April 17
12:00 p.m.
Embassy Suites, LaVista
Ballroom

MINUTES

The House of Delegates of the Nebraska State Bar Association met on Friday, April 17, 2015.

The meeting was called to order by Chair of the House, Tim Engler. Members present, in addition to Chair Engler were: First District: Michael Dunn and James Nelson; Second District: Julie Bear, PaTricia Freeman and Craig Martin; Third District: Jim Gordon, Jane Langan Mach, Amie Martinez, Brad Roth, and Susan Sapp District Four: Chris Abboud, Mariette Achigbu, Will Acosta-Trejo, Hon. Joseph Bataillon, Bill Birkel, Brian Blackford, Robert Canella, Joel Carney, Jack Cheloha, Sean Connolly, James Martin Davis, G. Michael Fenner, Brandie Fowler, Jason Grams, John Grant, Kenneth Hartman, Mike Jensen, Todd Kinney, Matt Kuhse, Hon. Mike Pirtle, Justin Quinn, Robert Rossiter, Susan Shearer, Karine Sokpoh, Nancy Svoboda, and Ken Wentz. From the Fifth District, Hon. C. Jo Petersen. From the Seventh District, Ron Temple and Tracy Buettner. From the Ninth District, Jim Truell. From the 10th District, Robert Parker.

Members present from the Executive Council included: President Amie C. Martinez; President Elect Robert? Rossiter; President Elect-Designate Tom Maul; House of Delegates Chair Tim Engler; House of Delegates Chair Elect, Robert Parker; Past President G. Michael Fenner and Past Chair of the House Joel Carney as well as Supreme Court District Representatives: Second District: J. Scott Paul; Fourth District: Hon. John Irwin; Fifth District: Mike Dunn; and Sixth District Mike McCarthy.

Also present were a number of Committee and Section Chairs, and Legislative Counsel Bill Mueller and Katie Zulkoski. NSBA staff present included Executive Director, Liz Neeley; Associate Director, Sam Clinch; Director of Finance and Administration, Mark Vasina; Section Facilitator, Lorrie Benson; CLE Director Sara Hughes; and VLP Staff Attorney, Carol Cleaver.

Minutes of the January 30th meeting were approved.
Officer Reports

NSBA President

- President Martinez reported that Tim Engler of Remboldt Ludtke has been retained to handle the case filed against the NSBA in federal court by James Widtfelt. Mr. Engler is representing a number of defendants in the suit and was, therefore, well positioned to handle the manner. A motion to dismiss has been filed. The case had been briefed. The NSBA is waiting for Judge Kopf’s order. The NSBA will be seeking attorney fees in the case.
- The 2015 Barristers Ball is scheduled for April 18th and will be hosted by Caroline and Russ Westerhold.
- Martinez reported on the success of the Rural Practice Initiative interview event in Kearney and the subsequent placement of more than 10 law clerks and attorneys. The NSBA’s work in this regard is beginning to be recognized nationally. Martinez thanked Paul Snyder, Lyle Koenig and Sam Clinch for their work on the Rural Practice Initiative.
- Martinez reported that the Bar Admission Standards Committee continues to work diligently and that they anticipate having their written report and recommendations ready for discussion by June of 2015.
- Martinez reported on her conversation with the Chief Justice about exploring the establishment of attorney certification programs through the NSBA. To this end, Section Facilitator, Lorrie Benson will be attending a conference in May in Denver focused on bar association certification programs.
- Martinez reported on the success of the NSBA’s participation in ABA Day. NSBA representatives (Martinez, Rossiter, Neeley and Mueller) were able to meet with all five members of the Nebraska delegation to discuss the need for increased funding for the Legal Services Corporation and the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDP) – both of which would provide direct funding to Nebraska. The ABA provided a scholarship to support the NSBA’s attendance.
- President Martinez reported on the new format for the NSBA Annual meeting and announced that the 1st Annual Presidential Public Service Project is scheduled to take place on Friday October 9th as part of the NSBA’s Annual Meeting. The project will work with Stop Hunger Now. NSBA members will be packaging meals for approximately 10,000.
NSBA Chair of the House of Delegates

- Engler stressed the importance of the NSBA’s strategic planning activities scheduled to take place during the House of Delegates meeting.

ABA Delegate
See written report submitted by ABA Delegate Warren Whitted.

New Staff Introductions
Lorrie Benson as the NSBA’s new Section Facilitator, Sara Hughes as the new CLE Director and Carol Cleaver as the new VLP Staff attorney introduced themselves to the House of Delegates.

Executive Director’s Report
The Executive Director’s Report was disseminated prior to the meeting in writing. The report provided updates on:
- the Court’s review of the NSBA’s revised Investment Policy as it relates to the Client Assistance Fund;
- the delay of the NSBA’s Lawyer Referral Program;
- notice that the small claims case filed against the NSBA was dismissed;
- notice that a NEOC complaint has been filed against the NSBA by a VLP caller;
- notice that the NSBA has hired a new VLP Staff Attorney, Carol Cleaver; and
- information on the NSBA’s On-Call Interpreter Service

Financial Report
Mark Vasina presented the NSBA financial report for 2014.

Legislative Update
Katie Zulkoski provided an update on the status of the bills that the NSBA is monitoring and on those the NSBA is taking a position.

Section of Nominee for Next NSBA President Elect Designate
Tim Engler reported that the NSBA Executive Council has selected the Honorable Joseph Bataillon as the NSBA’s nominee for the next President Elect Designate.
HOD Appointments
The HOD has three vacancies created by the resignation of John Lenich and two other delegates, Hon. Johnson and Grant Forsberg stepping down. The Nominations Committee submitted three nominations for these vacancies: Jared Crouse, Tracy Buettner and Ken Wentz. A motion was made and seconded to approve the three appointments. The motion carried.

Review of Audit
Mark Vasina provided an overview of the 2014 audit. The NSBA Budget and Planning Committee met on April 16th to review the 2014 audit. The NSBA received an unqualified (clean) audit. The Committee recommended approval of the audit as did the NSBA Executive Council. A motion was made and seconded to accept the 2014 audit. The motion carried.

Proposed 2015 Budget Revisions
Mark Vasina presented the Budget and Planning Committee’s recommended changes to the 2015 Budget. A motion was made and seconded to adopt the budget revisions. The motion carried.

The House of Delegates discussed the need to continue membership recruitment efforts. A booklet of non-dues paying attorneys was circulated to the members of the House of Delegates so that they could select attorneys with whom they will to personally contact.

HOD Planning Session
The House then spent the remaining time in small group planning sessions (notes available as a separate document).

Other/New Business
There was no other business

The meeting was adjourned at 3:45 p.m.

Respectfully submitted,

Elizabeth Neeley