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

High Country Conference Center
August 19, 2022
Flagstaff, AZ

BOARD MEMBERS PRESENT: Jessica Sanchez, President, Mesa; Benjamin Taylor,
President-Elect, Phoenix; Sam Saks, Secretary/Treasurer, Tempe; Diandra Benally, Fountain
Hills; Sandra Bensley, Tucson; Sharon Flack, Prescott; Robert McWhirter, Phoenix; John
Moody, Phoenix; Preston Pollock, Payson; Jennifer Rebholz, Board Advisor, Phoenix; David
Rosenbaum, Phoenix; Eric Ruchensky, Flagstaff; Public Governors Cedric Dave, Chandler, and
Mignonne Hollis, Sierra Vista; At-Large Governors Dave Byers, Phoenix, and Doreen McPaul,
Window Rock; Ex-Officio Governor Dean Marc Miller, UA Law School.

EXCUSED ABSENCES: Ted Schmidt, Vice President, Tucson; Jenna Decker-Xu, Phoenix;
Denis Fitzgibbons, Casa Grande; Kelsi Lane, Phoenix; Leticia Marquez, Tucson; D. Christopher
Russell, Sierra Vista; Jimmie Dee Smith, Yuma; YLD President Nicholas Brown, Phoenix; Public
Governors Robyn Austin, Tucson, and Jonathan Martone, Paradise Valley; At-Large Member
Mike Baumstark.

STAFF: Deanna Commack, Executive Assistant; Joel England, CEO/Executive Director; Joe
Hengemuehler, Chief Communications Officer; Lori Maxwell, Chief Information Officer; Lisa
Panahi, General Counsel; Carrie Sherman, Director of Board Operations; Roberta Tepper, Chief
Member Services Officer; Maret Vessella, Chief Bar Counsel; Rachel Williams, HR Director.

GUESTS: Hon. William Montgomery, Arizona Supreme Court Liaison; Victoria Ames, ASU
College of Law Liaison; Leah Won, UA College of Law Liaison.

President Jessica Sanchez called the Board meeting to order at 12:48 p.m.

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
• Attended:
  ➢ the National Conference of Bar Presidents Meeting in Chicago August 4-6; excellent
    programming; potential State Bar Convention speaker identified
  ➢ the House of Delegates Meeting immediately following also in Chicago August 7-9;
    appointed by the Board to serve as an At-Large Delegate for this meeting; no major
    debates regarding the proposed Resolutions

CEO’s Report – Joel England
• Thank you for attending the Retreat.
Survey re: Legal Ethics – Joel England

- Received a request from a law professor in Toronto to survey our members on legal ethics
- **MOTION:** After a brief discussion, David Rosenbaum moved, Eric Ruchensky seconded and the motion carried unanimously to approve the circulation of the proposed survey on legal ethics.
- The Communications Team is to determine when to release the survey so it does not complete with any other approved surveys.

Program Review Working Group – Sharon Flack

- The Executive Council asked the Working Group to look at malpractice insurance for Active Members and LPs; according to the fees statements only 86% have coverage
- Gathered data from the ABA; Idaho and Oregon are the only two jurisdictions with mandatory coverage; 22 jurisdictions don’t require their members to disclose anything about whether they have coverage; Arizona does and that is included on the website
- Working Group’s recommendation:
  ➢ 1) educate the public and members about the importance of having coverage
  ➢ 2) engagement/fee agreements should disclose whether the attorney has coverage
    - The Executive Council suggested that only those attorneys who do not have coverage be required to inform their potential clients accordingly
- **MOTION:** Sam Saks moved, David Rosenbaum seconded and the motion carried unanimously to direct staff to 1) draft a proposed Rule change for the Rules Review Group to consider and 2) develop a public relations campaign as recommended.

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:** David Rosenbaum moved, John Moody seconded, and the motion to approve the Consent Agenda passed unanimously:
  a) Approval of June 27, 2022 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 Fees and/or Trust Account Compliance (Rule 32(c)(10) and/or Rule 43, Ariz. R. Sup. Ct.)
  e) Approval of Summary Suspension – Failure to Complete Professionalism Course
  f) Extension Request of Pilot Mentor Program

Finance and Audit Committee – Joel England

- CEO provided 2Q update on financials. Projecting surplus over that budgeted largely due to higher than expected CLE revenue.

State Bar Bylaws – Lisa Panahi

- The bylaws are to be reviewed every three years
• President Rebholz had appointed a Bylaws Review Working Group which has completed its charge; proposed changes reviewed by the Executive Council
• Proposed modifications are non-substantial; most significant change is Bylaw 9.09 regarding prohibition of “teleconferencing” at Board meetings (suspended since the onset of the pandemic); proposed new 9.09:
  ➢ “Virtual Attendance. Participation and voting remotely shall be permitted at any meeting of the Board designated as a virtual or hybrid meeting by the president, or with consent of the president.”
• Thirty-day notice required prior to the Board voting on bylaw changes; vote at September meeting

Adjournment: John Moody moved, David Rosenbaum seconded, and the motion carried unanimously to adjourn the meeting at 1:05 p.m.

Respectfully submitted,

Sam Saks
Secretary/Treasurer