



**MINUTES OF THE MEETING
OF THE BOARD OF GOVERNORS
State Bar of Nevada, Incline Village, NV
June 9, 2009**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on June 9, 2009 at 1:15 p.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
Hon. 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:

David McElhinney
Laura Granier
Bruce Hahn

1. CALL TO ORDER

The meeting was called to order by President Bruce Beesley at 1:00 p.m. and a quorum was present.

2. CONSENT ITEMS

The following Consent Agenda items were accepted or approved unanimously.

Approval of Minutes of March 4, 2009

It was moved, seconded and approved to approve the minutes of March 4, 2009.

Finance Report, Marc Mersol

Admissions Report, Patrice Eichman

Publications Report, Jennifer Smith

It was moved, seconded and approved to appoint the following officers of the Publications Committee for a two year term commencing June 2009:

Ryan Sullivan – Chair
Sami Bakdash – Vice Chair

It was moved, seconded and approved to appoint the following attorneys as members of the Publications Committee for a three year term commencing June 2009:

Elizabeth Bittner
Ismail Amin
Jonathan Reed
Keith Tierney
Travis Shetler

Standing Committee on Ethics and Professional Responsibility, Jeff Stempel

It was moved, seconded and approved to appoint Denise Bradshaw for a two year term commencing June 2009 to the Standing Committee on Ethics and Professional Responsibility.

Law Related Education, Marcia Ellis

Programs and Services, Lori Wolk

Lawyer Referral and Information Service, Lori Wolk

It was moved, seconded and approved to approve the following Law Related Grant applications for 2009.

The LRIS Committee has approved the following grant requests

Organization	Program Name	Amount Requested	Amount Awarded
Project Real	Play by the Rules Program	\$16,000	\$16,000
Volunteer Attorneys for Rural Nevadans (VARN)	Expand and redesign VARN website	\$5,379.88	\$5,379.88
Clark County Bar Association	Trial By Peers	\$13,500	\$13,500
Senior Citizens Law Project	Seminars, informational material	\$20,000	\$20,000
Legal Aid Center of Southern Nevada	Community Legal Education class manual and flyers	\$46,500	\$20,000
Special Advocates for Elders	SAFE Program	\$30,980	\$14,000

Organization	Program Name	Amount Requested	Amount Awarded
Washoe County Bar Association	Nevada Seniors & The Law Publication	\$15,000	\$14,000
Washoe Legal Services	Update current case management system	\$9,400	\$9,400
Total Granted		\$166,309.88	\$121,829.88

Fee Dispute Arbitration Committee, Georgia Taylor

It was moved, seconded and approved to appoint Brandon McCoy for a three year term on the Fee Dispute Arbitration Committee, Las Vegas Panel B commencing June 2009.

It was moved, seconded and approved to reappoint the following regional chairs to the Fee Dispute Arbitration Committee for a one year term effective as shown:

Jeffrey J. Kump	Rural Panel (May)
Robert G. Johnston	Carson City Panel (May)
Peter M. Angulo	Las Vegas Panel C (June)

It was moved, seconded and approved to reappoint the following volunteers for a three year term to the Fee Dispute Arbitration Committee effective as shown:

Bruce Breslow	Reno Panel (May)
William Buchanan	Las Vegas Panel C (May)
Thomas P. Erwin	Reno Panel (May)
Patrick Fagan	Carson City Panel (May)
Steven Goldstein	Las Vegas Panel A (May)
Leland E. Lutfy	Las Vegas Panel C (May)
Robert E. Marshall	Las Vegas Panel C (May)
Ara H. Shirinian	Las Vegas Panel C (May)
Wolfe Thompson	Las Vegas Panel C (May)
Dawn R. Throne	Las Vegas Panel A (May)
Lew Wolfbrandt	Las Vegas Panel C (May)
James Armstrong	Las Vegas Panel B (June)
Dianna Hegeduis	Las Vegas Panel A (June)
Daniel L. O'Brien	Las Vegas Panel B (June)
Joyce E. Ramos	Las Vegas Panel A (June)
Michael E. Rowe	Las Vegas Panel A (June)

Access to Justice Commission, Kristina Marzec

DISCUSSION / ACTION ITEMS

3. REPORT OF EXECUTIVE DIRECTOR, KIMBERLY FARMER

Kimberly Farmer gave a synopsis of her written report. Some important bullets were mentioned as follows:

- Bar exam admission fees are not covering expenses, thus an analysis of revenues and expenses will be conducted. Gregg Kamer suggested that after gathering information from other states, our current fees etc. there should be a conversation with the Court and the Board of Bar Examiners regarding what direction they would like us to go in the future.
- The taskforce charged with reviewing the mandatory documents will begin review of the documents. The goal of this review is to make the documents easier to use for our members. Along with this review, we will work on ideas to encourage our members to pay dues online.

- There are two legislative issues that are of interest to the state bar that are slated for the 2010 ballot.
SJR 9 proposes to amend the Nevada Constitution to allow the Legislature to establish and intermediate appellate court.
SJR 2 proposes to amend the Nevada Constitution to provide for initial appointment by the Governor of justices and judges and subsequent retention of those justices and judges election.

