

VISION OF THE UTAH STATE BAR

Lawyers creating a justice system that is understood, valued, respected, and accessible to all.

MISSION OF THE UTAH STATE BAR

To lead Utah lawyers in serving the public and the legal profession by promoting justice, professional excellence, civility, ethics, and respect for and understanding of the law.

2013 – 2014 COMMISSION PRIORITIES

1. Promoting public and lawyer education;
2. Promoting a fair and impartial judiciary;
3. Promoting access to justice and affordable legal services;
4. Studying the future of the practice of law in Utah and how it will be affected in the coming years by technology, market conditions, age, diversity, law school policies, etc., and how the Bar can provide additional technology training and career development for our membership;
5. Providing greater group benefits to members.

(over)

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

Utah State Bar Commission
Friday, June 13, 2014
Law & Justice Center

Agenda

1. 9:00 a.m. President's Report: Curtis Jensen

- | | | |
|-----------------|-----|---|
| <i>10 mins.</i> | 1.1 | Welcome and Review Calendars (Tab 1) |
| <i>10 mins.</i> | 1.2 | Report on Northwest States Bar Meeting |
| <i>05 mins.</i> | 1.3 | Report on Meeting with Chief Justice Durrant (Tab 2) |
| <i>05 Mins.</i> | 1.4 | Model Utah Jury Instructions Committee |
| <i>05 mins.</i> | 1.5 | Report on Status of Database Implementation |
| <i>05 Mins.</i> | 1.6 | Report on Billboard Campaigns |
| <i>05 Mins.</i> | 1.7 | Report on Judiciary Committee Meeting |
| <i>05 Mins.</i> | 1.8 | Report on Change in Insurance Underwriter (Tab 3) |

2. 9:50 a.m. Action Items

- | | | |
|-----------------|-----|---|
| <i>10 mins.</i> | 2.1 | Select Lawyer of the Year Award Recipient (Tab 4) |
| <i>10 mins.</i> | 2.2 | Select Judge of the Year Award Recipient (Tab 5) |
| <i>10 mins.</i> | 2.3 | Select Committee of the Year Award Recipient (Tab 6) |
| <i>10 mins.</i> | 2.4 | Select Section of the Year Award Recipient (Tab 7) |
| <i>30 mins.</i> | 2.5 | Approve 2014-2015 Budget (Tab 8 and Handout) |
| | | A. Utah Dispute Resolution Funding Request (Tab 9) |
| | | B. Young Lawyers Division Funding Request (Tab 10) |

11:00 a.m. Break

- | | | |
|-----------------|-----|--|
| <i>10 Mins.</i> | 2.6 | Appoint Commission Liaisons (Tab 11) |
| <i>20 Mins.</i> | 2.7 | Advertising Rule Petition Amendment (Tab 12) |
| <i>10 Mins.</i> | 2.8 | Approve <i>Magna Carta</i> Exhibit Project (Tab 13) |
| <i>20 Mins.</i> | 2.9 | Select Auditors (Handout) |

12:00 noon Break for Lunch

- | | | |
|-----------------|------|---|
| <i>05 Mins.</i> | 2.10 | Judicial Council's Technology Committee (Tab 14) |
|-----------------|------|---|

3. 12:20 p.m. Information Items

- | | | |
|-----------------|-----|--|
| <i>15 Mins.</i> | 3.1 | Disaster Relief Committee Report: Steve Burt |
|-----------------|-----|--|

12:45 p.m. Adjourn

(Over)

Consent Agenda (Tab 15)

1. Approve April 25, 2014 Commission Meeting Minutes
2. Renew Casemaker Contract
3. Appointments to Utah Legal Services Board

Attachments (Tab 16)

1. April 2014 Financials
2. Blomquist Hale Reports
3. May 2014 Media Coverage

Calendar

July 11	Executive Committee	12:00 Noon	Law & Justice Center
July 16	Commission Meeting	1:00 p.m.	Snowmass Village, Colorado
July 16-19	Summer Convention		Snowmass Village, Colorado
July 29-30	Bar Examination	8:00 a.m.	Southtowne Center
August 22-23	Commission Retreat		Canyons Resort, Park City

Tab 1

2014 Bar Section Leadership Conference

Wednesday, July 16th
Salon B, Westin Conference Center

- | | |
|------------|---|
| 8:30 am | Continental Breakfast |
| 9:00 am | Welcome and Introduction of Bar Leadership
Curtis Jensen, Utah State Bar President |
| 9:15 am | Introduction to Bar Programs and Priorities 2014-2015
Jim Gilson, Utah State Bar President |
| 9:45 am | Conversation with Two Successful Former Section Chairs
What a Section Chair Actually Does - What We Wish We'd Known |
| 10:45 am | Break |
| 11:00 am | Table Discussions with Facilitators
Goals for the Year and Activities Planned |
| 11:30 am | Table Reports |
| 12:15 noon | Lunch and Speaker Dave Dugan |
| 1:15 pm | Resources at the Bar and Section Administration
Connie Howard, Bar CLE Director and Lincoln Mead, Bar IT Director |
| 2:00 pm | Your Role in Governmental Relations
Lori Nelson, Utah State Bar Past President |
| 2:30 pm | The Utah Courts and the Future
Chief Justice Matthew Durrant and Court Administrator Dan Becker |
| 3:00 pm | Break |
| 3:15 am | Meet your Bar Commission Liaisons |
| 3:30 pm | What to do in Snowmass
Jim O'Leary, Snowmass Hospitality |
| 3:40 pm | Wrap Up and Discussion
Jim Gilson |
| 4:00 pm | Adjourn |
| 6:00 pm | Opening Reception Westin Conference Center |

