

POSITION DESCRIPTION

JOB TITLE: Executive Director of the Utah State Bar

REPORTS TO: Bar President and the Board of Bar Commissioners

STATUS: Exempt/Management

EFFECTIVE: July 1, 2021

Basic Function and Scope of Authority

The Executive Director ("ED") is the principal administrative and operations officer of the Bar and, under the direction of the Bar Commission, is responsible to carry out the mission of the Bar and for the supervision of the day-to-day regulatory, public service and lawyer service operations of the Bar, as well as and the operations and maintenance of the Law and Justice Center. The ED supervises all employees and other administrative affairs, implements Commission-approved policies; administers and facilitates the implementation of Bar programs and activities; and reviews, clarifies, and administers annual budgets. The ED serves as a resource person to the Bar President, the Executive Committee, and the Commission. The ED shall encourage the Bar President to include the Bar President-elect in any significant decisions and policy discussions so as to facilitate a smooth transition from one Bar President to another. The ED also serves as a resource person and advisor to the Bar President-elect and be responsive to his/her requests and needs regarding his/her responsibilities.

The ED will delegate to and train the Assistant Executive Director in such duties as the ED deems appropriate or as suggested by the Bar President, Bar President-elect, and/or the Executive Committee.

The Executive Director is authorized to employ, appropriately compensate and terminate all Bar employees in accordance with Commission-approved annual budgets, compensation ranges, and directives of the Bar President or the Executive Committee. The Bar President and Executive Committee may, in their discretion, be actively involved in the hiring and terminating of Bar staff and employees in conjunction with the ED. In the unlikely event of a disagreement between the ED and the Bar President or Executive Committee over a hiring or termination decision of an employee, the matter shall be taken to the voting members of the Bar Commission and their decision shall govern. The decision shall be made by a majority vote with the Bar President breaking a tie. The ED shall keep the Bar President and Executive Committee apprised of all hiring and termination of employees well in advance. The ED shall implement and enforce administrative and personnel policies and procedures and has such further authority as defined in the Bylaws or policies of the Bar or which may from time to time

be delegated by the Bar Commission. The ED is authorized to undertake the responsibilities set forth below, including other responsibilities reasonably related thereto.

Term and Compensation

The ED's compensation arrangements shall be outlined from time to time by the Bar President and/or Executive Committee and approved by the Bar Commission. The term of office of the ED shall be from year-to-year, unless otherwise defined by a memorandum of agreement or written employment contract.

Responsibilities

It is understood the ED cannot perform all the tasks listed herein and that the ED has full authority to delegate to the staff many of the tasks for which he/she has oversight responsibility, specifically to the Assistant Executive Director as directed by the Bar Commission.

A. General Bar Management and Technology.

Serves as Chief Operations Officer for day-to-day operations of the Bar. Maintains corporate governance, management files and all data bases. Handles or oversees the hiring and termination of all Bar employees under the authority of and in conjunction with the Bar President and Executive Committee, and implements personnel policies as approved by the Bar Commission. Provides or oversees appropriate staff training and performance review procedures. Maintains employee personnel files.

Authorizes and executes such contracts and commitments as may be authorized by the Executive Committee and/or the Bar Commission, either by expressed approval or as approved in the approved annual budget of the Bar.

Responsible for management of general matters of litigation involving the Bar, under the direction of the Bar Commission.

B. Bar Programs and Services.

The ED shall focus on "outward-facing" and regulatory operations of the Bar, as well as the promotion of effective programs, services and projects of the Bar, including the maintenance of all databases, the activities of and relationships with Bar committees, sections, regional and affinity bars, regulatory reform efforts and

education, and other Bar activities, including but not limited to, Professional Education/Continuing Legal Education (“CLE”), New Lawyer Training Program (“NLTP”), Licensed Paralegal Practitioner (“LPP”) Program, Access to Justice programs, member benefit programs, the Consumer Assistance Program (“CAP”), the Discipline Office Information (“DOI”) Department, the Fund for Client Protection, Fee Dispute Resolution, web site management, communications (including the e-bulletin and the *Utah Bar Journal*), law office management and professionalism initiatives, and any other projects, programs, services or events as the Bar President or Bar Commission may direct or would be required for the appropriate furtherance of the Bar’s mission and goals.

The ED shall directly supervise the Assistant Executive Director; General Counsel; Deputy General Counsel over Admissions; and Finance Director.

The ED is responsible for the admissions rules, policies and procedures, including processing of applications for admission and admissions *pro hac vice*, character and fitness investigations evaluations and reports, development of appropriate Bar examinations, the administration of the examination, certification for admission of successful applicants, and coordination of the admissions ceremonies with the Supreme Court and the U.S. District Court for Utah. The Ed oversees the Bar examination and character & fitness review and appeals process.

The ED assists the Bar President and Executive Committee in the coordination of the annual appointment process for volunteer participation in committees, sections, and programs by, among other things, maintaining current list of chairs, co-chairs, and members of each committee and dates of appointments for each chair, co-chair, and committee member. Assists the Bar President and Bar President-elect in developing goals and responsibilities for each standing committee of the Bar. Assists the Bar President and Bar President-elect in developing annual charges for each standing committee of the Bar.

Maintains action item list for the Bar President to facilitate the Bar President and the Executive Committee in fulfilling their responsibilities and goals.

