

President Cahill called the meeting to order at 8:45 a.m. on Wednesday, January 24, 2007 at the State Bar of Michigan, Michael Franck Building, Lansing, MI.

Commissioners present:

Lori A. Buiteweg	Craig H. Lubben
Beverly Hall Burns	Ronald D. Keefe, President-Elect
Kimberly M. Cahill, President	Jeffrey E. Kirkey
John J. Conway	Donald E. McGinnis, Jr.
Margaret A. Costello	Hon. William B. Murphy
Bruce A. Courtade	Lambro Niforos
Francine Cullari	Edward H. Pappas, Vice-President
Richard L. Cunningham	Eric J. Pelton
Brian D. Einhorn	Michael J. Riordan
Elias J. Escobedo, Jr.	Thomas C. Rombach
Robert K. Fergan	Kurt E. Schnelz
Julie I. Fershtman	Scott C. Strattard
Kiffi Y. Ford	Charles R. Toy, Secretary
Robert C. Gardella	Laurin' C. Roberts Thomas
Edward L. Haroutunian	Gregory L. Ulrich
Katherine Kakish	

Commissioner W. Anthony Jenkins, Treasurer was absent and excused.

State Bar Staff Present:

Marge Bossenbery, Executive Coordinator
Kari Brandel, Events Manager
Nancy Brown, Director of Member Services and Communications
Candace Crowley, Development & External Affairs Manager
Dawn Evans, Director of Professional Standards
Cliff Flood, Deputy General Counsel
James Horsch, Director of Finance and Administration
Victoria Kremiski, Deputy Director of Professional Standards
Catherine O'Connell, Assistant Professional Standard Counsel
Jerome Reide, Director of Justice Initiatives
Naseem Stecker, Media and Public Relations Manager
Anne Vrooman, Director of Research and Development
Janet K. Welch, Interim Executive Director and General Counsel

Guests Present:

Lyn Chard, Executive Director, Institute for Continuing Legal Education.
Linda Rexer, Executive Director, Michigan State Bar Foundation

Special Presentation
Resolution Honoring Barbara (Bobbie) Tetrault

President Cahill presented a resolution on behalf of the Board to Barbara (Bobbie) Tetrault honoring her retirement after 28 years of service.

A motion was offered, supported and carried, for the Board to enter into an Executive Session to discuss the Executive Director Search with Consensus Management Group. The Board went into executive session at 9:00 a.m. The Board returned to open session at 11:10 a.m.

Consent Agenda

Minutes

The Board received the minutes of the November 17, 2006 Board of Commissioners meeting. The Board received the minutes of the November 7, 2006, November 16, 2006, December 5, 2006, December 19, 2006, and the January 3, 2007 Executive Committee meetings.

President's Report, Kimberly M. Cahill, President
The Board received the written President's recent activities report.

Interim Executive Director's Report, Janet K. Welch, Interim Executive Director
The Board received the written Interim Executive Director's activities report and the litigation status report.

Professional Standards, Charles R. Toy, Chairperson
The Board received the Client Protection Fund Claims.

Proposed Bylaw Amendments, Janet K. Welch, General Counsel
The Board received proposed bylaw amendment regarding Article III (Commissioner Committees) and Article VIII (Public Policy.)

A motion was offered, supported, and carried, to approve the consent agenda.

The Board went to the Hall of Justice for lunch with the Supreme Court at 11:30 a.m.

COMMISSIONER COMMITTEES

Finance - W. Anthony Jenkins, Chairperson

Auditors Report/Audit Committee

Lori Buiteweg provided the Board with an update on the activities of the Audit Committee. The Committee met on December 8, 2006 and reviewed the Auditor's letter. She introduced Mary Schaefer from Plante Moran who discussed the State Bar of Michigan (SBM) financial statement that was reviewed by Plante Moran. Ms. Schaefer indicated that the net assets of the SBM are above the average of other associations, that the SBM is proactive in the GASB (Governmental Accounting Standards Board) requirements, and that there are no reported exceptions in the management letter. The Board received the Audit Report. A motion was offered, supported and carried to accept the report.

Financial Update

Mr. Horsch provided the Board with a financial update.

Proposed Changed to Long Term Investment Policy

The Finance Committee recommended that the Board approve moving \$1.2 million from our short-term portfolio to our long-term investment portfolio, as the funds are not required in the current operating cycle. Motion was offered, supported and carried to approve the change to the asset allocation policy.

Professional Standards – Charles R. Toy, Chairperson
Practice Management Resource Center (PMRC)

Mr. Toy reported to the Board that the PMRC has been in existence for almost a year and referred the members to Tab 13 in the Board packet to review the PMRC statistics.

