



**MINUTES OF THE MEETING
OF THE BOARD OF GOVERNORS
State Bar of Nevada, Las Vegas, NV
March 4, 2009**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on March 4, 2009 at 9:30 a.m.

The following members were in attendance:

Bruce Beesley, President
Kathleen J. England, President Elect
Cam Ferenbach, Vice President
Nancy Allf, Immediate Past President
Connie Akridge
James Bradshaw
Larry Digesti
Frank Flaherty
Elana Graham
Gregg Kamer
Alan Lefebvre
Bridget Robb Peck
Bryan Scott
Bruce Shapiro
John White
Robert Witek

By Phone:

Dara Goldsmith

State Bar Staff Present:

Rob Bare
David Clark
Kimberly Farmer
Marc Mersol
Gale Skala

Guests:

Robert Egglest
David McElhaney
Suzan Baucum

1. CALL TO ORDER

The meeting was called to order by President Bruce Beesley at 9:30 am and a quorum was present.

2. CONSENT ITEMS

The following Consent Agenda items were accepted or approved unanimously.

Approval of Minutes of January 21, 2009

It was moved, seconded and approved to approve the minutes of January 21, 2009.

Finance Report, Marc Mersol

Admissions Report, Patrice Eichman

Fee Dispute Committee/ Clients' Security Fund Report, Georgia Taylor

It was moved, seconded and approved to reappoint the following members to the Fee Dispute Arbitration Committee for a three year term commencing March 2009.

Vincent Mayo	Las Vegas Panel A
Lawrence Osuch	Las Vegas Panel B

It was moved, seconded and approved to reappoint John Shook as Vice Chair to the Fee Dispute Committee for another one year term commencing March 2009.

Publications Report, Jennifer Smith

It was moved, seconded and approved to reappoint Mark Hinueber to the Editorial Board for an additional three year term expiring in June 2012.

It was moved, seconded and approved to appoint the following officers to the Editorial Board for a one year term commencing in June 2009.

Scott Wasserman, Chair
Lisa Lackland, Chair Elect
Mark Hinueber, Vice Chair
Beau Sterling, Second Vice Chair

Connie Akridge inquired if there was need for concern that the advertising revenue is down and therefore creating a deficit each month. Marc Mersol explained that the advertising revenue budget was reduced in anticipation of lost advertising revenue. It was noted that the Editorial Board is exploring options for reducing the cost of publishing the magazine each month.

Law Related Education, Marcia Ellis

Programs and Services & Lawyer Referral and Information Service, Lori Wolk

Access to Justice Commission, Kristina Marzec

CLE Report, Jeff Grossl

Jeff Grossl gave an overview of the 2009 Bridge the Gap program and the comments given on the evaluation forms distributed at the program. The consensus from the comments was that the format change satisfied the majority of issues described in the survey that was taken in 2008. The CLE Committee will discuss options of providing an alternative program for Bridge the Gap.

DISCUSSION / ACTION ITEMS

3. NEVADA LAW FOUNDATION

Robert Eglet reviewed the NLF Report to the State Bar of Nevada (NLF Report) and covered the 2009-2014 strategic goals of the Nevada Law Foundation (NLF). Mr. Eglet reported that the main focus at this time was to increase the funding for the legal service providers in Nevada. A few additional highlights that were discussed were:

- Increasing the NLF Board from 9 members to 21 members
- Conducting a review of the NLF employee job descriptions
- Changing the grant percentages so ninety percent of IOLTA revenue after overhead expenses and reserves is granted to the legal service providers in Nevada

It was moved, seconded and approved to request that the NLF submit quarterly reports on the IOLTA funds and the progress of the NLF goals to the Board of Governors commencing in May 2009. It was also requested that a Board of Governors member be on the NLF Board of Trustees as an ex officio member and that the NLF reconsider their proposal of disposing of term limits for their Board of Trustee members.

Bruce Beesley requested that Suzan Baucum be present at the next Board of Governors meeting to present the 2009 NLF budget.

4. YOUNG LAWYER SECTION REPORT, STEPHANIE ALLEN

It was moved, seconded and approved to approve the report of the Young Lawyers Section.

5. DUES DISCUSSION

Kimberly Farmer reported on the letter from Michael Kovac concerning the 5 year dues cycle that is implemented by the State Bar of Nevada. After discussion of the present dues structure, the Board took no action.

Bryan Scott reported on his request to waive the dues for military personnel who have been deployed. Kimberly Farmer gave the synopsis of the previous discussion on this subject in 2006. It was moved, seconded and approved to adopt the following as a state bar policy regarding military personnel.