4. YOUNG LAWYER SECTION REPORT, STEPHANIE ALLEN

Stephanie Allen reported on the most recent activities of the Young Lawyers Section. The YLS will be printing more Coming of Age Booklets for distribution to high schools throughout Nevada.

It was moved, seconded and approved to approve the report of the Young Lawyers Section. It was moved, seconded and approved to appoint the following officers to the YLS for a one year term commencing June 2009: David O'Mara, Matt Digesti and Justina A. Caviglia.

5. NEVADA LAW FOUNDATION

David McElhinney spoke before the Board concerning the previous requests the Board of Governors had submitted to the Nevada Law Foundation. Mr. McElhinney responded by saying that according to the Supreme Court Rule the Nevada Law Foundation did not have to respond to the Board of Governors' requests for information.

After discussion of Mr. McElhinney's report to the Board, it was moved seconded and approved to recommend to the Supreme Court that another organization, other than the Nevada Law Foundation, be designated to receive IOLTA funds.

Bruce Beesley asked that the Board develop a specific plan for management of the IOLTA funds and appointed a taskforce to do so (Connie Akridge, Cam Ferenbach and Frank Flaherty).

Mr. McElhinney requested that the Board of Governors approve the reappointment of David McElhinney, Robert Eglet, Roberta Prutzman and Dallas Horton to the NLF Board of Trustees and that the Board support amending the Supreme Court Rule to allow the NLF to increase the number of trustees to the NLF Board of Trustees. A motion was made, but being no second to this motion, the motion died.

6. AUDIT REPORT

It was moved, seconded and approved to approve the 2008 audit report by Houldsworth Russo.

7. SECTION REPORTS

It was moved, seconded and approved to reappoint the following officers to the Public Lawyers Section for a one year term commencing June 2009.

Brett Kandt, Chair
Melanie Bruketta, Vice-Chair
Mary Miller, Secretary

Executive Council At-Large Members:

Mark Ghan
Rusty Jardine
Cliff Jeffers
Paul Liparelli

It was moved, seconded and approved to reappoint the following officers to the Gaming Law Section for a one year term commencing May 2009.

Jeff Rodefer, Chair
Mark Clayton, Vice Chair
Dennis Gallagher

It was moved, seconded and approved to appoint Lars Perry to the Gaming Law Executive Committee. Cam Ferenbach abstained from voting.

8. COMMITTEE REPORTS

The Compensation Committee met while in Executive Session.

9. CLE TASKFORCE

Gregg Kamer gave a synopsis of the meeting that was held with the members of the CLE taskforce and Scott Thomas of the CLE committee. It was moved, seconded and approved to appoint Scott Thomas as chair of the CLE Committee for a two year term commencing June 2009. It was moved, seconded and approved to appoint John Albrecht as a volunteer program consultant to the CLE Committee through June 2010.

The Board of Governors will recognize and thank the members of the CLE Committee that have termed out for their longtime service.

It was moved, seconded and approved to rescind the guidelines titled "Amended and Restated Bylaws of the CLE Education Department and CLE Committee and CLE Publications Committees." The CLE committee will prepare and submit to the Board for approval a new document (e.g. mission statement) that will guide the committee's future direction.

10. REPORT OF PRESIDENT, BRUCE BEESLEY

Mr. Bruce Beesley gave his report to the Board during Executive Session.

11. REPORT OF PRESIDENT ELECT, KATHLEEN ENGLAND

Kathleen England gave a synopsis of her report. Ms. England updated the Board on the status of the Article 6 Commission. Ms. England discussed the chart of committees/entities with the Board members.

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

David Clark reported to the Board on the action taken by attorney Dennis Prince who has been retained by the State Bar of Nevada in pursuing an action for professional negligence against the accounting firm of Piercy, Bowler, Taylor & Kern (PBT&K). It was moved, seconded and approved to approve the action taken by Dennis Prince regarding PBT&K and the rate search investigation. Cam Ferenbach and Elana Graham abstained from voting.

It was moved, seconded and approved to appoint Joseph John Wirth to the Southern Standing Lawyer Advertising Advisory Committee for a two year term commencing June 2009.

It was moved, seconded and approved to appoint Hal Taylor, James Irvin Barnes III, and Carrie Parker to the Northern Standing Lawyer Advertising Advisory Committee for a two year term commencing June 2009.

14. REPORT OF BAR COUNSEL, ROB BARE

Rob Bare reported on the discipline statistics ending April 30, 2009.

It was moved, seconded and approved to reappoint Jeffrey Albrechts as chair of the Southern Nevada Disciplinary Board for an additional year commencing July 1, 2009.

It was moved, seconded and approved to reappoint Walter Cannon to the Southern Nevada Disciplinary Board for a third term to run through June 30, 2012.

It was moved, seconded and approved to reappoint Bruce Leslie to serve a fourth and final term to the Southern Nevada Disciplinary Board to run through June 10, 2009.

It was moved, seconded and approved to accept the applications for resignations filed by the following attorneys.

Melvin Bowers
Darren Elias
Timothy Elliott

ELECTION OF OFFICERS FOR 2009-2010

The Board elected the following officers to the Board of Governors for the year 2009-2010.

President – Kathleen J. England
Vice President – Connie Akridge
President-Elect – Cam Ferenbach

ADJOURNMENT

There being no new business before the Board, the meeting was adjourned at 6:30 p.m.