

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1132 Bishop Street, Suite 906
Honolulu, HI 96813

Thursday, April 23, 2009, 2:30 p.m.

1. CALL TO ORDER

President Rai Saint Chu called the meeting to order at 2:37 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
Louise Ing
Ronette Kawakami (by phone)
Craig Wagnild

Directors Present

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

Board Members Absent

Nathan Aipa
Craig DeCosta
Gregory Markham
Suzanne Terada

Others Present

James Kawachika
Catherine Levinson
Carol Muranaka
Yvonne Shinmura

HSBA Staff

Lyn Flanigan
Iris Ito
Debra White

2. **APPROVAL OF MINUTES** – Minutes of the March 19th board meeting were approved by consensus.
3. **TREASURER’S REPORT** – Treasurer Craig Wagnild reported that HSBA is approximately \$80,000 ahead of budget for total income. This is due primarily to the Access to Justice Commission not filling their staff position and penalties collected from members on attorney renewal. On the expense side, we are approximately \$15,000 under budget making the bottom line ahead of budget by about \$95,000. He noted that the \$11,000 shortfall under Premises Assessment will likely be made up by year end.
4. **EXECUTIVE DIRECTOR’S REPORT:** Executive Director Lyn Flanigan reported on the following items: a) CLE Calendar - “Surviving the Crash” CLE with a national speaker; b) Leadership Institute - program to start in June; c) Member Benefits - additional programs being added; d) CPR - staff was recently trained and certified; e) Member Surveys - judicial evaluation survey from the Judiciary and bar directory survey will be deployed soon; f) Pro Bono and Malpractice Insurance Reports - hours reported decreased slightly from last year; g) Hawaii U.S. Attorney - President Obama will nominate a person for this position soon. President Chu will inform Senator Inouye’s office that HSBA is ready and willing to participate in this process (bylaws require HSBA to comment).
5. **YLD REPORT:** YLD President Damien Elefante reported that volunteers are needed to staff the Law Week legal clinics at Don Quijotes on Oahu, Maui, and Big Island on May 2nd.
6. **UNFINISHED BUSINESS**
 - a. **Update on Premises Acquisition** (see agenda item 6.a.) - a blessing will be scheduled, possibly after the May 27th board meeting.
 - b. **Legislative Bills** (see agenda item 6.b.)
 - c. **Annual Fundraiser** - Volunteers are needed for Saturday, August 29th fundraiser dinner. Tickets will be \$110.
 - d. **Update on Access to Justice Commission** - HSBA Board is invited to attend the Access to Justice Summit on June 24th at the law school.
7. **NEW BUSINESS**
 - a. **Nominations for Pro Bono/Service Award** (see agenda item 7.a.).

Action taken: A motion was made, seconded, and carried without opposition to ratify the selection of Elizabeth Paek for the next Pro Bono/Service Award for her pro bono work and community service.

b. **Senior Counsel Division** (see agenda item 7.b.)

Action taken: A motion was made, seconded, and carried without opposition to approve the Senior Counsel Division bylaws with a minor revision to clarify the language that SCD may make amendments to their bylaws with approval by the HSBA Board. The kick-off for SCD is planned for June 9th, 12 noon, with a speaker from the Lincoln Library.

c. **HSBA Requirements for Renewal** (see agenda item 7.c. and Exhibit B) -

Action taken: A motion was made, seconded, and carried without opposition to adopt the Executive Committee's recommendation to require email addresses from HSBA members for the purpose of online notices for attorney renewal, board elections, Supreme Court rule amendments, and other important information. Two items to be later discussed: extending attorney renewal deadline to January 31st and a charge for members who require a paper renewal form rather than going online.

d. **Bar Activities in Response to Economic Recession** (see agenda item 7.d. and Exhibit F) - President-elect Hugh Jones raised the subject of developing programs for members and the public to assist in addressing issues for those who have been affected by the recession. Ideas he suggested included job skills training for unemployed attorneys, networking opportunities, information on dealing with the economic crisis developed by HSBA Sections and posted on the website, etc.

President-elect Jones stated that he would like to see an Economic Resource Recovery Committee be established to address these issues and present recommendations to the Board. He and Directors Alike Piper, Derek Kobayashi, and YLD President Elefante agreed to serve on this committee. The Real Property, Collection Law, and Bankruptcy Law Sections will be asked to provide their expertise.

e. **Fees for New Admittees** (see agenda item 7.e. and Exhibit G)

Action taken: A motion was made, seconded, and carried without opposition to adopt the Executive Committee's recommendation to maintain the 2009 dues structure throughout the 2009 year.

f. **UPL on Craigslist** (see agenda item 7.f. and Exhibit H) - the Board decided that it would be appropriate to forward this item to the Department of the Attorney General.

g. **Proposal to Amend Supreme Court Rules 1.4, 1.7, 17(d)6 regarding admission of military attorneys** (see agenda item 7.g. and Exhibit I) - Director Kobayashi commented that the proposed amendments to the Hawaii rule does not preclude a military attorney, who has been accorded limited admission to practice in Hawaii, from continued membership in HSBA. He also noted that Hawaii's proposed rule is missing the termination provision that is included in Mississippi's rule.

President-elect Jones and Director Kobayashi agreed to come up with a comparison of the proposed Hawaii rule and the Mississippi rule before the May Executive Committee meeting.

- h. **Establishment of a Litigation Section** (see agenda item 7.f. - Board members Mark Gallagher, James Dandar, and Kenneth Robbins agreed to serve on a committee, along with Cori Lau, Peter Lenhart, and Chuck Crumpton, and Jack Schwiebert to establish a Litigation Section.

8. **REPORTS for FEBRUARY**

Strategic Planning - Member online survey on Bar Directory to be sent to members shortly.

9. **ADJOURNMENT**

The meeting adjourned at 4:17 p.m.

Submitted by:



Lyn Flanigan
HSBA Executive Director

Approved by:



Ronette M. Kawakami
HSBA Secretary

*Addendum to agenda.