

February 8, 2002

MINUTES OF THE MEETING OF THE BOARD OF GOVERNORS (AMENDED)

A special meeting of the Board of Governors of the State Bar of Nevada was convened via teleconference by President-Elect Gloria J. Sturman on February 8, 2002, at 1:10 p.m.

The following members of the Board of Governors were in attendance for all or a part of the meeting:

John H. Mowbray	President
Gloria J. Sturman	President-Elect
N. Patrick Flanagan III	Vice President
Bruce T. Beesley		
Vincent A. Consul		
Michael D. Davidson		
Kathleen J. England		
Dara J. Goldsmith		
Rew R. Goodenow		
Ann Price McCarthy		
Richard Morgan		
William C. Turner		
Steven B. Wolfson		

STATE BAR STAFF MEMBERS PRESENT:

Allen W. Kimbrough
Rob Bare

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1. CALL TO ORDER

In the initial absence of the President, the meeting was called to order by the President-Elect.

2. CONSIDER APPOINTMENT TO THE COMMISSION ON JUDICIAL SELECTION

The Board having been requested to select an attorney resident in Clark County as a temporary member of the Commission on Judicial Selection and the Board having solicited applications, the following applicants were placed in nomination:

James Sylvestri	Mark Ferrario
Candace Carlyon	Michelle Morgando
Bernard Zadrowski	Gerald Waite
Ralph Baker	

Upon motion made and seconded, the nominations were closed.

Comments were given by various members of the Board regarding each nominee. Thereafter, Bernard Zadrowski was elected by a majority of the votes cast. Mr. Turner, as a potential applicant for the vacant judgeships abstained from the discussion and consideration of this appointment and from the vote. Mr. Wolfson advised the Board that his wife was a judicial candidate in an unrelated department, but that he did not perceive a conflict of interest concerning this matter. Thereafter, Mr. Wolfson participated in the discussion and vote on the appointment.

The Executive Director was asked to advise the Commission and Mr. Zadrowski of his selection and to express the appreciation of the Board to those not selected.

3. CONSIDER REQUEST OF NEVADA LAW FOUNDATION TO PARTICIPATE IN BRIEF *AMICUS CURIAE*

The Board considered a request from the Nevada Law Foundation to join as *amicus curiae* in briefs being prepared for filing in the Ninth Circuit in *Washington Legal Foundation v. Legal Foundation of Washington* and in the Fifth Circuit in *Washington Legal Foundation v. Texas Equal Access to Justice Foundation*, both concerning the constitutionality of mandatory interest on lawyers' trust accounts. The Board requested that further investigation regarding the scope of the proposed brief be undertaken and that this matter be reconsidered at a subsequent meeting of the Board.

4. REPORT OF BAR COUNSEL

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Bar Counsel Rob Bare provided the Board with a report regarding the current status of *Bradford v. State Bar of Nevada, et al.*, which concerns the provisions of Supreme Court Rule 121 (confidentiality of disciplinary proceedings) and in which all members of the Supreme Court of Nevada are named as defendants (in their official capacities).

Mr. Bare further responded to questions regarding other disciplinary matters.

Mr. Bare additionally reported on efforts to deal with an unauthorized "Lawyer Referral and Information Service" based in Reno.

6. ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 2:00 p.m.

Respectfully submitted,

John H. Mowbray
President

Allen W. Kimbrough
Executive Director