

VISION OF THE UTAH STATE BAR

A just legal system that is understood, valued, and accessible to all.

MISSION OF THE UTAH STATE BAR

Lawyers serving the public and legal profession with excellence,
civility, and integrity.

2014 – 2015 COMMISSION PRIORITIES

1. Improving Access to Justice:
Pro Bono Commission & Modest Means Lawyer Referral
2. Advocating for the Judiciary
3. Reviewing Bar Operations:
OPC, Summer Convention, NLTP, Budget
4. Planning for the Future of the Profession
5. Celebrating Magna Carta/Rule of Law
6. Supporting Diversity

UTAH STATE BAR STATEMENT ON DIVERSITY AND INCLUSION

The Bar values engaging all persons fully, including persons of different ages, disabilities, economic status, ethnicities, genders, geographic regions, national origins, sexual orientations, practice settings and areas, and races and religions. Inclusion is critical to the success of the Bar, the legal profession and the judicial system.

The Bar shall strive to:

- 1. Increase members' awareness of implicit and explicit biases and their impact on people, the workplace, and the profession;*
- 2. Make Bar services and activities open, available, and accessible to all members;*
- 3. Support the efforts of all members in reaching their highest professional potential;*
- 4. Reach out to all members to welcome them to Bar activities, committees, and sections; and*
- 5. Promote a culture that values all members of the legal profession and the judicial system.*

UTAH STATE BAR AWARDS

<u>AWARD</u>	<u>CHOSEN</u>	<u>PRESENTED</u>
1. Dorathy Merrill Brothers Award Advancement of Women in the Law	January/February	Spring Convention
2. Raymond S. Uno Award Advancement of Minorities in the Law	January/February	Spring Convention
3. Pro Bono Lawyer of the Year	April	Law Day
4. Distinguished Judge of the Year	June	Summer Convention
5. Distinguished Lawyer of the Year	June	Summer Convention
6. Distinguished Section of the Year	June	Summer Convention
7. Distinguished Committee of the Year	June	Summer Convention
8. Outstanding Pro Bono Service	September	Fall Forum
9. Distinguished Community Member	September	Fall Forum
10. Professionalism Award	September	Fall Forum
11. Outstanding Mentor	September	Fall Forum
12. Heart & Hands Award	October	Utah Philanthropy Day
13. Distinguished Service Award		As Needed
14. Special Service Award		As Needed
15. Lifetime Service Award		On Occasion

Points From Charlotte Miller's Bar Commission Leadership Workshop (August 23, 2014)

1. Remember why you joined the Commission – what are your goals?
2. Remember your goals are probably the same and/or similar to your colleagues on the Commission, even if you think you come from a different perspective than everybody else.
3. Being on the Commission is a privilege not a chore. Develop a mindset of “I *get* to do X” instead of “I *have* to do X.”
4. Attend all Commissions meetings; study the materials beforehand. Focus 100% of your attention while there. Do not text, or do other work during Commission meetings. Be engaged. Listen carefully. Offer thoughtful comments that are in the best interest of the Bar. Follow through. Make a difference.
5. Your time on the Commission is short, especially ex-officio members. Make the most of it.
6. Remember your role: Bar staff can handle the day –to-day operations of the Bar. Your job is big picture and oversight.
7. Charlotte encouraged the Commissioners to think about what consensus means to each of them and how they should not try to undermine a decision after it is made.
8. If you do not like someone you have to work with, use strategies to get to know the person that will enable you to better work with the person or even begin to like her or him. Charlotte gave an example of making a point to speak every day with a co-worker she thought was difficult.
9. Encourage and mentor others along in Bar leadership. Remember your Bar story, which probably included an invitation from a Bar leader to help.
10. Talk often about the Bar's Vision and Mission statement, to focus your work in a way that is consistent with those statements.
11. Charlotte conducted exercises that encouraged Commissioners to think about the decision making process. Groups were given scenarios with different difficult decisions to make and asked to reach decisions while considering the following factors:
 - a. What facts do they need? Data is very important to good decision making
 - b. What should the process be?
 - c. What unwritten Bar traditions impact the final decision?
 - d. How does the culture of the Bar impact the decision?
 - e. What items in Bar governance materials are relevant to the process?

Two most important responsibilities of a Bar Commissioner

Represent the interests of the attorneys we represent; voice for division

Bar activities and initiatives be consistent with the Bar's purpose and mission.

Help fulfill vision by devoting time and intellect

Contribute ideas and work

Serve lawyers of Utah

Help accomplish goals of the commission

Represent my division and my liaison groups

Make the Bar meaningful to lawyers

Speak honestly

Contribute with ideas and feedback

Fiduciary

Forward thinking visionary

Communicate with Bar members

Have programs that assist all attorneys and advance the profession

Protect core functions

Promote access to justice and diversity

Know concerns of membership

Speak for membership

Take action on members' needs

Be conservative with bar dues

Attend the meetings

Use sound judgment

Serve community

Represent the unrepresented

Access to Justice

Work together to assist sections of the Bar

Support Rule of Law and integrity of legal system

Listen and participate

Utah State Bar Commission
Friday, June 12, 2015
Law & Justice Center

Agenda

1. 9:00 a.m. President's Report: Jim Gilson

- | | | |
|-----------------|-----|--|
| <i>05 mins.</i> | 1.1 | Welcome and Review Calendars |
| <i>10 mins.</i> | 1.2 | Report on Northwest States and Jackrabbit Conferences (Tab 1) |
| <i>10 mins.</i> | 1.3 | Report on North Carolina Dental Board Case (Tab 2) |
| <i>05 mins.</i> | 1.4 | Credit Card Service Charges |
| <i>05 mins.</i> | 1.5 | OPC Committee Update |
| <i>05 mins.</i> | 1.6 | NLTP Committee Update |
| <i>05 mins.</i> | 1.7 | Convention Committee Update |
| <i>15 mins.</i> | 1.8 | Budget & Finance Review Committee Update |

2. 10:00 a.m. Action Items

- | | | |
|-----------------|-----|--|
| <i>40 mins.</i> | 2.1 | Approve 2015-2016 Budget (Tab 3)
A. Utah Dispute Resolution Funding Request (Tab 4) |
|-----------------|-----|--|

10:40 am Break

- | | | |
|-----------------|-----|---|
| <i>10 mins.</i> | 2.2 | Select Lawyer of the Year Award Recipient (Tab 5) |
| <i>10 mins.</i> | 2.3 | Select Judge of the Year Award Recipient (Tab 6) |
| <i>10 mins.</i> | 2.4 | Select Committee of the Year Award Recipient (Tab 7) |
| <i>10 mins.</i> | 2.5 | Select Section of the Year Award Recipient (Tab 8) |
| <i>30 mins.</i> | 2.6 | Futures Committee Report and "AAA" Committee (Tab 9) |

Noon Break for Lunch

3. 12:20 p.m. Discussion Items

- | | | |
|-----------------|-----|---|
| <i>10 mins</i> | 3.1 | Planning - Expungement Summit, Mobile Veterans Clinic & Leadership Academy: Angelina Tsu |
| <i>30 mins.</i> | 3.2 | Open Mic |

4. 1:00 p.m. Executive Session

1:15 p.m. Adjourn

(Over)

Consent Agenda (Tab 10)

1. Approve May 1, 2015 Commission Meeting Minutes

Attachments (Tab 11)

1. April 2015 Financials

Calendar

July 17	Executive Committee	12:00 Noon	Law & Justice Center
July 28-29	Bar Examination	8:00 a.m.	Southtowne Expo Center
July 29	Commission Meeting	1:00 p.m.	Sun Valley, Idaho
July 29-Aug. 1	Summer Convention		Sun Valley, Idaho

Tab 1

SCHEDULE
NORTHWEST BARS CONFERENCE
May 13, 2015
State Bar of Nevada
Las Vegas, NV 89101

WEDNESDAY, MAY 13, 2015

- | | |
|-------------------|--|
| 8:30 a.m. | Breakfast |
| 9:00 a.m. | Welcome and Introductions
Elana Graham, President, State Bar of Nevada |
| 9:15 a.m. | Discussion – Challenges affecting the Legal Profession <ul style="list-style-type: none">○ North Carolina Dental Board Case – how bars are responding○ LLLT Ownership in Law Firms○ Legalization of Marijuana issues – attorney ownership, distribution○ Professional Responsibility & Discipline – problems, best practices○ UBE experiences to date○ New Lawyers, support and programs○ Aging Lawyers, effects on the bar, support and programs |
| 12:00 p.m. | Lunch |
| 12:30 p.m. | Roll Call of States (15 minutes each) <ul style="list-style-type: none">○ Idaho○ Montana○ Nevada○ Oregon○ Utah○ Washington
Discussion – Issues of Interest <ul style="list-style-type: none">○ Board Relations/Governance Studies○ Recent Surveys Conducted by Bars○ Support to lawyers with substance abuse and addiction issues○ CLE Regulatory Functions/Structures○ Technology in communications/publications○ IOLTA Programs -- Distribution of funds from Bank of America Settlement
Other Issues of Interest |
| 2:30 p.m. | Adjourn |

JACK RABBIT BAR CONFERENCE

June 4-6, 2015
Hotel Park City
Park City, Utah

Thursday, June 4

4:00 - 6:00 p.m.

Registration (Park Room)

6:00 - 8:00 p.m.

Welcome Reception (Pine Room)

Friday, June 5

7:00 - 8:00 a.m.

Breakfast (Wasatch Room)

7:00 - 8:00 a.m.

Registration (Park Room)

8:00 - 8:15 a.m.

Welcome-Overview of the Conference (Aspen Room)

Robert L. Jeffs, Chancellor

8:15 - 8:30 a.m.

Roll Call of the States
(Idaho, New Mexico)

8:30 - 9:30 a.m.

History of Park City-Mining Town to Resort

Jenette Purdy, Director of Education, Park City Museum

9:30 - 9:50 a.m.

Break

9:50 - 10:45 a.m.

A Jack Rabbit Judge Reflects on Truth, Justice, and What to Wear to a Bank Robbery

Judge Robert Braithwaite, U.S. Magistrate Judge

10:45 - 11:00 a.m.

Roll Call of the States
(North Dakota, Utah)

11:00 - 11:15 a.m.

Break

11:15 - 12:00 p.m.

The Birth of the Mega Ski Resort

John Lund, Parsons, Behle, & Latimer

12:00 p.m.

Optional Excursions

Golf - Park City Golf Club

(\$80-Includes cart, range balls, \$10 Pro Shop credit)

Park City Museum and Walking Tour

(\$12 per person)

Utah Olympic Park

(\$15 to 185 - activities include Bobsled Ride,
Zipline, Alpine Slide, and Adventure Course)

5:30 - 6:30 p.m.

Cocktail Hour (Wasatch Room)

6:30 - 8:00 p.m.

Dinner (Wasatch Room)

Saturday, June 6

7:30 - 8:30 a.m.

Breakfast (Wasatch Room)

8:30 - 8:45 a.m.

Roll Call of the States (Aspen Room)
(Wyoming, Montana)

8:45 - 9:40 a.m.

The FISA Court

Judge Dee Benson, U.S. District Judge
Former Judge of the FISA Court, Washington D.C.

9:40 - 10:25 a.m.

Who Needs Lawyers? -

A Challenge to the Definition to the Practice of Law

Jim Gilson, President Utah State Bar,
John Baldwin, Executive Director Utah State Bar

10:25 - 10:45 a.m.

Break

10:45 - 11:00 a.m.

Roll Call of the States

(Nevada, South Dakota)

11:00 - 12:00 p.m.

Technology You Will Love

Lincoln Mead, IT Director Utah State Bar,

12:00 - 12:15 p.m.

Annual Business Meeting

12:15 p.m.

Adjourn

Tab 2

Syllabus

NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

NORTH CAROLINA STATE BOARD OF DENTAL
EXAMINERS *v.* FEDERAL TRADE COMMISSIONCERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE FOURTH CIRCUIT

No. 13–534. Argued October 14, 2014—Decided February 25, 2015

North Carolina’s Dental Practice Act (Act) provides that the North Carolina State Board of Dental Examiners (Board) is “the agency of the State for the regulation of the practice of dentistry.” The Board’s principal duty is to create, administer, and enforce a licensing system for dentists; and six of its eight members must be licensed, practicing dentists.

The Act does not specify that teeth whitening is “the practice of dentistry.” Nonetheless, after dentists complained to the Board that nondentists were charging lower prices for such services than dentists did, the Board issued at least 47 official cease-and-desist letters to nondentist teeth whitening service providers and product manufacturers, often warning that the unlicensed practice of dentistry is a crime. This and other related Board actions led nondentists to cease offering teeth whitening services in North Carolina.

The Federal Trade Commission (FTC) filed an administrative complaint, alleging that the Board’s concerted action to exclude nondentists from the market for teeth whitening services in North Carolina constituted an anticompetitive and unfair method of competition under the Federal Trade Commission Act. An Administrative Law Judge (ALJ) denied the Board’s motion to dismiss on the ground of state-action immunity. The FTC sustained that ruling, reasoning that even if the Board had acted pursuant to a clearly articulated state policy to displace competition, the Board must be actively supervised by the State to claim immunity, which it was not. After a hearing on the merits, the ALJ determined that the Board had unreasonably restrained trade in violation of antitrust law. The FTC again sustained the ALJ, and the Fourth Circuit affirmed the FTC in

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all respects.

Held: Because a controlling number of the Board's decisionmakers are active market participants in the occupation the Board regulates, the Board can invoke state-action antitrust immunity only if it was subject to active supervision by the State, and here that requirement is not met. Pp. 5–18.

(a) Federal antitrust law is a central safeguard for the Nation's free market structures. However, requiring States to conform to the mandates of the Sherman Act at the expense of other values a State may deem fundamental would impose an impermissible burden on the States' power to regulate. Therefore, beginning with *Parker v. Brown*, 317 U.S. 341, this Court interpreted the antitrust laws to confer immunity on the anticompetitive conduct of States acting in their sovereign capacity. Pp. 5–6.

(b) The Board's actions are not cloaked with *Parker* immunity. A nonsovereign actor controlled by active market participants—such as the Board—enjoys *Parker* immunity only if “‘the challenged restraint . . . [is] clearly articulated and affirmatively expressed as state policy,’ and . . . ‘the policy . . . [is] actively supervised by the State.’” *FTC v. Phoebe Putney Health System, Inc.*, 568 U.S. ___, ___ (quoting *California Retail Liquor Dealers Assn. v. Midcal Aluminum, Inc.*, 445 U.S. 97, 105). Here, the Board did not receive active supervision of its anticompetitive conduct. Pp. 6–17.

(1) An entity may not invoke *Parker* immunity unless its actions are an exercise of the State's sovereign power. See *Columbia v. Omni Outdoor Advertising, Inc.*, 499 U.S. 365, 374. Thus, where a State delegates control over a market to a nonsovereign actor the Sherman Act confers immunity only if the State accepts political accountability for the anticompetitive conduct it permits and controls. Limits on state-action immunity are most essential when a State seeks to delegate its regulatory power to active market participants, for dual allegiances are not always apparent to an actor and prohibitions against anticompetitive self-regulation by active market participants are an axiom of federal antitrust policy. Accordingly, *Parker* immunity requires that the anticompetitive conduct of nonsovereign actors, especially those authorized by the State to regulate their own profession, result from procedures that suffice to make it the State's own. *Midcal*'s two-part test provides a proper analytical framework to resolve the ultimate question whether an anticompetitive policy is indeed the policy of a State. The first requirement—clear articulation—rarely will achieve that goal by itself, for entities purporting to act under state authority might diverge from the State's considered definition of the public good and engage in private self-dealing. The second *Midcal* requirement—active supervision—seeks to avoid this

Syllabus

harm by requiring the State to review and approve interstitial policies made by the entity claiming immunity. Pp. 6–10.

(2) There are instances in which an actor can be excused from *Midcal*'s active supervision requirement. Municipalities, which are electorally accountable, have general regulatory powers, and have no private price-fixing agenda, are subject exclusively to the clear articulation requirement. See *Hallie v. Eau Claire*, 471 U. S. 34, 35. That *Hallie* excused municipalities from *Midcal*'s supervision rule for these reasons, however, all but confirms the rule's applicability to actors controlled by active market participants. Further, in light of *Omni*'s holding that an otherwise immune entity will not lose immunity based on ad hoc and *ex post* questioning of its motives for making particular decisions, 499 U. S., at 374, it is all the more necessary to ensure the conditions for granting immunity are met in the first place, see *FTC v. Ticor Title Ins. Co.*, 504 U. S. 621, 633, and *Phoebe Putney*, *supra*, at _____. The clear lesson of precedent is that *Midcal*'s active supervision test is an essential prerequisite of *Parker* immunity for any nonsovereign entity—public or private—controlled by active market participants. Pp. 10–12.

(3) The Board's argument that entities designated by the States as agencies are exempt from *Midcal*'s second requirement cannot be reconciled with the Court's repeated conclusion that the need for supervision turns not on the formal designation given by States to regulators but on the risk that active market participants will pursue private interests in restraining trade. State agencies controlled by active market participants pose the very risk of self-dealing *Midcal*'s supervision requirement was created to address. See *Goldfarb v. Virginia State Bar*, 421 U. S. 773, 791. This conclusion does not question the good faith of state officers but rather is an assessment of the structural risk of market participants' confusing their own interests with the State's policy goals. While *Hallie* stated "it is likely that active state supervision would also not be required" for agencies, 471 U. S., at 46, n. 10, the entity there was more like prototypical state agencies, not specialized boards dominated by active market participants. The latter are similar to private trade associations vested by States with regulatory authority, which must satisfy *Midcal*'s active supervision standard. 445 U. S., at 105–106. The similarities between agencies controlled by active market participants and such associations are not eliminated simply because the former are given a formal designation by the State, vested with a measure of government power, and required to follow some procedural rules. See *Hallie*, *supra*, at 39. When a State empowers a group of active market participants to decide who can participate in its market, and on what terms, the need for supervision is manifest. Thus,

the Court holds today that a state board on which a controlling number of decisionmakers are active market participants in the occupation the board regulates must satisfy *Midcal's* active supervision requirement in order to invoke state-action antitrust immunity. Pp. 12–14.

(4) The State argues that allowing this FTC order to stand will discourage dedicated citizens from serving on state agencies that regulate their own occupation. But this holding is not inconsistent with the idea that those who pursue a calling must embrace ethical standards that derive from a duty separate from the dictates of the State. Further, this case does not offer occasion to address the question whether agency officials, including board members, may, under some circumstances, enjoy immunity from damages liability. Of course, States may provide for the defense and indemnification of agency members in the event of litigation, and they can also ensure *Parker* immunity is available by adopting clear policies to displace competition and providing active supervision. Arguments against the wisdom of applying the antitrust laws to professional regulation absent compliance with the prerequisites for invoking *Parker* immunity must be rejected, see *Patrick v. Burget*, 486 U. S. 94, 105–106, particularly in light of the risks licensing boards dominated by market participants may pose to the free market. Pp. 14–16.

(5) The Board does not contend in this Court that its anticompetitive conduct was actively supervised by the State or that it should receive *Parker* immunity on that basis. The Act delegates control over the practice of dentistry to the Board, but says nothing about teeth whitening. In acting to expel the dentists' competitors from the market, the Board relied on cease-and-desist letters threatening criminal liability, instead of other powers at its disposal that would have invoked oversight by a politically accountable official. Whether or not the Board exceeded its powers under North Carolina law, there is no evidence of any decision by the State to initiate or concur with the Board's actions against the nondentists. P. 17.

(c) Here, where there are no specific supervisory systems to be reviewed, it suffices to note that the inquiry regarding active supervision is flexible and context-dependent. The question is whether the State's review mechanisms provide "realistic assurance" that a non-sovereign actor's anticompetitive conduct "promotes state policy, rather than merely the party's individual interests." *Patrick*, 486 U. S., 100–101. The Court has identified only a few constant requirements of active supervision: The supervisor must review the substance of the anticompetitive decision, see *id.*, at 102–103; the supervisor must have the power to veto or modify particular decisions to ensure they accord with state policy, see *ibid.*; and the "mere potential for state

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supervision is not an adequate substitute for a decision by the State,” *Ticor, supra*, at 638. Further, the state supervisor may not itself be an active market participant. In general, however, the adequacy of supervision otherwise will depend on all the circumstances of a case. Pp. 17–18.

717 F. 3d 359, affirmed.

KENNEDY, J., delivered the opinion of the Court, in which ROBERTS, C. J., and GINSBURG, BREYER, SOTOMAYOR, and KAGAN, JJ., joined. ALITO, J., filed a dissenting opinion, in which SCALIA and THOMAS, JJ., joined.

Opinion of the Court

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D. C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE UNITED STATES

No. 13–534

NORTH CAROLINA STATE BOARD OF DENTAL
EXAMINERS, PETITIONER *v.* FEDERAL
TRADE COMMISSION

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[February 25, 2015]

JUSTICE KENNEDY delivered the opinion of the Court.

This case arises from an antitrust challenge to the actions of a state regulatory board. A majority of the board’s members are engaged in the active practice of the profession it regulates. The question is whether the board’s actions are protected from Sherman Act regulation under the doctrine of state-action antitrust immunity, as defined and applied in this Court’s decisions beginning with *Parker v. Brown*, 317 U. S. 341 (1943).

I
A

In its Dental Practice Act (Act), North Carolina has declared the practice of dentistry to be a matter of public concern requiring regulation. N. C. Gen. Stat. Ann. §90–22(a) (2013). Under the Act, the North Carolina State Board of Dental Examiners (Board) is “the agency of the State for the regulation of the practice of dentistry.” §90–22(b).

The Board’s principal duty is to create, administer, and enforce a licensing system for dentists. See §§90–29 to

90–41. To perform that function it has broad authority over licensees. See §90–41. The Board’s authority with respect to unlicensed persons, however, is more restricted: like “any resident citizen,” the Board may file suit to “perpetually enjoin any person from . . . unlawfully practicing dentistry.” §90–40.1.

The Act provides that six of the Board’s eight members must be licensed dentists engaged in the active practice of dentistry. §90–22. They are elected by other licensed dentists in North Carolina, who cast their ballots in elections conducted by the Board. *Ibid.* The seventh member must be a licensed and practicing dental hygienist, and he or she is elected by other licensed hygienists. *Ibid.* The final member is referred to by the Act as a “consumer” and is appointed by the Governor. *Ibid.* All members serve 3-year terms, and no person may serve more than two consecutive terms. *Ibid.* The Act does not create any mechanism for the removal of an elected member of the Board by a public official. See *ibid.*

Board members swear an oath of office, §138A–22(a), and the Board must comply with the State’s Administrative Procedure Act, §150B–1 *et seq.*, Public Records Act, §132–1 *et seq.*, and open-meetings law, §143–318.9 *et seq.* The Board may promulgate rules and regulations governing the practice of dentistry within the State, provided those mandates are not inconsistent with the Act and are approved by the North Carolina Rules Review Commission, whose members are appointed by the state legislature. See §§90–48, 143B–30.1, 150B–21.9(a).

B

In the 1990’s, dentists in North Carolina started whitening teeth. Many of those who did so, including 8 of the Board’s 10 members during the period at issue in this case, earned substantial fees for that service. By 2003, nondentists arrived on the scene. They charged lower

Opinion of the Court

prices for their services than the dentists did. Dentists soon began to complain to the Board about their new competitors. Few complaints warned of possible harm to consumers. Most expressed a principal concern with the low prices charged by nondentists.

Responding to these filings, the Board opened an investigation into nondentist teeth whitening. A dentist member was placed in charge of the inquiry. Neither the Board's hygienist member nor its consumer member participated in this undertaking. The Board's chief operations officer remarked that the Board was "going forth to do battle" with nondentists. App. to Pet. for Cert. 103a. The Board's concern did not result in a formal rule or regulation reviewable by the independent Rules Review Commission, even though the Act does not, by its terms, specify that teeth whitening is "the practice of dentistry."

Starting in 2006, the Board issued at least 47 cease-and-desist letters on its official letterhead to nondentist teeth whitening service providers and product manufacturers. Many of those letters directed the recipient to cease "all activity constituting the practice of dentistry"; warned that the unlicensed practice of dentistry is a crime; and strongly implied (or expressly stated) that teeth whitening constitutes "the practice of dentistry." App. 13, 15. In early 2007, the Board persuaded the North Carolina Board of Cosmetic Art Examiners to warn cosmetologists against providing teeth whitening services. Later that year, the Board sent letters to mall operators, stating that kiosk teeth whiteners were violating the Dental Practice Act and advising that the malls consider expelling violators from their premises.

These actions had the intended result. Nondentists ceased offering teeth whitening services in North Carolina.

C

In 2010, the Federal Trade Commission (FTC) filed an

administrative complaint charging the Board with violating §5 of the Federal Trade Commission Act, 38 Stat. 719, as amended, 15 U. S. C. §45. The FTC alleged that the Board's concerted action to exclude nondentists from the market for teeth whitening services in North Carolina constituted an anticompetitive and unfair method of competition. The Board moved to dismiss, alleging state-action immunity. An Administrative Law Judge (ALJ) denied the motion. On appeal, the FTC sustained the ALJ's ruling. It reasoned that, even assuming the Board had acted pursuant to a clearly articulated state policy to displace competition, the Board is a "public/private hybrid" that must be actively supervised by the State to claim immunity. App. to Pet. for Cert. 49a. The FTC further concluded the Board could not make that showing.

Following other proceedings not relevant here, the ALJ conducted a hearing on the merits and determined the Board had unreasonably restrained trade in violation of antitrust law. On appeal, the FTC again sustained the ALJ. The FTC rejected the Board's public safety justification, noting, *inter alia*, "a wealth of evidence . . . suggesting that non-dentist provided teeth whitening is a safe cosmetic procedure." *Id.*, at 123a.

The FTC ordered the Board to stop sending the cease-and-desist letters or other communications that stated nondentists may not offer teeth whitening services and products. It further ordered the Board to issue notices to all earlier recipients of the Board's cease-and-desist orders advising them of the Board's proper sphere of authority and saying, among other options, that the notice recipients had a right to seek declaratory rulings in state court.

On petition for review, the Court of Appeals for the Fourth Circuit affirmed the FTC in all respects. 717 F. 3d 359, 370 (2013). This Court granted certiorari. 571 U. S. ____ (2014).

Opinion of the Court

II

Federal antitrust law is a central safeguard for the Nation's free market structures. In this regard it is "as important to the preservation of economic freedom and our free-enterprise system as the Bill of Rights is to the protection of our fundamental personal freedoms." *United States v. Topco Associates, Inc.*, 405 U. S. 596, 610 (1972). The antitrust laws declare a considered and decisive prohibition by the Federal Government of cartels, price fixing, and other combinations or practices that undermine the free market.

The Sherman Act, 26 Stat. 209, as amended, 15 U. S. C. §1 *et seq.*, serves to promote robust competition, which in turn empowers the States and provides their citizens with opportunities to pursue their own and the public's welfare. See *FTC v. Ticor Title Ins. Co.*, 504 U. S. 621, 632 (1992). The States, however, when acting in their respective realm, need not adhere in all contexts to a model of unfettered competition. While "the States regulate their economies in many ways not inconsistent with the antitrust laws," *id.*, at 635–636, in some spheres they impose restrictions on occupations, confer exclusive or shared rights to dominate a market, or otherwise limit competition to achieve public objectives. If every duly enacted state law or policy were required to conform to the mandates of the Sherman Act, thus promoting competition at the expense of other values a State may deem fundamental, federal antitrust law would impose an impermissible burden on the States' power to regulate. See *Exxon Corp. v. Governor of Maryland*, 437 U. S. 117, 133 (1978); see also Easterbrook, *Antitrust and the Economics of Federalism*, 26 J. Law & Econ. 23, 24 (1983).

For these reasons, the Court in *Parker v. Brown* interpreted the antitrust laws to confer immunity on anticompetitive conduct by the States when acting in their sovereign capacity. See 317 U. S., at 350–351. That ruling

recognized Congress' purpose to respect the federal balance and to "embody in the Sherman Act the federalism principle that the States possess a significant measure of sovereignty under our Constitution." *Community Communications Co. v. Boulder*, 455 U. S. 40, 53 (1982). Since 1943, the Court has reaffirmed the importance of *Parker's* central holding. See, e.g., *Ticor, supra*, at 632–637; *Hoover v. Ronwin*, 466 U. S. 558, 568 (1984); *Lafayette v. Louisiana Power & Light Co.*, 435 U. S. 389, 394–400 (1978).

III

In this case the Board argues its members were invested by North Carolina with the power of the State and that, as a result, the Board's actions are cloaked with *Parker* immunity. This argument fails, however. A nonsovereign actor controlled by active market participants—such as the Board—enjoys *Parker* immunity only if it satisfies two requirements: "first that 'the challenged restraint . . . be one clearly articulated and affirmatively expressed as state policy,' and second that 'the policy . . . be actively supervised by the State.'" *FTC v. Phoebe Putney Health System, Inc.*, 568 U. S. ___, ___ (2013) (slip op., at 7) (quoting *California Retail Liquor Dealers Assn. v. Midcal Aluminum, Inc.*, 445 U. S. 97, 105 (1980)). The parties have assumed that the clear articulation requirement is satisfied, and we do the same. While North Carolina prohibits the unauthorized practice of dentistry, however, its Act is silent on whether that broad prohibition covers teeth whitening. Here, the Board did not receive active supervision by the State when it interpreted the Act as addressing teeth whitening and when it enforced that policy by issuing cease-and-desist letters to nondentist teeth whiteners.

A

Although state-action immunity exists to avoid conflicts

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between state sovereignty and the Nation's commitment to a policy of robust competition, *Parker* immunity is not unbounded. "[G]iven the fundamental national values of free enterprise and economic competition that are embodied in the federal antitrust laws, 'state action immunity is disfavored, much as are repeals by implication.'" *Phoebe Putney, supra*, at ____ (slip op., at 7) (quoting *Ticor, supra*, at 636).

An entity may not invoke *Parker* immunity unless the actions in question are an exercise of the State's sovereign power. See *Columbia v. Omni Outdoor Advertising, Inc.*, 499 U. S. 365, 374 (1991). State legislation and "decision[s] of a state supreme court, acting legislatively rather than judicially," will satisfy this standard, and "*ipso facto* are exempt from the operation of the antitrust laws" because they are an undoubted exercise of state sovereign authority. *Hoover, supra*, at 567–568.

But while the Sherman Act confers immunity on the States' own anticompetitive policies out of respect for federalism, it does not always confer immunity where, as here, a State delegates control over a market to a non-sovereign actor. See *Parker, supra*, at 351 ("[A] state does not give immunity to those who violate the Sherman Act by authorizing them to violate it, or by declaring that their action is lawful"). For purposes of *Parker*, a nonsovereign actor is one whose conduct does not automatically qualify as that of the sovereign State itself. See *Hoover, supra*, at 567–568. State agencies are not simply by their governmental character sovereign actors for purposes of state-action immunity. See *Goldfarb v. Virginia State Bar*, 421 U. S. 773, 791 (1975) ("The fact that the State Bar is a state agency for some limited purposes does not create an antitrust shield that allows it to foster anticompetitive practices for the benefit of its members"). Immunity for state agencies, therefore, requires more than a mere facade of state involvement, for it is necessary in light of

Parker's rationale to ensure the States accept political accountability for anticompetitive conduct they permit and control. See *Ticor*, 504 U. S., at 636.

Limits on state-action immunity are most essential when the State seeks to delegate its regulatory power to active market participants, for established ethical standards may blend with private anticompetitive motives in a way difficult even for market participants to discern. Dual allegiances are not always apparent to an actor. In consequence, active market participants cannot be allowed to regulate their own markets free from antitrust accountability. See *Midcal*, *supra*, at 106 ("The national policy in favor of competition cannot be thwarted by casting [a] gauzy cloak of state involvement over what is essentially a private price-fixing arrangement"). Indeed, prohibitions against anticompetitive self-regulation by active market participants are an axiom of federal antitrust policy. See, e.g., *Allied Tube & Conduit Corp. v. Indian Head, Inc.*, 486 U. S. 492, 501 (1988); *Hoover*, *supra*, at 584 (Stevens, J., dissenting) ("The risk that private regulation of market entry, prices, or output may be designed to confer monopoly profits on members of an industry at the expense of the consuming public has been the central concern of . . . our antitrust jurisprudence"); see also Elhauge, *The Scope of Antitrust Process*, 104 Harv. L. Rev. 667, 672 (1991). So it follows that, under *Parker* and the Supremacy Clause, the States' greater power to attain an end does not include the lesser power to negate the congressional judgment embodied in the Sherman Act through unsupervised delegations to active market participants. See Garland, *Antitrust and State Action: Economic Efficiency and the Political Process*, 96 Yale L. J. 486, 500 (1986).

Parker immunity requires that the anticompetitive conduct of nonsovereign actors, especially those authorized by the State to regulate their own profession, result from procedures that suffice to make it the State's own.

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See *Goldfarb, supra*, at 790; see also 1A P. Areeda & H. Hovenkamp, *Antitrust Law* ¶226, p. 180 (4th ed. 2013) (Areeda & Hovenkamp). The question is not whether the challenged conduct is efficient, well-functioning, or wise. See *Ticor, supra*, at 634–635. Rather, it is “whether anti-competitive conduct engaged in by [nonsovereign actors] should be deemed state action and thus shielded from the antitrust laws.” *Patrick v. Burget*, 486 U.S. 94, 100 (1988).

To answer this question, the Court applies the two-part test set forth in *California Retail Liquor Dealers Assn. v. Midcal Aluminum, Inc.*, 445 U.S. 97, a case arising from California’s delegation of price-fixing authority to wine merchants. Under *Midcal*, “[a] state law or regulatory scheme cannot be the basis for antitrust immunity unless, first, the State has articulated a clear policy to allow the anticompetitive conduct, and second, the State provides active supervision of [the] anticompetitive conduct.” *Ticor, supra*, at 631 (citing *Midcal, supra*, at 105).

Midcal’s clear articulation requirement is satisfied “where the displacement of competition [is] the inherent, logical, or ordinary result of the exercise of authority delegated by the state legislature. In that scenario, the State must have foreseen and implicitly endorsed the anticompetitive effects as consistent with its policy goals.” *Phoebe Putney*, 568 U.S., at ____ (slip op., at 11). The active supervision requirement demands, *inter alia*, “that state officials have and exercise power to review particular anticompetitive acts of private parties and disapprove those that fail to accord with state policy.” *Patrick, supra*, U.S., at 101.

The two requirements set forth in *Midcal* provide a proper analytical framework to resolve the ultimate question whether an anticompetitive policy is indeed the policy of a State. The first requirement—clear articulation—rarely will achieve that goal by itself, for a policy may

satisfy this test yet still be defined at so high a level of generality as to leave open critical questions about how and to what extent the market should be regulated. See *Ticor, supra*, at 636–637. Entities purporting to act under state authority might diverge from the State’s considered definition of the public good. The resulting asymmetry between a state policy and its implementation can invite private self-dealing. The second *Midcal* requirement—active supervision—seeks to avoid this harm by requiring the State to review and approve interstitial policies made by the entity claiming immunity.

Midcal’s supervision rule “stems from the recognition that ‘[w]here a private party is engaging in anticompetitive activity, there is a real danger that he is acting to further his own interests, rather than the governmental interests of the State.’” *Patrick, supra*, at 100. Concern about the private incentives of active market participants animates *Midcal*’s supervision mandate, which demands “realistic assurance that a private party’s anticompetitive conduct promotes state policy, rather than merely the party’s individual interests.” *Patrick, supra*, at 101.

B

In determining whether anticompetitive policies and conduct are indeed the action of a State in its sovereign capacity, there are instances in which an actor can be excused from *Midcal*’s active supervision requirement. In *Hallie v. Eau Claire*, 471 U. S. 34, 45 (1985), the Court held municipalities are subject exclusively to *Midcal*’s “‘clear articulation’” requirement. That rule, the Court observed, is consistent with the objective of ensuring that the policy at issue be one enacted by the State itself. *Hallie* explained that “[w]here the actor is a municipality, there is little or no danger that it is involved in a private price-fixing arrangement. The only real danger is that it will seek to further purely parochial public interests at the

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expense of more overriding state goals.” 471 U. S., at 47. *Hallie* further observed that municipalities are electorally accountable and lack the kind of private incentives characteristic of active participants in the market. See *id.*, at 45, n. 9. Critically, the municipality in *Hallie* exercised a wide range of governmental powers across different economic spheres, substantially reducing the risk that it would pursue private interests while regulating any single field. See *ibid.* That *Hallie* excused municipalities from *Midcal*’s supervision rule for these reasons all but confirms the rule’s applicability to actors controlled by active market participants, who ordinarily have none of the features justifying the narrow exception *Hallie* identified. See 471 U. S., at 45.

Following *Goldfarb*, *Midcal*, and *Hallie*, which clarified the conditions under which *Parker* immunity attaches to the conduct of a nonsovereign actor, the Court in *Columbia v. Omni Outdoor Advertising, Inc.*, 499 U. S. 365, addressed whether an otherwise immune entity could lose immunity for conspiring with private parties. In *Omni*, an aspiring billboard merchant argued that the city of Columbia, South Carolina, had violated the Sherman Act—and forfeited its *Parker* immunity—by anticompetitively conspiring with an established local company in passing an ordinance restricting new billboard construction. 499 U. S., at 367–368. The Court disagreed, holding there is no “conspiracy exception” to *Parker*. *Omni, supra*, at 374.

Omni, like the cases before it, recognized the importance of drawing a line “relevant to the purposes of the Sherman Act and of *Parker*: prohibiting the restriction of competition for private gain but permitting the restriction of competition in the public interest.” 499 U. S., at 378. In the context of a municipal actor which, as in *Hallie*, exercised substantial governmental powers, *Omni* rejected a conspiracy exception for “corruption” as vague and unworkable, since “virtually all regulation benefits some

segments of the society and harms others” and may in that sense be seen as “‘corrupt.’” 499 U. S., at 377. *Omni* also rejected subjective tests for corruption that would force a “deconstruction of the governmental process and probing of the official ‘intent’ that we have consistently sought to avoid.” *Ibid.* Thus, whereas the cases preceding it addressed the preconditions of *Parker* immunity and engaged in an objective, *ex ante* inquiry into nonsovereign actors’ structure and incentives, *Omni* made clear that recipients of immunity will not lose it on the basis of ad hoc and *ex post* questioning of their motives for making particular decisions.

Omni’s holding makes it all the more necessary to ensure the conditions for granting immunity are met in the first place. The Court’s two state-action immunity cases decided after *Omni* reinforce this point. In *Ticor* the Court affirmed that *Midcal*’s limits on delegation must ensure that “[a]ctual state involvement, not deference to private price-fixing arrangements under the general auspices of state law, is the precondition for immunity from federal law.” 504 U. S., at 633. And in *Phoebe Putney* the Court observed that *Midcal*’s active supervision requirement, in particular, is an essential condition of state-action immunity when a nonsovereign actor has “an incentive to pursue [its] own self-interest under the guise of implementing state policies.” 568 U. S., at ____ (slip op., at 8) (quoting *Hallie*, *supra*, at 46–47). The lesson is clear: *Midcal*’s active supervision test is an essential prerequisite of *Parker* immunity for any nonsovereign entity—public or private—controlled by active market participants.

C

The Board argues entities designated by the States as agencies are exempt from *Midcal*’s second requirement. That premise, however, cannot be reconciled with the Court’s repeated conclusion that the need for supervision

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turns not on the formal designation given by States to regulators but on the risk that active market participants will pursue private interests in restraining trade.

State agencies controlled by active market participants, who possess singularly strong private interests, pose the very risk of self-dealing *Midcal*'s supervision requirement was created to address. See *Areeda & Hovenkamp* ¶227, at 226. This conclusion does not question the good faith of state officers but rather is an assessment of the structural risk of market participants' confusing their own interests with the State's policy goals. See *Patrick*, 486 U.S., at 100–101.

The Court applied this reasoning to a state agency in *Goldfarb*. There the Court denied immunity to a state agency (the Virginia State Bar) controlled by market participants (lawyers) because the agency had “joined in what is essentially a private anticompetitive activity” for “the benefit of its members.” 421 U.S., at 791, 792. This emphasis on the Bar's private interests explains why *Goldfarb*, though it predates *Midcal*, considered the lack of supervision by the Virginia Supreme Court to be a principal reason for denying immunity. See 421 U.S., at 791; see also *Hoover*, 466 U.S., at 569 (emphasizing lack of active supervision in *Goldfarb*); *Bates v. State Bar of Ariz.*, 433 U.S. 350, 361–362 (1977) (granting the Arizona Bar state-action immunity partly because its “rules are subject to pointed re-examination by the policymaker”).

While *Hallie* stated “it is likely that active state supervision would also not be required” for agencies, 471 U.S., at 46, n. 10, the entity there, as was later the case in *Omni*, was an electorally accountable municipality with general regulatory powers and no private price-fixing agenda. In that and other respects the municipality was more like prototypical state agencies, not specialized boards dominated by active market participants. In important regards, agencies controlled by market partici-

pants are more similar to private trade associations vested by States with regulatory authority than to the agencies *Hallie* considered. And as the Court observed three years after *Hallie*, “[t]here is no doubt that the members of such associations often have economic incentives to restrain competition and that the product standards set by such associations have a serious potential for anticompetitive harm.” *Allied Tube*, 486 U. S., at 500. For that reason, those associations must satisfy *Midcal*’s active supervision standard. See *Midcal*, 445 U. S., at 105–106.

The similarities between agencies controlled by active market participants and private trade associations are not eliminated simply because the former are given a formal designation by the State, vested with a measure of government power, and required to follow some procedural rules. See *Hallie*, *supra*, at 39 (rejecting “purely formalistic” analysis). *Parker* immunity does not derive from nomenclature alone. When a State empowers a group of active market participants to decide who can participate in its market, and on what terms, the need for supervision is manifest. See *Areeda & Hovenkamp* ¶227, at 226. The Court holds today that a state board on which a controlling number of decisionmakers are active market participants in the occupation the board regulates must satisfy *Midcal*’s active supervision requirement in order to invoke state-action antitrust immunity.

D

The State argues that allowing this FTC order to stand will discourage dedicated citizens from serving on state agencies that regulate their own occupation. If this were so—and, for reasons to be noted, it need not be so—there would be some cause for concern. The States have a sovereign interest in structuring their governments, see *Gregory v. Ashcroft*, 501 U. S. 452, 460 (1991), and may conclude there are substantial benefits to staffing their

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agencies with experts in complex and technical subjects, see *Southern Motor Carriers Rate Conference, Inc. v. United States*, 471 U. S. 48, 64 (1985). There is, moreover, a long tradition of citizens esteemed by their professional colleagues devoting time, energy, and talent to enhancing the dignity of their calling.

Adherence to the idea that those who pursue a calling must embrace ethical standards that derive from a duty separate from the dictates of the State reaches back at least to the Hippocratic Oath. See generally S. Miles, *The Hippocratic Oath and the Ethics of Medicine* (2004). In the United States, there is a strong tradition of professional self-regulation, particularly with respect to the development of ethical rules. See generally R. Rotunda & J. Dzienkowski, *Legal Ethics: The Lawyer's Deskbook on Professional Responsibility* (2014); R. Baker, *Before Bioethics: A History of American Medical Ethics From the Colonial Period to the Bioethics Revolution* (2013). Dentists are no exception. The American Dental Association, for example, in an exercise of “the privilege and obligation of self-government,” has “call[ed] upon dentists to follow high ethical standards,” including “honesty, compassion, kindness, integrity, fairness and charity.” American Dental Association, *Principles of Ethics and Code of Professional Conduct* 3–4 (2012). State laws and institutions are sustained by this tradition when they draw upon the expertise and commitment of professionals.

Today's holding is not inconsistent with that idea. The Board argues, however, that the potential for money damages will discourage members of regulated occupations from participating in state government. Cf. *Filarsky v. Delia*, 566 U. S. ___, ___ (2012) (slip op., at 12) (warning in the context of civil rights suits that the “the most talented candidates will decline public engagements if they do not receive the same immunity enjoyed by their public employee counterparts”). But this case, which does not

present a claim for money damages, does not offer occasion to address the question whether agency officials, including board members, may, under some circumstances, enjoy immunity from damages liability. See *Goldfarb*, 421 U. S., at 792, n. 22; see also Brief for Respondent 56. And, of course, the States may provide for the defense and indemnification of agency members in the event of litigation.

States, furthermore, can ensure *Parker* immunity is available to agencies by adopting clear policies to displace competition; and, if agencies controlled by active market participants interpret or enforce those policies, the States may provide active supervision. Precedent confirms this principle. The Court has rejected the argument that it would be unwise to apply the antitrust laws to professional regulation absent compliance with the prerequisites for invoking *Parker* immunity:

“[Respondents] contend that effective peer review is essential to the provision of quality medical care and that any threat of antitrust liability will prevent physicians from participating openly and actively in peer-review proceedings. This argument, however, essentially challenges the wisdom of applying the antitrust laws to the sphere of medical care, and as such is properly directed to the legislative branch. To the extent that Congress has declined to exempt medical peer review from the reach of the antitrust laws, peer review is immune from antitrust scrutiny only if the State effectively has made this conduct its own.” *Patrick*, 486 U. S. at 105–106 (footnote omitted).

The reasoning of *Patrick v. Burget* applies to this case with full force, particularly in light of the risks licensing boards dominated by market participants may pose to the free market. See generally Edlin & Haw, *Cartels by Another Name: Should Licensed Occupations Face Antitrust Scrutiny?* 162 U. Pa. L. Rev. 1093 (2014).

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E

The Board does not contend in this Court that its anti-competitive conduct was actively supervised by the State or that it should receive *Parker* immunity on that basis.

By statute, North Carolina delegates control over the practice of dentistry to the Board. The Act, however, says nothing about teeth whitening, a practice that did not exist when it was passed. After receiving complaints from other dentists about the nondentists' cheaper services, the Board's dentist members—some of whom offered whitening services—acted to expel the dentists' competitors from the market. In so doing the Board relied upon cease-and-desist letters threatening criminal liability, rather than any of the powers at its disposal that would invoke oversight by a politically accountable official. With no active supervision by the State, North Carolina officials may well have been unaware that the Board had decided teeth whitening constitutes “the practice of dentistry” and sought to prohibit those who competed against dentists from participating in the teeth whitening market. Whether or not the Board exceeded its powers under North Carolina law, cf. *Omni*, 499 U. S., at 371–372, there is no evidence here of any decision by the State to initiate or concur with the Board's actions against the nondentists.

IV

The Board does not claim that the State exercised active, or indeed any, supervision over its conduct regarding nondentist teeth whiteners; and, as a result, no specific supervisory systems can be reviewed here. It suffices to note that the inquiry regarding active supervision is flexible and context-dependent. Active supervision need not entail day-to-day involvement in an agency's operations or micromanagement of its every decision. Rather, the question is whether the State's review mechanisms provide “realistic assurance” that a nonsovereign actor's anticom-

petitive conduct “promotes state policy, rather than merely the party’s individual interests.” *Patrick, supra*, at 100–101; see also *Ticor*, 504 U. S., at 639–640.

The Court has identified only a few constant requirements of active supervision: The supervisor must review the substance of the anticompetitive decision, not merely the procedures followed to produce it, see *Patrick*, 486 U. S., at 102–103; the supervisor must have the power to veto or modify particular decisions to ensure they accord with state policy, see *ibid.*; and the “mere potential for state supervision is not an adequate substitute for a decision by the State,” *Ticor, supra*, at 638. Further, the state supervisor may not itself be an active market participant. In general, however, the adequacy of supervision otherwise will depend on all the circumstances of a case.

* * *

The Sherman Act protects competition while also respecting federalism. It does not authorize the States to abandon markets to the unsupervised control of active market participants, whether trade associations or hybrid agencies. If a State wants to rely on active market participants as regulators, it must provide active supervision if state-action immunity under *Parker* is to be invoked.

The judgment of the Court of Appeals for the Fourth Circuit is affirmed.

It is so ordered.

ALITO, J., dissenting

SUPREME COURT OF THE UNITED STATES

No. 13–534

NORTH CAROLINA STATE BOARD OF DENTAL
EXAMINERS, PETITIONER *v.* FEDERAL
TRADE COMMISSION

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE FOURTH CIRCUIT

[February 25, 2015]

JUSTICE ALITO, with whom JUSTICE SCALIA and JUSTICE THOMAS join, dissenting.

The Court’s decision in this case is based on a serious misunderstanding of the doctrine of state-action antitrust immunity that this Court recognized more than 60 years ago in *Parker v. Brown*, 317 U. S. 341 (1943). In *Parker*, the Court held that the Sherman Act does not prevent the States from continuing their age-old practice of enacting measures, such as licensing requirements, that are designed to protect the public health and welfare. *Id.*, at 352. The case now before us involves precisely this type of state regulation—North Carolina’s laws governing the practice of dentistry, which are administered by the North Carolina Board of Dental Examiners (Board).

Today, however, the Court takes the unprecedented step of holding that *Parker* does not apply to the North Carolina Board because the Board is not structured in a way that merits a good-government seal of approval; that is, it is made up of practicing dentists who have a financial incentive to use the licensing laws to further the financial interests of the State’s dentists. There is nothing new about the structure of the North Carolina Board. When the States first created medical and dental boards, well before the Sherman Act was enacted, they began to staff

them in this way.¹ Nor is there anything new about the suspicion that the North Carolina Board—in attempting to prevent persons other than dentists from performing teeth-whitening procedures—was serving the interests of dentists and not the public. Professional and occupational licensing requirements have often been used in such a way.² But that is not what *Parker* immunity is about. Indeed, the very state program involved in that case was unquestionably designed to benefit the regulated entities, California raisin growers.

The question before us is not whether such programs serve the public interest. The question, instead, is whether this case is controlled by *Parker*, and the answer to that question is clear. Under *Parker*, the Sherman Act (and the Federal Trade Commission Act, see *FTC v. Ticor Title Ins. Co.*, 504 U. S. 621, 635 (1992)) do not apply to state agencies; the North Carolina Board of Dental Examiners is a state agency; and that is the end of the matter. By straying from this simple path, the Court has not only distorted *Parker*; it has headed into a morass. Determining whether a state agency is structured in a way that militates against regulatory capture is no easy task, and there is reason to fear that today's decision will spawn confusion. The Court has veered off course, and therefore I cannot go along.

