

**MINUTES OF THE MEETING
OF THE BOARD OF GOVERNORS**

June 18, 2008

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on June 18, 2008 at the Fess Parker Resort in Santa Barbara, Ca at 12:17 p.m.

The following members were in attendance:

Nancy Allf, President
Kathleen England, Vice President
Connie Akridge
Larry Digesti
Elana Hatch
Frank Flaherty
Rew Goodenow
Gregg Kamer
Bridget Robb Peck
Bryan Scott
John White

By Phone:

Bruce Beesley, President-Elect
James Bradshaw
Cam Ferenbach
Bill Turner
Robert Witek

State Bar Staff Present:

Rob Bare
David Clark
Kimberly Farmer
Marc Mersol
Gale Skala

Guests:

John Desmond
Chief Justice Gibbons
Alan Lefebvre
Tracy Lindeman
Prof. James Richardson

1. CALL TO ORDER

The meeting was called to order by President Nancy Allf at 12:15 p.m. and a quorum was present.

2. CONSENT ITEMS

The following Consent Agenda items were accepted or approved unanimously by the Board of Governors, as follows:

Approval of Minutes of May 21, 2008

It was moved, seconded and carried to approve the minutes of May 21, 2008.

CLE Report

Report of Fee Dispute Committee/ Clients' Security Fund

It was moved, seconded and approved to reappoint David Amesbury for a one year term effective June 2008 to the Clients' Security Fund Committee.

It was moved, seconded and approved to appoint Miriam Rodriguez for a three year term effective June 2008 to the Fee Dispute Arbitration Committee.

It was moved, seconded and approved to reappoint the following attorney's for a three year term effective June 2008 to the Fee Dispute Arbitration Committee.

Kevin Kirkendall	Las Vegas Panel A
Alan Sachs	Las Vegas Panel A
Earl Terry, Jr.	Las Vegas Panel A
Janet Trost	Las Vegas Panel A
Kathy Luna	Las Vegas Panel B
John T. Moran III	Las Vegas Panel B
Irene Navis	Las Vegas Panel B
Evan Needham	Las Vegas Panel B
James Kohl	Las Vegas Panel C
Susan Gaub	Reno Panel

It was moved, seconded and approved to appoint Peter Angulo as the Regional Chair of the Fee Dispute Arbitration Committee for a one year term effective June 2008.

Law Related Education Report

Publications Report

It was moved, seconded and approved to reappoint the following attorneys to the Editorial Board for a three year term commencing June 2008.

Beau Sterling
Patty Cafferata
Scott Wasserman

It was moved, seconded and approved that Beau Sterling will continue as chair of the Editorial Board for the 2008-2009 term.

It was moved, seconded and approved to appoint Scott McKenna to the Editorial Board for a three year term commencing June 2008.

Access to Justice Commission Report

Report of Public Lawyers Section

It was moved, seconded and approved to elect the following officers of the Public Lawyers Section for the 2008-2009 terms.

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

Executive Council at large members are:

Mark Ghan
Rusty Jardine

Ciff Jeffers
Paul Lipparelli

3. FINANCE REPORT

Frank Flaherty asked for clarification on the line item in the finance report titled "Pro Bono Payable." Marc Mersol explained this was the optional donation of \$500 that attorneys may make. The donations go to the legal services providers.

4. REPORT OF GAMING LAW SECTION

Nancy Allf recognized the section for donating \$38,000 to the UNLV Boyd School of Law.

It was moved, seconded and approved to reappoint Michael Bonner, Lou Dorn, John Godfrey and Scott Scherer to the Gaming Law Executive Committee for a three year term commencing June 2008.

5. DISCUSSION WITH COURT

Chief Justice Gibbons reported on some of the changes the court is making, for example En Banc court is now meeting every two weeks. Chief Justice Gibbons also reported on the progress of video conferencing in the court. Chief Justice Gibbons also recognized the Board and all they had accomplished during the past year.

6. ARTICLE 6 COMMISSION

Professor Richardson reported on the Article 6 commission and the established subcommittees of the commission. Professor Richardson oversees the Judicial Performance Assessment committee which focuses on judicial assessment. That subcommittee has authorized the Grant Sawyer Center for Justice Studies to develop and then to pilot test various methods of judicial assessment in order to assist the Commission and Supreme Court in deciding how to proceed to implement a system of judicial assessment for the future. A report is due to the Article 6 Commission in early fall based on results of the pilot testing.

7. BOARD OF BAR EXAMINERS

John Desmond provided a report of the Board of Bar Examiners. He covered the statistics of the bar exam and discussed the requirements for volunteers who want to serve on the Board of Bar Examiners. Mr. Desmond stressed the fact that being a grader of the bar exam helps the individual understand the process and is a good training ground for members planning to move onto the Board. To be a grader, an individual must be a member of the Nevada State Bar for at least five years.

