

MINUTES
HAWAII STATE BAR ASSOCIATION
BOARD MEETING

1100 Alakea Street, Suite 1000
Honolulu, HI 96813

Thursday, January 23, 2014

A. **CALL TO ORDER**

President Calvin Young called the meeting to order at 3:10 p.m. with a quorum present. The following persons were present for all or part of the meeting:

Officers Present

Calvin Young
Gregory Markham
Jodi Yi
Ronette Kawakami
Mark Murakami

Others Present

Hon. Mark Recktenwald
Craig Wagnild
Rod Maile
Emiko Meyers

Directors Present

Nadine Ando
Russ Awakuni
Malcolm Barcarse, Jr.
Cecelia Chang
Steven Chow
Rebecca Copeland
Vladimir Devens
Rhonda Griswold
Geraldine Hasegawa
Karin Holma
Carol Kitaoka
Derek Kobayashi
Mei-Fei Kuo (by phone)
Laurel Loo
Timothy McNulty

HSBA Staff

Patricia Mau-Shimizu
Iris Ito
Debra White
Angela Sablan Tenorio

Board Members Absent

Stephanie Rezens

B. PRESENTATION BY CHIEF JUSTICE MARK RECKTENWALD - President Young welcomed Chief Justice Recktenwald and Administrative Director of the Courts Rod Maile to the HSBA Board meeting. The Chief Justice highlighted the following ongoing and upcoming Judiciary programs:

- The Courts in the Community project continues in April with a Kona Court argument scheduled. Other Court arguments on Kauai and Oahu are being looked into.
- Appreciation was expressed for the Annual Dinner in August 2013 sponsored by the HSBF which helped raise funds for the Courts in the Community project and support for legal service providers who provide access to justice to those who cannot afford legal services.
- The Bench/Bar Conference at the Bar Convention went well; an Executive Summary on the Conference is being finalized.
- The top CIP priority for the Judiciary in 2014 is the Kona Courthouse. \$90M in CIP funds are needed. The Legislature appropriated \$9M during the 2013 session. The remaining \$81M is included in the 2014 Judiciary budget request. Safety and security for the public and courthouse personnel are primary concerns.
- For the operating budget, the Judiciary is requesting \$4.8M for salary adjustments, 18 permanent positions, facilities/equipment, and training.

The Chief Justice remarked how he appreciated the working relationship between the Judiciary and the HSBA. He then answered questions from Board members.

***H. NEW BUSINESS**

2. **Recognizing 3-Digit Bar Members** - President-elect Gregory Markham described the proposed oral history project to interview bar members with 3-digit JD numbers for purposes of record their experiences and stories, in anticipation of honoring these members at the 2015 Annual Dinner. The proposal includes a possible partnership with ThinkTech Hawaii's or local high schools to produce a DVD for this project.

Action taken: A motion was made, seconded, and carried without opposition to approve of moving forward with this project.

E. APPROVAL OF MINUTES - A motion was made, seconded, and carried without opposition to approve the minutes of the December 19, 2013 Board meeting.

F. TREASURER'S REPORT - Treasurer Mark Murakami reported that the final audited numbers for 2013 will be available in the spring. He noted however, that at the end of 2013, it appears that HSBA was ahead of budget by \$130k. He also reported that HSBA paid down its construction loan by \$160k and that revenue from royalties from member benefit providers has decreased.

**Item taken out of order.*

G. **EXECUTIVE DIRECTOR'S REPORT** - Patricia Mau-Shimizu reported on the following items:

- Approximately 5600 members have completed their renewal and 700 remain;
- \$106k was collected for Volunteer Legal Services Hawaii;
- \$680 was collected for Civic Education Committee projects;
- 40 members were non-compliant on their MCPE credits for 2013;
- Levi Hookano is on active military duty for 1 year and Angela Sablan Tenorio will serve as Interim Programs and Communications Director.

H. **YLD PRESIDENT'S REPORT** - Malcolm Barcarse reported that the YLD Board was holding its retreat on January 26, 2014 to plan for projects and select committee chairs for 2014.

I. **NEW BUSINESS**

1. **HSBA Website Member Profile**

Action taken: A motion was made, seconded, and carried without opposition to adopt the Executive Committee's recommendation to retain the same information on members' profiles that will be available to the public through the new HSBA website being developed as a component of a new HSBA information and administration management system.

3. **Approval of 2014 HSBA Committee Chairs**

Action taken: A motion was made, seconded, and carried without opposition to ratify President Young's appointment of proposed 2014 committee chairs:

- Attorney/Client Relations - Charles Crumpton & Beverly Hiramatsu;
- Awards - Rhonda Griswold;
- Civic Education - Ted Pettit & Ruth Oh;
- Consumer Protection - Paul Alston & Bernard Bays;
- CLE - Vladimir Devens & Jesse Souki;
- Delivery of Legal Services to the Public - Regan Iwao;
- Judicial Administration - Steven Chow & Justice Simeon Acoba;
- Legislation & Public Policy - Mihoko Ito & Gary Slovin;
- Mentoring - Geraldine Hasegawa;
- Professional Responsibility & Risk Management - Keith Hiraoka & John Yamano;
- Publications - Cynthia Johiro & Carol Muranaka;
- Staff & Facilities - Christopher Cole;
- Technology - Damien Elefante;

4. **Approval of 2014 HSBA Nominating Committee Members**

Action taken: A motion was made, seconded, and carried without opposition to adopt the Executive Committee's recommendation to ratify President Young's appointment of the following individuals as members of the 2014 HSBA Nominating Committee: Judge Linda Luke (Chair), Sidney Ayabe, Rosalyn Loomis, Gregory Markham, Henry Nakamoto, and Caryn Okinaga.

5. **Approval of 2014 HSBA Representatives to Supreme Court Nominating Committee**

Action taken: A motion was made, seconded, and carried without opposition to adopt the Executive Committee's recommendation to ratify President Young's appointment of the following individuals as HSBA representatives to the Supreme Court Nominating Committee: Sidney Ayabe, Sherry Broder, Judge Linda Luke, and Stephanie Rezens.

- *6. **Unauthorized Practice of Law Legislation** - President Young explained that the HSBA Consumer Protection Committee has asked the Board to support legislation by submitting testimony in favor of this the bill which defines the unauthorized practice of law. The Board undertook a discussion as to whether this proposal would meet *Keller* limitations.

Action taken: After discussion, a motion was made, seconded, and carried without opposition to state that HSBA involvement on legislation regarding the unauthorized practice of law proposed by HSBA Consumer Protection Committee Co-Chairs Paul Alston and Bernard Bays would not violate Board *Keller* policies.

Another motion was made, seconded, and carried without opposition to form a subcommittee of the Board (Russ Awakuni and Mei-Fei Kuo) to work with the Legislation Committee to study the proposed unauthorized practice of law legislation and make a recommendation to the Board via email whether to support the bill.

7. **Executive Session** - due to time constraints, it was decided that this item would be discussed at the February board meeting.

J. **ADJOURNMENT**

The meeting adjourned at 5:05 p.m.

Submitted by:



Patricia Mau-Shimizu
HSBA Executive Director

Approved by:



Ronette Kawakami
HSBA Secretary

* Addendum to Agenda