

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1132 Bishop Street, Suite 906
Honolulu, HI 96813

Thursday, July 16, 2009, 12:00 noon

1. CALL TO ORDER

President Rai Saint Chu called the meeting to order at 12:10 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)
Ronette Kawakami (by phone)
Craig Wagnild

Others Present

James Kawachika
Catherine Levinson
Carol Muranaka
Bruce Sherman
Jeffrey Sia

Directors Present

Darren Ching
James Dandar
P. Gregory Frey
Geraldine Hasegawa
Carol Kitaoka
Derek Kobayashi
Gregory Markham
Alika Piper
Lauren Sharkey
Steven Songstad

HSBA Staff

Lyn Flanigan
Iris Ito
Debra White

Board Members Absent

Louise Ing
Steven Chow
Craig DeCosta
Mark Gallagher
Kenneth Robbins
Suzanne Terada
Damien Elefante

2. **APPROVAL OF MINUTES** – Minutes of the June 25th board meeting were approved by consensus.
3. **TREASURER’S REPORT** – Treasurer Craig Wagnild referred to the income statement and reported no significant changes since last month. He noted that dues income was \$40k greater than budgeted primarily from penalties assessment and that the variance on payroll was due to an unfilled position earlier in the year. Refer to written financials for more detail.
4. **EXECUTIVE DIRECTOR’S REPORT:** Executive Director Lyn Flanigan reported on the following items: a) MCLE - Court’s rule does not include a carryover of 2009 credits; b) Annual fundraiser - concern over low attendance prompted discussion on whether to cancel if certain number not met by certain date; c) Access to Justice - Justice Simeon Acoba will attend future board meeting to discuss Commission’s proposals; d) Premises - the 3 contractor candidates have all worked with class A buildings and with HSBA’s hired designer and project manager. It was suggested that bar members be asked for their input on what might be helpful to them in the new premises and that updated information be posted on the website including the floor plan. See written report for other HSBA activities.
5. **UNFINISHED BUSINESS**
 - a. **Unauthorized Practice of Law** (see agenda item 6.a.) - The Board agreed the issue a resolution to recognize Jeffrey Sia for his tireless work and efforts on this issue.
 - b. **Bar Activities in Response to Economic Recession** (see agenda item 6.b.) - FYI only.
 - c. **Establishment of a Litigation Section** - Board will vote on this in August.
 - d. **Guidelines to Determine an Affiliated Entity** - Proposal will be presented at the next Executive Committee meeting.
 - e. **Proposed Rule Amendments re: Minor Misconduct Referral Program** (see agenda item 6.e.)

Action taken: A motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee to approve of the proposed rule amendments to Rules 2.7 and 2.8 of the Rules of the Supreme Court regarding a mentor’s privilege not to disclose confidential information.

6. **NEW BUSINESS**

- a. **Acceptance of Resignation of Nathan Aipa; Appointment of Director**
(see agenda item 7.a.)

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the Executive Committee to appoint the unsuccessful candidate who received the highest number of votes in the last election be appointed to serve the remainder of the resigning director. Lauren Sharkey was appointed to fill the remainder of Nathan Aipa's term.

- b. **Reporting Procedures for HSBA Sections** (see agenda item 7.b. and 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. **Rule of Law Issue in Fiji** (see handout) - President Chu reported that the ABA will likely take up this issue at the Annual Meeting in August and encouraged the Board to take action on it also.

Action taken: A motion was made, seconded, and carried without opposition to pass a resolution that in essence supports an independent judiciary and the rule of law in Fiji.

7. **ADJOURNMENT**

The meeting adjourned at 1:39 p.m.

Submitted by:



Lyn Flanigan
HSBA Executive Director

Approved by:



Ronette M. Kawakami
HSBA Secretary