¹S. White, *History of Oral and Dental Science in America* 197–214 (1876) (detailing earliest American regulations of the practice of dentistry).

²See, e.g., R. Shrylock, *Medical Licensing in America* 29 (1967) (Shrylock) (detailing the deterioration of licensing regimes in the mid-19th century, in part out of concerns about restraints on trade); Gellhorn, *The Abuse of Occupational Licensing*, 44 U. Chi. L. Rev. 6 (1976); Shepard, *Licensing Restrictions and the Cost of Dental Care*, 21 J. Law & Econ. 187 (1978).

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I

In order to understand the nature of *Parker* state-action immunity, it is helpful to recall the constitutional landscape in 1890 when the Sherman Act was enacted. At that time, this Court and Congress had an understanding of the scope of federal and state power that is very different from our understanding today. The States were understood to possess the exclusive authority to regulate “their purely internal affairs.” *Leisy v. Hardin*, 135 U. S. 100, 122 (1890). In exercising their police power in this area, the States had long enacted measures, such as price controls and licensing requirements, that had the effect of restraining trade.³

The Sherman Act was enacted pursuant to Congress’ power to regulate interstate commerce, and in passing the Act, Congress wanted to exercise that power “to the utmost extent.” *United States v. South-Eastern Underwriters Assn.*, 322 U. S. 533, 558 (1944). But in 1890, the understanding of the commerce power was far more limited than it is today. See, e.g., *Kidd v. Pearson*, 128 U. S. 1, 17–18 (1888). As a result, the Act did not pose a threat to traditional state regulatory activity.

By 1943, when *Parker* was decided, however, the situation had changed dramatically. This Court had held that the commerce power permitted Congress to regulate even local activity if it “exerts a substantial economic effect on interstate commerce.” *Wickard v. Filburn*, 317 U. S. 111, 125 (1942). This meant that Congress could regulate many of the matters that had once been thought to fall exclusively within the jurisdiction of the States. The new interpretation of the commerce power brought about an expansion of the reach of the Sherman Act. See *Hospital*

³See Handler, The Current Attack on the *Parker v. Brown* State Action Doctrine, 76 Colum. L. Rev. 1, 4–6 (1976) (collecting cases).

Building Co. v. Trustees of Rex Hospital, 425 U. S. 738, 743, n. 2 (1976) (“[D]ecisions by this Court have permitted the reach of the Sherman Act to expand along with expanding notions of congressional power”). And the expanded reach of the Sherman Act raised an important question. The Sherman Act does not expressly exempt States from its scope. Does that mean that the Act applies to the States and that it potentially outlaws many traditional state regulatory measures? The Court confronted that question in *Parker*.

In *Parker*, a raisin producer challenged the California Agricultural Prorate Act, an agricultural price support program. The California Act authorized the creation of an Agricultural Prorate Advisory Commission (Commission) to establish marketing plans for certain agricultural commodities within the State. 317 U. S., at 346–347. Raisins were among the regulated commodities, and so the Commission established a marketing program that governed many aspects of raisin sales, including the quality and quantity of raisins sold, the timing of sales, and the price at which raisins were sold. *Id.*, at 347–348. The *Parker* Court assumed that this program would have violated “the Sherman Act if it were organized and made effective solely by virtue of a contract, combination or conspiracy of private persons,” and the Court also assumed that Congress could have prohibited a State from creating a program like California’s if it had chosen to do so. *Id.*, at 350. Nevertheless, the Court concluded that the California program did not violate the Sherman Act because the Act did not circumscribe state regulatory power. *Id.*, at 351.

The Court’s holding in *Parker* was not based on either the language of the Sherman Act or anything in the legislative history affirmatively showing that the Act was not meant to apply to the States. Instead, the Court reasoned that “[i]n a dual system of government in which, under the Constitution, the states are sovereign, save only as Con-

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gress may constitutionally subtract from their authority, an unexpressed purpose to nullify a state's control over its officers and agents is not lightly to be attributed to Congress." 317 U. S., at 351. For the Congress that enacted the Sherman Act in 1890, it would have been a truly radical and almost certainly futile step to attempt to prevent the States from exercising their traditional regulatory authority, and the *Parker* Court refused to assume that the Act was meant to have such an effect.

When the basis for the *Parker* state-action doctrine is understood, the Court's error in this case is plain. In 1890, the regulation of the practice of medicine and dentistry was regarded as falling squarely within the States' sovereign police power. By that time, many States had established medical and dental boards, often staffed by doctors or dentists,⁴ and had given those boards the authority to confer and revoke licenses.⁵ This was quintessential police power legislation, and although state laws were often challenged during that era under the doctrine of substantive due process, the licensing of medical professionals easily survived such assaults. Just one year before the enactment of the Sherman Act, in *Dent v. West Virginia*, 129 U. S. 114, 128 (1889), this Court rejected such a challenge to a state law requiring all physicians to obtain a certificate from the state board of health attesting to their qualifications. And in *Hawker v. New York*, 170 U. S. 189, 192 (1898), the Court reiterated that a law

⁴Shrylock 54–55; D. Johnson and H. Chaudry, Medical Licensing and Discipline in America 23–24 (2012).

⁵In *Hawker v. New York*, 170 U. S. 189 (1898), the Court cited state laws authorizing such boards to refuse or revoke medical licenses. *Id.*, at 191–193, n. 1. See also *Douglas v. Noble*, 261 U. S. 165, 166 (1923) ("In 1893 the legislature of Washington provided that only licensed persons should practice dentistry" and "vested the authority to license in a board of examiners, consisting of five practicing dentists").

specifying the qualifications to practice medicine was clearly a proper exercise of the police power. Thus, the North Carolina statutes establishing and specifying the powers of the State Board of Dental Examiners represent precisely the kind of state regulation that the *Parker* exemption was meant to immunize.

II

As noted above, the only question in this case is whether the North Carolina Board of Dental Examiners is really a state agency, and the answer to that question is clearly yes.

- The North Carolina Legislature determined that the practice of dentistry “affect[s] the public health, safety and welfare” of North Carolina’s citizens and that therefore the profession should be “subject to regulation and control in the public interest” in order to ensure “that only qualified persons be permitted to practice dentistry in the State.” N. C. Gen. Stat. Ann. §90–22(a) (2013).
- To further that end, the legislature created the North Carolina State Board of Dental Examiners “as the agency of the State for the regulation of the practice of dentistry in th[e] State.” §90–22(b).
- The legislature specified the membership of the Board. §90–22(c). It defined the “practice of dentistry,” §90–29(b), and it set out standards for licensing practitioners, §90–30. The legislature also set out standards under which the Board can initiate disciplinary proceedings against licensees who engage in certain improper acts. §90–41(a).
- The legislature empowered the Board to “maintain an action in the name of the State of North Carolina to perpetually enjoin any person from . . . unlawfully practicing dentistry.” §90–40.1(a). It authorized the Board to conduct investigations and to hire legal

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counsel, and the legislature made any “notice or statement of charges against any licensee” a public record under state law. §§ 90–41(d)–(g).

- The legislature empowered the Board “to enact rules and regulations governing the practice of dentistry within the State,” consistent with relevant statutes. §90–48. It has required that any such rules be included in the Board’s annual report, which the Board must file with the North Carolina secretary of state, the state attorney general, and the legislature’s Joint Regulatory Reform Committee. §93B–2. And if the Board fails to file the required report, state law demands that it be automatically suspended until it does so. *Ibid.*

As this regulatory regime demonstrates, North Carolina’s Board of Dental Examiners is unmistakably a state agency created by the state legislature to serve a prescribed regulatory purpose and to do so using the State’s power in cooperation with other arms of state government.

The Board is not a private or “nonsovereign” entity that the State of North Carolina has attempted to immunize from federal antitrust scrutiny. *Parker* made it clear that a State may not “give immunity to those who violate the Sherman Act by authorizing them to violate it, or by declaring that their action is lawful.” *Ante*, at 7 (quoting *Parker*, 317 U. S., at 351). When the *Parker* Court disapproved of any such attempt, it cited *Northern Securities Co. v. United States*, 193 U. S. 197 (1904), to show what it had in mind. In that case, the Court held that a State’s act of chartering a corporation did not shield the corporation’s monopolizing activities from federal antitrust law. *Id.*, at 344–345. Nothing similar is involved here. North Carolina did not authorize a private entity to enter into an anticompetitive arrangement; rather, North Carolina created a state agency and gave that agency the power to regulate a particular subject affecting public health and

safety.

Nothing in *Parker* supports the type of inquiry that the Court now prescribes. The Court crafts a test under which state agencies that are “controlled by active market participants,” *ante*, at 12, must demonstrate active state supervision in order to be immune from federal antitrust law. The Court thus treats these state agencies like private entities. But in *Parker*, the Court did not examine the structure of the California program to determine if it had been captured by private interests. If the Court had done so, the case would certainly have come out differently, because California conditioned its regulatory measures on the participation and approval of market actors in the relevant industry.

Establishing a prorate marketing plan under California’s law first required the petition of at least 10 producers of the particular commodity. *Parker*, 317 U. S., at 346. If the Commission then agreed that a marketing plan was warranted, the Commission would “select a program committee from among nominees chosen by the qualified producers.” *Ibid.* (emphasis added). That committee would then formulate the proration marketing program, which the Commission could modify or approve. But even after Commission approval, the program became law (and then, automatically) only if it gained the approval of 65 percent of the relevant producers, representing at least 51 percent of the acreage of the regulated crop. *Id.*, at 347. This scheme gave decisive power to market participants. But despite these aspects of the California program, *Parker* held that California was acting as a “sovereign” when it “adopt[ed] and enforc[ed] the prorate program.” *Id.*, at 352. This reasoning is irreconcilable with the Court’s today.

III

The Court goes astray because it forgets the origin of the

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Parker doctrine and is misdirected by subsequent cases that extended that doctrine (in certain circumstances) to private entities. The Court requires the North Carolina Board to satisfy the two-part test set out in *California Retail Liquor Dealers Assn. v. Midcal Aluminum, Inc.*, 445 U. S. 97 (1980), but the party claiming *Parker* immunity in that case was not a state agency but a private trade association. Such an entity is entitled to *Parker* immunity, *Midcal* held, only if the anticompetitive conduct at issue was both “clearly articulated” and “actively supervised by the State itself.” 445 U. S., at 105. Those requirements are needed where a State authorizes private parties to engage in anticompetitive conduct. They serve to identify those situations in which conduct *by private parties* can be regarded as the conduct of a State. But when the conduct in question is the conduct of a state agency, no such inquiry is required.

This case falls into the latter category, and therefore *Midcal* is inapposite. The North Carolina Board is not a private trade association. It is a state agency, created and empowered by the State to regulate an industry affecting public health. It would not exist if the State had not created it. And for purposes of *Parker*, its membership is irrelevant; what matters is that it is part of the government of the sovereign State of North Carolina.

Our decision in *Hallie v. Eau Claire*, 471 U. S. 34 (1985), which involved Sherman Act claims against a municipality, not a State agency, is similarly inapplicable. In *Hallie*, the plaintiff argued that the two-pronged *Midcal* test should be applied, but the Court disagreed. The Court acknowledged that municipalities “are not themselves sovereign.” 471 U. S., at 38. But recognizing that a municipality is “an arm of the State,” *id.*, at 45, the Court held that a municipality should be required to satisfy only the first prong of the *Midcal* test (requiring a clearly articulated state policy), 471 U. S., at 46. That municipalities

are not sovereign was critical to our analysis in *Hallie*, and thus that decision has no application in a case, like this one, involving a state agency.

Here, however, the Court not only disregards the North Carolina Board's status as a full-fledged state agency; it treats the Board less favorably than a municipality. This is puzzling. States are sovereign, *Northern Ins. Co. of N. Y. v. Chatham County*, 547 U. S. 189, 193 (2006), and California's sovereignty provided the foundation for the decision in *Parker, supra*, at 352. Municipalities are not sovereign. *Jinks v. Richland County*, 538 U. S. 456, 466 (2003). And for this reason, federal law often treats municipalities differently from States. Compare *Will v. Michigan Dept. of State Police*, 491 U. S. 58, 71 (1989) ("[N]either a State nor its officials acting in their official capacities are 'persons' under [42 U. S. C.] §1983"), with *Monell v. City Dept. of Social Servs., New York*, 436 U. S. 658, 694 (1978) (municipalities liable under §1983 where "execution of a government's policy or custom . . . inflicts the injury").

The Court recognizes that municipalities, although not sovereign, nevertheless benefit from a more lenient standard for state-action immunity than private entities. Yet under the Court's approach, the North Carolina Board of Dental Examiners, a full-fledged state agency, is treated like a private actor and must demonstrate that the State actively supervises its actions.

The Court's analysis seems to be predicated on an assessment of the varying degrees to which a municipality and a state agency like the North Carolina Board are likely to be captured by private interests. But until today, *Parker* immunity was never conditioned on the proper use of state regulatory authority. On the contrary, in *Columbia v. Omni Outdoor Advertising, Inc.*, 499 U. S. 365 (1991), we refused to recognize an exception to *Parker* for cases in which it was shown that the defendants had

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engaged in a conspiracy or corruption or had acted in a way that was not in the public interest. *Id.*, at 374. The Sherman Act, we said, is not an anticorruption or good-government statute. 499 U. S., at 398. We were unwilling in *Omni* to rewrite *Parker* in order to reach the allegedly abusive behavior of city officials. 499 U. S., at 374–379. But that is essentially what the Court has done here.

III

Not only is the Court's decision inconsistent with the underlying theory of *Parker*; it will create practical problems and is likely to have far-reaching effects on the States' regulation of professions. As previously noted, state medical and dental boards have been staffed by practitioners since they were first created, and there are obvious advantages to this approach. It is reasonable for States to decide that the individuals best able to regulate technical professions are practitioners with expertise in those very professions. Staffing the State Board of Dental Examiners with certified public accountants would certainly lessen the risk of actions that place the well-being of dentists over those of the public, but this would also compromise the State's interest in sensibly regulating a technical profession in which lay people have little expertise.

As a result of today's decision, States may find it necessary to change the composition of medical, dental, and other boards, but it is not clear what sort of changes are needed to satisfy the test that the Court now adopts. The Court faults the structure of the North Carolina Board because "active market participants" constitute "a controlling number of [the] decisionmakers," *ante*, at 14, but this test raises many questions.

What is a "controlling number"? Is it a majority? And if so, why does the Court eschew that term? Or does the Court mean to leave open the possibility that something less than a majority might suffice in particular circum-

stances? Suppose that active market participants constitute a voting bloc that is generally able to get its way? How about an obstructionist minority or an agency chair empowered to set the agenda or veto regulations?

Who is an “active market participant”? If Board members withdraw from practice during a short term of service but typically return to practice when their terms end, does that mean that they are not active market participants during their period of service?

What is the scope of the market in which a member may not participate while serving on the board? Must the market be relevant to the particular regulation being challenged or merely to the jurisdiction of the entire agency? Would the result in the present case be different if a majority of the Board members, though practicing dentists, did not provide teeth whitening services? What if they were orthodontists, periodontists, and the like? And how much participation makes a person “active” in the market?

The answers to these questions are not obvious, but the States must predict the answers in order to make informed choices about how to constitute their agencies.

I suppose that all this will be worked out by the lower courts and the Federal Trade Commission (FTC), but the Court’s approach raises a more fundamental question, and that is why the Court’s inquiry should stop with an examination of the structure of a state licensing board. When the Court asks whether market participants control the North Carolina Board, the Court in essence is asking whether this regulatory body has been captured by the entities that it is supposed to regulate. Regulatory capture can occur in many ways.⁶ So why ask only whether

⁶See, *e.g.*, R. Noll, *Reforming Regulation* 40–43, 46 (1971); J. Wilson, *The Politics of Regulation* 357–394 (1980). Indeed, it has even been

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the members of a board are active market participants? The answer may be that determining when regulatory capture has occurred is no simple task. That answer provides a reason for relieving courts from the obligation to make such determinations at all. It does not explain why it is appropriate for the Court to adopt the rather crude test for capture that constitutes the holding of today's decision.

IV

The Court has created a new standard for distinguishing between private and state actors for purposes of federal antitrust immunity. This new standard is not true to the *Parker* doctrine; it diminishes our traditional respect for federalism and state sovereignty; and it will be difficult to apply. I therefore respectfully dissent.

charged that the FTC, which brought this case, has been captured by entities over which it has jurisdiction. See E. Cox, "The Nader Report" on the Federal Trade Commission vii–xiv (1969); Posner, Federal Trade Commission, *Chi. L. Rev.* 47, 82–84 (1969).

Utah State Bar

MEMORANDUM

TO: John C. Baldwin

FROM: Elizabeth A. Wright

DATE: June 2, 2015

RE: UPL Enforcement after the Supreme Court *North Carolina Dental Board* Case

QUESTION PRESENTED

Does the Supreme Court's decision in *North Carolina State Board of Dental Examiners v. Federal Trade Commission* (decided February 25, 2015) require the Utah State Bar to modify its current unauthorized practice law (UPL) enforcement procedures in order to avoid liability for antitrust violations under the Sherman Act? This Dental Board decision only affects UPL actions and does not impact the Bar's admissions process or disciplinary proceedings because they already meet the requirements of the decision as discussed below.

SHORT ANSWER

UPL enforcement procedures should be modified so that the Utah Supreme Court provides supervision of the UPL Committee's decisions. In the Dental Board case, the Supreme Court held that when a state board on which a controlling number of decision makers are active market participants in the occupation the board regulates, the state must provide active supervision in order to invoke state-action antitrust immunity.

The Court said that “active supervision” means: 1. The supervisor must review the substance of the anticompetitive decision; 2. The supervisor must have the power to veto or modify particular decisions to ensure they accord with state policy; 3. the mere potential for supervision is not an adequate substitute for a decision by the state; and 4. The state supervisor may itself not be an active market participant. *North Carolina State Board of Dental Examiners*, pg. 18.

Under the Sherman Act, successful plaintiffs are entitled to three times the amount of damages suffered, plus the costs of prosecuting the lawsuit and reasonable attorneys' fees. Because of the size of the potential recovery and the cost of defending an anti-trust lawsuit, the Bar should take steps to insure our UPL enforcement meets the requirements of the Dental Board case.

UTAH’S CURRENT UPL ENFORCEMENT PROCESS

The Bar’s UPL Committee is made up of Bar Commission appointed lawyers who meet once a month. Complaints are made via an online complaint form on the Bar’s website. I make an initial determination regarding whether or not the complaint should go to the UPL Committee, be referred to OPC if the complaint makes an allegation against a licensed attorney or a paralegal working under a licensed attorney, or declined as not being a UPL matter. If the complaint is sent on to the Committee, it is assigned to a committee member. The UPL Committee member investigates the complaint by interviewing the complainant, collecting and reviewing relevant documents examining websites if they exist and by interviewing the alleged practitioner.

After conducting an investigation, the committee member presents his or her findings to the entire UPL Committee and the Committee then takes one of four actions: (1) close the case

because the alleged activity does not constitute UPL or because of an inability to reach the complainant or alleged practitioner; (2) send a letter of understanding and admonishment if the practitioner agrees to discontinue the activity; (3) send a cease and desist letter instructing the practitioner to stop the prohibited activity and informing them that if they do not stop, formal court action will be taken; or (4) recommend a formal court action if the conduct is serious and likely to reoccur. If the Bar decides to initiate a formal court action that decision is reviewed by the Board of Bar Commissioners and the District Court that hears the case. None of the other three types of actions are supervised by a sovereign state actor.

DENTAL BOARD FACTS

By state statute, the North Carolina Dental Board was established to “create, administer and enforce a licensing system for dentists in the state.” The Dental Board was also authorized to file suit to “perpetually enjoin any person from unlawfully practicing dentistry.”

The Dental Board was made up of eight members, six of which were licensed dentists engaged in the active practice of dentistry. The dentist members were elected by other licensed dentists in North Carolina who cast their ballots in elections conducted by the Board. The seventh member was a licensed and practicing dental hygienist elected by other dental hygienists. The eighth member was a “consumer” appointed by the Governor.

Board members swore an oath of office, complied with the state’s administrative procedure act, Public Records Act and open meetings laws. The Board promulgated rules and regulations governing the practice of dentistry within the State, provided those mandates were not inconsistent with the Act and were approved by the North Carolina Rules Review Commission, whose members were appointed by the state legislature.

In 2003, non-dentists began to establish teeth whitening businesses in North Carolina. The non-dentists charged less for teeth whitening than dentists. The North Carolina Dental Board Act did not define teeth whitening as the practice of dentistry, but the Dental Board opened an investigation into non-dentist teeth whitening. In 2006, the Dental Board began issuing cease and desist letters to the non-dentist teeth whiteners expressly stating that teeth whitening was the practice of dentistry. The actions had the intended result. Non-dentists ceased offering teeth whitening services in North Carolina.

In 2010, the Federal Trade Commission (FTC) filed an administrative complaint against the Dental Board alleging that the Board's concerted action to exclude non-dentists from the market for teeth whitening services in North Carolina constituted an anticompetitive and unfair method of competition. The Dental Board moved to dismiss on the grounds of state action immunity. An administrative law judge (ALJ) denied the motion. On appeal, the FTC sustained the ALJ's ruling and, after a hearing on the merits, determined that the Dental Board had unreasonably restrained trade in violation of antitrust law.

On the Dental Board's petition for review, the Court of Appeals for the Fourth Circuit affirmed the FTC in all respects. The Dental Board then appealed to the Supreme Court.

DENTAL BOARD HOLDING

The Supreme Court held that the Dental Board's actions were not protected under the doctrine of state-action antitrust immunity because the dental board was made of active market participants who were not actively supervised by a state sovereign.

DISCUSSION

UPL enforcement in Utah is similar enough to the regulation in the *Dental Board* case that the Bar and the Utah Supreme Court should examine whether our structure and procedures would afford the Bar and the UPL Committee anti-trust immunity in light of the ruling. Other state bars are also examining their UPL enforcement in the wake of the decision and are considering changes that may be necessary to comply.

One important distinction between the regulation of dentistry and the practice of law is that the regulation of the practice of law is a core state interest. The U.S. Supreme Court has held that:

States have a compelling interest in the practice of professions within their boundaries, and that as part of their power to protect the public health, safety, and other valid interests they have broad power to establish standards for licensing practitioners and regulating the practice of professions. . . . The interest of the States in regulating lawyers is especially great since lawyers are essential to the primary governmental function of administering justice, and have historically been ‘officers of the courts.’

Goldfarb v. Virginia State Bar, 421 U.S. 773, 792 (1975) (internal citations omitted).

The Utah Constitution vests authority for regulating the practice of law in the Utah Supreme Court. Utah Const. art. VIII, § 4. *See also, Schwenke v. Smith*, 942 P.2d 335 (Utah 1997). In Rule 14-102 the Utah Supreme Court authorizes and delegates to the Bar the “prevention of the unauthorized practice of law.” Also, Rule 14-506 states that “[p]ersons subject to the disciplinary jurisdiction of the Supreme Court and OPC include those “not admitted in Utah who practice law or who render or offer any legal services in Utah.” Rule 14-111 states that

the prohibition against the unauthorized practice of law may be enforced by necessary and appropriate civil proceedings after approval by the Board of Bar Commissioners.¹

UPL enforcement is done by a volunteer committee of lawyers who are therefore active market participants. The Board of Bar Commissioners appoints the committee members. Unlike teeth whitening in the *Dental Board* case, Utah does define the practice of law in Rule 14-802(b)(1). Committee members only investigate after a complaint is made. After an investigation, the Committee can take no action, send a letter of understanding, a cease and desist letter or seek a civil injunction in District Court. The Board of Bar Commissioners must approve formal court action. As in the Dental Board case, there is no state sovereign supervision over the UPL Committee's determination to send a letter of understanding or a cease and desist letter.

PROPOSED SOLUTIONS

I suggest that the Utah Supreme Court review and have the power to veto or modify particular UPL Committee decisions to ensure they accord with state policy.² Even though Utah defines the practice of law and the Supreme Court has held that the practice of law is a core state function, preventing individuals from practicing law is an anticompetitive activity that could give

¹ These Rules became effective in 2006 and therefore ostensibly overrule the Utah Supreme Court's decision in *Utah State Bar v. Benton Peterson*, 937 P.2d 1263 (1997), in which the Court held that it regulated the authorized practice of law and that the legislature regulated the unauthorized practice of law. The Court issued that holding in response to a claim that a legislative statute prohibiting the unauthorized practice of law violated the separation of powers doctrine. However, there is still a statute making it illegal to engage in the unauthorized practice of law and delegating civil enforcement powers to the Board of Bar Commissioners. Utah Code Jud. Admin. R. 78A-9-103.

² A very obvious modification is to appoint members to the UPL Committee who are not active market participants. The Dental Board Court held that it was a violation when a "controlling number of members" were active market participants. However, I believe a UPL Committee

rise to an antitrust lawsuit against the Bar.

The Dental Board case requires that the “mere potential for state supervision” is not sufficient; the supervision has to be meaningful and regular so that it is sufficient to make it the sovereign’s own. *North Carolina State Board of Dental Examiners*, pg. 8. The supervisor must review the substance of the anticompetitive decision, not merely the procedures followed to produce it and the supervisor must have the power to veto or modify particular decisions to ensure they accord with state policy. *North Carolina State Board of Dental Examiners*, pg. 18.

The Virginia State Bar is proposing a system under which its UPL Committee will send a monthly memo to a rotating Supreme Court Justice. The memo will briefly describe proposed UPL actions and the Justice will review the proposed actions and have the power to modify to veto the actions. A process like the one Virginia is proposing will provide supervision of the UPL Committee’s actions and ensure that the UPL Committee’s inherently anticompetitive actions are those of a sovereign.

composed of lawyers would pass muster if the Supreme Court provided sufficient sovereign supervision of the committee’s decisions.

Tab 3

Summary of 2015-2016 Proposed Budget

The proposed budget provides for the continuation of all Bar programs, services and activities at current performance levels.

1. There are six factors to include in the discussion of the proposed budget:
 - The mission of the Bar and the value of current programs, services and activities
 - The funds needed to continue those programs, services and activities
 - The funding available for any appropriate new programs, services and activities
 - The need for current cash reserves and projected future reserves
 - Funds needed for programs, services and activities is not limitless
 - There is currently nothing budgeted for any new programs or projects
2. The proposed budget continues what the Bar currently does:
 - 1st column shows the current budget, which is **\$299,514** in the **black**
 - 2nd column shows the projection for this year, which is **\$393,432** in the **black**
 - 3rd column shows the proposed budget, showing **\$386,411** in the **black**
 - 4th column shows the % change between the budgets' revenue and expenses
 - The **budget** shows a 5.7% increase in **revenue** from current to next year
 - The **budget** shows a 6.4% increase in **expenses** from current to next year
 - 5th column shows the % changes from current projections to next year's budget
 - The budget shows a 3.8% revenue increase from this year's **projections**
 - The budget shows a 7.2% expense increase from current **projections**
3. We are projecting total reserves at the end of this fiscal year of \$2,649,000.
4. The proposed budget increases total reserves at June 30, 2016 to \$3,035,000.

(Over)

Operations Summary 2015-2016

1. Licensing. Licensing revenue is budgeted to increase 3.5% from budget and 1.5% from projections. Licensing revenue constitutes 67% of total revenue.
2. Bar Admissions. We project a slight decrease in admissions and estimate that the Admissions Department may be barely in the red.
3. New Lawyer Training (Mentoring). We should do a bit better than breaking even.
4. Litigation Expenses (General Counsel Dept.). We have budgeted for no increase in the \$60,000 allocated to outside counsel for general litigation and unauthorized practice of law matters. We have spent less than that this year but it is difficult to predict. All expenditures for litigation are approved by the Commission.
5. CLE. The CLE budget has been projected to result slightly in the black.
6. Summer and Spring Conventions and Fall Forum. The Spring Convention is budgeted to result a bit in the black. The Fall Forum is budgeted to about break even for a two-day event. We are conservatively projecting another deficit for the Summer Convention based on best estimates and recent experiences, but are also working with that committee to increase revenues and decrease expenses.
7. Utah Bar Journal. The publication will again run at a deficit
8. Group Services. Our group benefit revenue includes some limited funds from Marsh, Lexis, and MBNA credit card royalties. Expenditures include \$70,000 for Casemaker and \$75,000 for Blomquist Hale Professional Consulting.
9. Access to Justice. The budget includes two staff.
10. Contributions. The budget includes continued funding for the Young Lawyers Division at no increase.
11. Public Relations and Education. The proposed budget only includes an amount of \$75,000 for currently un-specified projects.
12. Capital Expenditures. The budget includes \$75,000 to replace carpeting and paint walls.
13. New Program and Projects. We have budgeted for a part-time clerical position to staff the Ethics and Discipline Committee which the Court has suggested. That would resolve perceived conflict of interest issues due to that position currently being part of the OPC. There is currently nothing budgeted for any other new programs or projects.

Utah State Bar
Preliminary 2015/16 Budget
April 30, 2015

		F/Y	Budget
		2014/15	2015/16
		<u>Budget</u>	<u>2015/16</u>
	<u>Revenue</u>		
01	Licensing	67.2%	66.6%
02	Admissions	7.6%	7.1%
03	Mentoring	1.4%	1.5%
04	Mgt - Service	0.2%	0.3%
04	Mgt - In Kind	0.0%	0.0%
04	Mgt - Interest & Gain	0.3%	0.3%
05	Property Mgt	5.3%	5.0%
06	OPC	0.2%	0.2%
08	CMIS/Internet	0.0%	0.0%
09	CLE	6.8%	8.7%
10	Summer Convention	2.5%	2.5%
11	Fall Forum	1.5%	1.6%
12	Spring Convention	2.5%	2.0%
13	Bar Journal	2.3%	2.4%
14	Committees	0.0%	0.0%
15	Member Benefits	0.2%	0.0%
16	Section Support	1.6%	1.2%
18	Access to Justice	0.2%	0.3%
21	Commission/Sp Projects	0.1%	0.1%
23	Young Lawyers Division	0.0%	0.0%
	Total Revenue		
	<u>Expenses</u>		
01	Licensing	3.3%	2.7%
02	Admissions	8.3%	7.6%
03	Mentoring	1.4%	1.2%
04	Bar Mgt	12.0%	11.5%
05	Property Mgt	9.4%	9.6%
06	OPC	21.2%	20.8%
07	General Counsel	4.6%	4.3%
08	Computer/MIS/Internet	3.1%	3.4%
09	CLE	6.5%	8.4%
10	Summer Convention	3.3%	4.4%
11	Fall Forum	1.7%	1.9%
12	Spring Convention	2.2%	1.9%
13	Bar Journal	3.3%	3.0%
14	Committees	1.9%	2.2%
15	Member Benefits	2.6%	2.4%
16	Section Support	1.6%	1.3%
17	Consumer Assistance	1.2%	2.0%
18	Access to Justice	3.2%	3.0%
19	Tuesday Night Bar	0.7%	0.6%
20	Legislative	1.3%	1.2%
21	Commission/Sp. Proj	3.1%	2.8%
22	Public Education	2.9%	2.8%
23	Young Lawyers Division	1.0%	0.9%

Utah State Bar
Preliminary 2015/16 Budget
April 30, 2015

	<u>F/Y</u>	<u>Projected</u>	<u>Budget</u>	<u>% Chg</u>	<u>% Chg</u>
	<u>2014/15</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>14/15 vs</u>	<u>14/15 Proj</u>
	<u>Budget</u>			<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
<u>Revenue</u>					
01 Licensing	\$ 3,998,400	\$ 4,076,110	\$ 4,137,400	3.5%	1.5%
02 Admissions	454,900	462,500	439,300	-3.4%	-5.0%
03 Mentoring	85,300	95,050	90,300	5.9%	-5.0%
04 Mgt - Service	12,000	18,973	20,900	74.2%	10.2%
04 Mgt - In Kind	2,600	2,276	2,400	-7.7%	5.4%
04 Mgt - Interest & Gain	17,100	(30,061)	17,100	0.0%	-156.9%
05 Property Mgt	312,952	304,766	312,152	-0.3%	2.4%
06 OPC	11,600	11,622	11,700	0.9%	0.7%
08 CMIS/Internet	500	-	500	0.0%	-
09 CLE	405,200	532,568	543,100	34.0%	2.0%
10 Summer Convention	150,600	115,148	157,400	4.5%	36.7%
11 Fall Forum	88,200	99,491	176,750	100.4%	77.7%
12 Spring Convention	145,900	121,863	124,300	-14.8%	2.0%
13 Bar Journal	139,600	146,243	149,100	6.8%	2.0%
14 Committees	1,000	480	480	-52.0%	0.0%
15 Member Benefits	11,900	3,076	3,100	-73.9%	0.8%
16 Section Support	92,281	73,134	76,621	-17.0%	4.8%
18 Access to Justice	10,200	15,693	16,000	56.9%	2.0%
21 Commission/Sp Projects	7,300	7,200	7,300	0.0%	1.4%
23 Young Lawyers Division	100	1,315	100	0.0%	-92.4%
Total Revenue	\$ 5,947,633	\$ 6,057,446	\$ 6,286,003	5.7%	3.8%
<u>Expenses</u>					
01 Licensing	187,045	169,635	120,653	-35.5%	-28.9%
02 Admissions	474,411	452,075	457,986	-3.5%	1.3%
03 Mentoring	81,074	66,122	74,845	-7.7%	13.2%
04 Bar Mgt	685,117	682,880	696,250	1.6%	2.0%
05 Property Mgt	537,392	540,044	582,642	8.4%	7.9%
06 OPC	1,204,272	1,208,884	1,253,172	4.1%	3.7%
07 General Counsel	259,529	205,318	257,990	-0.6%	25.7%
08 Computer/MIS/Internet	176,437	193,778	207,053	17.4%	6.9%
09 CLE	372,144	500,329	506,224	36.0%	1.2%
10 Summer Convention	186,979	237,599	266,758	42.7%	12.3%
11 Fall Forum	97,963	85,397	176,214	79.9%	106.3%
12 Spring Convention	123,598	100,117	114,878	-7.1%	14.7%
13 Bar Journal	185,181	172,572	180,104	-2.7%	4.4%
14 Committees	110,903	106,398	132,226	19.2%	24.3%
15 Member Benefits	149,320	152,703	147,546	-1.2%	-3.4%
16 Section Support	92,281	73,134	76,621	-17.0%	4.8%
17 Consumer Assistance	68,879	93,324	122,450	77.8%	31.2%
18 Access to Justice	184,705	155,812	178,919	-3.1%	14.8%
19 Tuesday Night Bar	40,765	34,488	36,810	-9.7%	6.7%
20 Legislative	71,642	68,721	73,074	2.0%	6.3%
21 Commission/Sp. Proj	177,475	208,452	168,336	-5.1%	-19.2%
22 Public Education	165,365	86,009	168,346	1.8%	95.7%
23 Young Lawyers Division	56,100	57,315	56,100	0.0%	-2.1%
Total Expenses	\$ 5,688,577	\$ 5,651,106	\$ 6,055,197	6.4%	7.2%
Net Revenue/(Expense)	\$ 259,056	\$ 406,340	\$ 230,806	-10.9%	-43.2%
Depreciation (add back)	\$ 165,458	\$ 187,092	\$ 230,605	39.4%	23.3%
Capital expenditures	\$ (125,000)	\$ (200,000)	\$ (75,000)	-40.0%	-62.5%
Net cash revenue	\$ 299,514	\$ 393,432	\$ 386,411	29.0%	-1.8%

Preliminary 2015/16 Budget
Licensing

	F/Y 2014/15 Budget	Projected 6/30/2015	Budget 2015/16	% Chg 14/15 vs 15/16 Bgt	% Chg 14/15 Proj vs 15/16 Bgt
Income					
4010 · Administrative Fees	\$ 23,000	\$ 23,085	\$ 23,000	0.0%	-0.4%
4021 · Lic Fees > 3 Years	3,239,600	3,302,935	3,369,000	4.0%	2.0%
4022 · Lic Fees < 3 Years	293,900	279,040	284,600	-3.2%	2.0%
4023 · Lic Fees - House Counsel	18,800	20,700	21,100	12.2%	1.9%
4025 · Pro Hac Vice Fees	54,100	69,750	71,100	31.4%	1.9%
4026 · Lic Fees - Inactive/FS	113,700	109,980	112,200	-1.3%	2.0%
4027 · Lic Fees - Inactive/NS	173,800	179,920	183,500	5.6%	2.0%
4029 · Lic Fees - Prior Year	9,200	-	-	-100.0%	-
4030 · Certs of Good Standing	24,500	26,780	27,300	11.4%	1.9%
4095 · Miscellaneous Income	2,800	620	600	-78.6%	-3.2%
4096 · Late Fees	45,000	63,300	45,000	0.0%	-28.9%
Total Income	3,998,400	4,076,110	4,137,400	3.5%	1.5%
Expense					
5500 · Salaries/Benefits					
5510 · Salaries/Wages	50,071	60,086	62,489	24.8%	4.0%
5605 · Payroll Taxes	3,505	4,506	4,687	33.7%	4.0%
5610 · Health Insurance	2,960	5,708	3,042	2.8%	-46.7%
5630 · Dental Insurance	246	363	182	-26.2%	-49.9%
5640 · Life & LTD Insurance	195	636	636	226.2%	0.0%
5650 · Retirement Plan Contributions	5,007	5,255	6,249	24.8%	18.9%
5655 · Retirement Plan Fees & Costs	575	853	689	19.8%	-19.3%
Total 5500 · Salaries/Benefits	62,559	77,407	77,974	24.6%	0.7%
7000 · General & Admin					
7025 · Office Supplies	500	1,260	1,300	160.0%	3.2%
7035 · Postage/Mailing	15,300	11,445	11,900	-22.2%	4.0%
7040 · Copy/Printing Expense	7,300	3,346	3,500	-52.1%	4.6%
7045 · Internet Service	-	-	431	-	-
7050 · Computer Maintenance	1,500	1,280	1,300	-13.3%	1.6%
7089 · Membership Database Fees	18,432	14,600	4,680	-74.6%	-67.9%
7100 · Telephone	1,221	1,299	1,826	49.5%	40.6%
7140 · Credit Card Merchant Fees	74,000	53,438	55,000	-25.7%	2.9%
7141 · Credit Card Surcharge	-	-	(44,000)	-	-
7170 · Lobbying Rebates	500	289	500	0.0%	73.0%
7195 · Other Gen & Adm Expense	100	-	100	0.0%	-
Total 7000 · General & Admin	118,853	86,957	36,537	-69.3%	-58.0%
8000 · Building Overhead					
6015 · Janitorial Expense	441	437	462	-	-
6020 · Heat	332	356	361	-	-
6025 · Electricity	750	691	776	-	-
6030 · Water/Sewer	77	60	65	-	-
6035 · Outside Maintenance	181	335	288	-	-
6040 · Building Repairs	443	77	110	-	-
6045 · Bldg Mtncn Contracts	829	503	581	-	-
6050 · Bldg Mtncn Supplies	40	37	40	-	-
6065 · Bldg Insurance/Fees	191	184	185	-	-
6070 · Bldg Depreciation	809	779	775	-	-
6075 · Furn/Fixtures Depreciation	212	212	283	-	-
7065 · Equip Depreciation	1,328	1,600	2,216	-	-
Total 8000 · Building Overhead	5,633	5,271	6,142	9.0%	16.5%
Total Expense	187,045	169,635	120,653	-35.5%	-28.9%
Net Income	\$ 3,811,355	\$ 3,906,475	\$ 4,016,747	5.4%	2.8%

Preliminary 2015/16 Budget **Admissions**

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4001 · Admissions - Student Exam Fees	\$ 179,200	\$ 168,525	\$ 160,100	-10.7%	-5.0%
4002 · Admissions - Attorney Exam Fees	58,200	69,225	65,800	13.1%	-4.9%
4003 · Admissions - Retake Fees	33,600	29,725	28,200	-16.1%	-5.1%
4004 · Admissions - Laptop Fees	64,700	62,750	59,600	-7.9%	-5.0%
4005 · Admissions - Application Forms	100	50	-	-100.0%	-100.0%
4006 · Transfer App Fees	30,700	26,100	24,800	-19.2%	-5.0%
4008 · Attorney - Motion	52,700	61,500	58,400	10.8%	-5.0%
4009 · House Counsel	6,800	8,500	8,100	19.1%	-4.7%
4095 · Miscellaneous Income	1,700	925	900	-47.1%	-2.7%
4096 · Late Fees	27,200	35,200	33,400	22.8%	-5.1%
Total Income	454,900	462,500	439,300	-3.4%	-5.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	10,300	10,703	11,100	7.8%	3.7%
5002 · Meeting Facilities-internal only	6,200	5,725	6,000	-3.2%	4.8%
5013 · ExamSoft	25,700	19,735	20,500	-20.2%	3.9%
5014 · Questions	56,000	44,180	45,900	-18.0%	3.9%
5015 · Investigations	12,400	11,949	2,000	-83.9%	-83.3%
5016 · Credit Checks	2,000	1,323	1,400	-30.0%	5.8%
5017 · Medical Exam	300	1,300	1,400	366.7%	7.7%
5025 · Temp Labor/Proctors	6,900	5,050	5,300	-23.2%	5.0%
5046 · Court Reporting	200	253	300	50.0%	18.4%
5070 · Equipment Rental	800	1,181	1,200	50.0%	1.6%
5075 · Food & Beverage-external costs	8,000	2,707	2,800	-65.0%	3.4%
5076 · Food & Beverage-internal only	10,400	6,824	7,100	-31.7%	4.0%
5085 · Misc. Program Expense	400	-	-	-100.0%	-
5700 · Travel					
5702 · Lodging	1,500	1,763	1,800	20.0%	2.1%
5703 · Transportation	1,200	2,228	2,300	91.7%	3.2%
5704 · Mileage Reimbursement	700	123	100	-85.7%	-18.5%
5705 · Per Diems	1,100	1,380	1,400	27.3%	1.4%
Total 5000 · Program Services Expense	144,100	116,424	110,600	-23.2%	-5.0%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	222,472	227,972	237,091	6.6%	4.0%
5605 · Payroll Taxes	15,573	17,098	17,782	14.2%	4.0%
5610 · Health Insurance	17,758	17,123	18,254	2.8%	6.6%
5630 · Dental Insurance	1,478	1,089	1,089	-26.3%	0.0%
5640 · Life & LTD Insurance	1,575	1,711	1,711	8.6%	0.0%
5650 · Retirement Plan Contributions	22,247	21,508	23,709	6.6%	10.2%

Preliminary 2015/16 Budget Admissions

	F/Y 2014/15 Budget	Projected 6/30/2015	Budget 2015/16	% Chg 14/15 vs 15/16 Bgt	% Chg 14/15 Proj vs 15/16 Bgt
5655 · Retirement Plan Fees & Costs	2,554	2,240	2,614	2.3%	16.7%
5660 · Training/Development	100	20	100	0.0%	400.0%
Total 5500 · Salaries/Benefits	283,757	288,761	302,349	6.6%	4.7%
7000 · General & Admin					
7025 · Office Supplies	1,700	2,256	2,300	35.3%	2.0%
7035 · Postage/Mailing	3,300	2,740	2,800	-15.2%	2.2%
7040 · Copy/Printing Expense	6,000	5,239	5,400	-10.0%	3.1%
7045 · Internet Service	-	-	646	-	-
7050 · Computer Maintenance	500	-	500	0.0%	-
7089 · Membership Database Fees	9,217	9,838	3,900	-57.7%	-60.4%
7100 · Telephone	1,832	1,944	2,737	49.4%	40.8%
7120 · Membership/Dues	1,000	215	200	-80.0%	-7.0%
7140 · Credit Card Merchant Fees	9,800	11,563	12,000	22.4%	3.8%
7150 · E&O/Off & Dir Insurance	3,800	3,979	4,100	7.9%	3.0%
7195 · Other Gen & Adm Expense	-	193	200	-	3.4%
Total 7000 · General & Admin	37,149	37,966	34,783	-6.4%	-8.4%
8000 · Building Overhead					
6015 · Janitorial Expense	736	740	771		
6020 · Heat	554	604	602		
6025 · Electricity	1,252	1,169	1,296		
6030 · Water/Sewer	129	103	108		
6035 · Outside Maintenance	302	567	481		
6040 · Building Repairs	740	131	184		
6045 · Bldg Mtnce Contracts	1,383	851	971		
6050 · Bldg Mtnce Supplies	67	63	67		
6065 · Bldg Insurance/Fees	320	311	309		
6070 · Bldg Depreciation	1,351	1,317	1,294		
6075 · Furn/Fixtures Depreciation	354	360	472		
7065 · Equip Depreciation	2,217	2,709	3,699		
Total 8000 · Building Overhead	9,405	8,924	10,254	9.0%	14.9%
Total Expense	474,411	452,075	457,986	-3.5%	1.3%
Net Income	\$ (19,511)	\$ 10,425	\$ (18,686)	-4.2%	-279.3%

Preliminary 2015/16 Budget
New Lawyer Training Program (NLTP)

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4020 · NLTP Fees	\$ 85,600	\$ 95,050	\$ 90,300	5.5%	-5.0%
4200 · Seminar Profit/Loss	(300)	-	-	-100.0%	-
Total Income	85,300	95,050	90,300	5.9%	-5.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	\$ 1,000	-	-	-100.0%	-
5002 · Meeting Facilities-internal only	-	2,171	2,300	-	6.0%
5075 · Food & Beverage-external costs	1,200	280	300	-75.0%	7.1%
5076 · Food & Beverage-internal only	800	2,645	2,800	250.0%	5.9%
5700 · Travel					
5702 · Lodging	-	83	100	-	21.0%
5703 · Transportation	800	-	-	-100.0%	-
5704 · Mileage Reimbursement	600	724	800	33.3%	10.5%
5705 · Per Diems	300	-	-	-100.0%	-
Total 5000 · Program Services Expense	4,700	5,902	6,300	34.0%	6.7%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	48,240	40,993	42,633	-11.6%	4.0%
5605 · Payroll Taxes	3,377	3,075	3,197	-5.3%	4.0%
5610 · Health Insurance	5,919	5,081	6,085	2.8%	19.7%
5630 · Dental Insurance	493	283	363	-26.3%	28.5%
5640 · Life & LTD Insurance	503	433	433	-13.9%	0.0%
5650 · Retirement Plan Contributions	4,823	481	4,263	-11.6%	785.7%
5655 · Retirement Plan Fees & Costs	554	250	470	-15.2%	88.0%
5660 · Training/Development	100	40	100	0.0%	150.0%
Total 5500 · Salaries/Benefits	64,009	50,637	57,545	-10.1%	13.6%
7000 · General & Admin					
7025 · Office Supplies	600	127	100	-83.3%	-21.1%
7035 · Postage/Mailing	200	84	200	0.0%	138.1%
7040 · Copy/Printing Expense	4,100	2,233	2,300	-43.9%	3.0%
7045 · Internet Service	-	-	215	-	-
7100 · Telephone	611	707	911	49.1%	28.9%
7120 · Membership/Dues	700	387	400	-42.9%	3.4%
7140 · Credit Card Merchant Fees	-	585	600	-	2.5%
7195 · Other Gen & Admin Expense	400	-	-	-100.0%	-
Total 7000 · General & Admin	6,611	4,123	4,726	-28.5%	14.6%

Preliminary 2015/16 Budget
New Lawyer Training Program (NLTP)

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
8000 · Building Overhead					
6015 · Janitorial Expense	450	453	472		
6020 · Heat	339	369	368		
6025 · Electricity	766	715	793		
6030 · Water/Sewer	79	63	66		
6035 · Outside Maintenance	185	347	294		
6040 · Building Repairs	453	80	113		
6045 · Bldg Mtnce Contracts	846	520	594		
6050 · Bldg Mtnce Supplies	41	39	41		
6065 · Bldg Insurance/Fees	196	191	189		
6070 · Bldg Depreciation	826	807	792		
6075 · Furn/Fixtures Depreciation	217	220	289		
7065 · Equip Depreciation	1,356	1,657	2,263		
Total 8000 · Building Overhead	5,754	5,460	6,274	9.0%	14.9%
Total Expense	81,074	66,122	74,845	-7.7%	13.2%
Net Income	\$ 4,226	\$ 28,928	\$ 15,455	265.7%	-46.6%

Preliminary 2015/16 Budget
Bar Management

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4060 · E-Filing Revenue	\$ 9,000	\$ 17,930	\$ 17,900	98.9%	-0.2%
4095 · Miscellaneous Income	3,000	1,043	3,000	0.0%	187.7%
4103 · In - Kind Revenue - UDR	2,600	2,276	2,400	-7.7%	5.4%
4150 · Investment Income					
4151 · ILM Realized Gain/Loss	9,000	60,863	9,000	0.0%	-85.2%
4152 · ILM Interest Income	6,000	(9,489)	6,000	0.0%	-163.2%
4153 · ILM Unrealized Gain/Loss	2,000	(20,649)	2,000	0.0%	-109.7%
4155 · General Interest Income	100	77	100	0.0%	29.3%
Total Income	31,700	52,050	40,400	27.4%	-22.4%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	1,000	1,051	1,100	10.0%	4.7%
5035 · Awards	1,200	-	-	-100.0%	-
5063 · Special Event Expense	1,500	237	200	-86.7%	-15.6%
5075 · Food & Beverage-external costs	3,400	2,437	2,500	-26.5%	2.6%
5076 · Food & Beverage-internal only	4,200	3,617	3,800	-9.5%	5.0%
5700 · Travel					
5702 · Lodging	-	179	200	-	11.9%
5703 · Transportation	3,200	2,579	2,700	-15.6%	4.7%
5704 · Mileage Reimbursement	-	33	-	-	-100.0%
5705 · Per Diems	800	193	200	-75.0%	3.4%
5805 · ABA Annual Meeting	4,000	2,486	2,600	-35.0%	4.6%
5810 · ABA Mid Year Meeting	1,400	302	300	-78.6%	-0.7%
5830 · Western States Bar Conference	3,800	2,380	2,500	-34.2%	5.0%
Total 5000 · Program Services Expense	24,500	15,494	16,100	-34.3%	3.9%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	413,588	394,223	409,992	-0.9%	4.0%
5605 · Payroll Taxes	28,951	29,567	30,749	6.2%	4.0%
5610 · Health Insurance	26,638	28,333	27,380	2.8%	-3.4%
5630 · Dental Insurance	2,217	1,761	1,634	-26.3%	-7.2%
5640 · Life & LTD Insurance	3,684	3,607	3,607	-2.1%	0.0%
5645 · Workman's Comp Insurance	6,458	7,948	8,345	29.2%	5.0%
5650 · Retirement Plan Contributions	41,359	44,008	40,999	-0.9%	-6.8%
5655 · Retirement Plan Fees & Costs	4,748	7,141	4,520	-4.8%	-36.7%
5660 · Training/Development	2,000	-	2,000	0.0%	-
Total 5500 · Salaries/Benefits	529,643	516,588	529,227	-0.1%	2.4%

