



**MINUTES
BOARD OF GOVERNORS MEETING
Hotel del Coronado, CA
June 27, 2012**

A regular meeting of the Board of Governors of the State Bar of Nevada was convened on June 27, 2012.

The following members were in attendance:

Connie Akridge, President
Frank Flaherty, President-Elect
Alan Lefebvre, Vice President
Cam Ferenbach, Immediate Past President
James Bradshaw
Elizabeth Brickfield via telephone
Larry Digesti
Eric Dobberstein
Elana Turner Graham
Gene Leverty
Paul Matteoni
Richard Pocker
Bryan Scott
Richard Scotti
Mason Simons
Rick Trachok (ex-officio)
David Wall
John White (ex-officio)

State Bar staff present:

Kimberly Farmer
Gale Skala
Laura Gould
Lisa McGrane
Marc Mersol
David Clark

Guests:

Jeremy Richenberg
Ann Morgan
Nancy Rapoport
Michael Buckley
Breana Houlsworth, via telephone

The meeting was called to order by President Connie Akridge at 1:15 pm there being a quorum present.

PRESIDENT'S REPORT, CONNIE AKRIDGE

Connie Akridge gave a synopsis on the programming for the annual convention. She explained the concept of the surf board with respect to supporting pro bono.

EXECUTIVE DIRECTOR'S REPORT, KIMBERLY FARMER

Kimberly Farmer provided a synopsis of the West contract and has asked for the Board's approval. It was moved seconded and carried to approve the West agreement.

OPEN DISCUSSION

Larry Digesti discussed with the Board the idea of adding to the CLE requirements a mandatory CLE on substance addiction. During a discussion at lunch prior to the Board meeting, Chief Justice Cherry provided input into this idea as did Coe Swobe. The Board agreed that there should be a mandatory CLE covering substance abuse, other addictions and mental illness. It was moved, seconded and carried to submit a petition to the Court to make mandatory one (1) CLE credit each year as part of the twelve (12) credit hours required by attorneys in substance abuse and addictive disorders and/or mental health issues that impair professional competence. The petition would change the CLE requirements to 9 hours of general CLE, 2 hours of ethics and 1 hour of substance/process addictions and/or mental health.

REPORTS

Young Lawyers Section, Jeremy Richenberg

Jeremy Richenberg reported on the activities of the Young Lawyers Section.

It was moved, seconded and carried to approve the 2012-2013 Executive Council whose members include the following:

- Jeremy Reichenberg, Chair and Rural District Representative
- Kendelee Works, Chair Elect and Southern District Representative
- Matthew Digesti, Secretary
- Jeffrey Connor, Northern District Representative
- David O'Mara, Northern District Representative
- Layke Stolberg, Southern District Representative
- Michael Lee, Southern District Representative
- Eric Pepperman, Southern District Representative
- Scott Lachman, Carson City Representative
- Dylan Ciciliano – Ex Officio Budget Director

EXECUTIVE SESSION

The Board entered into Executive Session at 1:35 pm and concluded the Executive Session at 3:05 pm.

ACTION ITEMS

Financials- March 2012, Marc Mersol

Marc Mersol gave an overview of the financial report for the period ending April 2012. Mr. Mersol reported that the "Find a Lawyer" smart phone application should be available within thirty days.

2011 Audit Report, Houlsworth Russo, Breana Houlsworth

Breana Houlsworth gave a synopsis on the 2011 audit report of the State Bar of Nevada and the Nevada Bar Foundation. The state bar and foundation received a clean audit report. It was moved, seconded and carried to approve the 2011 audit report of the State Bar of Nevada and Nevada Bar Foundation.

Proposed Changes to SCR 52, Rick Trachok

Rick Trachok provided a summary on the Executive Order signed by Governor Sandoval requiring state boards to accommodate the spouses of military personnel moving to Nevada due to military orders. This order does not apply to licensing attorneys. However the Board of Bar Examiners presented an accommodation to spouses of

military personnel by extending the exam deadline. It was moved, seconded and carried to approve the submission of a petition to the Court to modify the exam deadlines for spouses of military personnel.

Travel Program – Union of Cuban Jurists, Frank Flaherty

Frank Flaherty provided an overview on the travel program hosted by the Union of Cuban Jurists. A delegation of 10 to 20 Nevada attorneys led by state bar president Frank Flaherty will travel to Cuba. The purpose of the delegation is for professional research and exchange. It was moved, seconded and carried to support a delegation led by the state bar president to Cuba, with the stipulation there will be no cost to the State Bar of Nevada.

