

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1132 Bishop Street, Suite 906
Honolulu, HI 96813

Thursday, June 25, 2009, 12:00 noon

1. CALL TO ORDER

President Rai Saint Chu called the meeting to order at 12:09 p.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Rai Saint Chu
Hugh Jones (by phone)
Louise Ing
Ronette Kawakami
Craig Wagnild

Others Present

James Kawachika
Carol Muranaka
Leslie Patacsil
Bruce Sherman
Jeffrey Sia
Shannon Wack

Directors Present

Darren Ching
Steven Chow
James Dandar
Craig DeCosta (by phone)
P. Gregory Frey
Mark Gallagher
Geraldine Hasegawa
Carol Kitaoka
Derek Kobayashi
Gregory Markham
Alika Piper
Kenneth Robbins
Steven Songstad
Suzanne Terada (by phone)
Damien Elefante

HSBA Staff

Lyn Flanigan
Iris Ito
Debra White

Board Members Absent

Nathan Aipa

2. **APPROVAL OF MINUTES** – Minutes of the May 27th board meeting were approved by consensus.
3. **TREASURER'S REPORT** – Treasurer Craig Wagnild reported that there were no significant changes since last month. HSBA is \$131k ahead of budget for May. Refer to written financials for more detail.
4. **EXECUTIVE DIRECTOR'S REPORT:** Executive Director Lyn Flanigan reported on the following items: a) Leadership Institute - 15 applicants selected; kick-off and ice cream social after today's board meeting; b) MCLE rule - Court will likely promulgate within the next 2 weeks; c) County codes in Casemaker - moving forward with publishing the codes for the Big Island, Maui, and Honolulu; d) New premises - engineers finished with plan; proceeding to get bids from contractors on build-out.
5. **YLD REPORT:** Law Week was a success; proclamations were given by both the Governor and the Mayor. The YLD's annual meeting will be held this year on October 22, 2009, in conjunction with the Senior Counsel Division's annual meeting and CLE programming.
6. **UNFINISHED BUSINESS**
 - a. **Unauthorized Practice of Law** - Jeffrey Sia reported that the ABA sent results of a nationwide survey on UPL. He noted that 27 states have a definition of the practice of law.
 - b. **Annual Fundraiser** - thirteen tables sold to date. Board members strongly encouraged to sell tables/tickets.
 - c. **Update on Access to Justice Commission** - Shannon Wack, co-chair of the Delivery of Legal Services to the Public Committee, reported on the informative Equal Justice Conference she attended in Orlando last month. She stated that the bars in other states are very active in selecting issues that their local AJC will pursue. Ms. Wack also remarked that she gathered materials at the Conference to share with the various AJC committees in Hawaii.

Lyn Flanigan, Director Derek Kobayashi, and others reported on the Access to Justice Conference held on June 24th and ideas that arose in the discussion groups on how to provide equal access to justice. Ideas included: expanding court fees for the ILAF funds; tax credits for those who do pro bono work; information booth at Courts to answer questions from the public.

- d. **Bar Activities in Response to Economic Recession** (see agenda item 6.d.) - FYI only.
- e. **Proposal to Amend Supreme Court Rules 1.4, 1.7, 17(d)6 regarding admission of military attorneys** (see agenda item 6.e. and Exhibit B)

Action taken: A motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee to approve the letter drafted by Director Kobayashi for President Chu's signature to the ABA Legal Assistance for Military Personnel Committee, and to send comments to the Court on the proposed rule amendment.

- f. **Establishment of a Litigation Section** (see agenda item 6.f.) - Board will vote on this in August.
- g. **Guidelines for Affiliated Entities** (see agenda item 6.g.) - FYI only.

7. NEW BUSINESS

a. **Legal Aid Society of Hawaii (LASH) Board Appointments**

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the Nominating Committee to appoint the following individuals to the LASH Board for a 3-year term beginning July 1, 2009: Patrick Gardner, Corianne Lau, Zale Okazaki, Jodi Yamamoto, and George Zweibel. Although there was support for Patrick Gardner to be reappointed, there were also concerns that he lives on the mainland. Maui Director Steven Songstad, who also serves as a LASH Board member, explained that Gardner returns to Hawaii for meetings, has sound reasoning, deep thoughts and keeps people on track.

b. **Proposed Amendments to HSBA Constitution & Bylaws** (see Exhibit D)

Action taken: A motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee to approve the proposed amendments to the Constitution & Bylaws for submission to the membership for adoption at the September 18th annual meeting luncheon.

c. **Slate for HSBA Board Election** (see Exhibit E) - FYI only.

d. **Proposed Rule Amendments re: Minor Misconduct Referral Program** (see agenda item 7.d. and Exhibit F) - James Kawachika presented additional proposed amendments to Rules 2.7 (see handout). The Board agreed that Lyn Flanigan should discuss these additional changes with ODC and report back to the Executive Committee/Board. West Hawaii Director Carol Kitaoka disagreed with the proposed amendments to the minor misconduct rules.

8. **ADJOURNMENT**

The meeting adjourned at 1:35 p.m.

Submitted by:

A handwritten signature in black ink, appearing to read "Lyn Flanigan". The signature is written in a cursive, flowing style.

Lyn Flanigan
HSBA Executive Director

Approved by:

A handwritten signature in black ink, appearing to read "Ronette M. Kawakami". The signature is written in a cursive, flowing style.

Ronette M. Kawakami
HSBA Secretary