Snowmass 2014 Commissioners' Schedule

Wednesday, July 16th

1:00 pm	Commission Meeting, Cathedral Peak, Westin Conference Center
3:15 pm	Break to Meet Section Chairs, Salon B, Westin Conference Center
6:00 pm	Opening Reception, Garden Terrace, Westin Conference Center

Thursday, July 17th

7:30 am	Registration & Continental Breakfast, Westin Conference Center
8:30 am	Reports and Keynote, Westin Conference Center
6:00 pm	Family Carnival, Recreation Center

Friday, July 18th

7:30 am	Registration & Continental Breakfast, Westin Conference Center
8:30 am	Keynote, Awards & Swearing In, Westin Conference Center
6:30 pm	Reception for Judges and Past Presidents, Westin Hotel

Saturday, July 19th

7:30 am	Registration & Continental Breakfast, Westin Conference Center
8:30 am	Keynote, Reports, Westin Conference Center

Tab 2

**Utah State Bar Officers Meeting
with Chief Justice Matthew B. Durrant**

**May 19th, 2014
3:30 p.m.**

1. Judiciary Interim Committee Meeting Long Range Planning Discussion
2. Public Education
 - A. Billboards
 - B. Disciplinary Process
3. ABA Day in Washington
4. Model Jury Instructions
5. Bar Elections:

Bar President-elect: Angelina Tsu,
New Bar Commissioner: Heather Farnsworth
6. Proposed Lawyer Advertising Rule
7. Remote CLE via Technology
8. Budget
9. Magna Carta
10. Future of Practice Steering Committee/Task Force

Tab 3

MERCER CONSUMER PROGRAM HIGHLIGHTS

The following is a sample of offerings of the Mercer Consumer Lawyers Professional Liability Insurance Program underwritten by Berkley Insurance Company

- Claims administered by Mendes & Mount, LLP.
- Limits of Liability available from \$100,000 per claim up to \$5 Million per claim.*
- Claim Expenses Outside the Limit of Liability available. *
- **Loss Only** and **Aggregate** Deductibles available. *
- Deductible reduced by 50% up to a maximum of \$10,000 for early Mediation of claims.*
- Full Prior Acts/career coverage available for qualifying Lawyers. *
- An independent separate Limit of Liability for the reimbursement of defense expenses for a **Disciplinary Proceeding**. The Deductible is waived.*
- An independent separate Limit of Liability for the reimbursement of expenses for **Subpoena Assistance** and **Pre-Claim Assistance**. The Deductible is waived.*
- Policy requires the Insured's consent before settlement of a claim.
- Definition of **Legal Services** considers coverage for services performed as a member of a bar association, ethics, peer review, formal accreditation, licensing, or similar professional board or committee related to the legal profession.
- Definition of **Legal Services** considers coverage for services as an author of a publication or presentation of research papers if the fee, royalty or revenue is not greater than \$10,000.
- Network Security Coverage will be optional coverage and will be offered for an additional charge
- Unlimited nonpracticing extended reporting period available at no additional premium for retiring attorneys with 3 or more years of continuous coverage with the Company.
- Unlimited extended reporting period available at no additional premium upon death or total permanent disability regardless of amount of time insured with Company.

** Availability subject to underwriting review & approval*

The information presented above is intended as general information and does not describe all of the terms, conditions and exclusions applicable under the described Lawyers' Professional Liability insurance policy. This document does not provide or alter coverage in any way. Refer to the actual policy form and endorsements for a complete description of the insurance provided. The precise coverage afforded is subject to the terms and conditions of the actual policy as issued and may vary from the general descriptions above. All coverage is subject to underwriting consideration.

POLICY SUMMARY			
POLICY ANALYSIS			
	Berkley Insurance		Liberty
Policy Form Number	LPL 29400 (05-14)		LIU 3000 Ed. 04 02
PRIOR ACTS COVERAGE			
Claims Made and Reported	Yes	No. Claims Made	
Duty to Defend	Yes	Yes	
Career Coverage	Yes	Yes	
Firm Coverage	Not In Policy		LIU3010 Limits coverage to Firm only or LIU3011 limits to Firm only after a specific date
Predecessor Firm Coverage	Yes, 1) Majority successor in interest of financial assets and liabilities or 2) 50% or more of the lawyers or 3) previously qualifies as a Predecessor Firm under the last year's policy		50% or more of the lawyers join the current entity
Contains "Prior to the FIRST POLICY ISSUED BY THE COMPANY AND CONTINUOUSLY INSURED." language	Yes		No, but the definition of Innocent Insured does the same thing.
LIMIT OF LIABILITY / DEDUCTIBLE			
Claim Expenses Inside the Limit	Maybe, See Declaration Page - Item 3 A = Damages Limit Per Claim; Item 3 B = Damages Limit Aggregate; Item 5A = CEIL Limit	Yes	
Claim Expenses Outside the Limit	Maybe, See Declaration Page - Item 3 A = Damages Limit Per Claim; Item 3 B = Damages Limit Aggregate; Item 5B = CEOL Limit		LIU3058 Unlimited CEOL, LIU3015 Limited CEOL
Loss and Defense Deductible	Yes, All Insured's responsible for payment not just Named Insured. If Carrier sues to collect Deductible, Insured has to pay legal fees, costs and expenses incurred to collect the deductible. Must pay in 30 days after written demand		Yes, Must pay in 30 days after written demand
Loss Only Deductible	Yes, All Insured's responsible for payment not just Named Insured. If Carrier sues to collect Deductible, Insured has to pay legal fees, costs and expenses incurred to collect the deductible. Must pay in 30 days after written demand.		Yes, by LIU3002 Endorsement, Must pay in 30 days after written demand
Deductible Reduced if Claim Arbitrated / Mediated	Yes, Reduced to 50% for Mediation or resolved within 60 days of institution of suit. Reduce to \$10,000.		Reduced to 50% for Binding Arbitration or Mediation. Reduce to \$2,500 for Mediation only.
Claim Expenses Include Interest on Judgments	Yes, Pre-Judgment and Post Judgment		Yes, any Judgment
Claim Expenses Include Premiums on Appeal Bonds	Yes		Yes
Claim Expenses Include Costs Taxed Against the Insured	Yes		Not In Policy
Damages Include Punitive	Maybe, Must be insurable under law		
Damages Include Multiplied Portion or Award	Maybe, Must be insurable under law		No

