



**BOARD OF GOVERNORS MEETING**  
**Hilton Waikoloa, Hawaii**  
**June 29, 2016**

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A meeting of the Board of Governors of the State Bar of Nevada was convened on June 29, 2016.

**The following members were in attendance:**

Larry Digesti, President  
Bryan Scott, President Elect  
Gene Leverty, Vice President  
Paola Armeni  
Kimberly Buchanan  
Julie Cavanaugh Bill  
Eric Dobberstein  
Richard Dreitzer  
Dan Hamilton  
Paul Matteoni  
Ann Morgan  
Richard Pocker  
Kari Stephens  
Ryan Works

**State Bar staff present:**

Kimberly Farmer  
Gale Skala  
Lisa Dreitzer  
Shelley Young  
Stan Hunteerton, via telephone  
Marc Mersol, via telephone

**Guests:**

Doug Clark  
Jordan Davis

## **JUNE 29, 2016 CALL TO ORDER**

President Larry Digesti called the meeting to order with quorum present at 8:30 am.

### **PRESIDENT'S REPORT**

Larry Digesti welcomed Doug Clark, new elected member of the Board of Governors. Mr. Digesti presented an overview of the upcoming Annual Convention. Mr. Digesti also reported on the status of the lawsuit, Errico v. State Bar of Nevada.

### **DISCUSSION**

- Board of Governor Term Limits

Kim Farmer reviewed the different options for terms of those serving on the Board of Governors. Larry Digesti, Bryan Scott and Kim Farmer met with Chief Justice Parraguirre and discussed different options for term limits, no term limits and longer terms for the Board members.

It was moved, seconded and carried to increase the terms of those elected to serve on the Board of Governors to a three year term with a lifetime limit of four three year terms. The exception being once you are elected to serve as Vice President, President-Elect or President, the member has a lifetime term of 15 years. An ADKT will be submitted for consideration by the Supreme Court.

- Board of Governor Election Process

Kim Farmer discussed the current Board of Governor election process as well as the process used previously. After discussing pros and cons of both the previous and current process no action was taken.

- Exemption After 70

Kim Farmer discussed the survey results regarding whether attorneys over 70 should be exempt from annual license fees and CLE. Upon discussion, it was moved, seconded and carried to remove the CLE exemption for those 70 and over, thus requiring all active members of the State Bar to fulfill the annual CLE requirements. An ADKT will be prepared for this Rule change.

### **YOUNG LAWYERS SECTION REPORT**

Jordan Davis reported on the current activities of the Young Lawyer Section (YLS). Mr. Davis highlighted the recent success of the Project Salute pro bono clinic and the serving seniors programs.

It was moved, seconded and carried to approve the following appointments to YLS:

#### YLS Executive Council

Karl O. Riley

Angela Marie Cook

#### Southern District Representatives

Scott Lachman

Eric Pepperman

#### Northern District Representatives

Jeff Connor (Chair)

Jordan Davis (Chair-Elect)

Peter Handy

#### Rural District Representative

Kyle Waite

#### Carson City District Representative

Amber Duvall

It was moved, seconded and carried to approve Jess Rinehart for a two year term on the ABA House of Delegates. Gene Leverty abstained from voting.

## **DISCIPLINE**

- Discipline Statistics

Stan Hunterton reviewed the Office of Bar Counsel (OBC) statistics.

- Recoupment of Discipline Costs

At the January Board meeting, a taskforce was created to work with the OBC to design a policy to recoup costs on discipline matters. It was moved, seconded and carried to approve the recommended policy presented by the taskforce. An ADKT outlining the recommended policy will be submitted for consideration by the Supreme Court.

- Publication of Attorney Discipline Information

OBC sought a rule change that will confirm that Letters of Reprimand be published in the *Nevada Lawyer* and on the State Bar website. It was moved, seconded and carried to submit the ADKT to the Supreme Court for consideration.

- Discipline Panel Appointments

It was moved, seconded and carried to approve the following Discipline Panel appointment for a one year term:

Chair: Luke Pushing

Vice Chair: Dawn Lozano

It was moved, seconded and carried to approve the following reappointments for a two year term on the Southern Disciplinary Panel:

Ketan Bhirud, F. Thomas Edwards, Ken Hogan, Richard Litt, Michael Oh, Gary Pulliam, Africa Sanchez, Frank Toddre, Noel Anschutz, Christine Needham, Randall Scott, Carrie Taylor, Robert Valdez, Richard Vaughn, Harvey Weatherford and John White.