Preliminary 2015/16 Budget
Bar Management

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
7000 · General & Admin					
7025 · Office Supplies	6,500	3,857	4,000	-38.5%	-3.7%
7035 · Postage/Mailing	1,200	1,189	1,200	0.0%	0.9%
7040 · Copy/Printing Expense	9,800	8,241	8,600	-12.2%	4.4%
7045 · Internet Service	-	-	431	-	-
7055 · Computer Supplies	500	4,628	4,800	860.0%	3.7%
7100 · Telephone	1,221	5,723	1,826	49.5%	-68.1%
7110 · Publications/Subscriptions	200	-	-	-100.0%	-
7120 · Membership/Dues	2,600	4,871	5,100	96.2%	4.7%
7135 · Bank Service Charges	400	1,767	1,800	350.0%	1.9%
7136 · ILM Service Charges	14,100	13,201	13,700	-2.8%	3.8%
7140 · Credit Card Merchant Fees	(5,800)	10,184	10,600	-282.8%	4.1%
7150 · E&O/Off & Dir Insurance	3,800	3,979	4,100	7.9%	3.0%
7160 · Audit Expense	30,000	32,253	30,000	0.0%	-7.0%
7175 · O/S Consultants	25,000	22,302	25,000	0.0%	12.1%
7179 · Payroll Adm Fees	3,300	2,904	3,000	-9.1%	3.3%
7180 · Administrative Fee Expense	1,200	1,320	1,400	16.7%	6.1%
7195 · Other Gen & Adm Expense	8,600	7,667	8,000	-7.0%	4.3%
Total 7000 · General & Admin	102,621	124,086	123,557	20.4%	-0.4%
7090 · In Kind expenses					
7103 · UDR - In Kind Contributions	2,600	2,276	2,400	-7.7%	5.4%
Total 7090 · In Kind expenses	2,600	2,276	2,400	-7.7%	5.4%
8000 · Building Overhead					
6015 · Janitorial Expense	2,015	2,027	1,878		
6020 · Heat	1,516	1,653	1,465		
6025 · Electricity	3,430	3,201	3,154		
6030 · Water/Sewer	354	281	264		
6035 · Outside Maintenance	826	1,553	1,172		
6040 · Building Repairs	2,026	357	448		
6045 · Bldg Mtnce Contracts	3,788	2,329	2,363		
6050 · Bldg Mtnce Supplies	184	171	163		
6065 · Bldg Insurance/Fees	875	851	753		
6070 · Bldg Depreciation	3,699	3,608	3,151		
6075 · Furn/Fixtures Depreciation	970	985	1,149		
7065 · Equip Depreciation	6,070	7,419	9,006		
Total 8000 · Building Overhead	25,753	24,436	24,966	-3.1%	2.2%
Total Expense	685,117	682,880	696,250	1.6%	2.0%
Net Income	\$ (653,417)	\$ (630,830)	\$ (655,850)	0.4%	4.0%

Preliminary 2015/16 Budget **Property Management**

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
Income					
4039 · Room Rental - All Parties	\$ 130,500	\$ 133,021	135,700	4.0%	2.0%
4042 · Food & Beverage Rev-3rd Parties	154,000	146,878	149,800	-2.7%	2.0%
4043 · Setup & AV charges-All parties	7,300	5,509	5,600	-23.3%	1.6%
4090 · Tenant Rent	20,952	19,264	20,952	0.0%	8.8%
4095 · Miscellaneous Income	200	93	100	-50.0%	7.1%
Total Income	312,952	304,766	312,152	-0.3%	2.4%
Expense					
5000 · Program Services Expense					
5070 · Equipment Rental	4,200	4,380	4,600	9.5%	5.0%
5075 · Food & Beverage	134,900	147,174	153,100	13.5%	4.0%
5079 · Soft Drinks	3,900	6,917	7,200	84.6%	4.1%
5700 · Travel					
5704 · Mileage Reimbursement	100	-	100	0.0%	-
Total 5000 · Program Services Expense	143,100	158,471	165,000	15.3%	4.1%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	93,104	95,924	99,761	7.2%	4.0%
5605 · Payroll Taxes	6,517	7,194	7,482	14.8%	4.0%
5610 · Health Insurance	11,838	10,163	12,169	2.8%	19.7%
5630 · Dental Insurance	985	645	726	-26.3%	12.5%
5640 · Life & LTD Insurance	792	708	708	-10.6%	0.0%
5650 · Retirement Plan Contributions	9,310	8,513	9,976	7.2%	17.2%
5655 · Retirement Plan Fees & Costs	1,069	764	1,100	2.9%	44.0%
Total 5500 · Salaries/Benefits	123,615	123,912	131,922	6.7%	6.5%
7000 · General & Admin					
7025 · Office Supplies	3,800	4,103	4,300	13.2%	4.8%
7033 · Operating Meeting Supplies	19,600	20,964	21,800	11.2%	4.0%
7035 · Postage/Mailing	10,700	7,613	7,900	-26.2%	3.8%
4094 · Copy/Ptg/Mailing Revenue	(22,200)	(21,547)	(22,000)	-0.9%	2.1%
7040 · Copy/Printing Expense	(1,200)	1,428	1,500	-225.0%	5.0%
7045 · Internet Service	-	-	1,077	-	-
7055 · Computer Supplies	500	231	200	-60.0%	-13.3%
7100 · Telephone	3,055	3,716	4,562	49.3%	22.8%
7140 · Credit Card Merchant Fees	100	28	-	-100.0%	-100.0%
7175 · O/S Consultant	1,000	580	1,000	0.0%	72.4%
7190 · Lease Interest Expense	2,496	-	1,410	-43.5%	-
7191 · Lease Sales Tax Expense	235	283	282	20.0%	-0.2%

Preliminary 2015/16 Budget
Property Management

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
Total 7000 · General & Admin	18,086	17,399	22,031	21.8%	26.6%
7090 · In Kind expenses					
5084 · In Kind Exp-Facilities & other		-	-	-	-
7103 · UDR - In Kind Contributions	36,600	35,719	37,100	1.4%	3.9%
Total 7090 · In Kind expenses	36,600	35,719	37,100	1.4%	3.9%
8000 · Building Overhead					
6015 · Janitorial Expense	15,925	16,019	16,458		
6020 · Heat	11,984	13,064	12,845		
6025 · Electricity	27,110	25,304	27,652		
6030 · Water/Sewer	2,798	2,221	2,310		
6035 · Outside Maintenance	6,527	12,279	10,271		
6040 · Building Repairs	16,015	2,827	3,927		
6045 · Bldg Mtnce Contracts	29,945	18,411	20,712		
6050 · Bldg Mtnce Supplies	1,458	1,347	1,431		
6055 · Real Property Taxes	12,145	11,116	7,470		
6060 · Personal Property Taxes	288	288	270		
6065 · Bldg Insurance/Fees	6,917	6,723	6,603		
6070 · Bldg Depreciation	29,238	28,520	27,621		
6075 · Furn/Fixtures Depreciation	7,664	7,784	10,071		
7065 · Equip Depreciation	47,977	58,641	78,948		
Total 8000 · Building Overhead	215,991	204,543	226,589	4.9%	10.8%
Total Expense	537,392	540,044	582,642	8.4%	7.9%
Net Income	\$ (224,440)	\$ (235,278)	\$ (270,490)	20.5%	15.0%

Preliminary 2015/16 Budget
Office of Professional Conduct

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4095 · Miscellaneous Income	\$ 1,800	\$ 1,803	1,900	5.6%	5.4%
4200 · Seminar Profit/Loss	9,800	9,820	9,800	0.0%	-0.2%
Total Income	11,600	11,622	11,700	0.9%	0.7%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	3,900	2,398	2,500	-35.9%	4.3%
5040 · Witness & Hearing Expense	2,600	1,549	1,600	-38.5%	3.3%
5041 · Process Serving	700	620	600	-14.3%	-3.2%
5070 · Equipment Rental	500	213	200	-60.0%	-6.3%
5075 · Food & Beverage-external costs	200	324	300	50.0%	-7.4%
5076 · Food & Beverage-internal only	2,800	4,725	4,900	75.0%	3.7%
5700 · Travel					
5702 · Lodging	5,100	7,408	7,700	51.0%	3.9%
5703 · Transportation	500	5,272	5,500	1000.0%	4.3%
5704 · Mileage Reimbursement	300	3,137	3,300	1000.0%	5.2%
5705 · Per Diems	3,100	3,211	3,300	6.5%	2.8%
5805 · ABA Annual Meeting	1,000	3,884	1,000	0.0%	-74.3%
Total 5000 · Program Services Expense	20,700	32,742	30,900	49.3%	-5.6%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	791,887	779,593	810,777	2.4%	4.0%
5605 · Payroll Taxes	55,432	58,470	60,808	9.7%	4.0%
5610 · Health Insurance	59,195	65,593	60,845	2.8%	-7.2%
5630 · Dental Insurance	4,926	4,327	3,631	-26.3%	-16.1%
5640 · Life & LTD Insurance	6,235	6,643	6,643	6.5%	0.0%
5650 · Retirement Plan Contributions	79,189	69,367	81,078	2.4%	16.9%
5655 · Retirement Plan Fees & Costs	9,090	7,477	8,938	-1.7%	19.5%
5660 · Training/Development	100	5,085	100	0.0%	-98.0%
Total 5500 · Salaries/Benefits	1,006,054	996,555	1,032,820	2.7%	3.6%
7000 · General & Admin					
7025 · Office Supplies	5,700	11,187	11,600	103.5%	3.7%
7035 · Postage/Mailing	6,300	5,579	5,800	-7.9%	4.0%
7040 · Copy/Printing Expense	22,500	18,383	19,100	-15.1%	3.9%
7045 · Internet Service	-	-	2,585	-	-
7055 · Computer Supplies	1,700	5,155	5,400	217.6%	4.8%
7089 · Membership Database Fees	18,433	20,761	10,590	-42.5%	-49.0%
7100 · Telephone	7,331	7,861	10,950	49.4%	39.3%
7106 · Public Notification	400	921	1,000	150.0%	8.5%
7110 · Publications/Subscriptions	8,200	9,097	9,500	15.9%	4.4%
7120 · Membership/Dues	5,500	4,593	4,800	-12.7%	4.5%

Preliminary 2015/16 Budget
Office of Professional Conduct

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
7150 · E&O/Off & Dir Insurance	13,200	13,927	14,500	9.8%	4.1%
7178 · Offsite Storage/Backup	5,100	2,911	3,000	-41.2%	3.1%
7195 · Other Gen & Adm Expense	500	209	500	0.0%	138.9%
Total 7000 · General & Admin	94,864	100,584	99,325	4.7%	-1.3%
8000 · Building Overhead					
6015 · Janitorial Expense	6,466	6,504	6,778		
6020 · Heat	4,866	5,304	5,290		
6025 · Electricity	11,008	10,275	11,388		
6030 · Water/Sewer	1,136	903	951		
6035 · Outside Maintenance	2,650	4,985	4,230		
6040 · Building Repairs	6,503	1,729	1,617		
6045 · Bldg Mtnce Contracts	12,159	7,476	8,530		
6050 · Bldg Mtnce Supplies	592	547	589		
6065 · Bldg Insurance/Fees	2,809	2,729	2,719		
6070 · Bldg Depreciation	11,872	11,580	11,375		
6075 · Furn/Fixtures Depreciation	3,112	3,160	4,147		
7065 · Equip Depreciation	19,481	23,811	32,513		
Total 8000 · Building Overhead	82,654	79,003	90,127	9.0%	14.1%
Total Expense	1,204,272	1,208,884	1,253,172	4.1%	3.7%
Net Income	\$ (1,192,672)	\$ (1,197,262)	\$ (1,241,472)	4.1%	3.7%

Preliminary 2015/16 Budget
General Counsel

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Expense					
5000 · Program Services Expense					
5075 · Food & Beverage-external costs	-	148	200	-	35.1%
5700 · Travel					
5702 · Lodging	500	1,587	1,700	240.0%	7.1%
5703 · Transportation	1,000	1,724	1,800	80.0%	4.4%
5704 · Mileage Reimbursement	500	-	500	0.0%	-
5705 · Per Diems	100	45	100	0.0%	120.6%
Total 5000 · Program Services Expense	2,100	3,504	4,300	104.8%	22.7%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	136,337	127,520	132,621	-2.7%	4.0%
5605 · Payroll Taxes	9,544	9,564	9,947	4.2%	4.0%
5610 · Health Insurance	11,839	7,935	9,127	-22.9%	15.0%
5630 · Dental Insurance	985	181	545	-44.7%	200.4%
5640 · Life & LTD Insurance	1,092	921	921	-15.6%	0.0%
5650 · Retirement Plan Contributions	13,633	14,656	13,262	-2.7%	-9.5%
5655 · Retirement Plan Fees & Costs	1,565	348	1,462	-6.6%	320.1%
5660 · Training/Development	100	1,120	100	0.0%	-91.1%
Total 5500 · Salaries/Benefits	175,095	162,245	167,984	-4.1%	3.5%
7000 · General & Admin					
7025 · Office Supplies	100	117	100	0.0%	-14.8%
7035 · Postage/Mailing	-	108	100	-	-7.4%
7040 · Copy/Printing Expense	200	345	400	100.0%	15.8%
7045 · Internet Service	-	-	431	-	-
7055 · Computer Supplies	500	-	-	-100.0%	-
7100 · Telephone	1,221	1,297	1,826	49.5%	40.8%
7110 · Publications/Subscriptions	600	655	700	16.7%	6.9%
7120 · Membership/Dues	-	680	700	-	2.9%
7150 · E&O/Off & Dir Insurance	3,800	3,979	4,100	7.9%	3.0%
7176 · Bar Litigation	25,000	15,541	25,000	0.0%	60.9%
7177 · UPL	35,000	1,751	35,000	0.0%	1899.2%
Total 7000 · General & Admin	66,421	24,473	68,357	2.9%	179.3%
8000 · Building Overhead					
6015 · Janitorial Expense	1,245	1,252	1,305		
6020 · Heat	937	1,021	1,018		
6025 · Electricity	2,119	1,977	2,192		
6030 · Water/Sewer	219	173	183		
6035 · Outside Maintenance	510	960	814		

Preliminary 2015/16 Budget
General Counsel

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
6040 · Building Repairs	1,252	221	311		
6045 · Bldg Mtnce Contracts	2,341	1,439	1,642		
6050 · Bldg Mtnce Supplies	114	105	113		
6065 · Bldg Insurance/Fees	541	525	524		
6070 · Bldg Depreciation	2,286	2,229	2,190		
6075 · Furn/Fixtures Depreciation	599	608	798		
7065 · Equip Depreciation	3,750	4,584	6,259		
Total 8000 · Building Overhead	15,913	15,096	17,349	9.0%	14.9%
Total Expense	259,529	205,318	257,990	-0.6%	25.7%
Net Income	\$ (259,529)	\$ (205,318)	\$ (257,990)	-0.6%	25.7%

Preliminary 2015/16 Budget **Computer/MIS**

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	Budget	6/30/2015	2015/16	15/16 Bgt	vs 15/16 Bgt
Income					
4031 · Enhanced Web Revenue	\$ 500	\$ -	\$ 500	0.0%	-
Total Income	500	-	500	0.0%	-
Expense					
5000 · Program Services Expense					
5700 · Travel					
5702 · Lodging	(600)	-	-	-100.0%	-
5703 · Transportation	3,000	1,616	1,700	-43.3%	5.2%
5705 · Per Diems		332	300	-	-9.6%
Total 5000 · Program Services Expense	2,400	1,948	2,000	-16.7%	2.7%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	114,040	112,256	116,746	2.4%	4.0%
5605 · Payroll Taxes	7,983	8,419	8,756	9.7%	4.0%
5610 · Health Insurance	11,840	8,561	9,127	-22.9%	6.6%
5630 · Dental Insurance	985	545	545	-44.7%	-0.1%
5640 · Life & LTD Insurance	1,077	997	997	-7.4%	0.0%
5650 · Retirement Plan Contributions	11,404	10,756	11,675	2.4%	8.5%
5655 · Retirement Plan Fees & Costs	1,309	1,339	1,287	-1.7%	-3.9%
Total 5500 · Salaries/Benefits	148,638	142,874	149,133	0.3%	4.4%
7000 · General & Admin					
7025 · Office Supplies	2,250	-	50	-97.8%	-
7045 · Internet Service	4,000	17,871	431	-89.2%	-97.6%
7050 · Computer Maintenance	1,900	11,903	12,400	552.6%	4.2%
7055 · Computer Supplies	8,100	7,091	7,400	-8.6%	4.4%
7100 · Telephone	1,221	2,424	2,726	123.3%	12.5%
7110 · Publications/Subscriptions	300	1,024	1,100	266.7%	7.4%
7120 · Membership/Dues	50	-	50	0.0%	-
7175 · O/S Consultants		1,452	23,500	-	1518.5%
Total 7000 · General & Admin	17,821	41,764	47,657	167.4%	14.1%
8000 · Building Overhead					
6015 · Janitorial Expense	593	596	622		
6020 · Heat	446	487	485		
6025 · Electricity	1,009	943	1,044		
6030 · Water/Sewer	104	83	87		
6035 · Outside Maintenance	243	457	388		

Preliminary 2015/16 Budget
Computer/MIS

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
6040 · Building Repairs	596	105	148		
6045 · Bldg Mtnce Contracts	1,115	685	782		
6050 · Bldg Mtnce Supplies	54	51	54		
6065 · Bldg Insurance/Fees	258	251	249		
6070 · Bldg Depreciation	1,089	1,061	1,043		
6075 · Furn/Fixtures Depreciation	285	289	380		
7065 · Equip Depreciation	1,786	2,184	2,981		
Total 8000 · Building Overhead	7,578	7,192	8,263	9.0%	14.9%
Total Expense	176,437	193,778	207,053	17.4%	6.9%
Net Income	\$ (175,937)	\$ (193,778)	\$ (206,553)	17.4%	6.6%

Preliminary 2015/16 Budget
Continuing Legal Education

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4052 · Meeting - Sponsor Revenue	\$ 5,100	\$ 5,000	\$ 5,100	0.0%	2.0%
4081 · CLE - Registrations	306,400	387,672	395,400	29.0%	2.0%
4082 · CLE - Video Library Sales	86,300	129,163	131,700	52.6%	2.0%
4083 · CLE - Material Sales	200	-	-	-100.0%	-
4200 · Seminar Profit/Loss	7,200	10,733	10,900	51.4%	1.6%
Total Income	405,200	532,568	543,100	34.0%	2.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	4,700	13,830	14,400	206.4%	4.1%
5002 · Meeting Facilities-internal only	5,700	9,405	9,800	71.9%	4.2%
5030 · Speaker Fees & Expenses	23,200	41,473	43,100	85.8%	3.9%
5035 · Awards	600	-	-	-100.0%	-
5063 · Special Event Expense	6,300	5,984	6,200	-1.6%	3.6%
5064 · MCLE Fees Paid	30,000	31,101	35,300	17.7%	13.5%
5070 · Equipment Rental	2,200	2,729	2,800	27.3%	2.6%
5075 · Food & Beverage-external costs	31,100	29,740	30,900	-0.6%	3.9%
5076 · Food & Beverage-internal only	18,400	22,663	23,600	28.3%	4.1%
5085 · Misc. Program Expense		5,235	5,400	-	3.2%
5700 · Travel					
5702 · Lodging	-	2,811	2,900	-	3.2%
5703 · Transportation	3,200	4,357	4,500	40.6%	3.3%
5704 · Mileage Reimbursement	-	28	-	-	-100.0%
5705 · Per Diems	-	853	900	-	5.5%
7199 · Overhead Allocation - Seminars	5,700	41,484	43,100	656.1%	3.9%
7200 · Event Revenue Sharing - 3rd Pty	43,800	86,524	90,000	105.5%	4.0%
Total 5000 · Program Services Expense	174,900	298,217	312,900	78.9%	4.9%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	77,344	79,805	82,998	7.3%	4.0%
5605 · Payroll Taxes	5,414	5,985	6,225	15.0%	4.0%
5610 · Health Insurance	5,919	6,995	12,169	105.6%	74.0%
5630 · Dental Insurance	493	444	726	47.3%	63.6%
5640 · Life & LTD Insurance	667	801	801	20.1%	0.0%
5650 · Retirement Plan Contributions	7,734	6,909	8,300	7.3%	20.1%
5655 · Retirement Plan Fees & Costs	888	1,004	915	3.0%	-8.9%
5660 · Training/Development		2,161	-	-	-100.0%
Total 5500 · Salaries/Benefits	98,459	104,105	112,134	13.9%	7.7%

Preliminary 2015/16 Budget
Continuing Legal Education

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
7000 · General & Admin					
7025 · Office Supplies	3,100	419	400	-87.1%	-4.5%
7035 · Postage/Mailing	14,400	5,211	5,400	-62.5%	3.6%
7040 · Copy/Printing Expense	14,800	32,720	34,000	129.7%	3.9%
7045 · Internet Service	-	-	431	-	-
7050 · Computer Maintenance	100	419	400	300.0%	-4.5%
7055 · Computer Supplies	600	325	300	-50.0%	-7.8%
7089 · Membership Database Fees	18,433	18,433	4,680	-74.6%	-74.6%
7100 · Telephone	1,221	6,973	2,726	123.3%	-60.9%
7105 · Advertising	10,100	-	-	-100.0%	-
7120 · Membership/Dues		327	300	-	-8.2%
7140 · Credit Card Merchant Fees	12,200	13,410	13,900	13.9%	3.7%
7195 · Other Gen & Adm Expense	3,000	300	300	-90.0%	0.0%
Total 7000 · General & Admin	77,954	78,536	62,837	-19.4%	-20.0%
8000 · Building Overhead					
6015 · Janitorial Expense	900	905	944		
6020 · Heat	677	739	736		
6025 · Electricity	1,533	1,431	1,585		
6030 · Water/Sewer	158	125	132		
6035 · Outside Maintenance	369	695	589		
6040 · Building Repairs	905	160	225		
6045 · Bldg Mtnce Contracts	1,693	1,041	1,188		
6050 · Bldg Mtnce Supplies	82	76	82		
6055 · Real Property Taxes	9,109	8,336	5,603		
6060 · Personal Property Taxes	216	216	203		
6065 · Bldg Insurance/Fees	391	380	379		
6070 · Bldg Depreciation	1,653	1,612	1,584		
6075 · Furn/Fixtures Depreciation	433	440	577		
7065 · Equip Depreciation	2,712	3,315	4,526		
Total 8000 · Building Overhead	20,831	19,471	18,353	-11.9%	-5.7%
Total Expense	372,144	500,329	506,224	36.0%	1.2%
Net Income	\$ 33,056	\$ 32,239	\$ 36,876	11.6%	14.4%

Preliminary 2015/16 Budget **Summer Convention**

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	Budget	6/30/2015	2015/16	15/16 Bgt	vs 15/16 Bgt
Income					
4051 · Meeting - Registration	\$ 119,400	\$ 66,293	\$ 107,600	-9.9%	62.3%
4052 · Meeting - Sponsor Revenue	21,200	22,350	22,800	7.5%	2.0%
4053 · Meeting - Vendor Revenue	7,700	11,750	12,000	55.8%	2.1%
4055 · Meeting - Sp Ev Registration		8,138	8,300	-	2.0%
4095 · Miscellaneous Income	2,300	6,617	6,700	191.3%	1.3%
Total Income	150,600	115,148	157,400	4.5%	36.7%
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	15,000	128,391	153,500	923.3%	19.6%
5002 · Meeting Facilities-internal only	600	760	800	33.3%	5.3%
5030 · Speaker Fees & Expenses	6,100	11,915	12,400	103.3%	4.1%
5035 · Awards		-	-	-	-
5063 · Special Event Expense	10,100	6,474	6,700	-33.7%	3.5%
5064 · MCLE Fees Paid	3,800	2,351	2,400	-36.8%	2.1%
5070 · Equipment Rental	6,700	-	-	-100.0%	-
5075 · Food & Beverage-external costs	70,500	17,854	18,600	-73.6%	4.2%
5076 · Food & Beverage-internal only	1,500	1,279	1,300	-13.3%	1.6%
5085 · Misc. Program Expense		-	-	-	-
5700 · Travel					
5702 · Lodging	2,300	5,701	5,900	156.5%	3.5%
5703 · Transportation	2,700	1,585	1,600	-40.7%	0.9%
5704 · Mileage Reimbursement	1,800	3,547	3,700	105.6%	4.3%
5705 · Per Diems	2,200	1,512	1,600	-27.3%	5.8%
Total 5000 · Program Services Expense	123,300	181,369	208,500	69.1%	15.0%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	28,635	32,344	33,638	17.5%	4.0%
5605 · Payroll Taxes	2,004	2,426	2,523	25.9%	4.0%
5650 · Retirement Plan Contributions	2,864	3,203	3,364	17.5%	5.0%
5655 · Retirement Plan Fees & Costs	329	-	371	12.8%	-
Total 5500 · Salaries/Benefits	33,832	37,972	39,895	17.9%	5.1%
7000 · General & Admin					
7025 · Office Supplies	100	104	100	0.0%	-3.8%
7035 · Postage/Mailing	3,600	3,558	3,700	2.8%	4.0%
7040 · Copy/Printing Expense	16,000	10,406	5,800	-63.8%	-44.3%
7045 · Internet Service	-	-	87	-	-
7100 · Telephone	244	287	367	50.4%	28.0%
7140 · Credit Card Merchant Fees	2,900	1,719	1,800	-37.9%	4.7%
7195 · Other Gen & Adm Expense	4,700	-	4,000	-14.9%	-

Preliminary 2015/16 Budget
Summer Convention

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Total 7000 · General & Admin	27,544	16,074	15,854	-42.4%	-1.4%
8000 · Building Overhead					
6015 · Janitorial Expense	180	181	189		
6020 · Heat	136	148	147		
6025 · Electricity	307	287	317		
6030 · Water/Sewer	32	25	26		
6035 · Outside Maintenance	74	139	118		
6040 · Building Repairs	181	32	45		
6045 · Bldg Mtnce Contracts	339	208	238		
6050 · Bldg Mtnce Supplies	16	15	16		
6065 · Bldg Insurance/Fees	78	76	76		
6070 · Bldg Depreciation	331	323	317		
6075 · Furn/Fixtures Depreciation	87	88	115		
7065 · Equip Depreciation	542	663	905		
Total 8000 · Building Overhead	2,303	2,184	2,509	8.9%	14.9%
Total Expense	186,979	237,599	266,758	42.7%	12.3%
Net Income	<u>\$ (36,379)</u>	<u>\$ (122,451)</u>	<u>\$ (109,358)</u>	200.6%	-10.7%

**Preliminary 2015/16 Budget
Fall Forum**

	F/Y 2014/15 Budget	Actual YTD 3/31/2015	Budget 2015/16	% Chg 14/15 vs 15/16 Bgt	% Chg 14/15 Proj vs 15/16 Bgt
Income					
4051 · Meeting - Registration	\$ 74,600	\$ 85,370	\$ 118,750	59.2%	39.1%
4052 · Meeting - Sponsor Revenue	-	-	40,000	-	-
4053 · Meeting - Vendor Revenue	12,900	13,175	18,000	39.5%	36.6%
4055 · Meeting - Sp Ev Registration	600	(161)	-	-100.0%	-100.0%
4095 · Miscellaneous Income	100	1,107	-	-100.0%	-100.0%
Total Income	88,200	99,491	176,750	100.4%	77.7%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	54,300	51,762	3,206	-94.1%	-93.8%
5002 · Meeting Facilities-internal only	400	175	200	-50.0%	14.3%
5030 · Speaker Fees & Expenses	15,100	2,294	31,000	105.3%	1251.4%
5035 · Awards	400	-	400	0.0%	-
5063 · Special Event Expense	-	1,454	-	-	-100.0%
5064 · MCLE Fees Paid	3,200	3,758	6,000	87.5%	59.7%
5070 · Equipment Rental	500	-	12,600	2420.0%	-
5075 · Food & Beverage-external costs	700	165	81,866	11595.1%	49515.8%
5076 · Food & Beverage-internal only	500	287	-	-100.0%	-100.0%
5700 · Travel	-	-	-	-	-
5703 · Transportation	-	914	1,000	-	9.4%
Total 5000 · Program Services Expense	75,100	60,809	136,272	81.5%	124.1%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	10,135	12,814	17,960	77.2%	30.0%
5605 · Payroll Taxes	709	972	1,347	90.0%	30.0%
5650 · Retirement Plan Contributions	1,014	1,269	1,796	77.1%	41.5%
5655 · Retirement Plan Fees & Costs	116	-	198	70.7%	-
Total 5500 · Salaries/Benefits	11,974	15,055	21,300	77.9%	32.1%
7000 · General & Admin					
7025 · Office Supplies	303	240	403	33.0%	67.9%
7035 · Postage/Mailing	-	96	100	-	4.2%
7040 · Copy/Printing Expense	5,300	4,066	5,500	3.8%	35.3%
7045 · Internet Service	-	-	65	-	-
7100 · Telephone	183	146	274	49.7%	40.8%
7140 · Credit Card Merchant Fees	2,800	1,688	2,300	-17.9%	36.3%
7195 · Other Gen & Adm Expense	-	-	7,000	-	-
Total 7000 · General & Admin	8,586	6,236	15,642	82.2%	148.9%
8000 · Building Overhead					
6015 · Janitorial Expense	180	136	680	-	-
6020 · Heat	136	111	147	-	-
6025 · Electricity	307	215	317	-	-
6030 · Water/Sewer	32	19	26	-	-
6035 · Outside Maintenance	74	104	118	-	-
6040 · Building Repairs	181	24	45	-	-
6045 · Bldg Mtncn Contracts	339	156	238	-	-
6050 · Bldg Mtncn Supplies	16	11	16	-	-
6065 · Bldg Insurance/Fees	78	57	76	-	-
6070 · Bldg Depreciation	331	242	317	-	-
6075 · Furn/Fixtures Depreciation	87	66	115	-	-
7065 · Equip Depreciation	542	497	905	-	-
Total 8000 · Building Overhead	2,303	1,638	3,000	30.3%	37.4%
Total Expense	97,963	83,738	176,214	79.9%	106.3%
Net Income	\$ (9,763)	\$ 15,753	\$ 536	-105.5%	-96.2%

Preliminary 2015/16 Budget Spring Convention

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4051 · Meeting - Registration	\$ 116,100	\$ 94,646	\$ 96,500	-16.9%	2.0%
4052 · Meeting - Sponsor Revenue	18,700	13,750	14,000	-25.1%	1.8%
4053 · Meeting - Vendor Revenue	10,100	11,050	11,300	11.9%	2.3%
4055 · Meeting - Sp Ev Registration	1,000	2,417	2,500	150.0%	3.4%
Total Income	145,900	121,863	124,300	-14.8%	2.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	6,200	3,749	3,900	-37.1%	4.0%
5002 · Meeting Facilities-internal only	500	263	300	-40.0%	14.1%
5030 · Speaker Fees & Expenses	8,600	7,535	9,800	14.0%	30.1%
5063 · Special Event Expense	5,300	3,109	3,700	-30.2%	19.0%
5064 · MCLE Fees Paid	5,200	5,000	5,700	9.6%	14.0%
5070 · Equipment Rental	4,900	5,000	5,700	16.3%	14.0%
5075 · Food & Beverage-external costs	34,700	35,000	36,400	4.9%	4.0%
5076 · Food & Beverage-internal only	1,300	1,086	1,100	-15.4%	1.3%
5085 · Misc. Program Expense		156	200	-	28.2%
5700 · Travel					
5702 · Lodging	4,800	4,000	4,700	-2.1%	17.5%
5703 · Transportation	1,800	2,000	2,600	44.4%	30.0%
5704 · Mileage Reimbursement	4,200	3,323	3,500	-16.7%	5.3%
5705 · Per Diems	1,500	744	1,300	-13.3%	74.7%
Total 5000 · Program Services Expense	79,000	70,965	78,900	-0.1%	11.2%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	24,048	19,076	19,839	-17.5%	4.0%
5605 · Payroll Taxes	1,683	1,431	1,488	-11.6%	4.0%
5650 · Retirement Plan Contributions	2,405	1,688	1,984	-17.5%	17.5%
5655 · Retirement Plan Fees & Costs	276	-	219	-20.7%	-
Total 5500 · Salaries/Benefits	28,412	22,196	23,530	-17.2%	6.0%
7000 · General & Admin					
7025 · Office Supplies	400	13	-	-100.0%	-100.0%
7035 · Postage/Mailing		10	-	-	-100.0%
7040 · Copy/Printing Expense	7,300	2,088	2,200	-69.9%	5.4%
7045 · Internet Service	-	-	65	-	-
7100 · Telephone	183	148	274	49.7%	85.1%
7140 · Credit Card Merchant Fees	4,000	2,089	2,700	-32.5%	29.2%
7195 · Other Gen & Adm Expense	2,000	642	4,700	135.0%	632.1%

**Preliminary 2015/16 Budget
Spring Convention**

	F/Y 2014/15 Budget	Projected 6/30/2015	Budget 2015/16	% Chg 14/15 vs 15/16 Bgt	% Chg 14/15 Proj vs 15/16 Bgt
Total 7000 · General & Admin	13,883	4,990	9,939	-28.4%	99.2%
8000 · Building Overhead					
6015 · Janitorial Expense	180	163	189		
6020 · Heat	136	133	147		
6025 · Electricity	307	258	317		
6030 · Water/Sewer	32	23	26		
6035 · Outside Maintenance	74	125	118		
6040 · Building Repairs	181	29	45		
6045 · Bldg Mtnce Contracts	339	187	238		
6050 · Bldg Mtnce Supplies	16	13	16		
6065 · Bldg Insurance/Fees	78	68	76		
6070 · Bldg Depreciation	331	290	317		
6075 · Furn/Fixtures Depreciation	87	79	115		
7065 · Equip Depreciation	542	596	905		
Total 8000 · Building Overhead	2,303	1,966	2,509	8.9%	27.6%
Total Expense	123,598	100,117	114,878	-7.1%	14.7%
Net Income	\$ 22,302	\$ 21,746	\$ 9,422	-57.8%	-56.7%

Preliminary 2015/16 Budget **Bar Journal**

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4061 · Advertising Revenue	\$ 132,100	\$ 138,867	\$ 141,600	7.2%	2.0%
4062 · Subscriptions	200	320	300	50.0%	-6.3%
4071 · Mem Benefits - Lexis	900	-	-	-100.0%	-
4072 · Mem Benefits-Royalties-Bar Jnl	6,400	7,056	7,200	12.5%	2.0%
Total Income	139,600	146,243	149,100	6.8%	2.0%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	900	788	800	-11.1%	1.5%
5076 · Food & Beverage-internal only	3,000	2,184	2,300	-23.3%	5.3%
5090 · Commission Expense	21,700	22,279	23,200	6.9%	4.1%
Total 5000 · Program Services Expense	25,600	25,251	26,300	2.7%	4.2%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	26,959	25,249	26,259	-2.6%	4.0%
5605 · Payroll Taxes	1,887	1,894	1,969	4.4%	4.0%
5610 · Health Insurance	2,960	2,853	3,042	2.8%	6.6%
5630 · Dental Insurance	246	181	182	-26.2%	0.1%
5640 · Life & LTD Insurance	209	225	225	7.8%	0.0%
5650 · Retirement Plan Contributions	2,696	2,409	2,626	-2.6%	9.0%
5655 · Retirement Plan Fees & Costs	309	311	289	-6.5%	-7.0%
Total 5500 · Salaries/Benefits	35,266	33,123	34,593	-1.9%	4.4%
7000 · General & Admin					
7025 · Office Supplies		49	100	-	102.7%
7035 · Postage/Mailing	24,300	28,529	29,700	22.2%	4.1%
7040 · Copy/Printing Expense	97,400	83,628	87,000	-10.7%	4.0%
7045 · Internet Service	-	-	108	-	-
7055 · Computer Supplies	100	-	-	-100.0%	-
7100 · Telephone	306	396	456	49.0%	15.2%
7140 · Credit Card Merchant Fees	700	167	200	-71.4%	20.0%
Total 7000 · General & Admin	122,806	112,769	117,564	-4.3%	4.3%
8000 · Building Overhead					
6015 · Janitorial Expense	118	119	124		
6020 · Heat	89	97	97		
6025 · Electricity	201	188	208		
6030 · Water/Sewer	21	16	17		
6035 · Outside Maintenance	48	91	77		
6040 · Building Repairs	119	21	30		
6045 · Bldg Mtnce Contracts	222	136	156		

Preliminary 2015/16 Budget
Bar Journal

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
6050 · Bldg Mtnc Supplies	11	9	11		
6065 · Bldg Insurance/Fees	51	49	50		
6070 · Bldg Depreciation	217	211	208		
6075 · Furn/Fixtures Depreciation	57	57	76		
7065 · Equip Depreciation	355	435	593		
Total 8000 · Building Overhead	1,509	1,429	1,647	9.1%	15.3%
Total Expense	185,181	172,572	180,104	-2.7%	4.4%
Net Income	\$ (45,581)	\$ (26,329)	\$ (31,004)	-32.0%	17.8%

Preliminary 2015/16 Budget Committees

	<u>F/Y 2014/15 Budget</u>	<u>Projected 6/30/2015</u>	<u>Budget 2015/16</u>	<u>% Chg 14/15 vs 15/16 Bgt</u>	<u>% Chg 14/15 Proj vs 15/16 Bgt</u>
Income					
4095 · Miscellaneous Income	\$ 1,000	\$ 480	\$ 480	-52.0%	0.0%
Total Income	1,000	480	480	-52.0%	0.0%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	2,400	1,960	2,000	-16.7%	2.0%
5035 · Awards	100	-	-	-100.0%	-
5061 · LRE - Bar Support	65,000	65,000	65,000	0.0%	0.0%
5062 · Law Day	2,100	2,000	2,100	0.0%	5.0%
5070 · Equipment Rental	-	-	-	-	-
5075 · Food & Beverage-external costs	800	944	1,000	25.0%	5.9%
5076 · Food & Beverage-internal only	2,400	2,956	3,100	29.2%	4.9%
5700 · Travel					
5702 · Lodging	800	-	-	-100.0%	-
5703 · Transportation	600	-	-	-100.0%	-
Total 5000 · Program Services Expense	74,200	72,860	73,200	-1.3%	0.5%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	23,592	23,548	44,490	88.6%	88.9%
5605 · Payroll Taxes	1,651	1,766	3,337	102.1%	88.9%
5610 · Health Insurance	2,960	2,853	3,042	2.8%	6.6%
5630 · Dental Insurance	246	181	182	-26.2%	0.1%
5640 · Life & LTD Insurance	209	225	225	7.8%	0.0%
5650 · Retirement Plan Contributions	2,359	2,261	4,449	88.6%	96.7%
5655 · Retirement Plan Fees & Costs	271	311	490	80.8%	57.7%
5660 · Training/Development	2,000	-	-	-	-
Total 5500 · Salaries/Benefits	33,288	31,146	56,215	68.9%	80.5%
7000 · General & Admin					
7025 · Office Supplies	200	29	-	-100.0%	-100.0%
7035 · Postage/Mailing	1,400	167	200	-85.7%	20.0%
7040 · Copy/Printing Expense	-	401	400	-	-0.3%
7045 · Internet Service	-	-	108	-	-
7100 · Telephone	306	365	456	49.0%	24.8%
Total 7000 · General & Admin	1,906	963	1,164	-38.9%	20.9%
8000 · Building Overhead					
6015 · Janitorial Expense	118	119	124		

**Preliminary 2015/16 Budget
Committees**

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
6020 · Heat	89	97	97		
6025 · Electricity	201	188	208		
6030 · Water/Sewer	21	16	17		
6035 · Outside Maintenance	48	91	77		
6040 · Building Repairs	119	21	30		
6045 · Bldg Mtnce Contracts	222	136	156		
6050 · Bldg Mtnce Supplies	11	9	11		
6065 · Bldg Insurance/Fees	51	49	50		
6070 · Bldg Depreciation	217	211	208		
6075 · Furn/Fixtures Depreciation	57	57	76		
7065 · Equip Depreciation	355	435	593		
Total 8000 · Building Overhead	1,509	1,429	1,647	9.1%	15.3%
Total Expense	110,903	106,398	132,226	19.2%	24.3%
Net Income	\$ (109,903)	\$ (105,918)	\$ (131,746)	19.9%	24.4%

Preliminary 2015/16 Budget
Member Benefits

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4071 · Mem Benefits - Lexis	\$ 1,700	\$ 3,069	\$ 3,100	82.4%	1.0%
4072 · Mem Benefits-Royalties-Bar Jnl	10,200	7	-	-100.0%	-100.0%
Total Income	<u>11,900</u>	<u>3,076</u>	<u>3,100</u>	-73.9%	0.8%
Expense					
5000 · Program Services Expense					
5047 · Casemaker	57,700	76,411	70,000	21.3%	-8.4%
5098 · LHL Support		-	-	-	-
5099 · Blomquist Hale	75,000	73,899	75,000	0.0%	1.5%
Total 5000 · Program Services Expense	<u>132,700</u>	<u>150,309</u>	<u>145,000</u>	9.3%	-3.5%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	8,243	836	869	-89.5%	4.0%
5605 · Payroll Taxes	5,770	63	65	-98.9%	4.0%
5650 · Retirement Plan Contributions	824	84	87	-89.4%	3.5%
5655 · Retirement Plan Fees & Costs	95	95	10	-89.5%	-89.5%
Total 5500 · Salaries/Benefits	<u>14,932</u>	<u>1,078</u>	<u>1,032</u>	-93.1%	-4.3%
7000 · General & Admin					
7035 · Postage/Mailing	300	-	-	-100.0%	-
Total 7000 · General & Admin	<u>300</u>	<u>-</u>	<u>-</u>	-100.0%	-
8000 · Building Overhead					
6015 · Janitorial Expense	109	109	114		
6020 · Heat	82	89	89		
6025 · Electricity	185	172	191		
6030 · Water/Sewer	19	15	16		
6035 · Outside Maintenance	45	84	71		
6040 · Building Repairs	109	19	27		
6045 · Bldg Mtnce Contracts	204	125	143		
6050 · Bldg Mtnce Supplies	10	9	10		
6065 · Bldg Insurance/Fees	47	45	46		
6070 · Bldg Depreciation	199	195	191		
6075 · Furn/Fixtures Depreciation	52	53	70		
7065 · Equip Depreciation	327	400	546		
Total 8000 · Building Overhead	<u>1,388</u>	<u>1,316</u>	<u>1,514</u>	9.1%	15.0%
Total Expense	<u>149,320</u>	<u>152,703</u>	<u>147,546</u>	-1.2%	-3.4%
Net Income	<u>\$ (137,420)</u>	<u>\$ (149,627)</u>	<u>\$ (144,446)</u>	5.1%	-3.5%

Preliminary 2015/16 Budget
Section Support

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4010 · Administrative Fees - Sections	\$ 92,281	\$ 73,134	\$ 76,621	-17.0%	4.8%
Total Income	<u>92,281</u>	<u>73,134</u>	<u>76,621</u>	-17.0%	4.8%
Expense					
5002 · Meeting Facilities-internal only	200	-	-	-100.0%	-
5076 · Food & Beverage-internal only	900	-	-	-100.0%	-
5700 · Travel					
5704 · Mileage Reimbursement		-	-	-	-
Total 5000 · Program Services Expense	<u>1,100</u>	<u>-</u>	<u>-</u>	-100.0%	-
5500 · Salaries/Benefits					
5510 · Salaries/Wages	52,708	44,435	46,212	-12.3%	4.0%
5605 · Payroll Taxes	3,690	3,333	3,466	-6.1%	4.0%
5610 · Health Insurance	5,919	5,708	6,085	2.8%	6.6%
5630 · Dental Insurance	493	363	363	-26.3%	0.1%
5640 · Life & LTD Insurance	388	384	384	-1.0%	0.0%
5650 · Retirement Plan Contributions	5,271	4,007	4,621	-12.3%	15.3%
5655 · Retirement Plan Fees & Costs	605	605	509	-15.9%	-15.9%
Total 5500 · Salaries/Benefits	<u>69,074</u>	<u>58,834</u>	<u>61,640</u>	-10.8%	4.8%
7000 · General & Admin					
7025 · Office Supplies		-	-	-	-
7040 · Copy/Printing Expense	200	56	100	-50.0%	78.6%
7045 · Internet Service	-	-	215	-	-
7089 · Membership Database Fees	9,216	2,600	4,680	-49.2%	80.0%
7100 · Telephone	625	647	911	45.8%	40.9%
7140 · Credit Card Merchant Fees	-	34	500	-	1370.6%
7195 · Other Gen & Adm Expense	200	-	-	-100.0%	-
Total 7000 · General & Admin	<u>10,241</u>	<u>3,337</u>	<u>6,406</u>	-37.4%	92.0%
8000 · Building Overhead					
6015 · Janitorial Expense	199	200	208		
6020 · Heat	150	163	163		
6025 · Electricity	338	316	350		
6030 · Water/Sewer	35	28	29		
6035 · Outside Maintenance	81	153	130		
6040 · Building Repairs	200	35	50		
6045 · Bldg Mtnce Contracts	374	229	262		

Preliminary 2015/16 Budget
Section Support

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
6050 · Bldg Mtnc Supplies	18	17	18		
6055 · Real Property Taxes	9,109	8,336	5,603		
6060 · Personal Property Taxes	216	216	203		
6065 · Bldg Insurance/Fees	86	84	84		
6070 · Bldg Depreciation	365	356	349		
6075 · Furn/Fixtures Depreciation	96	97	127		
7065 · Equip Depreciation	599	732	999		
Total 8000 · Building Overhead	11,866	10,963	8,575	-27.7%	-21.8%
Total Expense	92,281	73,134	76,621	-17.0%	4.8%
Net Income	\$ -	\$ -	\$ -	-	-

Preliminary 2015/16 Budget
Consumer Assistance

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	400	613	600	50.0%	-2.1%
5700 · Travel					
5704 · Mileage Reimbursement	200	91	200	0.0%	120.6%
Total 5000 · Program Services Expense	600	704	800	33.3%	13.6%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	54,367	72,860	85,774	57.8%	17.7%
5605 · Payroll Taxes	3,806	5,465	6,433	69.0%	17.7%
5610 · Health Insurance	-	2,576	6,085	-	136.2%
5630 · Dental Insurance	-	161	1,634	-	912.8%
5640 · Life & LTD Insurance	-	267	267	-	0.0%
5650 · Retirement Plan Contributions	5,437	6,851	8,577	57.8%	25.2%
5655 · Retirement Plan Fees & Costs	624	187	946	51.6%	406.8%
5660 · Training/Development	100	-	100	0.0%	-
Total 5500 · Salaries/Benefits	64,334	88,366	109,816	70.7%	24.3%
7000 · General & Admin					
7025 · Office Supplies	100	248	300	200.0%	21.0%
7035 · Postage/Mailing	300	384	400	33.3%	4.2%
7040 · Copy/Printing Expense		19	-	-	-100.0%
7045 · Internet Service	-	-	215	-	-
7055 · Computer Supplies		88	100	-	13.6%
7100 · Telephone	2,900	2,871	3,900	34.5%	35.9%
7120 · Membership/Dues	645	645	645	0.0%	0.0%
Total 7000 · General & Admin	3,945	4,254	5,560	40.9%	30.7%
8000 · Building Overhead					
6015 · Janitorial Expense	-	-	472		
6020 · Heat	-	-	368		
6025 · Electricity	-	-	793		
6030 · Water/Sewer	-	-	66		
6035 · Outside Maintenance	-	-	294		
6040 · Building Repairs	-	-	113		
6045 · Bldg Mtnce Contracts	-	-	594		
6050 · Bldg Mtnce Supplies	-	-	41		
6055 · Real Property Taxes	-	-	-		
6060 · Personal Property Taxes	-	-	-		
6065 · Bldg Insurance/Fees	-	-	189		
6070 · Bldg Depreciation	-	-	792		
6075 · Furn/Fixtures Depreciation	-	-	289		
7065 · Equip Depreciation	-	-	2,263		
Total 8000 · Building Overhead	-	-	6,274	-	-
Total Expense	68,879	93,324	122,450	77.8%	31.2%
Net Income	\$ (68,879)	\$ (93,324)	\$ (122,450)	-	-