CLAIM INFORMATION			
Insured's Consent To Settle	Yes	Yes	
Carrier Appoints Defense Counsel	Yes, including an Arbitrator or Mediator	?	
Standard Hammer Clause	Yes	Yes	
Supplementary Payments - Disciplinary Action	Yes, Paid in addition to the limit, No deductible, See Item 4 of the Declaration Page for Limit. If determination is "No Liability" (final determination, no further action or matter abandoned - also no settlement has occurred) Insurer will reimburse Insured for Disciplinary Fees too.		Paid in addition to the limit, \$25,000 max. any one D.P., \$100,000 per year, no deductible
Supplementary Payments - Attend a Trial	Yes, Paid in addition to the limit, See Item 4 of the Declaration Page for Limit		Paid in addition to the limit, \$500 per day, \$10,000 per claim, \$50,000 per year
Reporting Claim	See Declaration Page		p. 7 of 13, Limits of Liability & Deductible, 6. Defense of Claims
COVERAGE			
Title Agent Coverage	Yes, but a Title Agency must be a wholly owned subsidiary of the Named Insured to be considered for coverage.	Yes	
Arbitrator / Mediator Coverage	Yes	Yes	
Notary Public	Yes	Yes	
Innocent Insured Coverage	Yes, Fraud Only	Yes, Fraud & Non-Compliance	
Non-Lawyer Employee Coverage	Yes, but only acts on behalf of the firm	Yes, but only acts on behalf of the firm	
Of Counsel Coverage	Maybe, Limited to acts on behalf of the Firm. An OC that was a prior partner, officer, director, stockholder-employee, associate, manager, member or employee is under #1. But if not previously with the firm, must add by endorsement to obtain career coverage.	Yes, but only acts on behalf of the firm	
Independent Contractor Coverage	Yes, but only acts on behalf of the firm	Yes, but only acts on behalf of the firm	
Past Partner Coverage	Yes, but only acts on behalf of the firm - Retired, Disabled and Deceased Attorneys stay in F(1)	Yes, but only acts on behalf of the firm	
Activities as a Trustee (Non-Beneficiary) Coverage	Maybe, not of a pension, welfare, profit sharing, mutual or investment fund or investment trust.	Maybe, Mostly Court appointed Trustee. Not Trustee of an organization other than that of the named insured.	
Coverage if Other Insurance	Yes, Excess if other insurance that applies, but when excess, there is no duty to defend	Not liable for a greater portion than the other policies involved.	
Coverage for Personal Injury (Slander, Libel, etc.)	Yes	Yes	
Coverage for Professional Board Activities	Yes	Yes	
Coverage for Services as Author	Maybe, If royalties or revenue is not greater than \$10,000	Maybe, If royalties or revenue is not greater than \$10,000	
Defense for Claims Alleging Fraud	Yes	Yes, until finally adjudicated or admitted to by Insured	
EXCLUSIONS			
Equity Interest Exclusion	Yes, Insured or accumulation of Insured's is greater than 10%	Single person (including spouse) has more than 10%. If collective E. I. is 35% or more	
Director & Officer Exclusion	Maybe, Unless for a professional legal association	Yes	
Public Official Exclusion	Maybe, Unless government is a client	Yes	
Insured vs. Insured	Maybe, Not if an attorney / client relationship exists	Maybe, Not if an attorney / client relationship exists	
Pro Bono Work	Yes	Not in Policy	
Multiple Policies Exclusion		Yes, Only pay highest applicable limit of liability	

MISCELLANEOUS		
Charge / Return Premium Midterm Change in Attorneys	Maybe, 50% or greater change of attorneys on firms with less than 6 attorneys. Must notify in 60 days of change	If more than 6 attorney on the policy and affecting 50% or more of the lawyers must report within 60 days.
Policy Territory	Anyplace in world, provide suit is brought in USA, its territories, possessions, Puerto Rico or Canada	Worldwide
Offering of Terms Different from Expiring is NOT a Refusal to Renew	Yes	No
Days Notice of Cancellation (Other than Non-Payment)	60 days, 10 day for non-payment - Pro rata return, Insured Cancels -Short Rate return	Location: 45 Days - Amended by Georgia Amendatory Endorsement
EXTENDED REPORTING PERIOD OPTIONS		
Extended Reporting Period Option - Days to Exercise Option	60 days after the effective date of the non-renewal or cancellation	60 days after the effective date of the non-renewal or cancellation
Extended Reporting Period Option - Restrictions	Yes, non-payment of premiums, non-compliance and misrepresentation, license revoked, suspended or surrendered	Disability cannot be from an act of War or during active service in the military
Extended Reporting Period Option - Automatic	Yes, Claims first made during the first 60 days if no other Insurance applies	Yes, Claims first made during the first 60 days if no other Insurance applies
Extended Reporting Period Option - Purchase (Firm)	1 year - 100% 2 years - 150% 3 years - 175% 6 years - 225% Unlimited - 250% Not available if License Revoked, Deductible applies	1 year - 100% 2 years - 135% 3 years - 150% 5 years - 185% Unlimited - 225%
Extended Reporting Period Option - Purchase (Individual)	No	Per Insured Lawyer premium and Non-Practicing 1 year - 100% 2 years - 135% 3 years - 150% 5 years - 185% Unlimited - 225%
Extended Reporting Period Option - Reinstatement Limits	No	If Insured three or more years, 100%. If Insured Less than three years, greater amount of limit remaining or 50% of Aggregate Limit
Extended Reporting Period Option - Retirement - Free	Maybe, available if no other renewal, successive renewal, Automatic ERP, Optional ERP, other policy provides coverage. - NOT SURE HOW THIS WORKS IN PRACTICE - if continuously insured by Berkley for three years. Separate Limit of Liability on Declaration page Item 7	Maybe, if continuously insured by Liberty for three years, no deductible.
Extended Reporting Period Option - Death / Disability	Maybe, available if no other renewal, successive renewal, Automatic ERP, Optional ERP, other policy provides coverage. - NOT SURE HOW THIS WORKS IN PRACTICE - Must submit to a medical examination by Insured's Doctor if certification is contested. Separate Limit of Liability in Declaration Page, Item 7.	Yes, no deductible, Disability cannot be from an act of War or during active service in the military

