



**BOARD OF GOVERNORS MEETING
Harrah's Casino, Reno, NV**

**April 24, 2019
MINUTES**

A meeting of the Board of Governors of the State Bar of Nevada was convened on April 24, 2019

The following members were in attendance:

Richard Pocker, President
Paul Matteoni, President-Elect
Eric Dobberstein, Vice President
Gene Leverty, Immediate Past President
Jeff Albregts
Paola Armeni
Julie Cavanaugh Bill
Doug Clark
Terry Coffing
Andrew Craner
Richard Dreitzer
Jessica Goodey
Cathy Mazzeo
Ann Morgan
Ryan Russell

State Bar staff present:

Kimberly Farmer
Lisa Dreitzer
Dan Hooge
Marc Mersol
Gale Skala
Shelley Young

Guest:

Larry Digesti
Rew Goodenow
Chris Mumm

CALL TO ORDER

President Rick Pocker called the meeting to order with a quorum present at 11:00 am.

PRESIDENT'S REPORT

Mr. Pocker reviewed the Supreme Court Order amending SCR 106.5 to define the state bar's two attorney wellness programs Lawyers Concerned for Lawyers and the Nevada Lawyer Assistance Program (NLAP) that included NLAP under the Rule's confidentiality and immunity provisions. Mr. Pocker also provided an overview of the Western States Bar Conference. The conference program focused on issues affecting mandatory state bars and programing discussion on attorney wellness.

PRESIDENT-ELECT REPORT

Paul Matteoni reported on ABA Day, Washington, DC. Mr. Matteoni met with most of Nevada's elected officials in the House and Senate to discuss matters approved by the BOG – funding for legal services and public service loan forgiveness.

EXECUTIVE DIRECTOR REPORT

Kimberly Farmer discussed the annual awards presented by the State Bar with a review of how the winners are chosen. The awards are presented at the State Bar Annual Meeting in June.

Ms. Farmer reviewed the plans to host a wellness summit in the fall. The summit is designed as a forum for leaders in the profession to discuss issues affecting Nevada lawyers such as mental health and addiction. Ms. Farmer reported on the recent podcasts that cover the revisions to Nevada's Rules for Civil Procedure.

CONSENT AGENDA

Approved: Minutes from the January 30, 2019 Board of Governors meeting.

Approved Attorney Resignations:

Drader, Nicholas D.
Graves, John J., Jr.
Guzman, Fernando
Huntley, Matthew
Madson, Ronald
Rice-Saande, Colleen J.
Sipan, Richard
Souhrada, Nannette
Stagg Belknap, Dana
Wheeler, S. Fred
Wood, Gary

Section Appointments

Approved: Family Law Section slate of officers for a two-year term ending February 2021:

Chair: Kim Surratt

Vice Chair: Michelle Hauser

Secretary: Shann Winesett

Treasurer: Sarah Hardy-Cooper

Approved: Real Property Section Bylaws Revisions

Approved Contracts:

LaJolla Beach and Tennis Club and the Hotel Talisa AV Contract

DISCUSSION

Fee Assessment - Suspended Attorney Policy

Kimberly Farmer reviewed the current policy of when attorneys are suspended from practice in Nevada. Attorneys who are suspended do not pay license fees during the time of their suspension and they do not pay accrued fees at the time of their reinstatement. The exception is with attorneys who are reinstated after a license fee suspension; those attorneys must pay all accrued license fees, late fees, and penalties for each year delinquent. Ms. Farmer discussed policies in other jurisdictions.

After much discussion, it was moved, seconded, and carried to implement a policy requiring those seeking reinstatement from a suspension (discipline, CLE and administratively) to pay a fee equivalent to inactive fees for each year suspended. This policy becomes effective January 1, 2020. For those suspended as of this date, going forward, they will be required to pay the accrued annual fee upon reinstatement.

Section CLE Split Policy

Kimberly Farmer discussed the Section CLE Policy. Ms. Farmer noted that each section varies their CLE programs in terms of the registration price, CLE topic, number of complimentary registrations, lunches, and other expenses. Those sections with a smaller member counts are having difficulty with the CLE fee charged by the bar. After discussion, it was moved, seconded, and carried to wave the administrative fee for sections with a membership of fewer than 50 members.

