

**MEETING OF THE  
BOARD OF GOVERNORS  
OF THE  
STATE BAR OF ARIZONA**

**May 16, 2025**

BOARD MEMBERS PRESENT: Ted Schmidt, President, Tucson; Samuel J. Saks, President-Elect, Tempe; Doreen N. McPaul, Vice-President, Gilbert; David J. Johns, Flagstaff; Preston L. Pollock, Globe; Amy P. Hernandez, Tucson; Jena Decker-Xu, Phoenix; Robert J. McWhirter, Phoenix; Robyn M. Austin, Public Member, Tucson; Cedric Dave, Public Member, Chandler; Cortez W. Smith, Public Member, Casa Grande; Mike Baumstark, At-Large Member, Scottsdale; Heather Baker-Muschkatel, Sun City; David K. Byers, At-Large Member, Scottsdale; Louis S. Fidel, Tucson; Kelsi Lane, Secretary-Treasurer, Tempe; Justice Kathryn King, Supreme Court Liaison, Phoenix; David B. Rosenbaum, Phoenix; Jimmie Dee Smith, Yuma; Benjamin Taylor, Ex-Officio Member, Phoenix; and Chloé Woods, Phoenix. Diandra Day Benally, Fountain Hills; Mignonne Hollis, Public Member, Sierra Vista; and John W. Moody, Phoenix.

BOARD MEMBERS WITH EXCUSED ABSENCES: D. Christopher Russell, Sierra Vista; Denis M. Fitzgibbons, Casa Grande; Cristina Poletti, YLD President, Scottsdale; Interim Dean Jason Kreag, Ex-Officio Member, UofA; Dean Stacy Leeds, Ex-Officio Member, ASU

STAFF: Joel England, CEO/Executive Director; Jessica Iennarella, Chief Financial Officer; Tim Eigo, Chief Communications Officer; Lori Maxwell, Chief Information Officer; Trish McCarty, HR Director; Lisa Panahi, Chief Legal and Compliance Officer; Maret Vessella, Chief Bar Counsel; Noah Coakley, Chief of Staff & Director of Community Impact; Genna Barela, Manager of Board Operations; Deanna Commack, Executive Assistant; and Patricia Seguin, Legal Services Manager; Riley McLaughlin, BOG Administrative Assistant.

GUESTS: Scott Boncoskey, Justin Dudenhoefer, Russell Duerksen, William Macdonald, Danny Shapiro

**1. Call to Order** – Ted Schmidt

President Schmidt called the meeting to order at 8:30 a.m.

**2. Call to the Public** – Ted Schmidt

President Schmidt made a Call to the Public and hearing nothing, moved on to the next item on the agenda.

**3. President's Report** – Ted Schmidt

- President Schmidt attended and spoke at the Arizona Attorney Admission Ceremony at the Arizona Courts.
- Recommended to the Arizona Supreme Court that the Court administer the oath at the ceremonies in the future.

**4. CEO's Report** – Joel England

- CEO England announced the Employee of the Quarter – Justin Dudenhoefer, he played a critical role this past quarter by leading the launch of the data analytics platform, managing the Board Room AV upgrade, supporting the Western States Bar Conference, assisting BLI

with Umbraco and NABE website updates, and consistently demonstrating a strong work ethic, responsiveness, and a collaborative, proactive attitude that significantly benefited our operations.

- CEO England congratulated Board of Governors Administrative Assistant, Riley McLaughlin, as she graduated with a Master of Legal Studies this May.
- CEO England announced a new face on the Senior Leadership Team, Tim Eigo, previous editor for the State Bar of Arizona's Attorney Magazine and is now transitioning into his promoted role as Chief Communications Officer.
- CEO England updated the Board on Senate Bill 1435
- – CEO England updated the Board on the petition response concerning Rule 32, which was submitted on May 1st. England took a moment to verbally recognize several of the organizations and foundations that have supported the State Bar:

The following agenda item was taken out of order.

**7. Awards Working Group** – Benjamin Taylor

Benjamin presented the award-winning individuals to the Board. Benjamin and the awards working group believe they have selected a great group to win each of these awards at the upcoming Convention Luncheons.

