



Minutes  
Board of Governors Meeting  
December 9-10, 2014  
Pahrump, NV

A regular meeting of the Board of Governors of the State Bar of Nevada was convened at 8:59 am on December 10, 2014.

**The following members were in attendance:**

Elana Turner Graham, President  
Larry Digesti, President- Elect  
Bryan Scott, Vice President  
Paola Armeni  
Julie Cavanaugh-Bill  
Eric Dobberstein  
Richard Dreitzer  
Troy Isaacson  
Daniel Hamilton  
Gene Leverty  
Paul Matteoni  
Ann Morgan  
Richard Pocker  
Ryan Russell  
Kari Stephens  
Ryan Works

**State Bar staff present:**

Kimberly Farmer  
Gale Skala  
David Clark  
Lisa Dreitzer  
Marc Mersol  
Shelley Young

**Guests:**

Julia Gold  
Jenny Hubach  
DeArmond Sharp  
Rew Goodenow

## **CALL TO ORDER**

President Elana Graham called the meeting to order at 8:59 am with quorum present.

## **PRESIDENT'S REPORT**

Elana Graham gave an update regarding the discipline process.

## **EXECUTIVE DIRECTOR REPORT**

### 600 E. Charleston Blvd.

Kimberly Farmer presented an update on the lease of 600 E. Charleston. The Board of Governors approved the lease to Nevada Legal Services and submitted a letter of interest. Nevada Legal Services (NLS) signed the letter of interest. The initial term of the lease is for 18 months with a 6 month renewal option. The State Bar has the right to market the property during the term of the lease.

Ms. Farmer presented options with respect to keeping 600 E. Charleston on the market or taking it off the market during the lease term.

It was moved, seconded and carried to approve the lease with NLS and to take 600 E. Charleston Blvd. off the market for a year.

Ms. Farmer gave an update on 3100 W. Charleston Blvd. and the progress of the build out.

The Board suggested the President's Column in the Nevada Lawyer be in the Enews blast each month. The Board also suggested that the Nevada Editorial Board review the option of having the Nevada Lawyer distributed electronically six times a year.

## **EXECUTIVE SESSION**

The Board entered into Executive Session at 10:20 am and concluded the Executive Session at 11:25 am.

## **ACTION ITEMS**

### Financial Report

- 2015 Proposed Budget

Marc Mersol presented an overview of the proposed 2015 budget for the State Bar of Nevada. Mr. Mersol highlighted any changes made to the 2015 budget. The Finance Committee recommends approval of the 2015 budget as submitted. It was moved, seconded and carried to approve the 2015 Proposed Budget.

Kim Farmer reported on suggested change in Lawyer Referral Information Service (LRIS) Designated Funds, LRIS grants as reviewed and recommended by the Finance Committee. The Board discussed the grant program and LRIS Designated Funds. It was moved, seconded and carried to transfer \$88,500 from the LRIS Designated Fund to the General Fund on the balance sheet.

Elana Turner Graham abstained from voting.

### Nevada Bar Foundation

- Auction

The Nevada Bar Foundation requests that the Board of Governors approve the NBF as the entity that will plan, host and make decisions as to the recipients of proceeds from the auction held in conjunction with the Annual Meeting.

It was moved, seconded and carried to transfer management of the Annual Meeting auction to the Nevada Bar Foundation.

Elana Graham abstained from voting.

- Proposed Legislation

There are two bills currently pending in the United States legislature – S2698 and S2699, which seek to create parity between banks and credit unions and subsequently would increase the financial institutions that participate in IOLTA.

The Foundation is supportive of the proposed legislation and encourages the State Bar of Nevada’s Board of Governors to submit letters of support to Senators Heller and Reid supporting the measure.

It was moved, seconded and carried to approve submitting letters of support to Senators Heller and Reid.

Ann Morgan, Paul Matteoni and Elana Graham abstained from voting.

#### National Mock Trial

Paul Matteoni presented an overview of bringing the National Mock Trial Championship Competition (NMTC) to Nevada. The National Mock Trial Exploratory Committee has sought hosting and sponsorship support from the Nevada Bar Foundation (NBF) and the State Bar for the 2018 NBTC.

It was moved, seconded and carried to submit an application to host the 2018 NMTC. Upon discussion and approval by the NBF, the State Bar and the NBF will cohost the NMTC.

