

**MEETING OF THE  
BOARD OF GOVERNORS  
OF THE  
STATE BAR OF ARIZONA  
July 26, 2019  
Phoenix, AZ**

BOARD MEMBERS PRESENT: Brian Y. Furuya, President, Flagstaff; Denis M. Fitzgibbons, President-Elect, Casa Grande; Jennifer Rebbholz, Vice President, Phoenix; Jessica Sanchez, Secretary-Treasurer, Tempe; Sandra Bensley, Tucson; Hector Figueroa, Payson; Sharon Flack, Prescott; Mark Harrison, Phoenix; Leticia Marquez, Tucson; Robert McWhirter, Phoenix; John Moody, Phoenix; David Rosenbaum, Phoenix; D. Christopher Russell, Sierra Vista; Samuel Saks, Phoenix; Amanda Salvione, Young Lawyers Division; Dee-Dee Samet, Tucson; Jimmie Dee Smith, Yuma; Benjamin Taylor, Phoenix; Public Members: Robyn M. Austin, Tucson; John Gordon, Prescott; and Anna C. Thomasson, Paradise Valley; and At-Large Members: David K. Byers, Phoenix; Lori Higuera, Phoenix; and Doreen McPaul, Window Rock; Ex-Officio Members: Jeffrey Willis, Board Advisor; Leah Won on behalf of Dean Mark Miller, Tucson; Victoria Ames on behalf of Douglas Sylvester, Phoenix.

EXCUSED ABSENCES: Public Governor Jonathan Martone, Paradise Valley, and District 6 Governor Sara Siesco, Phoenix.

OTHERS PRESENT: Lisa Deane, Chief Member Services Officer; Tim Eigo, Editor, *Arizona Attorney Magazine*; Candice French, HR Manager; Joel England, CEO/Executive Director; Kathy Gerhart, Chief Financial Officer; Joe Hengemuehler, Chief Communications Officer; Ann Leslie, Executive Assistant; Lori Maxwell, Chief Information Officer; Lisa Panahi, General Counsel; Amy Rehm, Deputy Chief Bar Counsel; Carrie Sherman, Director of Board Operations; Maret Vessella Chief Bar Counsel.

President Brian Furuya called the Board meeting to order at 1:06 p.m.

**Call to the Public**

President Furuya made a Call to the Public and, hearing nothing, proceeded to the next agenda item.

**President's Report** – Brian Furuya

- Learned from the BYU Law School dean that Utah's program granting paraprofessionals the authority to practice in small claims court (up to a \$5K claim) is expanding. As the Board learned the previous day from Vice Chief Justice Ann Timmer, chair of the Supreme Court's Task Force on Delivery of Legal Services, the Task Force is considering similar authority for Arizona's paraprofessionals.
- By invitation of its president, will attend the New Mexico State Bar's Annual Meeting in Albuquerque from July 31 to August 3.
- Will attend the Annual National Conference of Bar Presidents (NCBP) from August 8 to August 10.
- Appointments to the State Bar's six standing committees and the Editorial Board have been completed.

- Congratulated Lori Higuera, one of the State Bar's five delegates in the ABA House of Delegates, on her appointment to two ABA committees:
  - ABA House of Delegates, Technology and Communications Committee (appointed by ABA HoD chairman)
  - ABA Legal Opportunity Scholarship Committee (appointed by ABA president-elect)
- Thanked the Board for its active engagement in its annual Retreat the past day and a half.

**CEO's/Executive Director's Report** – Joel England

- Will also attend the NCBP Annual Meeting with President Furuya.
- Will attend the Annual Meeting of the National Association of Bar Executives which immediately precedes the NCBP Meeting.

**Finance and Audit Committee Report** – Benjamin Taylor and Kathy Gerhart

- Held its first meeting in this new Bar year on July 24.
- \$4M line of credit with Wells Fargo is up for renewal for one year. After a brief discussion,

**MOTION:** Hector Figueroa moved, Denis Fitzgibbons seconded and the motion carried unanimously to renew the \$4M line of credit with Wells Fargo for one year.

- Financial dashboard Q2:
  - Revenues \$9.7M
  - Expenses \$8.6M
  - Surplus \$1.1M
  - Reserves \$4.5M

**Consent Agenda** – Brian Furuya

- a) Approval of June 25, 2019 Board Meeting Minutes
- b) Approval of Resignations in Good Standing
- c) Approval of Resignations in Lieu of Reinstatement
- d) Approval of Reinstatement of Member(s) Suspended for Non-Compliance with Annual Membership Fee and/or Trust Account Compliance (Rule 32(c)(10) and/or Rule 43, Ariz. R. Sup. Ct.)

President Furuya asked if there was anything that needed to be removed from the Consent Agenda and, hearing nothing, the following motion was made:

**MOTION:** Sam Saks moved, Hector Figueroa seconded and the motion carried unanimously to approve the Consent Agenda.

**Member Services Report** – Lisa Deane

**2019 Convention**

- 1,466 attendees (6% increase over 2018)
  - Texas has 102K active members; 1,600 to 2,500 attend their convention
  - Arizona has 19K active members; 1,466 attended our convention
- 60% male attendees; 40% female (static)
- Senior Lawyers' Breakfast sold out – 199; \$35 for breakfast and all-day Friday programming; 124 attended the seminars

- 58 seminars offered (52 in 2018)
- Conducted focus groups with young lawyer during the Convention to gain insight into what this segment of the Bar wants from this event
- 2020 Convention Co-chairs are Hon. Maria Elena Cruz and Coconino County Attorney William Ring

#### CLE By the Sea

- 303 attendees (293 in 2018)
- Ethics was the largest program

As both of these events just concluded, the financial reports and evaluations are not yet available.

#### **Board Members' Acceptance of Service Authorization Form** – Lisa Panahi

- The General Counsel is the statutory agent for the State Bar and the Board. Currently there is “implied authorization” to accept service on behalf of Board members if they are individually named in a suit. GC Panahi sought explicit, not implied, consent to accept service on their behalf. The proposed authorization form streamlines the process: review of the complaint, notification to the Bar’s insurance carrier, get insurance defense counsel in place.
- In 2018 the Bar had 12 active litigation cases; thus far in 2019 there are 10.
- All Board members present completed, executed and returned their forms.

#### **Correspondence/Reports**

- a) Thank You Letter from CJ Scott Bales
- b) Executive Council Minutes – June 14, 2019

Adjourned at 1:33 p.m.

Respectfully submitted,

Jessica Sanchez  
Secretary/Treasurer