It was moved, seconded and carried to approve the following reappointments for a two year term on the Northern Disciplinary Panel:

Douglass Rands, Caren Jenkins, Trina Dahlin, Scott Hoffman, Michael Large, Gregory Livingston, Lance Maiss, C. Nicholas Pereos, Tina Russom, Richard Williamson, Steve Boucher, Deveron Feher and George Furman.

- Discipline Rules of Procedure

Shelley Young reviewed the proposed Discipline Rules of Procedure noting that the changes reflect recent SCR changes. It was moved, seconded and carried to approve the Discipline Rules of Procedures.

## **EXECUTIVE SESSION**

The Board entered into Executive Session at 12:15 pm and concluded at 12:45 pm.

## **ACTION ITEMS**

### Financial Report - Proposed Revised Budget

Marc Mersol presented the proposed 2016 Revised Budget. The Board discussed dues and dues penalties. While penalties are higher in 2016 the Board clarified that every effort is made to collect

license fees from members before penalties apply. It was moved, seconded and carried to approve the 2016 Proposed Revised Budget.

Revisions to Family Law Specialization Standards

It was moved, seconded and carried to approve the proposed revisions to Family Law Specialization Standards, Exam Application and Recertification Application.

Lawyer Representative for US District Court

It was moved, seconded and carried to approve the following attorneys for a two year term as a Lawyer Representative of the Ninth Circuit.

*Southern Division:*

Michael Van

Brenda Weksler

*Northern Division:*

Michael Knox

Resignations

It was moved, seconded and carried to approve the following attorney resignations:

Alan Beckman

Bruce Judd

Christopher James Keller

Robert Story

Access to Justice Survey

The American Bar Association's Standing Committee on Pro Bono & Public Service has announced a new project opportunity – a survey to seek feedback from attorneys about their pro bono experiences and attitudes. It was moved, seconded and carried to approve sending the ABA pro bono survey to state bar members.

**CONSENT AGENDA**

Approved - Minutes of April 2016

Approved - Minutes of June 13, 2016

Approved - Renewal Business Owner's Policy

Approved - Renewal Workman's Compensation Policy

**CONTRACTS APPROVED**

- Clio
- D4 Advanced Media
- 2017 Westin Hotel – Annual Meeting

**APPOINTMENTS**

**Section Appointments- Approved**

Family Law Section

Michelle Hauser – Secretary, two year term ending March 2018

Public Lawyers Section - approved the following for a one year term ending May 2017:

Chair: Brett Kandt

Vice Chair: Sarah Bradley

Secretary: Melissa Flatley

Labor & Employment Law Section - approved for a two year term ending June 2018:

Chair: Deanna Brinkerhoff

Vice Chair: Matt Cecil

Secretary: Kristina Gilmore

Treasurer: R. Calder Huntington

**LRIS Committee Appointments**

Approved for a three year term ending June 2019.

Michael Aisen, Arun Gupta

**Fee Dispute Arbitration**

Approved for a three year term commencing June 2016:

Thomas Beckom – Las Vegas Panel B

Jay Bloom – Las Vegas Panel A

Daniel Maul – Las Vegas Panel C

Anthony Stinziano- Las Vegas Panel B

**Board of Bar Examiners**

Approved for reappointment to the BBX for a three year term commencing October 2019. Gene Leverty abstained from voting.

Eileen O’Grady

Jacey Prupas

**Committee on Moral Character and Fitness**

Approved for reappointment to the Character and Fitness committee for a three year term commencing October 2019

John R. Bailey

**Nevada Lawyer Editorial Board**

- Approved for a three year reappointment term commencing June 2016:

Erin Barnett, Elizabeth Fielder, Mark Hinueber, Laury Macauley, Leon Mead, Kristen Simmons, Steve Smith, Rich Williamson and John Zimmerman

- Approved for a three year term commencing July 2016: Laura Tucker
- Approved the following slate of officers:

Chair: Greg Shannon

Chair-Elect: Leon Mead

Vice-Chair: Laury Macauley

Immediate Past Chair: Erin Barnett

**Publications Committee**

- Approved for a three year reappointment term commencing June 2016:

Ismail Amin, Eban Milmeister, Chaz Rainey, Mark Rouse, Howard Siegel and Keith Tierney

- Approved for a three year term commencing July 2016: Jeffrey Luszeck, Paul Ray

**Clients' Security Fund**

Approved for three year appointment commencing November 2016: Sadiq Patankar

**TIP appointments/reappointments**

Approved for a two year term to the TIP Mentor Program

Alisa Nave	Las Vegas
Brian Saeman	Reno
Christian Orme	Las Vegas
David Sanders	Las Vegas
Eric Nickel	Reno
Glenn Light	Las Vegas
I. Kristine Bergstrom	Las Vegas
James Harper	Las Vegas
Jamie Resch	Las Vegas
Jennifer Poynter-Willis	Las Vegas
Joseph Mugan	Las Vegas
Michael Kealy	Reno
James Oronoz	Las Vegas
Jay Raman	Las Vegas
Dan Gilliam	Henderson

Approved to the TIP Mentor Program for a reappointment of two years.