Preliminary 2015/16 Budget
Access to Justice

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	Budget	6/30/2015	2015/16	15/16 Bgt	vs 15/16 Bgt
Income					
4063 · Modest Means revenue	\$ 10,200	\$ 15,693	\$ 16,000	56.9%	2.0%
4095 · Miscellaneous Income	100	-	-	-100.0%	-
4200 · Seminar Profit/Loss	(100)	-	-	-100.0%	-
Total Income	10,200	15,693	16,000	56.9%	2.0%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	\$ 3,300	\$ 4,440	\$ 4,600	39.4%	3.6%
5070 · Equipment Rental	1,200	-	500	-58.3%	-
5075 · Food & Beverage-external costs	3,700	3,938	4,100	10.8%	4.1%
5076 · Food & Beverage-internal only	5,300	5,780	6,000	13.2%	3.8%
5085 · Misc. Program Expense		50	100	-	100.0%
5700 · Travel					
5702 · Lodging	200	115	100	-50.0%	-12.8%
5703 · Transportation	400	1,885	2,000	400.0%	6.1%
5704 · Mileage Reimbursement	5,000	3,129	3,300	-34.0%	5.5%
5705 · Per Diems	400	61	100	-75.0%	63.0%
Total 5000 · Program Services Expense	19,500	19,399	20,800	6.7%	7.2%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	101,884	85,715	94,143	-7.6%	9.8%
5605 · Payroll Taxes	7,132	6,429	7,061	-1.0%	9.8%
5610 · Health Insurance	11,839	10,788	12,169	2.8%	12.8%
5630 · Dental Insurance	985	685	726	-26.3%	6.0%
5640 · Life & LTD Insurance	664	768	768	15.7%	0.0%
5650 · Retirement Plan Contributions	10,188	5,453	9,414	-7.6%	72.6%
5655 · Retirement Plan Fees & Costs	1,170	100	1,038	-11.3%	938.0%
5660 · Training/Development	300	520	400	33.3%	-23.1%
Total 5500 · Salaries/Benefits	134,162	110,458	125,720	-6.3%	13.8%
7000 · General & Admin					
7025 · Office Supplies	900	127	100	-88.9%	-21.1%
7035 · Postage/Mailing	100	57	100	0.0%	74.4%
7040 · Copy/Printing Expense	1,600	619	600	-62.5%	-3.0%
7045 · Internet Service	-	-	646	-	-
7055 · Computer Supplies		129	100	-	-22.7%
7089 · Membership Database Fees	-	-	2,600	-	-
7100 · Telephone	1,832	2,109	2,737	49.4%	29.8%
7110 · Publications/Subscriptions		-	-	-	-
7120 · Membership/Dues	800	1,127	1,200	50.0%	6.5%

Preliminary 2015/16 Budget
Access to Justice

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
7140 · Credit Card Merchant Fees	1,100	402	900	-18.2%	123.9%
7150 · E&O/Off & Dir Insurance	13,200	10,500	10,900	-17.4%	3.8%
7175 · O/S Consultants		-	-	-	-
7195 · Other Gen & Adm Expense	400	340	400	0.0%	17.6%
Total 7000 · General & Admin	19,932	15,410	20,283	1.8%	31.6%
8000 · Building Overhead					
6015 · Janitorial Expense	869	875	911		
6020 · Heat	654	713	711		
6025 · Electricity	1,480	1,381	1,531		
6030 · Water/Sewer	153	121	128		
6035 · Outside Maintenance	356	671	569		
6040 · Building Repairs	874	155	217		
6045 · Bldg Mtnce Contracts	1,634	1,005	1,147		
6050 · Bldg Mtnce Supplies	80	73	79		
6065 · Bldg Insurance/Fees	378	367	366		
6070 · Bldg Depreciation	1,596	1,557	1,529		
6075 · Furn/Fixtures Depreciation	418	425	558		
7065 · Equip Depreciation	2,619	3,201	4,370		
Total 8000 · Building Overhead	11,111	10,545	12,116	9.0%	14.9%
Total Expense	184,705	155,812	178,919	-3.1%	14.8%
Net Income	\$ (174,505)	\$ (140,119)	\$ (162,919)	-6.6%	16.3%

Preliminary 2015/16 Budget
Tuesday Night Bar

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	\$ 28,700	\$ 25,875	\$ 26,900	-6.3%	4.0%
5075 · Food & Beverage-external costs	100	337	400	300.0%	18.6%
5076 · Food & Beverage-internal only	400	376	400	0.0%	6.4%
5085 · Misc. Program Expense	4,500	3,544	4,500	0.0%	27.0%
Total 5000 · Program Services Expense	33,700	30,132	32,200	-4.5%	6.9%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	5,700	3,448	3,600	-36.8%	4.4%
5605 · Payroll Taxes	500	259	270	-46.0%	4.4%
5650 · Retirement Plan Contributions	200	53	100	-50.0%	87.5%
5655 · Retirement Plan Fees & Costs	65	-	40	-38.5%	-
Total 5500 · Salaries/Benefits	6,465	3,760	4,010	-38.0%	6.6%
7000 · General & Admin					
7110 · Publications/Subscriptions	600	596	600	0.0%	0.7%
Total 7000 · General & Admin	600	596	600	0.0%	0.7%
Total Expense	40,765	34,488	36,810	-9.7%	6.7%
Net Income	\$ (40,765)	\$ (34,488)	\$ (36,810)	-9.7%	6.7%

**Preliminary 2015/16 Budget
Legislative**

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	\$ 2,000	\$ 2,844	\$ 3,000	50.0%	5.5%
5055 · Legislative Expense	58,000	51,854	53,900	-7.1%	3.9%
5070 · Equipment Rental	200	-	-	-100.0%	-
5075 · Food & Beverage-external costs	1,500	-	-	-100.0%	-
5076 · Food & Beverage-internal only	4,800	5,054	5,300	10.4%	4.9%
5700 · Travel					
5702 · Lodging	200	-	-	-100.0%	-
5703 · Transportation	200	-	200	0.0%	-
Total 5000 · Program Services Expense	66,900	59,752	62,400	-6.7%	4.4%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	2,770	7,429	7,726	178.9%	4.0%
5605 · Payroll Taxes	194	557	579	198.7%	4.0%
5650 · Retirement Plan Contributions	277	951	773	178.9%	-18.7%
5655 · Retirement Plan Fees & Costs	32	32	85	165.6%	165.6%
Total 5500 · Salaries/Benefits	3,273	8,969	9,163	180.0%	2.2%
7000 · General & Admin					
7035 · Postage/Mailing	300	-	300	0.0%	-
7100 · Telephone	869	-	911	4.8%	-
7195 · Other Gen & Adm Expense	300	-	300	0.0%	-
Total 7000 · General & Admin	1,469	-	1,511	2.9%	-
Total Expense	71,642	68,721	73,074	2.0%	6.3%
Net Income	\$ (71,642)	\$ (68,721)	\$ (73,074)	2.0%	6.3%

Preliminary 2015/16 Budget
Commission/Special Projects

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Income					
4095 · Miscellaneous Income	\$ 7,300	\$ 7,200	\$ 7,300	0.0%	1.4%
Total Income	<u>7,300</u>	<u>7,200</u>	<u>7,300</u>	0.0%	1.4%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	4,300	2,733	2,800	-34.9%	2.5%
5002 · Meeting Facilities-internal only	1,800	4,350	4,500	150.0%	3.4%
5030 · Speaker Fees & Expenses	-	-	-	-	-
5035 · Awards	1,300	1,720	1,800	38.5%	4.7%
5063 · Special Event Expense	11,100	53,547	11,000	-0.9%	-79.5%
5070 · Equipment Rental	100	267	300	200.0%	12.5%
5075 · Food & Beverage-external costs	13,100	2,185	2,300	-82.4%	5.3%
5076 · Food & Beverage-internal only	2,500	7,828	8,100	224.0%	3.5%
5085 · Misc. Program Expense	-	12,251	12,700	-	3.7%
5700 · Travel					
5702 · Lodging	20,800	2,796	2,900	-86.1%	3.7%
5703 · Transportation	6,100	1,008	1,000	-83.6%	-0.8%
5704 · Mileage Reimbursement	21,400	6,043	6,300	-70.6%	4.3%
5705 · Per Diems	7,000	1,088	1,100	-84.3%	1.1%
5706 · Meals	200	99	100	-50.0%	1.4%
5860 · Commission Mtg Travel	3,200	31,161	32,400	912.5%	4.0%
5805 · ABA Annual Meeting	7,500	6,028	6,300	-16.0%	4.5%
5810 · ABA Mid Year Meeting	6,600	4,455	4,600	-30.3%	3.3%
5820 · ABA Annual Delegate	1,700	6,917	7,200	323.5%	4.1%
5830 · Western States Bar Conference	10,000	14,500	10,000	0.0%	-31.0%
5840 · President's Expense	15,200	11,575	9,000	-40.8%	-22.2%
5865 · Retreat	14,400	12,311	12,800	-11.1%	4.0%
Total 5000 · Program Services Expense	<u>148,300</u>	<u>182,861</u>	<u>137,200</u>	-7.5%	-25.0%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	4,042	7,812	8,124	101.0%	4.0%
5605 · Payroll Taxes	283	586	609	115.3%	4.0%
5650 · Retirement Plan Contributions	450	223	812	80.5%	264.9%
5655 · Retirement Plan Fees & Costs	-	-	90	-	-
Total 5500 · Salaries/Benefits	<u>4,775</u>	<u>8,621</u>	<u>9,636</u>	101.8%	11.8%
7000 · General & Admin					
7025 · Office Supplies	600	691	700	16.7%	1.4%
7035 · Postage/Mailing	1,000	1,429	1,500	50.0%	4.9%

Preliminary 2015/16 Budget
Commission/Special Projects

	F/Y			% Chg	% Chg
	2014/15	Projected	Budget	14/15 vs	14/15 Proj
	<u>Budget</u>	<u>6/30/2015</u>	<u>2015/16</u>	<u>15/16 Bgt</u>	<u>vs 15/16 Bgt</u>
7040 · Copy/Printing Expense	2,100	3,201	3,300	57.1%	3.1%
7100 · Telephone		705	700	-	-0.8%
7140 · Credit Card Merchant Fees	-	21	100	-	376.2%
7145 · Commission Election Expense	3,800	-	3,800	0.0%	-
7150 · E&O/Off & Dir Insurance	8,600	8,803	9,200	7.0%	4.5%
7195 · Other Gen & Adm Expense	8,300	2,120	2,200	-73.5%	3.8%
Total 7000 · General & Admin	24,400	16,970	21,500	-11.9%	26.7%
Total Expense	177,475	208,452	168,336	-5.1%	-19.2%
Net Income	\$ (170,175)	\$ (201,252)	\$ (161,036)	-5.4%	-20.0%

Preliminary 2015/16 Budget
Public Education

	<u>F/Y</u> <u>2014/15</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2015</u>	<u>Budget</u> <u>2015/16</u>	<u>% Chg</u> <u>14/15 vs</u> <u>15/16 Bgt</u>	<u>% Chg</u> <u>14/15 Proj</u> <u>vs 15/16 Bgt</u>
Expense					
5000 · Program Services Expense					
5063 · Special Event Expense	1,800	-	-	-100.0%	-
5075 · Food & Beverage-external costs	50	1,047	1,150	2200.0%	9.8%
5700 · Travel					
5702 · Lodging	400	-	-	-100.0%	-
5704 · Mileage Reimbursement	600	74	100	-83.3%	34.4%
5705 · Per Diems	100	-	-	-100.0%	-
Total 5000 · Program Services Expense	2,950	1,121	1,250	-57.6%	11.5%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	61,882	62,958	65,476	5.8%	4.0%
5605 · Payroll Taxes	4,332	4,722	4,911	13.4%	4.0%
5610 · Health Insurance	5,919	5,137	6,085	2.8%	18.4%
5630 · Dental Insurance	493	326	363	-26.3%	11.3%
5640 · Life & LTD Insurance	501	491	491	-2.0%	0.0%
5650 · Retirement Plan Contributions	6,000	6,296	6,548	9.1%	4.0%
5655 · Retirement Plan Fees & Costs	710	18	722	1.7%	3911.1%
5660 · Training/Development	100	24	100	0.0%	316.7%
Total 5500 · Salaries/Benefits	79,937	79,972	84,695	6.0%	5.9%
7000 · General & Admin					
7025 · Office Supplies	100	26	100	0.0%	278.8%
7035 · Postage/Mailing	100	-	100	0.0%	-
7040 · Copy/Printing Expense	800	6	-	-100.0%	-100.0%
7045 · Internet Service	1,000	-	1,646	64.6%	-
7055 · Computer Supplies	500	89	100	-80.0%	12.6%
7100 · Telephone	611	1,237	911	49.1%	-26.4%
7105 · Advertising	75,000	-	75,000	0.0%	-
7110 · Publications/Subscriptions	100	-	-	-100.0%	-
7120 · Membership/Dues	100	-	-	-100.0%	-
Total 7000 · General & Admin	78,311	1,358	77,857	-0.6%	5633.2%
8000 · Building Overhead					
6015 · Janitorial Expense	326	295	342		
6020 · Heat	245	241	267		
6025 · Electricity	555	466	574		
6030 · Water/Sewer	57	41	48		
6035 · Outside Maintenance	134	226	213		
6040 · Building Repairs	328	52	82		
6045 · Bldg Mtncn Contracts	613	340	430		
6050 · Bldg Mtncn Supplies	30	25	30		
6065 · Bldg Insurance/Fees	142	124	137		
6070 · Bldg Depreciation	598	526	573		
6075 · Furn/Fixtures Depreciation	157	144	209		
7065 · Equip Depreciation	982	1,080	1,639		
Total 8000 · Building Overhead	4,167	3,558	4,544	9.0%	27.7%
Total Expense	165,365	86,009	168,346	1.8%	95.7%
Net Income	\$ (165,365)	\$ (86,009)	\$ (168,346)	1.8%	95.7%

Preliminary 2015/16 Budget
Young Lawyers Division

	F/Y	Projected	Budget	% Chg	% Chg
	2014/15	6/30/2015	2015/16	14/15 vs	14/15 Proj
	<u>Budget</u>			15/16 Bgt	vs 15/16 Bgt
Income					
4051 · Meeting - Registration	100	1,315	100	0.0%	-92.4%
Total Income	<u>100</u>	<u>1,315</u>	<u>100</u>	0.0%	-92.4%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	18,100	15,250	13,734	-24.1%	-9.9%
5002 · Meeting Facilities-internal only	200	-	-	-100.0%	-
5035 · Awards	1,400	1,333	1,400	0.0%	5.0%
5037 · Grants/Contributions - general	500	4,133	500	0.0%	-87.9%
5060 · Program Special Activities	500	133	100	-80.0%	-25.0%
5075 · Food & Beverage-external costs	15,300	20,570	21,400	39.9%	4.0%
5076 · Food & Beverage-internal only	300	-	-	-100.0%	-
5085 · Misc. Program Expense	300	809	800	166.7%	-1.2%
5095 · Wills for Heroes	4,500	-	2,500	-44.4%	-
5700 · Travel					
5702 · Lodging	700	1,340	1,400	100.0%	4.5%
5703 · Transportation	1,300	1,987	2,100	61.5%	5.7%
5704 · Mileage Reimbursement	300	468	500	66.7%	6.8%
5805 · ABA Annual Meeting	6,200	3,924	4,100	-33.9%	4.5%
5810 · ABA Mid Year Meeting	4,500	5,798	6,000	33.3%	3.5%
Total 5000 · Program Services Expense	<u>54,100</u>	<u>55,746</u>	<u>54,534</u>	0.8%	-2.2%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	-	461	480	-	4.0%
5605 · Payroll Taxes	-	35	36	-	4.0%
5650 · Retirement Plan Contributions	-	44	-	-	-100.0%
Total 5500 · Salaries/Benefits	<u>-</u>	<u>540</u>	<u>516</u>	-	-4.4%
7000 · General & Admin					
7025 · Office Supplies		209	200	-	-4.5%
7035 · Postage/Mailing		-	-	-	-
7040 · Copy/Printing Expense	1,200	135	100	-91.7%	-25.7%
7100 · Telephone		36	50	-	38.9%
7140 · Credit Card Merchant Fees		-	-	-	-
7195 · Other Gen & Adm Expense	800	649	700	-12.5%	7.8%
Total 7000 · General & Admin	<u>2,000</u>	<u>1,029</u>	<u>1,050</u>	-47.5%	2.0%
Total Expense	<u>56,100</u>	<u>57,315</u>	<u>56,100</u>	0.0%	-2.1%
Net Income	<u>\$ (56,000)</u>	<u>\$ (56,000)</u>	<u>\$ (56,000)</u>	0.0%	0.0%

Tab 4



Community Mediation

The Law and Justice Center
645 South 200 East
Salt Lake City, Utah 84111
phone 801-532-4841
fax 801-531-0660

e-mail info@utahdisputeresolution.org
toll free 877-697-7175
www.utahdisputeresolution.org

Northern Office
YCC Center
2261 Adams Avenue
Ogden, Utah 84401



STAFF

Nancy McGahey
Executive Director

Kate Larimer
Case Management

Lauren Cunico
Spanish Program
Case Management

Lynette Wendel
Training Coordinator

Rachelle Geary
Youth & Court Programs



BOARD OF TRUSTEES

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Diane Hamilton

Hardin A. Whitney

May 15, 2015

John C. Baldwin, Executive Director
Utah State Bar Association
645 South 200 East
Salt Lake City, Utah 84111

Dear Mr. Baldwin and Utah State Bar Commissioners:

Utah Dispute Resolution (UDR) is asking for help from the Utah State Bar Association by supporting community mediation for the 2015-2016 fiscal year. The attached proposal for a grant of \$20,000 provides background on our organization and explanation for how this funding would be used.

As a charitable nonprofit organization, UDR relies on the generosity of the legal community to continue our efforts to help the underserved populations of Utah. We are grateful for the support you have provided our organization in the past and hope you are able to contribute this year to UDR's efforts.

Originally founded under the direction of the Utah State Bar Association, UDR has operated as an independent organization since receiving status as a 501(c)(3) nonprofit organization. UDR has helped the Bar fulfill the vision for the Law and Justice Center that was founded to offer alternatives for conflict resolution beyond the traditional litigation model. UDR supports the Bar's mission to *serve the public by promoting justice, professional excellence, civility, ethics, respect for and understanding of the law.*

UDR's projected FY2016 annual operating budget is \$258,575 including cash expenditures and in-kind donations. This includes an upgrade to our Web presence to increase UDR's profile and the addition of an on-demand family mediation program in the Third District. The organization has succeeded in serving a large number of people with a minimal operating budget by following a volunteer service model. Trained, qualified volunteers conduct mediations while UDR's staff administers programs, screens cases, coordinates volunteers, and schedules mediations.

We appreciate the generosity that the Utah State Bar has extended to our organization over the years. Without the financial and in-kind support you have contributed each year, UDR would not be the successful organization it has become. We hope to continually strengthen the partnership that has grown between our organizations. On behalf of the Board of Trustees, staff, volunteers, and clients of Utah Dispute Resolution, I extend my gratitude for your generous, loyal support.

I have attached our application package, which describes the need and intended purpose for this funding proposal. I am happy to provide additional information to help you assess our proposal. Thank you for giving this proposal your consideration.

Sincerely,

Nancy McGahey
Executive Director

Encl: 2015 Grant Application

Utah State Bar 2015 Grant Application

Name of Organization/Applicant Utah Dispute Resolution

Address 645 South 200 East
Salt Lake City, Utah 84111

Contact Person Nancy McGahey, Executive Director

Phone Number (801) 532-4841

Fax (801) 531-0660 Email nancy.mcgahey@utahbar.org

Total Amount Requested \$20,000 Date May 18, 2015

Applications for a grant from the Utah State Bar may be made by completing and submitting **the original and thirteen copies, three-hole punched (for a total of fourteen copies)** of the attached Application Form to:

John C. Baldwin
Executive Director
Utah State Bar
645 South 200 East
Salt Lake City, UT 84111

Grant Applications must be consistent with the mission of the Bar:

To represent lawyers in the State of Utah and to serve the public and the legal profession by promoting justice, professional excellence, civility, ethics, respect for and understanding of the law.

Applications are considered by the Board of Bar Commissioners on an annual basis.

2015 Grant Application submitted to the Utah State Bar from Utah Dispute Resolution

1. Description, Mission, and History of Utah Dispute Resolution.

Utah Dispute Resolution (UDR) is giving low-income Utah residents greater access to justice by offering a collaborative option for addressing and resolving conflict. UDR's mission is *to provide the residents of Utah with quality mediation services, information and training in alternative dispute resolution and the means to successfully, informally and cooperatively resolve their disputes.*

Mediation is a collaborative approach to resolving disputes using the assistance of an impartial, third party who facilitates communication and helps disputing parties overcome communication barriers. In mediation, the parties retain control over all decisions, which is an important factor in the success of follow-through when agreement is reached. Mediation provides greater access to justice because the process helps parties in dispute settle their differences more quickly within and outside of the judicial system.

UDR was founded in 1991 under the direction of the Utah State Bar with funding from the State Justice Institute. Since 1993, UDR has received funding from local foundations and training efforts to continue its activities. In 1996 UDR became a private Utah corporation and was recognized by the Internal Revenue Service as a tax-exempt 501(c)(3) charitable nonprofit organization in 1997.

UDR does not compete with private mediators or mediation firms. The organization targets Utah residents who can't afford the cost for a private mediator. UDR's clients need help resolving conflict, but they have limited financial resources to pay for services.

UDR's headquarters is located at the Law and Justice Center in Salt Lake City. The Utah State Bar Association generously provides office space as well as IT and accounting services. In 2007, UDR opened a satellite office in Ogden. In 2014, UDR consolidated staffing to the Salt Lake City as a way to reduce costs; we continue to maintain space in Ogden to hold mediations for residents in the northern part of our state.

UDR is a recognized leader in promoting the use of mediation in Utah. In 2008 the Dispute Resolution Section of the Utah State Bar presented its prestigious Peter W. Billings, Sr. Award to UDR for its contributions in promoting alternative dispute resolution. UDR maintains strong partnerships with the Utah State Bar, Utah Legal Services, Legal Aid Society of Salt Lake, the Utah court system, Utah schools, and the refugee communities in our state.

UDR oversees five programs: Family, Community, Court, Youth, and Training. A description of each program is included in Attachment A (page 9). In addition to mediation services, the organization provides instruction on conflict resolution and mediation skills for individuals, organizations, and youth. UDR is the longest-running provider of court-approved mediation training in Utah. Public and corporate training efforts provide a significant source of revenue that helps support UDR's service programs. UDR has realized steady growth over the years as mediation gains recognition as a preferable way to resolve disputes outside of court. The legal community has embraced the use of mediation, and UDR has achieved a reputation for providing quality, affordable services for people with financial need.

2. Officers, Directors and Employees of Utah Dispute Resolution.

Board of Trustees

UDR is governed by a Board of Trustees that sets policies for the organization in keeping with the mission statement and establishes a vision for the organization's growth and direction. The board also functions to establish legal and fiscal controls, raise funds, guarantee sound management, and advocate for the organization. UDR's Board includes:

William W. Downes, Jr., President

Mediator and Attorney in private practice; former Executive Director of Utah Dispute Resolution

Michele Mattsson, Vice-President

Utah Court of Appeals Chief Appellate Mediator; President, University of Utah Board of Trustees.

Palmer DePaulis, Secretary-Treasurer

Retired Executive Director of the Utah Department of Human Services; former Chair of the Utah State employees ADR Council.

Julie Schleck, Trustee

Professional background as an experienced banking executive; currently provides banking consulting services.

Adam Mow, Trustee

Attorney and mediator with Jones Waldo law firm, Salt Lake City.

David Leta, Trustee

Partner, Snell & Wilmer-specializes in bankruptcy, business reorganizations and creditor rights.

Stephen Kelson, Trustee

Attorney with the law firm of Christensen & Jensen, specializing in commercial litigation. Steve has served as a long-term volunteer mediator with UDR.

Open Seat, Trustee

Open Seat, Trustee

Hardin A Whitney, Trustee Emeritus

Retired attorney and managing Partner, Moyle and Draper; former Chair, Utah Bar ADR Committee.

Diane Hamilton, Trustee Emeritus

Mediator and Facilitator; former Director, Utah Court Annexed Alternative Dispute Resolution.

Ogden Advisory Committee

UDR is assisted by an advisory committee that helps identify areas of need and relevant resources in northern Utah communities. Committee members serve as ambassadors for UDR's programs in the community. UDR's Advisory Committee includes:

Pamela Parkinson—actively involved in community projects in Ogden

Marty Mayo—retired social worker in private practice; community volunteer

Judy Kasten Bell—Executive Director, Boys & Girls Clubs of Ogden

Gary Anderson—Managing Attorney, Utah Legal Services Ogden Office

UDR Staff

UDR employs a staff of five people who administer UDR's programs, including:

Nancy McGahey, Executive Director (part-paid, full-time effort)

Kate Larimer, SLC Case Manager (full time)

Lauren Cunico, Spanish Language Case Manager (full time)

Rachelle Geary, Youth and Court Programs Coordinator (30 hours per week)

Lynette Wendel, Training Coordinator (20 hours per week)

Contractors and Volunteers

Since its inception, UDR has operated on a service model that uses trained, qualified mediators who volunteer their time to provide services to the community. Many of these volunteers are licensed Utah attorneys who believe in the value of mediation and offer their expertise as neutral third party facilitators. By using volunteers, UDR is able to benefit a large number of people with a low annual budget. Staff members are supplemented by several mediators to whom UDR pays a minimal stipend to coordinate mediations at court venues throughout the state. UDR also uses experienced private mediators who donate their time to assist with the delivery of training.

3. Request for Funding.

UDR is requesting \$20,000 from the Utah State Bar to help fund its community mediation centers in Salt Lake City and Ogden for the 2015-2016 fiscal year. The requested funding represents about 8% of UDR's total annual operating budget. (See Attachment B, page 10, for UDR's 2015-2016 operating budget.) About 79% of UDR's annual budget supports compensation and program expenses. The remaining 21% of the budget represents administrative costs.

UDR anticipates the need for additional financial support in the next fiscal year to fund two projects: Web site redesign and on-demand family mediations. Redesigning and updating UDR's Web site, which is now about ten years old, would help increase awareness of services and improve the efficiency of our client intake process. The second project would offer on-demand family mediation for the Assisted Pro Se calendar in Third District Court. This project will require additional staffing expense to coordinate the effort.

UDR staff members conduct intake, screen cases to ensure appropriateness and safety, schedule mediations, and coordinate volunteer efforts. Contractors are paid small stipends for assisting with training and coordinating volunteer efforts at court venues. Trained, qualified volunteer mediators conduct mediations. By following this staffing model, UDR is able to serve a large number of people with a low annual budget.

By contributing to UDR, the Utah State Bar would be giving low-income Utah residents another option for addressing and resolving conflict. In recent years, the Utah Bar has demonstrated its support for Utah's underserved populations by initiating pro-bono and modest means programs. While UDR does not provide legal services, it does work in partnership with the legal community to help disputing parties talk about their differences and explore options for resolution. Mediation offers clients and their legal representatives an option for settling cases outside of court. Many low-income clients do not have the resources to embark on costly and lengthy litigation. Without UDR, these clients would have few options outside of court to find resolution. UDR is the only mediation center in Utah that offers services on a sliding scale based on need. The Legal Aid Society of Salt Lake brings most of its cases to UDR; other referrals come from Utah Legal Services, attorneys, and the court.

UDR has gratefully relied on the loyalty and generosity of the Utah State Bar over the years. Originally founded under the direction of the Bar, UDR has helped to fulfill the mission of the Law and Justice Center by providing access to justice and alternative methods for resolving disputes for Utahans who need financial consideration.

UDR continues to seek funding from new sources and strives to keep operating costs low. While service fees have generated a small percentage of operating revenue in recent years, this will never represent a major source of income because of the organization's mission to serve low- and middle-income Utah residents who need financial consideration. UDR will continue to rely on the generosity of individual donors, foundations, and organizations like the Utah Bar to help fund programs that serve people in need.

UDR has identified these goals for the 2015-2016 fiscal year:

- Expand marketing efforts by updating the Web site to raise greater awareness of services.
- Continue efforts to expand services statewide by increasing public awareness efforts.
- Coordinate on-demand mediation for the Assisted Pro Se calendar in Third District.

4. Budget and Sources of Funding for Utah Dispute Resolution.

2014-15FY

UDR operates on a fiscal year that runs from July 1 through June 30. With three months left in this fiscal year, UDR anticipates a small profit by year end, thanks in large part to a profitable new CLE seminar we sponsored with the help of Brian Florence, and reduced staffing costs that resulted from a reorganization of UDR's intake process. Year-end projections for the current fiscal year are included as Attachment C (page 11).

Revenue Received to Date

As of March 31, 2015, UDR had received \$188,956 in revenue for the 2014-2015 fiscal year, as itemized below.

- Mediation & Administration Fees - \$32,633
- Individual and Organizational Contributions and Donations - \$2,790
- Training Income - \$75,803
- Youth Program Contract Income - \$4,000
- Utah Charitable Foundations - \$73,500 total contributions from:
 - George S. & Dolores Dore Eccles Foundation - \$25,000
 - And Justice for All - \$22,000
 - Utah Bar Foundation - \$18,000
 - Herbert and Elsa Michael Foundation - \$7,500
 - Family Law Section, Utah State Bar - \$2,500
 - Ralph Nye Charitable Trust - \$1,000
- Interest Income - \$230

Revenue Anticipated or Committed

Based on projections, UDR anticipates receiving an additional \$28,097 by the end of the current fiscal year, as itemized below.

- Mediation Fees - \$8,110
- Individual and Corporate Donations - \$8,210
- Mediation Training Revenue - \$4,197
- Youth Program Contract Income - \$2,500 (pledged; not received)
- R. Harold Burton Foundation - \$5,000 (pledged; not received)
- Interest Income - \$80

2015-16FY

UDR's Board of Trustees recently approved a budget for the next fiscal year. This budget is included as Attachment B of this proposal (page 10). Including in-kind donations, the proposed budget reflects revenue and expenditures that are similar to the current fiscal year. The Board approved small wage and salary increases from last year and included a larger amount for promotion and outreach in anticipation of redesigning our Web site.

5. Measurement of Effectiveness of Mediation Center.

UDR measures the effectiveness and quality of service by considering: (1) changes in case numbers and numbers of cases that result in mediation over time, (2) disposition of mediated cases, and (3) client assessment of services received. UDR maintains electronic records on all mediation cases using a tool that provides statistical reports on case type, referral source, and final outcome. This allows the organization to assess changes in referral sources, and numbers and types of cases over time.

Case Numbers. UDR tracks changes in the numbers of requests we receive to assist with conflict. UDR counts an inquiry as a "case" when our staff has communicated with both sides of the dispute. In the 2014 calendar year, UDR recorded 1,553 cases, which represents an increase of 7% from the previous year. Last year, UDR volunteers conducted 877 mediations over all programs, which is slightly fewer than in the previous year.

Case Disposition. UDR tracks the disposition of cases to determine settlement rates. Last year, 62% of all mediations conducted through Utah Dispute Resolution resulted in full or partial agreement. The settlement rates vary based on the context of the dispute. The table below shows the number of mediations conducted and disposition rates for all UDR program areas.

Program	Total Cases Managed	Total Mediations	% Resolved		% Not Resolved
			Fully	Partially	
Family Mediation Program	872	372	48%	22%	30%
Community Mediation Program	154	30	57%	7%	36%
Small Claims Mediation Program	371	371	56%	1%	36%
Small Claims Appeals Mediation	141	89	39%	0%	61%
Youth Mediation Program	15	15	100%	0%	0%
TOTALS	1,553	877	52%	10%	38%

Client Assessment. UDR asks all disputants who participate in mediation to complete opinion surveys. This information provides valuable feedback about mediator performance as well as general program service. Results from these opinion surveys reflect consistently high ratings. Last year, the average rating for mediations as well as UDR's overall service was 4.7 on a five point scale where 1 is "poor" and 5 is "excellent." UDR receives positive comments about services, regardless of the outcome of the mediation. Even when the parties do not reach agreement, clients find the process valuable because it helps them clarify interests and reach mutual understanding, if not agreement. Mediation has proven to be an effective tool that offers people in conflict a safe, respectful setting in which to talk about their differences and explore options for resolution. These high client ratings as well as the high number of referrals and mediations conducted is a testament to UDR's success.

6. Providers of Services.

UDR relies on the efforts of volunteers to carry out its mission. By using volunteers, UDR is able to serve a large number of people in the community with a minimal annual budget. Each year, about 75 active volunteers complete over 2,000 hours of service. Guided by UDR's small staff of mediation professionals, qualified volunteers perform essential tasks, including case management, mediations, and special projects.

Trained, qualified volunteers mediate disputes for UDR. Newly trained mediators have opportunities to gain experience in small claims court cases under the tutelage of experienced mediators. More experienced volunteers mediate appeals and community cases. A select group of highly skilled volunteers mediates family disputes. Volunteer mediators include professionals with a wide variety of backgrounds including attorneys, mental health practitioners, and human resource professionals.

Interns from local colleges and universities supplement office staff in conducting intake and coordinating volunteer efforts. This year, UDR partnered with several universities and colleges to provide practical experience for students. Interns came from the University of Utah, Utah Valley University, Brigham Young University, Salt Lake Community College, and Weber State University. Student interns and volunteers answer phones, conduct intake, and participate in small claims mediations, all under the guidance of UDR staff members. Interns and volunteers donated over 500 hours of time last year conducting intake, helping with case management, completing special projects, and observing or conducting mediations.

UDR also uses volunteers to assist the staff trainers with the mediator training workshops. Professional mediators and university instructors assist this effort by presenting relevant topics. In addition, experienced mediators assist as coaches during role-plays, giving valuable guidance to learners as they practice new skills. Volunteerism is critical to the efforts of UDR as it meets the needs of low- and middle-income members of our community who seek help resolving conflict.

7. Utah Dispute Resolution Fee Schedule.

UDR exists to provide services for low-income Utah residents who can't afford to hire private mediators. In fiscal year 2014, 89% of all UDR clients received free services. Another 9% of clients qualified for reduced fees, which are far below market averages. Only 2% of all UDR clients paid a full fee for services.

UDR's fee structure varies based on the type of case. There is no charge to disputants who participate in UDR's Small Claims and Small Claims Appeals Court Program. UDR provides these court mediations at no cost to the disputants or to the court system. UDR's Court Program provides opportunities for newer mediators to gain experience after completing basic training. This program also helps educate the public about mediation as an alternative process for resolving conflict.

All participants in UDR's Family Mediation Program are assessed a nonrefundable administration fee of \$25. This fee encourages commitment from the disputing parties and raises some revenue for UDR to help offset a very small portion of costs for case management.

Mediation fees for family cases are assessed on a sliding scale that considers each client's income and family size. UDR waives the fee for clients whose income falls below 150% of the federal poverty level (FPL) guidelines. Last year, 73% of UDR's clientele fell into this income bracket. Clients whose incomes fall between 150% and 250% of FPL pay \$40 per hour; 16% of

UDR clients fell into this bracket last year. Clients whose incomes falls between 250% and 350% of FPL pay \$60 per hour; 7% of clients fell into this bracket. If a client's income exceeds 350% FPL, that client pays \$80 per hour; only 4% of UDR's family clients paid a full fee last year. If it is a financial hardship for a client, then UDR will waive the mediation fee. With the exception of the \$25 administration fee, volunteer mediators retain all payments for family mediations. UDR benefits monetarily from these mediations only when a staff member conducts the mediation as part of a mentorship program. In this case, any fees collected are applied toward operating expenses for the mediation center.

Mediation fees for disputes involving a dollar value are determined by the amount of money in the claim. Fees range on a sliding scale from \$0 to \$80 per hour per disputant. For community mediations that are assessed a fee, UDR splits all monies received with the mediator. When collected, these funds help subsidize operating expenses. Fee-paying cases are rare in UDR's Community Program. And when there is an assessed fee, it is typically a nominal flat rate of \$25 or \$50.

Mediations for disputes that do not involve money are typically provided at no charge. These cases involve landlords and tenants, parents and their children, and neighbors.

Last fiscal year, UDR collected \$25,115 in service fees. The largest portion of these fees came from the \$25 administration fee charged in UDR's Family Program. Mediation fees represented 12% of all revenues collected.

8. Audited Financial Statement.

A copy of the 2014 audit report is attached to this proposal. This report covers the fiscal year from July 1, 2013 through June 30, 2014. The audit was conducted by Huizenga and Company.

9. Summary of the Bar's 2014 Contribution.

In 2014, the Utah State Bar Association declined UDR's funding request. However, the Bar Commission did agree to continue providing in-kind services to UDR including office and mediation space, accounting and bookkeeping services, and Internet and phone support. The Bar also gave UDR reduced rates to rent conference rooms at the Law and Justice Center, where UDR holds much of its training. This in-kind contribution lowers UDR's operating costs and allows the organization to devote a larger percentage of our annual revenue to providing direct services to the public. A summary of these in-kind donations is included in Attachment D (page 12) of this proposal.

UDR's Board of Trustees and staff extend our appreciation to the Utah State Bar for this generous in-kind contribution and hope the Commission continues to approve this valuable contribution. We also hope the Utah State Bar Commission is able to approve a monetary contribution in support of UDR's programs for the 2015-16 fiscal year.

10. Signature: _____

Title: _____

Date: _____

Attachment A

Utah Dispute Resolution Programs

UDR provides services through five programs, including:

- ***Family Mediation Program***—UDR provides mediation services for families that can't afford to hire a private mediator. These low- and moderate-income clients need assistance with divorce, divorce modification, parentage orders, elder care, family probate disputes, and other family issues. Bilingual staff and volunteers provide services in Spanish.
- ***Community Mediation Program***—UDR provides mediation services for clients who need assistance with a variety of disputes that involve no or minimal monetary claim such as matters between neighbors, landlords and tenants, consumers and merchants, and managers and employees in the workplace. Other cases involve disagreements about debts, loans, billings, contracts, and property rights. These cases typically come to UDR prior to court filings, and these clients have few resources to find help in resolving their disputes.
- ***Court Mediation Program***—UDR volunteer mediators provide on-demand mediation for litigants at various justice courts around the state, including Salt Lake City, Salt Lake County, West Valley City, Taylorsville, Logan City, and Ogden City. The organization also administers a mandatory mediation program for small claims cases that are appealed to district courts in Salt Lake and Davis counties. UDR receives no funding from the Utah court system for these efforts. UDR's Court Program offers new mediator trainees the opportunity to gain experience while providing a valuable service to the community.
- ***Youth Mediation Program***—UDR has provided instruction on mediation and conflict resolution skills for students at the Horizonte alternative high school in Salt Lake City as part of a life skills curriculum since 1998. Students who complete UDR's mediation class may join a panel of student mediators who help their peers resolve disputes at Horizonte School, the Salt Lake City Peer Court, and at other Salt Lake District schools as requested. This school year, 15 students participated as peer mediators.
- ***Training Program***—UDR provides several training workshops for mediators including Basic Mediation, Domestic Mediation, Domestic Violence Awareness & Screening, and Refresher classes. UDR's training programs are the longest-running court-approved mediator training programs in Utah. The organization also provides customized training for organizations that request assistance in developing conflict management skills for managers, supervisors, and employees. These workshops generate revenue that supports UDR's mediation service programs for low-income Utahns.

Attachment B
2015-2016 Fiscal Year: UDR Draft Proposed Operating Budget

Revenue

	Cash	In-Kind	Total	SLC	O/Other
Mediation Income	21,900		21,900	15,900	6,000
Administrative Fees	18,000		18,000	12,000	6,000
Individual/Corporate Donations	11,000		11,000	10,000	1,000
Training Revenue	80,000		80,000	74,400	5,600
Youth Program Service Contracts	7,275		7,275	7,275	0
Foundation Grants	80,000		80,000	65,480	14,520
Youth Program Grants	6,000		6,000	6,000	0
Interest Income	300		300	300	0
In-Kind Donations (*Utah Bar)	0	34,100*	34,100	33,600	500
Total Revenue	\$224,475	\$34,100	\$258,575	\$224,955	\$33,620

Expenses

Compensation	Cash	In-Kind	Total	SLC	O/Other
Salaries and Wages	143,285		143,285	127,540	15,745
Payroll Expenses & Fees	1,590		1,590	1,415	175
Payroll Taxes	11,375		11,375	10,125	1,250
Workman's Comp. Insurance	600		600	500	100
1% Bonus	1,435		1,435	1,275	160
Payroll Taxes on Bonus	115		115	100	15
Contractors (court program)	10,500		10,500	7,900	2,600
Contract Trainer Fees	5,000		5,000	5,000	0
Accounting & IT Support (Utah Bar*)	0	7,500*	7,500	7,000	500
Total Compensation	\$173,900	\$7,500	\$181,400	\$160,855	\$20,545

Program Expenses	Cash	In-Kind	Total	SLC	O/Other
MCLE Fees	500		500	500	0
Food & Beverage Exp	3,500		3,500	3,450	50
Postage/Mailing	3,000		3,000	2,500	500
Youth Project Expenses	500		500	500	0
Meeting Facilities (Utah Bar*)	2,500	5,000*	7,500	7,500	0
Travel Costs	2,000		2,000	0	2,000
Training Materials	4,000		4,000	4,000	0
Volunteer/Staff Appreciation	1,200		1,200	1,100	100
Staff Training and Development	800		800	800	0
Total Program Expenses	\$18,000	\$5,000	\$23,000	\$20,350	\$2,650

Gen'l & Admin Expenses	Cash	In-Kind	Total	SLC	Ogden
Rent & Utilities (Utah Bar*)	7,020	21,600*	28,620	22,020	6,600
Office Supplies	3,500		3,500	3,000	500
Copy/Printing Expense	1,500		1,500	1,350	150
Computer Supplies & Maintenance	300		300	250	50
Fax Equipment and Supplies	300		300	300	0
Advertising & Promotion	10,000		10,000	8,000	2,000
Due/Publications/Subscriptions	855		855	830	25
Bank Charges & Credit Card Fees	2,600		2,600	2,350	250
Insurance Expense	2,000		2,000	1,750	250
Audit Expense & 990 Preparation	4,000		4,000	3,500	500
Fund Raising	300		300	250	50
Other Gen/Admin Expenses	200		200	150	50
Total General/Admin Expenses	\$32,575	\$21,600	\$54,175	\$43,750	\$10,425

Total Expenses	\$224,475	\$34,100	\$258,575	\$224,955	\$33,620
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Revenue less Expenses	\$0	\$0	\$0	\$0	\$0
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Attachment C

2014-2015 Fiscal Year: UDR Operating Budget vs. Projected Year-End Costs

(note: projections are based on YTD income and expenditures as of 3/31/15)

Revenue

	Budget Cash	In-Kind	Total Budget	Projected Year End
Mediation/Administrative Fees	26,890		26,890	35,000
Individual Donations	11,500		11,500	11,000
Training Revenue	90,000		90,000	80,000
Youth Program Service Contracts	6,500		6,500	6,500
Foundation Grants	80,000		80,000	78,000
Youth Program Grants	5,000		5,000	5,000
Interest Income	350		350	310
In-Kind Donations	0	34,100	34,100	34,100
Total Revenue	\$220,240	\$34,100	\$254,340	\$249,910

Expenses

Compensation	Budget Cash	In-Kind	Total Budget	Projected Year End
Salaries and Wages	143,680		143,680	137,000
Accounting & IT Support	0	7,500	7,500	7,500
Payroll Taxes	11,500		11,500	11,000
Payroll Expenses & Fees	1,500		1,500	1,520
Contractors (Court program)	8,000		8,000	8,850
Contract Trainer Fees	4,000		4,000	4,000
Workman's Comp. Insurance	400		400	400
Total Compensation	\$169,080	\$7,500	\$176,580	\$170,270

Program Expenses	Budget Cash	In-Kind	Total Budget	Projected Year End
MCLE Fees	450		450	450
Food & Beverage Expense	3,500		3,500	3,000
Youth Project Expenses	300		300	300
Meeting Facilities	2,500	5,000	7,500	7,050
Postage/Mailing	2,500		2,500	2,700
Mileage Reimbursement	5,000		5,000	1,500
Training Materials	4,000		4,000	4,000
Volunteer/Staff Appreciation	1,000		1,000	1,025
Staff Training and Development	800		800	475
Total Program Expenses	\$20,050	\$5,000	\$25,050	\$20,500

General & Admin Expenses	Budget Cash	In-Kind	Total Budget	Projected Year End
Rent, utilities, & Off-Site Storage	6,960	21,600	28,560	28,560
Office Supplies	3,000		3,000	3,800
Copy/Printing Expense	1,500		1,500	1,700
Computer Maintenance & Supplies	300		300	145
Fax	300		300	100
Advertising/Promotion	10,000		10,000	3,500
Publications/Subscriptions/Memberships	850		850	850
Bank Charges & Credit Card Fees	2,000		2,000	2,600
Insurance Expense	2,000		2,000	1,824
Audit Expense/990 Preparation	3,800		3,800	3,825
Other Gen/Admin Expenses	400		400	350
Depreciation	0		0	3,350
Total General/Admin Expenses	\$31,110	\$21,600	\$52,710	\$50,604
Total Expenses	\$220,240	\$34,100	\$254,340	\$241,374

Revenue Less Expenses	\$0	\$0	\$0	\$8,536
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Attachment D

Summary of 2014-15 In-Kind Donations to Utah Dispute Resolution

From the Utah State Bar

Office Space and Building Services (total estimated value: about \$15,000)

- Office space (~600 square feet in office)
- Mediation space (small room is not available until August 2013; larger conference room fits eight)
- Janitorial services, electricity, and natural gas
- Phone system and computer network lines
- Internet access and Email system

Bookkeeping, Accounting, and IT Support Services (total estimated value: about \$7,500)

- Prepare and make deposits
- Enter payroll into Quickbooks accounting software
- Prepare checks twice each month for payables (excluding payroll)
- Reconcile bank statements and prepare monthly financial statements
- Cooperate with independent auditor to provide financial records

Other Services—*provided at reduced rates* (total estimated value: about \$5,000)

- Space at the Law and Justice Center for training workshops and Board meetings
- Use of fax and copy machines

From Volunteers

Administrative/Training/Oversight Time (estimated 500 hours total)

- Student Interns from area colleges donate time to assist with office operations.
- Professionals donate time and/or worked at reduced rates for UDR's training programs.
- UDR's Board of Trustees works on a voluntary basis, donating time for meetings and projects

Mediation Time (estimated 1,500 hours total)

- Volunteer mediators donate time to conduct mediations for UDR's programs. Many of these volunteers are attorneys; others are professional from a variety of backgrounds. family, small claims, small claims appeals, and community mediations

Other In-Kind Donations

- Administrative Office of the Courts subsidized parking costs for volunteer small claims appeals mediators at the Matheson Courthouse.

UTAH DISPUTE RESOLUTION

FINANCIAL STATEMENTS

With

INDEPENDENT AUDITOR'S REPORT

as of June 30, 2014 and 2013

UTAH DISPUTE RESOLUTION
FINANCIAL STATEMENTS
AS OF JUNE 30, 2014 AND 2013

Table of Contents

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Statements Of Financial Position	3
Statements Of Activities	4
Statements Of Cash Flows	5
Notes To Financial Statements	6 - 7



INDEPENDENT AUDITOR'S REPORT

To the Board of Trustees of Utah Dispute Resolution:

I have audited the accompanying financial statements of Utah Dispute Resolution (UDR) (a nonprofit organization), which comprise the statements of financial position as of June 30, 2014 and 2013, and the related statements of activities and cash flows for the years then ended, and the related notes to the financial statements.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on our audits. I conducted my audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that I plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on my judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, I consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, I express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. I believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In my opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Utah Dispute Resolution as of June 30, 2014 and 2013, and the changes in its net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

Huizenga & Co., PC

September 5, 2014

Salt Lake City, Utah

UTAH DISPUTE RESOLUTION
STATEMENTS OF FINANCIAL POSITION
AS OF JUNE 30, 2014 AND 2013

(See Independent Auditor's Report)

ASSETS

	<u>2014</u>	<u>2013</u>
Current assets:		
Cash and equivalents	\$ 186,248	\$ 191,815
Pledges and other receivables	5,210	25
Prepaid expenses	-	39
Total current assets	<u>191,458</u>	<u>191,879</u>
Property and equipment, at cost		
Leasehold improvements	25,883	25,883
Computers, equipment and furniture	26,178	29,800
Total property and equipment	52,061	55,683
Less accumulated depreciation and amortization	<u>(44,442)</u>	<u>(47,180)</u>
Property and equipment, net	<u>7,619</u>	<u>8,503</u>
Total assets	<u>\$ 199,077</u>	<u>\$ 200,382</u>

LIABILITIES AND NET ASSETS

Current liabilities:		
Accounts payable	\$ 319	\$ -
Deferred revenue	3,400	2,750
Total current liabilities	<u>3,719</u>	<u>2,750</u>
Net assets:		
Temporarily restricted	15,000	15,000
Unrestricted	180,358	182,632
Total net assets	<u>195,358</u>	<u>197,632</u>
Total liabilities and net assets	<u>\$ 199,077</u>	<u>\$ 200,382</u>

See notes to financial statements

**UTAH DISPUTE RESOLUTION
STATEMENTS OF ACTIVITIES
YEAR ENDED JUNE 30, 2014**

(WITH SUMMARIZED FINANCIAL INFORMATION FOR THE YEAR ENDED JUNE 30, 2013)

(See Independent Auditor's Report)

	2014			2013
	Unrestricted	Temporarily Restricted	Total	
Support and revenue:				
Grant and contribution income	\$ 69,750	\$ 10,000	\$ 79,750	\$ 92,872
Seminar income	91,708	-	91,708	93,934
Mediation income	25,115	-	25,115	22,225
Youth program grant	-	5,000	5,000	5,000
Program contract income	9,800	-	9,800	9,550
In-kind revenue	25,916	-	25,916	29,121
Interest	333	-	333	365
Net assets released from program restriction	15,000	(15,000)	-	-
Total revenue	<u>237,622</u>	<u>-</u>	<u>237,622</u>	<u>253,067</u>
Expenses:				
Program service costs				
Compensation costs	174,899	-	174,899	184,767
Other program service costs	14,571	-	14,571	16,328
General and administrative	20,820	-	20,820	21,142
Depreciation and amortization	3,690	-	3,690	2,843
Fundraising	-	-	-	-
In-kind expense	25,916	-	25,916	28,621
Total expenses	<u>239,896</u>	<u>-</u>	<u>239,896</u>	<u>253,701</u>
Decrease in net assets	(2,274)	-	(2,274)	(634)
Net assets				
Beginning of year	<u>182,632</u>	<u>15,000</u>	<u>197,632</u>	<u>198,266</u>
End of year	<u>\$ 180,358</u>	<u>\$ 15,000</u>	<u>\$ 195,358</u>	<u>\$ 197,632</u>

See notes to financial statements

**UTAH DISPUTE RESOLUTION
STATEMENTS OF CASH FLOWS
YEAR ENDED JUNE 30, 2014**

(WITH SUMMARIZED FINANCIAL INFORMATION FOR THE YEAR ENDED JUNE 30, 2013)

(See Independent Auditor's Report)

	2014			2013 Total
	Unrestricted	Temporarily Restricted	Total	
Cash flows from operating activities:				
Decrease in net assets	\$ (2,274)	\$ -	\$ (2,274)	\$ (634)
Adjustments to reconcile deficit of revenue over expenses to net cash used in operating activities				
Depreciation and amortization	3,690	-	3,690	2,843
In-kind donations (net)	-	-	-	(500)
Restrictions on net assets	-	-	-	-
Change in pledges and other receivables	(5,185)	-	(5,185)	(5)
Change in prepaid expenses	39	-	39	664
Change in accounts payable	319	-	319	-
Change in deferred revenue	650	-	650	(3,800)
Total adjustments	(487)	-	(487)	(798)
Net cash used in operating activities	(2,761)	-	(2,761)	(1,432)
Cash flows from investing activities:				
Purchase of equipment	(2,806)	-	(2,806)	(2,340)
Net cash used in investing activities	(2,806)	-	(2,806)	(2,340)
Net decrease in cash and equivalents	(5,567)	-	(5,567)	(3,772)
Cash and equivalents				
Beginning of year	191,815	-	191,815	195,587
End of year	\$ 186,248	\$ -	\$ 186,248	\$ 191,815
<u>Cash paid during the year for:</u>				
Interest	\$ -	\$ -	\$ -	\$ -
Income taxes	\$ -	\$ -	\$ -	\$ -

See notes to financial statements

UTAH DISPUTE RESOLUTION
NOTES TO FINANCIAL STATEMENTS
AS OF JUNE 30, 2014 AND 2013

(1) Summary of significant accounting policies

Organization- Utah Dispute Resolution (UDR) was created in 1991 and was incorporated in the State of Utah on July 8, 1996. UDR was established to provide alternative dispute resolution (mediation) services to low and middle-income individuals. Mediation services are provided by UDR staff and local volunteers including attorneys, social workers and others. Cases include disputes involving family, housing, neighborhood and consumer issues.