Compensation Committee- Consultant, Elana Graham

The Board of Governors determined that a compensation study was necessary to provide data to the Compensation Committee and subsequently the Board on staff compensation. The Compensation Committee considered proposals from compensation specialists and research analysis groups. It is the recommendation of the Compensation Committee to contract with Fox Lawson & Associates. It was moved, seconded and carried to approve the proposal of Fox Lawson & Associates for an abbreviated compensation study as well as the necessary budget adjustment.

Clients’ Security Fund, Lisa McGrane

The Clients’ Security Fund (Fund) and Office of Bar Counsel are requested the Board approval of a policy which provides for reinstatement of an attorney’s license pending a signed Confession of Judgment in instances where the Client’s Security Fund has reimbursed clients on the attorney’s behalf. Although the terms for repayment are typically included in the Reinstatement Order, the Fund would like to ensure repayment is made. This can be done by asking the attorney to sign a Confession of Judgment. It was moved, seconded and carried to approve a policy that provides for the Fund to present for signature to a suspended attorney a Confession of Judgment for in instances where the Client’s Security Fund has reimbursed clients on the attorney’s behalf.

CONSENT AGENDA

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

Minutes of April 2012

Attorney Resignations – approved the resignations of Joseph M. Suozzo Jr. and Liza Tom.

Suspensions – approved to send the suspension is to the Supreme Court for approval.

Discipline Board Policy – approved the suggested guidelines to serve as a benchmark for the Board of Governor’s consideration in re-appointing Discipline Board member to successive terms.

Nevada Law Foundation – approved the revised joint petition with the Nevada Law Foundation reducing the current membership of the Nevada Law Foundation to no more than 17 members.

Real Property Section Legislative Update – approved the 2013 legislative proposal of the Real Property Section.

Proposed Author Agreement – approved Author Agreement for Publications Committee projects.

Nevada Notable Domestic Relations Cases CD – approved the discontinuation of sales of the Nevada Notable Domestic Relations Cases CD publication and release of copyright to the authors.

Nevada Civil Practice Manual – approved the request of Prof. Jeffrey Stempel that future royalty share payments related to the Nevada Civil Practice manual be shared among three alternate editors.

Procedure for President’s Investigation of OBC Complaint – approved the process and procedures that the state bar President follows when a complaint is received against staff of the Office of Bar Counsel.

Insurance Renewal-Business Owners/Workers Compensation -- approved the workers compensation and business owners insurance policy.

Transitioning into Practice – approved two program changes for current implementation.

Contracts

- Pitney Bowes – approved contract for postage meter and letter opener
- LaJolla Beach and Tennis Club – approved contract for Board of Bar Examiners exam preparation meeting

Appointments

Fee Dispute Arbitration Committee

Approved Robert Gerard for appointment as Las Vegas Panel B Regional Chair for a one year term effective June 2012.

Approved Peter Angulo for reappointment as the State Chair for a one year term effective June 2012.

Approved the following names for reappointment for a three year term effective June 2012:

- Brandon McCoy, Las Vegas Panel B
- James Armstrong, Las Vegas Panel B
- Daniel O'Brien, Las Vegas Panel B
- Michael Rowe, Las Vegas Panel A

Board of Bar Examiners

Approved reappointment of Judge Alvin Kacin and Robert Salyer for a three year term effective October 2012.

Admissions-Character and Fitness

Approved reappointment of Michael Rowe as Chairman of the Character and Fitness Committee for a three year term effective October 2012.

Continuing Legal Education

Approved reappointment of the following volunteers for a one year term effective June 2012:

- Kelly Brinkman, Chair
- Andrew Mierins, Vice Chair

Approved appointments of Adam Pernsteiner and Jack Burden for a three year term effective June 2012.

Discipline Panels

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

- Joseph Chenin, effective December 2012
- Ronald Moonin, effective October 2012
- Barbara Schell, effective December 2012

Approved reappointed of Julien Sourwine as a member of the Northern Disciplinary Board thru July 2013.

Approved reappointed of the following volunteers to the Northern Disciplinary Board for a three year term:

- Richard Hill, effective December 2012
- Darren Lemieux, effective August 2012
- Frank Gallagher, effective October 2012
- Thomas Kelly, effective October 2012
- Rick Lund, effective October 2012

Lawyer Advertising

Approved appointment of Fahran Naqvi to the Southern Nevada Lawyer Advertising for a two year term.

Approved reappointment of Chet Glover to the Southern Nevada Lawyer Advertising for a two year term.

Publications Committee

Approved appointment of Eban Milmeister for a three year term effective June 2012. Approved reappointment of Elizabeth Bittner for a three year term effective June 2012.