Board Elections

Mr. Toy, in his capacity as Secretary, asked the Board members to review a document they received listing the Board members that staff indicates are up for election this year. He asked that if any member thinks the information is not accurate to contact Ms. Bossenbery.

Programs and Services – Edward H. Pappas, Chairperson
State Bar of Michigan Website Update

The Board received a written report from John Tatum regarding the SBM website update.

2007 Annual Meeting/Bar Leadership Forum/UMLI Update

The Board received a written report regarding these events and Ms. Brandel, Events Manager, provided the members with an update on each of these events.

Public Policy, Image and Identity – Ronald D. Keefe, Chairperson

Mr. Keefe reported to the Board that at their place was a memorandum from Elizabeth Lyon that summarized the SBM positions on the 2005-06 legislative session. A summary of the SBM position on a tax on legal services was provided to the members.

Ms. Welch reported that she anticipates that a bill will be introduced that will fix Apsey and information about this is included in the legislative summary.

Ms. Costello asked Ms. Welch about who was involved in the Public Policy Forum that is scheduled on Monday, January 29. Ms. Welch reported that lobbyists from 27 different legal organizations and entities were invited, including the lobbyists from each SBM section. The purpose of this meeting is to build relationships prior to the legislative session so that the each can call on one another to respond to common developments at the legislature.

Mr. Ulrich asked about the status of the proposal on tax on legal services as it relates to Keller. Ms. Welch reported that the Keller rationale for an SBM position on any tax issue is the effect a tax would have on access to legal services. A tax on legal services alone is likely to have a more significant impact on access than, for example, a general tax increase affecting all businesses.

LEADERSHIP REPORTS

President's Report - Kimberly M. Cahill, President
Supreme Court Administrative Hearing Update

President Cahill reported to the Board that she did not attend the Supreme Court Administrative hearing and asked Ms. Welch to provide the members with an update. Ms. Welch reported that here were three items of particular interest to the SBM on the agenda. One was the jury reform package and because the Supreme Court had already received the Bar's input, the SBM did not address this issue at the hearing. Ms. Welch reported that Ms. Kremski from the Professional Standards Division of the SBM addressed the second item -- the SBM proposed rule, submitted by the Representative Assembly, on the confidentiality of certain information pertaining to some State Bar of Michigan programs. The last item that was of interest was a proposed rule concerning the confidentiality of Michigan Supreme Court deliberative communications. There were nine speakers and the majority of them spoke in favor of the concept of some sort of confidentiality of deliberations on pending Supreme Court cases. The SBM did not speak to the Supreme Court confidentiality issue.

Role of Commissioners as Liaisons to Sections/Committees

Based on the feedback from the evaluation of the Board orientation, President Cahill discussed the role of a commissioner as liaison to sections and committees. She indicated that each section or committee will be different. Some of the sections/committees want the liaison to take an active role while others will be content with a phone call.

Executive Director's Report - Janet K. Welch, Interim Executive Director
Mr. Horsch introduced Wendy Greene, part-time receptionist at the SBM.

Member Services Delivery: Internal Reorganization

Ms. Welch reported to the Board that there was an internal reorganization of two divisions, the Programs and Services and Communications Divisions, within the State Bar. A new division, called Member Services and Communications Division, was formed, with Nancy Brown as the Director. An ad hoc members services team, the Member Focus Team, consisting of staff from each division has been convened to address issues of improved member service, including responsiveness.

Representative Assembly Report – Edward L. Haroutunian, Chairperson
RA Agenda Items for April 21, 2007 meeting

Mr. Haroutunian provided the Board with an overview of the tentative agenda for the April 21 Representative Assembly (RA) meeting.

Mr. Haroutunian reported to the Board that the deadline for the two RA awards, the Unsung Hero and the Michael Franck award, is February 16. This deadline for these awards was changed at the September RA meeting. Ms. Cullari mentioned the importance of reading the criteria prior to submitting the nomination.

Executive Director Search Committee Report, Ronald D. Keefe, Chairperson

Mr. Keefe indicated that he had nothing further to discuss about the search committee. Everything was discussed in the Executive Session this morning.

OTHER REPORTS

American Bar Association Report (ABA) – W. Anthony Jenkins, State Delegate
Mr. Jenkins was absent and no report was given.

Justice Initiatives Report - Hon. Cynthia Diane Stephens, Chairperson

Judge Stephens indicated that she will provide a written report on justice Initiatives and once received, the commissioners will receive this report.

Young Lawyers Section Report - J. J. Conway, Chairperson

Mr. Conway provided the Board with a written report on the activities of the Young Lawyers Section.

FOR THE GOOD OF THE PUBLIC AND THE PROFESSION

Comments or questions from Commissioners

There were none.

Comments or questions from the public

There were none.

Adjournment

The meeting was adjourned at 3.00 p.m.