**MOTION** to approve the award recipients by: Cedric Dave

Seconded by: David Rosenbaum

Unanimous.

**8. Certification of the 2025 Board of Governors Election Results** – Joel England

CEO England updated on the election results for Board of Governors:

**District 3** (Gila, Graham, Greenlee Counties) elected Preston L. Pollock (incumbent).

**District 6** (Maricopa County) elected Jeffrey Damon Ashcraft, Jena R. Decker-Xu (incumbent), and Thomas M. Ryan.

**District 8** (Pinal County) elected Denis M. Fitzgibbons (incumbent).

**MOTION** to approval election results: Sam Saks

Seconded by: Robert McWhirter

Unanimous.

The following agenda item was taken out of order.

**5. Consent Agenda** – Ted Schmidt

President Schmidt asked if there were any matters that needed to be removed from the Consent Agenda and hearing nothing.

**MOTION** to approve the Consent Agenda: Mignonne Hollis

Seconded by: Robert McWhirter

Unanimous.

- a) Approval of Resignations in Good Standing
- b) Resignations in Lieu of Reinstatement
- c) Approval of Reinstatement of Member(s) suspended for Non-Compliance with Annual Membership Fees and/ or Trust Account Compliance (Rule 32(c)(10) and/ or Rule 43, Ariz. R.

- Sup. Ct.)
- d) Approval of Reinstatement of Member(s) suspended for Non-Compliance with 2023-24 MCLE Requirements
  - e) Professionalism Course Approval of Alternative Providers

**6. Proposed Reply to R-25-0035, Petition to Amend Rule 39(b)(12), Ariz. R. Sup. Ct.** – Scott Boncoskey

Scott Boncoskey, member of the Criminal Practice & Procedure Committee, presented to the Board a proposed reply to R-25-0035, Petition to Amend Rule 39(b)(12), Ariz. R. Sup. Ct. The Rules of Criminal Procedure, which pertains to the victim interview request process. The proposed reply defends the proposed rule change as a modest procedural reform aimed at enhancing fairness, transparency, and efficiency in how victim interview requests are handled. The reply refutes several criticisms raised in comments.

**MOTION** to approve the proposed reply to R-25-0035: Robert McWhirter  
Seconded by: David Johns  
Unanimous.

The following agenda items were taken out of order.

**10. Finance and Audit Committee** – Jessica Iennarella, Chris Russell

Jessica presented a Q1 Update:

- Operating surplus of \$10K relative to a budgeted deficit of \$227K. Investment activity for the first quarter is a surplus of \$19K. Total change in net assets for Q1 2025 is \$29K surplus.
- Revenue totals \$5,069K for Q1. Annual fee collections are materially in line with budget.
- Expenses total \$5,059K for Q2. All expense categories (i.e. personnel, depreciation, operating) are within budget, albeit closer to budget than prior years.
- Start projections after Q2 when Convention has occurred.

**11. Nominating Committee Update** – Benjamin Taylor

Benjamin updated the Board on the progress of the nominating committee. The committee is convening on June 5th to conduct interviews and discuss nominations of the 2025 – 2026 Board members.

At Convention the nominating committee chair, Benjamin, will inform the Board and public of the selected candidates. Asking the candidates to present at the Board meeting, then vote.

**12. BLI Update** – Noah Coakley

Noah presented an update to the Board regarding the BLI (Bar Leadership Institution) program. This May, the 2025 Graduating Class of fifteen individuals. The application window opens June 2nd for the next program session, Noah encouraged the Board to invite mutuals or individuals to participate in the program.

Noah demonstrated the work the BLI program accomplished on their Instagram platform and website page within the State Bar of Arizona webpage. The BLI graduating class worked together to research and publish a historical timeline of the Bars organization. Noah also presented a few video clips that represent what BLI means, the initiative, what can be taken from it and earned, etc.

Noah looks forward to growing the BLI community, getting the public and people at the State Bar

more involved. Noah additionally plans to initiate a two-night retreat for the program to enhance the connections and networking of those participants with legal professionals.