Non-Lawyer Services by a Lawyer Coverage		UNIQUE TO THIS POLICY	
Exclude Liability Assumed by Insured under a contract	Yes		Yes
Coverage for Spouse or Domestic Partner	Yes		No
Funds Exclusion	Maybe, If claim seeks damages from marital property		
Securities Exclusion	Yes, conversion, misappropriation or improper commingling of client funds		Not In Policy
Personal Profit Exclusion	Yes, actually more of a Broker Dealer - Realtor Exclusion - promotion, sale recommendations, representations or opinions on specific investments.		Not In Policy
ERISA Exclusion	Yes, gain or profit which the Insured is not legally entitled		Not In Policy
Material Misrepresentation by Insured's Agent Renders Policy Null and Void	Yes		Yes
Subpoena Assistance	Yes, Legal Fees - See Item 4 of the Declaration Page, no deductible 1) If Insured is not a party to the lawsuit 2) Insured has not been engaged to provide advice or testimony currently or in the past. Notice of Subpoena is considered Notice of a Claim by carrier		Not In Policy
Pre-Claim Assistance	Maybe, At its sole discretion - Until the date the claim is made. See Item 4 of the Declaration Page. No deductible		No

Note: The comments herein are the interpretation of agents of Mercer Consumer and are not intended to be representations of the Berkley Insurance or Liberty policies. Mercer Consumer agents do not have the authority to represent the Berkley Insurance or Liberty policies

Tab 4

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Lawyer of the Year Award Selection

Item: #2.1

Submitted by: John Baldwin

Meeting Date: June 13, 2014

ITEM/ISSUE:

To select the 2014 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. Raymond Uno

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
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. McKeachnie	
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

1970 DEAN F. BRAYTON
1970 ARTHUR B. WATKISS
1971 HAROLD P. FABIAN
1971 LEROY B. YOUNG
1972 SAMUEL C. POWELL
1973 GRANT H. BAGLEY
1973 MELVIN C. HARRIS
1974 CALVIN BEHLE
1975 CLIFFORD L. ASHTON
1976 SAM CLINE
1977 GEORGE W. LATIMER
1978 IRA A. HUGGINS
1979 F. GERALD IRVINE
1979 CALVIN W. RAWLINGS
1980 REX J. HANSON
1980 WALTER G. MANN
1981 RAY R. CHRISTENSEN
1981 JOHN H. SNOW
1982 REX E. LEE
1983 WILLIAM G. SHELTON
1984 HAROLD G. CHRISTENSEN
1985 EDWARD W. CLYDE
1986 STEPHEN B. NEBEKER
1987 CARMAN E. KIPP
1988 JAMES B. LEE
1988 ELLEN M. MAYCOCK
1989 DONALD B. HOLBROOK
RANDON W. WILSON

1990 BRIAN R. FLORENCE
1990 NORMAN S. JOHNSON
1991 HERSCHEL J. SAPERSTEIN
1992 HARDIN A. WHITNEY
1993 WILLIAM B. BOHLING
1994 JOSEPH NOVAK
1995 GORDON L. ROBERTS
1996 DALE A. KIMBALL
1997 GAYLE F. MCKEACHNIE
1998 LEONARD J. LEWIS
1999 IRENE WARR
2000 D. FRANK WILKINS
2001 ALAN L. SULLIVAN
2002 L. BRENT HOGGAN
2003 JAY E. JENSEN
2003 RODNEY G. SNOW
2004 GEORGE B. HANDY
2005 JAMES S. JARDINE
2006 MAX D. WHEELER
2007 OSCAR W. MC CONKIE
2008 CHARLES R. BROWN
2009 PAUL T. MOXLEY
2010 RANDY L. DRYER
2011 ROBERT B. SYKES
2012 GARY R. CRANE
2013 PETER STIRBA

I would like to request that the Utah State Bar consider Raymond Uno as its Distinguished Lawyer of the Year. He is a remarkable man and I think he has, by his ethical and personal conduct, commitment and activities, exemplified the epitome of professionalism.

I have looked at a list of the Bar's Distinguished Lawyer honorees from 1990 through 2013. They are all great men and women and great lawyers. Judge Uno is their equal.

It is my belief that Judge Uno is the most important and most influential minority attorney the State of Utah has ever had.

Here are some bullet points:

- Member of the Utah State Bar since 1959, 55 years.

- Founding member of the Utah Minority Bar Association. 1990. Judge Uno was the reason UMBA came into being, it was his idea and he organized the first several meetings and was its first President. Has been involved in all of UMBA's activities ever since. In the last year his efforts supporting UMBA's Past Presidents Group have been instrumental.

