4) Diversity, Equity, and Inclusion; and
- 5) Practice Management.

Mr. Johnson highlighted the Trial Academy noting the academy will build upon the trial academy structure previously offered during the annual meeting by providing a full day of course instruction, followed by a second day of practicum at the Las Vegas Regional Justice Center.

Mr. Johnson reviewed their DEI scheduled programs. Mr. Johnson identified at least eight diversity, equity, and inclusion (DEI) CLEs in 2022. The programs will include discussions of inherent bias, how to hire and retain a diverse workforce and how to effectively lead an organization as it strengthens its commitment to DEI principles.

Mr. Johnson reminded the Board on how the CLE Department supports practice-specific CLE programming developed and delivered by state bar sections. The CLE Department assists sections in presenting topics relevant to attorneys working in those practice areas.

Mr. Johnson spoke about the CLE budget. The state bar charges a \$45 per credit hour fee for CLE programs noting a review of other state bar programs shows that this fee is well below the average of \$58 per hour.

DISCUSSION ATTORNEY TENANTS OR LAW RELATED TENANTS FOR STATE BAR BUILDING

The state bar has two offices available for leasing that are currently being built out as spec suites for office use. In addition to the stand-alone suites there is also the opportunity to lease space as a . executive suites. This space is no longer occupied by state bar staff and is occasionally used by lawyers participating in the state bar's incubator program.

Upon discussion, it was moved, seconded and carried to approve leasing space in the State Bar of Nevada building to interested attorneys in good standing. Gene Leverty abstained from voting.

DISCUSSION OF GRANTEE PARAMETERS FOR PROGRAM DEVELOPMENT GRANTS

Brittanie Watkins spoke on behalf of the Program Development Grant Committee to the Board regarding a grant request from the Department of Indigent Services. The main concern of the committee being the grant request is from a state agency. The question being should state agencies receive funds from the State Bar of Nevada. The Program Development Grant Committee made no recommendations therefore the Board took no action.

ADKT ON ADR/MEDIATION/SHORT TRIAL RULES

Ann Morgan reviewed the ADKT on ADR/Mediation/Short Trial Rules. It was moved, seconded, and carried to approve submission of the ADKT to the Supreme Court.

OFFICE OF BAR COUNSEL REPORT

Dan Hooge reported on the latest discipline statistics noting that grievances are down. Mr. Hooge presented a overview of the actual discipline process from intake to hearing.

FINANCIAL REPORT, NOVEMBER 30, 2021

Marc Mersol presented a summary of the financial report as of November 30, 2021. It was moved, seconded, and carried to accept the financial report of November 30, 2021.

PUBLICATIONS COMMITTEE

Seth Adams presented a summary of the recommendation to sunset the Publications Committee and utilize state bar sections for development of state bar publications to improve the efficiency of publication development. Currently, most publications in the library of active manuals were proposed, developed, written, and edited by contributors from state bar sections. The sections have taken the lead role with no input from the Publications Committee. The work of section leaders has been successful and has shown a successful track record in completing publications.

It was moved, seconded, and carried to approve the recommendation to sunset the Publications Committee.

RECOGNIZING THE 2021 MCLE BOARD

Ann Morgan welcomed the following members of the 2021 MCLE Board and staff.

Frank Flaherty
Judge Simons
Laura Bogden
Jenny Hubach
Sunethra Muralidhara
Roberto Puentas
Steve Smith
Annie Barlow
Justin Williams

Ann Morgan recognized the members of the MCLE Board and the staff. Ms. Morgan thanked them for making the MCLE transition to the State Bar of Nevada seem so effortless. Judge Simons reviewed the transition as well recognizing all members and staff who worked so hard to make it happen.

2020 AUDIT REPORT

Daniel McArthur, Daniel McArthur, LTD presented an overview of the 2021 audit report for the State Bar of Nevada. Mr. McArthur reviewed the audit process noting the state bar has no management points on the internal controls.

It was moved, seconded and carried to accept the recommendation of the audit committee to accept the results of the 2020 audit.

EXECUTIVE SESSION

The board entered Executive Session at 1:15 pm and concluded the session at 1:30 p.m.

APPOINTMENTS

The Board approved the following appointments:

Construction Law Section

Chair: Jeff Spencer
Vice Chair: Evan Champa
Secretary: Maliq Kendricks
Treasurer: Mary Bacon

Entertainment & Sports Law Section

Chair: Russell Christian
Vice Chair: Steven Pacitti
Secretary: Benjamin Gordon
Treasurer: Matt Pruitt

Intellectual Property Law Section

Chair: Paxton Fleming
Vice Chair: Dave Kaplan
Secretary: Joanna Myers
Treasurer: Benjamin Gordon

Probate & Trust Law Section

Chair: Julia Gold
Vice Chair: Rob Telles
Secretary: F. McClure Wallace
Treasurer: Kendal Weisenmiller

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Discipline Panels

North Nevada Panel Approved:

Travis Clark, Adam Cate, Michelle Hritz, Mike LaBadie, James Barnes, Shellie Hughes

Southern Nevada Panel Approved:

Shemilly Briscoe, Jarrod Rickard, Jay Shafer, Steven Titzer, Joshua Davidson, David Doto, David Rothenberg, Don Williams, Andrew Wong

Northern Nevada Chair and Vice Chair:

Eric Stoval, Chair

Kendra Bertschy, Vice Chair

Fee Dispute Committee

Ann Wilson, Evan James, Chris Kircher, Angela Ochoa, James Murphy, David Rothenberg, Daniel Westmeyer, Mark Thome

Advertising Advisory Committee

Donald Paradiso

TIP Mentors:

Those applicants reviewed by the Board were approved to serve as a TIP Mentor.

Standing Committee on Judicial Ethics

Amanda Roberts

Lance White

Rost Olsen

Homero Gonzalez

Todd Reese

CONSENT AGENDA

It was moved, seconded, and carried to approve consent agenda items:

- Minutes, November 3, 2021
- Resignations
- Contracts
 - D&O and Cyber Insurance
 - February 2023 and July 2023 Bar Exam, South Point Casino
 - Royle Printing

ADJORNMENT

There being no further business before the board, the meeting was adjourned at 3:00 pm.

Email vote – February 4, 2022

The Board reviewed a draft lease to rent an office at the Las Vegas state bar building. The lease provides for one office, 214 square feet for a 24-month term at a rate of \$700 per month for 1-12 months: \$721 per month 13-24 months. It was moved, seconded, and carried to approve the office lease as presented.

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Email vote – February 21, 2022

The Board reviewed the contract for the President’s dinner at the Inglenook Winery and the agreement for the overflow hotel, the El Dorado. It was moved, seconded and carried to approve the two contracts presented for the annual conference.

Email vote – March 3, 2022

The Board reviewed the Family Law Section’s request to develop an amicus brief in the Martin v. Martin matter. The section must provide the completed brief (or near final draft) for review and approval by the Board and/or Executive Committee. In its introduction, the amicus brief must clearly state that the section is speaking on its own behalf and not on behalf of the State Bar. Considering Keller, the amicus brief analysis must cover both sides of the matter. It was moved, seconded and carried to approve the development of an amicus brief in the Martin v. Martin matter.

Govern Serve Protect