**13. Future Board Events** – Ted Schmidt

Ted reminded the Board of upcoming events. On June 23, 2025, the Board meeting will take place at the Convention location – Sheraton Grand at Wild Horse Pass. On July 17 – 18, 2025, the Board retreat will take place in Sedona at Hilton Sedona Resort at Bell Rock.

The following agenda item was taken out of order.

**MOTION** to BREAK at 10:00 a.m. by Robert McWhirter

Seconded by: Sam Saks

Entered **EXECUTIVE SESSION** at 10:12 a.m.

**MOTION** to return to Open Session at 10:19 a.m.

Seconded by: Jimmie Smith

**9. Appointments Committee** –Doreen McPaul

The appointments committee met on May 5 to screen the applications for the vacant member seats on the following boards. The committee motioned to nominate applicants to bring forth to the Board of Governors at the May 16th board meeting.

For the vacant District 2 Yavapai County seat on the Board of Governors, the board will conduct interviews during the Board meeting to make its final appointment. Interviewees are:

Mr. William Macdonald

Mr. Russell Duerksen

**a) Board of Governors - District 2, Yavapai County Representative**

One open seat to complete the remaining two-year term following the departure of Judge Henry Whitmer. Committee brought forward to the Board for interviews; Mr. William Macdonald and Mr. Russell Duerksen. The Board action was to vote to appoint one of the two interviewees, resulting in a 10-8 vote to appoint Mr. Russell Duerksen; three Zoom attendees did not cast a vote and were recorded as abstentions.

**MOTION** to approve Mr. Russell Duerksen to the Board of Governors to represent District 3 (Yavapai County) for the remainder of the vacant term: Cedric Dave

Seconded by: Jimmie Smith

**b) City of Mesa - Judicial Advisory Board**

One open attorney seat. The incumbent, Ms. Sonia Martinez, was eligible and recommended for reappointment. The Board voted, resulting in a vote passed unanimously with no abstentions.

**MOTION** to approve the reappointment: Heather Baker-Mushkatel

Seconded by: Robert McWhirter

**c) City of Peoria - Judicial and Public Defender Advisory Board**

One open attorney seat, the Board voted for the recommended appointee, Ms. Yvette Ashworth, resulting in a vote passed unanimously with no abstentions.

**MOTION** to approve appointment: David Rosenbaum

Seconded by: Mignonne Hollis

**d) City of Surprise - Judicial Advisory Board**

One open attorney seat. The incumbent, Mr. Jose Valles, was eligible and recommended for reappointment. The Board voted for Mr. Jose Valles for reappointment, resulting in a vote passed unanimously with no abstentions.

**MOTION** to approve the reappointment: Cedric Dave

Seconded by: Jimmie Smith

**e) Client Protection Fund - Board of Trustees**

One trustee position, the Board voted for the recommended appointee, Mr. Robert W. Burghart, resulting in a vote passed unanimously with no abstentions.

**MOTION** to approve appointment: David Rosenbaum

Seconded by: David Johns

**f) Community Legal Services - Board of Directors**

Two open seats, the Board voted for the recommended appointees, Mr. George Biederman, and Ms. Kristina Ketchel, resulting in a vote passed unanimously with no abstentions.

**MOTION** to approve appointments: David Rosenbaum

Seconded by: David Johns

**g) Board of Legal Specialization**

Two attorney seats, the Board voted for the recommended appointees, Ms. Anna Thomasson, and Ms. Lindsay Norenberg, resulting in a vote passed unanimously with no abstentions.

**MOTION** to approve appointments: Robert McWhirter

Seconded by: Cortez Smith

The following agenda items are now in order.

**14. Correspondence/Reports** – Sam Saks

Board Assignments 2025-2026

**15. Mark Harrison Memorial 10-Minute Topics** – Robert J. McWhirter

Robert McWhirter presented on “Dark Times but Seeds for Change”

**MOTION** to adjourn: Sam Saks

Seconded by: Robert McWhirter

**ADJOURNED** at 11:15 a.m.