- Salt Lake City Court Judge from 1976 to 1978.

- Salt Lake Circuit Court Judge from 1978 to 1984.

- 3rd District Court Judge from 1984 to 1990. Senior judge until 2002.

- Graduated from the University of Utah College of Law in 1958.

- From 1958 to 1963 Judge Uno was a case worker with the Salt Lake County Welfare Department.

- Earned a Masters in Social Work in 1963.

- In 1963 and 1964 he was hired by the Utah State Welfare Department as a referee in Juvenile Court. He was the first minority to hold a Juvenile Court Judicial Office in Utah.

- In 1964 he became a prosecutor with the Salt Lake County Attorney's Office.

- From 1965 to 1969 he was a Utah Assistant Attorney General and was assigned as general counsel to the State Welfare Department.

- From 1969 to 1976 he was in private practice doing civil rights, criminal defense, personal injury, and domestic relations cases.

- During his judicial career Judge Uno handled thousands of matters including capitol murder cases, complex civil litigation, medical malpractice, and divorce and custody disputes.

Over the years Judge Uno has been involved in countless community organizations relating to minority issues. They are too numerous to list but include the Asian Association, Asian Chamber of Commerce, Friends of Library Board, and the University of Utah Alumni Board.

83 years old, born in 1930 in Ogden in a taxi on the way to the hospital. The cab driver's name was Ray, so Judge Uno's father had an easy time picking a name.

Moved to California as a child in 1938.

Was imprisoned as a child, along with his family, at the Heart Mountain Relocation Center in Wyoming during WWII from 1942 to 1945. Judge Uno's father served in the military in WWI, in France, and was allowed to become a U.S. Citizen in 1936 because of his military service. He was very loyal to the United States. Nevertheless he was incarcerated along with his family at Heart Mountain. Judge Uno's father died in the camp. Remarkably he received a military funeral even though it was wartime and he was a prisoner.

Graduated from high school in 1948. Wrestling and boxing champion, played football.

Joined the U.S. Army in 1948. Served until 1952. Served in Japan and was assigned to Military Intelligence and Counter Intelligence Units.

Graduated from University of Utah in 1955, degree in Political Science.

Graduated from University of Utah College of Law in 1958.

While in school, from 1952 to 1957, worked every Christmas Vacation for the Post Office, delivered mail in the Avenues and Rose Park neighborhoods.

Judge Uno's mother elderly mother came to live with him in 1965. He took care of her until she passed away in 1995 at the age of 101.

His wife's name is Yoshiklo, they married in 1966 and have been married for 47 years. They have 5 boys, Tab, Kai, Mark, Sean and Lance.

A handwritten signature in dark ink, appearing to read 'Dane Nolan', with a stylized, cursive script.

Dane Nolan, Bar Number 4891

May 29, 2014

Tab 5

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Judge of the Year Award Selection

Item: #2.2

Submitted by: John Baldwin

Meeting Date: June 13, 2014

ITEM/ISSUE:

To select the 2014 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:

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
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

1970	HON. CHARLES G. COWLEY	1990	HON. CHRISTINE M. DURHAM
1971	HON. MAURICE H. HARDING	1990	HON. A. LYNN PAYNE
1972	HON. FRED W. KELLER	1990	HON. DAVID E. ROTH
1972	HON. D. FRANK WILKINS	1990	HON. DAVID W. SORENSON
1973	HON. CALVIN GOULD	1991	HON. CULLEN Y. CHRISTENSEN
1974	HON. DAVID T. LEWIS	1992	HON. MICHAEL R. MURPHY
1975	HON. GORDON R. HALL	1993	HON. BRUCE S. JENKINS
1976	HON. REGNAL W. GARFF, JR.	1994	HON. JOHN A. ROKICH
1977	HON. A. SHERMAN CHRISTENSEN	1995	HON. J. THOMAS GREENE, JR.
1978	HON. ZACHARY T. CHAMPLIN	1996	HON. LESLIE A. LEWIS
1978	HON. DAVID K. WINDER	1997	HON. W. BRENT WEST
1979	HON. JAMES S. SAWAYA	1998	HON. TYRONE E. MEDLEY
1980	HON. ALDON J. ANDERSON	1999	HON. LYNN W. DAVIS
1980	HON. J. ALLAN CROCKETT	1999	HON. DAVID SAM
1981	HON. RICHARD J. MAUGHAN	2000	HON. GUY R. BURNINGHAM
1982	HON. MELVIN H. MORRIS	2001	HON. RAYMOND M. HARDING, SR.
1983	HON. J. ROBERT BULLOCK	2001	HON. SHARON P. MCCULLY
1984	HON. JOHN F. LARSON	2001	HON. ANNE M. STIRBA
1984	HON. DALLIN H. OAKS	2002	HON. STEPHEN H. ANDERSON
1985	HON. ALDON J. ANDERSON	2002	HON. JERIL B. WILSON
1986	HON. DEAN E. CONDER	2003	HON. RONALD N. BOYCE
1986	HON. SHARON P. MCCULLY	2004	HON. WILLIAM B. BOHLING
1986	HON. A. JOHN RUGGERI	2005	HON. ANDREW VALDEZ
1986	HON. I. DANIEL STEWART	2006	HON. GORDON J. LOW
1987	HON. VENOY CHRISTOFFERSEN	2007	HON. SANDRA N. PEULER
1987	HON. FLOYD H. GOWANS	2007	HON. GREGORY K. ORME
1987	HON. GORDON R. HALL	2008	HON. GLENN K. IWASAKI
1987	HON. JOSEPH E. JACKSON	2009	HON. JUDITH S. ATHERTON
1988	HON. D. DENNIS FREDERICK	2010	HON. ROBERT K. HILDER
1988	HON. MICHAEL L. HUTCHINGS	2011	HON. DEE V. BENSON
1988	HON. PAUL C. KELLER	2012	HON. ROYAL I. HANSEN
1988	HON. MICHAEL D. ZIMMERMAN	2013	HON. MICHAEL D. LYON
1989	HON. L. KENT BACHMAN		
	HON. SCOTT DANIELS		
	HON. REGNAL W. GARFF, JR.		
	HON W. BRENT WEST		

