

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1100 Alakea Street, Suite 1000
Honolulu, HI 96813

Thursday, August 23, 2012

1. **CALL TO ORDER**

President Carol Muranaka called the meeting to order at 12:03 p.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Carol Muranaka
Craig Wagnild
Calvin Young
Ronette Kawakami
Jodi Yi

Directors Present

Nadine Ando
Russ Awakuni
Steven Chow
Vladimir Devens
David Farmer
Rhonda Griswold
Geraldine Hasegawa
Carol Kitaoka
Derek Kobayashi
Laurel Loo
Gregory Markham
Timothy McNulty
Alika Piper
Suzanne Terada
John Roth (by phone)

Board Members Absent

Mark Murakami

Others Present

Cheryl Kakazu

HSBA Staff

Patricia Mau-Shimizu
Iris Ito
Debra White
Levi Ho'okano
Julie Yang

2. **YLD REPORT** - At the request of President John Roth, Levi Hookano, HSBA Director of Programs, explained the request to consider submitting an application to host the Spring 2015 ABA YLD Meeting in Honolulu. The application is the initial phase of the host state/city selection process of the national YLD.

On another matter, YLD President Roth requested that a reallocation of \$1000 budgeted for 2012 for the Junior Judges program be made to the 2012 Project Salute program.

The Junior Judges program will not be held this calendar year. With the transfer of excess funds from May 2012 Law Week activities approved previously (\$1,100), a grant obtained (\$1,000), and 2012 funds originally budgeted (\$1,300), funds available for expenditure by the 2012 Project Salute program is estimated to be \$4,400.

Action taken: A motion was made, seconded, and carried without opposition to reallocated \$1000 of the Junior Judges funds for this year towards Project Salute.

3. **MATERIALS FROM NINTH CIRCUIT JUDICIAL CONFERENCE** - President Muranaka circulated conference materials for board members to review. The materials are on file in the Executive Director's office.
4. **TREASURER'S REPORT** - Treasurer Jodi Yi reported that as of July 31, 2012, income from penalties was greater than anticipated. This will more than offset credit card expenses which were greater than budgeted. She also noted that the first half of the loan refinancing fees are reflected in the July financials. The loan fees will be offset during the year by reduced loan payments.

5. **UNFINISHED BUSINESS**

- a. **Proposed Rule Amendments**

- 1) **Rule 17(d)(6)(i)**

Action taken: A motion was made, seconded, and carried without opposition to inform the Hawaii Supreme Court that the HSBA takes no position on proposed amendments to Rule 17(d)(6)(i), and that no member comments were received by the HSBA on the proposed amendments.

- 2) **Rule 2.16(f) and Rule 10.3**

Action taken: A motion was made, seconded, and carried without opposition to inform the Hawaii Supreme Court that the HSBA takes no position on proposed amendments to Rules 2.16(f) and 10.3, and that no member comments were received by the HSBA on the proposed amendments.

b. **2013 Budget - Goal Groups**

Action taken: After review and discussion, a motion was made, seconded, and carried without opposition to approve the proposed 2013 Goal Group budget as recommended by the Finance and Executive Committees except for expenditure levels for the Bench-Bar Conference and Neighbor Island Oral Arguments which will be further discussed and considered at the September Board meeting.

6. **NEW BUSINESS**

a. **2012 HSBA Awards**

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendations of the Awards Committee for presentation of the following HSBA awards at the annual meeting luncheon at the Bar Convention:

- C. FREDERICK SCHUTTE AWARD for service towards the legal profession: Justice James E. Duffy, Jr. (retired)
- CHAMPION FOR SOCIAL JUSTICE AWARD for courageous legal work: M. Victor Geminiani
- 'IKENA AWARD for legal education: Calvin E. Young
- PRESIDENT'S AWARD: Justice Simeon R. Acoba and James Kawashima.

b. **Proposed Amendments to RSCH 22 regarding Continuing Legal Education**

The HSBA Committee on Continuing Legal Education submitted a proposal for consideration which would:

- Delete references to "MCPE" and "VCLE"
- Require members to complete 12 credit hours of approved CLE over a two year reporting period
- Require that no less than 2 of the required 12 credit hours consist of ethics

The Board discussion noted the following:

- What is the HSBA Board process or procedure for the disposition of a Committee's proposal to propose amendments to Supreme Court Rules?
- Should the HSBA membership be advised of the Committee's proposal? How and when should the HSBA membership be advised?
- The proposal to increase CLE credit hours is consistent with CLE requirements in other states; would preserve the Supreme Court's regulation of the Bar; and broaden the types of CLE members may take to fulfill requirements

- The proposal should be referred to the Supreme Court's Commission on Professionalism, which made the original CLE requirement recommendation, for review and consideration
- Should the current CLE credit hours requirement be increased?
- Rationale for the reduction of ethics from three credits to two credits?

It was noted that the MCLE Board via Chair Judith Pavey had previously transmitted a letter to the Supreme Court in March of this year noting the Board's difficulty in its review of provider applications and the award of MCPE and/or VCLE credit hours, and requesting clarification assistance.

Action taken: After further discussion, a motion was made, seconded, and carried without opposition to forward to the Supreme Court's Commission on Professionalism the HSBA CLE Committee's proposed amendments to Rule 22 and additional information materials with a request for review and consideration. The Board also agreed to inform HSBA members of the Rule 22 review request.

c. **Maui Self-Help Center - Memorandum of Understanding**

Action taken: A motion was made, seconded, and carried without opposition to approve the Memorandum of Understanding between the Second Circuit Court, the Maui County Bar Association, the Legal Aid Society of Hawaii, and the HSBA regarding the operation and administration of the Maui Self Help Center.

d. **Ninth Circuit Judicial Conference**

Action taken: A motion was made, seconded, and carried without opposition to approve the reimbursement of unanticipated expenditures, including a registration fee, which President Muranaka incurred while attending the Ninth Circuit Judicial Conference.

*e. **Invitation for HSBA to Co-Sponsor 12-Hour Collaborative Divorce Law Training**

Action taken: A motion was made, seconded, and carried without opposition to approve the co-sponsorship in name only of the Collaborative Divorce Law Training in mid-November being presented by the Collaborative Divorce Hawaii Practice Group.

7. **APPROVAL OF MINUTES** - approval of the July board meeting minutes was deferred until the September meeting to allow the Board sufficient time to review further revisions that are being proposed to the July minutes.

*Addendum to Agenda

8. **ADJOURNMENT**

The meeting adjourned at 2:08 p.m.

Submitted by:

A handwritten signature in black ink, appearing to read 'Patricia Mau-Shimizu', written in a cursive style.

Patricia Mau-Shimizu
HSBA Executive Director

Approved by:

A handwritten signature in black ink, appearing to read 'Ronette M. Kawakami', written in a cursive style.

Ronette M. Kawakami
HSBA Secretary