Scott M.	Abbott	Laura	Browning	Adam	Davis
Danae	Adams	Barbara	Buckley	Jill Carol	Davis
Robert	Adams	Michael	Buckley	Alex	DeCastroverde
John	Albrecht	Susan	Bush	MaryAnne	Decaria
John P.	Aldrich	Jonathan	Callister	John P.	Desmond
Cynthia	Alexander	Thomas	Carroll	Joshua M.	Dickey
Betsy	Allen	Tom	Christensen	Blake	Doerr
Peter M.	Angulo	Dawn M.	Cica	Thomas E	Drendel
Karl W.	Armstrong	John	Clark	Peter	Dubowsky
Shea A.	Backus	Barry E.	Clarkson	Douglas	Duesman
Stephen	Balkenbush	Maria	Cleveland	Benjamin	Durham
ElizaBeth	Beyer	Justin	Clouser	Tracee	Duthie
Shirley	Blazich	Aileen E.	Cohen	Bryce	Earl
I. Scott	Bogatz	Richard	Cornell	Phillip	Emerson
Kurt	Bonds	Frank	Coumou	John	Fattig
Jeff	Braun	Lucinda	Coumou	Kurt	Faux
Darren	Brenner	Andrew	Craner	Thomas	Fell
Michael	Brooks	Trina M.	Dahlin	Francis	Flaherty



Alan Freer	Effective July 1, 2016
Gregory Shannon	Effective July 1, 2016
Paul Hejmanowski	Effective July 1, 2016
Brett Kandt	Effective July 1, 2016
Akke Levin	Effective September 1, 2016

**Advertising Advisory Committee-effective July 2016...off consent**

- o Approved for a two year term on the Southern Advertising Committee:  
Natalie Gottschalk, Arun Gupta
- o Approved for a two year term on the Northern Advertising Committee: Melissa Exline

**ELECTION OF OFFICERS**

It was moved, seconded and carried to approve the following slate of officers to the Board of Governors commencing June 30, 2016.

President: Bryan Scott  
President-Elect: Vernon (Gene) Leverty  
Vice President: Richard Pocker

There being no further business before the Board, the meeting was adjourned at 2:00 pm.

The Board considered a Bill Draft Request (BDR) by the state agency, Employee-Management Relations Board, which regulates labor relations between local governments and the employee organizations (i.e. unions) that represent employees. There is a provision in statutes (NRS 288.201) that when the agency receives a request pursuant to the statute for formation of a panel to determine whether the findings and recommendation of a fact finder are to final and binding the agency must reach out to Nevada State Board of Accountancy and the State Bar of Nevada each, to submit to the agency a list of names of their members who would serve on such a panel. The proposed BDR would eliminate the interaction with agencies unrelated to the EMRB and simplify the paperwork by instead designating the current 3-member EMRB Board as the fact finding panel. The current Board hears all other disputes except this type of dispute. By designating the current EMRB Board members to constitute the fact finding panel the whole process can be streamlined.

The proposed BDR sets forth amendments to NRS 288.202 and NRS 288.203.

***Via email vote on concluding on August 2, 2016.*** It was moved, seconded and approved that the BOG take action to simply not oppose the subject BDR instead of actively supporting it. Such action would be consistent with the Labor and Employment section as well as the State Board of Accountancy. (Kimberly Buchanan abstained from voting)

***Via email vote on August 4, 2016.*** It was moved, seconded and carried to approve submission of the amicus brief by the Family Law Section as drafted and submitted to the Board. And that the section must clearly state that the section is speaking on its own behalf and not on the behalf of the State Bar. The Family Law Section is instructed to include a clear statement (suggest that the language be included within the initial section of the brief title – “Authority to File”... ) that reads as follows: “The analysis and opinions expressed herein are solely those of the Family Law Section of the State Bar of Nevada and are not intended and do not represent or reflect the opinions of the State Bar of Nevada.”

***Via email vote on August 24, 2016.*** It was moved, seconded and carried to communicate to the NVCLE



Board that the Board of Governors supports term limits for the NVCLE Board members consisting of 3 year terms with a limit on 4 terms (12 years total service), and that if the NVCLE Board agrees the Board of Governors will support jointly amending ADKT 0499 accordingly. The Board of Governors reserves its stated positions as to the remainder of ADKT 0499. Richard Dreitzer and Jack Howard abstained from voting.