

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1100 Alakea Street, Suite 1000
Honolulu, HI 96813

Thursday, September 24, 2015

A. **CALL TO ORDER**

President-elect Jodi Yi called the meeting to order at 12:01 p.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Jodi Yi
Nadine Ando
Russ Awakuni
Mark M. Murakami*

Others Present

Peter Carlisle
James Kawachika
David Louie

Directors Present

Brian Black
Cecelia Chang
Rebecca Copeland
Vladimir Devens
Rhonda Griswold
Geraldine Hasegawa
Karin Holma
Carol Kitaoka
Derek Kobayashi
Mei-Fei Kuo
Georgia McMillen
Mark K. Murakami
Miriah Holden - YLD President

HSBA Staff

Patricia Mau-Shimizu
Iris Ito
Debra White
Christina Bae

Board Members Absent

Steven Chow^x
Laurel Loo^x
Gregory Markham^x
Alika Piper^x

*Present after item B.1. was voted upon.

^xExcused Absence.

B. ADDENDUM TO AGENDA - New Business

1. **Medical Marijuana Dispensaries Act 241** - President-elect Jodi Yi explained that this item was included on the agenda to discuss the broader issue of the practice of law and not for the purpose of discussing the merits of the medical marijuana dispensaries Act 241, and to consider the request from HSBA Past President and former Attorney General David Louie and former Mayor and Prosecutor Peter Carlisle requesting the Hawaii Supreme Court to expeditiously review the letters sent to the Court by Mr. Louie (and others) and Mr. Carlisle.

Mr. Louie and Mr. Carlisle clarified their respective requests and asked for the Board to urge the Hawaii Supreme Court to review their letters and to take action. They reiterated that they were not asking the Board to advocate for their position, but only to ask the Court to review their letters and to act quickly.

It was also noted that Director Derek Kobayashi had signed onto Mr. Louie's letter in his individual capacity and not as an HSBA Board member.

Action taken: A motion was made and seconded to ask the Hawaii Supreme Court to review the requests made by HSBA members concerning Formal Opinion No. 49 of the Disciplinary Board (medical marijuana dispensaries) and respond expeditiously. After discussion, the motion was carried by a vote of 12 to 2. Director Cecelia Chang recused herself from voting.

- C. **APPROVAL OF MINUTES** - A motion was made, seconded, and carried without opposition to approve the minutes of the August 28, 2015 Board meeting.

- D. **EXECUTIVE DIRECTOR'S REPORT** - Executive Director Patricia Mau-Shimizu reported on the following items:

- Credit Card Fees - Board members were made aware of the costs incurred by HSBA for the 2015 attorney renewal process which includes fees collected for the Disciplinary Board, AAP, LFCP, and VLSH.
- Avaya Phone System - Plans being made for the implementation of the new phone system for the office. HSBA was able to secure the same discount that was offered earlier in the year.

- E. **TREASURER'S REPORT** - Treasurer Mark M. Murakami reported that dues receipts are above budget, and expenses are below budget. He also noted that the acquisition loan balance is \$1.4M.

- F. **YLD PRESIDENT'S REPORT** - YLD President Miriah Holden reported on the following items:

- Project Street Youth, to help homeless teens in Waianae with various legal issues, was not as well attended as anticipated. The backpacks donated by the ABA which were filled with toiletries and snacks were accepted.
- Junior Judges will be held October 19-23. Attorney volunteers are needed to fulfill 70 requests from schools statewide.

- G. **UNFINISHED BUSINESS** - none.

H. NEW BUSINESS

2. **YLD Delegate in the ABA House of Delegates** - Ms. Holden reported that funding methods of other bar associations that have a YLD Delegate in the House of Delegates vary: provide full funding; partial funding; no funding. However, she did note that the ABA will reimburse delegates for travel to the ABA Midyear Meeting, but not to the ABA Annual Meeting.

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the Executive Committee to approve of a YLD member to the ABA House of Delegates. The YLD will propose procedures for selection of a YLD representative and funding options for the HSBA Board's approval.

3. **Appointment/Reappointment to Hawaii State Board of CLE (aka MCLE Board)** - The recommendation of the Nominating Committee was distributed to Board members at the meeting.

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the Nominating Committee to reappoint the following individuals for a 3-year term beginning October 2, 2015: David Farmer, Judith Pavey, and Diane Sherman.

4. **2016 Budget of the Attorneys and Judges' Assistance Program**

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the joint Executive-Finance Committee to concur with the proposed 2016 budget of the Attorneys and Judges Assistance Program.

5. **2016 Budget of the Lawyers' Fund for Client Protection**

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the joint Executive-Finance Committee to concur with the proposed 2016 budget of the Lawyers' Fund for Client Protection.

6. **2016 Budget of the Disciplinary Board** - Having received informal information earlier that the Disciplinary Board would need to raise its fees for members to continue its operations, it was anticipated that the Disciplinary Board's proposed 2016 budget would include an increase.

The HSBA Board discussed at length the \$85 and \$70 fee increases for active and inactive members, respectively. Board members were troubled over the impact this would have particularly over solo practitioners and government attorneys. They also expressed concern over the Disciplinary Board's deficit budgeting, consistent use of reserves to cover the deficit, and lack of plan to address the deficit spending.

Action taken: After much discussion and several friendly amendments, a motion was made, seconded, and carried without opposition to inform the Disciplinary Board of its concerns over its proposed 2016 budget, notably the \$85 increase in fees for Active members and \$70 increase in fees for Inactive members of the HSBA.

7. **2016 Budget of the HSBA Sections**

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendation of the joint Executive-Finance Committee to approve the proposed 2016 budget and dues amount of the HSBA Sections.

I. **ADJOURNMENT**

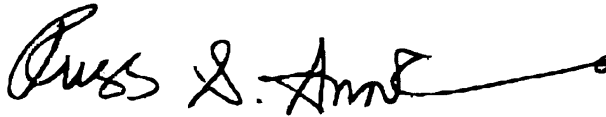
The meeting adjourned at 1:21 p.m.

Submitted by:



Patricia Mau-Shimizu
HSBA Executive Director

Approved by:



Russ S. Awakuni
HSBA Secretary