An active member of the state bar who is activated from reserve duty status to full-time active duty in the Armed Forces of the United States for more than sixty days in any calendar year, and who is deployed or stationed outside the United States shall be exempt from the payment of membership fees upon submitting to the Executive Director satisfactory proof that he or she is so activated, deployed or stationed. All requests for exemption must be postmarked or delivered to the state bar offices on or before March 1 of the year for which the exemption is requested. Eligible members must apply every year they wish to claim an exemption. Each exemption applies for only the calendar year in which it is granted, and exemptions may be granted for a maximum total of five years for any member.

6. ALPS

Kimberly Farmer reported on the proposed partnership between the State Bar of Nevada and ALPS. The Board took no action at this time.

7. COMMITTEE REPORTS

The Board went into Executive session by request of the Compensation Committee at 11:00 a.m. and out of executive session at 11:15 a.m.

8. LAS VEGAS MUNICIPAL COURT INDIGENT DEFENSE COMMITTEE

It was moved, seconded and approved to appoint Sunny Kwon to serve on the Las Vegas Municipal Court Indigent Defense Committee.

9. SECTION REPORTS

It was moved, seconded and approved to appoint the following slate of officers to the Insurance and Health Law Section of the State Bar of Nevada. It is noted that Connie Akridge and Cam Ferenbach abstained from voting.

Chair: Walter Ayers
Vice Chair: Lynn Fulstone
Secretary: Matthew Milone
Treasurer: Brett Barratt

It was moved, seconded and approved to approve the bylaws of the Elder Law Section of the State Bar of Nevada.

10. IOLTA TRUST ACCOUNTS

Kimberly Farmer reported on the mandatory documents and that the documents request information on trust accounts; the documents do not specifically ask for IOLTA trust account information. It was suggested to revisit the mandatory reporting requirements to incorporate IOLTA trust account information. Bruce Beesley assigned a task force to review the mandatory reporting forms. The members of the task force will be Kathy England, Cam Ferenbach, Bob Witek and Larry Digesti. The new form will be completed no later than August 2009.

The Access to Justice Commission requested that the state bar consider amending SCR 78.5, SCR 217 to mandate that attorneys place their trust accounts with banks on a "preferred provider list". The Board took no action.

11. REPORTS OF PRESIDENT

Bruce Beesley reported on the progress of the 2009 Annual Convention that is being held June 11-June 13, 2009 at The Hyatt in Lake Tahoe.

Mr. Beesley also reported on the positive member response to the new member benefit -- Fastcase.

The Board of Governors went into executive Session concerning discipline matters at 2:00 p.m. and came out of the executive session at 2:15 p.m.

12. REPORT OF PRESIDENT ELECT

Kathleen England gave a synopsis of her written report. Ms. England reported on the ABA Midyear Meeting that was attended by her, Kim Farmer and Bruce Beesley in Boston, MA.

13. REPORT OF DEPUTY BAR COUNSEL/GENERAL BAR COUNSEL, DAVID CLARK

David Clark reported on the proposed change to the Advertising Committee Rule (ACR). It was moved, seconded and approved to approve the change to the ACR.

It was moved, seconded and approved for David Clark to interview attorneys regarding issues that relate to the accountants who were hired by the State Bar when the bar was investing funds with Rate Search.

14. REPORT OF BAR COUNSEL, ROB BARE

Rob Bare reported on his submitted written report.

It was moved, seconded and approved to reappoint the following attorneys for a three year term commencing March 15, 2009 to the Southern Disciplinary Board.
Douglas Brooks, Joshua Dickey, Christopher Laurent, Craig Mueller, Thomas Ryan and Robert Schumacher.

It was moved, seconded and approved to reappoint the following attorneys for a three year term commencing March 15, 2009 to the Northern Disciplinary Board.
Edward Bernard, Bruce Hahn, Michael Johnson, Kathleen Breckenridge, Douglas Rands, G. David Robertson, Caryn Tijsseling and Clark Vellis.

It was moved, seconded and approved to reappoint Dan Reaser to the Northern Disciplinary Board for a three year term commencing March 14, 2009.

It was moved, seconded and approved to reappoint non attorney member Lisa Hedaria for a three year term commencing March 15, 2009 to the Northern Disciplinary Board.

It was moved, seconded and approved to remove Kelley Alexander from the Northern Disciplinary Board term list effective immediately.

It was moved, seconded and approved to accept the resignation of Erin Ehlert. It was moved, seconded and approved to accept the resignation of Arthur Noxon after Mr. Bare clarifies if Mr. Noxon had been disbarred.

15. REPORT OF THE EXECUTIVE DIRECTOR, KIMBERLY FARMER

Kimberly Farmer reported on the Bar Leadership Institute that she and Kathleen England will be attending in Chicago.

ADJOURNMENT

There being no new business before the Board, the meeting was adjourned at 3:24 p.m.