



**MINUTES OF THE MEETING
OF THE BOARD OF GOVERNORS
Las Vegas, NV
August 17, 2011**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on August 17, 2011.

The following members were in attendance:

Connie Akridge, President
Frank Flaherty, President-Elect
Alan Lefebvre, Vice President
Cam Ferenbach, Immediate Past President
James Bradshaw
Elizabeth Brickfield via telephonic
Larry Digesti
Eric Dobberstein
Elana Turner Graham
Gene Leverty
Paul Matteoni
Richard Pocker
Bryan Scott
Richard Scotti
Mason Simons
David Wall

State Bar staff present:

Kimberly Farmer
Gale Skala
David Clark

Guests:

Paola Armeni
Luke Puschnig

The meeting was called to order by President Connie Akridge at 10:40 a.m. there being a quorum present.

PRESIDENT'S REPORT, CONNIE AKRIDGE

Connie Akridge reported that the ADKT petition submitted to the Court raising the bar exam fees had been approved with an effective date of September 12, 2011.

An ADKT petition outlining the proposed Mentor Program has been submitted to the Board for approval. Kim Farmer and Connie Akridge recently met with the Board of Continuing Legal Education (Board of CLE). The chair of the Board of CLE agreed to support and bring to the Board of CLE for approval the request to give three (3) hours of CLE credit to mentors.

EXECUTIVE DIRECTOR'S REPORT, KIMBERLY FARMER

Kim Farmer reported that the Mentor Program Committee is actively seeking mentors for the Mentor Program which is now being referred to as Transitioning into Practice (TIP) program. Ms. Farmer requested Board members to refer any person to her who might be interested in being a mentor.

DISCUSSION ITEMS

The Board discussed the following questions using the generative discussion process.

What resources should the state bar put forth to support Law Related Education programs?

Connie Akridge reported on the status of the state bar's Law Related Education (LRE) program and discussed the cuts in grant funding from the Federal program – Center for Civic Education (CCE). The state bar LRE program lost all grant funding from the CCE. There is a great need in the state for LRE programs with most programs in the state experiencing some cuts in funding. As a result of the cuts in funding, Kim Farmer, Connie Akridge and Judge Pro recently hosted a meeting of groups that present LRE programs. This LRE Commission is modeled after the Access to Justice Commission. The purpose is to bring organizations together from across the state to discuss like needs in funding and programing and to determine where, if any, support can be provided.

The Board discussed the need for civics education and that LRE programs help meet this need and discussed how/if support of the LRE program fits into the bar's mission statement. They agreed that when the public is informed about the judicial process and has knowledge and civics education the entire system works better. And that LRE programs educate the public, particularly by reaching school-age students. Providing civics education to those in the pipeline is a sound long-term approach that falls within the bar's mission.

Overall the Board indicated that there is a need for LRE programs throughout the state and that the bar should continue to support the newly formed LRE Commission concept and the state bar LRE programs. A few ideas that were discussed to support LRE:

- Request that the LRIS Committee discuss and consider funding the state bar LRE program from the LRIS designated funds. The LRIS designated fund is the "set-aside" fund from LRIS revenue to be used towards grants to organizations with LRE programs.
- Support the concept of a LRE Commission that brings LRE providers to the table to take inventory of statewide programs and to develop stronger marketing and fundraising efforts.

APPOINTMENTS

It was moved, seconded and approved that all committee applications be submitted to committee chairs for review and that the chairs of the client protection committees (discipline, fee dispute, CSF) and staff (for other committees) conduct a brief interview with the applicant before being presented to the Board of Governors for approval.

Advertising Committee

It was moved, seconded and approved to appoint Sheila Romero to the Northern Advertising Committee for a two year term commencing August 18, 2011.

Discipline Panel

It was moved, seconded and approved to appoint Brian Duffrin to the Northern Nevada Disciplinary Board for a three year term commencing August 18, 2011.