Transition into Practice (TIP) Mentors

Approved for appointment the following mentors:

Cynthia Alexander	Snell & Wilmer, LLP	Las Vegas
Heather Anderson-Fintak	Nevada Legal Services	Las Vegas
Laura Browning	Snell & Wilmer, LLP	Las Vegas
Jonathan Callister	Callister & Frizell, PLLC	Las Vegas
John Clark	Law Offices of John Thayer Clark, P.C.	Las Vegas
Peter Dubowsky	Dubowsky Law Office, Chtd.	Las Vegas
Tracee Duthie	Cooksey Toolen Gage Duffy & Wong	Las Vegas
Kevin Hahn	Malcolm & Cisneros	Irvine, CA
Scott Hoffman	Lewis and Roca LLP	Reno
Tamela L. Kahle	Kahle & Associates	Las Vegas
Michael Keane	Woodburn and Wedge	Reno
Kent Larsen	Smith Larsen & Wixon	Las Vegas
Allen Lichtenstein	ACLU of Nevada	Las Vegas
Daniel Marks	Law Office of Daniel Marks	Las Vegas
Leah Martin	Leah A. Martin, Esq., P.C.	Las Vegas
Robert McCoy	Morris Law Group	Las Vegas
David McElhinney	Lewis and Roca, LLP	Reno
Leon Mead	Snell & Wilmer, LLP	Las Vegas
Lane Mills	Churchill County District Attorney's Office	Fallon
Kirsty Pickering	White Pine County District Attorney	Ely
Nicholas Santoro	Santoro Whitmire	Las Vegas
Richard Segerblom	Law Office of Richard Segerblom, Ltd.	Las Vegas
Susan Sherrod	Atkin Winner & Sherrod	Las Vegas
Kristina Wildeveld	Law Offices of Kristina Wildeveld	Las Vegas

ABA House of Delegates

Approved for reappointment Dan Polsenberg to the ABA House of Delegates for a two year term effective August 2012.

Board of Continuing Legal Education

Approved appointment of Vic Drakulich and Jason Stoffel to the Board of CLE for a three year term ending December 2015.

Sections: Gaming Law, Public Lawyer, Labor and Employment

Gaming Law – approved the following Executive Committee for reappointment to three year terms ending May 2015:

Jeff Rodefer, Chair, Dennis Gallagher, Lars Perry and Jennifer Carleton

Public Lawyers – Approved the following slate of officers and Executive Council Members ending May 2013:

Chair: Brett Kandt, Executive Director, State of Nevada Advisory Council for Prosecuting Attorneys – reappointment

Vice Chair: Tina Russom, Carson City Deputy District Attorney – reappointment

Secretary: Sarah Bradley, Nevada Deputy Attorney General

Executive Council Members-At-Large:

Mark Ghan, Vice President/General Counsel of Western Nevada College – reappointment

Cliff Jeffers, Deputy District Attorney, Clark County – reappointment

Paul Lipparelli, Assistant District Attorney, Washoe County – reappointment

Michael Oh, Deputy City Attorney, Henderson

Labor and Employment Law – approved the following slate of officers and Executive Committee for a one year term ending May 2013:

Chair: Robert Spretnak, Law Offices of Robert Spretnak

Vice Chair: Edwin Keller, Kamer Zucker Abbott

Secretary: Cory Walker, Littler Mendelson -- reappointment

Treasurer: Bryan Cohen, Kamer Zucker Abbott

Executive Committee Members:

Northern Nevada Committee Chair: Rebecca Bruch, Erickson Thorpe & Swainston – reappointment

CLE Chair: Jeff Winchester, Jackson Lewis

Membership Chair: Laura Thalacker, Lionel Sawyer Collins

Lawyer Representative Ninth Circuit

Approved appointment of the following as lawyer representatives to the Ninth Circuit for a three year term effective August 2012:

Rebecca Bruch

Craig Denney

Carla Higginbotham

Paul Matteoni abstained from voting.

Indigent Defense Selection Committee

Approved appointment of Gary Thompson to the Indigent Defense Selection Committee.

Election of State Bar of Nevada Board of Governor Officers

It was moved, seconded and carried to approve the following slate of officers of the Board of Governors for a one year term commencing June 27, 2012.

President, Francis Flaherty

President Elect, Alan Lefebvre

Vice President, Elana Graham

ADJOURNMENT

There being no further business before the Board, the meeting adjourned at 5:05 pm.

SUBSEQUENT ACTIONS OF THE BOARD OF GOVERNORS – JULY 10, 2012

On July 10, 2012, the Board of Governors approved via an email vote signing onto the Illinois State Bar Association Resolution 10 A filed for consideration by the ABA House of Delegates at its August 6-7, 2012 meeting.