Fund accounting- The assets, liabilities and net assets of UDR are reported in accordance with generally accepted accounting principles for a not-for-profit organization.

The net assets of UDR have been classified into two categories: Unrestricted and Temporarily Restricted. These categories are determined based on restrictions placed upon resources provided to UDR by donors or others.

Use of estimates - The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Cash and cash equivalents - Cash and cash equivalents include cash on hand, bank demand deposit accounts and money market accounts.

Property and equipment - Depreciation is provided using the straight-line method over the following estimated useful lives:

Leasehold improvements	10 years
Computers, equipment and furniture	5 years

Purchased property and equipment is recorded at historical cost. Donated property and equipment is recorded at fair market value.

Compensated absences - Compensated absences have not been accrued because they are not considered material.

Deferred Revenue - Fees collected prior to yearend for events to be held in the following fiscal year are recorded as deferred revenue.

Revenue Classification - Contributions with donor-imposed restrictions are reported as temporarily restricted or permanently restricted, as appropriate. Contributions without donor-imposed restrictions are reported as unrestricted support. Donor-restricted contributions whose restrictions are met in the same reporting period are reported as unrestricted.

In-Kind Revenue and Expense - In-kind revenue and expense is recorded at the fair market value in the period it is received. In-kind revenue consisted of donated rent, supplies, furniture, software and support services valued at \$25,916 in 2014 and \$29,121 in 2013. In-kind expenses consisted of donated rent, supplies and support services valued at \$25,916 in 2014 and \$28,621 in 2013. Donated furniture valued at \$500 was capitalized in 2013.

(1) Summary of significant accounting policies - Continued

Income tax Status- On July 8, 1996, UDR incorporated as a 501(c)(3) organization and has received a determination letter from the Internal Revenue Service exempting UDR from federal income taxes. UDR is liable for taxes on unrelated business income. To date, UDR has not generated such income.

(2) Concentrations

Financial instruments which potentially subject UDR to concentrations of credit risk consist principally of cash, cash equivalents and certificates of deposits. UDR maintains these financial instruments with what the Board of Trustees believes to be high credit quality financial institutions.

UDR obtained grants, contributions, in-kind and other revenues from two sources which represented 10% or more of its revenue in 2014 or 2013, as follows:

	<u>2014</u>	<u>2013</u>
Foundation A	11%	13%
Foundation B	11	10

(3) Related party transactions

Office space valued at \$13,020 annually was provided to UDR by the Utah State Bar (the Bar) at no cost in 2014 and 2013. The Bar also provided meeting facilities, accounting and other services to UDR valued in in-kind revenue and expense at \$12,896 in 2014 and \$15,601 in 2013.

The Bar provides UDR for telephone, office supplies, postage, copying, printing, meeting facilities and other services in the normal course of business. UDR reimbursed the Bar \$3,941 and \$7,804 for such services in 2014 and 2013, respectively.

Tab 5

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Lawyer of the Year Award Selection

Item: #2.2

Submitted by: John Baldwin

Meeting Date: June 12, 2015

ITEM/ISSUE:

To select the 2015 Lawyer of the Year Award recipient.

CRITERIA:

Presented to a Utah State Bar member who, over a long and distinguished legal career, has by their ethical and personal conduct, commitment and activities, exemplified for their fellow attorneys the epitome of professionalism; who has also rendered extraordinary contributions to the programs and activities of the Utah State Bar in the prior year.

NOMINEES:

- | | |
|-----------------------------------|--------------------------------------|
| 1. Steven D. Peterson | 8. Karra J. Porter, 2014 Nominee |
| 2. Ron Yengich | 9. Stuart H. Schultz, 2014 Nominee |
| 3. Sharon Donovan, 2014 Nominee | 10. Jenifer L. Tomchak, 2014 Nominee |
| 4. Ben Hathaway, 2014 Nominee | 11. Peggy A. Tomsick, 2014 Nominee |
| 5. Lyle W. Hillyard, 2014 Nominee | 12. Raymond Uno, 2014 Nominee |
| 6. Linda M. Jones, 2014 Nominee | 13. Fran Wikstrom, 2014 Nominee |
| 7. Janise Macanas, 2014 Nominee | |

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
2014 Charlotte Miller	Sharon Donovan, Ben Hathaway, Lyle W. Hillyard, Linda M. Jones, Janise Macanas, Karra J. Porter, Stuart H. Schultz, Jenifer L. Tomchak, Peggy A. Tomsick, Raymond Uno, Fran Wikstrom
2013 Peter Stirba	Janise Macanas, Brent Manning, Frank Carney
2012 Gary R. Crane	Brent Manning
2011 Robert B. Sykes	Francis M. Wikstrom, V. Lowry Snow
2010 Randy L. Dryer	
2009 Paul T. Moxley	Peter Stirba
2008 Charles R. Brown	Paul Felt, Dale Lambert, Reed Martineau, Lori Nelson
2007 Oscar McConkie	Charles R. Brown
2006 Max D. Wheeler	Sidney G. Baucom; Victoria Kidman, Max D. Wheeler, Ronald Yengich
2005 James S. Jardine	
2004 George B. Handy	
2003 Jay E. Jensen Rodney G. Snow	David G. Challed; David Jordan; L.S. McCullough, Jr.; John L. Valentine; Ronald J. Yengich; Stanley J. Preston; Kent B. Scott; Peter Stirba
2002 L. Brent Hoggan	
2001 Alan L. Sullivan	Stanley J. Preston; Peter Stirba; Kent B. Scott
2000 D. Frank Wilkins	
1999 Irene Warr	
1998 Leonard J. Lewis	
1997 Gayle F. McEachnie	
1996 Dale A. Kimball	
1995 Gordon L. Roberts	
1994 Joseph Novak	
1993 William B. Bohling	
1992 Hardin A. Whitney Herschel J. Saperstein	
1990 Brian R. Florence Norman S. Johnson	

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Christy Abad

From: Parker, Lindsey (SLC) [ParkerL@ballardspahr.com]
Sent: Thursday, June 04, 2015 6:51 PM
To: Christy Abad
Subject: nomination for Distinguished Lawyer of the Year

Hi Christy,

Below is a little blurb about why I want to nominate Steve Peterson of Ballard Spahr for the Distinguished Lawyer of the Year award. Steve plans to retire next year and I think this would be a good way to recognize the contributions he's made.

Steve's official bio is here: http://www.ballardspahr.com/people/attorneys/peterson_steven.

Not many attorneys can say they practice "vacation law." For Steven D. Peterson, this has been a reality for over thirty years, during which time Steve has actively participated in nearly every legal facet of resorts, timeshares, fractionals, high-end condominiums, golf courses, community associations, and hotels. Steve's experience is both local and global. He has represented some of the largest ski resorts and ambitious planned communities in Utah, as well as acted as counsel for multiple international hospitality and resort companies and advised on complex matters regarding registrations, acquisitions, licensing, structuring, zoning, consumer protection, entitlements, and tax. Not only has Steve learned "vacation law," but, throughout his many professional involvements, he has been a nationally recognized and respected pioneer in shaping legislation, regulations, and methods for dealing with and thinking about the real estate law behind how we vacation.

Steve has a clarity of thought that comes from years of varied experiences. He has a knack for asking the right questions and cutting away the excess fat that might otherwise obscure the client's real concerns.

On a personal level, Steve's self-deprecating and honest humor immediately makes those around him feel comfortable. He is warm, gracious, and quick to show concern for others, particularly those that may otherwise be overlooked. He has instilled in Ballard Spahr's Salt Lake real estate practice group a strong sense of professional pride and genuine camaraderie that makes the practice feel like an adventure. When I have worked with Steve I observed his natural mentoring instincts at work. It did not matter whether my questions were about plats or declarations or developer rights or bylaws or complex real estate conveyances or the proper use of resort amenities; Steve not only answered my questions adroitly, but he fleshed out the underlying issues for me and gave me real-world context to what otherwise would have simply been abstract problems on a page.

Lindsey M. Parker

Ballard Spahr LLP
201 South Main Street
Salt Lake City, UT 84111
Direct 801.531.3043
Fax 801.531.3001
parkerl@ballardspahr.com | www.ballardspahr.com

Ballard Spahr LLP



Steven D. Peterson
Partner

PETERSONS@BALLARDSPAHR.COM
TEL 801.531.3023
FAX 801.531.3001
SALT LAKE CITY

PRACTICE AREAS

Real Estate, Resort and Hotel

BACKGROUND & EXPERIENCE

Steven D. Peterson has concentrated his practice for more than 30 years in resort and hospitality law, including resort development, timesharing, fractionals, private residence club and destination club creation and operation, condominiums, resort finance, resort-related commercial real estate transactions, planned community development, community associations, ski resorts, golf course development, and zoning.

Representative Matters

- Represented an international hospitality company on timeshare and fractional programs located in the United States and Canada, including multiple single-site project issues and implementing documentation for various vacation ownership products

- Represented an international hospitality company on a number of resort developments in North America, including finance securitization opinions for various projects in the western United States
- Represented a privately held corporation in the acquisition of a multi-site publicly held national and international vacation club with a transaction value of \$700 million; provided due diligence review and analysis of club structure, project documents, and timeshare-related issues with continuing representation related to specialized timeshare issues, including club structure, registration, and licensing
- Represented one of the leading consultants and service providers to the fractional and Private Residence Club industry regarding the creation of multiple fractional projects throughout the United States and in foreign countries such as Mexico and Italy; other services provided include the creation and registration of exchange companies to facilitate owner exchanges in high-end private residence clubs and the creation of a company to provide mortgage and financial services to buyers of fractional interests
- Represented a major destination ski and summer resort development in Utah in the creation and development of a master planned community containing multiple single-site condominium hotels, traditional condominiums, fractionals, and timeshare projects
- Serves as special timeshare counsel for an international hotel chain in its vacation ownership product offerings in Park City, Utah, and Las Vegas
- Serves as special timeshare counsel for a publicly held company regarding its timeshare documentation, registration, and licensing issues for projects in Utah, Arizona, Colorado, Idaho, Nevada, Missouri, and Illinois
- Handles registration of timeshare products with state regulatory agencies for sales in all western states and several eastern states for a variety of timeshare and fractional developers
- Serves as special counsel for a wide variety of fractional/private residence club developers in Utah, Wyoming, Nevada, Idaho, North Carolina, Illinois, Florida, South Carolina, South Dakota, Texas, California, Arizona, and Colorado
- Serves as real estate counsel for one of Utah's largest ski resorts in connection with a variety of hotel, vacation ownership, and related hospitality issues, as well as zoning, entitlement, and traditional real estate development matters
- Serves as special counsel for a number of developers creating condominium hotel projects in Utah, California, Wisconsin, and Michigan
- Serves as special counsel for a variety of Destination Clubs offering a network of luxury vacation accommodations

Pro Bono Experience

Filed multiple civil actions to protect an immigrant and her 9-year-old daughter from physical and sexual abuse as well as fraud and theft perpetrated by another immigrant

PROFESSIONAL HIGHLIGHTS

Professional Activities

American Resort Development Association (ARDA), member since 1977; Member, Board of Directors; Chair, Ethics Committee; and Member, Federal Issues Committee

Recognition & Accomplishments

Chambers USA: America's Leading Lawyers for Business, real estate law, 2008-2014

The Best Lawyers in America, real estate law, 2014 and 2015

Recipient, ARDA's Circle of Excellence Volunteer Award, 2006

Publications

"Fractionals in the Midst of the Recovery," *Developments* magazine, March 2011

"West Coast Fractionals," *Perspective Magazine North America*, January/February 2011

"Important Industry Definitions," *Developments* magazine, October 2006

Speaking Engagements

"Timeshare Regulatory Roundtable," ARELLO Annual Conference, October 18, 2008

Moderator, "Fractional and Private Residence Forum, Resort Hotel and Practice Plan," ARDA 2008 Convention & Exposition, April 6-10, 2008

"Critical Legal Issues in the Fractional Interest Industry," Ragatz Fractional Interest Symposium, March 19, 2008

"Understanding Vacation Products and Key Regulatory Issues," ARELLO Annual Conference, September 14-17, 2007

"Private Residence Club and Destination Club Industry Regulation: An Overview, Latest Developments and Overlooked Issues," Information Management Network Destination Club and Private Residence Club Industry Symposium, April 18-19, 2007

Moderator, "Fractional and Private Residence Forum, Development and Sales and Marketing Issues in Fractional Projects," ARDA 2007 Convention & Exposition, March 25-29, 2007

Moderator, "Fractional Exchange Interactive Session," Fractional Interest Conference, Ragatz Associates, March 5-7, 2007

"Understanding Destination Clubs," ARELLO Annual Conference 2006, September 24-27, 2006

"Destination Clubs: Issues and Answers," 13th Annual Resort Development Conference, August 5-7, 2006

"Leisure Real Estate Product Characteristics," Product Design Interactive Panel, Fractional Interest Symposium, Ragatz Associates, May 17-19, 2006

"Luxury Destination Clubs and the Attempt to Escape Timeshare Regulation," 2006 Section of Real Property Probate and Trust, American Bar Association, May 3-5, 2006

Moderator, "Fractional, Private Residence Club and Luxury Forum," ARDA 2006 Convention & Exposition, March 26-30, 2006

Community Activities

Volunteer church-related service

Board Memberships

ARDA International Foundation

EDUCATION

Brigham Young University, J. Reuben Clark Law School (J.D. 1976)

Member, *Brigham Young Law Review*

Brigham Young University (B.A. 1971, M.A. 1973)

ADMISSIONS

Utah

RON YENGICH

MAKING A DIFFERENCE FOR 37 YEARS

Josh McFadden

February 19, 2013

0 0 0 0



In a career that has spanned nearly four decades, few Utah attorneys have impacted as many lives and been involved in such high-profile cases as defense lawyer Ron Yengich, partner at Yengich, Rich & Xaiz in Salt Lake City.

For 37 years, Yengich has defended those accused of various crimes, including individuals who stood trial for capital murder and other serious offenses, such as the infamous forger Mark Hoffman. For Yengich, representing people in such highly publicized circumstances offers the opportunity to be an advocate for someone in dire need when society has cast them aside.

Yengich has always eschewed attaching labels to people, even those involved in heinous accusations. He insists on looking at the individual as someone who has committed an error rather than someone who is an error.

"As a defense attorney, you get to help people," he says. "It's satisfying that you can help people who need help, and that you can present their story that they are not the crime but that they may have done something wrong."

In settings where it might be easy, convenient or socially acceptable to be judgmental, harsh or even demeaning, Yengich believes it's critical to truly see the good in others. In his work, he has seen enough and has represented enough people of various backgrounds to conclude that the majority of people are intrinsically good. Some people, unfortunately, make poor choices.

"Most people are common, decent folks who have made mistakes," he says.

Ultimately, Yengich's hope is to assist individuals in overcoming their challenges and in becoming industrious, respectable citizens.

"I want them to become more productive members of society and do it in a way that is honorable," he says.

Reflecting back on his long, successful, distinguished career, Yengich says some of his most memorable, satisfying cases are those that nobody in the public ever heard about or those that didn't garner media attention. He is pleased with having successfully represented everyday, ordinary people who otherwise wouldn't have been treated equitably.

"What jumps out at me in my career has been helping people avoid being ground up in the abattoir, or the "sausage factory" that is the criminal justice system," he says.

Of course, the much-talked-about capital murder cases in which Yengich has been involved are memorable as well. He says a few that will always be significant include the first capital murder case in which he got a not-guilty verdict, which occurred early in his career in 1979, along with case of West Jordan resident Sam Kastansis, who was accused of murdering his wife and three children in 1991.

"These are the kind of things that other people might use to define a successful career as an attorney," he says.

Still, Yengich hasn't done quite everything he has hoped to accomplish as an attorney. "I'd like to actually argue in front of the U.S. Supreme Court," he says.

Raised in the small Utah community of Bingham Canyon, Yengich was reared in a Catholic home and taught the values of helping others. This ideal was a basis for studying law and becoming an attorney. Yengich believed working people were important, and he initially wanted to go into labor law. He received his juris doctorate from the University of Utah and subsequently started his storied career championing the cause of the accused.

Today, Yengich says colleagues often ask him how much longer he intends on practicing law. His answer is a simple one.

"I'll do it as long as I think I'm doing a good job helping others," he says.

- See more at: http://dev.utahbusiness.com/articles/view/ron_yengich#sthash.5J1aj6q9.dpuf

Christy Abad

From: James D. Gilson [jgilson@cnmlaw.com]
Sent: Thursday, June 19, 2014 11:26 AM
To: Commissioners All
Cc: John Baldwin
Subject: Nominees to Lawyer of Year: Sharon Donovan and Fran Wikstrom

Sharon Donovan and Fran Wikstrom are two other excellent lawyers that I would like to add to the list of nominees for the Bar's Lawyer of the Year award. They both fit the award criteria: 1) long and distinguished legal career; 2) ethical and personal conduct, commitment and activities, exemplified for their fellow attorneys the epitome of professionalism; 3) who have also rendered extraordinary contributions to the programs and activities of the Utah State Bar in the prior year. Both are past Bar Commissioners. Sharon also currently serves on the Pro Bono Commission. Fran was also nominated for lawyer of the year in 2011. Background from their respective firm websites is copied below.

Sharon Donovan

Dart, Adamson & Donovan
 370 E South Temple #400
 Salt Lake City UT 84111
 Tel: 801 521-6383

Practice Areas:

- * Family Law and Domestic Relations
- * Mediation/Collaborative Practice

Sharon began her practice in 1979 and has practiced primarily in the area of family law, litigation practice, and alternative dispute resolution. She is a strong advocate who uses sensitivity and empathy when helping families in transition and has extensive experience with large marital estates, complex custody issues, and all other aspects of divorce practice. Sharon is also a member of the prestigious American Academy of Matrimonial Lawyers and American College of Trial Lawyers, and she has served as a lecturer and panelist in a number of continuing legal education presentations for the Utah State Bar Association, Family Law Section of the Utah State Bar Association, National Business Institute, and Utah Chapter of the American Academy of Matrimonial Lawyers. Her extensive experience has helped her become a well-respected member of the Utah legal community and has qualified her to testify before the Utah State Legislature on a variety of family law issues.

Fran Wikstrom is a trial lawyer at Parsons Behle & Latimer. He is a Fellow of the American College of Trial Lawyers and currently serves as President-Elect and member of the Board of Regents of the College. His practice consists of complex civil litigation and white collar criminal defense. He formerly served as an Assistant United States Attorney and as a U.S. Attorney for the District of Utah. He has been with Parsons Behle & Latimer since 1982. He has tried cases in numerous jurisdictions involving patent infringement, trade secrets, contracts, real property, stray current, shareholder disputes, construction claims, employment discrimination, premises liability, franchises, fraud, and white collar crimes. He has argued appeals before the U.S. Tenth and Ninth Circuits and the Federal Circuit, the Utah Supreme Court, the Utah Court of Appeals, the Minnesota Supreme Court, and the Minnesota Court of Appeals. He is also a Fellow of the International Academy of Trial Lawyers, the International Society of Barristers, and the American Bar Foundation. Education: Yale Law School.

James D. Gilson

Lawyer

Callister Nebeker & McCullough

Zions Bank Building, Suite 900
 10 East South Temple
 Salt Lake City, Utah 84133

Christy Abad

From: Curtis Jensen [CJensen@snowjensen.com]
Sent: Tuesday, June 17, 2014 12:03 PM
To: John Baldwin
Cc: Commissioners All
Subject: Lawyer of the Year--Ben Hathaway



Ben Hathaway

<http://www.kmclaw.com/>

I would like to submit Ben Hathaway to the mix.

I have known Ben for several years and have found him to be an outstanding representative of our bar. He is a great trial lawyer and a member of his firms Litigation, Trials and Appeals section. He's been practicing 30 years. He has earned many honors and awards during his practice as well as been active in bar services, currently serving as President of the Federal Bar Association, Co-Chair of the Constitutional Committee and Civics outreach program with the Utah State Bar, and Chair of the new Practice Succession Planning Committee. And he speaks Dutch. Ben enjoys bar services and made two attempts to join the Bar Commission. He has done a remarkable job with the Federal Bar Association including being instrumental in bringing the Federal Bar Symposium to Southern Utah every year, which has usually included the full contingency of all the distinguish Federal Judges in attendance. Ben is very active in his community.

Curtis M Jensen | SNOW JENSEN & REECE | A Professional Corporation
Tonaquint Business Park | 912 West 1600 South, Suite B-200 | St. George, UT 84770
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ATTORNEY DIRECTORY

**BEN HATHAWAY***Shareholder*Benson L.
Hathaway, Jr.

tel: 801.321.4835

fax: 801.321.4893

Kirtan McConkie Building
50 East South Temple
Suite 400
Salt Lake City, UT 84111

Mr. Hathaway is a member of the firm's Litigation, Trials and Appeals section. He has 30 years of experience as a trial lawyer resolving complex commercial cases and related appeals and providing general legal counsel. He joined Kirtan McConkie in 2002 where he has served as Chair of the firm's Business Litigation section and as a member of its Board of Directors.

Mr. Hathaway is recognized as one of Utah's Legal Elite and a Mountain States Super Lawyer for business litigation.

EXPERIENCE

- Trial and general counsel for: (1) developers, general contractors, subcontractors and suppliers, (2) healthcare management organizations, hospitals, healthcare facility owners and physicians, (3) state-wide public employees association and (4) counties, cities, improvement districts, and special service districts.
- In areas of: (1) commercial litigation including contract enforcement, breach of commercial covenants, restraint of trade, unfair competition, fraud and business torts, (2) federal and state agency regulatory compliance including environmental, housing, finance and real estate sales investigations, enforcement actions and citizens suits, (3) constitutional claims, including First Amendment, Equal Protection, Title VII and civil rights claims and (4) Fair Hearing Proceedings, privileging, licensure and other administrative hearings.
- Appearances before the Utah Federal District Court, Tenth Circuit Court of Appeals, all districts of the Utah State Court system, the Ute Tribal Court, the Utah Supreme Court, the Utah Court of Appeals and the Eastern District of Michigan. In addition, appearances pro hac vice in Federal District Courts of California, New Jersey and Idaho, and in the State Courts of California, Nevada, Idaho and Wyoming.
- 25 years of experience in Alternative Dispute Resolution including Arbitration, Mediation and Negotiation.

NEWS

22 Kirtan McConkie lawyers recognized as Best Lawyers for 2015
August 18, 2014
Press Release

39 Kirtan McConkie attorneys named Mountain States Super Lawyers
June 11, 2014
Press Release

PRACTICE AREAS

Administrative Proceedings

Environmental Litigation

Environmental Regulation and
Licensing

Litigation

INDUSTRIES

Government & Utilities

Healthcare

Public Schools

EDUCATIONUniversity of Puget Sound, J.D.,
1983University of Utah, B.A.
Humanities, *cum laude*, 1981**BAR ADMISSIONS**

Utah, 1984

*Other Admissions*United States Court of Appeals
for the Tenth Circuit

Utah State Bar, April 1984

United States District Court for
District of UtahUnited States Circuit Court for
the Tenth Circuit

U.S. Court of Claims

United States District Court for
District of Eastern Michigan**HONORS & AWARDS**AV Preeminent Peer Review
Rated, Martindale-HubbellUtah Legal Elite: Civil Litigation
[2014], Business LitigationSuper Lawyers national: Business
Litigation [2013]

Kirton McConkie announces firms Legal Elite lawyers
February 27, 2014
Press Release

Kirton McConkie lawyers participate in Utah Constitution Day
September 17, 2013
Press release

16 Kirton McConkie lawyers recognized as Best Lawyers for 2014
August 15, 2013
Press Release

12 Kirton McConkie attorneys selected for National 2013 Super Lawyers
June 12, 2013
Press Release

14 Kirton McConkie lawyers recognized as Best Lawyers for 2013
August 23, 2012
Press release

Mountain States Super Lawyer:
Business Litigation [2012 -
2014]

President Utah Chapter Federal
Bar Association [2011]

Mentor, Utah State Court
Mentoring Program [2011]

Best Lawyers: Commercial
Litigation [2013 - 2015] and
First Amendment Litigation
[2015]

AFFILIATIONS

Utah Chapter Board Member,
Federal Bar Association

- 2004-present

- President, 2011

Salt Lake County Bar Association

Constitutional Committee Utah
State Bar, Co-Chair, 2012 to
present

Chair, Practice Succession
Planning Committee, Utah State
Bar, 2014

LANGUAGE

Dutch

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KIRTON MCCONKIE BUILDING
50 East South Temple
Suite 400
Salt Lake City, UT 84111

THANKSGIVING PARK FOUR
2600 W. Executive Pkwy.
Suite 400
Lehi, UT 84043

WORLD TRADE CENTER
1800 World Trade Center
60 East South Temple
Salt Lake City, UT 84111

LYLE W. HILLYARD
595 S. Riverwoods Parkway, Suite 100
Logan, Utah

EDUCATION:

Attended Utah State University and graduated in pre-law with honors in 1965.

Phi Kappa Phi, Honorary Scholastic Fraternity.
Pi Kappa Alpha, Social Fraternity.

Attended University of Utah, graduated J.D. in top 1/4 of class in 1967.

EXPERIENCE AND AWARDS:

President of the law firm of Hillyard, Anderson & Olsen in Logan and have practiced law in Logan since 1967 when I helped establish my own firm.

Member of the Cache County Bar Association, Utah State Bar Association, American Bar Association, sustaining member, American Association for Justice, and American Board of Trial Advocates.

Post-Law School Practical Skills Training Committee, Utah State Bar, 1986.

Member of Executive Board Cache Valley Council Boy Scouts, 1969 to 1994. Member of Executive Board Trapper Trails Council BSA, 1995 to present.

Former Scoutmaster of Troop 79, 1975-1979, and Troop 319, 1984-1985. Former Varsity Scout Coach, 1996-1998. Cubmaster 2001.

First counselor in the Logan, Utah East Stake Presidency, Church of Jesus Christ of Latter-Day Saints (Mormon), 1985 to 1995.

Award of Merit, Old Ephraim District Boy Scouts, 1981.

Award of Silver Beaver – Trappers Trail, 1998.

Director of the Cache Chamber of Commerce from 1975-1978, serving as president 1977.

Received the Distinguished Service Award for Logan Jaycees and was also named as one of the three outstanding young men in the State of Utah by the Jaycees in 1972.

President of Logan Big Blue Club in 1976.

Past chairman of the Cache County Republican Party, 1972-1976.

Past member of the re-election committees for Senator Jake Garn and Senator Orrin Hatch.

Republican Member of Utah House of Representatives, 1981-1984, and served as member of House Standing Committees: Public Education, Rules and Judiciary and Joint Appropriations Subcommittee for Higher Education. Served as Assistant Majority Whip, Executive Appropriations and Management Committees, 1983-1984.

Member of Utah Senate, 1985 to present, and served as chairman of Senate Tax and Revenue Committee, Senate Judiciary Standing Committee, Joint Executive Appropriations Committee, Higher Education Appropriations Subcommittee, and as a member of the Joint Appropriations Subcommittees for Higher Education and for Public Education and of the Senate Rules Committee. Assistant Majority Whip, 1995-1998, Senate Majority Leader 1999-2000. President of the Senate, 2000. Chair Senate Rules Committee, 2002.

Selected by members of the House of Representatives as the most effective Republican Freshman at the end of the 1981 session.

Chosen legislator of the year 1986 by University of Utah students.

Awarded community service recognition by USU student body officers, 1986 and 1995.

Recognized for outstanding service to Bridgerland Area Vocational School, for which the electronic training area was named in his honor.

Vice-Chairman of Utah Education Strategic Planning Commission, Utah State Office of Education, 1987-1991.

Member of the following legislative committees:

- NCSL - 1983-1985 "Law and Criminal Justice"
- 1986-1987 "State and Local Relationships"
- 1989-1990 "Education and Job Training"
- 1993-2002 "Law and Criminal Justice"
 - (Vice Chairman 1996-1998)
 - (Chairman 2001-2002)
- 2001-present "Children's Policy Initiative Advisory Group"
- 2003-present "Communications, Technology & Interstate Commerce Committee"

Western Conference CSG - 1981-1983 "International Relations"

1985-1986 "Tax and Revenue"

1987-1989 "Revenue"

1996-present "Legislative Futures" 2000-present
"Executive Board"

Tax Recodification Commission (Tax Revision
Commission) - 1984 to present

Chairman Title "53" Revision Committee - 1983-1987

Constitution Revision Commission - 1985-1997

Victims Rights Task Force - 1985-1986

Family Court Task Force - 1985-1986

State Republican Party Policy and Issue Committee -
1986-1990

Law and Citizenship (Constitution Bicentennial
celebration) - 1986

School Fee Advisory Board - 1985

Grand Jury Task Force - 1986 to 1988

WICHE Legislative Steering Committee on Regional Policy,
Utah representative - 1987

Child Support Task Force - 1987

Governor's School Finance Incentives Committee - 1987

Guardianship Task Force - 1987

Tourism Task Force - 1987

Member of Council on the U.S. Constitution and Bill of
Rights - 1989

Rules of Criminal Procedure Task Force - 1989

Utah Commissioner on Uniform State Laws - 1995 to present

Member of Scope & Policy Executive Committee

Juvenile Court Recodification Chair - 1995 to 1997

Juvenile Justice Task Force, 1996 to 1998

Co-chairman of the Education Strategic Planning Commission - 1994 to 1998

Senator Hatch Citizen Advisory Committee, 1979 to present.

Member of Logan Library Board, 1978-1980.

Cache Valley Health Care Foundation Board of Trustees, 1986-1987.

Honorary Colonel Utah Highway Patrol, 1985 to present.

Member of USU Alumni Council and Executive Committee, 1977-1980.

Chairman of Advisory Board KUSU.

Member of Old Main Society, Utah State University.

Member of Dean's Advisory Council, USU College of Business.

Member of Advisory Board, Department of Civil and Environmental Engineering, USU.

Honorary Member of Golden Key National Honor Society.

Named Outstanding Alumnus of Utah State University for 1982.

Distinguished Lawyer in Public Affairs Service, Utah State Bar, 1986-1987.

Named as one of eight outstanding state legislators in the nation by American Legislature Exchange Council for 1987. Past State Chairman of ALEC.

Received the Utah Supported Employment Program Executive Management Team Award for efforts to support and develop services for individuals with handicaps on May 3, 1988.

Recipient of the Distinguished Service Award, Utah State University, 1989.

Representative to the Western Interstate Commission for Higher Education (WICHE) to serve as one of three commissioners representing the State of Utah, 1989-2000. Named to Executive Committee December, 1989 and 1994. Vice Chair, 1997. Chair, 1998.

Received special award from the Executive Director of Options for Independent Living, Logan, Utah, 1990.

Recognized as a friend of the College of HASS, Utah State University, 1990.

Recipient of Master's Advocate Degree from the Utah Governor's Counsel for People with Disabilities, 1990.

Recognized by the Utah Educational Media Association for support of funding for school media centers, 1990.

Recognition by the Utah Chiefs of Police Association, 1993.

Outstanding Service to the Property Tax Administration by the International Association of Assessing Officers of Utah, 1993.

Recognized as "Friend of Agriculture" by Utah Farm Bureau, November 21, 1996.

Received the Cache Chamber of Commerce "Total Citizen of the Year Award" for 1996

Received the 1997 Annual Advocate Award from the Utah Women's Lobby.

Received the Annual Award of the Commission on Criminal Juvenile Justice with outstanding contribution with the Utah Criminal Law in the Juvenile Justice System 1998

Received the "Top Hand Award" from Applied Technology 1998

Received George S. Eccles Ice Center Recognition Award

Received a Presidential Citation from the Aircraft Owners and Pilots Association of America, February 2000

Honored by the Martin Luther King, Jr. Human Rights Commission, October 13, 2000

Member of Utah Opera Board, 1998-2000.

Received the TEAMWORK award from MADD, November 9, 2000

Received the University of Utah College of Engineering Outstanding Service Award 2001

Received the Utah State University College of Agriculture Distinguished Service Award 2002

Received a Recognition award from the Governor's Committee on Employment of People with Disabilities May 6, 2003

Received the Distinguished Legislator Award from the Utah Trial Lawyers Association September 2003.

Received the Public Service Award from NAMI, Utah Cache Valley Affiliate 2003.

Received the Distinguished Service Award from the Utah Association of Realtors 2003.

Received the Utah Highway Patrol Honorary Colonel Excellence Award - June 7, 2006.

Received the Utah Taxpayers Association "Friend of the Taxpayer" Award for 2006.

National Conference of Commissioners on Uniform State Laws 2006 Enactment Winner.

Received recognition from ACEC for Outstanding Support for the Critical Infrastructure Needs

in Utah, 2006.

Received the 2006-2007 “Advocate of the Year” by the George Eccles Ice Center.

Received recognition from the Utah Coalition for Educational Technology for Championing Educational Technology during the 2007 General Session of the Utah State Legislature.

Received the Utah Association of Community Services Award of Appreciation for Dedicated Services for People with Disabilities, October 2007.

Received recognition from the Northern Utah Curriculum Consortium for Sponsoring Extended Day Kindergarten Legislation and Supporting Public Education in the State of Utah, 2007.

Received the Hero on the Hill recognition from the Legislative Coalition for People with Disabilities, July 16, 2007, and June 2, 2011.

Received the 2008 “Service Above Self Award” by the CVM Rotary Club.

Received the Utah Hotel & Lodging Association Legislator of the Year, February 18, 2009.

2009 Recipient of the Mike Styler and Leonard Blackham Legislative Leadership Award.

2010 Utah Association for Marriage and Family Therapy Advocacy Award.

Received the Guardian of Small Business awarded by NFIB Utah on August 13, 2010.

Received the President’s Award for Excellent Service and Dedication to Law Enforcement and The Utah Highway Patrol, June 8, 2011.

Recipient of the Cache Employment and Training Center 1961 – 2011 Award for Dedication and Commitment to the Citizens of Utah and for being Instrumental in Providing Resources for Disability Services throughout the State.

Received the 2011 ASUU Advocate of Higher Education Award.

Named a 2012 Business Champion by Salt Lake Chamber March 29, 2012.

Received the 2012 Legislature of the Year Award from the American Cancer Society.

Received the Executive Award of Merit from the Utah Department of Public Safety September 1, 2012.

Received the 2013 Justice Court *Amicus Curiae* Award (Friend of the Court Award) for

outstanding service to Utah justice courts, judges, and staff.

Received the 2013 Modern Pioneer Award from the National Society of the Sons of Utah Pioneers Temple Fork UP Chapter Board.

Received the Distinguished Legislative Service Award from the Utah Medical Association
September 20, 2013

Received the 2014 Outstanding Citizen Award from the Cache Chamber of Commerce.

PERSONAL:

Raised in Smithfield, Utah. Parents: Mr. and Mrs. A. Lowell Hillyard.

Married Alice Thorpe, Logan, Utah.

5 children (Carrie, Lisa, Holly, Todd and Matthew) and 15 grandchildren



WOMEN LAWYERS of UTAH

June 18, 2014

2014-2015 Board

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Career Advancement
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Committee Chair

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Committee Chair

Angelina Tsu
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Audrey Phillips
UMBA/YLD Representative

Patricia Christensen
Senior Bar Member
Representative

Utah State Bar
Board of Bar Commissioners
Utah Law & Justice Center
645 South 200 East
Salt Lake City, UT 84111

Nomination for Utah State Bar's 2014 Lawyer of the Year Award

Dear Utah Bar Commissioners:

On behalf of Women Lawyers of Utah ("WLU"), I would like to nominate Linda M. Jones for the Lawyer of the Year award. Ms. Jones exemplifies professionalism, excellence, dedication to clients, and a dedication to the advancement of all attorneys in the profession.

Ms. Jones is currently a partner at Zimmerman Jones Booher LLC. Before founding the firm in 2011, Ms. Jones was an attorney in the appellate section of Salt Lake Legal Defenders Association for more than fifteen years. Ms. Jones has practiced exclusively before the Utah Supreme Court and the Utah Court of Appeals since 1995. She has handled more than 100 appeals, authored numerous articles on criminal law and the appellate process, and presented legal seminars on a range of topics. Ms. Jones is also a member of the Utah Supreme Court Advisory Committees on the Rules of Evidence, Professionalism and Civility, and Criminal Jury Instructions, a member of the Utah Task Force on Appellate Representation for Indigent Defendants, and an adjunct professor of Appellate Advocacy at the S.J. Quinney College of Law. She is one of two Utah Fellows of the prestigious American Academy of Appellate Lawyers. The other is her partner, Michael Zimmerman.

As a former Chief Justice of the Utah Supreme Court, Mr. Zimmerman had a unique opportunity to assess Ms. Jones' abilities. He recalls the first time Ms. Jones appeared before the court and writes that he "remember[s] remarking to [his] colleagues that day on her striking competence. She was very articulate, completely up on the law and facts, direct, forceful, and yet polite and professional. In the years that followed, her appearances before our court were uniformly outstanding. In Linda, clients of Salt Lake County's LDA had the best advocate that money could not buy." I have also included Former Chief Justice Michael Zimmerman's nomination of Ms. Jones for the 2014 Christine M. Durham Woman Lawyer of the Year Award, which includes a copy of Ms. Jones' resume.

[Name]
June 18, 2014
Page 2

Ms. Jones sets an example for Utah lawyers and also for women lawyers. As her former colleague put it, Ms. Jones is "a strong, profoundly ethical, deeply dedicated legal advocate. She cares passionately about the law and about her clients. She has been an example of leadership, dedication, and impeccable moral character," and she "stand[s] out in the legal community as a strong example to women across the State of what it means to be a woman lawyer and a great lawyer in Utah." Indeed, at her law firm, four of the five associates are women. One of those women has remarked that she appreciates Ms. Jones' "willingness to break glass ceilings" for future generations of women lawyers, and that Ms. Jones has "demonstrated time and again that hard work and commitment are the keys to professional success, and that we are limited only by what we are unwilling to pursue."

Ms. Jones' excellent service extends beyond her practice. Throughout her career, she has served as a mentor and role model to law students and young lawyers, setting an example of diligence, competence, and zeal. No matter her workload, she makes herself available to provide valuable advice ranging from ways to improve a brief to surviving as a new attorney. It is not uncommon for Ms. Jones to spend hours helping one of her mentees revise a brief or prepare for an oral argument. A young lawyer who began her career with Ms. Jones at the Legal Defender's Association remember that Ms. Jones always made time to answer her questions—"[s]he treated me and the countless other attorneys who sought her help and advice of the years as equals and friends. She listened respectfully to our thoughts and ideas and answered our endless questions. No matter how busy she was, she always had time for us."

If you have any questions, please do not hesitate to contact me. I thank you for your time and for considering Ms. Jones as a candidate for the Lawyer of the Year award.

Sincerely,



Susan B. Motschiedler
President
Women Lawyers of Utah

June 20, 2014

Dear John Balwin,

I would like to nominate Janise Macanas for Attorney of the year. She is by the articles attached an outstanding Attorney, but I am a support staff at the Attorney General's Office. I would like to address something much more powerful about her. She is a strong woman, an example of excellence and striving for excellence. She is determined to know the law, to know how to do things right and to present to the Courts, Judges, the Governor, a work product that is correctly executed, lawful and unchangeable. Even when time lines and patience leave the room she is able to focus on the important subject matter, explain why it is important and how to correct/complete a project.

She is always very busy, but has time to talk and share the latest information with coworkers. She is good at listening, problem solving and is a support to those around her. She is more than willing to cover hearings or step in when needed to help out other attorneys in the office.

This letter is short, but again I'm submitting additional information and only wanted to share how important it is to support staff to have an attorney that is so willing to help and teach.

Thank you,

A handwritten signature in black ink, appearing to read 'Roberta Kaneko', with a stylized flourish at the end.

Roberta Kaneko, Paralegal
Child Protection Division

LAW OFFICES
ROBERT B. SYKES & ASSOCIATES
A PROFESSIONAL CORPORATION
311 SOUTH STATE STREET, SUITE 240
SALT LAKE CITY, UTAH 84111-2320
TELEPHONE: (801) 533-0222
FAX: (801) 533-8081

ROBERT B. SYKES
ALYSON CARTER MCALLISTER
RACHEL L. SYKES*
*also admitted in Idaho
J.D. LAURITZEN

*Practice Concentrates in Personal Injury Law
Emphasis on Brain and Spinal Cord Injury Cases
Civil Rights Litigation*

June 16, 2014

~ VIA E-MAIL & US MAIL ~

Mr. John Baldwin
Utah State Bar
645 South 200 East
Salt Lake City, Utah 84111
john.baldwin@utahbar.org

Re: Lawyer of the Year Nomination - 2014
Karra J. Porter

Dear Mr. Baldwin:

I am pleased to nominate Karra Porter for the 2014 Lawyer of the Year Award. I have known Karra for about 15 years and have worked both with her, and opposing her. Karra is a fine lawyer, who consistently demonstrates her commitment to her clients, the Bar and the community.

Karra has been practicing for 26 years, and has been serving as the managing partner of Christensen & Jensen for the last 20. Karra represents a variety of clients, including Plaintiffs and Defendants. Some of her clients have included: the Utah Republican Party on an election-related dispute; The Church of Jesus Christ of Latter-day Saints in a Supreme Court case involving the Church's hotline; Southern Utah Wilderness Alliance and Sierra Club in a coal mining dispute; and the family of Brian Cardall in a Taser death case. She is currently partnering with the ACLU on a claim involving the gassing of prisoners at the Utah State Prison.

Karra also donates her time to represent non-profit organizations in public interest matters. Just today, she filed a complaint on behalf of a citizens group (Citizens for Two Voices) in an antitrust suit seeking to save the Salt Lake Tribune. Karra has served on the board of Voices for Utah Children for many years and has served (and continues to serve) as *pro bono* counsel for many various non-profit organizations.

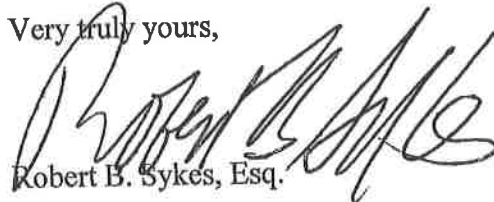
Karra has also spent countless hours in service to the legal community. For example, she served on the Rules of Appellate Procedure committee for over 10 years. More recently, she has participated in many Bar programs sponsored by the Litigation Section, Young Lawyers Division,

and other sections. As the president of Christensen & Jensen, she has continually encouraged Bar service to the attorneys who work there.

Lastly, Karra is a skilled litigator. Karra has been lead counsel on more than 120 appeals in Utah and around the country. She has a success rate of over 75%. She is not only respected by her colleagues, but is highly esteemed by the Supreme Court and Appellate Court.

This letter briefly summarizes Ms. Porter's accomplishments. I have also attached her vita. She is worthy of this honor, and I hope she will be selected.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert B. Sykes". The signature is fluid and cursive, with a large initial "R" and "S".

Robert B. Sykes, Esq.

RBS:ss

Q:\0000140616.Baldwin.Karra Porter.wpd

Karra Porter has been President or Managing Director of Christensen & Jensen for 19 years. She is co-chair of the firm's Commercial Litigation and Crisis Management practice groups, and is one of the most experienced and successful commercial and appellate lawyers in Utah. She has consistently been recognized by *Super Lawyers*/Thomson Reuters as one of the Top 100 Lawyers in the intermountain west (Utah, Idaho, Montana, Nevada, and Wyoming), and as one of the nation's best attorneys for corporate and commercial matters. She has also been consistently named one of Utah's "Legal Elite" by *Utah Business Magazine*.

After working as a journalist in her home state of Kansas, Karra went to law school at the University of Texas at Austin, graduating near the top of her class in 1987. Karra's specialty is complex federal litigation. She has recently handled large cases involving the Federal Trade Commission Act, Lanham Act, Internal Revenue Code, Surface Mining Control and Reclamation Act of 1977, False Claims Act, Small Business Act, National Labor Relations Act, Employee Retirement Income Security Act of 1974, and other federal and state statutes.

Karra is regularly hired by other lawyers and law firms to handle complex matters and appeals, and regularly advises or represents clients in media relations and crisis management matters.

AREAS OF PRACTICE

Commercial and Business Litigation: Represents corporations and individuals in contract disputes, trade secret and unfair competition claims, trademark and intellectual property litigation, statutory claims, franchise disputes, and numerous other commercial disputes. Representative matters include:

- Lead counsel in largest litigated FTC enforcement action in the country (\$270 million)
- Represented whistleblower in \$1 million case involving § 8(a) of the Small Business Act
- Defended non-profit organizations against \$1.2 million claim before Board of Oil, Gas & Mining
- Retained by lawyers and law firms in claims involving real estate deeds of trust, fraudulent transfer, estate tax penalties, contract disputes, insurance bad faith, etc.
- Defended international sports organization against claims of using proprietary information
- Won multi-million dollar arbitration award for client in contract dispute
- Won jury trial on behalf of professional firm in \$1.6 million contract dispute
- Successfully aided large national client in responding to union organization drive

Personal Injury and Insurance Bad Faith: In select cases, represents persons who have been harmed by the wrongful conduct of a third party. Karra has represented heirs in wrongful death claims, whistleblowers in False Claims Act (qui tam) actions, and persons who have wrongfully been deprived of rights under insurance policies, contracts, statutes, or Constitutional provisions. Representative matters include:

- Obtained \$4 million settlement for insureds in bad faith case
- Obtained Supreme Court ruling in favor of patient on claim of breach of confidentiality and fiduciary duty against physician

- Obtained favorable Utah Supreme Court ruling on behalf of insured in disability insurance case
- Obtained favorable jury verdict in medical malpractice case involving burns from laser procedure, featured by Utah Association of Justice in "Killer Cases and the Lawyers Who Brought them"
- Obtained \$9 million ruling from Utah Supreme Court in Campbell v. State Farm fraud case

Crisis Management: Karra represents businesses and individuals in sensitive and emergent situations, including media relations, interaction with governmental agencies, important or emergency court proceedings, public relations issues.

