

**MEETING OF THE
BOARD OF GOVERNORS
OF THE
STATE BAR OF ARIZONA**

May 19, 2023

BOARD MEMBERS PRESENT: Jessica Sanchez, President, Mesa; Benjamin Taylor, President-Elect, Phoenix; Ted Schmidt, Vice President, Tucson; Sam Saks, Secretary/Treasurer, Tempe; Diandra Benally, Fountain Hills; Sandra Bensley, Tucson; Nicholas Brown, Phoenix; Jena Decker-Xu, Phoenix; Denis Fitzgibbons, Casa Grande; Kelsi Lane, Phoenix; Robert McWhirter, Phoenix; John Moody, Phoenix; Jennifer Rebholz, Board Advisor, Phoenix; David Rosenbaum, Phoenix; Eric Ruchensky, Flagstaff; Jimmie Dee Smith, Yuma; Public Governors Robyn Austin, Tucson, Cedric Dave, Chandler, Mignonne Hollis, Sierra Vista; At-Large Governors Mike Baumstark, Scottsdale, Doreen McPaul, Gilbert, and Marcus Reinkensmeyer, Phoenix.

BOARD MEMBERS WITH EXCUSED ABSENCES: Leticia Marquez, Tucson; Preston Pollock, Globe; Chris Russell, Sierra Vista.

BOARD MEMBERS WITH UNEXCUSED ABSENCES: Public Member Jonathan Martone, Paradise Valley.

STAFF: Deanna Commack, Executive Assistant; Tim Eigo, Editor; Joel England, CEO/Executive Director; Sarah Epperson, Ethics Counsel; Kathy Gerhart, Chief Financial Officer; Joe Hengemuehler, Chief Communications Officer; Trish McCarty, HR Director; Lori Maxwell, Chief Information Officer; Darla Neill, Board Administrative Assistant; Rick Palmatier, Deputy General Counsel; Lisa Panahi, General Counsel; Carrie Sherman, Director of Board Operations; Maret Vessella, Chief Bar Counsel.

GUESTS: Victoria Ames, ASU College of Law; Hon. David Johns, Governor-elect, District 1, Flagstaff; William Montgomery, Arizona Supreme Court Liaison; Elizabeth Schmitt, YLD President-elect, Phoenix; and Cortez Smith, Public Governor-elect, Casa Grande; Lean Won, UA College of Law.

Call to Order – Jessica Sanchez

President Sanchez called the meeting to order at 8:32 am.

Call to the Public – Jessica Sanchez

President Sanchez made a Call to the Public and hearing nothing, moved on to the next item on the agenda.

President's Report – Jessica Sanchez

- Presented at three Appellate Court, Division Two, investitures:
 - April 21 – Judge Lacy Stover Gard
 - April 28 – Judge Michael Kelly
 - May 5 – Judge Christopher O'Neil

- Attended AAABA Banquet April 20; the Board is invited to these affinity bar events and the Bar's leadership was encouraged to participate
- Keynote at AMBA Banquet April 28
- Presented at the Annual BLI Graduation May 5; another great class of leaders!

CEO/ED's Report – Joel England

- Requested topic ideas for the upcoming retreat
- Attended the collaborative bar working group meeting
- ABA Outcomes Group has 10+ goals and are already halfway to researching them all; will share developing metrics/standards for bar associations

Access to Justice – Joe Hengemuehler

- Access to Justice Initiatives 2023 (to date):
 - Law Day (State Bar legal clinic) April 13: volunteer attorneys assisted 83 members of the public
 - Veterans Stand Down event April: 17 volunteer attorneys assisted 83 members of the public
 - May "Let Joe Know" legal help hotline on ABC15 (landlord tenant issues): 9 volunteer attorneys assisted 164 members of the public
 - In all of calendar year 2022 the State Bar's various legal help clinics assisted 831 members of the public. To date, in 2023, that number stands at 1,119, a 34% increase.
 - Next event 6/21 on Elder Law
- Good marketing, reach and frequency
 - Video
 - Social media

Mark Harrison Memorial 10-Minute Topics – Bob McWhirter

- Presentation entitled *History, Judicial Ethics, and Impeachment*

Appointments Committee – Ted Schmidt

- City of Scottsdale Judicial Appointments Advisory Board - The Appointments Committee met on May 9th and screened the two new applications and the one previous application and received due diligence reports on each candidate. Voted to recommend the following ranked slate of candidates:
 - Ms. Tricia Schafer, Vitality Law PLLC
 - Ms. RoseMarie Ramirez Horvath, City of Phoenix Law Department
 - Mr. Michael F. Ruppert, Loose Law Group PC

MOTION: A motion was made, seconded and carried unanimously to accept the Committee's recommendation to submit the 3 ranked names to the Scottsdale City Council.

- Client Protection Fund Board of Trustees - The Appointments Committee met on May 9th and screened the three new applications and the one previous application and received due diligence reports on each candidate. Voted to recommend the ranked slate to the Board of Governors for its consideration and ultimate appointment:

Ms. Patty Chan, United States Trustee
Ms. Sandra Etherton (incumbent), Etherton Law Group LLC

MOTION: Bob McWhirter move, Benjamin Taylor seconded and the motion carried unanimously to move into Executive Session. After discussion the Board returned to Open Session.

MOTION: A motion was made, seconded and carried over one opposition to appoint Patty Chan to the CPF Board of Trustees. President Sanchez indicated that she would reach out to the incumbent to explain the Board's action in this matter, affirming that it had nothing to do with the incumbent's service.

Consent Agenda – Jessica Sanchez

President Sanchez asked if there were any matters that needed to be removed from the Consent Agenda and hearing nothing,

MOTION: Bob McWhirter moved, John Moody seconded and the motion to approve the Consent Agenda carried unanimously.

- Approval of April 14, 2023 Board Meeting Minutes
- Approval of Resignations in Good Standing
- Approval of reinstatement of Member(s) Suspended for Non-Compliance with Annual Membership Fees and/or trust Account Compliance

Bar-Related Legislation - Joel England, Janna Day, Joe Hengemuehler

- SB 1092 failed to pass.
- SB 1435 passed along party lines. CEO England sent a letter to Gov. Hobbs urging her to veto the bill and is optimistic that she will. He explained that there was a technical issue requiring the bill be sent back to the Senate to correct and therefore it may not be submitted to the Governor until mid-June. There was much discussion regarding the reasons and strategies leading to these results with Lobbyist Janna Day. Constitutional issues had been raised as the bill was moving through the legislative process. Lisa Panahi indicated she will reach out to attorney Mary O'Grady who has provided the Bar counsel in the past.

MOTION – Benjamin Taylor moved, Bob McWhirter seconded and the motion carried unanimously to move into Executive Session at 9:28 a.m. for legal questions. After discussion the Board returned to Open Session at 9:54 a.m.

Requested Forms Due by May 19 – Jessica Sanchez

President Sanchez asked the Board members to execute and return the following to staff:

- RSVP for Board Retreat July 20-21
- Board of Governors Oath
- Board of Governors Code of Conduct
- Board of Governors Conflict of Interest Disclosure Statement

Correspondence/Reports (information)

- April 3, 2023 Executive Council Minutes
- Court of Appeals Letter

ADJOURNMENT - 9:56 a.m.

Respectfully submitted,

Sam Saks
Secretary/Treasurer