C. Financial Management.

Prepares annual budgets with the Finance Director, Bar staff, the Budget and Finance Committee, and the Bar President-elect. Serves as chief fiscal officer of the Bar and oversees the implementation of the budget and periodically reviews the day-to-day financial management of the Bar with the Finance Director. The ED is also authorized to administer the various Bar programs, services and functions within and according to the

adopted annual operations and capital budgets and as directed by the Bar President and Executive Committee. Assists in the financial evaluation of proposed Bar and member benefit programs, including the estimation of fiscal notes.

Coordinates long-range financial planning and carries out long-range goals.

Oversees or directly negotiates auditing and banking services as approved by the Bar Commission.

Oversees the financial relationship between the Bar and local or specialty bar associations and financial administration and support of committees and sections of the Bar.

Recommends to the Board a lump-sum figure for annual executive staff salaries during the regular budget process, provided that no staff member receive over a 5 percent (5%) salary increase without Bar Commission approval.

D. Bar President and Board of Bar Commissioners.

As a priority, the ED shall be responsive to requests of the Bar President and/or the Executive Committee and shall ensure that staff is also responsive in a timely fashion to the Bar President and/or the Executive Committee requests. Advises the Bar President and/or the Executive Committee on new committees and policies and facilitates their implementation.

Serves as general secretary to the Bar Commissioners, attends all meetings of the Bar Commission and of the Executive Committee, prepares agendas in consultation with the Bar President and keeps minutes of meetings of the Bar Commission and of the Executive Committee. Advises the Bar Commissioners of the administrative and financial affairs of the Bar and provides information and/or reports on appropriate agenda items. Coordinates scheduling and arrangements of Bar Commission and Executive Committee meetings. Maintains Bar Commission Policies and Procedures, Bar By-laws and all other Supreme Court orders directed to the Bar and the profession.

Serves as primary staff person in assisting the Bar President, Bar President-elect and Bar Commission members in fulfilling their duties and with special projects and programs of the Bar Commission. Coordinates communications, activities and events involving the Bar Commission and the judiciary. Formulates and recommends rule and policy changes for approval of the Bar Commission.

Coordinates long-range planning and carries out long range goals.

Negotiates and ensures continuation of appropriate levels of insurance policies for officers and directors' liability, building insurance, and other insurance as may be appropriate.

Oversees, in conjunction with the Executive Committee, the administration of the Bar Commissioner elections and orientation.

Implements policies and procedures related to committees and sections as approved by the Bar Commission, coordinates appointments to all committees, promotes active participation by members in committee and section activities, and assists committees and sections in the development of appropriate programs, projects and activities.

Coordinates Bar Commission appointments to statutory committees and commissions, as well as other appointments for which the Bar Commission is responsible.

E. Internal Communications, Public Relations and Governmental Relations.

Coordinates relationships and communications with various Bar-related groups, including large and small firms and solo practitioners, government lawyers and corporate counsel.

Serves as chief spokesperson for the Bar in the absence of the Bar President. Receives inquiries from news media and members of the public concerning Bar operations or events which concern the Bar, issues statements when appropriate and consistent with Bar Commission policies and undertakes public speaking activities for the Bar when appropriate. Responds to public inquiries and complaints. Serves as official spokesperson for the Bar in the absence of the Bar President or by delegation from the President, including public speaking on behalf of the Bar.

Coordinates relationships with other professional associations, including Utah Medical Association, Utah Bankers Association, Utah Association of CPA's, various state and national governmental entities, including the legislature and governor's office through personal contacts and through contract lobbyists.

Coordinates with Director of Communications and public relations consultants on matters of publicity for the Bar and press relations.

Develops friendly and professional relationships with members of the press in order to facilitate cost-effective and positive publicity about Bar service projects and service-oriented programs.

F. Legal Profession.

Represents the Bar in various capacities with the American Bar Association, the Western States Bar Conference, the National Association of Bar Executives, and other national and regional organizations within the legal profession.

Promotes and maintains positive relationships with Utah Supreme Court, the Utah judiciary, the Governor's office, the legislature, local and specialty bar associations, in-state law schools, and legal service providers. Coordinates dissemination of information from national and regional legal organizations to committees and sections of the Bar.

G. Utah Law & Justice Center and Bar Operations.

Responsible for day-to-day management of the Utah Law & Justice Center, including serving as agent in the negotiation and management of leasehold arrangements, and accommodation of appropriate tenant needs, as approved by the Bar Commission.

Assists in the effective development of lawyer referral services, charitable and educational public service programs and activities which will produce revenue and/or promote the philosophical objectives of the Utah Law & Justice Center, including appropriate ADR programs, and facilitate raising capital for the operation of the Bar. Responsible for the management of the building facilities and services of the Utah Law & Justice Center, oversight of interior and exterior improvements, maintenance and repairs as needed. Develops or oversees marketing activities to promote the public recognition and use of the Law & Justice Center, its facilities and programs.

H. Strategic Leadership.

Responsible for providing leadership, vision, growth, and the development of the Bar. Recommends and participates in long-term strategic planning processes for the Bar. Ensures that all levels of the organization consistently produce high quality work products and regularly looks for opportunities to improve the processes, programs, and efforts of the Bar. Ensures that resources are well managed to effectively support current operations and strategic plans.