

# STATE BAR OF NEVADA

**FILED**

**JAN 16 2019**



January 15, 2019

Chief Justice Mark Gibbons  
Nevada Supreme Court  
201 South Carson Street  
Carson City, NV 89701-4702

ELIZABETH A. BROWN  
CLERK OF SUPREME COURT  
BY: *[Signature]*  
CHIEF DEPUTY CLERK

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**Re: ADKT 0499 – Report to Court on Proposed Efficiencies in CLE Board Operations**

Dear Chief Justice Gibbons:

On December 21, 2018, the Court issued an Order regarding amendments to Supreme Court Rules 207, 208, 210, 212, 213 and 215. The Court also ordered that the State Bar of Nevada (“SBN”) and Nevada Board of Continuing Legal Education (“CLE Board”) submit to the Court a report specifying the changes necessary to implement efficiencies in the CLE Board’s operations using technology, resources and SBN offices.

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Representatives from the SBN and CLE Board met on January 11, 2019 to discuss proposed efficiencies as directed in the Court’s Order. In addition to myself and CLE Board Chair Jenny Hubach, those in attendance included: Paul Matteoni, Eric Dobberstein, Kimberly Farmer and Lisa Dreitzer from the SBN, and Frank Flaherty, Laura Bogden, and Justin Williams from the CLE Board. The meeting was facilitated through an agreed-upon mediator, attorney Dan Waite.

### **Report on Proposed Efficiencies**

This report is submitted jointly on behalf of the SBN and CLE Board. The report outlines the framework in concept for which the SBN and CLE Board found agreement. It should be noted that any formal acceptance of these terms will require approval of the CLE Board; the next CLE Board meeting is scheduled for January 25, 2019. No SBN Board action is needed.

1. Relocation to the SBN Northern Nevada Bar Center. The CLE Board has agreed to move its operations and staff to the SBN’s Northern Nevada Bar Center in Reno, with a possible move date of June 1, 2019. Details, such as insurance and utility expenses are to be determined. It was also agreed that:
  - a. The CLE Board will make a best effort attempt to negotiate early termination of its existing building lease;
  - b. The CLE Board would pay the SBN overhead expenses in an amount to be determined for use of the SBN space; and

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- c. The CLE Board would pay for any required office space build-outs; the cost of any renovations is to be determined. The CLE Board will have input as to facility/office space needs.

The CLE Board has concerns about paying overhead expenses for use of the SBN Northern Nevada Bar Center while making a best effort attempt to terminate its existing lease agreement.

2. Telephone System. As part of a move, the CLE Board has agreed to use the SBN phone system. This may include using the Northern Nevada Bar Center receptionist who could field CLE Board calls through a dedicated phone line or through use of an auto attendant; the CLE Board prefers the use of an auto attendant rather than a shared receptionist with the State Bar. Use of the SBN telephone system has an estimated savings of \$900 per year.
3. Membership Database. The SBN membership database includes a module to track attorney compliance. The CLE Board has agreed to evaluate whether this database could capture the data needed for its operations by seeking input from other bar associations that use the same database and/or independent investigation. Both the SBN and CLE Board agreed that confidentiality in the CLE Board operations was necessary and that any shared database should include appropriate firewalls. There would be costs necessary to build this CLE compliance module, estimated at a one-time fee of \$40,000 and annual CLE Board staff license fees of \$8,500 thereafter.

The CLE Board will determine whether to seek the Court's permission to use reserve funds for associated expenses, including termination of its existing building lease, office space build-outs and database implementation expenses.

### **Other Considerations:**

1. The SBN proposed transferring the administration of CLE Board operations, including staff management under the SBN. The CLE Board of Trustees would remain in place to oversee policy and course and provider approvals. This proposal was rejected by the CLE Board.
2. The CLE Board clarified the appointing authority for members of the CLE Board of Trustees under the amended Court Rules (i.e. which Board members are appointed by the Court or the SBN).

### **Future Discussion:**

Due to time constraints, details about when a potential move from the CLE Board's current office space to the Northern Nevada Bar Center could occur and associated expenses were not discussed. Other agenda items including discussion related to proposed efficiencies for CLE course approvals, attorney compliance tracking and CLE provider credit reporting were also not discussed.

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We appreciate the Court's feedback on the progress made to date and suggest ongoing communications between the SBN and CLE Board, with the next meeting to take place before February 15, 2019. Both the SBN and CLE Board would appreciate the Court's feedback prior to February 15, or, perhaps, the Court's participation during the meeting.

Sincerely,



Richard J. Pockler  
President, State Bar of Nevada

cc: Jenny Hubach, Chair, Nevada Board of Continuing Legal Education