- Advised clients with respect to potential white collar criminal charges and negotiated non-prosecution agreements
- Interacted with local news media and Associated Press to obtain retractions of incorrectly reported information
- Successfully defended against and obtained TROs and preliminary injunctions involving trade secret, non-competition, and other time-sensitive matters
- Assisted franchisors and franchisees with surprises unique to franchising world
- Successfully argued against TRO sought by state legislator in election dispute with state political party
- Successfully aided foreign government in expedited proceeding to enforce international convention
- Successfully forced removal of website publishing defamatory information about client

Appeals: Karra is one of the most experienced and successful appellate lawyers in Utah, having been lead or co-lead counsel in more than 120 appeals before the Utah Supreme Court, Tenth Circuit Court of Appeals, Utah Court of Appeals, United States Supreme Court, and in Arizona, California, Idaho, New York, Ohio, and Wyoming appellate courts. Karra is regularly asked by the Utah Supreme Court to argue cases at a university or law school as a teaching experience for students. She is known as a quick study in virtually any area of law, and has prosecuted appeals in a wide range of areas. Representative matters from just the past few years include:

- MacGregor v. Walker, 2014 UT 2, --- P.3d --- (Utah Supreme Court – defended Corporation of the President of The Church of Jesus Christ of Latter-day Saints against claim that creation of helpline created other affirmative duties)
- Velasquez v. Harman-Mont & Theda, Inc. 2014 UT App 6, 318 P.3d 1188 (Utah Court of Appeals – represented appellees in upholding trial court denial of defendants' assertion of affirmative defense in wrongful death case)
- Jenkins v. Jordan Valley Water Conservancy District, 2013 UT 59, 321 P.3d 1049 (Utah Supreme Court – represented water conservancy district in reversing Utah Court of Appeals ruling regarding level of expert testimony required to sustain claim against governmental entity)
- Federal Trade Commission v. IWorks, 2014 U.S. App. LEXIS 6556 (9th Circuit Court of Appeals – represented "relief defendant" in FTC enforcement action determining scope of notice required to bind non-parties to preliminary injunction)

- Riggs v. Asbestos Corp. Ltd., 2013 UT App 86, 304 P.2d 61 (Utah Court of Appeals – applicability of comparative fault defense in long-latency asbestos cases)
- U.S. ex rel. Wickliffe v. EMC Corp., 2012 WL 1111242 (10th Cir. 2012) (scope of United States' authority to dismiss whistleblower claim under False Claims Act)
- Berrett v. Albertson's, Inc., 2012 UT App 371, 293 P.3d 1108 (applicability of peculiar hazard doctrine)
- MPDS Memphis v. State Farm Automobile Insurance, No. 11-4416 (6th Cir. 2013) (sufficiency of evidence in contract claim against insurer)
- In re Executive Life Insurance of New York, 2012-05969 (N.Y.A.D. 2013) (scope of immunity of statutory receiver)
- Arnold v. Grigsby, 2012 UT 61, 289 P.3d 449 (commencement of statute of limitations under "discovery rule" in medical malpractice claims)
- Westgate Resorts, Ltd. V. Consumer Protection Group, LLC, 2012 UT 55, 285 P.3d 1219 (constitutionality of punitive damage award)
- Westgate Resorts, Ltd. V. Consumer Protection Group, LLC, 2012 UT 56, 289 P.3d 420 (scope of disclosure requirement for neutral arbitrator)
- Miller v. Utah Dept. of Transportation, 2012 UT 54, 285 P.3d 1208 (appropriateness of explanatory jury instruction when evidentiary material is barred from production by federal statute)
- Jones v. Farmers Insurance Exchange, 2012 UT 52, 286 P.3d 301 (scope of "fairly debatable defense" in insurance bad faith cases)
- Wilson v. IHC Hospitals, Inc., 2012 UT 43, 289 P.3d 369 (appropriateness of new trial for misconduct of opposing trial counsel)
- Gonzales v. Russell Sorensen Const., 2012 UT App 154, 279 P.3d 422 (cognizability of claim in Utah under Restatement (Second) of Torts Section 384)
- U.S. Fidelity v. U.S. Sports Specialty, 2012 UT 3, 270 P.3d 464 (determination of when insurance company may seek reimbursement from insured for defense costs)
- Gonzales v. Russell Sorensen Const., 2012 UT App 154, 279 P.3d 422 (cognizability of claim in Utah under Restatement (Second) of Torts Section 384)
- Wilson v. IHC Hospitals, Inc., 2012 UT 43, 289 P.3d 369 (appropriateness of new trial for misconduct of opposing trial counsel)
- Jones v. Farmers Insurance Exchange, 2012 UT 52, 286 P.3d 301 (scope of "fairly debatable defense" in insurance bad faith cases)
- Miller v. Utah Dept. of Transportation, 2012 UT 54, 285 P.3d 1208 (appropriateness of explanatory jury instruction when evidentiary material is barred from production by federal statute)
- Berrett v. Albertson's, Inc., 2012 UT App 371, 293 P.3d 1108 (applicability of peculiar hazard doctrine)
- Westgate Resorts, Ltd. V. Consumer Protection Group, LLC, 2012 UT 56, 289 P.3d 420 (scope of disclosure requirement for neutral arbitrator)
- Westgate Resorts, Ltd. V. Consumer Protection Group, LLC, 2012 UT 55, 285 P.3d 1219 (constitutionality of punitive damage award)
- Arnold v. Grigsby, 2012 UT 61, 289 P.3d 449 (commencement of statute of limitations under "discovery rule" in medical malpractice claims)
- In re Executive Life Insurance of New York, 2012-05969 (N.Y.A.D. 2013) (scope of immunity of statutory receiver)

- Riggs v. Asbestos Corp. Ltd., 2013 UT App 86, ___ P.3d ___ (applicability of comparative fault defense in long-latency asbestos cases)
- Federal Trade Commission v. iWorks, et al., 13-15778 (jurisdictional requirements for subjecting non-party to preliminary injunction), Ninth Circuit Court of Appeals, argument pending
- Stone Flood v. Safeco Insurance, 2011 UT 83, ___ P.3d ___ (representing business in post-fire claim for business interruption losses)
- Boyle v. Christensen, 2011 UT 20, 251 P.3d 810 (representing pedestrian struck by pickup truck; ended the defense tactic of mentioning "the McDonald's coffee case" to juries)
- Blakely v. USAA Casualty Ins. Co., 633 F.3d 944 (10th Cir. 2011) (representing insured in post-fire claims against insurance company)

Crisis Management: Karra represents businesses and individuals in sensitive and emergent situations, including media relations, interaction with governmental agencies, important or emergency court proceedings, public relations issues.

- Advised clients with respect to potential white collar criminal charges and negotiated non-prosecution agreements
- Interacted with local news media and Associated Press to obtain retractions of incorrectly reported information
- Successfully defended against and obtained TROs and preliminary injunctions involving trade secret, non-competition, and other time-sensitive matters
- Assisted franchisors and franchisees with surprises unique to franchising world
- Successfully argued against TRO sought by state legislator in election dispute with state political party
- Successfully aided foreign government in expedited proceeding to enforce international convention
- Successfully forced removal of website publishing defamatory information about client

EDUCATION

- University of Texas at Austin, J.D., 1987
- Kansas State University, B.A. in journalism, summa cum laude, 1985

SELECT LECTURES AND PUBLICATIONS

- Speaker, "Proportionality: Avoid Pleading Yourself Out of Discovery" and "Questions About the New Rules," Combating Hardball Tactics X, Utah Association for Justice, 2012
- Speaker, "Best Practices in the Use of System Advertising and Marketing Funds," Utah State Bar Franchise Law Section, 2011
- Speaker, "Preserving Bad Faith Claims," Personal Injury Law: Beyond the Basics, Utah State Bar and Utah Association for Justice, 2011
- Speaker, "Lessons Learned Post-Decision: Insights from Appellate Counsel," Utah State Bar Young Lawyers and Paralegal Divisions, 2011

- Speaker, "Effective Appellate Advocacy," University of Utah School of Law, 2009
- Speaker, "Hardball Litigation Tactics VII," Utah Association for Justice, 2008
- Speaker, "Killer Cases and the Lawyers Who Brought them," Utah Association for Justice, 2005 and 2008
- Speaker, "Hot Bad Faith Cases 2005," Utah Association for Justice, 2005
- Speaker, "Machan v. Unum: The Most Important Recent Insurance Case," Utah Trial Lawyers Association, 2005
- Moderator: "Understanding the Legal Aspects of Professional Basketball," Utah Jazz and Utah Starzz, 2001
- Moderator: "Reporters and Lawyers: Can't We All Just Get Along?" Utah Defense Lawyers Association, 2001

PROFESSIONAL ASSOCIATIONS & ADMISSIONS

- Admitted to practice in all Utah state and federal courts, United States Tenth Circuit Court of Appeals, United States Supreme Court
- Utah State Bar Ethics Advisory Opinion Committee, 2010 – present
- Supreme Court Advisory Committee on the Rules of Appellate Procedure, 1995-2008
- Utah Defense Lawyers Association, President-elect, 2001-02; Vice President 2000-01
- Third District Court Small Claims Court Judge Pro Tem, 1992-1997
- Editorial Board, Voir Dire Magazine, 1997-99

PROFESSIONAL EXPERIENCE

Christensen & Jensen, P.C., 1987 to present

- President, 2010 - present
- Managing Director, 1998 to 2006
- Vice President, 1995 to 2009
- Shareholder and Director, 1993 to present
- Associate Attorney, 1987 to 1993
- Nominated for Third District Court judgeship (February 2004; August 2004)



A PROFESSIONAL CORPORATION

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PHILIP R. FISHLER
ROGER H. BULLOCK
R. SCOTT WILLIAMS
PAUL M. BELNAP
STUART H. SCHULTZ
BRIAN C. JOHNSON¹
PAUL W. HESS
STEPHEN J. TRAYNER
STANFORD P. FITTS⁹
BRADLEY W. BOWEN
PETER H. CHRISTENSEN¹⁰
ROBERT L. JANICKI⁴
H. BURT RINGWOOD
CATHERINE M. LARSON
KRISTIN A. VANORMAN
KENT M. BROWN⁴

PETER H. BARLOW⁴
MICHAEL L. FORD^{2,4}
GRADEN P. JACKSON²
H. SCOTT JACOBSON
MICHAEL J. MILLER⁸
ANDREW D. WRIGHT
BYRON G. MARTIN⁸
BENJAMIN P. THOMAS
SUZETTE H. GOUCHER
LANCE H. LOCKE
A. JOSEPH SANO
JAMES C. THOMPSON
LORI A. JACKSON
WILLIAM B. INGRAM
RYAN P. ATKINSON⁹
JENNIFER R. CARRIZAL
JEREMY G. KNIGHT⁴
ANDREW B. McDANIEL

SADÉ A. TURNER⁴
CASEY W. JONES
RYAN C. BULLOCK
MICHAEL A. STAHLER^{5,7}
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CHET W. NEILSON¹
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S. SPENCER BROWN
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BROOKE JOHNSON
ANDREW D. DAY
NICHOLAS E. DUDOICH
GREGORY N. GUNN
ALAN R. HOUSTON
JASON L. DEFOREST
JESSICA J. JOHNSTON

¹ ALSO MEMBER CALIFORNIA BAR
² ALSO MEMBER COLORADO BAR
³ ALSO MEMBER DISTRICT OF COLUMBIA BAR
⁴ ALSO MEMBER IDAHO BAR
⁵ ALSO MEMBER NEW YORK BAR
⁶ ALSO MEMBER OREGON BAR
⁷ ALSO MEMBER VERMONT BAR
⁸ ALSO MEMBER WASHINGTON BAR
⁹ ALSO MEMBER WYOMING BAR

ESTABLISHED 1888

GORDON R. STRONG
(1909-1969)



June 19, 2014

Board of Bar Commissioners
Utah State Bar
645 South 200 East
Salt Lake City, UT 84111

Re: Lawyer of the Year

Dear Commissioners:

Strong & Hanni Law Firm would like to nominate Stuart H. Schultz for Lawyer of the Year. As will be addressed below, Stuart is eminently qualified for this award.

Stuart is a phenomenal lawyer. He has the communication skills of an orator, the writing skills of a scholar and the ability to present a clear and compelling case to a judge in a bench trial, jury trial, mediation or arbitration. He is an excellent litigator. He has tried numerous cases in Utah's state and federal courts. He is skilled beyond description in his abilities and his preparation.

Stuart works primarily in the areas of insurance defense, with much of his work in the area of legal malpractice defense. These cases involve complex litigation. Not only must Stuart address the legal malpractice issues, he must first obtain a working knowledge and intimate understanding of the underlying case from which the legal malpractice claims arise. He has the ability and expertise to understand the entirety of a case of which he had no involvement. He then has the expertise to determine the standard which would apply for an attorney handling such complexities. Stuart is also heavily involved in defending claims of insurance bad faith. Such matters involve in depth legal issues, arguments and defenses. These cases are often discovery intensive, resulting in the filing of complex and lengthy dispositive motions and memoranda -- many for summary judgment or dismissal. Stuart has had extraordinary success in having bad faith claims summarily dismissed.

Stuart is the consummate professional and exhibits the highest qualities of good character in all of his actions. His careful attention to the honesty in which he records his billing time is

June 19, 2014

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used as an example in the whole firm. If any question arises as to time spent on a project, Stuart invariably errs on the side of his client's benefit rather than his own. Stuart is very careful to always do what he tells opposing counsel he will do and does not make excuses or prevaricate when he finds himself in a position of having to request an extension or admit to a mistake. His character is one of integrity, honesty and dependability. Strong and Hanni is very fortunate to have Stuart as one of their senior shareholders and litigators.

Stuart is unmatched in civility and professionalism in our community. Even under the most adversarial circumstances, Stuart never fails to remain calm and composed. He has always handled himself with the utmost courtesy, regardless of the behavior of opposing counsel. Even with court filings in which opposing counsel has attacked his character personally, he responds with legal argument and facts, rather than responding in kind. Stuart has always maintained the standards of civility that the courts have requested and he is a role model for all of his colleagues. One of Stuart's partners, Paul M. Belnap, states that over the last few years as the courts have placed an emphasis on civility, if there is anyone who is an example of that practice, it is Stuart. He goes on to state that Stuart has the ability to be a good lawyer and not give away any of his case while being courteous and civil. This is a quality befitting Lawyer of the Year.

Stuart's professionalism extends to his partners, associates, paralegals and staff that work with him. He makes it a point to thank them for their hard work and contributions on his cases. Despite his decades of practice, Stuart understands the issues surrounding young lawyers and counsels and mentors them regularly.

Stuart has become the in house expert on conflict of interest issues and standards of the Rules of Professional Conduct. He is the "go to" person for any such issues and despite his very busy practice, he is always happy to sit down and have an in depth conversation.

Stuart has a way about him that puts others at ease. His sense of humor is always available to lighten tensions in a stressful situation. He is able to work well with other lawyers and be friendly and cheerful in what could otherwise be very trying circumstances. He has the ability to laugh at himself and find humor in almost any situation. He is sometimes quiet, but when least expected, he will come up with a comment or remark to lighten a situation.

Stuart is a pleasure to work with, particularly on the complex and difficult cases. The paralegals at Strong and Hanni are always happy to be assigned to work with Stuart and look forward to the opportunity. One of the senior paralegals at Strong and Hanni, Robyn Dotterer, states that the opportunity to work with Stuart is one of the joys of working in the legal profession. "It does not seem to matter how difficult opposing counsel is being, Stuart is always able to lighten the tension and bring everything back into focus. He can keep his calm under the most difficult situation and then find something to joke about and turn it from serious to absurd. In a profession that can be very stressful, Stuart is a natural antidote. I love to work with him."

Even though Stuart has a large and very busy practice, he has always included Bar service in his work load. He is currently serving on the Fee Arbitration Committee and the

June 19, 2014

Page 3

Supreme Court Advisory Committee on Rules of Professional Conduct. He has also served on the Jury Instruction Committee in the past and has been a mentor for new lawyers more than once.

Stuart loves to teach, within and outside of Strong & Hanni. In fact, he used his own time to prepare materials for and serve as the visiting professor in civil litigation at Dnipropetrovsk State University for Internal Affairs in Dnipropetrovsk, Ukraine, from October 10-21, 2012, through the Center for International Legal Studies. This was a phenomenal experience for him and for which he likely gave far more than he received.

The list of reported cases that Stuart has been involved in is lengthy and rather than include them in this letter, they are noted in the Curriculum Vitae that is attached.

Needless to say, every member of the Strong & Hanni law firm has the utmost respect, regard, admiration, and fondness for Stuart, both in his personal and professional capacity. He is a genuinely admirable person with qualities to which all attorneys should aspire. Stuart's legal abilities and personal character are revered and respected. He is truly an example to be followed. We are very proud to nominate Stuart Schultz as Lawyer of the Year.

Very truly yours,

STRONG & HANNI

By: Catherine M. Larson

Catherine M. Larson
Managing Shareholder

CLM/jrd



STUART H. SCHULTZ

sschultz@strongandhanni.com
P: 801.532.7080 F: 801.596.1508

Shareholder

J.D. University of Utah

Office

Salt Lake

Practice Areas

Insurance Coverage and Bad Faith Litigation
Professional Liability

Stuart has represented insurance company clients in insurance coverage and bad faith cases for more than 20 years. He has experience with third-party and first-party bad faith, punitive damages, general damages, evidence, and discovery issues.

Stuart also has experience in the defense of professional liability cases at all stages of litigation including trial and appellate practice. He has represented a variety of clients including sole practitioners, large law firms, accountants, and many other professionals.

Stuart was also the visiting professor in civil litigation at Dnipropetrovsk State University for Internal Affairs in Dnipropetrovsk, Ukraine, October 10-21, 2012, through the Center for International Legal Studies.

Admissions And Associations

Utah State Bar, 1979
U.S. District Court, District of Utah, 1979
U.S. Court of Appeals, Tenth Circuit, 1986
United States Supreme Court, 2000

Education

University of Utah, J.D., 1979
William H. Leary Scholar
Brigham Young University, B.A., German, 1976, Magna Cum Laude
Phi Kappa Phi

Languages

German

Professional Memberships

Salt Lake County Bar Association
Utah Defense Association
Fee Arbitration Committee, Utah State Bar, 1987-1988 and 2004-present
Supreme Court Advisory Committee on Rules of Professional Conduct, Utah State Bar, 1988-1995 and 2002-present
Jury Instruction Committee, Utah State Bar, 1982-1983

Professional Recognitions & Awards

"AV" rated with Martindale-Hubbell, the highest rating awarded to attorneys for professional competence and ethics
"Outstanding Lawyers of America Award", 2003
Recognized in Utah Business Magazine's "Utah Legal Elite"

Reported Cases

Research-Planning, Inc. v. Bank of Utah, 690 P.2d 1130 (Utah 1984)
Pease v. Industrial Comm'n, 694 P.2d 613 (Utah 1984)
Blackhurst v. Transamerica Ins. Co., 699 P.2d 688 (Utah 1985)
Payne v. Myers, 743 P.2d 186 (Utah 1987)
Hill v. State Farm Mut. Auto Ins. Co., 829 P.2d 142 (Utah 1992)
Heslop v. Bank of Utah, 839 P.2d 828 (Utah 1992)
Alf v. State Farm Fire & Casualty Co., 850 P.2d 1272 (Utah App. 1993)
GNS Partnership v. Fullmer, 873 P.2d 1157 (Utah App. 1994)
Phoenix Indem. Ins. Co. v. Estate of Bell, 896 P.2d 32 (Utah App. 1995);
Watkiss & Saperstein v. Williams, 931 P.2d 840 (Utah 1996).
Chatterton v. Walker, 938 P.2d 255 (Utah 1997)
Barela v. C.R. England & Sons, Inc., 197 F.3d 1313 (10th Cir. 1999)
Miller v. USAA Cas. Ins. Co., 44 P.3d 663 (Utah 2002)
Campbell v. State Farm Mut. Auto Ins. Co., 65 P.3d 1134 (Utah 2001); 153 L. Ed. 2d 158, 122 S. Ct 2326 (2003)
Armstrong v. McMurray, 2005 Utah App. 88 (unpublished)
State Farm Mut. Auto Ins. Co. v. DeHerrera, 145 P.3d 1172 (Utah App. 2006)
York v. Gardiner, 2006 Utah App. 471 (unpublished)
Baum v. State Farm Mut. Auto. Ins. Co., 2008 U.S. Dist. LEXIS (decided February 1, 2008)
Borghetti v. Sys. & Computer Tech., 199 P.3d 907 (Utah 2008)

Fenwick v. Nationwide Mut. Ins. Co., 2009 U.S. District. LEXIS 93297 (decided October 6, 2009)
Westport Ins. v. Ray, Quinney & Nebeker, 2009 U.S. Dist. LEXIS 69203 (decided August 7, 2009)
McArthur v. State Farm Mut. Auto. Ins. Co., 2009 U.S. Dist. LEXIS 114747 (decided December 9, 2009)
Iverson v. State Farm Mut. Ins. Co., 256 P.3d 222 (Utah 2011)
McArthur v. State Farm Mut. Auto. Ins. Co., 274 P.3d 981 (Utah 2012)
Berendes v. GEICO Casualty Company, 2013 U.S. App. LEXIS 9806 (10th Cir. May 16, 2013) (unpublished).

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2013 – 2014 Officers

Gabriel K. White, President

Katherine E. Judd, President Elect

Scott C. Powers, Treasurer

Breanne M. Miller, Secretary

June 20, 2014

Utah State Bar Commission
645 South 200 East
Salt Lake City, UT 84111

Re: Nomination for Jen Tomchak

Dear Bar Commissioners:

We write to nominate Jenifer L. Tomchak for the 2014 Lawyer of the Year Award. Ms. Tomchak is not only an amazing attorney, she has a passion for contributing to the community and her profession. She exemplifies professionalism in legal practice and has rendered extraordinary contributions to the programs and activities of the Utah State Bar. She would be an excellent recipient of the Utah State Bar's Lawyer of the Year Award.

Ms. Tomchak is a graduate of the S.J. Quinney College of Law and an equity partner at Parr Brown. She is a Leary Scholar, a member of the Order of the Coif and a member of the Utah Law Review. She received the Lionel H. Frankel Public Interest Fellowship and the Outstanding Achievement Award in Constitutional Law. Ms. Tomchak clerked for Chief Justice Matthew Durrant at the Utah Supreme Court.

Ms. Tomchak currently serves as the president of the Utah Chapter of the Federal Bar Association. She has been on their board since 2006 and has previously served as the association's Pro Bono Committee Chair. In this capacity she organized the VAWA training at domestic violence shelters throughout the state (training program for teaching volunteer attorneys about how undocumented victims of domestic violence can self-petition for legal status in the US), developed and recruited for the Federal Appointment Wheel (a federal pro bono program), developed and implemented Help RISE (a program that helps underemployed lawyers obtain legal experience and low cost CLEs by assisting federal re-entry court participants with unbundled legal services) and organized book drives for Title I elementary schools. She has also served as the treasurer and president-elect of this organization.

Ms. Tomchak is on the board of the Litigation Section where she chairs the Aiding the Judiciary Subcommittee. The Judiciary has indicated that the best way to help them is to ensure the success of the Modest Means Program. In response to this request, Ms. Tomchak organized the Modest Means kickoff event and organizes CLEs for Modest Means practice areas. She also serves as the section's Law Student and Young Lawyer liaison. In this capacity she organized the section's first law student mentoring event and introduction to the state courthouse CLE for new admittees.

Ms. Tomchak has been with Books from Barristers since its inception. This program solicits donations to buy and deliver new books to first graders in Title I schools in Salt Lake, Davis and Utah Counties. On Election Day, teachers at volunteer attorneys read two books (*D is for Democracy* and *If I Were the President*) to the students who then vote on their favorite book. The ballots are used to purchase the book of choice for each student.



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James E. Magleby
magleby@mgpclaw.com
Christine T. Greenwood
magleby@mgpclaw.com
Eric K. Schnibbe
schnibbe@mgpclaw.com
Jennifer Fraser Parrish
parrish@mgpclaw.com

June 20, 2014

Via U.S. Mail

Utah State Bar Commissioners
UTAH STATE BAR
645 South 200 East
Salt Lake City, Utah 84111

Re: *Nomination for the Utah State Bar Lawyer of the Year Award*

Dear Commissioners:

We write to nominate Peggy A. Tomsic, a partner at our firm, for the Utah State Bar Lawyer of the Year Award.

Not only does Peggy have amazing credentials and experience that any lawyer would aspire to, but she also readily satisfies the criteria for the award. Peggy exemplifies professionalism and excellence in the practice of law, as manifested in the caliber of her clients and the results she achieves for them, and as demonstrated by her long commitment to the practice of law.

One of Peggy's most significant achievements this year has been her successful representation of our clients in the *Kitchen v. Herbert* case, in which the Utah Federal District Court sided with our clients in ruling that Utah's prohibition on marriage between same-sex couples violates the U.S. Constitutional guarantees of equal protection and due process. The case is currently on appeal to the United States Court of Appeals for the Tenth Circuit, where Peggy did an outstanding job during oral argument in a special session held on April 10, 2014, where two full courtrooms were packed and the national media was present. As the Commissioners are aware, the outcome of this case has had a significant impact, not only on our clients, but many other citizens, both locally and nationally. Peggy has demonstrated great leadership and courage in this case from the beginning, when many people questioned whether such case could be successfully brought in our jurisdiction. Peggy relied on her own years of experience and knowledge

of the law and the legal process in deciding to take the case, and our clients have experienced great success as a result.

Peggy also was successful in representing our clients in the case of *USA Power v. PacifiCorp*, in which Peggy was able to obtain one of the largest jury awards in Utah history, and the largest jury award ever obtained by a female lead attorney in Utah. Specifically, on May 21, 2012, the jury in the *USA Power* case returned a verdict in the amount of \$133,899,391 for our clients. The case, which is currently on appeal before the Utah Supreme Court, is in its tenth year of litigation and represents the substantial efforts (and risks) Peggy dedicates to serving her clients. Prior to trial, Peggy persevered despite many setbacks in the case, including a summary judgment against our clients which was reversed on appeal by a unanimous Utah Supreme Court, and the tragic loss of one of our clients, and a key witness, to cancer. Peggy did not give up in the face of this adversity and personal loss, and achieved a great result for our clients.

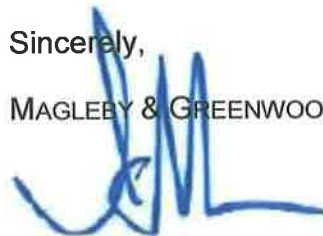
Aside from being a tireless advocate for her clients, Peggy serves as an excellent mentor to other lawyers, helping over the years to educate and train numerous new lawyers that have moved on to be successful attorneys in their own right. Peggy also serves as a role model and mentor for the women lawyers in our firm, and in many ways has truly furthered the opportunities for women in the law. Peggy takes care to ensure that the people she works with understand and learn not just the basics of litigation, but also strives to ensure they understand the "big picture," so that their advocacy can be tailored to the needs of their individual clients.

We have enclosed the most recent biography of Peggy that we have been able to locate without alerting her to this nomination. If needed, we should be able to provide a more current version in the future.

Thank you for your time and consideration.

Sincerely,

MAGLEBY & GREENWOOD P.C.



James E. Magleby



Christine T. Greenwood

Utah State Bar Commissioners
UTAH STATE BAR
June 20, 2014
Page 3

A handwritten signature in blue ink, appearing to read "E. Schnibbe".

Eric K. Schnibbe

A handwritten signature in blue ink, appearing to read "Jennifer Fraser Parrish".

Jennifer Fraser Parrish

jfp/jk
enclosure



T 801.359.9000 : F 801.359.9011 : www.mgpclaw.com
170 South Main Street, Suite 850 : Salt Lake City, Utah 84101

Peggy A. Tomsic

Ms. Peggy A. Tomsic has been a member of the Utah State Bar for almost 31 years. The exclusive focus of her practice has been business litigation, representing both plaintiffs and defendants. She has litigated cases in federal and state courts and arbitrations in Utah, Idaho, Wyoming, Colorado, Nevada, California, New Jersey, New York, Illinois, North Carolina, South Carolina and Texas. Ms. Tomsic litigates cases with damages ranging in the millions of dollars, up to her defense of a \$1 billion claim against her client, Oregon public utility Portland General, in the Bonneville Pacific bankruptcy and related litigation. Ms. Tomsic represented a preeminent Washington D.C. law firm against legal malpractice claims, resulting in the longest jury trial in Utah history. She represents and has represented businesses, executives, and high-net worth individuals, including Utah Power & Light, Sundance Resort, Robert Redford, Nutraceutical Corporation, Huntsman Corporation, the Lawyer Disciplinary Committee for the United States District Court, for the District of Utah, a former officer and director of Howard Hughes' companies, Adnan Khashoggi, Freeport Center Associates, Amalgamated Sugar, Dairy Farmers of America, Inc., the Copper Rivet, Wasatch Condominium Association, Jayson Orvis, and Park City, Utah's Osguthorpe family.

Recent high-profile cases include the *U J 100 Club LLC v Jazz Basketball Investors Inc.*, pending in Utah state court, in which the Plaintiff seeks damages in excess of \$19,000,000 against the Jazz 100 Club and the Utah Jazz, for breach of contract and other obligations. In a 2010 decision from the Utah Supreme Court in *USA Power, LLC et al. v. PacifiCorp, et al.*, Ms. Tomsic obtained a reversal of the trial court's dismissal of theft of trade secret, legal malpractice, and related claims on summary judgment. After remand from the Utah Supreme Court for trial, in May 2012, Ms. Tomsic and co-counsel MAGLEBY & GREENWOOD, P.C. partner James E. Magleby obtained a unanimous jury verdict in this case, awarding \$133,899,391 in damages to her clients, after a five week trial. The verdict was the 21st largest verdict of 2012, as reported in The National Law Journal and Verdict Search. It is also believed to be the largest trade secret verdict in the United States in 2012, and the largest trade secret verdict ever in the State of Utah. Ms. Tomsic has numerous additional, but confidential, successes in settling cases for her clients.

Prior to joining MAGLEBY & GREENWOOD, P.C., Ms. Tomsic was the owner/manager of Tomsic & Peck, a business litigation firm. For the twenty-three years before that, she was with Berman, Tomsic & Savage, a firm that specialized in complex commercial and business litigation, during the majority of which time Ms. Tomsic was the Managing Shareholder.

Ms. Tomsic has been A/V rated by Martindale Hubble since 1994, the highest rating available for an attorney. Ms. Tomsic was included on the list of Mountain States Super Lawyers™ from 2007 through 2013, an honor given to only the top 5% of attorneys practicing in the Mountain States. Since at least 2009, Ms. Tomsic has been listed in the Mountain States Top 40 Women Lawyers, as one of the top 40 women lawyers in all of Nevada, Utah, Montana, Idaho and Wyoming. In 2013, Ms. Tomsic was listed in the Mountain States Top 100 Lawyers in all of Nevada, Utah, Montana, Idaho and Wyoming. Ms. Tomsic also has been listed in Super Lawyers Corporate Counsel Edition as one of the top attorneys in business litigation in Utah. Since 2010, she has been listed in *U.S. News – Best Lawyers*.

Tab 6

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Judge of the Year Award Selection

Item: #2.3

Submitted by: John Baldwin

Meeting Date: June 12, 2015

ITEM/ISSUE:

To select the 2015 Judge of the Year Award recipient.

CRITERIA:

Career exemplifies the highest standards of judicial conduct for integrity and independence; who is knowledgeable of the law and faithful to it; who is unswayed by partisan interests, public clamor or fear of criticism; patient, dignified and courteous to all who appear before the court; endeavors to improve the administration of justice and public understanding of, and respect for, the role of law in our society.

NOMINEES:

1. Hon. Brooke C. Wells
2. Hon. Carolyn B. McHugh, 2014 Nominee
3. Hon. John R. Morris, 2014 Nominee

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
2014 Hon. James Shumate	Hon. Carolyn McHugh, Hon. John Morris, Hon. Brooke Wells
2013 Hon. Michael D. Lyon	Hon. Thomas L. Kay
2012 Hon. Royal I. Hansen	Hon. Thomas L. Kay
2011 Hon. Dee Benson	Hon. Randall Skanchy
2010 Hon. Robert K. Hilder	
2009 Hon. Judith S. Atherton	
2008 Hon. Glenn K. Iwasaki	Hon. Glenn K. Iwasaki
2007 Hon. Sandra Peuler Hon. Gregory K. Orme	
2006 Hon. Gordon J. Low	Hon. Glen K. Iwasaki Hon. Sandra Peuler
2005 Hon. Andrew Valdez	
2004 Hon. William B. Bohling	
2003 Hon. Ronald N. Boyce (posthumously)	Hon. Sandra Peuler; Hon. Sheila McCleve; Hon. Glen K. Iwasaki
2002 Hon. Stephen H. Anderson Hon. Jeril B. Wilson	Hon. Sheila McCleve; Hon. Glen K. Iwasaki
2001 Hon. Raymond M. Harding, Sr. Hon. Sharon P. McCully Hon. Anne M. Stirba	
2000 Hon. Guy R. Burningham	
1999 Hon. David Sam Hon. Lynn W. Davis	
1998 Hon. Tyrone E. Medley	
1997 Hon. W. Brent West	
1996 Hon. Leslie A. Lewis	
1995 Hon. J. Thomas Green, Jr.	
1994 Hon. John A. Rokich	
1993 Hon. Bruce S. Jenkins	
1991 Hon. Cullen Y. Christensen	

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Nomination of Hon. Brooke C. Wells Utah State Bar “Judge of the Year”

By: Lesley A. Manley

In 1984, Judge Brooke C. Wells was one of four women featured in Utah Holiday Magazine in a cover story titled, “Hard Cases: Controversial Women Who Shake the Justice System.” At the time the article was published, Judge Wells was working as a criminal defense attorney at the Salt Lake Legal Defender Association. The article discussed some of the criminal cases Judge Wells was working on at that time and highlighted how she went the extra mile for her clients and endeavored to improve the administration of justice for the underprivileged. Specifically, the article speaks to her approach to her clients. As quoted in the article:

[w]hat Wells calls ‘the social worker in me’ allows her the personal satisfaction of ‘providing help for people who couldn’t get it otherwise,’ of going to court every day and winning one of the ten cases that are not supposed to be won. Many of her clients may have made ‘serious errors’ in judgment. ‘Their sins take a different form than mine. But they are not irredeemable. Some of them become [very] important to me.’

Thirty years later, the “social worker” in Judge Wells has never left. In fact, it is one of the many qualities that make her an exemplary candidate for Judge of the Year. In addition to her duties as a Magistrate Judge, Judge Wells was instrumental in the creation of a federal drug court and the first of its kind federal mental health court. Utah’s federal mental health court has gained national recognition due in large part to Judge Wells’ leadership. She currently presides over both mental and drug courts and continues to exhibit the same respect and courtesy to the participants in these programs as she did her criminal defendant clients.

Observers of both courts have commented that Judge Wells makes each participant feel important and frequently commends their hard work in trying to turn their lives around. For example, each year Judge Wells coordinates a picnic at Liberty Party for the participants in order to recognize their efforts and achievements. She also has been known, much to the dismay of the U.S. Marshals service, to drive some of the participants in her programs to doctor’s appointments and on other errands. Sometimes these trips include a stop at Banbury Cross to get her passengers a donut for the ride home.

In addition to mental and drug courts, Judge Wells is cognizant of the employment barriers offenders often face. Recognizing this, she was instrumental in the creation of the Utah Defendant/Offender Workforce Development initiative (“UDOWD”) and co-chaired the advisory board. UDOWD is a collaboration of state, federal and local agencies dedicated to identifying and eliminating barriers to employment. UDOWD, thanks in large part to the work and leadership of Judge Wells, has grown to a statewide initiative that has helped hundreds of offenders find employment and reduce rates of recidivism.

Judge Wells has informally mentored many attorneys over the years and formally mentored two young lawyers in the Utah State Bar’s New Lawyer Training Program. In 2013, she received the Mentor of the Year Award from the Women Lawyers of Utah.

Judge Wells' most current project to aide those in the criminal justice system, is the District of Utah Evidence-Based Practice Initiative titled ARC, which is short for "Assisting Re-Entry into the Community." ARC aims to reduce recidivism by removing barriers to successful rehabilitation opportunities, creating new pathways for success including community support programs. The result will not only enhance the lives of participants but will increase community safety through a sustainable model for the future. This collaborative effort of the U.S. District Court, U.S. Probation, Utah Federal Defenders, Bureau of Prisons, and Dixie State University was created by a standing committee in which Judge Wells is a co-chair and is made up of several subcommittees staffed by representatives of each participating institution. Other districts in the United States are studying the District of Utah's ARC program and modeling their own programs after it because of the way it provides a concrete way to institutionalize best practices. ARC would not have happened without Judge Wells adding to her normal case load, taking the initiative, and becoming the driving force behind this nationally recognized effort.

Judge Wells has made a career of helping those who may find themselves on the wrong side of the criminal justice system. She has dedicated her life to serving and assisting these individuals. The "social worker in her" has made her an outstanding member of the Utah State Bar, an idol of many attorneys and an excellent choice for Judge of the Year.

**PARR BROWN
GEE & LOVELESS**

ATTORNEYS AT LAW

June 20, 2014

Utah State Bar Commissioners
c/o John Baldwin
645 South 200 East
Salt Lake City, Utah 84111

Dear Bar Commissioners:

We are pleased to nominate Judge Carolyn Baldwin McHugh for the 2014 Judge of the Year Award in recognition of her remarkable efforts and dedication throughout her career as a judge and lawyer. She exemplifies the highest standards of judicial conduct, integrity and independence, and has demonstrated unmatched dedication to the rule of law in society.

Her Path to the Court

The road to the United States Court of Appeals has been an interesting and challenging one for Judge McHugh. Before law school, she worked as a summer relief worker on an assembly line in a Chrysler auto plant in Detroit, Michigan. Worried that she might be a distraction to the other workers, she was assigned the least desirable and dirtiest job on the line--installing axles and working in the pit. She, nevertheless, persevered even after her roommates quit, and that tenacity has exemplified her career.

At the University of Utah College of Law Judge McHugh was elected to the editorial board of the Utah Law Review and graduated second in her class. She then served a prestigious clerkship with United States District Court Judge Bruce S. Jenkins, and became a valued member of the law firm now known as Parr Brown Gee & Loveless. Having entered the practice of law at a time when there were few women in Utah doing the same, Judge McHugh helped blaze a trail for the women who followed her. She has also worked long hours and weekends doing whatever it takes to do the best work she is capable of and she has set a high standard for excellence and dedication. That she was able to do all this while raising two children and becoming deeply involved in her community is a testament to Judge McHugh's rare legal talents as well as her compassion for others.

Despite her busy schedule, Judge McHugh has been a tireless advocate, representing women and children as a Guardian Ad Litem, serving as a board member of Catholic Community Charities, serving as Chair of the Utah State Bar Needs of Women and Children Committee, and serving as President and a member of the Board of Directors of Women Lawyers of Utah. Judge McHugh has also worked throughout her career to mentor young



lawyers. She is a woman of enormous compassion for those who are struggling; and she commits both her time and personal resources to help lighten their burden.

In recognition of her generous spirit and extraordinary career, Judge McHugh has been honored by the University of Utah as its Young Alumna of the Year; and in recognition of her service and mentorship of women in the legal profession, she received the Christine M. Durham Woman Lawyer of the Year Award in 2001 and the Dorathy Merrill Brothers Award in 2009. From those of us at the law firm who have had the privilege of knowing her and working with her for 22 years, she has our gratitude and deep affection.

Judge McHugh's Judicial Career

Judge McHugh was appointed to the Utah Court of Appeals by Governor Jon M. Huntsman, Jr., in August 2005, where she quickly became known as the can-do judge--volunteering to take on additional tasks and eventually becoming the Court's presiding judge. Judge McHugh takes great pride in her work and is often teased by her contemporaries as not needing law clerks because she writes (and re-writes) the vast majority of her opinions. She works tirelessly to ensure that the opinions she authors are well thought out, well written and correct. She also prepares diligently for all of the cases to which she is assigned, and goes out of her way to see that those who come before her are treated in a respectful manner.

In recognition of her talents as an appellate court judge, President Barack Obama appointed her to fill a vacancy on the United States Court of Appeals for the Tenth Circuit on January 6, 2014, and she was unanimously confirmed by the United States Senate on March 12, 2014. Although she is relatively new to that Court, she has approached her new responsibilities with the same diligence, thoughtfulness, and respect for the law that she has demonstrated throughout her career; and she has already won the respect and admiration of her new colleagues for her work ethic and her collegiality. Judge McHugh has been described by those who know her as "accomplished, brilliant and hardworking" and as "an extraordinary addition to the Tenth Circuit Court of Appeals."

It has been our privilege and pleasure to know and work with Judge McHugh throughout her legal career; and we urge the Utah State Bar to recognize and honor her with the 2014 Judge of the Year Award.

Respectfully submitted,



Bruce A. Maak



Patricia W. Christensen


(Heidi E.C. Leithead
Jenifer L. Tomchak



WOMEN LAWYERS of UTAH

June 20, 2014

2014-2015 Board

Susan B. Motschieder
President

Aida Neimarlija
Immediate Past President

Noella Sudbury
President-Elect

Kate Conyers
Treasurer

Diana Hagen
Secretary

Beth Kennedy
Career Advancement
Committee Chair

Melinda Hill
CLE Committee Chair

Sarah Starkey
Community Outreach
Committee Chair

Kimberly Neville
Life/Work Balance
Committee Chair

Jaelynn Jenkins
Membership Committee Chair

Ashley Peck
Publicity Committee Chair

Carrie Towner
Special Projects
Committee Chair

Angelina Tsu
Katy Strand
Regional Chapters Co-Chairs

Hon. Michelle Christiansen
Judicial Representative

Audrey Phillips
UMBA/YLD Representative

Patricia Christensen
Senior Bar Member
Representative

Nomination for Utah State Bar's 2014 Judge of the Year Award

Dear Utah Bar Commissioners:

Women Lawyers of Utah ("WLU") is thrilled to nominate Judge Carolyn B. McHugh for the Utah Judge of the Year Award.

Judge McHugh is eminently qualified for this Award. She has provided exceptional service to our legal community and she has made an enormous difference both practically and symbolically.

As is well known, Judge McHugh, formerly a Utah Court of Appeals Judge for almost a decade, has already been recognized both by the Utah Senators, the White House, and the United States Senate as highly capable and unique. On March 12, 2014, the United States Senate unanimously confirmed Judge McHugh to the Tenth Circuit Court of Appeals, the appellate court responsible for hearing federal cases from Utah, Colorado, Kansas, New Mexico, Oklahoma and Wyoming. Judge McHugh is the first woman from Utah to serve on the Tenth Circuit. United States Senator Orrin Hatch, current member and former Chairman of the U.S. Senate Judiciary Committee, recommended Judge McHugh's nomination to President Barak Obama. He repeated his praises of Judge McHugh on the Senate floor and said "I know a first-rate nominee when I see one."

Judge McHugh's professional background is truly impressive. She was appointed to Utah Court of Appeals by Governor Jon M. Huntsman, Jr. in 2005 and became the Presiding Judge of the court in 2010. Prior to her appointment to the Utah Court of Appeals, Judge McHugh was a partner at Parr, Brown, Gee & Loveless where she represented clients in complex civil litigation including antitrust, environmental, mortgage lending and securities fraud. She graduated in 1982 from the University of Utah College of Law as Order of the Coif, an honor given to the top ten percent of graduating students.

Judge McHugh was rated "unanimously well qualified" by the American Bar Association, the highest ranking the organization gives. She has received numerous distinguished awards during her legal career, including the Dorothy Merrill Brothers Award for the Advancement of Women in the Legal Profession, the Christine M. Durham Utah Woman Lawyer of the Year Award, and the University of Utah College of Law Young Alumna of the Year.

Judge McHugh has served as President of Women Lawyers of Utah in 1996 and was on the Board as the organization's Judicial Liaison from 2008 until 2010. For over twenty-five years, Judge McHugh has worked hard to help advance the cause of women in our profession, both publically and behind the scenes. She has also mentored many young attorneys and new judges, both male and female. Even when asked last minute, she almost always says yes when invited to speak to the groups at events or to meet with individual attorneys to share advice and encourage others to stay and grow in this profession. She continues to help plan and implement various programs for women lawyers. Judge McHugh has been particularly involved in the Women Lawyers of Utah's mission to advance women in the judiciary. Over the last two years, she was instrumental in assisting with some of WLU's key events, such as the half-day WLU Judicial Mentoring Seminar and then a Judicial Mentoring Social where she assisted with encouraging many prominent people from the community to attend the events and meet qualified women.

"[Judge McHugh] provided a fantastic example of what it meant to be a successful professional woman who also had interests outside the law, such as her two wonderful boys. She remains a dear friend and invaluable mentor," said Nicole Farrell, Judge McHugh's first law clerk at the Utah Court of Appeals.

Judge McHugh's former fellow Utah Court of Appeals Judge Michele Christiansen described Judge McHugh as "an extremely talented judge and a wonderful person and friend" who is "dedicated, intelligent, invested, kind, funny and generous." "Judge McHugh is one of the hardest working people I know," said Judge Christiansen. "She was usually the first person to arrive in the office in the morning, and I think her stellar and thorough opinions reflect her work ethic."

Also, as Utah Supreme Court Justice Christine Durham told WLU some months ago, Judge McHugh's "abilities and high standards will be a wonderful contribution to the Tenth Circuit. Her appointment is a 'first' worthy of celebration!"

Please contact us if we can be of any further assistance at 801-891-2772 or via email at smotschiedler@parsonsbehle.com.

Sincerely,



Susan B. Motschiedler
President
Women Lawyers of Utah

4580 South 2300 East
Holladay, UT 84117
June 18, 2014

John Baldwin
Executive Director
Utah State Bar
640 South 200 East
Salt Lake City, UT 84111

Re: Judge of the Year Nomination

Dear John:

It not too late, I wish to submit the name of Judge John R. Morris of the Second District for consideration by the Bar Commission as Judge of the Year. I believe that he is currently the Associate Presiding Judge for the Second District.

Judge Morris has been on the bench for about 10 years. I have had the opportunity to observe Judge Morris in action. In my opinion, the admirable qualities he possesses includes firm but compassionate, a willingness to listen, as well as a sense of humor and humanity. Additionally, his judicial assistant describes him as fair, patient with everyone including staff, and smart.

I also believe that he diligently works quietly behind the scenes to fulfill his responsibilities and is always prepared. If anything maybe the Second Division Commissioner can also shed some light about Judge Morris.

Sincerely,

Gus

Tab 7

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Committee of the Year Award Selection

Item: #2.4

Submitted by: John Baldwin

Meeting Date: June 12, 2015

ITEM/ISSUE:

To select the 2015 Committee of the Year Award recipient.

CRITERIA:

Presented to the Committee of the Utah State Bar that has made outstanding contributions of time and talents to Bar activities as well as provide outstanding services, programs and/or activities for Bar members and the public at large during the past year.

NOMINEES:

1. Disaster Legal Response Committee, 2014 Nominee (No supporting documentation.)

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
2014 Civics Education Committee	Disaster Legal Response Committee
2013 Budget and Finance Committee	
2012 Pro Bono Commission	
2011 Unauthorized Practice of Law	
2010 Bar Examiner Committee	
2009 New Lawyer Training Program	
2008 Admissions Committee	
2007 <i>Bar Journal</i> Committee	Unauthorized Practice of Law Committee, New Lawyer CLE Committee
2006 Ethics Advisory Opinion Committee	New Lawyer CLE Committee, Governmental Relations Committee, UPL Committee
2005 Governmental Relations Committee	
2004 Unauthorized Practice of Law Committee	
2003 Needs of the Elderly Committee	Client Security Fund Committee; Ethics Advisory Opinion Committee
2002 Character & Fitness Committee	Client Security Fund Committee
2001 No Award	
2000 Admissions Committee	
1999 Client Security Fund Committee	
1998 Courts & Judges Committee	
1997 UPL Committee	
1996 Need of Children Committee	
1995 Delivery of Legal Services Committee	
1994 Ethics Advisory Opinion Committee	
1993 Legislative Affairs Committee	
1992 Ethics & Discipline Committee	
1990 Bar Examiner Committee	

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Tab 8

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Section of the Year Award Selection

Item: #2.4

Submitted by: John Baldwin

Meeting Date: June 12, 2015

ITEM/ISSUE:

To select the 2015 Section of the Year Award recipient.

CRITERIA:

Presented to a section of the Utah State Bar that has made outstanding contributions of time and talents to Bar activities as well as provided outstanding services, programs and/or activities for Bar members and the public at large during the past year; given annually to recognize programs of the bar that serve the mission of being a united, inclusive organization serving the legal profession and the public.

NOMINEES:

1. Young Lawyers' Division, 2014 Nominee

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
2014 Intellectual Property Section	Young Lawyers' Division
2013 Solo, Small Firm, and Rural Practice Section	Appellate Practice Section, Juvenile Law Section, Young Lawyers' Division
2012 Estate Planning Section	Elder Law Section, Young Lawyers Division
2011 Elder Law Section, Young Lawyers Division	
2010 Military Law Section	
2009 Appellate Practice	Constitutional Law Section, Solo, Small Firm and Rural Practice Section
2008 Young Lawyers Division	Young Lawyers Division, Estate Planning Section, IP Section
2007 Paralegal Division	Banking and Finance Section
2006 Litigation Section	Banking & Finance Section, Paralegal Division
2005 ADR Section	
2004 Young Lawyers Division	
2003 Family Law Section	Governmental Law Section; Real Property Section; Young Lawyer's Division
2002 Young Lawyers Division	Real Property Section; Young Lawyer's Division; Governmental Law Section
2001 Legal Assistants Division	
1998 Legal Assistants Division	
1997 Young Lawyers Division	
1996 No Award	
1995 Litigation Section	
1994 No Award	
1993 Litigation Section	
1992 No Award	
1991 Family Law Section	
1990 Litigation Section	

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

May 30, 2014

To: John Baldwin and the Utah State Bar Commission:

Re: Nomination of Young Lawyers Division for a 2014 Utah State Bar Award

I would like to nominate the Utah Young Lawyers Division for the Section of the Year Award for 2014 or request that the Commission consider recognizing YLD with some type of recognition this year that would be appropriate.

For the past five years, I have been associated with the Young Lawyers Division (YLD) as a member of the Executive Board of the Utah Minority Bar Association. I have continually been impressed by the hard work, involvement, and participation by YLD members in sponsored events and programs overseen by the YLD. With approximately 2,000 members strong, this division is one of the most hardworking and active organizations within the Bar and I appreciate their service to the community and vision for the future.

Two of the outstanding service oriented programs administered by YLD are Serving our Seniors and Wills for Heroes. Through volunteer attorneys, Serving our Seniors provides free durable powers of attorney and advance health care directives for senior citizens in our community. Attorney volunteers attend a mandatory pre-event training which helps them be prepared to address relevant elder law issues. YLD also administers the Wills For Heroes Foundation, a statewide program to assist police officers, paramedics, firefighters, and other first responders prepare their wills and other estate planning documents. These two programs are of great benefit to our legal community and would not be possible without the efforts of YLD attorneys.

Since 1988, YLD and the Utah State Bar have sponsored the free legal advice program known as Tuesday Night Bar. Approximately 1,100 citizens meet with a volunteer attorney for a one-on-one consultation to help individuals be educated on their legal rights. Coordinating free legal clinics throughout the state and making sure the clinics are adequately staffed and ready to assist are another example of YLD's efforts to serve the community at large.

At a time when most YLD attorneys are striving to begin their legal careers, become established in the legal community, and grow their presence and practice, YLD attorneys are stepping up and contributing. You will find YLD helping fellow members feel connected to the Bar, addressing concerns and issues faced by members of the legal profession, promoting activities which assist lawyers in the practice of law, and working on improving the availability of legal services to the public. Their work and dedication is admirable and commendable.

For these reasons and many more, I urge the Commission to recognize and honor YLD this year with a Utah State Bar Award. For the past two years, a very detailed nomination packet was submitted on behalf of YLD for consideration as a recipient of the Section of the Year Award. I ask that these nomination packets be considered this year along with this personal letter of nomination.