Tab 6

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Committee of the Year Award Selection

Item: #2.3

Submitted by: John Baldwin

Meeting Date: June 13, 2014

ITEM/ISSUE:

To select the 2014 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:

None

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
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

1986	LEGISLATIVE AFFAIRS COMMITTEE
1987	LAW RELATED EDUCATION and LAW DAY COMMITTEE
1988	CONTINUING LEGAL EDUCATION ADVISORY COMMITTEE
1989	<i>BAR JOURNAL</i> COMMITTEE
1990	BAR EXAMINER COMMITTEE
1992	ETHICS and DISCIPLINE COMMITTEE
1993	LEGISLATIVE AFFAIRS COMMITTEE
1994	ETHICS ADVISORY OPINION COMMITTEE
1995	DELIVERY of LEGAL SERVICES COMMITTEE
1996	NEEDS of CHILDREN COMMITTEE
1997	UNAUTHORIZED PRACTICE of LAW COMMITTEE
1998	COURTS and JUDGES COMMITTEE
1999	CLIENT SECURITY FUND COMMITTEE
2000	ADMISSIONS COMMITTEE
2002	CHARACTER and FITNESS COMMITTEE
2003	NEEDS of the ELDERLY COMMITTEE
2004	UNAUTHORIZED PRACTICE of LAW COMMITTEE
2005	GOVERNMENTAL RELATIONS COMMITTEE
2006	ETHICS ADVISORY OPINION COMMITTEE
2007	<i>BAR JOURNAL</i> COMMITTEE
2008	ADMISSIONS COMMITTEE
2009	NEW LAWYER TRAINING PROGRAM COMMITTEE
2010	BAR EXAMINER COMMITTEE
2011	UNAUTHORIZED PRACTICE of LAW COMMITTEE
2012	PRO BONO COMMISSION
2013	BUDGET & FINANCE COMMITTEE

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 7

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Section of the Year Award Selection

Item: #2.4

Submitted by: John Baldwin

Meeting Date: June 13, 2014

ITEM/ISSUE:

To select the 2014 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

PAST RECIPIENTS AND NOMINEES:

Past Recipients	Other Nominations That Year
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 Military Law	
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

1985	SECURITIES LAW SECTION
1987	ENERGY, NATURAL RESOURCES AND ENVIRONMENTAL LAW SECTION
1988	ADMINISTRATIVE LAW SECTION
1989	YOUNG LAWYER SECTION
1990	LITIGATION SECTION
1991	FAMILY LAW SECTION
1993	LITIGATION SECTION
1995	LITIGATION SECTION
1997	YOUNG LAWYERS DIVISION
1998	LEGAL ASSISTANTS DIVISION
2001	LEGAL ASSISTANTS DIVISION
2002	YOUNG LAWYERS DIVISION
2003	FAMILY LAW SECTION
2004	YOUNG LAWYERS DIVISION
2005	ADR SECTION
2006	LITIGATION SECTION
2007	PARALEGAL DIVISION
2008	YOUNG LAWYERS' DIVISION
2009	APPELLATE PRACTICE SECTION
2010	MILITARY LAW SECTION
2011	ELDER LAW SECTION, YOUNG LAWYERS DIVISION
2012	ESTATE PLANNING SECTION
2013	SOLO, SMALL FIRM & RURAL PRACTICE SECTION

Tab 8

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Approve the 2014-2015 Budget

Item # 2.5

Submitted by: John Baldwin

Meeting Date: June 13, 2014

ITEM/ISSUE:

The proposed budget adds no new programs or activities. It includes savings due to new membership software systems and personnel changes, including one less staff position.

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

RECOMMENDATIONS:

Utah State Bar Programs, Services and Projects 2014-2015

1. Management and Operations

Personnel, Financial Management
Inventory, Equipment, MIS Database
Bar Governance, General Counsel
Licensing, Legal, *Pro Hac Vice*, Certificates of Good Standing,
Commission Special Projects

Bar Commission
Bar Commission Executive Committee
Bar Commission Budget & Finance Committee
Other Ad Hoc Committees

2. Law & Justice Center Operations

Room Rental, Preparation & Service
Tenant Support, Interior and Grounds
Maintenance & Security

3. Web Site Management

4. Admissions

Applications
Character and Fitness Evaluations
Bar Exam Preparation, Administration
Grading and Ceremonies
Reciprocal Admissions

Admissions Committee
Character and Fitness Committee
Bar Examiner Committee
Bar Exam Administration Committee

5. Professional Conduct

Ethics Education and Ethics Hotline
Formal and Informal Advisory Opinions
Process Complaints
Investigate, Present to Panels
Resolve/Try Cases

Ethics and Discipline Committee (Hearing Panels)

6. Consumer Assistance Program
7. Continuing Legal Education
CLE Advisory Committee
8. New Lawyer Training Program
Committee on New Lawyer Training
9. Access to Justice Programs (Pro Bono, Modest Means)
Pro Bono Commission
Pro Bono District Committees
10. Lawyer Referral
11. Summer and Spring Conventions and Fall Forum
Summer Meeting Convention Committee
Spring Meeting Convention Committee
Fall Forum Committee
12. Utah Bar Journal
Bar Journal Committee
13. Fund for Client Protection
Fund for Client Protection Committee
14. Fee Dispute Resolution
Fee Dispute Resolution Committee
15. Member Benefits
Member Benefits Committee
Disaster Legal Response Committee
16. Public Education and Services