#### Attorney Match

ALPS, the bar’s endorsed legal malpractice provider, has developed a valuable new program matching attorneys who are preparing to leave the profession with those who are entering, called Attorney Match. This program is a worthwhile addition to the benefits offered to our members. ALPS will assume the marketing costs so there are no financial implications for the bar.

It was moved, seconded and carried to approve the Attorney Match program as a member benefit.

#### Bilingual UPL Campaign

Members of immigrant communities are routinely victimized by notario fraud. Results are often disastrous – missed opportunities to obtain legal residency, deportation or civil and criminal liability for filing false claims.

The purpose of this awareness campaign is to educate immigrant populations about these risks, the advantages of working with a licensed attorney and how to hire one and what to do if they think they’ve been victimized. A website will be created to address these issues.

It was moved, seconded and carried approving the budget cost of \$10,000 and launching of the campaign.

#### Section Legislative Proposal, Probate and Trust

Julia Gold presented a synopsis of the proposed addendum to the Probate and Trust legislature proposals that were approved for endorsement by the section only at the September Board meeting. After discussing the proposed addendum, the Board requested changes. Upon making the changes, the section will resubmit the proposal for Board approval.

Uniform Code, Real Property

DeArmond Sharp reviewed the amendments to the Uniform Voidable Transaction Act (NRS Chapter 112). It was moved, seconded and carried that the section may assert that the positions discussed are endorsed by the section only.

TIP Mentors Appointment Policy/Appointments

It was moved, seconded and carried to approve the appointment policy of the Standing Committee on Transitioning into Practice.

It was moved, seconded and carried to approve the reappointment of Philip Emerson for a two year term commencing July 2014.

Paola Armeni abstained from voting.

It was moved, seconded and carried to approve the following TIP mentors for a two year term commencing January 2015.

Aubrey J. Beeson	Las Vegas
J. Christopher Jorgensen	Las Vegas
David R. Houston	Reno
James P.C. Silvestri	Las Vegas
Timothy R. O'Reilly	Las Vegas
Timothy P. Thomas	Las Vegas
Robert E. Wieland	Reno
Jeffrey Burr	Las Vegas
Steven Handelin	Carson City
Gregory Morris	Las Vegas
Angela Nakamura Ochoa	Las Vegas
G. David Robertson	Reno

Kari Stephens and Paul Matteoni abstained from voting

Appointments

- Standing Committee on Judicial Ethics

It was moved, seconded and carried to approve the following reappointments for a two year term to the Standing Committee on Judicial Ethics commencing January 2015:

Janette Bloom, Eric Dobberstein, Robert Martin, Michael Pagni and G. David Robertson

It was moved, seconded and carried to appoint Kelly Dove for a two year term to the Standing Committee on Judicial Ethics commencing January 2015.

Eric Dobberstein abstained from voting.

- Discipline Board

It was moved, seconded and carried to reappoint William Holland and Richard Litt for a three year term to the Southern Nevada Disciplinary Board.

It was moved, seconded and carried to appoint the following members for a three year term:

Southern Board: Thomas Sheets, Reed Werner, Mark Bailus, Marc Cook, Steven Myhre and Mary Albregts.

Northern Board: Sarah Carrasco, Edmond Gorman Jr., Matthew Digesti, Barth Aaron, Sara Almo, Frederick Battcher, Eric Stovall, Mark Beguelin, Marilee Breternitz, David Stanton, Eliot Held Sr., Christopher Rusby, and Michael Sullivan.

It was moved, seconded and carried to approve Caren Jenkins as the Vice Chair of the Northern Disciplinary Board.

Larry Digesti and Troy Isaacson abstained from voting.

- Nevada Board of Continuing Legal Education

Jenny Hubach, Chair of the CLE Board of Trustees, participated via telephone. Ms. Hubach updated the Board on recent staff changes at the Nevada Board of Continuing Legal Education (NBCLE). Ms. Hubach was open for discussion regarding the trustees whose terms have expired. The Board of Governors has received a number of applications from qualified attorneys.

It was moved, seconded and carried to interview all applicants. The interview committee will be Paola Armeni, Richard Dreitzer and Gene Leverty.

Bryan Scott abstained from voting.

#### **EXECUTIVE SESSION**

The Board entered into Executive Session at 1:30 pm and concluded the Executive Session at 3:20 pm.