Sincerely, Janise Macanas



Tab 9

AAA Steering Committee & Task Force

Steering Committee

- Justice Durham
- Committee Co-Chairs
- Angelina Tsu
- Rob Rice
- Justice Himonas
- Nancy Silvester (AOC Self-Represented Committee)

Legislature Committee

- Susanne Gustin – Co-Chair
- Michelle Mumford

Communications

- Phil Wormdahl – Co-Chair
- Sammi Anderson – Co-Chair

Non-Profit Legal Services Committee

- Shantelle Argyle
- Chris Nelson

Community Lawyering Committee

- Mary Jane Ciccarello
- Jared Hales

Law School Committee

- Jess Hofberger
- Jennie Garner

Tab 10

**UTAH STATE BAR
BOARD OF BAR COMMISSIONERS
MINUTES**

MAY 1, 2015

**MARRIOTT CITY CREEK
SALT LAKE CITY, UTAH**

- In Attendance:** President James D. Gilson, Commissioners: Steven Burt, H. Dickson Burton, Kenyon Dove, Heather Farnsworth, Mary Kay Griffin, Susanne Gustin, Hon. Michael Leavitt, John Lund and Rob Rice. (President-elect Angelina Tsu attended by telephone only for the item 3.2 discussion of Legal Access for Middle Class Committee.)
- Ex-Officio Members:** Nate Alder, Dean Robert Adler, Heather Allen, Curtis Jensen, Aida Neimarlija, Jesse Nix, Margaret Plane, Young Lawyers Representative Chris Wharton, and Supreme Court Liaison Tim Shea.
- Not in Attendance:** Janise Macanas, Herm Olsen and Tom Seiler. Ex-Officio Members: Katherine Judd, Dean James Rasband, Lawrence Stevens and Assistant Executive Director Richard Dibblee.
- Also in Attendance:** Executive Director John C. Baldwin, General Counsel Elizabeth A. Wright, Commissioner-elect Michelle Mumford, and Sean Toomey, Utah State Bar Communications Director.

Minutes: 9:15 a.m. start

1. President's Report:

- 1.1. **Report on Western States Bar Conference.** Jim Gilson and John Baldwin reported on the Western States Bar Conference that took place in Hawaii in March and the inherent value of meeting with other Bar leaders.
- 1.2. **Review Law Day Luncheon.** Young Lawyers President-elect Kyle Witherspoon encouraged Commissioners to attend the lunch and program at the Marriott immediately following the Commission Meeting.
- 1.3. **Report on Magna Carta Activities.** Jim Gilson summed up all of the Magna Carta activities and thanked all who made the events a success.
- 1.4. **Report on Meeting with Chief Justice Durrant.** Jim Gilson, Angelina Tsu and John Baldwin met with Justices Durrant and Lee. Tim Shea was also present. Among issues discussed, was Court's decision that the Committee established to study implantation of a LLLT program will be a Supreme Court Committee.

- 1.5. **Invitation to Jack Rabbit Bar.** This annual Bar meeting is for states that have Jack Rabbits. Utah is host this year. Commissioners were invited to attend on June 46-, 2015 in Park City.

2. Action Items:

- 2.1 **Reappointment of John Lund to Judicial Council.** After a discussion of John Lund's past efforts and value as the Bar Commission representative on the Judicial Council, **Mike Leavitt moved to re-appoint John Lund to serve as the Bar Commission representative on the Judicial Council. Susanne Gustin seconded the motion which passed unopposed.**

- 2.2 **Expand Fall Forum to Two Full Days.** Fall Forum 2015 Co-Chair Amy Fowler proposed that the Fall Forum be expanded to two full days. Historically the Fall Forum has been a one-day event. The Commission discussed the fact that the Fall Forum has become the best attended of the Bar's three conventions. The Bar also makes a small profit on the Fall Forum. There was a discussion of the cons of changing an event that is successful and the pros of using the Fall Forum's popularity to draw in a larger and more varied cross-section of Bar members. There was also a discussion of the budget considerations of almost doubling the cost of the event and whether or not there would be enough attendance to justify the added expense. Amy Fowler reported that the Co-chairs intend to seek sponsorships so they will not have to raise the registration fee. The Commission decided it did not have enough financial information to make an informed decision.

Mike Leavitt moved that the Commission be provided with financial information and, after reviewing the financial projections, have a telephonic meeting at 8:30 a.m. on May 15, 2015 to vote on whether or not to expand the Fall Forum to two full days. **John Lund seconded the motion which passed unopposed.**

4. Out of Order Information Items:

- 4.3 **Out of Order – Judicial Council: John Lund.** John Lund reported that the next Judicial Performance evaluation cycle begins this summer. The Council hopes to spread the word to the legal community about how the process works and the importance of the reviews. The Council intends to send a letter to all Bar members and have an article in the Bar Journal.

Council hopes to increase the salaries of Court Commissioners by 6%.

John reported that the Supreme Court Committee on Self-Represented Parties presented to the Judicial Council. John provided a handout with figures showing the large increase in self-represented parties from 2005 to 2014. John outlined the efforts the Committee is working on to increase legal assistance for self-represented people. The Commission noted the overlap of efforts on the part of the Bar and the Self-Represented Parties Committee and discussed ways to combine the efforts of the two.

3. Out of Order – Discussion Items

3.1 Convention and CLE Waiver. There was not time to discuss this subject. It will be moved to the next agenda.

3.2 Legal Access to Middle Class Committee. Angelina Tsu participated by phone for this portion of the meeting. Rob Rice provided a handout describing the purpose, goals and structure of the Committee and sub-committees. Rob explained the Committee has been established to explore and act on providing legal services to the middle class. January 1, 2016 is the deadline for the Committee to have a plan of action. Rob Rice and Angelina Tsu will Co-Chair the Committee. Justice Durham will be the Judicial Liaison. There will be four sub-committees. Rob explained each of the four subcommittees. The sub-committees are: 1. Open Legal Concept, 2. Community Lawyering, 3. Legislative and 4. Law School. The Commission had a lengthy discussion about the goals and tasks for each sub-committee. Web information about affordable legal services was deemed very important. The Commission also noted the importance of getting the legislature involved including possible funding.

Commissioners were charged with providing Rob Rice with the names of potential committee members by Wednesday, May 6th.

4. Out of Order Information Items:

4.1 Meetings With Congressional Delegations. Margaret Plane reported on the Utah American Bar Association Delegates' meetings with Utah's congressional delegation in Washington, D.C. Margaret and Paul Moxley attended. Among their goals was to encourage our congressmen to vote to fund legal services.

4.2 Performance Review Committee Reports. Reports are due the morning of July 17th and will be presented at the Commission Meeting on July 29, 2015 in Sun Valley.

4.4 Pro Bono Hours on Licensing Form. Commission unanimously voted to ask lawyers to voluntarily report pro bono hours on 2015-2016 licensing form.

HANDOUTS DISTRIBUTED AT MEETING:

1. Jack Rabbit Bar registration brochure.
2. Report of the Utah State Bar Lawyers' Fund for Client Protection.
3. Report on self-represented parties.
4. Affordable Legal Services Action Committee outline.

ADJOURNED: 11:55 p.m.

CONSENT AGENDA:

1. Approve Minutes of March 12, 2015 Commission Meeting.
2. Bar Applicants for Admission.
3. 2015-2016 Client Security Fund Assessment.

**UTAH STATE BAR
BOARD OF BAR COMMISSIONERS
MINUTES**

MAY 15, 2015

TELEPHONIC MEETING

In Attendance: President James D. Gilson and President-elect Angelina Tsu. Commissioners: H. Dickson Burton, Kenyon Dove, Heather Farnsworth, Susanne Gustin, Hon. Michael Leavitt, John Lund, Rob Rice, Tom Seiler and Ex Officio Member Curtis Jensen.

Also in Attendance: Executive Director John C. Baldwin, Assistant Executive Director Richard Dibblee, General Counsel Elizabeth A. Wright, CLE Director Connie Howard and Fall Forum Committee Chair Gabe White.

Minutes: 8:30 a.m. start

The 2015 Fall Forum Committee would like to expand the Fall Forum to two full days. Gabe White explained the proposed budget and the benefits and reasons for adding an additional day to the convention. The Fall Forum is a very popular convention for solo and small firm lawyers who make up a large percentage of the Bar. A two day convention would give those members a larger convention with more quality CLE presenters. The Fall Forum Committee proposes to make up the added cost of a two day convention with \$40,000 in sponsorships from firms and vendors and by reducing the number of complimentary registrations.

The Commissioners discussed the budget considerations of the proposal. They also discussed the implications of sponsorship in exchange for CLE presentation opportunities.

Rob Rice, Dickson Burton and Kenyon Dove agreed to serve on the 2015 Fall Forum Committee in order to develop and implement guidelines for sponsorships.

MOTION: Dickson Burton moved that the 2015 Fall Forum be expanded to two full days subject to the condition that **Rob Rice, Kenyon Dove and Dickson Burton** work with the Fall Forum Committee to develop and implement guidelines for sponsorship and sponsors who provide CLEs. **Kenyon Dove seconded the motion which passed with Tom Seiler opposed.**

HANDOUTS DISTRIBUTED BY EMAIL PRIOR TO MEETING:

1. Proposed budget for two day 2015 Fall Forum
2. Financial report for 2014 Fall Forum

ADJOURNED: 9:20 p.m.

Tab 11

UTAH STATE BAR
Budget and Finance Committee
Highlights of the April 2015 Financial Statements (Unaudited)

I. FINANCIAL STATEMENT HIGHLIGHTS

1. **Licensing:** Licensing revenue remains at 102% of the year to date budget with revenues totaling \$4,057,180 (exceeding total annual budget) and is \$81,480 over budget. Costs are under budget by \$6,519, a slight improvement over last month. A net of 130 attorneys remain suspended for failure to renew during the current year (1.1% of total attorneys). A summary of membership by status is attached.
2. **Admissions:** Revenue totals \$464,840 and is over year to date budget by \$26,538 but will likely decrease by year end. Expenses total \$393,094 and are \$11,137 under budget. The increase in revenue year to date is due primarily to an acceleration of recognition of receipt of admission fees (a timing issue), due to implementation of new computer software.
3. **NLTP:** Revenue is \$82,050 which is \$8,286 over budget. Year to date expenses total \$55,879 which is \$11,015 under budget. NLTP net revenue is \$30,671 which is favorably over budget by \$23,801.
4. **Gain/(Loss) on Investments and Interest Income:** Combined year to date gains, losses and interest income is \$26,429 which is \$12,177 over budget. Current purchases in the investment account are yielding between .1% and .5%. Expected interest income and gain on investments for the coming year are still expected to be negligible.
5. **Property Management:** Rent and other revenue totals \$242,048 which is \$3,962 under budget. Expenses are \$73,881 under budget. The net loss year to date is \$190,573 which is favorably under budget by \$69,919.

Year to date revenue through April contains approx. \$104,766 from room rentals which includes actual cash collected of approx. \$15,000 from third party and \$10,300 from Sections usage. The remaining \$79,400 room rental revenue is the non-cash value of donated 3rd party, departmental and related party room charges.
6. **CLE:** Revenue totals \$400,463 which is \$136,000 over budget. Expenses are \$50,499 over budget. CLE department net revenue year to date is favorably over budget by \$85,500. The increase in revenue year to date is also due primarily to an acceleration of revenue recognition (timing issue), due to implementation of new computer software.
7. **Summer Convention:** Net loss year to date remains at \$114,162 and is unfavorably over budget by \$83,256.
8. **Fall Forum:** Net revenue year to date is \$14,868 and is favorably over budget by \$23,327.
9. **Spring Convention:** Year to date revenue totals \$124,033 and is \$22,169 under budget. Expenses total \$93,907 and are under budget by \$29,385. Net revenue is \$30,126 and is favorably over budget by \$7,216.
10. **Bar Journal:** Bar Journal revenue is \$4,757 under budget. Expenses are \$2,950 under

9:00 AM
05/15/15
Accrual Basis

Utah State Bar Balance Sheet As of April 30, 2015

	Apr 30, 15	Mar 31, 15	Apr 30, 14
ASSETS			
Current Assets			
Checking/Savings			
1010 • Petty Cash	625	625	625
1011 • Cash In Bank	101,888	(78,748)	60,305
1060 • ILM Invested Funds Market Value	3,454,100	3,841,816	3,003,073
Total Checking/Savings	3,556,612	3,763,693	3,064,003
Accounts Receivable			
1071 • Accounts receivable	(16,156)	6,896	(9,595)
Total Accounts Receivable	(16,156)	6,896	(9,595)
Other Current Assets			
1070a • Other Accounts Receivable	1,305	1,522	379
1089 • Unbilled tenant costs	14,808	21,011	17,978
1100 • Prepaid Expense	83,072	77,129	107,285
1919 • Section ILM net earn recvble	5,920	5,792	5,031
1920 • A/R - Section Funds	22,123	41,524	30,461
Total Other Current Assets	127,229	146,976	161,134
Total Current Assets	3,667,685	3,917,567	3,215,542
Fixed Assets			
1500 • Property & Equipment	4,590,579	4,557,475	4,313,523
1550 • Accumulated Depreciation	(3,337,789)	(3,318,232)	(3,125,044)
1600 • Land	633,142	633,142	633,142
Total Fixed Assets	1,885,933	1,872,385	1,821,621
TOTAL ASSETS	5,553,618	5,789,952	5,037,164
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Accounts Payable			
2001 • A/P - Trade	424	6,674	
Total Accounts Payable	424	6,674	
Other Current Liabilities			
2910 • A/P - Sections Meeting revenue	10,371	1,185	
2010 • Other Accounts Payable	18,996	8,417	15,828
2100 • Accrued Payables	319,215	314,621	331,936
2350 • Capital Lease Obligations-ST	3,069	3,069	2,710
2920 • A/P - Section Funds	4,635	3,585	4,760
Total Other Current Liabilities	356,286	330,877	355,233
Total Current Liabilities	356,710	337,551	355,233
Long Term Liabilities			
2400 • Capital lease obligations	3,288	3,288	6,356
3000 • Deferred Revenues/Expenses	35,413		7,250
Total Long Term Liabilities	38,700	3,288	13,606
Total Liabilities	395,410	340,839	368,840
Equity			
3500 • Unrestricted Net Assets (R/E)	4,063,712	4,063,712	3,698,625
Net Income	1,094,496	1,385,401	969,699
Total Equity	5,158,208	5,449,113	4,668,324
TOTAL LIABILITIES & EQUITY	5,553,618	5,789,952	5,037,164

Utah State Bar
Summary Income Statement
April 30, 2015

	4/30/2015			Year to Date			YTD %	2014/15	Budget
	Actual	Budget	Variance Fav/(Unfav)	Actual	Budget	Variance Fav/(Unfav)	of Ttl Bdgt	Total Budget	Budget Remaining
Revenue									
Licensing	\$ 10,920	\$ 9,408	\$ 1,512	\$ 4,057,180	\$ 3,975,700	\$ 81,480	101.5	\$ 3,998,400	\$ (58,780)
Admissions	27,840	75,744	(47,904)	464,840	438,302	26,538	102.2	454,900	(9,940)
NLTP	4,500	-	4,500	86,550	73,764	12,786	101.5	85,300	(1,250)
Mgt - Service	5,121	4,407	714	23,833	11,489	12,344	198.6	12,000	(11,833)
In Kind Revenue	52	141	(89)	1,758	2,106	(348)	67.6	2,600	842
Mgt - Interest & Gain	3,327	1,425	1,902	26,429	14,252	12,177	154.8	17,100	(9,329)
Property Mgt	31,498	23,253	8,245	242,048	246,010	(3,962)	77.3	312,952	70,904
OPC	15	8,237	(8,222)	4,459	12,620	(8,161)	38.4	11,600	7,141
CMIS/Internet	-	-	-	-	500	(500)	-	500	500
CLE	93,577	28,391	65,186	400,463	264,463	136,000	98.8	405,200	4,737
Summer Convention	475	-	475	115,623	150,600	(34,977)	76.8	150,600	34,977
Fall Forum	295	-	295	99,787	88,200	11,587	113.1	88,200	(11,587)
Spring Convention	2,170	1,324	846	124,033	148,202	(22,169)	86.0	145,900	21,867
Bar Journal	1,783	6,495	(4,712)	111,465	116,222	(4,757)	79.8	139,600	28,135
Committees	3,570	200	3,370	3,930	1,000	2,930	393.0	1,000	(2,930)
Member Benefits	833	1,067	(234)	3,140	11,535	(8,395)	26.4	11,900	8,760
Section Support	-	-	-	-	-	-	-	92,281	92,281
Access to Justice	1,375	906	469	13,145	8,331	4,814	128.9	10,200	(2,945)
Commission/Sp Proj	3,005	-	3,005	13,240	7,300	5,940	181.4	7,300	(5,940)
Young Lawyers Division	1,060	-	1,060	2,048	100	1,948	###	100	(1,946)
Total Revenue	\$ 191,416	\$ 160,998	\$ 30,418	\$ 5,793,969	\$ 5,568,696	\$ 225,273	97.4	\$ 5,947,633	\$ 153,664
Expenses			(Fav)/Unfav			(Fav)/Unfav			
Licensing	6,471	10,267	(3,796)	101,091	107,610	(6,519)	54.0	187,045	85,954
Admissions	26,516	55,515	(28,999)	393,094	404,231	(11,137)	82.9	474,411	81,317
NLTP	5,397	7,212	(1,815)	55,879	66,894	(11,015)	68.9	81,074	25,195
Bar Mgt	52,765	54,293	(1,528)	606,199	645,391	(39,192)	88.5	685,117	78,918
Property Mgt	47,868	67,211	(19,343)	432,621	506,502	(73,881)	80.6	537,392	104,771
OPC	94,103	102,430	(8,327)	1,006,089	998,966	7,123	83.5	1,204,272	198,183
General Counsel	16,310	48,112	(31,802)	170,958	218,289	(47,331)	65.9	259,529	88,571
Computer/MIS/Internet	15,952	14,130	1,822	160,934	148,281	12,653	91.2	176,437	15,503
CLE	43,375	34,448	8,927	305,461	254,962	50,499	82.1	372,144	66,683
Summer Convention	2,567	4,203	(1,636)	229,788	181,506	48,282	122.9	188,979	(42,807)
Fall Forum	1,180	970	210	84,919	96,659	(11,740)	86.7	97,983	13,044
Spring Convention	46,445	59,830	(13,385)	93,907	123,292	(29,385)	76.0	123,598	29,691
Bar Journal	10,646	14,076	(3,430)	150,089	153,039	(2,950)	81.0	185,181	35,092
Committees	2,137	4,306	(2,169)	98,689	102,653	(3,964)	89.0	110,903	12,214
Member Benefits	12,071	17,710	(5,639)	126,529	130,422	(3,893)	84.7	149,320	22,791
Section Support	8,342	9,249	(2,907)	63,722	78,876	(13,154)	69.1	92,281	28,559
Consumer Assistance	8,533	5,828	2,705	78,603	57,363	21,240	114.1	68,879	(9,724)
Access to Justice	14,417	16,823	(2,406)	136,894	153,103	(16,209)	74.1	184,705	47,811
Tuesday Night Bar	3,200	4,021	(821)	29,093	33,133	(4,040)	71.4	40,765	11,672
Legislative	-	94	(94)	67,781	71,524	(3,743)	94.6	71,842	3,881
Commission/Sp. Proj	53,782	21,192	32,570	192,356	164,278	28,078	108.4	177,475	(14,881)
Public Education	7,953	10,041	(2,088)	79,617	90,094	(10,477)	48.1	165,365	85,748
Young Lawyers Division	4,311	3,858	453	35,182	45,417	(10,235)	62.7	56,100	20,918
Total Expenses	\$ 482,321	\$ 565,819	\$ (83,498)	\$ 4,699,473	\$ 4,828,485	\$ (129,012)	82.6	\$ 5,688,577	\$ 989,104
Net Revenue/(Expense)	\$ (290,905)	\$ (404,821)	\$ 113,916	\$ 1,094,496	\$ 740,211	\$ 354,285		\$ 259,056	\$ (835,440)
Add: Depreciation	19,556	30,331	(10,775)	158,367	171,705	(13,338)		165,458	
Cash Increase/(Decrease) from Operations	\$ (271,349)	\$ (374,490)	\$ 103,141	\$ 1,252,863	\$ 911,916	\$ 340,947		\$ 424,514	
Other Uses of Cash									
Change in Assets/Liabilities	38,907	38,907	-	(241,617)	(241,617)	-			
Capital Expenditures	33,104	10,417	22,687	218,665	125,000	93,665		125,000	\$ (93,665)
Net Change In Cash	\$ (265,546)	\$ (346,000)	\$ 80,454	\$ 792,581	\$ 545,299	\$ 247,282		\$ 299,514	

Utah State Bar

CM and YTD Budget vs Actual, Dept 01 - Licensing

April 2015

Ordinary Income/Expense	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Income									
4010 - Administrative Fees - Sections	0	0	0	0%	23,085	23,000	85	100%	23,000
4021 - Lic Fees > 3 Years	1,550	3,164	(1,614)	49%	3,298,495	3,236,389	62,096	102%	3,239,600
4022 - Lic Fees < 3 Years	250	147	103	170%	279,290	293,117	(13,827)	95%	293,800
4023 - Lic Fees - House Counsel	0	0	0	0%	20,700	18,600	1,900	110%	18,800
4025 - Pro Hac Vice Fees	7,000	3,182	3,818	220%	61,750	43,917	17,833	141%	54,100
4026 - Lic Fees - inactive/FS	(450)	153	(603)	(294)%	109,530	113,549	(4,019)	96%	113,700
4027 - Lic Fees - inactive/NS	420	107	313	393%	180,340	173,374	6,966	104%	173,800
4029 - Prior Year Lic Fees	0	250	(250)	0%	0	7,371	(7,371)	0%	9,200
4030 - Certs of Good Standing	1,690	1,566	124	108%	21,775	19,522	2,253	112%	24,500
4095 - Miscellaneous Income	35	151	(116)	23%	500	2,626	(2,126)	19%	2,800
4096 - Late Fees	425	688	(263)	62%	61,725	44,035	17,690	140%	45,000
Total Income	10,920	9,408	1,512	116%	4,057,180	3,975,700	81,480	102%	3,998,400
Gross Profit	10,920	9,408	1,512	116%	4,057,180	3,975,700	81,480	102%	3,998,400
Expense									
5500 - Salaries/Benefits	2,668	5,021	(2,353)	53%	42,754	36,881	5,873	116%	50,071
5510 - Salaries/Wages	197	358	(161)	55%	3,168	2,570	598	123%	3,505
5605 - Payroll Taxes	483	199	284	243%	4,764	2,365	2,399	201%	2,960
5610 - Health Insurance	30	19	11	159%	303	185	118	164%	246
5630 - Dental Insurance	49	17	32	287%	526	170	356	309%	195
5640 - Life & LTD Insurance	267	517	(250)	52%	4,207	3,673	534	115%	5,007
5650 - Retirement Plan Contributions	0	0	0	0%	640	229	411	280%	575
5655 - Retirement Plan Fees & Costs	0	0	0	0%	0	0	0	0%	0
Total 5500 - Salaries/Benefits	3,693	6,131	(2,438)	60%	56,362	46,073	10,289	122%	62,559
7000 - General & Admin	0	0	0	0%	945	174	771	543%	500
7025 - Office Supplies	33	56	(23)	59%	6,478	8,010	(1,532)	61%	15,300
7035 - Postage/Mailing, net	2,729	0	2,729	100%	3,075	936	2,139	329%	7,300
7040 - Copy/Printing Expense	0	0	0	0%	690	1,500	(810)	46%	1,500
7050 - Computer Maintenance	0	0	0	0%	270	0	270	100%	0
7055 - Computer Supplies & Small Equip	0	3,352	(3,352)	0%	14,600	15,081	(481)	97%	18,432
7089 - Membership Database Fees	77	87	(10)	89%	1,052	1,047	5	100%	1,221
7100 - Telephone	(643)	53	(696)	(1,214)%	12,794	29,870	(17,076)	43%	74,000
7140 - Credit Card Merchant Fees	129	0	129	100%	418	500	(82)	84%	500
7170 - Lobbying Rebates	0	0	0	0%	0	100	(100)	0%	100
7195 - Other Gen & Admin Expense	0	0	0	0%	0	0	0	0%	0
Total 7000 - General & Admin	2,325	3,548	(1,223)	66%	40,323	57,218	(16,895)	70%	118,853
8000 - Building Overhead	28	33	(5)	85%	355	363	(8)	98%	441
6015 - Janitorial Expense	27	32	(5)	85%	295	291	4	101%	332
6020 - Heat	48	101	(53)	47%	566	616	(50)	92%	750
6025 - Electricity	4	4	(0)	88%	49	64	(15)	77%	77
6030 - Water/Sewer	0	10	(10)	0%	251	165	86	152%	181
6035 - Outside Maintenance	0	16	(16)	0%	58	382	(324)	15%	443
6040 - Building Repairs	59	83	(24)	71%	436	666	(230)	64%	829
6045 - Bldg Mtncs Contracts	0	0	0	100%	24	4	20	116%	40
6050 - Bldg Mtncs Supplies	15	17	(2)	89%	153	157	(4)	97%	191
6065 - Bldg Insurance/Fees	65	100	(35)	65%	649	611	38	106%	809
6070 - Building & Improvements Depre									

Utah State Bar
CM and YTD Budget vs Actual, Dept 02 - Admissions
April 2015

Ordinary Income/Expense	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Income									
4001 - Admissions - Student Exam Fees	4,675	26,190	(21,515)	18%	168,500	182,564	(14,064)	92%	179,200
4002 - Admissions - Attorney Exam Fees	(2,550)	14,333	(16,883)	(18)%	69,225	59,503	9,722	116%	58,200
4003 - Admissions - Retake Fees	2,500	4,440	(1,940)	56%	31,125	27,143	3,982	115%	33,600
4004 - Admissions - Laptop Fees	1,500	9,965	(8,465)	15%	63,050	62,245	805	101%	64,700
4005 - Admissions - Application Forms	0	50	(50)	0%	25	100	(75)	25%	100
4006 - Transfer App Fees	3,650	2,470	1,180	148%	28,050	27,082	968	104%	30,700
4008 - Attorney - Motion	9,000	4,985	4,015	181%	58,500	44,152	14,348	132%	52,700
4009 - House Counsel	2,550	850	1,700	300%	10,200	6,800	3,400	150%	6,800
4095 - Miscellaneous Income	115	61	54	189%	965	1,513	(548)	64%	1,700
4096 - Late Fees	6,400	12,400	(6,000)	52%	35,200	27,200	8,000	129%	27,200
Total Income	27,840	75,744	(47,904)	37%	464,840	438,302	26,538	106%	454,900
Gross Profit	27,840	75,744	(47,904)	37%	464,840	438,302	26,538	106%	454,900
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	0	0	0	0%	10,703	6,772	3,931	158%	10,300
5002 - Meeting facility-internal only	88	138	(51)	63%	5,813	4,827	986	120%	6,200
5013 - ExamSoft	0	7,460	(7,460)	0%	19,735	25,700	(5,965)	77%	25,700
5014 - Questions	0	16,062	(16,062)	0%	44,180	56,000	(11,820)	79%	56,000
5015 - Investigations	1,045	1,525	(480)	69%	10,007	9,341	666	107%	12,400
5016 - Credit Checks	72	759	(688)	9%	1,063	1,648	(585)	65%	2,000
5017 - Medical Exam	0	0	0	0%	975	150	825	650%	300
5025 - Temp Labor/Proctors	0	0	0	0%	5,050	6,900	(1,850)	73%	6,900
5046 - Court Reporting	0	0	0	0%	190	80	110	238%	200
5070 - Equipment Rental	0	0	0	0%	1,181	800	381	148%	800
5075 - Food & Bev-external costs only	0	0	0	0%	2,707	5,968	(3,261)	45%	8,000
5076 - Food & beverage - internal only	351	271	80	129%	7,175	9,029	(1,854)	79%	10,400
5085 - Misc. Program Expense	0	0	0	0%	0	400	(400)	0%	400
5700 - Travel									
5702 - Lodging	0	0	0	0%	1,322	890	432	149%	1,500
5703 - Transportation	0	122	(122)	0%	1,671	952	719	176%	1,200
5704 - Mileage Reimbursement	0	0	0	0%	92	700	(608)	13%	700
5705 - Per Diems	0	0	0	0%	1,035	768	267	135%	1,100
Total 5700 - Travel	0	122	(122)	0%	4,120	3,310	810	124%	4,500
Total 5000 - Program Services Expense	1,555	26,337	(24,782)	6%	112,898	130,925	(18,027)	86%	144,100
5500 - Salaries/Benefits									
5510 - Salaries/Wages	17,511	17,547	(36)	100%	188,491	185,250	3,241	102%	222,472
5605 - Payroll Taxes	1,343	1,250	93	107%	14,139	12,851	1,288	110%	15,573
5610 - Health Insurance	1,449	1,279	170	113%	14,291	15,197	(907)	94%	17,758
5630 - Dental Insurance	91	125	(34)	73%	908	1,230	(322)	74%	1,478
5640 - Life & LTD Insurance	131	140	(9)	94%	1,414	1,400	14	101%	1,575
5650 - Retirement Plan Contributions	1,704	1,795	(91)	95%	17,835	18,229	(394)	98%	22,247
5655 - Retirement Plan Fees & Costs	0	523	(523)	0%	1,680	2,028	(348)	83%	2,554
5660 - Training/Development	0	0	0	0%	15	100	(85)	15%	100
Total 5500 - Salaries/Benefits	22,230	22,659	(429)	98%	238,772	236,285	2,487	101%	283,757

Utah State Bar

CM and YTD Budget vs Actual, Dept 03 - NLTP

April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4020 - NLTP Fees	4,500	0	4,500	100%	86,550	73,764	12,786	117%	85,600
4200 - Seminar Profit/Loss	0	0	0	0%	0	0	0	0%	(300)
Total Income	4,500	0	4,500	100%	86,550	73,764	12,786	117%	85,300
Gross Profit	4,500	0	4,500	100%	86,550	73,764	12,786	117%	85,300
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	0	0	0	0%	0	585	(585)	0%	1,000
5002 - Meeting facility-internal only	88				1,715	0	1,715	100%	0
5075 - Food & Bev-external costs only	1,046	671	375	156%	1,256	1,200	56	105%	1,200
5076 - Food & beverage - internal only	12	0	12	100%	2,462	496	1,966	496%	800
5079 - Soft Drinks	0				144				
5085 - Misc. Program Expense	0				51				
5700 - Travel									
5702 - Lodging	0				62	0	62	100%	0
5703 - Transportation	0	0	0	0%	0	366	(366)	0%	800
5704 - Mileage Reimbursement	0	0	0	0%	383	600	(217)	64%	600
5705 - Per Diems	0	0	0	0%	0	300	(300)	0%	300
5700 - Travel - Other	0				160				
Total 5700 - Travel	0	0	0	0%	606	1,266	(660)	48%	1,700
Total 5000 - Program Services Expense	1,145	671	474	171%	6,234	3,547	2,687	176%	4,700
5500 - Salaries/Benefits									
5510 - Salaries/Wages	2,792	4,375	(1,583)	64%	33,536	39,931	(6,395)	84%	48,240
5605 - Payroll Taxes	272	314	(42)	87%	2,996	2,760	236	109%	3,377
5610 - Health Insurance	483	493	(10)	98%	4,294	4,930	(636)	87%	5,919
5630 - Dental Insurance	30	41	(11)	74%	242	411	(169)	59%	493
5640 - Life & LTD Insurance	35	45	(10)	78%	360	450	(90)	80%	503
5650 - Retirement Plan Contributions	0	429	(429)	0%	361	3,987	(3,626)	9%	4,823
5655 - Retirement Plan Fees & Costs	0	112	(112)	0%	0	421	(421)	0%	554
5660 - Training/Development	0	0	0	0%	30	100	(70)	30%	100
Total 5500 - Salaries/Benefits	3,612	5,809	(2,197)	62%	41,818	52,990	(11,172)	79%	64,009
7000 - General & Admin									
7025 - Office Supplies	0	0	0	0%	95	577	(482)	16%	600
7035 - Postage/Mailing, net	3	6	(3)	56%	67	165	(98)	41%	200
7040 - Copy/Printing Expense	1	144	(143)	1%	1,676	3,557	(1,881)	47%	4,100
7100 - Telephone	42	44	(2)	96%	572	522	50	110%	611
7120 - Membership/Dues	0	0	0	0%	290	700	(410)	41%	700
7140 - Credit Card Merchant Fees	122	0	0	0%	560				
7195 - Other Gen & Adm Expense	0	0	0	0%	0	300	(300)	0%	400
Total 7000 - General & Admin	168	194	(26)	87%	3,260	5,821	(2,561)	56%	6,611

Utah State Bar

CM and YTD Budget vs Actual, Dept 04 - Bar Management

April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr ...	YTD Budget	\$ Over Budget	% of Budget	Annual Bud...
Ordinary Income/Expense									
Income									
4050 - E-Filing Revenue	5,051	4,147	904	122%	22,981	9,000	13,981	255%	9,000
4095 - Miscellaneous Income	70	260	(190)	27%	852	2,489	(1,637)	34%	3,000
4103 - In - Kind Revenue - UDR	52	141	(89)	37%	1,758	2,106	(348)	83%	2,600
4150 - Investment Income									
4151 - ILM Realized Gains / Losses	8,636	750	7,886	1,151%	54,283	7,500	46,783	724%	9,000
4152 - ILM Interest Income	3,192	500	2,692	638%	(3,925)	5,000	(8,925)	(78)%	6,000
4153 - ILM Unrealized Gains / Losses	(8,507)	167	(8,674)	(5,094)%	(23,993)	1,670	(25,663)	(1,437)%	2,000
4155 - General Interest Income	6	8	(2)	69%	64	82	(18)	78%	100
Total 4150 - Investment Income	3,327	1,425	1,902	233%	26,429	14,252	12,177	185%	17,100
Total Income	8,499	5,973	2,526	142%	52,020	27,847	24,173	187%	31,700
Gross Profit	8,499	5,973	2,526	142%	52,020	27,847	24,173	187%	31,700
Expense									
5000 - Program Services Expense									
5002 - Meeting facility-internal only	88	99	(12)	88%	875	902	(27)	97%	1,000
5035 - Awards	0	0	0	0%	0	1,200	(1,200)	0%	1,200
5063 - Special Event Expense	0	0	0	0%	237	1,500	(1,263)	16%	1,500
5075 - Food & Bev-external costs only	0	33	(33)	0%	1,828	2,187	(359)	84%	3,400
5076 - Food & beverage - internal only	0	0	0	0%	0	4,200	(4,200)	0%	4,200
5079 - Soft Drinks	287	0	287	100%	3,000	0	3,000	100%	0
5700 - Travel									
5702 - Lodging	0	1,199	(1,199)	0%	134	0	134	100%	0
5703 - Transportation	0	0	0	100%	1,934	3,107	(1,173)	62%	3,200
5704 - Mileage Reimbursement	15	0	15	0%	40	0	40	100%	0
5705 - Per Diems	0	360	(360)	0%	145	800	(655)	18%	800
Total 5700 - Travel	15	1,559	(1,544)	1%	2,253	3,907	(1,654)	58%	4,000
5805 - ABA Annual Meeting	0	0	0	0%	2,488	3,246	(760)	77%	4,000
5810 - ABA Mid Year Meeting	0	782	(782)	0%	302	1,400	(1,098)	22%	1,400
5830 - Western States Bar Conference	1,423	929	494	153%	3,803	3,879	(76)	98%	3,800
Total 5000 - Program Services Expense	1,812	3,402	(1,590)	53%	14,783	22,421	(7,638)	66%	24,500
5500 - Salaries/Benefits									
5510 - Salaries/Wages	37,046	24,221	12,825	153%	358,963	337,671	21,292	106%	413,588
5605 - Payroll Taxes	2,829	2,353	476	120%	25,039	23,853	1,186	105%	28,931
5610 - Health Insurance	2,406	1,777	629	135%	23,655	23,248	407	102%	26,638
5630 - Dental Insurance	153	172	(19)	89%	1,474	1,890	(416)	78%	2,217
5640 - Life & LTD Insurance	275	326	(51)	84%	2,979	3,256	(277)	92%	3,684
5645 - Workman's Comp Insurance	862	507	155	131%	6,623	5,070	1,553	131%	6,458
5650 - Retirement Plan Contributions	3,535	2,972	563	119%	36,542	35,522	1,020	103%	41,359
5655 - Retirement Plan Fees & Costs	0	1,007	(1,007)	0%	5,356	3,846	1,510	139%	4,748
5660 - Training/Development	0	0	0	0%	0	2,000	(2,000)	0%	2,000
66000 - Payroll Expenses	(0)	0	(0)	100%	(0)	0	(0)	100%	0
Total 5500 - Salaries/Benefits	46,905	33,335	13,570	141%	460,631	436,356	24,275	106%	529,643
7000 - General & Admin									
7025 - Office Supplies	43	1,100	(1,057)	4%	2,935	5,306	(2,371)	55%	6,500
7035 - Postage/Mailing, net	84	137	(53)	61%	976	1,014	(38)	96%	1,200
7040 - Copy/Printing Expense	60	276	(216)	22%	6,240	9,445	(3,205)	66%	9,800

Utah State Bar
CM and YTD Budget vs Actual, Dept 05 - Property Management
April 2015

Ordinary Income/Expense	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Income									
4039 - Room Rental-All parties	9,658	10,227	(570)	94%	104,766	103,648	1,118	101%	130,500
4042 - Food & Beverage Rev-All Parties	19,596	12,411	7,185	158%	116,475	119,750	(3,275)	97%	154,000
4043 - Setup & A/V charges-All parties	438	615	(177)	71%	4,483	5,738	(1,255)	78%	7,300
4090 - Tenant Rent	1,806	0	1,806	100%	16,254	16,674	(420)	97%	20,952
4095 - Miscellaneous Income	0	0	0	0%	70	200	(130)	35%	200
Total Income	31,498	23,253	8,245	135%	242,048	246,010	(3,962)	98%	312,952
Gross Profit	31,498	23,253	8,245	135%	242,048	246,010	(3,962)	98%	312,952
Expense									
5000 - Program Services Expense									
5070 - Equipment Rental	438	365	73	120%	3,723	2,711	1,012	137%	4,200
5075 - Food & Bev-external costs only	14,214	12,117	2,097	117%	103,388	96,830	6,558	107%	134,900
5079 - Soft Drinks	1,088	229	859	475%	6,277	1,941	4,336	323%	3,900
5700 - Travel	0	0	0	0%	0	0	0	0%	100
5704 - Mileage Reimbursement	0	0	0	0%	0	0	0	0%	100
Total 5700 - Travel	0	0	0	0%	0	0	0	0%	100
Total 5000 - Program Services Expense	15,740	12,711	3,029	124%	113,387	101,482	11,905	112%	143,100
5500 - Salaries/Benefits									
5510 - Salaries/Wages	6,984	7,266	(282)	96%	78,927	78,397	530	101%	93,104
5605 - Payroll Taxes	528	535	(7)	99%	6,853	5,484	1,369	125%	6,517
5610 - Health Insurance	966	737	229	131%	8,587	9,259	(672)	93%	11,838
5630 - Dental Insurance	61	77	(16)	79%	545	761	(216)	72%	985
5640 - Life & LTD Insurance	65	66	(1)	98%	596	660	(64)	90%	792
5650 - Retirement Plan Contributions	380	759	(379)	50%	6,765	7,879	(1,114)	86%	9,310
5655 - Retirement Plan Fees & Costs	0	211	(211)	0%	573	856	(283)	67%	1,069
Total 5500 - Salaries/Benefits	8,984	9,651	(667)	93%	102,846	103,296	(450)	100%	123,615
7000 - General & Admin									
7025 - Office Supplies	212	14	198	1,515%	3,289	2,344	945	140%	3,800
7033 - Operating Meeting Supplies	2,148	1,868	280	115%	17,871	15,341	2,530	116%	19,600
7035 - Postage/Mailing, net	4,277	23,725	(19,448)	18%	9,987	60,517	(50,530)	17%	10,700
7040 - Copy/Printing Expense									
4094 - Copy/Print revenue	(2,347)	(2,666)	319	88%	(18,508)	(17,905)	(603)	103%	(22,200)
7040 - Copy/Printing Expense - Other	301	(2,760)	3,061	(11)%	1,373	5,187	(3,814)	26%	(1,200)
Total 7040 - Copy/Printing Expense	(2,046)	(5,426)	3,380	38%	(17,135)	(12,718)	(4,417)	135%	(23,400)
7055 - Computer Supplies & Small Equip	0	0	0	0%	173	500	(327)	35%	500
7100 - Telephone	244	308	(64)	79%	3,031	2,540	491	119%	3,055
7135 - Bank Service Charges	0	0	0	0%	0	83	(62)	26%	100
7140 - Credit Card Merchant Fees	0	0	0	0%	435	1,000	(565)	44%	1,000
7175 - O/S Consultants	0	0	0	0%	0	120	(120)	0%	2,496
7190 - Lease Interest Expense	0	0	0	0%	0	156	(156)	136%	235
7191 - Lease Sales Tax Expense	0	0	0	0%	212	56	(156)	26%	18,086
Total 7000 - General & Admin	4,835	20,489	(15,654)	24%	17,884	69,883	(51,999)	26%	18,086

Utah State Bar
CM and YTD Budget vs Actual, Dept 06 - OPC
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4095 - Miscellaneous Income	15	251	(236)	6%	1,367	1,576	(209)	87%	1,800
4200 - Seminar Profit/Loss	0	7,986	(7,986)	0%	3,092	11,044	(7,952)	28%	9,800
Total Income	15	8,237	(8,222)	0%	4,459	12,620	(8,161)	35%	11,600
Gross Profit	15	8,237	(8,222)	0%	4,459	12,620	(8,161)	35%	11,600
Expense									
5000 - Program Services Expense									
5002 - Meeting facility-internal only	578	368	210	157%	2,975	3,162	(187)	94%	3,900
5015 - Investigations	12	0	0	0%	12	2,547	(1,385)	46%	2,600
5040 - Witness & Hearing Expense	0	153	(62)	59%	556	552	4	101%	700
5041 - Process Serving	91	0	0	0%	160	500	(340)	32%	500
5070 - Equipment Rental	0	0	0	0%	243	200	43	121%	200
5075 - Food & Bev-external costs only	0	0	0	0%	3,898	2,291	1,607	170%	2,800
5076 - Food & beverage - internal only	354	251	103	141%					
5700 - Travel									
5702 - Lodging	0	207	(207)	0%	5,556	5,100	456	109%	5,100
5703 - Transportation	184	87	97	212%	4,138	445	3,693	930%	500
5704 - Mileage Reimbursement	0	76	(76)	0%	2,353	267	2,086	881%	300
5705 - Per Diems	0	(64)	64	0%	2,408	3,100	(692)	78%	3,100
Total 5700 - Travel	184	306	(122)	60%	14,454	8,912	5,542	162%	9,000
5805 - ABA Annual Meeting	0	0	0	0%	3,884	1,000	2,884	388%	1,000
Total 5000 - Program Services Expense	1,218	1,078	140	113%	27,344	19,164	8,180	143%	20,700
5500 - Salaries/Benefits									
5510 - Salaries/Wages	63,322	65,116	(1,794)	97%	648,018	659,357	(11,339)	98%	791,887
5605 - Payroll Taxes	4,968	4,864	104	102%	47,383	46,071	1,312	103%	55,432
5610 - Health Insurance	5,843	4,062	1,781	144%	55,038	49,934	5,104	110%	59,195
5630 - Dental Insurance	381	395	(14)	95%	3,626	4,033	(407)	90%	4,926
5640 - Life & LTD Insurance	523	557	(34)	94%	5,505	5,531	(26)	100%	6,235
5650 - Retirement Plan Contributions	5,572	6,157	(585)	90%	57,597	67,072	(9,475)	86%	79,189
5655 - Retirement Plan Fees & Costs	0	1,823	(1,823)	0%	5,608	7,289	(1,681)	77%	9,090
5660 - Training/Development	0	0	0	0%	3,814	100	3,714	3,814%	100
Total 5500 - Salaries/Benefits	80,609	82,974	(2,365)	97%	826,588	839,367	(12,779)	98%	1,006,054
7000 - General & Admin									
7025 - Office Supplies	933	798	135	117%	9,323	3,855	5,468	242%	5,700
7035 - Postage/Mailing, net	560	769	(209)	73%	4,744	5,235	(491)	91%	6,300
7040 - Copy/Printing Expense	1,484	2,111	(627)	70%	15,271	19,414	(4,143)	79%	22,500

Utah State Bar
CM and YTD Budget vs Actual, Dept 07 - General Counsel
April 2015

Ordinary Income/Expense	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Expense									
5000 · Program Services Expense									
5075 · Food & Bev-external costs only	0								
5700 · Travel					111				
5702 · Lodging	431	0	431	100%	1,621	500	1,121	324%	500
5703 · Transportation	151	0	151	100%	1,444	986	458	146%	1,000
5704 · Mileage Reimbursement	0	500	(500)	0%	0	500	(500)	0%	500
5705 · Per Diems	0	0	0	0%	0	100	(100)	0%	100
5706 · Meals	111				145				
Total 5700 · Travel	692	500	192	138%	3,210	2,086	1,124	154%	2,100
Total 5000 · Program Services Expense	692	500	192	138%	3,321	2,086	1,235	159%	2,100
5500 · Salaries/Benefits									
5510 · Salaries/Wages	10,482	10,016	466	105%	106,122	112,531	(6,409)	94%	136,337
5605 · Payroll Taxes	721	816	(95)	88%	8,551	7,887	664	108%	9,544
5610 · Health Insurance	724	826	(102)	88%	6,675	10,189	(3,514)	66%	11,839
5630 · Dental Insurance	15	72	(57)	21%	151	843	(692)	18%	985
5640 · Life & LTD Insurance	57	91	(34)	63%	749	910	(161)	82%	1,092
5650 · Retirement Plan Contributions	987	1,156	(169)	85%	11,979	11,282	697	106%	13,633
5655 · Retirement Plan Fees & Costs	0	304	(304)	0%	261	1,263	(1,002)	21%	1,565
5660 · Training/Development	0	0	0	0%	840	50	790	1,680%	100
Total 5500 · Salaries/Benefits	12,987	13,281	(294)	98%	135,329	144,955	(9,626)	93%	175,095
7000 · General & Admin									
7025 · Office Supplies	0	9	(9)	0%	88	54	34	163%	100
7035 · Postage/Mailing, net	4				84	0	84	100%	0
7040 · Copy/Printing Expense	41	12	29	341%	300	162	138	185%	200
7055 · Computer Supplies & Small Equip	0	0	0	0%	0	500	(500)	0%	500
7100 · Telephone	77	86	(9)	90%	1,050	1,049	1	100%	1,221
7110 · Publications/Subscriptions	0	309	(309)	0%	491	530	(39)	93%	600
7120 · Membership/Dues	0				510	0	510	100%	0
7150 · E&O/Off & Dir Insurance	332	317	15	105%	3,316	3,166	150	105%	3,800
7176 · Bar Litigation	169	16,304	(16,135)	1%	11,825	23,455	(11,630)	50%	25,000
7177 · UPL	702	15,632	(14,930)	4%	2,015	30,165	(28,150)	7%	35,000
Total 7000 · General & Admin	1,324	32,669	(31,345)	4%	19,679	59,081	(39,402)	33%	66,421
8000 · Building Overhead									
6015 · Janitorial Expense	79	93	(14)	85%	1,018	1,021	(3)	100%	1,245
6020 · Heat	79	93	(14)	85%	845	824	21	102%	937
6025 · Electricity	138	285	(147)	48%	1,622	1,740	(118)	93%	2,119
6030 · Water/Sewer	10	9	1	112%	140	175	(35)	80%	219
6035 · Outside Maintenance	0	29	(29)	0%	720	461	259	156%	510
6040 · Building Repairs	0	(45)	45	0%	166	1,079	(913)	15%	1,252
6045 · Bldg Mtncce Contracts	171	234	(63)	73%	1,250	1,933	(683)	65%	2,341
6050 · Bldg Mtncce Supplies	1	0	1	100%	80	72	8	111%	114
6065 · Bldg Insurance/Fees	44	46	(2)	95%	438	447	(9)	98%	541
6070 · Building & Improvements Depre	186	284	(98)	66%	1,859	1,717	142	108%	2,286

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Accrual Basis

Utah State Bar

CM and YTD Budget vs Actual, Dept 08 - Computer/MIS

April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4031 - Enhanced Web Revenue	0	0	0	0%	0	500	(500)	0%	500
Total Income	0	0	0	0%	0	500	(500)	0%	500
Gross Profit	0	0	0	0%	0	500	(500)	0%	500
Expense									
5000 - Program Services Expense									
5700 - Travel									
5702 - Lodging	0	0	0	0%	0	227	(227)	0%	(600)
5703 - Transportation	0	1,141	(1,141)	0%	1,212	2,890	(1,678)	42%	3,000
5705 - Per Diems	0				249				
Total 5700 - Travel	0	1,141	(1,141)	0%	1,461	3,117	(1,656)	47%	2,400
Total 5000 - Program Services Expense	0	1,141	(1,141)	0%	1,461	3,117	(1,656)	47%	2,400
5500 - Salaries/Benefits									
5510 - Salaries/Wages	9,639	8,547	1,092	113%	93,831	94,377	(546)	99%	114,040
5605 - Payroll Taxes	640	580	60	110%	6,240	6,629	(389)	94%	7,983
5610 - Health Insurance	724	732	(8)	99%	7,145	10,375	(3,230)	68%	11,840
5630 - Dental Insurance	45	83	(38)	55%	454	820	(366)	55%	985
5640 - Life & LTD Insurance	74	96	(22)	77%	823	960	(137)	86%	1,077
5650 - Retirement Plan Contributions	907	802	105	113%	8,974	9,472	(498)	95%	11,404
5655 - Retirement Plan Fees & Costs	0	259	(259)	0%	1,004	1,051	(47)	95%	1,309
Total 5500 - Salaries/Benefits	12,029	11,059	930	108%	118,470	123,684	(5,214)	96%	148,638
7000 - General & Admin									
7025 - Office Supplies	0	0	0	0%	0	2,201	(2,201)	0%	2,250
7045 - Internet Service	399	480	(61)	87%	13,802	2,085	11,717	662%	4,000
7050 - Computer Maintenance	1,158	375	783	309%	10,085	1,900	8,185	531%	1,900
7055 - Computer Supplies & Small Equip	0	0	0	0%	5,318	7,052	(1,734)	75%	8,100
7089 - Membership Database Fees	0				702				
7100 - Telephone	827	37	790	2,236%	2,646	443	2,203	597%	1,221
7110 - Publications/Subscriptions	167	96	71	174%	936	242	694	387%	300
7120 - Membership/Dues	0	0	0	0%	0	50	(50)	0%	50
7175 - O/S Consultants	750				1,500	0	1,500	100%	0
Total 7000 - General & Admin	3,301	968	2,333	341%	34,988	13,973	21,015	250%	17,821
8000 - Building Overhead									
6015 - Janitorial Expense	38	53	(15)	71%	485	463	22	105%	593
6020 - Heat	37	54	(17)	69%	402	383	19	105%	446
6025 - Electricity	66	162	(96)	41%	772	796	(24)	97%	1,009
6030 - Water/Sewer	5	6	(1)	80%	67	79	(12)	85%	104
6035 - Outside Maintenance	0	17	(17)	0%	343	213	130	161%	243
6040 - Building Repairs	0	(27)	27	0%	79	493	(414)	16%	596
6045 - Bldg Mtnc Contracts	81	135	(54)	60%	595	880	(285)	68%	1,115
6050 - Bldg Mtnc Supplies	0	0	0	100%	36	29	7	131%	54
6055 - Bldg Insurance/Fees	21	26	(5)	80%	209	206	3	101%	258
6070 - Building & Improvements Depre	89	158	(69)	56%	885	773	112	115%	1,089

