

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1100 Alakea Street, Suite 1000
Honolulu, HI 96813

Thursday, September 26, 2013

A. **CALL TO ORDER**

President Craig Wagnild called the meeting to order at 12:00 p.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Craig Wagnild
Calvin Young
Gregory Markham
Alika Piper
Ronette Kawakami

Directors Present

Nadine Ando
Russ Awakuni
Cecelia Chang
Steven Chow
Vladimir Devens
Rhonda Griswold
Geraldine Hasegawa
Carol Kitaoka
Derek Kobayashi
Laurel Loo
Mark Murakami
Suzanne Terada

Board Members Absent

Malcolm Barcarse
Stephanie Rezents
David Farmer
Timothy McNulty

Others Present

Ryan Hamaguchi
Daisy Hartford
Lisa Johnson
Dew Kaneshiro
James Kawachika
Carol Muranaka
Ted Pettit

HSBA Staff

Patricia Mau-Shimizu
Iris Ito
Debra White
Levi Ho'okano
Angela Sablan Tenorio

*F. **UNFINISHED BUSINESS**

3. **Proposed 2014 Projects - Civics Education Committee** - Civics Education Committee Co-Chair Ted Pettit, on behalf of the Committee, asked the Board to leave in the \$20 opt-out choice on the 2014 attorney renewal registration form for civics education projects. He noted that leaving it in would be a powerful statement to members about the importance of civics education to the HSBA. Mr. Pettit further thanked the Board for the \$10,000 budget for 2014 civics education projects and gave an overview of the 2013 projects and those being planned for 2014 and 2015.

Board members asked questions on the dollar amount needed to commit to its planned projects, whether it considered applying to the HSBF for funding, and whether it looked at other options to cut costs. Director Carol Kitaoka, also a Civics Education Committee member, stated that the DOE is not funding any civics education projects, so the Committee cannot rely on that source of funding. She also said that they have looked at other ways to cut costs for a potential voter registration project.

Volunteer Legal Services Hawaii Executive Director Dew Kaneshiro noted that the opt-out choice on the attorney renewal form is the only source of stable funding that VLSH receives on an annual basis. She felt that continuing to have another item on the opt-out choice would dilute the dollar amount being contributed to VLSH.

Action taken: A motion was made and seconded to include civics education projects as a \$20 opt-out choice on the 2014 attorney renewal form. The motion failed to carry.

A second motion was made, seconded and carried by a vote of 14 to 1 to include civics education projects as a \$20 opt-in choice on the 2014 attorney renewal form.

A third motion was made and seconded to include Legal Aid Society of Hawaii (LASH) as an opt-in choice on the 2014 attorney renewal form. The motion failed to carry.

During the discussion on the LASH motion, Board members commented that there are existing budget procedures for HSBA committees and divisions for the submittal of their funding requests, so these procedures should be followed. Director Mark Murakami commented further that he prefers that HSBA committees work within the HSBA budget procedures in the future, and that he would not be advocating or agreeing to a similar opt-in choice for the Civics Education Committee next year. Secretary Ronette Kawakami offered a comment in agreement.

*Item taken out of order due to the presence of guests

- B. **APPROVAL OF MINUTES** - A motion was made, seconded, and carried without opposition to approve the minutes of the August 22, 2013 board meeting.
- C. **TREASURER'S REPORT** - Treasurer Alika Piper stated that the July financials will be distributed at the Annual Meeting at the Bar Convention scheduled for September 27th at the Hilton Hawaiian Village.
- D. **EXECUTIVE DIRECTOR'S REPORT** - Executive Director Patricia Mau-Shimizu reported that the net forecast for the August 24th Annual Dinner is \$67,000-\$68,000. Program Director Levi Hookano reported that the Bar Convention expects 433 attendees, speakers, and special guests; 24 exhibitors; and keynote speaker Gus Lee discussing "leadership with pono."
- E. **YLD PRESIDENT'S REPORT** - YLD President Malcolm Barcarse was not present.
- F. **UNFINISHED BUSINESS** (continued)

- 1. **Proposed 2014 Section Budgets**

Action taken: A motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee to approve the proposed 2014 budgets of the remaining HSBA Sections (Corporation Counsel; Intellectual Property & Technology; Litigation).

- 2. **Proposed 2014 Projects - Bench/Bar Conference**

Action taken: A motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee to budget \$5,000 for the 2014 Bench-Bar Conference.

- G. **NEW BUSINESS**

- 4. **Proposed 2014 Attorneys and Judges Assistance Program Budget** -

Treasurer Alika Piper noted that AAP is not requesting an increase in their fees which is \$34 for Active members and \$18 for Inactive members. President Wagnild noted that the AAP Board is currently searching for a new Executive Director.

- 5. **Proposed 2014 Disciplinary Board Budget** - Ms. Piper stated that the Disciplinary Board is requesting an increase to the level of their 2012 fees (Active 1-4 years \$150; Active 4+ years \$250). [Note: 2013 fees were reduced by the Supreme Court.] However, the DB 2014 budget proposal does not reflect this increase. It is assumed that any increase would then go towards the DB's goal of building a 6-month reserve.

- 6. **Proposed 2014 Lawyers' Fund for Client Protection Budget** - Similar to the AAP, the Lawyers' Fund is not requesting an increase in fees for 2014.

A discussion took place over the costs to HSBA (over \$29,000) in credit card fees to collect the attorney assessment by the Supreme Court entities and what impact it may have if these costs were passed on to these entities

Action taken: A motion was made, seconded, and carried without opposition to submit comments to the Attorneys and Judges Assistance Program Board, the Disciplinary Board, and the Lawyers' Fund for Client Protection. The budget comments to the Disciplinary Board should note that the HSBA does not support any increase in the DB assessment for 2014. The comments to all 3 entities should express concern over the increasing level of credit card fees being absorbed by the HSBA for the collection of the attorney assessments by these entities. Director Derek Kobayashi abstained from voting.

7. **Proposed 2014 HSBA Operating Budget** - Ms. Piper gave an overview of the proposed 2014 HSBA operating budget noting an anticipated decrease in total revenue and total expenses compared to 2013. She also stated that there would be a savings in the technology budget due to the switch in online legal research engines from Casemaker to Fastcase, and also a decrease in revenue and expenses in CLE.

Action taken: After further discussion, a motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee to approve the proposed 2014 HSBA operating budget.

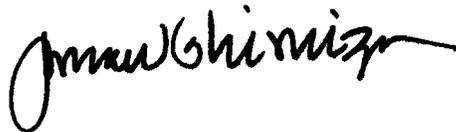
8. **Senior Counsel Division Proposed Amendment to Bylaws**

Action taken: A motion was made, seconded, and carried without opposition to adopt the recommendation of the Executive Committee to approve the proposed amendment to the Senior Counsel Division bylaws to make consistent and clarify language that all SCD members are allowed to vote in the SCD Board election.

H. **ADJOURNMENT**

The meeting adjourned at 1:40 p.m.

Submitted by:



Patricia Mau-Shimizu
HSBA Executive Director

Approved by:



Ronette M. Kawakami
HSBA Secretary