EXECUTIVE SESSION

The Board entered Executive Session at 1:15 pm and concluded at 2:40 pm.

REPORT - Discipline

The Board reviewed the Office of Bar Counsel report.

ACTION ITEMS

Financial Report

It was moved, seconded, and approved to accept the Financial Operations March 31, 2019 report.

Business Law and Real Property Section-Signers to Opinion

The Business Law and Real Property Sections are requested approval to join the list of legal organizations that have signed on as supporters of the American Bar Association's (ABA) Statement of Opinion Practices and Core Opinion Principles. It was moved, seconded, and carried that the section may support the opinions of the ABA Statement of Opinion Practices and Core Opinion Principles.

Cultural Education Program

The Board considered the proposal to partner with Cuba Cultural Travel/CLE Abroad to present an education and cultural program in Cuba. Eric Dobberstein discussed his recent trip to Cuba with Cultural Travel/ CLE Abroad emphasizing the educational component of the trip and the quality of the programming and of the accommodations. It was moved, seconded, and carried to offer the Cultural Travel/CLE Abroad space in Nevada Lawyer and the e-news to advertise an education program hosted solely by Cuba with Cultural Travel/ CLE Abroad.

Resolution-Broadband

The Colorado Bar Association (CBA) requested support from the state bar associations on a resolution regarding the need to expand broadband in the United States. The CBA plans to introduce the resolution at the House of Delegates meeting during the American Bar Association's Annual meeting. The Resolution urges Congress, state, and local legislatures to enact legislation an appropriate funding to deploy broadband infrastructure. It was moved, seconded, and carried to support the Resolution with a letter of support.

APPOINTMENTS

- Standing Committee on Ethics and Professional Responsibility

It was moved, seconded, and carried to appoint the following attorneys for a two-year term commencing June 30, 2019. Paul Matteoni abstained from voting.

Stephanie Barker J. Rusty Graf Joel Henroid Sarah Molleck

It was moved, seconded, and carried to appoint Brett Kandt chair of the Standing Committee on Ethics and Professional Responsibility for a two-year term commencing May 1, 2019.

- Standing Committee on Judicial Ethics

It was moved, seconded, and carried to appoint Susan Bush for a two-year term on the Standing Committee on Judicial Ethics ending January 2021.

- Nevada Lawyer Editorial Board

It was moved, seconded, and carried to appoint the following applicants to the Nevada Lawyer Editorial Board for a three-year term commencing July 1, 2019.

Erin Barnett Laury Macauley Michael Morton
Kristen Simmons Steve Smith Laura Tucker

It was moved, seconded, and carried to appoint the following slate of officers for a one-year term commencing July 1, 2019.

Kristen Simmons, Chair
Chad Olsen, Chair-Elect
Steve Smith, Vice Chair
Laury Macauley, Immediate Pas Chair

- Publications Committee

It was moved, seconded, and carried to appoint the following members for a three-year term on the Publications Committee commencing July 1, 2019.

Ismail Amin Duane Frizell Joel Henriod
Jeffrey Luszeck Paul Ray Howard Siegel
Keith Tierney

It was moved, seconded, and carried to appoint the following slate of officers for a one-year term commencing July 1, 2019.

Paul Ray, Chair Jeffrey Luszeck, Vice Chair

There being no further business before the Board, the meeting was adjourned at 5:00 pm.

Via Email Vote May 6, 2019

The Supreme Court invited the Probate and Trust Section to participate as amicus curiae in a matter before the SC. The Section's Executive Committee and members present at the section meeting agreed to file a brief.

It was moved, seconded and carried for the Probate and Trust Section to prepare an amicus brief.

Via Email Vote May 28, 2019

The Supreme Court invited the Probate and Trust Section to participate as amicus curiae in a matter before the SC. The Section's Executive Committee and members present at the section meeting agreed to file a brief. The section received an extension to file the brief.

It was moved, seconded and carried for the Probate and Trust Section to proceed in filing the amicus brief.

Via Email Vote May 31, 2019

It was moved, seconded and carried to appoint Maggie Lambrose as a temporary member to the Commission on Judicial Selection. Paul Matteoni and Terry Coffing abstained from voting.