

March 30, 2005

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 March 30, 2005, in the Board Room of the State Bar Center in Las Vegas.

The following members were in attendance:

Ann Price McCarthy ...	President	
Vincent A. Consul ...	President-Elect	
Rew R. Goodenow ...	Vice President	
N. Patrick Flanagan III...	Immediate Past President	(by telephone)
Constance Akridge		
Nancy L. Allf		
Bruce T. Beesley		
James Bradshaw		
Kathleen J. England		
Cam Ferenbach		
Dara J. Goldsmith		
Gregory J. Kamer		
Bridget Robb Peck		
John P. Schlegelmilch		(by telephone)
Bruce I. Shapiro		
William C. Turner		

MEMBERS ABSENT:

Richard Morgan

STATE BAR STAFF PRESENT:

Allen W. Kimbrough

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Rob Bare

Audrey Bath

Marc Mersol

GUESTS PRESENT:

Jeremy Hilsabeck

William Ginsburg

Jeffrey Albregts

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1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by the President at 9:41 a.m. and a quorum was declared. Ms. McCarthy welcomed the Board.

2. CONSENT ITEMS

Board members requested the removal of items 2, 4, 7, 9, and 10. The following items were thereafter approved by unanimous consent:

3. The Reports on the Financial Condition of the State Bar and the Nevada Bar Foundation as of January 31, 2005;

5. Reappointments of Alan L. Sachs (alternate attorney member) and Larry L. Bertsch (alternate laymember) to the Southern Nevada Disciplinary Board for terms ending March 2008.

Reappointments of laymembers David Clark, John Collachi, Dale Edwards, Robert Larkin, and Kelly Marshall and alternate laymember Ty Levin to the Northern Nevada Disciplinary Board for terms ending April 2008.

6. Appointment of Edwin A. Keller to Clients' Security Fund Committee;

7. Report of State Bar Delegate to the ABA House of Delegates;

11. Report of Director of Admissions;

12. Report of Director of Bar Services; and

13. Report of Director of Operations and Education.

The following actions were taken on items removed from the Consent Agenda:

2. The Minutes of the February 23 meeting of the Board, page 3, item 2.5, was revised to read "President McCarthy will work with Committee Chair Dennis Kennedy and Ms. Cooney to resolve any issues" in the last phrase of the final sentence.

4. Jeremy Hilsabeck, Chair of the Young Lawyers Section, gave an oral report on the Section's activities in supplementation of the written report distributed to the Board at the meeting.

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7. The Board reappointed Jeffrey Kump as Chair of the Rural Panel for a term ending March 2006, and appointed the following persons to the Fee Dispute Arbitration Committee for terms ending March 2008:

Hector J. Carbajal	Las Vegas Panel B
Scott Davis	Las Vegas Panel B
Rusty Graf	Las Vegas Panel B
John McNicholas	Las Vegas Panel A
Trevor Quark	Las Vegas Panel A
Esther Rodriguez	Las Vegas Panel A

Mr. Ferenbach abstained with respect to the appointment of Mr. Carbajal.

9. In connection with the Report of the Executive Director, the Board discussed matters related to the State Bar Center in Las Vegas and its current value. A decision was made that no appraiser would be engaged at this point, but that the Executive Director would seek opinions of value from two commercial brokerage firms.

The Board determined by a vote of 11-2 that an OpEd piece in the name of the President would be appropriate to deal with the current assaults on the judiciary and the issues related to durable powers of attorney for health care (highlighted by the Schiavo matter).

The Board unanimously authorized the President to speak at the Legislature in favor of AB 137 (the payee notification act), which was introduced at the urging of individual members of the Clients Security Fund Committee.

The Board unanimously authorized the Business Law Section to promote additional revisions to NRS 78.283 (dealing with treasury shares of a corporation).

10. Bar Counsel gave an oral report to the Board in supplementation of his written report.

3. CONSIDER ADKT PETITION FOR MANDATORY DISCLOSURE OF PROFESSIONAL LIABILITY INSURANCE

Mr. Bare reported on the current status of the proposed revisions to SCR 79 in light of Justice Hardesty's comments regarding the availability of professional liability insurance in Nevada. He stated that the final ADKT petition would be presented to the Board at the May 11 meeting.

5. CONSIDER TRAVEL REIMBURSEMENT POLICY

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By a vote of 10-3, the Board revised the State Bar's Travel Reimbursement Policy to require reimbursements to be submitted within 45 days of the date of the meeting or reimbursable occurrence (eliminating the portion requiring submissions by the end of a calendar year).

6. CONSIDER POLICY REGARDING PARTICIPATION IN CONTINUING LEGAL EDUCATION PROGRAMS

The Board reviewed a policy statement proffered by Ms. England and engaged in lengthy discussion regarding same.

The Board divided the issues and approved the proposed policy as it related to State Bar staff members. After discussion of possible amendments to the policy, the Board to reconsider same at the May 11 meeting.

7. CONSIDER REQUEST FOR CHANGES TO MULTIJURISDICTIONAL PRACTICE RULES

President-Elect Consul introduced William Ginsburg of Los Angeles and Jeffrey Albregts of Las Vegas, both members of the firm of Cotkin, Collins & Ginsburg. Mr. Ginsburg discussed with the Board a possible relaxation of our practice rules to enable a veteran lawyer meeting certain criteria to practice in Nevada without having to qualify as *pro hac vice*.

The Board thereafter determined unanimously that it would not pursue a waiver of the *pro hac vice* rules. A motion was made to appoint a task force to include members of the Board and of the Board of Bar Examiners to consider whether or not an "attorney's exam" was appropriate for Nevada. That motion was postponed to the May 11 meeting.

11. REPORT OF PRESIDENT

The President reported to the Board on various matters of interest.

12. ADJOURNMENT

The meeting was adjourned at 2:00 p.m.

Respectfully submitted,

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Ann Price McCarthy
President

Allen W. Kimbrough
Executive Director