



**MINUTES
BOARD OF GOVERNORS MEETING
Carson City, NV
February 20, 2013**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on February 20, 2013.

The following members were in attendance:

Frank Flaherty, President
Alan Lefebvre, President-Elect
Elana Graham, Vice President
Paola Armeni
Elizabeth Brickfield
Larry Digesti
Eric Dobberstein
Gene Leverty
Ann Morgan
Richard Pocker
Bryan Scott
Richard Scotti
Mason Simons
David Wall

State Bar staff present:

Kimberly Farmer
Gale Skala
David Clark
Marc Mersol
Lisa McGrane

Guests:

Scott Lachman, Young Lawyers Section

The meeting was called to order by President Frank Flaherty at 8:44 am there being a quorum present.

PRESIDENT'S REPORT

Frank Flaherty reported on the legislative session. Mr. Flaherty also shared highlights of the ABA Midyear meeting that Kim Farmer, Alan Lefebvre and he attended.

EXECUTIVE DIRECTOR'S REPORT

Kim Farmer gave an overview of the 2012 Annual Report of the State Bar of Nevada. Ms. Farmer discussed the draft three year long range planning goals and asked for the Board's review and feedback on the draft.

EXECUTIVE SESSION

The Board entered into Executive Session at 8:53 am and concluded the Executive Session at 9:20 am.

DISCUSSION ITEMS

Office of Bar Counsel

Frank Flaherty provided an overview of the ADKT that will be submitted to the Court. The ADKT proposes amendments to SCR 103 (in accord with SCR 103, also amend SCR 105(2)(c), SCR 105.5, SCR 113, SCR 103) to allow disciplinary panel vice chairs to designate hearing panels. Also the ADKT proposes amendments to SCR 105(2) (b) to require appointment of hearing panels within 30 days of an answer.

David Clark reported on the Office of Bar Counsel highlighting the latest statistics and staff changes in the department. Mr. Clark provided some of the concerns and issues regarding the unauthorized practice of law. The Board requested Mr. Clark research what would be involved in providing a Public Service Announcement informing the public about non lawyers and paralegals practicing law.

REPORTS

Young Lawyers Section

Scott Lachman gave an overview of the current activities of the Young Lawyers Section (YLS). The Section launched the YLS Newsletter with the first edition in January. Mr. Lachman noted that the Serving Seniors program will be held on April 26th at locations throughout the state. The Section will partner with Nevada Legal Services and Southern Nevada Senior Law Program. The Section is finalizing a disaster preparedness plan for Nevada attorneys in the event that there is a FEMA declared disaster in the state.

Facilities

Kim Farmer gave a synopsis on the recent properties she visited with Mack Realty. Ms. Farmer noted that there are few properties to purchase that meet our requirements. The Board requested that the Facilities Committee look closer at leasing or building as options.

ACTION ITEMS

December 2012 Financials

Marc Mersol presented the 2012 year end financial statements. Mr. Mersol gave an overview of the expenses and revenue for 2012. It was moved, seconded and carried to accept the 2012 year end financial report.

Probate and Trust Amicus Brief

Elizabeth Brickfield presented information regarding the invitation from the Supreme Court to the Probate and

Trust Section to submit an Amicus Curiae brief. The Nevada Supreme Court invited the section to file an Amicus Curiae brief in the matter of the estate of Arlan Edward Bethurem currently pending before the Supreme Court. It was moved, seconded and carried to approve the Probate and Trust Section submission of an Amicus Curiae brief.

Commission on Judicial Discipline

It was moved, seconded and carried to appoint Bruce Hahn as an alternate member to the Commission on Judicial Discipline.

Nevada Bar Foundation

It was moved, seconded and carried to amend the Nevada Bar Foundation Bylaws to distinguish between “active” members of the Board of Governors and “voting” members.

Nevada Bar Foundation Appointments

It was moved, seconded and carried to approve the following appointments to the Nevada Bar Foundation.

Board of Governor Appointments – Gene Leverty and Richard Pocker

Attorney Appointments – Constance Akridge and Ann Bersi

Non-Attorney Appointments – Jacqueline Kiser Parker, Bank of Nevada

Gene Leverty and Richard Pocker abstained from voting.

Legislative Agenda-Appellate Section

It was moved, seconded and carried to approve the Appellate Litigation Section endorsing the passage of SJR 14 regarding the creation of an intermediate appellate court.

CONSENT AGENDA

It was moved, seconded and carried to approve the following consent agenda items.

Minutes of December 2012

Resignations of the following attorneys:

Robert Dale Gibb

Carina Cilluffo

Robert Edelman

Paul Garcia

David Ralph Hoy

Kirk Schumacher

Appointments

Fee Dispute Arbitration Committee – approved the following reappointments for a three year term.

Stephanie Cooper Herdman, Las Vegas Panel B, effective January 2013

Robert Reade, Las Vegas Panel B, effective January 2013

Kelly Swanson, Las Vegas Panel B, effective January 2013

Michael Van, Las Vegas Panel B, January 2013

James Howard, Las Vegas Panel A, effective February 2013

Fee Dispute Arbitration Committee -approved the following as appointments for a three year term effective February 2013.

Elizabeth High, Reno panel

Ryan MacDonald, Las Vegas Panel A

Lawyer Referral and Information Service – approved Layke Stolberg for a three year term ending June 2016.

Administrative Law Section – approved the following slate of officers for a term ending November 2013.

Co-Chair: Shawn EliceGUI

Co-Chair: Alicia Ashcraft

Secretary: Melissa Waite

Treasurer: Andrew Platt

Construction Law Section – approved the following slate of officers for a term ending December 2013.

Chair: Debra Pieruschka

Vice Chair: Michael Kimmel

Secretary: Patrick Millsap

Treasurer: Evangelin Lee

Environmental & Natural Law Section - approved the following slate of officers for a term ending December 2013.

Co-Chair: Linda Bullen

Co-Chair: Therese Ure

Secretary: John Zimmerman

Treasurer: David Hornbeck

Discipline Panels

Approved the following reappointments for a three year term to the Northern Disciplinary Board:

Jill Greiner, term expires January 31, 2016

Bruce Hahn, term expires January 23, 2016

Jodi Travis, Laymember, January 29, 2016

Approved reappointments to Southern Disciplinary Board:

Irene Vogel, term expires January 29, 2013

Approved the following appointments for a three year term to the Southern Disciplinary Board:

Daniel Royal, effective February 20, 2013

Jason M. Gerber, effective February 20, 2013

Richard Porter, Laymember, effective February 20, 2013

Carole Bright, Laymember, effective February 20, 2013

Approved George Kelesis as Vice Chair of the Southern Disciplinary Board for a one year term effective March 1, 2013.

Board of Bar Examiners

Approved Hon. Bridget Robb Peck for appointment to the Board of Bar Examiners for a three year term ending October 2016.

Adjournment

There being no further business before the Board, the meeting adjourned at 11:30 am.

Email Vote of the Board of Governors, March 6, 2013

It was moved, seconded and carried to appoint Jacey Prupas to the Board of Bar Examiners effective April 2013.