

May 11, 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 May 11, 2005, in the Washoe B/C Room at Harrah's Hotel and Casino in Reno.

The following members were in attendance:

Ann Price McCarthy ...	President
Vincent A. Consul ...	President-Elect
Rew R. Goodenow ...	Vice President
Nancy L. Allf	
Bruce T. Beesley	
James Bradshaw	
Kathleen J. England	
Cam Ferenbach	
Dara J. Goldsmith	
Gregory J. Kamer	
Richard Morgan	
Bridget Robb Peck	
John P. Schlegelmilch	
William C. Turner	(by telephone)

MEMBERS ABSENT:

N. Patrick Flanagan ...	Immediate Past President
Bruce Shapiro	

STATE BAR STAFF PRESENT:

Allen W. Kimbrough
Rob Bare

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Audrey Bath

Christopher Boadt

Marc Mersol

GUESTS PRESENT:

Martha Ford

Jasmine Mehta

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1. CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by the President at 9:45 a.m. and a quorum was declared. Ms. McCarthy welcomed the Board to Reno and discussed plans for the day, including attendance at the Washoe County *Pro Bono* Luncheon.

2. AUDIT REPORT

Martha Ford, audit partner at the State Bar's outside auditors Piercy Bowler Taylor & Kern, presented the audited financial statements and auditors' comments for the year ending December 31, 2004, for both the State Bar and the affiliated Nevada Bar Foundation.

Marc Mersol, Director of Finance and Information Systems, also provided comments on the audited financials and responded to questions from the Board.

Vice President Goodenow, as Chair of the Audit and Investment Committee, announced the recommendation of the Committee that the audit be accepted, and the Board agreed by unanimous vote.

3. CONSENT ITEMS

The Board agreed that the following items should be removed from the Consent Agenda: 6, 8, 7, 9, and 10. The remainder of the Consent Items were accepted or approved unanimously, as follows:

- Minutes of March 5 Special Meeting
- Minutes of March 30 Meeting
- Approval and Ratification of Actions of Operations Committee on April 20
- Financial Condition of State Bar of Nevada and Nevada Bar Foundation as of March 31, 2005
- Report of Director of Admissions
- Report of Director of Bar Service
- Report of Director of Operations and Education
- Report of Clients' Security Fund/Fee Dispute Coordinator

Item 6 (Young Lawyers Section). Jasmine Mehta presented an oral report on the work of the YLS in supplementation of their written report.

Item 7 (Disciplinary Boards). The Board reappointed Patrick Fagan as Chair and Paul Matteoni as Vice Chair of the Northern Nevada Disciplinary Boards, both for terms ending June 2006.

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Item 8 (Fee Dispute Appointments). The Board reappointed the following persons to the Fee Dispute Arbitration Committee for terms ending March 2008 (chairs ending March 2006):

Alan Butell	Las Vegas Panel A
Charles Tucker (lay)	Las Vegas Panel B
CiCi Cunningham, Chair	Las Vegas Panel C
Robert Johnston, Chair	Carson City Panel
Blaine Cartlidge	Reno Panel
Michael Langton	Reno Panel
Kathleen Price	Reno Panel

and appointed Daniel Royal to Las Vegas Panel A for a term ending March 2008.

The requested reappointment of Martin Crowley to the Reno Panel was postponed to June 22 in order to seek further information.

Item 9 (Executive Director). Mr. Kimbrough supplemented his written report with comments regarding the July bar examination, Board election, and staff changes.

Item 10 (Bar Counsel). Mr. Bare gave an oral report to the Board in supplementation of his written report and commented on recent disbarments.

4. CONSIDER MATTERS RELATED TO FAMILY LAW SECTION

The Board was reminded that the proposal for a family law specialization program would be back on the Board's agenda for the June 22 meeting.

The President advised the Board that the brief *amicus curiae* requested by the Supreme Court was being handled for the Section by Bruce Shapiro and Rebecca Burton and would also be presented for review at the June 22 meeting.

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

The Board unanimously approved the draft ADKT petition seeking changes to SCR 79 that would require mandatory disclosure of professional liability insurance and authorized the President to execute same in the name of the State Bar.

6. CONSIDER MATTERS RELATED TO LAWYER REFERRAL AND INFORMATION SERVICE

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The Board unanimously approved the Public Service Grants recommended by the Lawyer Referral and Information Service Committee.

The Board then considered the request of the Committee for authorization to undertake radio advertising aimed at increasing the number of clients for the LRIS. With Mr. Beesley and Mr. Kamer abstaining, the request was approved by a vote of 9-1.

7. CONSIDER POLICY REGARDING PARTICIPATION IN CONTINUING LEGAL EDUCATION PROGRAMS

The Board postponed to the June 22 meeting further discussion on the issue of Board participation in CLE programs not sponsored by the State Bar.

8. COMMENTS BY THE PRESIDENT

The Board viewed a video of the President's appearance on the *In Business Las Vegas* news program on Las Vegas One.

Ms. McCarthy then briefed the Board on her recent activities and plans.

The Board then discussed the status of the Clients' Security Fund Task Force, and the request of Ms. Goldsmith that all State Bar committee members be allowed to participate by telephone. A motion to that effect was made and seconded and discussion ensued. By a vote of 9-1, the matter was referred to the Operations Committee for a study of what amendments to the Bylaws might be required to effectuate this end.

9. CONSIDER REPORT ON STATE BAR OFFICE SPACE AND STAFFING

With a written presentation from the Executive Director as a starting point, the Board engaged in a lengthy discussion regarding the future space needs of the State Bar and potential solutions to same.

10. CONSIDER FINANCIAL PROJECTIONS FOR THE PERIOD 2006-2010

The Executive Director gave a PowerPoint presentation to the Board on the current financial condition of the State Bar and various scenarios as to how that financial picture might be altered.

The Board then engaged in a substantial dialogue with the Executive Director and other senior staff regarding these

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projections

It was determined that the Board should open discussions with the Supreme Court on the subject of State Bar finances and requested that the officers and the Executive Director schedule a meeting with the Chief Justice prior to the June 22 meeting to begin this process.

11. ADJOURNMENT

The meeting was adjourned at 3:15 p.m.

Respectfully submitted,

Ann Price McCarthy
President

Allen W. Kimbrough
Executive Director