Public and Media Relations
ABA, Legislature, Lawyers
Appointment to Boards & Committees
Lobbying

Governmental Relations Committee

17. Section & Division Support

CLE, Meetings and Luncheons
Administrative and Financial

18. Tuesday Night Bar

19. Unauthorized Practice of Law

Unauthorized Practice of Law Committee

20. Other Committee Support

Law Related Education and Law Day Committee
Law and Technology Committee
Law & Aging Committee

Utah State Bar
Preliminary 2014/15 Budget
April 30, 2014

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
<u>Revenue</u>					
01 Licensing	\$ 3,886,900	\$ 3,941,101	\$ 3,998,400	2.9%	1.5%
02 Admissions	473,060	454,845	454,900	-3.8%	0.0%
03 Mentoring	80,600	83,600	85,300	5.8%	2.0%
04 Mgt - Service	17,400	10,908	12,000	-31.0%	10.0%
04 Mgt - In Kind	3,200	2,545	2,600	-18.8%	2.1%
04 Mgt - Interest & Gain	15,100	(5,791)	17,100	13.2%	-395.3%
05 Property Mgt	295,100	313,775	312,952	6.0%	-0.3%
06 OPC	12,500	11,580	11,600	-7.2%	0.2%
08 CMIS/Internet	3,000	400	500	-83.3%	25.0%
09 CLE	383,000	397,313	405,200	5.8%	2.0%
10 Summer Convention	184,200	147,682	150,600	-18.2%	2.0%
11 Fall Forum	89,100	81,535	88,200	-1.0%	8.2%
12 Spring Convention	128,700	143,074	145,900	13.4%	2.0%
13 Bar Journal	132,100	136,884	139,600	5.7%	2.0%
14 Committees	100	1,000	1,000	-	0.0%
15 Member Benefits	6,900	11,607	11,900	72.5%	2.5%
16 Section Support	84,348	87,544	93,606	11.0%	6.9%
18 Access to Justice	-	9,924	10,200	-	2.8%
21 Commission/Sp Projects	-	7,200	7,300	-	1.4%
23 Young Lawyers Division	-	67	100	-	49.3%
Total Revenue	\$ 5,795,308	\$ 5,836,793	\$ 5,948,958	2.7%	1.9%
<u>Expenses</u>					
01 Licensing	170,683	178,874	188,241	10.3%	5.2%
02 Admissions	450,698	459,736	479,834	6.5%	4.4%
03 Mentoring	98,632	100,661	94,568	-4.1%	-6.1%
04 Bar Mgt	655,721	705,046	761,163	16.1%	8.0%
05 Property Mgt	496,767	493,695	539,767	8.7%	9.3%
06 OPC	1,178,101	1,170,873	1,223,480	3.9%	4.5%
07 General Counsel	300,039	226,154	263,449	-12.2%	16.5%
08 Computer/MIS/Internet	200,265	172,523	179,283	-10.5%	3.9%
09 CLE	369,805	351,550	374,023	1.1%	6.4%
10 Summer Convention	224,267	253,696	195,122	-13.0%	-23.1%
11 Fall Forum	87,761	92,077	98,191	11.9%	6.6%
12 Spring Convention	81,975	112,559	124,138	51.4%	10.3%
13 Bar Journal	181,418	178,554	185,858	2.4%	4.1%
14 Committees	119,017	108,654	111,504	-6.3%	2.6%
15 Member Benefits	177,155	139,882	169,605	-4.3%	21.2%
16 Section Support	84,348	87,544	93,606	11.0%	6.9%
17 Consumer Assistance	61,858	67,250	70,100	13.3%	4.2%
18 Access to Justice	184,884	165,391	204,878	10.8%	23.9%
19 Tuesday Night Bar	13,070	38,944	40,763	211.9%	4.7%
20 Legislative	64,405	67,932	71,703	11.3%	5.6%
21 Commission/Sp. Proj	166,167	183,731	181,066	9.0%	-1.5%
22 Public Education	146,922	137,423	166,777	13.5%	21.4%
23 Young Lawyers Division	48,000	33,150	48,100	0.2%	45.1%
Total Expenses	\$ 5,561,958	\$ 5,525,899	\$ 5,865,219	5.5%	6.1%
Net Revenue/(Expense)	\$ 233,350	\$ 310,894	\$ 83,739	-64.1%	-73.1%
Depreciation (add back)	\$ 55,363	\$ 104,265	\$ 165,458	198.9%	58.7%
Capital expenditures	\$ (550,000)	\$ (450,000)	\$ (50,000)	-90.9%	-88.9%
Net cash revenue	\$ (261,287)	\$ (34,841)	\$ 199,197	-176.2%	-671.7%

