

**BOARD OF BAR COMMISSIONERS  
FRIDAY, MAY 20, 2022 MEETING MINUTES  
Hotel Encanto, Las Cruces, NM**

<b>MEMBERS PRESENT:</b>	Erin M. Atkins Daniel J. Behles Allison H. Block-Chavez Aja N. Brooks Catherine A. Cameron Connie J. Flores Tomas J. Garcia Robert Lara David P. Lutz Carla C. Martinez (Zoom)	Mitchell Mender Jessica A. Perez Brett Phelps Linda Sanders Simone M. Seiler Olga Serafimova Benjamin I. Sherman Lucy H. Sinkular Elizabeth J. Travis Carolyn A. Wolf
<b>MEMBERS ABSENT:</b>	Sean M. FitzPatrick Parker B. Folse Joseph F. Sawyer	
<b>OTHERS PRESENT:</b>	Kris Becker Hon. Carl Butkus Evann Laird Pam Moore	David Powell Stormy Ralstin Richard Spinello

**I. CALL TO ORDER**

**A. Approval of February 25, 2022 Meeting Minutes**

NM State Bar Foundation President Judge Butkus requested a correction to agenda item F, Bar Foundation President's Report, to reflect that EAJ requested the cancellation of the mediation. Commissioner Sinkular made a motion to approve the minutes as amended; the motion was seconded and it passed.

**II. ACTION ITEMS**

**A. Appointment to ABA House of Delegates**

There was one vacancy on the ABA House of Delegates, so a notice was published in the *Bar Bulletin*. The current appointee Roberta S. Batley submitted a letter requesting reappointment. Commissioner Block-Chavez made a motion to reappoint Roberta S. Batley to another two-year term; the motion was seconded and it passed.

**B. Appointment to Civil Legal Services Commission**

There was one vacancy on the Civil Legal Services Commission, so a notice was published in the *Bar Bulletin*. The current appointee Mary H. Smith submitted a letter requesting reappointment. Commissioner Brooks made a motion to reappoint Mary H. Smith to another three-year term; the motion was seconded and it passed.

**C. Appointment to Judicial Standards Commission**

There was one vacancy on the Judicial Standards Commission, so a notice was published in the *Bar Bulletin*. The following submitted letters requesting appointment:

1. Sonya Duke-Noel
2. Nancy R. Long (current appointee)

3. Andrew L. Magida
4. Judge Alan M. Malott (Ret.)
5. Judge Jeanne H. Quintero (Ret.)
6. Howard R. Thomas

Judicial Standards Commissioner Executive Director and General Counsel Phyllis Dominguez requested by letter that Nancy R. Long be reappointed to another term.

Following a vote by secret ballot, Nancy R. Long was reappointed to the Judicial Standards Commission for another four-year term.

**D. Request for Funding from the NM Youth & Government Program for the National Judicial Competition**

A request was received for funding from the NM Youth & Government Program for their National Judicial Competition. The request and the Contribution/Donation Policy were included in the materials. Commissioner Garcia made a motion to approve the request; the motion was seconded and it passed.

**E. Request for Funding from the UNM School of Law for the Law Scholarship Classic**

A request was received for funding from the UNM School of Law for their Law Scholarship Classic. Commissioner Sherman is the chair of the golf committee and stated that it's a big fundraiser for the law school and they provide scholarships with the funding. Commissioner Atkins made a motion to approve the request; the motion was seconded and it passed.

**III. COMMITTEE ACTION ITEMS \***

**A. Executive Committee**

President Wolf reported that the Executive Committee approved the criteria for the new Excellence in Well-Being Award. Annual Awards Committee Chair Robert Lara reported that the Wellness Award criteria was created by the Well-Being Committee and reviewed by the Annual Awards Committee, which recommended that it be approved. Commissioner Sinkular made a motion to ratify the action taken by the Executive Committee; the motion was seconded and it passed.

**B. Finance Committee**

1. Acceptance of 2021 Combined Financial Audit

CLA presented the 2021 Combined Financial Audit to the committee on May 18. They issued an unmodified, clean opinion that the financial statements were presented fairly, in all material respects, and in conformity with US Generally Accepted Accounting Principles (GAAP). There were no new significant accounting policies or changes adopted over the year, and no audit adjustments, so no management comment letter was issued. The committee recommended that it be accepted. Secretary-Treasurer Atkins made a motion to accept the 2021 Combined Financial Audit and the motion passed.

