

WEST VIRGINIA BAR FOUNDATION, INC.
2006 Kanawha Boulevard, East
Charleston, West Virginia 25311
(304)558-2456

Michael T. Chaney
President
Charleston

Cheryl I. Henderson
Vice President
Huntington

Robert D. Fisher
Secretary/Treasurer
Ripley

Claudia W. Bentley
Martinsburg
John E. Busch
Elkins
James F. Companion
Wheeling

John W. Fisher, II
Morgantown
Richard E. Ford, Jr.
Lewisburg
Elliot G. Hicks
Charleston

Caton N. Hill, Jr.
Philippi
Heather Heiskell Jones
Charleston
Howard M. Persinger, Jr.
Williamson
Elisabeth H. Rose
Fairmont
W. Mote Thompson, Jr.
Ashland, KY

THE WEST VIRGINIA BAR FOUNDATION, INC.
BOARD OF DIRECTORS MEETING
STATE BAR CENTER - CHARLESTON
JULY 13, 2000

MINUTES

The meeting of the Bar Foundation's Board of Directors was called to order by Secretary/Treasurer Mike Chaney on July 13, 2000 at the State Bar Center in Charleston.

Rob Fisher, a member of the Board was present. Participating by telephone conference call were James Companion, John Busch, Dean John Fisher, Cheryl Henderson and Howard Persinger. State Bar President Jim Stealey and Executive Director Tom Tinder were also present.

The first item on the Agenda was a review of the Minutes of the last Board of Directors Meeting which was held on April 13, 2000. There were no additions or corrections to be made to the Minutes as presented.

Mr. Chaney then called upon President Stealey to make any remarks that he wished. Mr. Stealey began his remarks and asked that Mr. Tinder leave the room. After some discussion, Mr. Tinder was invited back into the meeting.

The next item on the Agenda was a report from the Nominating Committee. Mr. Chaney gave the report from the Committee for the nomination for the Officers for the upcoming year. The nominations were for Mr. Chaney as President, Ms. Henderson as Vice President and Mr. Fisher as Secretary/Treasurer. A motion was duly made, seconded and passed that these individuals be selected as the Officers for the coming year. It was agreed that the Nominating Committee would have a recommendation for an individual to serve the vacant position on the Board of Directors at the next Board Meeting.

President Chaney then gave a report from the IOLTA Advisory Committee. He mentioned the status of the IOLTA case which is being

Page Two

litigated in the Federal Court system. Briefs are being filed and oral arguments should occur in the early fall in the Fifth Circuit Court of Appeals. He also said that there were merger discussions occurring in West Virginia between the West Virginia Legal Services Plan and Appalachian Legal Services.

He went on to say that the IOLTA Advisory Committee had met prior to the Board of Directors Meeting and had received a financial report that \$1.257 million had been received during the 1999-2000 fiscal year. There is currently \$493,000 available for distribution with \$200,000 being held in a Rainy Day Fund and \$5,000 for automation. The recommendation from the IOLTA Advisory Committee is to make the \$5,000 available for the automation of the system which is occurring at the present time, distribute \$108,000 to the special grantees and \$180,000 to the legal services program in the state. After some comments were made, a motion was duly made, seconded and passed to distribute the \$493,000 as recommended by the IOLTA Advisory Committee. The Board's recommendation will be presented to the Supreme Court of Appeals for final action.

The Board members then had a discussion concerning the Foundation Fellows Program which was held on May 4, 2000. An additional 16 Fellows were inducted and the dinner was a very successful event.

The next item for discussion related to a financial report. Documents were distributed to the Board members which showed the income expenses for 1999-2000 and a proposed budget for 2000-2001. During 1999-2000, the Foundation had earned approximately \$13,000 in excess revenue and there was a projection of approximately \$20,000 excess revenue for 2000-2001. After some questions were asked, a motion was duly made, seconded and passed to approve the financial report for 1999-2000 and the proposed budget for 2000-2001.

President Chaney then led a discussion concerning the Bar Foundation activities at the State Bar's Annual Meeting on May 12, 2000 in Charleston. The Citizen of the Year Award had been given to Sam Bowling,

Page Three

a business person from Charleston and the Lawyer of the Year Award had been given to Jay West of Clarksburg. There was a presentation made at the Bench/Bar Luncheon concerning Bar Foundation activities.

The next item on the Agenda was a discussion of the Bar Foundation's involvement in the minority law student scholarship program at the West Virginia University College of Law. There had been an initial proposal made by the Attorney Liability Protection Society (ALPS) that contributions which had been made to ALPS and were to be returned to State Bar members could instead be donated to fund minority law student scholarships at the WVU College of Law. After some comments were made, there was no objection stated to the Bar Foundation serving as the conduit for these funds.

President Chaney then talked about the lease on the State Bar Center between the Bar Foundation and the State Bar. The three year lease expired on June 30, 2000 although it continues in effect until a new lease is entered into. President Chaney appointed the Bar Foundation Officers - President Chaney, Vice President Henderson and Secretary/Treasurer Fisher - as the representatives of the Bar Foundation to negotiate a new lease with the State Bar.

Under the topic of Other Business, Dean Fisher brought to the attention of the Board the fact that the contributions from the Bar Foundation had enabled it to receive appropriate recognition from the WVU College of Law. He asked how the Bar Foundation should be listed on any recognition materials. After some comments were made, a motion was duly made, seconded and passed that "West Virginia Bar Foundation, Inc." be the name used on any materials.

President Chaney then announced that the next meeting of the Board of Directors would be on October 26, 2000 at 12:00 noon at the State Bar Center in Charleston.

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