Utah State Bar
CM and YTD Budget vs Actual, Dept 09 - CLE
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4051 - Meeting - Registration	1,660	0	1,000	100%	1,660	5,100	(100)	98%	5,100
4052 - Meeting - Sponsor Revenue	1,000	0	0	0%	5,000	0	1,000	100%	0
4053 - Meeting - Vendor Revenue	0	0	0	0%	1,000	0	0	100%	0
4081 - CLE - Registrations	80,747	25,397	55,350	318%	328,418	212,393	116,025	155%	306,400
4082 - CLE - Video Library Sales	10,171	4,807	5,364	212%	56,334	41,819	14,515	135%	86,300
4083 - CLE - Material Sales	0	12	(12)	0%	0	148	(148)	0%	200
4200 - Seminar Profit/Loss	0	(1,825)	1,825	0%	8,050	5,003	3,047	161%	7,200
Total Income	93,577	28,391	65,186	333%	400,463	264,463	136,000	151%	405,200
Gross Profit	93,577	28,391	65,186	333%	400,463	264,463	136,000	151%	405,200
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	12,506	0	12,506	100%	22,336	2,674	19,662	835%	4,700
5002 - Meeting Facility-internal only	715	394	321	181%	5,120	3,255	1,865	157%	5,700
5030 - Speaker Fees & Expenses	3,000	1,607	1,393	187%	7,249	9,663	(2,414)	75%	23,200
5031 - Speaker Reimb. - Receipt Req'd	1,165	0	0	0%	8,389	0	(600)	0%	600
5035 - Awards	0	0	0	0%	0	600	(600)	0%	600
5063 - Special Event Expense	0	0	0	0%	3,984	4,930	(946)	81%	6,300
5064 - MCLE Fees Paid	0	9,211	(9,211)	0%	11,101	16,102	(5,001)	69%	30,000
5070 - Equipment Rental	0	0	0	0%	1,229	1,084	145	113%	2,200
5075 - Food & Bev-external costs only	286	65	221	440%	20,026	23,688	(3,663)	85%	31,100
5076 - Food & Beverage - Internal only	3,687	711	2,976	519%	10,093	10,767	(674)	94%	18,400
5078 - Soft Drinks	0	0	0	0%	1,257	0	(1,257)	0%	0
5085 - Misc. Program Expense	0	0	0	0%	3,926	0	(3,926)	0%	0
5700 - Travel	0	0	0	0%	2,108	0	(2,108)	100%	0
5702 - Lodging	0	0	0	0%	3,268	3,189	79	102%	3,200
5703 - Transportation	20	0	0	0%	41	0	41	100%	0
5704 - Mileage Reimbursement	0	0	0	0%	640	0	640	100%	0
5705 - Per Diems	0	0	0	0%	0	0	0	100%	0
Total 5700 - Travel	20	0	20	100%	6,057	3,189	2,868	190%	3,200
5840 - President's Expense	20	0	0	0%	20	0	0	100%	0
5960 - Overhead Allocation - Seminars	0	2,114	(2,114)	0%	26,484	3,167	23,297	831%	5,700
5970 - Event Revenue Sharing - 3rd Pty	3,853	2,027	1,826	150%	48,377	20,650	27,727	234%	43,800
Total 5000 - Program Services Expense	23,251	16,129	9,122	157%	175,647	98,789	75,858	176%	174,900
5500 - Salaries/Benefits									
5510 - Salaries/Wages	6,822	6,263	559	109%	40,426	60,954	(20,528)	66%	77,344
5605 - Payroll Taxes	462	446	16	104%	4,899	4,251	648	115%	5,414
5610 - Health Insurance	966	493	473	196%	6,212	4,930	1,282	126%	5,919
5630 - Dental Insurance	61	42	19	144%	393	410	(17)	96%	493
5640 - Life & LTD Insurance	80	59	21	135%	681	590	91	115%	667
5650 - Retirement Plan Contributions	387	616	(229)	63%	5,569	6,077	(508)	92%	7,734
5655 - Retirement Plan Fees & Costs	0	174	(174)	0%	753	715	38	105%	888
5660 - Training/Development	0	0	0	0%	1,621	0	(1,621)	0%	0
Total 5500 - Salaries/Benefits	8,778	8,093	685	108%	60,554	77,927	(17,373)	78%	98,459
7000 - General & Admin									
7025 - Office Supplies	50	393	(343)	13%	364	2,996	(2,632)	12%	3,100
7035 - Postage/Mailing, net	1,311	1,580	(269)	83%	5,219	13,186	(7,977)	40%	14,400
7040 - Copy/Printing Expense	1,283	1,269	14	101%	20,003	7,792	12,211	257%	14,800

Utah State Bar
CM and YTD Budget vs Actual, Dept 10 - Summer Convention
April 2015

Ordinary Income/Expense	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Income									
4051 - Meeting - Registration	475	0	475	100%	66,768	119,400	(52,632)	56%	119,400
4052 - Meeting - Sponsor Revenue	0	0	0	0%	22,350	21,200	1,150	105%	21,200
4053 - Meeting - Vendor Revenue	0	0	0	0%	11,750	7,700	4,050	153%	7,700
4054 - Meeting - Material Sales	0	0	0	0%	275	0	275	100%	0
4055 - Meeting - Sp Ev Registration	0	0	0	0%	8,138	2,300	5,838	354%	2,300
4095 - Miscellaneous Income	0	0	0	0%	6,342	0	6,342	100%	0
Total Income	475	0	475	100%	115,623	150,600	(34,977)	77%	150,600
Gross Profit	475	0	475	100%	115,623	150,600	(34,977)	77%	150,600
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	0	0	0	0%	128,391	15,000	113,391	856%	15,000
5002 - Meeting facility-internal only	0	0	0	0%	760	600	160	127%	600
5030 - Speaker Fees & Expenses	0	0	0	0%	11,915	6,100	5,815	195%	6,100
5063 - Special Event Expense	0	0	0	0%	6,474	10,100	(3,626)	64%	10,100
5064 - MCLE Fees Paid	0	0	0	0%	2,351	3,800	(1,450)	62%	3,800
5070 - Equipment Rental	0	0	0	0%	0	6,700	(6,700)	0%	6,700
5075 - Food & Bev-external costs only	0	0	0	0%	17,854	70,500	(52,646)	25%	70,500
5076 - Food & beverage - internal only	0	0	0	0%	1,279	1,500	(221)	85%	1,500
5700 - Travel									
5702 - Lodging	0	0	0	0%	5,701	2,300	3,401	248%	2,300
5703 - Transportation	0	0	0	0%	1,565	2,700	(1,115)	59%	2,700
5704 - Mileage Reimbursement	0	0	0	0%	3,547	1,800	1,747	197%	1,800
5705 - Per Diems	0	0	0	0%	1,134	2,200	(1,066)	52%	2,200
Total 5700 - Travel	0	0	0	0%	11,967	9,000	2,967	133%	9,000
Total 5000 - Program Services Expense	0	0	0	0%	180,990	123,300	57,690	147%	123,300
5500 - Salaries/Benefits									
5510 - Salaries/Wages	2,008	3,345	(1,337)	60%	26,352	24,484	1,868	108%	28,635
5605 - Payroll Taxes	159	243	(84)	66%	2,000	1,714	286	117%	2,004
5650 - Retirement Plan Contributions	196	336	(140)	58%	2,598	2,447	151	106%	2,864
5655 - Retirement Plan Fees & Costs	0	28	(28)	0%	0	273	(273)	0%	329
Total 5500 - Salaries/Benefits	2,363	3,952	(1,589)	60%	30,950	28,918	2,032	107%	33,832
7000 - General & Admin									
7025 - Office Supplies	0	0	0	0%	104	100	4	104%	100
7035 - Postage/Mailing, net	0	0	0	0%	3,558	3,600	(42)	99%	3,600
7040 - Copy/Printing Expense	0	0	0	0%	10,406	16,000	(5,594)	65%	16,000
7100 - Telephone	16	18	(2)	97%	231	211	20	109%	244
7140 - Credit Card Merchant Fees	0	0	0	0%	1,719	2,900	(1,181)	59%	2,900
7195 - Other Gen & Adm Expense	0	0	0	0%	0	4,700	(4,700)	0%	4,700
Total 7000 - General & Admin	16	16	(0)	97%	16,019	27,511	(11,492)	58%	27,544

Utah State Bar
CM and YTD Budget vs Actual, Dept 11 - Fall Forum
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4051 - Meeting - Registration	295	0	295	100%	85,665	74,500	11,065	115%	74,600
4052 - Meeting - Sponsor Revenue	0	0	0	0%	500				
4053 - Meeting - Vendor Revenue	0	0	0	0%	12,675	12,900	(225)	98%	12,900
4055 - Meeting - Sp Ev Registration	0	0	0	0%	(161)	600	(761)	(27)%	600
4095 - Miscellaneous Income	0	0	0	0%	1,215	100	1,115	1,215%	100
5081 - Committee Exp - Internal Only	0				(108)				
Total Income	295	0	295	100%	99,787	88,200	11,587	113%	88,200
Gross Profit	295	0	295	100%	99,787	88,200	11,587	113%	88,200
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	0	0	0	0%	51,762	54,300	(2,538)	95%	54,300
5002 - Meeting facility-internal only	0	100	(100)	0%	175	300	(125)	58%	400
5030 - Speaker Fees & Expenses	0	0	0	0%	2,294	15,100	(12,806)	15%	15,100
5035 - Awards	0	0	0	0%	0	400	(400)	0%	400
5063 - Special Event Expense	0	0	0	0%	1,454	0	1,454	100%	0
5064 - MCLE Fees Paid	0	0	0	0%	3,758	3,200	558	117%	3,200
5070 - Equipment Rental	0	0	0	0%	0	500	(500)	0%	500
5075 - Food & Bev-external costs only	0	0	0	0%	246	700	(454)	35%	700
5076 - Food & beverage - internal only	0	118	(118)	0%	287	449	(162)	64%	500
5700 - Travel	0				833				
5703 - Transportation	0				833	0	833	100%	0
Total 5700 - Travel	0				833	0	833	100%	0
Total 5000 - Program Services Expense	0	218	(218)	0%	60,809	74,949	(14,140)	81%	75,100
5500 - Salaries/Benefits									
5510 - Salaries/Wages	823	403	420	204%	13,637	9,645	3,992	141%	10,135
5605 - Payroll Taxes	66	31	35	214%	1,038	672	366	155%	709
5650 - Retirement Plan Contributions	81	40	41	201%	1,349	965	384	140%	1,014
5655 - Retirement Plan Fees & Costs	0	30	(30)	0%	0	90	(90)	0%	116
Total 5500 - Salaries/Benefits	970	504	466	192%	16,025	11,372	4,653	141%	11,974
7000 - General & Admin									
7025 - Office Supplies	0	0	0	0%	240	303	(63)	79%	303
7035 - Postage/Mailing, net	0	0	0	0%	97				
7040 - Copy/Printing Expense	0	0	0	0%	4,066	5,300	(1,234)	77%	5,300
7100 - Telephone	12	13	(1)	89%	158	157	1	100%	183
7140 - Credit Card Merchant Fees	9	0	9	100%	1,697	2,800	(1,103)	61%	2,800
Total 7000 - General & Admin	21	13	8	161%	6,258	8,560	(2,302)	73%	8,586

Utah State Bar

CM and YTD Budget vs Actual, Dept 12 - Spring Convention

April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4051 - Meeting - Registration	1,170	737	433	159%	95,816	116,402	(20,586)	82%	115,100
4052 - Meeting - Sponsor Revenue	1,000	0	1,000	100%	14,750	18,700	(3,950)	79%	18,700
4053 - Meeting - Vendor Revenue	0	459	(459)	0%	11,050	10,100	950	109%	10,100
4055 - Meeting - Sp Ev Registration	0	128	(128)	0%	2,417	1,000	1,417	242%	1,000
Total Income	2,170	1,324	846	164%	124,033	146,202	(22,169)	85%	145,900
Gross Profit	2,170	1,324	846	164%	124,033	146,202	(22,169)	85%	145,900
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	2,779	2,326	453	119%	6,527	6,200	327	105%	6,200
5002 - Meeting facility-internal only	0	0	0	0%	263	500	(238)	53%	500
5030 - Speaker Fees & Expenses	0	1,019	(1,019)	0%	5,100	8,600	(3,500)	59%	8,600
5031 - Speaker Reimb. - Receipt Req'd	0				2,435				
5035 - Awards	0				144				
5063 - Special Event Expense	0	118	(118)	0%	2,068	5,300	(3,232)	39%	5,300
5064 - MCLE Fees Paid	0	5,200	(5,200)	0%	0	5,200	(5,200)	0%	5,200
5070 - Equipment Rental	3,391	4,900	(1,509)	69%	3,391	4,900	(1,509)	69%	4,900
5075 - Food & Bev-external costs only	34,270	34,667	(397)	99%	34,270	34,700	(430)	99%	34,700
5076 - Food & beverage - internal only	0	0	0	0%	1,086	1,300	(214)	84%	1,300
5085 - Misc. Program Expense	176				332				
5700 - Travel									
5702 - Lodging	3,077	4,724	(1,647)	65%	3,077	5,160	(2,083)	60%	4,800
5703 - Transportation	0	0	0	0%	0	1,800	(1,800)	0%	1,800
5704 - Mileage Reimbursement	0	0	0	0%	2,769	4,200	(1,431)	66%	4,200
5705 - Per Diems	0	0	0	0%	620	1,500	(880)	41%	1,500
Total 5700 - Travel	3,077	4,724	(1,647)	65%	6,466	12,660	(6,194)	51%	12,300
5970 - Event Revenue Sharing - 3rd Pty	0				897				
Total 5000 - Program Services Expense	43,692	52,954	(9,262)	83%	62,980	79,360	(16,380)	79%	79,000
5500 - Salaries/Benefits									
5510 - Salaries/Wages	356	316	40	113%	16,253	24,029	(7,776)	68%	24,048
5605 - Payroll Taxes	28	21	7	131%	1,272	1,680	(408)	76%	1,683
5650 - Retirement Plan Contributions	33	33	(0)	99%	1,440	2,403	(963)	60%	2,405
5655 - Retirement Plan Fees & Costs	0	65	(65)	0%	0	195	(195)	0%	276
Total 5500 - Salaries/Benefits	416	435	(19)	96%	18,965	28,307	(9,343)	67%	28,412
7000 - General & Admin									
7025 - Office Supplies	38	234	(196)	16%	51	400	(349)	13%	400
7035 - Postage/Mailing, net	0				10				
7040 - Copy/Printing Expense	1,664	5,925	(4,261)	28%	2,751	7,296	(4,545)	38%	7,300
7045 - Internet Service	425				425				
7089 - Membership Database Fees	0				4,000				
7100 - Telephone	12	15	(3)	77%	160	150	10	107%	183
7140 - Credit Card Merchant Fees	10	32	(22)	31%	2,099	4,000	(1,901)	52%	4,000
7195 - Other Gen & Adm Expense	0	0	0	0%	642	2,000	(1,358)	32%	2,000
Total 7000 - General & Admin	2,148	6,206	(4,058)	35%	10,137	13,846	(3,709)	73%	13,883

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Accrual Basis

Utah State Bar

CM and YTD Budget vs Actual, Dept 13 - Bar Journal

April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr ...	YTD Budget	\$ Over Budget	% of Budget	Annual Bud...
Ordinary Income/Expense									
Income									
4061 - Advertising Revenue	1,783	6,465	(4,682)	28%	105,933	109,022	(3,089)	97%	132,100
4062 - Subscriptions	0	30	(30)	0%	240	200	40	120%	200
4071 - Mem Benefits - Lexis	0	0	0	0%	0	600	(600)	0%	900
4072 - Royalty Inc - Bar J, MBNA, LM, M	0	0	0	0%	5,292	6,400	(1,108)	83%	6,400
Total Income	1,783	6,495	(4,712)	27%	111,465	116,222	(4,757)	96%	139,600
Gross Profit	1,783	6,495	(4,712)	27%	111,465	116,222	(4,757)	96%	139,600
Expense									
5000 - Program Services Expense									
5002 - Meeting facility-internal only	88	69	19	127%	875	759	116	115%	900
5076 - Food & beverage - internal only	305	262	43	116%	2,489	2,551	(62)	98%	3,000
5090 - Commission Expense	3,731	3,452	279	108%	20,440	19,066	1,374	107%	21,700
Total 5000 - Program Services Expense	4,124	3,783	341	109%	23,804	22,376	1,428	106%	25,600
5500 - Salaries/Benefits									
5510 - Salaries/Wages	2,644	2,051	593	129%	21,581	21,743	(162)	99%	26,959
5605 - Payroll Taxes	205	163	42	126%	1,550	1,520	30	102%	1,887
5610 - Health Insurance	241	213	28	113%	2,382	2,531	(149)	94%	2,960
5630 - Dental Insurance	15	21	(6)	72%	151	205	(54)	74%	246
5640 - Life & LTD Insurance	17	18	(1)	97%	187	185	2	101%	209
5650 - Retirement Plan Contributions	278	228	50	122%	2,085	2,183	(98)	96%	2,696
5555 - Retirement Plan Fees & Costs	0	62	(62)	0%	233	247	(14)	94%	309
Total 5500 - Salaries/Benefits	3,401	2,756	645	123%	28,169	28,614	(446)	98%	35,266
7000 - General & Admin									
7025 - Office Supplies	0	3,931	(3,928)	0%	37	19,712	4,066	121%	24,300
7035 - Postage/Mailing, net	5	3,241	(359)	89%	23,778	80,131	(7,559)	91%	97,400
7040 - Copy/Printing Expense	2,862				72,572				
7045 - Internet Service	0	0	0	0%	54	100	(100)	0%	100
7055 - Computer Supplies & Small Equip	0	0	0	0%	0	273	(11)	96%	306
7100 - Telephone	19	17	2	113%	262	678	(460)	32%	700
7140 - Credit Card Merchant Fees	92	188	(96)	49%	218				
Total 7000 - General & Admin	2,998	7,377	(4,379)	41%	96,920	100,894	(3,974)	96%	122,806
8000 - Building Overhead									
8015 - Janitorial Expense	8	9	(1)	84%	97	99	(2)	97%	118
6020 - Heat	7	9	(2)	83%	80	78	2	103%	89
6025 - Electricity	13	27	(14)	48%	154	164	(10)	94%	201
6030 - Water/Sewer	1	1	(0)	96%	13	17	(4)	78%	21
6035 - Outside Maintenance	0	3	(3)	0%	68	42	26	162%	48
6040 - Building Repairs	0	4	(4)	0%	16	103	(87)	15%	119
6045 - Bldg Mtnc Contracts	16	23	(7)	70%	118	162	(64)	65%	222
6050 - Bldg Mtnc Supplies	0	0	0	100%	8	9	(1)	84%	11
6055 - Bldg Insurance/Fees	4	4	0	104%	42	40	2	104%	51
6070 - Building & Improvements Depre	18	27	(9)	65%	176	165	11	107%	217

Utah State Bar
CM and YTD Budget vs Actual, Dept 14 - Committees
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4093 - Law Day Revenue	3,570				3,920				1,000
4095 - Miscellaneous Income	0	200	(200)	0%	10	1,000	(990)	1%	1,000
Total Income	3,570	200	3,370	1,785%	3,930	1,000	2,930	393%	1,000
Gross Profit	3,570	200	3,370	1,785%	3,930	1,000	2,930	393%	1,000
Expense									
5000 - Program Services Expense									
5002 - Meeting facility-internal only	175	168	7	104%	1,645	1,815	(170)	91%	2,400
5035 - Awards	0	0	0	0%	0	100	(100)	0%	100
5061 - LRE - Bar Support	0	0	0	0%	65,000	65,000	0	100%	65,000
5062 - Law Day	22	14	8	158%	1,022	56	966	1,825%	2,100
5075 - Food & Bev-external costs only	0	108	(108)	0%	944	667	277	141%	800
5076 - Food & beverage - internal only	288	236	52	122%	3,244	1,908	1,336	170%	2,400
5700 - Travel	0	0	0	0%	0	800	(800)	0%	800
5702 - Lodging	0	0	0	0%	0	600	(600)	0%	600
5703 - Transportation	0	0	0	0%	0	1,400	(1,400)	0%	1,400
Total 5700 - Travel	0	0	0	0%	0	1,400	(1,400)	0%	1,400
Total 5000 - Program Services Expense	485	526	(41)	92%	71,855	70,946	909	101%	74,200
5500 - Salaries/Benefits									
5510 - Salaries/Wages	851	2,698	(1,847)	32%	18,512	20,322	(1,810)	91%	23,592
5605 - Payroll Taxes	75	212	(137)	35%	1,427	1,413	14	101%	1,651
5610 - Health Insurance	241	213	28	113%	2,382	2,531	(149)	94%	2,960
5630 - Dental Insurance	15	21	(6)	72%	151	205	(54)	74%	246
5640 - Life & LTD Insurance	17	18	(1)	97%	186	185	1	101%	209
5650 - Retirement Plan Contributions	102	283	(181)	36%	1,798	2,041	(243)	88%	2,359
5655 - Retirement Plan Fees & Costs	0	55	(55)	0%	233	219	14	107%	271
5660 - Training/Development	0	0	0	0%	0	2,000	(2,000)	0%	2,000
Total 5500 - Salaries/Benefits	1,302	3,500	(2,198)	37%	24,689	28,916	(4,227)	85%	33,289
7000 - General & Admin									
7025 - Office Supplies	0	16	(14)	13%	22	195	(88)	65%	200
7035 - Postage/Mailing, net	206	83	123	248%	507	1,176	(669)	43%	1,400
7040 - Copy/Printing Expense	19	21	(2)	92%	293	265	28	111%	306
7100 - Telephone	227	120	107	185%	949	1,636	(687)	59%	1,906
Total 7000 - General & Admin	227	120	107	185%	949	1,636	(687)	59%	1,906
8000 - Building Overhead									
6015 - Janitorial Expense	8	9	(1)	84%	97	99	(2)	97%	118
6020 - Heat	7	9	(2)	83%	80	78	2	103%	89
6025 - Electricity	13	27	(14)	48%	154	164	(10)	94%	201
6030 - Water/Sewer	1	1	(0)	96%	13	17	(4)	78%	21
6035 - Outside Maintenance	0	3	(3)	0%	68	42	26	162%	48
6040 - Building Repairs	0	(4)	4	0%	16	103	(87)	15%	119
6045 - Bldg Mnnc Contracts	16	23	(7)	70%	118	182	(64)	65%	222
6050 - Bldg Mnnc Supplies	0	0	0	100%	8	9	(1)	84%	11
6065 - Bldg Insurance/Fees	4	4	0	104%	42	40	2	104%	51
6070 - Building & Improvements Depre	18	27	(9)	65%	176	165	11	107%	217

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Utah State Bar
CM and YTD Budget vs Actual, Dept 15 - Member Benefits
April 2015

Accrual Basis

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4071 - Mem Benefits - Lexis	833	787	66	109%	3,135	1,356	1,799	235%	1,700
4072 - Royalty Inc - Bar J, MBNA, LLM	0	300	(300)	0%	5	10,199	(10,194)	0%	10,200
Total Income	833	1,087	(234)	78%	3,140	11,535	(8,395)	27%	11,900
Gross Profit	833	1,087	(234)	78%	3,140	11,535	(8,395)	27%	11,900
Expense									
5000 - Program Services Expense	5,503	10,491	(4,988)	55%	63,110	52,454	10,656	120%	57,700
5047 - Casemaker	6,154	6,250	(96)	98%	61,579	62,487	(918)	99%	75,000
5099 - Blomquist Hale									
Total 5000 - Program Services Expense	11,957	16,741	(4,784)	71%	124,689	114,951	9,738	108%	132,700
5500 - Salaries/Benefits									
5510 - Salaries/Wages	0	379	(379)	0%	627	7,842	(7,215)	8%	8,243
5505 - Payroll Taxes	0	381	(381)	0%	47	5,406	(5,359)	1%	5,770
5650 - Retirement Plan Contributions	0	39	(39)	0%	63	785	(722)	8%	824
5655 - Retirement Plan Fees & Costs	0	25	(25)	0%	0	75	(75)	0%	95
Total 5500 - Salaries/Benefits	0	824	(824)	0%	737	14,108	(13,371)	5%	14,932
7000 - General & Admin									
7035 - Postage/Mailing, net	0	0	0	0%	0	300	(300)	0%	300
Total 7000 - General & Admin	0	0	0	0%	0	300	(300)	0%	300
8000 - Building Overhead									
6015 - Janitorial Expense	7	8	(1)	87%	88	88	1	101%	109
6020 - Heat	7	8	(1)	85%	74	71	3	104%	82
6025 - Electricity	12	25	(13)	48%	142	153	(11)	93%	185
6030 - Water/Sewer	1	1	(0)	88%	12	14	(2)	88%	19
6035 - Outside Maintenance	0	3	(3)	0%	63	40	23	157%	45
6040 - Building Repairs	0	4	(4)	0%	14	95	(81)	15%	109
6045 - Bldg Wncce Contracts	15	20	(5)	74%	109	158	(59)	55%	204
6050 - Bldg Wncce Supplies	0	0	0	100%	7	8	(1)	87%	10
6065 - Bldg Insurance/Fees	4	4	(0)	96%	38	40	(2)	95%	47
6070 - Building & Improvements Depr	16	24	(8)	66%	162	152	10	107%	159
6075 - Furniture & Fixtures Depr	4	5	(1)	80%	44	42	2	105%	52
7065 - Computers, Equip & Sftwre Depr	48	51	(3)	94%	346	152	156	181%	327
Total 8000 - Building Overhead	114	145	(31)	79%	1,102	1,053	39	104%	1,368
Total Expense	12,071	17,710	(5,639)	66%	125,529	130,422	(3,893)	97%	149,320
Net Ordinary Income	(11,238)	(16,643)	5,405	66%	(123,389)	(118,887)	(4,501)	104%	(137,420)
Net Income	(11,238)	(16,643)	5,405	66%	(123,388)	(118,887)	(4,501)	104%	(137,420)

Utah State Bar
CM and YTD Budget vs Actual, Dept 16 - Section Support
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4010 - Administrative Fees - Sections	0	0	0	0%	0	0	0	0%	92,281
Total Income	0	0	0	0%	0	0	0	0%	92,281
Gross Profit	0	0	0	0%	0	0	0	0%	92,281
Expense									
5000 - Program Services Expense									
5002 - Meeting facility-internal only	0	0	0	0%	0	200	(200)	0%	200
5076 - Food & beverage - internal only	0	0	0	0%	0	900	(900)	0%	900
Total 5000 - Program Services Expense	0	0	0	0%	0	1,100	(1,100)	0%	1,100
5500 - Salaries/Benefits									
5510 - Salaries/Wages	4,180	4,891	(711)	85%	37,506	44,308	(6,802)	85%	52,708
5605 - Payroll Taxes	321	346	(25)	93%	2,902	3,109	(207)	93%	3,690
5610 - Health Insurance	483	388	95	124%	4,764	5,144	(381)	93%	5,919
5630 - Dental Insurance	30	42	(12)	72%	303	410	(107)	74%	493
5640 - Life & LTD Insurance	30	32	(2)	93%	318	344	(26)	92%	388
5650 - Retirement Plan Contributions	324	477	(153)	68%	3,330	4,198	(869)	79%	5,271
5655 - Retirement Plan Fees & Costs	0	150	(150)	0%	5	450	(445)	1%	605
Total 5500 - Salaries/Benefits	5,369	6,326	(957)	85%	49,126	57,963	(8,837)	85%	69,074
7000 - General & Admin									
7040 - Copy/Printing Expense	3	5	(2)	63%	45	181	(136)	25%	200
7089 - Membership Database Fees	0	1,676	(1,676)	0%	4,840	7,542	(2,702)	64%	9,216
7100 - Telephone	39	52	(13)	74%	524	520	4	101%	625
7140 - Credit Card Merchant Fees	0	0	0	0%	34	0	34	100%	0
7195 - Other Gen & Adm Expense	0	0	0	0%	0	200	(200)	0%	200
Total 7000 - General & Admin	42	1,733	(1,691)	2%	5,443	8,443	(3,000)	64%	10,241
8000 - Building Overhead									
6015 - Janitorial Expense	13	27	(14)	47%	163	132	31	123%	199
6020 - Heat	13	28	(15)	45%	135	117	18	115%	150
6025 - Electricity	22	75	(53)	29%	259	237	22	109%	338
6030 - Water/Sewer	2	2	(0)	81%	22	24	(2)	93%	35
6035 - Outside Maintenance	0	8	(8)	0%	115	65	50	177%	81
6040 - Building Repairs	0	(16)	16	0%	26	142	(116)	19%	200
6045 - Bldg Mince Contracts	27	65	(38)	42%	199	261	(62)	76%	374
6050 - Bldg Mince Supplies	0	0	0	100%	13	6	7	213%	18
6055 - Real Property Taxes	705	759	(54)	93%	6,958	7,590	(632)	92%	9,109
6060 - Personal Property Taxes	18	18	0	100%	180	180	0	100%	216
6065 - Bldg Insurance/Fees	7	13	(6)	54%	70	58	12	121%	86
6070 - Building & Improvements Depre	30	71	(41)	42%	297	224	73	132%	365

Utah State Bar
CM and YTD Budget vs Actual, Dept 17 - Consumer Assistance
 April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Expense									
5000 · Program Services Expense	0	0	0	0%	613	279	334	220%	400
5002 · Meeting facility-internal only									
5700 · Travel	0	0	0	0%	68	108	(41)	63%	200
5704 · Mileage Reimbursement									
Total 5700 · Travel	0	0	0	0%	68	108	(41)	63%	200
Total 5000 · Program Services Expense	0	0	0	0%	680	387	293	176%	600
5500 · Salaries/Benefits	6,237	4,443	1,794	140%	60,882	45,445	15,437	134%	54,367
5510 · Salaries/Wages	451	319	132	141%	4,351	3,165	1,186	137%	3,806
5605 · Payroll Taxes	483				2,415				
5610 · Health Insurance	30				151				
5630 · Dental Insurance	67				267				
5640 · Life & LTD Insurance	598	445	153	134%	5,736	4,545	1,191	126%	5,437
5650 · Retirement Plan Contributions	0	159	(159)	0%	140	430	(290)	33%	624
5655 · Retirement Plan Fees & Costs	0	25	(25)	0%	0	69	(69)	0%	100
5660 · Training/Development									
Total 5500 · Salaries/Benefits	7,866	5,391	2,475	146%	73,942	53,654	20,288	138%	64,334
7000 · General & Admin									
7025 · Office Supplies	0	0	0	0%	186	55	131	338%	100
7035 · Postage/Mailing, net	26	6	20	432%	314	191	123	165%	300
7040 · Copy/Printing Expense	3				17	0	17	100%	0
7055 · Computer Supplies & Small Equip	0				66	0	66	100%	0
7100 · Telephone	167	431	(264)	39%	2,320	2,431	(111)	95%	2,900
7120 · Membership/Dues	0	0	0	0%	605	645	(40)	94%	645
Total 7000 · General & Admin	196	437	(241)	45%	3,509	3,322	187	108%	3,945
8000 · Building Overhead									
8015 · Janitorial Expense	29				29				
8020 · Heat	28				28				
8025 · Electricity	50				50				
8030 · Water/Sewer	4				4				
8045 · Bldg Mtncs Contracts	62				62				
8050 · Bldg Mtncs Supplies	0				0				
8065 · Bldg Insurance/Fees	16				16				
8070 · Building & Improvements Depr	67				67				
8075 · Furniture & Fixtures Depr	18				18				
8085 · Computers, Equip & Sftwre Depr	138				198				
Total 8000 · Building Overhead	472				472				
Total Expense	8,533	5,828	2,705	146%	78,603	57,363	21,240	137%	68,879
Net Ordinary Income	(8,533)	(5,828)	(2,705)	146%	(78,603)	(57,363)	(21,240)	137%	(68,879)
Net Income	(8,533)	(5,828)	(2,705)	146%	(78,603)	(57,363)	(21,240)	137%	(68,879)

Utah State Bar
CM and YTD Budget vs Actual, Dept 18 - Access to Justice
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4063 - Modest Means revenue	1,375	981	394	140%	13,145	8,423	4,722	156%	10,200
4095 - Miscellaneous Income	0	0	0	0%	0	0	0	0%	100
4200 - Seminar Profit/Loss	0	(75)	75	0%	0	(92)	92	0%	(100)
Total Income	1,375	906	469	152%	13,145	8,331	4,814	158%	10,200
Gross Profit	1,375	906	469	152%	13,145	8,331	4,814	158%	10,200
Expense									
5000 - Program Services Expense									
5002 - Meeting facility-internal only	512	272	240	188%	3,842	2,756	1,086	139%	3,300
5070 - Equipment Rental	0	60	(60)	0%	0	1,020	1,020	0%	1,200
5075 - Food & Bev-external costs only	385	277	108	139%	4,323	3,090	1,233	140%	3,700
5076 - Food & beverage - internal only	581	624	(43)	93%	6,360	4,437	1,923	143%	5,300
5085 - Misc. Program Expense	0				50	0	50	100%	0
5700 - Travel									
5702 - Lodging	389	0	389	100%	475	37	438	1,284%	200
5703 - Transportation	0	0	0	0%	1,414	167	1,247	847%	400
5704 - Mileage Reimbursement	761	210	551	362%	3,108	4,127	(1,019)	75%	5,000
5705 - Per Diems	195	233	(38)	83%	241	400	(160)	60%	400
Total 5700 - Travel	1,345	443	902	304%	5,237	4,731	506	111%	6,000
Total 5000 - Program Services Expense	2,823	1,676	1,147	168%	19,813	16,034	3,779	124%	19,500
5500 - Salaries/Benefits									
5510 - Salaries/Wages	7,061	9,490	(2,429)	74%	71,347	86,370	(15,023)	83%	101,884
5605 - Payroll Taxes	556	638	(82)	87%	5,887	5,970	(83)	99%	7,132
5610 - Health Insurance	966	1,064	(98)	91%	9,057	9,710	(653)	93%	11,839
5630 - Dental Insurance	61	99	(38)	61%	575	784	(209)	73%	985
5640 - Life & LTD Insurance	66	67	(1)	98%	642	574	68	112%	664
5650 - Retirement Plan Contributions	449	913	(464)	49%	4,540	8,517	(3,977)	53%	10,188
5655 - Retirement Plan Fees & Costs	0	287	(287)	0%	75	818	(743)	9%	1,170
5660 - Training/Development	120	0	120	100%	510	300	210	170%	300
Total 5500 - Salaries/Benefits	9,279	12,558	(3,279)	74%	92,633	113,043	(20,410)	82%	134,162
7000 - General & Admin									
7025 - Office Supplies	0	0	0	0%	95	873	(778)	11%	900
7035 - Postage/Mailing, net	3	15	(12)	19%	46	71	(25)	64%	100
7040 - Copy/Printing Expense	5	209	(204)	2%	468	1,469	(1,001)	32%	1,600
7045 - Internet Service	0				98				
7055 - Computer Supplies & Small Equip	0	0	0	100%	97	0	1,599	100%	1,832
7100 - Telephone	115	0	115	100%	1,599	0	330	100%	0
7105 - Advertising	75	0	75	0%	330	800	45	106%	800
7120 - Membership/Dues	0	0	0	0%	845	918	(471)	49%	1,100
7140 - Credit Card Merchant Fees	45	101	(56)	45%	447	11,000	606	106%	13,200
7150 - E&O/Off & Dir Insurance	1,161	1,100	61	105%	11,606	400	(400)	0%	400
7195 - Other Gen & Admin Expense	0	0	0	0%	0	15,531	100	101%	19,932
Total 7000 - General & Admin	1,403	1,425	(22)	98%	15,631	15,531	100	101%	19,932

Utah State Bar
CM and YTD Budget vs Actual, Dept 19 - Tuesday Night Bar
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Expense									
5000 - Program Services Expense	2,415	2,940	(525)	82%	21,821	23,687	(1,866)	92%	28,700
5002 - Meeting facility-internal only	187	0	187	100%	439	33	406	1,331%	100
5075 - Food & Bev-external costs only	35	43	(8)	81%	317	340	(23)	93%	400
5076 - Food & beverage - internal only	288	526	(238)	55%	2,946	3,827	(881)	77%	4,500
5085 - Misc. Program Expense									
Total 5000 - Program Services Expense	2,925	3,509	(584)	83%	25,524	27,887	(2,364)	92%	33,700
5500 - Salaries/Benefits									
5510 - Salaries/Wages	255	444	(189)	57%	2,840	4,636	(1,796)	61%	5,700
5605 - Payroll Taxes	21	38	(17)	55%	243	408	(165)	59%	500
5650 - Retirement Plan Contributions	0	15	(15)	0%	40	157	(117)	25%	200
5655 - Retirement Plan Fees & Costs	0	15	(15)	0%	0	45	(45)	0%	65
Total 5500 - Salaries/Benefits	276	512	(236)	54%	3,123	5,246	(2,123)	60%	6,465
7000 - General & Admin									
7110 - Publications/Subscriptions	0	0	0	0%	447	0	447	100%	600
Total 7000 - General & Admin	0	0	0	0%	447	0	447	100%	800
Total Expense	3,200	4,021	(821)	80%	29,093	33,133	(4,040)	88%	40,765
Net Ordinary Income	(3,200)	(4,021)	821	80%	(29,093)	(33,133)	4,040	88%	(40,765)
Net Income	(3,200)	(4,021)	821	80%	(29,093)	(33,133)	4,040	88%	(40,765)

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Accrual Basis

Utah State Bar
CM and YTD Budget vs Actual, Dept 21 - Commission/Sp Proj
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4052 - Meeting - Sponsor Revenue	2,000								
4095 - Miscellaneous Income	1,005	0	1,005	100%	4,000	7,300	1,940	127%	7,300
Total Income	3,005	0	3,005	100%	13,240	7,300	5,940	181%	7,300
Gross Profit	3,005	0	3,005	100%	13,240	7,300	5,940	181%	7,300
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	195	383	(198)	48%	2,918	4,300	(1,382)	68%	4,300
5002 - Meeting Facility-internal only	703	227	476	309%	5,053	1,572	3,481	321%	1,800
5035 - Awards	0	0	0	0%	1,290	1,300	(10)	99%	1,300
5063 - Special Event Expense	30,352	0	30,352	100%	44,899	11,100	33,799	404%	11,100
5070 - Equipment Rental	0	75	(75)	0%	200	100	100	200%	100
5075 - Food & Bev-external costs only	917	1,446	(529)	63%	3,176	13,100	(9,924)	24%	13,100
5076 - Food & beverage - internal only	2,863	150	2,713	1,909%	10,891	1,963	8,728	545%	2,500
5090 - Commission Expense	0				1,829				
5501 - Books Purchased-BFB	0				9,822				
5700 - Travel									
5702 - Lodging	442	1,347	(905)	33%	2,539	19,862	(17,323)	13%	20,800
5703 - Transportation	576	945	(369)	61%	1,332	5,193	(3,861)	26%	6,100
5704 - Mileage Reimbursement	9	95	(86)	9%	4,541	21,352	(16,811)	21%	21,400
5705 - Per Diems	88	277	(189)	32%	904	6,906	(6,002)	13%	7,000
5706 - Meals	0	0	0	0%	0	200	(200)	0%	200
5860 - Commission Mtg Travel	0	718	(718)	0%	23,371	2,147	21,224	1,089%	3,200
Total 5700 - Travel	1,115	3,382	(2,267)	33%	32,668	55,660	(22,973)	59%	58,700
5805 - ABA Annual Meeting	0	556	(556)	0%	6,028	7,500	(1,472)	80%	7,500
5810 - ABA Mid Year Meeting	0	0	0	0%	4,455	6,600	(2,145)	68%	6,600
5815 - Commission/Education	0	0	0	0%	600	0	600	100%	0
5820 - ABA Annual Delegate	1,758	1,167	591	151%	8,675	1,700	6,975	510%	1,700
5830 - Western States Bar Conference	4,149	8,886	(4,737)	47%	12,160	8,886	3,274	137%	10,000
5840 - President's Expense	750	832	(82)	90%	9,431	11,907	(2,476)	79%	15,200
5865 - Retreat	0	0	0	0%	12,311	11,536	775	107%	14,400
Total 5000 - Program Services Expense	42,792	17,104	25,688	250%	166,226	137,224	29,002	121%	148,300
5500 - Salaries/Benefits									
5510 - Salaries/Wages	7,243	1,492	5,751	485%	9,351	3,928	5,423	238%	4,042
5605 - Payroll Taxes	513	107	406	480%	665	273	392	244%	283
5650 - Retirement Plan Contributions	681	169	512	403%	848	441	407	192%	450
Total 5500 - Salaries/Benefits	8,437	1,768	6,669	477%	10,864	4,642	6,222	234%	4,775
7000 - General & Admin									
7025 - Office Supplies	0	0	0	0%	518	600	(82)	86%	600
7035 - Postage/Mailing, net	51	111	(60)	46%	1,123	817	306	137%	1,000
7040 - Copy/Printing Expense	58	66	(8)	88%	2,459	1,729	730	142%	2,100

Utah State Bar
CM and YTD Budget vs Actual, Dept 22 - Public Education
April 2015

Ordinary Income/Expense	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Expense									
5000 - Program Services Expense	0	0	0	0%	0	1,800	(1,800)	0%	1,800
5063 - Special Event Expense	0	0	0	0%	1,047	50	997	2,094%	50
5075 - Food & Bev-external costs only									
5700 - Travel	0	0	0	0%	0	400	(400)	0%	400
5702 - Lodging	346	0	346	100%	408	572	(164)	71%	600
5704 - Mileage Reimbursement	60	0	60	100%	60	100	(40)	60%	100
5705 - Per Diems									
Total 5700 - Travel	406	0	406	100%	468	1,072	(604)	44%	1,100
Total 5000 - Program Services Expense	406	0	406	100%	1,515	2,922	(1,407)	52%	2,950
5500 - Salaries/Benefits	5,671	4,798	873	118%	58,135	52,323	5,812	111%	61,882
5510 - Salaries/Wages	416	361	55	115%	4,324	3,610	714	120%	4,332
5605 - Payroll Taxes	483	493	(10)	98%	4,764	4,930	(167)	97%	5,919
5610 - Health Insurance	30	42	(12)	72%	303	410	(107)	74%	493
5630 - Dental Insurance	42	44	(2)	95%	450	445	5	101%	501
5640 - Life & LTD Insurance	525	1,649	(1,124)	32%	5,613	3,298	2,315	170%	6,000
5650 - Retirement Plan Contributions	0	175	(175)	0%	15	525	(510)	3%	710
5655 - Retirement Plan Fees & Costs	0	100	(100)	0%	20	100	(80)	20%	100
5660 - Training/Development									
Total 5500 - Salaries/Benefits	7,166	7,662	(496)	94%	73,624	65,641	7,983	112%	79,937
7000 - General & Admin	0	0	0	0%	22	100	(78)	22%	100
7025 - Office Supplies	0	0	0	0%	0	100	(100)	0%	100
7035 - Postage/Mailing, net	1	1	0	116%	6	765	(759)	1%	800
7040 - Copy/Printing Expense									
7045 - Internet Service	0	0	0	0%	0	1,000	(1,000)	0%	1,000
7050 - Computer Maintenance	0	0	0	0%	74	0	74	100%	0
7055 - Computer Supplies & Small Equip	37	40	(3)	93%	1,068	500	(500)	0%	500
7100 - Telephone	0	1,710	(1,710)	0%	0	514	554	208%	611
7105 - Advertising	0	0	0	0%	0	15,600	(15,600)	0%	75,000
7110 - Publications/Subscriptions	0	0	0	0%	0	100	(100)	0%	100
7120 - Membership/Dues	0	0	0	0%	0	100	(100)	0%	100
Total 7000 - General & Admin	38	1,751	(1,713)	2%	1,171	18,779	(17,608)	6%	78,311
8000 - Building Overhead									
6015 - Janitorial Expense	21	39	(18)	53%	267	233	34	114%	326
6020 - Heat	21	40	(19)	52%	221	197	24	112%	245
6025 - Electricity	36	113	(77)	32%	425	405	20	105%	555
6030 - Water/Sewer	3	4	(1)	66%	37	41	(4)	90%	57
6035 - Outside Maintenance	0	12	(12)	0%	188	111	77	170%	134
6040 - Building Repairs	0	(23)	(23)	0%	43	248	(205)	17%	328
6045 - Bldg Mtncr Contracts	45	97	(52)	46%	327	447	(120)	73%	613
6050 - Bldg Mtncr Supplies	0	0	0	100%	21	12	9	174%	30
6065 - Bldg Insurance/Fees	11	20	(9)	57%	115	101	14	114%	142
6070 - Building & Improvements Depre	49	109	(60)	45%	487	381	106	128%	598

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05/14/15

Accrual Basis

Utah State Bar
CM and YTD Budget vs Actual, Dept 23 - Young Lawyers Div
April 2015

	Apr 15	Budget	\$ Over Budget	% of Budget	Jul '14 - Apr 15	YTD Budget	\$ Over Budget	% of Budget	Annual Budget
Ordinary Income/Expense									
Income									
4051 - Meeting - Registration	0	0	0	0%	0	100	(100)	0%	100
4052 - Meeting - Sponsor Revenue	1,000				1,000				
4095 - Miscellaneous Income	60				110				
4200 - Seminar Profit/Loss	0				936				
Total Income	1,060	0	1,060	100%	2,046	100	1,946	2,046%	100
Gross Profit	1,060	0	1,060	100%	2,046	100	1,946	2,046%	100
Expense									
5000 - Program Services Expense									
5001 - Meeting Facility-external only	0	0	0	0%	5,250	18,100	(12,850)	29%	18,100
5002 - Meeting facility-internal only	0	50	(50)	0%	0	150	(150)	0%	200
5035 - Awards	0	0	0	0%	1,000	609	391	164%	1,400
5037 - Grants/ contributions - general	2,000	0	2,000	100%	5,100	500	4,600	1,020%	500
5060 - Program Special Activities	0	0	0	0%	100	500	(400)	20%	500
5075 - Food & Bev-external costs only	1,939	2,878	(939)	67%	9,006	9,616	(610)	94%	15,300
5076 - Food & beverage - internal only	0	70	(70)	0%	0	273	(273)	0%	300
5085 - Misc. Program Expense	0	0	0	0%	607	125	482	486%	300
5095 - Wills for Heroes	0	375	(375)	0%	0	3,750	(3,750)	0%	4,500
5700 - Travel									
5702 - Lodging	267	209	58	128%	1,272	700	572	182%	700
5703 - Transportation	0	268	(268)	0%	1,450	907	543	164%	1,300
5704 - Mileage Reimbursement	0	0	0	0%	351	300	51	117%	300
Total 5700 - Travel	267	477	(211)	56%	3,112	1,907	1,205	163%	2,300
5805 - ABA Annual Meeting	0	0	0	0%	3,924	5,332	(1,408)	74%	6,200
5810 - ABA Mid Year Meeting	0	0	0	0%	5,798	2,925	2,873	198%	4,500
Total 5000 - Program Services Expense	4,206	3,850	356	109%	33,898	43,787	(9,889)	77%	54,100
5500 - Salaries/Benefits									
5510 - Salaries/Wages	89				435				
5505 - Payroll Taxes	7				34				
5550 - Retirement Plan Contributions	9				42				
Total 5500 - Salaries/Benefits	105				511				
7000 - General & Admin									
7025 - Office Supplies	0				157	0	157	100%	0
7040 - Copy/Printing Expense	0	8	(8)	0%	101	830	(729)	12%	1,200
7045 - Internet Service	0	0	0	0%	27	0	27	100%	0
7195 - Other Gen & Adm Expense	0	0	0	0%	487	800	(313)	61%	800
Total 7000 - General & Admin	0	8	(8)	0%	772	1,530	(858)	47%	2,000
Total Expense	4,311	3,858	453	112%	35,182	45,417	(10,235)	77%	56,100
Net Ordinary Income	(3,251)	(3,858)	607	84%	(33,136)	(45,317)	12,181	73%	(56,000)
Net Income	(3,251)	(3,858)	607	84%	(33,136)	(45,317)	12,181	73%	(56,000)

MANAGEMENT	Portfolio	FLA-LTS1 BAR (3176)
Report	As of	12/31/2015
Base Currency	USD	

- Grouped By: Asset Class
- Groups Sorted By: Asset Class
- Weighted By: Raw Market Value = Asset
- Holdings Displayed By: Portfolio