

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1100 Alakea Street, Suite 1000
Honolulu, HI 96813

Thursday, July 23, 2015

A. **CALL TO ORDER**

President Gregory Markham called the meeting to order at 12:04 p.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Gregory Markham
Jodi Yi
Nadine Ando
Russ Awakuni
Mark M. Murakami

Directors Present

Brian Black
Rebecca Copeland
Vladimir Devens (by phone)
Rhonda Griswold
Geraldine Hasegawa
Karin Holma
Carol Kitaoka
Derek Kobayashi
Mei-Fei Kuo
Laurel Loo (by phone)
Georgia McMillen (by phone)
Mark K. Murakami
Miriah Holden - YLD President

Board Members Absent

Cecelia Chang
Steven Chow
Alika Piper

Others Present

James Kawachika

HSBA Staff

Patricia Mau-Shimizu
Iris Ito
Debra White
Christina Bae

- B. **APPROVAL OF MINUTES** - A motion was made, seconded, and carried without opposition to approve the minutes of the June 25, 2015 Board meeting.
- C. **TREASURER'S REPORT** - Treasurer Mark M. Murakami reported that HSBA is on track with dues income; credit card expense is slightly over budget; and personnel expenses are under budget. He also mentioned that \$1.4M remains on the acquisition loan.
- D. **YLD PRESIDENT'S REPORT** - YLD President Miriah Holden reported on the following items:
- Disaster Assistance Recovery Center (DARC) training on Oahu was well-attended. Neighbor islands will soon receive a DVD so that attorneys there may be trained.
 - On August 18th, a CLE on Debt 101 will be held.
 - On August 25th, a CLE on "Making the Record Clear" will be held.
 - In September, a CLE on "Serving on Non-Profit Boards" will be held.
- E. **EXECUTIVE DIRECTOR'S REPORT** - Patricia Mau-Shimizu reported on the following items:
- Annual Dinner - to date, we have 23 paid tables and 16 committed tables.
 - Bar Convention seminars - participating HSBA Sections include Real Property & Financial Services, Family Law, Insurance Coverage Litigation, Appellate, Litigation, and possibly International Law. A seminar is also being planned on succession planning. The Bench-Bar Conference will also be held in the afternoon.
- F. **UNFINISHED BUSINESS** - none.
- G. **NEW BUSINESS**
1. **2016 HSBA Budget** - Treasurer Murakami gave an overview of the proposed project requests and noted the recommendation of the joint Executive/Finance Committee for each one.

Board members discussed the necessity of paying teachers to develop lesson plans or "teaching ideas" for civic education projects when other programs such as Junior Judges rely on volunteers to develop such plans. The Civic Education Committee's written response on this matter stated that while it is not a requirement that teachers develop lesson plans or "teaching ideas" for the programs that will be presented to students in the schools, they are extremely valuable and contribute greatly to the success of the programs. They further explained that the amount of the payment to teachers is very modest for the volume of work involved in preparing and developing these plans.

Action taken: A motion was made, seconded, and carried without opposition to approve the recommendations of the joint Executive/Finance Committee on the proposed 2016 project requests.

2. **ABA State Delegate from Hawaii** - HSBA/ABA Delegate James Kawachika explained that ABA State Delegate Margaret Masunaga is unable to attend the ABA Annual Meeting this August, and it was anticipated that a temporary state delegate could be appointed in this position. However, the ABA informed Mr. Kawachika that he, as the bar association delegate would automatically assume the state delegate position temporarily and an alternate delegate could be certified for the bar association delegate temporarily. This will ensure that Hawaii has full representation at appropriate House of Delegates meetings this August. Mr. Kawachika further explained that Leslie Hayashi expressed a willingness to serve in this temporary capacity since she is already planning to attend the ABA Annual Meeting.

The Board also discussed the issue of allowing other interested members the opportunity to be considered for these positions if time permitted the election of a delegate, temporary or otherwise.

Action taken: A motion was made, seconded, and carried without opposition to appoint Leslie Hayashi as the temporary Hawaii State Bar Delegate for participation and voting purposes at ABA House of Delegates meetings at the 2015 ABA Annual Meeting in Chicago scheduled for August 3rd and 4th and that said appointment would end after the aforementioned Annual Meeting.

- *3. **DB-HSBA Liaison Meeting** - President-elect Jodi Kimura Yi explained that at a recent meeting of liaisons from the Disciplinary Board and HSBA Board, the DB representatives indicated that they would be requesting an increase in their annual fees from HSBA members. The DB was asked if they could have one big increase rather than small increases over several years. The HSBA leadership instructed the DB representatives to write an article for the *Hawaii Bar Journal* explaining the increase to HSBA members as a necessary information distribution step before any future budgeting analysis or review.

They stated that one of the reasons for the proposed increase was to cover ODC expenses related to hiring attorneys to close a member's practice when a member dies or is incapacitated and has not made any contingency plan for someone to take over the law practice. It is anticipated that due to the aging of the bar, more and more of these cases will arise. Director Geraldine Hasegawa noted that, related to this matter, the Transitioning Lawyers Committee is looking at ways to address the successor trustee issue, and that mandatory malpractice insurance may be proposed.

- **4. **Viewpoint in The Maui News** - The Board discussed the recently published "viewpoint" which appeared in *The Maui News* criticizing Judge Susan Oki Mollway's ruling in the case involving the Maui GMO ballot issue. President Markham stated that HSBA was asked to prepare a response to defend Judge Mollway and the judicial process. Maui Director Georgia McMillen stated that the issue is very polarizing on Maui. She remarked that if HSBA responds to the criticism of Judge Mollway, it will likely be construed as HSBA taking sides on the GMO issue. Board members agreed that it would be prudent to not issue any response on the matter.

* Item not on agenda.

** Addendum to agenda.

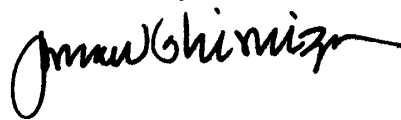
H. INFORMATION

- Executive/Finance Committee Meeting on August 18th
- Annual Dinner on Saturday, August 22nd
- August Board Meeting on Friday, August 28th
- Bar Convention on Friday, October 23rd

I. ADJOURNMENT

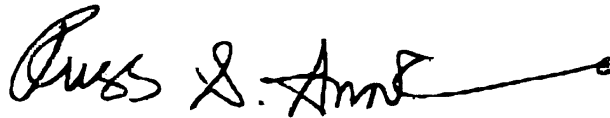
The meeting adjourned at 1:07 p.m.

Submitted by:



Patricia Mau-Shimizu
HSBA Executive Director

Approved by:



Russ S. Awakuni
HSBA Secretary