

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

(via Zoom)
Honolulu, HI 96813

Thursday, June 25, 2020

A. **CALL TO ORDER**

President P. Gregory Frey called the teleconference 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

P. Gregory Frey
Karin Holma
Levi Hookano
Russ Awakuni
Paul Naso

Others Present

Trever Asam
Angela Min

Directors Present

Steven Chow
Vladimir Devens
Jessica Domingo
William Harrison
Geraldine Hasegawa
Kristin Izumi-Nitao
Carol Kitaoka
Erin Kobayashi
Jeen Kwak
Mark K. Murakami
Ralph O'Neill
Addison Bonner, YLD President

HSBA Staff Present

Patricia Mau-Shimizu
Iris Ito
Christina Bae
Adrienne Hayashi

Directors Absent

Craig De Costa - excused
Corianne Lau - excused
Jacob Lowenthal - excused
Zale Okazaki - excused

- B. **APPROVAL OF MINUTES** - A motion was made, seconded, and carried without opposition to approve the minutes of the May 28, 2020 board meeting.

*C. UNFINISHED BUSINESS

1. **Volunteer Legal Services Hawaii (VLSH) Donation on License Registration Form** - President Frey summarized the background of this issue and the activities undertaken since last month's board meeting. VLSH Executive Director Angela Kuo Min and VLSH President Trever Asam thanked the HSBA Board for their time and for revisiting the issue. Ms. Min highlighted from the prepared VLSH material that was included in the board agenda the work of VLSH and the appreciation of pro bono clients. She noted that VLSH will receive minimal, if any, funding from the Legislature in the coming fiscal year and that it is relying on the voluntary contribution income collected from the annual attorney registration statement.

Mr. Asam emphasized the following points: a) the voluntary VLSH contribution option on the attorney registration statement is an important source of funding, comprising ⅓ of their budget, b) the 40-year historic relationship and the establishment of VLSH by the Young Lawyers Division of the HSBA, and c) the entity was created not only to provide free legal assistance to those in need, but also to give attorneys an easy way to fulfill their pro bono hours with VLSH in-take services.

After several questions from Board members and answers from VLSH, President Frey thanked Ms. Min and Mr. Asam for their participation and excused them from the virtual meeting.

It was clarified that this dialogue was for 2021 only and that a committee would be appointed to review and possibly explore other donation options for the attorney registration form in the future.

A board member commented that there was never any question on VLSH's purpose or mission or quality of services provided; rather the issue was one of fairness and equity among all the legal service providers as to the listing of optional choices on the attorney registration form. A board member remarked that VLSH should be the only entity on the registration form for 2021 and that the amount of contributions should be compared with previous years' contribution amounts.

The Board also discussed that the fundamental concern over changes to the opt-in/opt-out choice is due to the *Fleck* case and other lawsuits filed against unified bar associations that is causing unified bars across the country to offer opt-in choices only for voluntary dues and/or contributions on their attorney license registration form.

Action taken: After extensive discussion, a motion was made, seconded, and carried without opposition to retain the VLSH donation accommodation on the 2021 attorney registration form as follows:

- VLSH will be listed on the 2021 license registration form as an OPT-IN choice.
- HSBA will recoup bank credit card fees for contributions collected for VLSH.

- HSBA staff time will not be charged to process and reconcile contribution amounts, and manage quarterly checks, as similar accommodations are made for Disciplinary Board, Attorneys and Judges Assistance Program, and Lawyers Fund for Client Protection. With respect to VLSH, the HSBA staff will also provide a spreadsheet of donor mailing addresses for mahalo/tax letters.
- Contribution text will include a suggested amount of \$75 and “*For more information, please see www.vlsh.org.*” A board member wanted to make clear that VLSH is suggesting the \$75 contribution amount.

D. **TREASURER’S REPORT** - Treasurer Paul Naso, reported that revenues (YTD as of 05/31/2020) was about \$1.57M, a slight decline compared to last year at this time. The approximate \$16k shortage in revenue is primarily due to the loss of income from the Business Cash Manager account which was closed in April, and to a lesser extent, the cancellation of live CLE seminars during the COVID-19 quarantine period. On the expense side, total expenses are about \$16k less than last year. Under special reserves, monies were spent on consultant fees on rebuilding the website.

E. **EXECUTIVE DIRECTOR’S REPORT** - Ms. Mau-Shimizu reported on the following items:

- **Resolution on Judiciary Budget** - The Judiciary has agreed to reduce its budget by \$3.7M from the 2019-2020 budget, and will be allowed to rollover that debt to the 2020-2021 fiscal year.
- **Bar Convention on October 16th** - Given that the Hawaii Convention Center has shut down and unknown as to its reopening, the HSBA is researching possibilities for a virtual bar convention. A local vendor that has expertise handling virtual events did a presentation for staff with promising results. Directors Steven Chow and William Harrison noted that the Judicial Administration Committee is exploring the idea of having its bench-bar forums in September and October as virtual events as well.

F. **YLD PRESIDENT’S REPORT** - YLD President Addison Bonner reported that the remote model for Legal Line is working well and that there is a good volume of calls and volunteer attorneys. He also stated that Law Week has been postponed until later in the year while the YLD decides how to do it remotely. Mr. Bonner also noted that Jasmine Wong is the new ABA-YLD District Representative for the next 2 years, a position shared between Hawaii and Alaska.

G. **NEW BUSINESS**

2. **HSBA Survey Regarding COVID-19** - Director Erin Kobayashi explained that the survey will be targeted to managing partners and some law firms; it is not intended to be sent to every member. She was fine with the minor revisions of the Executive Committee.

A board member asked what would be done with the results of the survey. President Frey stated that after compiling the results, it could be shared with members to assist in their future planning efforts.

Action taken: After discussion, a motion was made, seconded, and carried without opposition to move forward with a legal industry survey to measure the impact of COVID-19. Staff will identify the survey recipients, utilize a survey instrument for the questions, and present a draft to the Executive Committee.

H. INFORMATION

- **Budget Timeline** - FYI only: The budget process for the 2021 budget has begun. The first discussions on the budget will occur at the August meetings of the Executive/Finance Committee and the Board.
- **Hawaii Foodbank Partnership** - President-elect Karin Holma announced that HSBA is moving forward on this project scheduled for July 15-30, 2020. A portal for members to donate online to either the Hawaii Foodbank (Oahu), Kauai Independent Foodbank, Maui Foodbank, or Hawaii Food Basket (Hawaii Island). The kick-off will occur on July 15th on the plaza fronting Alakea Corporate Tower.

I. ADJOURNMENT

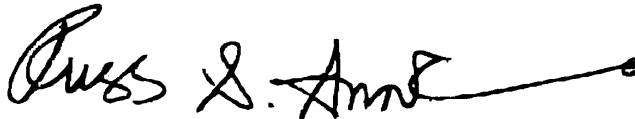
The meeting adjourned at 1:43 p.m.

Submitted by:



Patricia Mau-Shimizu
HSBA Executive Director

Approved by:



Russ S. Awakuni
HSBA Secretary