

**NAVAJO NATION BAR ASSOCIATION, INC.
BOARD OF BAR COMMISSIONERS MEETING**

Friday, April 21, 2017, 10:00 AM – 3:00 PM MDT
Karigan Office Building – St. Michaels, Navajo Nation (Arizona)

PROPOSED AGENDA

Meeting called to Order by President Lawrence Ruzow.

Roll Call: Commissioners:

Mariana Kahn, CH	Present
Cassie Fleming, CR	Proxy to: Mariana Kahn Ms. Fleming joined via telephone at 11:12 am
Dorothea Denetsosie, KY	Present via telephone
Patricia Williams, ART	Proxy to Colin Bradley
Esther Keeswood, SR	Present via telephone
Cecelia Sloan, TC	Present
Dennis Glanzer, TC	Present via telephone
Colin Bradley, WR	Present
Michelle Dodson, WR	Proxy to Phefelia Bradley
Phefelia Bradley, WR	Present

QUORUM (6 required) 7 present + 3 proxies = 10 BOBC attending

Officers:

Lawrence Ruzow, NNBA President	Present
Casey Watchman, Vice President	Present
David Jordan, Secretary	Absent
Michael Barthelemy, Treasurer	Present via telephone
NNBA Adm. Staff:	
LaVerne Johnson, NNBA Manager	Present

Guests:

Kathy Bowman, Navajo Nation Public Defender
Gertrude Lee, Navajo Nation Chief Prosecutor
Ethel Branch, Navajo Nation Attorney General
Ray Etsitty, Admissions Committee (via telephone)

Committee Chairs Absent:

Patterson, Joe, Rules Committee
Jay Mason, Disciplinary Committee

I. Invocation – Esther Keeswood (Pledge of Allegiance)

II. Adoption of Agenda for Board Meeting: [x]Regular; []Special; []Annual

Motion to approve Agenda: Esther Keeswood Second: Mariana Kahn Vote: 5-0

III. Reports

A. Treasurer’s Report – Financial Statements; 2017 Budget - M. Barthelemy

January and February 2017 financials are attached to Report in draft form. There is a delay on getting March financials due to tax season; waiting on the last PR to finalize March financials.

Collection of Bar dues: there is an update on a spreadsheet which will be distributed among the Board when completed. This will show how it affects the financial health of NNBA. 82% of 52,000 were collected in 2017. 142 members have not paid; total uncollected is 19,670.

Motion to accept and approve report: Dennis Glanzer Second Esther Keeswood
Vote: 5-0; motion passed unanimously

IV. Old Business

A. Motion to approve Minutes from January 13, 2017

Motion: Phefelia Bradley Second: Esther Keeswood Vote: 5-0; motion passed unanimously

B. Limited License Request – Attorney General Branch; Chief Prosecutor Lee; Public Defender Kathy Bowman

There was a lengthy discussion on the proposed amendments to the Bylaws of the Navajo Nation Bar Association regarding allowing an attorney candidate for NNBA Membership who is admitted in a state or D.C. to practice law in Navajo Nation Courts for up to two years while waiting to take the Bar exam and be sworn in. Comments and suggestions were made by several Commissioners to add certain language to the three programs’ proposal to the limited license request before any approval is made. Vice President Watchman questioned the type of salaries the three branches were offering to the attorney candidates.

President Ruzow requested to go off record at 12:29 pm (Brief recess)

Back on record at 12:40 pm

Discussion on the limited licensed request was completed. There was a 30-day deadline from today’s date for any proposed amendments to be made to the December 12, 2016 proposed bylaw amendments. The proposed amendments with changes will be circulated to all parties involved and will be discussed further

at the next special meeting or the next scheduled Board meeting. The Board will further discuss whether a formal written resolution should be prepared as to the proposed amendments.

V. New Business

A. DNA and NMLA Board Vacancies

Ms. Naomi Barnes from Santa Fe, New Mexico is licensed in the State of New Mexico and willing to serve on the NMLA Board. Board members have to be members of the NNBA and State Bar of New Mexico. Vice President Watchman stated that the late Vernon Roanhorse was not a member of the State of New Mexico but served on the NMLA Board. Mr. Watchman's statement will be looked into.

DNA Board members have to live and work on the Navajo Nation. Ella Wilson and Judy Dworkin are currently serving as DNA Board members. The Commissioners will look into when DNA Board members were appointed and when their term is up.