2. March 2022 Financials

The March 2022 financials were included in the materials, and the April 2022 financials were emailed prior to the meeting. Director of Finance David Powell reviewed the significant highlights in the revenues and expenses. Secretary-Treasurer Atkins made a motion to accept the financials and the motion passed.

**C. Policy and Bylaws Committee Report**

Co-Chair Sherman reported that the committee met twice since the last meeting on the following:

1. Young Lawyers Division Section Representative Regarding Whether they should be a Voting or Non-Voting Member of a Section Board

The committee met on April 14 with Deian McBryde, Chair of the Solo and Small Firm Section, and YLD Chair Jessica Perez to discuss the positions of the SSFS and YLD regarding the YLD Section representatives on section boards. The committee reconvened on May 3 and voted on the issues. The recommendation out of committee was for the YLD to appoint a representative to each section board, as a voting member, for a one-year term. The YLD representative must join the section if he/she is not a member at the time of the appointment.

Co-Chair Sherman made a motion to approve the recommendation. Following discussion, the motion passed. Commissioner Perez abstained. Commissioner Sinkular volunteered to talk with the SSF section Board regarding the Committee's decision.

## 2. Model Section Bylaw Amendments

Amendments were made to the model section bylaws, which also include the provisions for the YLD representative to be a voting member. Section 6.8 is repeated, so it needs to be deleted. The recommendation out of committee is to adopt the amendments to the model section bylaws. Co-Chair Sherman made a motion to approve the recommendation, and the motion passed. The revised model section bylaws will be sent to the sections following the meeting.

## 3. Executive Director Compensation and Evaluation Policies

The timing of the current policies doesn't coincide with the end of the year financials, so we don't have a full picture of what we're evaluating. Additionally, the executive director's time is split between the State Bar and the Bar Foundation. Instead of the Policy and Bylaws Committee making changes at this time, the recommendations are to rescind the current policy and have a joint committee of the Board and the Bar Foundation develop a policy with the executive director's input. Co-Chair Sherman made a motion to approve the committee's recommendations, and the motion passed.

## D. Member Services Committee

Chair Liz Travis reported that the Member Services Committee met and their primary focus has been getting participation for the survey from the State Bar members. The committee is going to do another roundtable with committee chairs in July. A second roundtable with section leaders will be held later in the year. The committee will look closely at the results of the survey.

\* Due to time constraints, the President's and Executive Director's written reports were included in the materials.

## IV. STRATEGIC PLANNING

### A. Membership Survey

Director of Communications and Member Services Evann Laird reported on the Membership Survey. There was a request to cross reference the data with census data. She noted that there was a mistake in a couple of the questions, so a corrected sheet was distributed at the meeting. There was also a request to pull data as to where members are located and by the number of years in practice as to their salaries and to also break the data out by median rather than average. The last compensation survey was conducted in 2017, so there were some compensation questions included in the survey. The next survey will be a full compensation survey and staff will also be included in the survey.

### B. Strategic Planning Session

The Board went into the Strategic Planning Session for which there was a separate agenda. Action taken during the Strategic Planning session included the following:

1. Commissioner Seiler made a motion to recommend that the Bar Foundation Bylaws be amended for the BBC to appoint up to five BBC members to the Foundation; the motion was seconded and it passed.

2. Commissioner Atkins made a motion to hold the 2023 Annual Meeting at the Hyatt Regency Tamaya; the motion was seconded and it passed.
3. Commissioner Travis made a motion to compile the financial information for a number of options for the Annual Meeting from a one-day event to regional mini meetings around the state. The motion was seconded and it passed.

The three-year Strategic Plan from the session will be prepared for the Board's review and input at the August meeting.

**C. New Business**

YLD Chair Jessica Perez provided an update on FEMA assistance and reported that they're setting up a hotline and some legal fairs to assist people with insurance claims. When the president declares a disaster, the ABA YLD has an agreement with FEMA, which is what triggers the NM YLD's assistance. The contact person is Lauren Riley and members can also reach out to Morgan Pettit.

**D. Adjourn**

There being no further new business, the meeting was adjourned.