#### **CONSENT AGENDA**

Approved Minutes of September 2014

Approved Volunteer Appointment/Reappointment Policy

Approved Advertising Annual Report/Rules of Procedure

Approved Renewal D & O Insurance

#### **CONTRACT**

Approved LaJolla Beach and Tennis Club contract.

**RESIGNATIONS** Approved the following attorney resignations:

William Jac Shaw

John Schripsema

Alexander Drew

John B. Pearson

Jennie L. Bricker

Tudor Chirila

**APPOINTMENTS**

Fee Dispute Arbitration Committee

Approved the following name to the Board of Governors for appointment to a one-year term:

<b>Name</b>	<b>Regional Chair</b>	<b>Effective Date</b>
Dan Waite	LVA	December 2014

Approved the following names for reappointment to a three-year term:

<b>Name</b>	<b>Regional Panel</b>	<b>Effective Date</b>
Robert Apple	LVA	December 2014
Michael Federico	LVC	December 2014
Morton Friedlander	LVA	December 2014
Paul Gaudet	LVB	December 2014
Gregory Gordon	LVB	December 2014
Robert Gower	LVC	December 2014
David Jones	LVC	December 2014
Brian Shapiro	LVA	December 2014
Robert Tarte	LVB	December 2014
Joseph Went	LVA	December 2014
Bill Hammer	LVA	January 2015
David Loreman	Rural	January 2015
Jim Rankl	CC	January 2015
James Whitmire	LVB	January 2015

Approved for a three-year appointment to the Fee Dispute Arbitration Committee:

<b>Name</b>	<b>Regional Panel</b>	<b>Effective Date</b>
Jeff Doracak	LVA	December 2014

Eliot Held, Sr.	Reno	December 2014
Raymond Patterson (lay person)	LVB	December 2014
Christopher Rusby	Reno	December 2014
Reed Werner	LVB	December 2014
Stephanie Zinna	LVC	December 2014

### Sections

Approved:

Litigation Section one year term ending September 2015:

Chair: Tracy DiFillippo, Armstrong Teasdale (reappointment)

Vice Chair: Justin Jones, Holland and Hart (reappointment)

Secretary: David Carroll, Rice Silbey Reuther & Sullivan (reappointment)

Treasurer: Shannon Pierce, Fennemore Craig Jones Vargas

Approved:

Solo and Small Practice Section one year term ending October 2015:

Chair: Laura Stubberud (reappointment)

Vice Chair: Edmund Joe Gorman

Secretary: Debra Amens,

Treasurer: Steven Devney

Approved:

Energy, Utilities and Communication Law Section one year term ending October 2015:

Chair: Donald Lomoljo, Public Utilities Commission of Nevada

Chair Elect: Curt Ledford, Valley Electric Association, Inc.

Secretary: Craig Newby, McDonald Carano Wilson

Treasurer: Debrea Terwilliger, Wilkinson Barker Knauer

Approved:

Intellectual Property Section one year term ending November 2015:

Chair: Erin Lewis, Brownstein Hyatt Farber Schreck

Vice Chair: Joanna Myers, Gordon Silver

Secretary: Juan Rodriguez, Howard & Howard

Treasurer: Lindsey Williams, Brownstein Hyatt Farber Schreck

Approved:

Environmental and Natural Law Section one year term ending December 2015:

Co-Chair: Linda Bullen, Lionel Sawyer Collins (reappointment)

Co-Chair: Therese Ure, Schroeder Law Offices (reappointment)

Secretary: Matthew Curti, Schroeder Law Offices

Treasurer: David Hornbeck, Law Offices of David Hornbeck (reappointment)

Approved:

Entertainment Law Section one year term ending May 2015.

Secretary: David Kahn, Weinberg, Wheeler, Hudgins, Gunn & Dial  
Treasurer: Reginald Russell

Approved:

William D. Schuller to a two-year term on the Southern Advertising Committee, effective January 2015.

**ADJOURN**

There being no further business before the Board, the meeting was adjourned at 3:58 pm.

**Email Vote, January 13, 2015**

Via an email vote on January 13, 2015, with a quorum voting, it was moved, seconded and carried that the Probate and Trust section may assert that the revisions to Section 35 of the proposed bill submitted by the section is endorsed by the section only.

**Email Vote, January 13, 2015**

Via an email vote on January 13, 2015, with a quorum voting, it was moved, seconded and carried to appoint Megan Hoffman and Vic Drakulich to the Board of Continuing Legal Education for a three year term ending December 31, 2017.

Bryan Scott abstained from voting.