Motion to approve Ms. Barnes to serve as NMLA Board:

Motion: Colin Bradley Second: Esther Keeswood Vote: All in favor; motion passed unanimously

B. Suspension of Members who have not paid dues

NNBA Manager, LaVerne Johnson stated there are 142 members who have not paid. She is working with those who are trying to pay or those who are working on completing their CLEs. Recommendations were made from Commissioners that those who are not willing to work with Ms. Johnson should be given a 30-day deadline or else the NNBA will seek their suspension. Ms. Johnson stated she has drafted Petitions and will need to file them for each individual with the Supreme Court. She will discuss this further with Michael Smith the Supreme Court Clerk

V.P. Watchman stated the rules are clear as to what is required of the Bar members and suspensions should begin. Ms. Johnson further stated that because NNBA does not have a history of written notices and updated contacts, and because NNBA was without a manager for some time, the Bar had a hard time contacting certain members. The Board agreed those who are working with Ms. Johnson should be provided 30 days. Suspensions should move forward on those who are unwilling to work with Ms. Johnson pursuant to NNBA Bylaws.

Motion to approve suspension process: Colin Bradley Second: Esther Keeswood Vote: All in favor, motion passed unanimously

C. Approving copier lease or purchase

NNBA had the current Xerox copier since 2011. The machine is old and when a lot of copies are made especially during Bar exams, reviews and conferences, the machine “is moaning with pain” according to Ms. Johnson. The machine’s lease has expired. The Xerox machine will be purchased through Butler’s of Gallup, New Mexico. Joe Meyers is working with Ms. Johnson on the purchase. The machine can scan and fax documents. The lease includes all supplies and maintenance. The cost for a 5-year lease will be \$21,769.00 at \$321.00 per month. This is \$1,000 more than the last contract. Ms. Johnson respectfully requests approval for a new copier lease with a term of 5 years.

Motion to approve: Colin Bradley Second: Esther Keeswood

Vote: All in favor, motion passed unanimously

D. Honoraria/gifts for Conference Presenters

Vice President Watchman conversed with past Presidents and Chairman of the Navajo Nation on having them come out to the Bar conference to discuss their experience as President and working with the government of the Navajo Nation. Mr. Watchman stated that most of the past Presidents are eager to participate except for two who asked what the Bar would offer to them as far as compensation or gifts. The Bar is willing to cover their rooms for the night before and meals while at Twin Arrows...

There are some presenters who are not Bar members and NNBA will cover their rooms and meals. Bar members who are presenters will not get anything except for the Supreme Court personnel. Supreme Court members and staff rooms and meals will be covered by NNBA. Contributed items from Bar members are needed for presenters. That information will be put on the website.

E. Discussion of limited licenses for advocates in specific fields such as criminal law, family law, probate, personal injury, land/grazing permit disputes

The purpose of this discussion is that some people cannot afford lawyers and not all lawyers practice in every area of the law. It would make sense to offer specific type of Bar membership for particular areas to advocates. In the future, advocates can be given a chance to practice in a particular area and have a single Bar exam for that area, possibly with NTU or San Juan College training assistance. Some people have problems with limited appearance of a lawyer when a motion is prepared by the lawyer and the people are not familiar with what is in their motion. Ms. Johnson also stated that everyone comes to the Bar office asking for guidance and she tries to point them in the right direction. Ms. Kahn suggested that maybe this can be discussed further with the Bar members during lunch at the Bar conference.

F. Action Re: Annual Conference

President Ruzow suggested that the cost of food and refreshments at the conference be limited to \$100 or less per person. The menu has not been completed and any suggestions on food choices are open. Donations and contributions from Bar members will be put on the website.

G. Possible Dues Increase – possible tiered dues (lower dues for government employees and employed/office located with the Navajo Nation)

LaVerne Johnson will work with Michael on the 2018 budget. The workload at the Bar office is very high. Ms. Johnson works anywhere from 50 to 60 hours per week. A request is made for one more position at the Bar office. That position will be paid through the increase in Bar dues. That position may pay \$25,000 minimum.

H. NNBA Personnel (Executive Session)
Perry Yazzie Appeal

VI. Next Regular Commissioner's Meeting: June 8, 2017

VII. Adjournment at 2:20 pm

Motion to adjourn: Mariana Kahn Second_Cecelia Sloan Vote: All in favor, motion passed unanimously