

THE WEST VIRGINIA BAR FOUNDATION
BOARD OF DIRECTORS MEETING
STATE BAR CENTER - CHARLESTON
MAY 18, 2006

MINUTES

The meeting of the West Virginia Bar Foundation's Board of Directors was called to order by President Al Emch on May 18, 2006 at the State Bar Center in Charleston.

Members of the Board in attendance were Elliot Hicks, Bob Goldenberg and Larry Skeen. Participating by telephone conference call were Vice President Bill File, Treasurer Cheryl Riley, Carl Harris, Tracey Rohrbaugh, Jerry Jones and Janet Preston. Consultant Susan Griffis and State Bar Executive Director Tom Tinder were also in attendance.

The first item on the Agenda was a review of the Minutes of the last Board of Directors Meeting which was held on February 16, 2006. There were no additions or corrections to be made to the Minutes as presented.

Treasurer Riley then gave an extensive report regarding the financial report for the first ten months of the fiscal year - July 1, 2005 to April 30, 2006. She explained numerous items in the report relating to revenue and expense items. She said that even with unbudgeted expenses for Hurricane Katrina relief and for a consultant, that the year should end with basically a zero amount.

Then, the Treasurer Riley went over the proposed budget for the 2006-07 fiscal year. The major focus of the year will be the fund raising campaign and if it is successful, then there will be several months of not paying any loan payments which will free up money for additional expenses, including more grants to worthwhile entities. After some questions, a motion was duly made, seconded and passed to approve the financial report for the current fiscal year and the proposed budget for 2006-07.

President Emch then called upon Mr. Hicks to give a report from the IOLTA Advisory Committee. He said that there had been a continuing increase in the level of funding from last year's amount of \$400,000 for the entire year to the first ten months of this fiscal year being \$632,000. He gave the recommendation from the IOLTA Advisory Committee on how to distribute the current amount of \$288,000 which is available. After some comments were made, a motion was duly made, seconded and passed to pay the \$50,000 management fee before June 30, 2006, place an additional \$15,000 in the Rainy Day Fund to make it a total of \$50,000 and to the

distribute the remaining \$188,000 in accordance with the current IOLTA formula.

Mr. Hicks went on to give an explanation concerning the funding for special grantees. The Supreme Court had referred a request from ChildLaw Services to the IOLTA Advisory Committee for consideration. After some discussions and negotiations, the IOLTA Advisory Committee recommended a change in formula to the Bar Foundation. Then, a motion was duly made, seconded and passed to add Childlaw Services to the other four special grantees and that the distribution of the 15% special grantee funding would be in the following percentages:

CASA -	43.5%
Senior Legal Aid -	24.125%
Fund for the Public Interest -	19.3%
Appalachian Center for Law -	7.72%
ChildLaw Services -	<u>5.355%</u>
Total	100%

Mr. Hicks also wished to express the appreciation of the IOLTA Advisory Committee to the Board of Directors of the Bar Foundation for the support that it had given to providing awards to the five banks which have the largest IOLTA accounts. The awards had been presented at the Bench/Bar Luncheon at the State Bar's Annual Meeting earlier in May.

Finally, Mr. Hicks talked about a contribution that had been made from the Bar Foundation to the National Association of IOLTA Programs for a litigation fund several years ago when there were constitutional challenges being made in the court system to the IOLTA Program. There was the amount of \$418.96 which was West Virginia's pro rated rebate. After some discussion, a motion was duly made, seconded and passed that the Bar Foundation would inform the National Association of IOLTA Programs that the \$418.96 should continue to be held in its litigation fund.

The next item on the Agenda was a report from the Grant Making Committee. There had been no applications for grants received since the last Board of Directors Meeting. Comments were made that it would be beneficial to expand the publicity for these grants.

President Emch then gave a report regarding the Foundation Fellows Dinner and the activities at the State Bar's Annual Meeting. The Dinner had been very successful with 17 new Foundation Fellows being inducted. The

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reports at the State Bar Annual Meeting and the Annual Business Meeting of the Bar Foundation had gone well.

President Emch then led a discussion concerning the fund raising campaign to raise \$800,000 by December 31, 2006. At the present time, there had been three contributions in the total amount of \$66,000. The Board members made decisions that there would be the public announcement of the fund raising campaign in the May/June issue of The West Virginia Lawyer magazine, that the Board members would continue their silent campaign during the summer months in making personal contact with lawyers and law offices in the state and that the full campaign for all lawyers in West Virginia would begin in the fall.

The Board went on to request that several items of information be provided to them for the fund raising campaign including The West Virginia Lawyer article that had been written by President Emch, the 2005-05 Annual Report that would be available in July or early August, the fund raising campaign brochure and additional bullet points that they could use during their contacts in the summer with lawyers and law offices. In addition, it was agreed that contacts would be made with the Foundation Fellows in order to ask them to make contributions to the fund raising campaign as well as asking them to make contact with potential contributors.

In addition, the Board members reviewed a Letter of Agreement with ALPS Foundation Services. The letter related to the fund raising campaign and included an invoice for services already provided in the amount of \$2,100. The Board had already provided for funding in the total amount of \$10,000 which would be paid out of the fund raising campaign.

Vice President File gave a report on behalf of the Nominating Committee for the Officers for 2006-07. The nominations were President - Al Emch, Vice President - Bill File and Treasurer - Cheryl Riley. A motion was duly made, seconded and passed to approve these individuals to serve as the Bar Foundation Officers.

President Emch announced that Joe Farrell (Huntington), Carl Harris (Fayetteville) and Larry Skeen (Ripley) had been re-elected at the Bar Foundation's Annual Business Meeting to serve a second three-year term as members of the Board of Directors. In addition, Jane Moran (Williamson) and Joe Long (Bluefield) had been elected to their initial three-year term on the Board.

The Board members expressed their appreciation to Mr. Hicks and to

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Bob Noone (Logan) who were finishing their second three-year term as members of the Board of Directors and were not eligible to serve any longer.

President Emch announced that the next meeting of the Board of Directors would be on September 21, 2006 at 12:00 noon at the State Bar Center in Charleston.

There being no further business to transact, the meeting was adjourned.