LRIS Committee

It was moved, seconded and approved to appoint Jennifer Gores for a three year term ending June 30, 2014.

Section Appointments

It was moved, seconded and carried to approve the following slate of officers of the ADR section for a one year term commencing June 2011.

- Chair, Thomas Tanksley
- Vice Chair, Lansford Levitt
- Secretary, Dan Curriden
- Treasurer, Bill Turner

Fee Dispute Arbitration Committee

Luke Puschnig stepped down as chair of the Fee Dispute Arbitration Committee. Accordingly, the Board recognized the long-term contribution of Luke Puschnig as chair and committee member of the Fee Dispute Arbitration Committee.

It was moved, seconded and approved to appoint Peter Angulo as State Chair of the Fee Dispute Arbitration Committee for a one year term commencing August 2011. It was moved, seconded and approved to reappoint John C. Hope as Reno Panel Chair to the Fee Dispute Arbitration Committee for a one year term effective August 2011.

It was moved, seconded and approved to reappoint the following members to the Fee Dispute Arbitration Committee for a three year term effective August 2011.

- | | |
|-----------------|-------------------|
| Mark Alden | Las Vegas Panel C |
| Jason Bach | Las Vegas Panel C |
| Thomas Dillard | Las Vegas Panel C |
| Lewis Etcoff | Las Vegas Panel C |
| Geoffrey Potts | Las Vegas Panel C |
| Lane Sainston | Las Vegas Panel C |
| Nancy Yarbrough | Las Vegas Panel B |
| Sarah Zola | Carson City |
| Denise Mikrut | Las Vegas Panel C |

It was moved, seconded and approved to appoint the following applicants to the Fee Dispute Arbitration Committee for a three year term effective August 2011.

- | | |
|-------------------------|-------------------|
| Sheila Van Duyne Romero | Reno |
| Joanna Wares | Las Vegas Panel B |

Law Related Education

It was moved, seconded and approved to appoint Dan Wong as the Chair of the Law Related Education Committee effective September 1, 2011.

Board of Continuing Legal Education

It was moved, seconded and approved to appoint Bryan Scott as the member from the Board of Governors to serve a two year term on the Board of CLE ending December 31, 2013.

Access to Justice Commission

It was moved, seconded and approved to appoint David Wall as the member from the Board of Governors to serve on the Access to Justice Commission ending June 1, 2015.

ABA House of Delegates

It was moved, seconded and approved to reappoint Rew Goodenow to the ABA House of Delegates for a two year term commencing August 2011.

Judicial Discipline Commission

It was moved, seconded and approved to appoint Gregory Kamer as an alternate attorney member to the Commission on Judicial Discipline.

Nevada Law Foundation

It was moved, seconded and approved to appoint the following slate of officers to the Nevada Law Foundation Board of Trustees for 2011-2012.

Dara Goldsmith, Chairperson
Robert Eglet, Vice-Chairperson (David Wall abstained from voting due to his professional relationship with Robert Eglet)
Sharon McNair, Treasurer
Lee Roberts, Secretary

It was moved, seconded and approved to reappoint Robert Eglet and David McElhinney to the Nevada Law Foundation Board of Trustees for a two year term ending June 2013. It was moved, seconded and approved to appoint Suzanne Pennington to the Nevada Law Foundation Board of Trustees for a two year term ending June 2013.

Elana T. Graham and David Wall abstained from voting.

ACTION ITEMS

Financial Report

Marc Mersol gave highlights of the budget ending June 30, 2011. Mr. Mersol presented the 2011 revised budget overview to the Board of Governors. Mr. Mersol highlighted portions of the revised budget, explaining each department's revenues and expenses. It was moved, seconded and carried to approve the 2011 revised budget for the state bar.

