



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

A Regular Meeting of the Board of Governors of the State Bar of Nevada was convened on January 22, 2007 at the Nevada State Library and Archives in Carson City, NV.

### **The following members were in attendance :**

Rew Goodenow	President
Nancy Allf	President – Elect
Bruce Beesley	Vice President
Vince Consul	Immediate Past President
James Bradshaw	
Cam Ferenbach	
Francis Flaherty	
Kathleen England	
Gregg Kamer	
Bradley Kenny	
Richard Morgan	
Bridget Robb Peck	
Bryan Scott	
William Turner	
Robert Witek	

### **State Bar Staff Present:**

Kimberly Farmer  
Wayne Blevins  
Gale Skala  
Marc Mersol  
Patrice Eichman  
Lynn Etkins

### **Member of the Young Lawyers Section in attendance:**

Micheline Fairbank

**1. CALL TO ORDER AND INTRODUCTIONS**

The meeting was called to order by President Rew Goodenow at 9:00 am and a quorum was declared.

**2. CONSENT ITEMS**

The Board of Governors agreed that item 4, Report of the Young Lawyers Section, should be removed from the Consent Agenda. The remainder of the following Consent Agenda were accepted or approved unanimously, as follows:

Approval of Minutes of December 13, 2006

Report of the Fee Dispute Arbitration Committee

It was moved and unanimously approved to appoint Shann D. Winesett to a three year term on the Las Vegas Panel C. It was moved and unanimously approved to reappoint Jean A. Donaho to a three year term on Las Vegas Panel A; Stephanie Cooper Herdman, Robert C. Reade, Kelly H. Swanson, Michael C. Van, Lawrence E. Mittin, Dana E. Morris to a three year term on Las Vegas Panel B and Terry McConnell to a three year term on Las Vegas Panel C.

**3. REPORT ON THE YOUNG LAWYERS SECTION**

Micheline Fairbank gave a status report on the activities of the Young Lawyers Section of the State Bar of Nevada. Fairbank reminded the Board of the 2007 Rocky Mountain Regional Young Lawyers Conference that the YLS is hosting in Henderson on March 2 & 3, 2007. There will be a roundtable discussion that will feature several members of the Board of Governors. The Board of Governors is invited to attend the social hour and group dinner. Kathy England recognized the great job that the Young Lawyers Section has been doing.

**4. CONSIDER REAPPOINTMENT TO JUDICIAL DISCIPLINE COMMISSION**

It was moved and approved to reappoint Karl W. Armstrong to the Nevada Judicial Discipline Commission to run from January 22, 2007 through January 22, 2011.

**5. CONSIDER APPOINTMENT OF TEMPORARY MEMBER TO THE JUDICIAL SELECTION COMMISSION**

Nancy Allf recused herself from the discussion of the candidates. After constructive discussion of the candidates, it was moved and approved that the Board

appoint Thomas R. Sheets as a temporary member to the Commission on Judicial Selection. Kimberly Farmer will write a letter to Ron Titus and Sheets reflecting this decision. On behalf of the Board of Governors, Farmer will write a letter of appreciation to all candidates who expressed an interest in this important position.

**6. CONSIDER LEGISLATIVE PACKAGE OF BUSINESS LAW SECTION**

Rew Goodenow explained that the following language will be adopted in order for the Business Law Section to introduce revisions to certain business related statutes before the Legislature.

*“I am here today in my capacity as the Chairman of the Executive Committee of the business Law Section of the State Bar of Nevada. Today, I would like to introduce Bill No. \_\_\_\_\_ that contains the revisions to certain business business-related statutes proposed by the Executive Committee of the business Law Section of the State Bar of Nevada. The revisions have been submitted to the Board of Governors for the State Bar of Nevada on \_\_\_\_\_ for approval, where said approval has been obtained.”*

*“As part of my presentation, I will summarize the key aspects of the bill and identify the key amendments that are proposed. In addition, you will be able to follow the proposed revisions using the summary memorandum that is currently being distributed.”*

*“During the course of my presentation, please feel free to ask any questions or comments. Please note that any questions that relate to matters outside the immediate scope of the revisions presented shall be made in my capacity as practitioner and not as a representative of the State Bar of Nevada.”*

After clarifying some of the proposed changes, it was moved and approved unanimously to endorse the changes the Business Law Section. Kimberly Farmer will notify Robert Kim of the Board’s decision. Rew Goodenow complimented the section members on their excellent work.