Gregg Kamer and Kathy England discussed how important it is that members are made aware of the process and suggested that an article in the Nevada Lawyer about the Board of Bar Examiners and the work the Board handles.

8. ONLINE DISCIPLINE

Rob Bare reported on the process of reporting member discipline online in the member directory. The Board approved placing discipline on the website at the May meeting, but requested some adjustments in the discipline information. The present goal is to begin placing discipline information online by August 1, 2008. The Board required that the information be presented in a format that is user friendly as possible.

9. COMMITTEE APPOINTMENTS POLICY

David Clark reported on the committee appointment form. It was moved, seconded and carried to approve the attorney and non attorney committee application as amended.

It was moved, seconded and approved to approve the formation of a task force to continue reviewing the committee application and appointment process. The task force members will be Kathleen England, chair, Dean White and Gregg Kamer.

10. APPOINTMENTS

Indigent Defense Panel

The concern was raised that the applicants lacked hands on criminal experience. The Board decided to advertise the opening in the E-newsletter again. Additionally current applicants will be asked to provide details on why they feel they are qualified for the panel. It was moved, seconded and approved to table the vote for two weeks, with the Board voting on the appointment via email.

ABA Delegate

The following nominations were made for the position of the State Bar ABA delegate position: Gloria Sturman, Dan Polsenberg, Ann Price McCarthy and Rew Goodenow.

After discussion of each candidate, a vote was taken. It was moved, seconded and approved to appoint Dan Polsenberg as the State Bar of Nevada ABA delegate for a two-year term beginning at the conclusion of the ABA annual meeting, August 2008.

11. REPORT OF THE PRESIDENT ELECT

Bruce Beesley reported on the 2008-2009 scheduled Board meetings. The plan is to conduct two Board meetings via video conferencing.

12. REPORT OF THE PRESIDENT

Nancy Allf thanked the Board for their support during her 2007-2008 term as the Board President.

13. REPORT OF DEPUTY BAR COUNSEL – DAVID CLARK

David Clark reported on the status of the Rate Search investigation. It was moved, seconded and approved to authorize David Clark to make an offer of judgment for at least \$200,000 on Clayton Analytical and Schultz. David Clark requested authority to approve the anticipated fees and expenses for the Rate Search counsel. The Board requested Mr. Clark to report back to the Board with an estimation of total expenses.

David Clark gave details on the Municipal Court Indigent Defense program. The State Bar Board of Governors will appoint a representative from the bar to be a member of the Municipal Indigent Defense selection committee at the August Board meeting.

14. REPORT OF BAR COUNSEL – ROB BARE

It was moved, seconded and approved to approve the ADKT in the matter of the amendment to RPC 1.4 regarding the lawyer's biographical data form.

It was moved, seconded and approved to reappoint Jeffrey Albregts as Chair of the Southern Nevada Disciplinary Board for a one year term commencing July 2008.

It was moved, seconded and approved to reappoint John Mulligan as Chair of the Northern Nevada

Disciplinary Board for a one year term commencing July 2008.

It was moved, seconded and approved to reappoint the following attorneys to the Southern Nevada Board of Discipline for a three year term.

Peter Angulo
Hector Carbajal
Jams Christensen
Ike Epstein
J. Rusty Graf
Larry Lamoreux
Michael Mersch

It was moved, seconded and approved to reappoint the following attorneys to the Northern Nevada Board of Discipline for a three year term.

John Echeverria
Michael Pintar
John Schlegelmilch
Matthew Sharp
Thomas Stockard

15. REPORT OF EXECUTIVE DIRECTOR – KIMBERLY FARMER

Kimberly Farmer reported that she had informed the staff about the results of the compensation study.

There are presently nineteen members on the dues suspension list. It was moved, seconded and approved to send the fee suspension list to the Supreme Court.

16. ELECTION OF PRESIDENT-ELECT AND VICE PRESIDENT

Cam Ferenbach was nominated to be Vice President of the State Bar of Nevada. After discussion and vote taken, it was moved, seconded and approved to appoint Cam Ferenbach as Vice President of the State Bar of Nevada.

Kathleen England was nominated to be President-Elect of the State Bar of Nevada. It was moved, seconded and approved to appoint Kathleen England as President-elect of the State Bar of Nevada.

The officers will be as follows:

Bruce Beesley – President
Kathleen England – President-elect
Cam Ferenbach – Vice President
Kimberly Farmer – Secretary Treasurer

ADJOURNMENT

There being no new business before the Board the meeting was adjourned at 4:00 p.m.