SOLACE Program

Lori Wolk, Manager of Member Benefits and Services, gave highlights of the Support of Lawyers/Legal Personnel – All Concern Encouraged (SOLACE) program which include:

- Members can opt in on a strictly voluntary basis

- There are no costs involved after establishment of a listserve
- Allows members to give to those in need in the legal community
- Allows members in need to receive help from the legal community

The SOLACE program is an excellent resource for those in the legal profession who are in need. The goal of the program being that our members and their families will never be in a situation where they don't have resources to help. Judge Nancy Allf has agreed to spearhead this initiative and will speak to members about the merits of the program.

It was moved, seconded and carried to approve the adoption of the SOLACE program.

ADKT Petition-Mandatory Email

Kim Farmer gave an overview of the proposed ADKT petition that will amend Supreme Court Rule 79. The amendment would:

- Require members to provide an email address;
- Provide an option for a member to keep the email address confidential;
- Provide a one-year hardship exemption for any member who cannot comply with the requirement to obtain and submit an email address, this exemption is renewable each year; and
- Require all members to report changes to the information submitted under the Rule online.

It was moved, seconded and carried to approve the proposed ADKT petition amending SCR 79.

Bar Dues Email Opt-In

Kim Farmer gave an overview of the opt-in dues notice process. Members may opt-in to the online dues process where they receive their annual reporting forms and dues invoices electronically. Members who do not opt-in to the electronic notification will receive their dues notices and annual reporting forms via US mail as they have in the past.

It was moved, seconded and approved to implement an opt-in electronic dues notification process where members may elect to receive their dues invoices and annual reporting forms electronically.

ADKT Petition-TIPS

Kim Farmer gave highlights of the proposed ADKT petition amending SCR 214, SCR 98 and SCR 121.1 related to the establishment and implementation of the Transitioning into Practice (TIP) program. The TIP program was created to replace the Bridge the Gap session. TIP is designed to provide a one-on-one mentorship program with an attorney practicing within the same or similar practice area. State bar staff will be responsible for implementing the program, monitoring compliance, issuing disciplinary orders and fines, and collecting fees for reinstatement if an attorney is suspended for noncompliance.

It was moved, seconded and carried to approve submitting to the Supreme Court the proposed ADKT petition establishing and implementing the TIP program.

Facilities

Kim Farmer presented the report of the Facilities Committee highlighting operational difficulties and limitations of the Las Vegas office.

It was moved, seconded, and carried to direct the Facilities Committee to study relocation options for the Las Vegas headquarters. It was moved, seconded and approved to direct the Executive Committee to hire a consultant to prepare a decision analysis study that accesses acquisition strategies including lease, buy, build-to-suit, location and disposition strategies for the current building.

Litigation Section

Connie Akridge reported on the formation of a litigation section. It was moved, seconded and carried to approve the formation of a Litigation Section. It was moved, seconded and approved to appoint the following slate of officers to the Litigation Section until the first meeting of the section where the section will elect officers.

Tracy DiFillippo, Chair
Justin Jones, Vice Chair
David Carroll, Secretary
Amanda Cowley, Treasurer

REPORTS

Young Lawyers Section Report

Paola Armeni, Chair of the Young Lawyers Section (YLS) reported to the Board on the latest activities of YLS. Ms. Armeni highlighted the Wills for Heroes program that YLS hopes to implement in Northern Nevada soon followed by implementation in Southern Nevada. Nevada Legal Services is willing to assist YLS in this project. Ms. Armeni hopes that Legal Aid of Southern Nevada will assist YLS in Southern Nevada.

YLS is considering merging their efforts on the Coming of Age project with Washoe County Bar Association (WCBA). WCBA currently distributes a similar publication that touches on the same issues.

CONSENT AGENDA

Minutes of June 2011

It was moved, seconded and carried to approve the Minutes of the June 2011 Board of Governor's meeting.

Resignation approved

It was moved, seconded and approved to approve the resignation application of Holly Gordon.

Suspensions

It was moved, seconded and approved to approve the amended Administration Suspension list.

EXECUTIVE SESSION

The Board entered into Executive Session at 3:00 pm and concluded the Executive Session at 4:00 pm.

ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 4:00 pm.