**7. DISCUSSION OF MODIFYING THE SCR 42 RULE**

Rew Goodenow gave a review on the letter from Former President Gloria Sturman. Goodenow then appointed a committee to study modifying the SCR 42 rule and report back to the Board at the March meeting. The committee members are: Bridget Robb Peck, William Turner, Cam Ferenbach and Nancy Allf. Peck will chair the committee.

**8. CONSIDER APPOINTMENTS TO WASHOE COUNTY ALTERNATE PUBLIC DEFENDER SEARCH COMMITTEE**

Bruce Beesley shared his knowledge on the candidates who had submitted a letter of interest to be on the Alternate Public Defender Committee. It was moved and unanimously approved to appoint Laurence Digesti, Scott Freeman, and John Springgate to serve on the Search Committee. Goodenow asked Kimberly Farmer to inform the Washoe County Commission of the Board’s decision. Additionally she will convey the

Board's suggestion to expand the committee to include non attorney community members. Ms. Farmer will notify all applicants of the Board decision.

**9. CONSIDER SUSPENSION OF MEMBER FOR NON-PAYMENT OF DUES**

It was moved and unanimously approved that Matthew Oravec be suspended for the non-payment of his 2006 bar dues.

**10. CONSIDER PROPOSED LEGISLATION REGARDING FILING DATE FOR JUDICIAL CANDIDATES**

Rew Goodenow discussed the Bill Draft Request concerning the proposed change in the filing date for Judicial candidates. After a lengthy discussion among the Board members, no action was taken.

However, the Board of Governors held a joint meeting with the Supreme Court in the afternoon on January 22, 2007. The Supreme Court and the Board discussed at length the Supreme Court's Bill Draft Request to change the deadline to file for office and restrict the ability of candidates to raise money in uncontested judicial elections. After the meeting with the Supreme Court clarifying the Bill Draft Request, the Board reconvened to discuss the Court's proposed legislation. It was moved and approved to support the Supreme Court's Bill Draft Request.

**11. CONSIDER PROPOSED LEGISLATION REGARDING JUDICIAL ELECTIONS**

Rew Goodenow explained his view on the proposed changes. The text of proposed legislation was not available at this time; therefore, the Board was unable to review the specifics of the proposal going before the Legislature. However the Board supports the concept of the Nevada Plan.

Therefore, it was moved and approved to support the proposal before the legislature titled "The Nevada Plan." The Board of Governors urges the legislature to adopt the Plan. The Board understands that the proposed plan contains expansion of the Selection Commission to include community and elected representatives.

**12. REPORT OF ATTORNEY OATH COMMITTEE**

Gregg Kamer reviewed highlights of the Attorney Oath Committee meeting and discussed conclusions that were made during the meeting. It was agreed by the committee that the current oath did not require any additional civility language. The committee was split on their vote whether to remove the word "the government" from the current Attorney Oath. No action was taken.

**13. REPORT OF THE PRESIDENT**

Goodenow shared with the Board that he and Dara Goldsmith had discussed the Carl Lovell petition and felt that it was progressing in the right direction.

## **EXECUTIVE SESSION**

### **14. REPORT OF THE PRESIDENT-ELECT**

Nancy Allf requested that the Board table the discussion on the Bar Exam Study Committee until the March meeting. Allf requested that the Board members share any ideas they might have concerning admission to the Nevada Bar.

### **15. REPORT OF BAR COUNSEL**

It was moved and approved to accept the resignation of Jennifer C. Schwarz, Esq.  
It was moved and approved that Bernard Zadrowski be reappointed as Vice Chair of the Southern Nevada Disciplinary Board to run from February 1, 2007 through February 1, 2008.

It was moved and approved that Daniel Hammack and Irene L. Vogel will be appointed to serve as an alternate laymember of the Southern Nevada Disciplinary Board.

It was moved and approved that John Leland, Larry Newman and Carolyn Vaught be reappointed to serve on the Northern Nevada Disciplinary Board through January 31, 2010.

It was moved and approved that Jodi Travis be appointed as an alternate laymember to the Northern Nevada Disciplinary Board.

### **16. REPORT OF EXECUTIVE DIRECTOR**

Wayne Blevins thanked the Board members for the opportunity to serve the State Bar of Nevada.

## **ADJOURNMENT**

The meeting was adjourned at 12:00 p.m.