Preliminary 2013/14 Budget **Licensing**

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	<u>Budget</u>	<u>6/30/2014</u>	<u>2014/15</u>	<u>14/15 Bgt</u>	<u>vs 14/15 Bgt</u>
Income					
4010 · Administrative Fees	\$ 23,000	\$ 24,810	\$ 23,000	0.0%	-7.3%
4021 · Lic Fees > 3 Years	3,149,200	3,176,059	3,239,600	2.9%	2.0%
4022 · Lic Fees < 3 Years	283,900	288,175	293,900	3.5%	2.0%
4023 · Lic Fees - House Counsel	16,200	18,440	18,800	16.0%	2.0%
4025 · Pro Hac Vice Fees	51,000	53,000	54,100	6.1%	2.1%
4026 · Lic Fees - Inactive/FS	112,000	111,495	113,700	1.5%	2.0%
4027 · Lic Fees - Inactive/NS	166,500	170,415	173,800	4.4%	2.0%
4029 · Lic Fees - Prior Year	6,400	8,975	9,200	43.8%	2.5%
4030 · Certs of Good Standing	30,700	24,000	24,500	-20.2%	2.1%
4095 · Miscellaneous Income	3,000	2,732	2,800	-6.7%	2.5%
4096 · Late Fees	45,000	63,000	45,000	0.0%	-28.6%
Total Income	3,886,900	3,941,101	3,998,400	2.9%	1.5%
Expense					
5500 · Salaries/Benefits					
5510 · Salaries/Wages	43,032	48,613	51,044	18.6%	5.0%
5605 · Payroll Taxes	3,012	3,269	3,573	18.6%	9.3%
5610 · Health Insurance	4,072	3,407	2,960	-27.3%	-13.1%
5630 · Dental Insurance	309	305	318	2.8%	4.0%
5640 · Life & LTD Insurance	195	195	195	-0.2%	0.0%
5650 · Retirement Plan Contributions	4,303	4,312	5,104	18.6%	18.4%
5655 · Retirement Plan Fees & Costs	495	495	562	13.5%	13.5%
Total 5500 · Salaries/Benefits	55,418	60,596	63,755	15.0%	5.2%
7000 · General & Admin					
7025 · Office Supplies	500	41	500	0.0%	1109.7%
7035 · Postage/Mailing	12,500	14,681	15,300	22.4%	4.2%
7040 · Copy/Printing Expense	4,400	7,032	7,300	65.9%	3.8%
7050 · Computer Maintenance	1,500	1,188	1,500	0.0%	26.3%
7089 · BA Subscription Service	18,433	18,432	18,432	0.0%	0.0%
7100 · Telephone	1,112		1,221	9.8%	-
7140 · Credit Card Merchant Fees	73,000	73,000	74,000	1.4%	1.4%
7170 · Lobbying Rebates	500	-	500	0.0%	-
7195 · Other Gen & Adm Expense	100	-	100	0.0%	-
Total 7000 · General & Admin	112,045	114,375	118,853	6.1%	3.9%
8000 · Building Overhead					
6015 · Janitorial Expense	384	416	441		
6020 · Heat	146	343	332		
6025 · Electricity	609	623	750		
6030 · Water/Sewer	55	68	77		

Preliminary 2013/14 Budget
Licensing

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
6035 · Outside Maintenance	133	147	181		
6040 · Building Repairs	422	428	443		
6045 · Bldg Mtnce Contracts	676	593	829		
6050 · Bldg Mtnce Supplies	39	23	40		
6065 · Bldg Insurance/Fees	14	172	191		
6070 · Bldg Depreciation	369	401	809		
6075 · Furn/Fixtures Depreciation	123	173	212		
7065 · Equip Depreciation	250	516	1,328		
Total 8000 · Building Overhead	3,220	3,903	5,633	74.9%	44.3%
Total Expense	170,683	178,874	188,241	10.3%	5.2%
Net Income	\$ 3,716,217	\$ 3,762,227	\$ 3,810,159	2.5%	1.3%

Preliminary 2013/14 Budget **Admissions**

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Income					
4001 · Admissions - Student Exam Fees	\$ 210,725	\$ 179,150	\$ 179,200	-15.0%	0.0%
4002 · Admissions - Attorney Exam Fees	58,650	58,225	58,200	-0.8%	0.0%
4003 · Admissions - Retake Fees	51,400	33,625	33,600	-34.6%	-0.1%
4004 · Admissions - Laptop Fees	81,700	64,650	64,700	-20.8%	0.1%
4005 · Admissions - Application Forms	50	50	100	100.0%	100.0%
4006 · Transfer App Fees	7,850	30,700	30,700	291.1%	0.0%
4007 · Admiss - Stdnt Atty Exam Fees	850	-	-	-100.0%	-
4008 · Attorney - Motion	31,450	52,700	52,700	67.6%	0.0%
4009 · House Counsel	8,500	6,800	6,800	-20.0%	0.0%
4095 · Miscellaneous Income	885	1,745	1,700	92.1%	-2.6%
4096 · Late Fees	21,000	27,200	27,200	29.5%	0.0%
Total Income	473,060	454,845	454,900	-3.8%	0.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	7,501	9,914	10,300	37.3%	3.9%
5002 · Meeting Facilities-internal only	900	5,962	6,200	588.9%	4.0%
5010 · Sequestration	9,000	-	-	-100.0%	-
5013 · ExamSoft	24,800	24,736	25,700	3.6%	3.9%
5014 · Questions	46,800	53,814	56,000	19.7%	4.1%
5015 · Investigations	10,400	11,877	12,400	19.2%	4.4%
5016 · Credit Checks	1,300	1,885	2,000	53.8%	6.1%
5017 · Medical Exam	1,200	333	300	-75.0%	-10.0%
5025 · Temp Labor/Proctors	7,100	6,600	6,900	-2.8%	4.5%
5046 · Court Reporting	-	200	200	-	0.0%
5070 · Equipment Rental	2,100	812	800	-61.9%	-1.5%
5075 · Food & Beverage-external costs	13,200	7,725	8,000	-39.4%	3.6%
5076 · Food & Beverage-internal only	1,500	10,000	10,400	593.3%	4.0%
5085 · Misc. Program Expense	-	381	400	-	4.9%
5700 · Travel					
5702 · Lodging	2,400	1,400	1,500	-37.5%	7.1%
5703 · Transportation	2,500	1,137	1,200	-52.0%	5.5%
5704 · Mileage Reimbursement	100	636	700	600.0%	10.1%
5705 · Per Diems	1,500	1,095	1,100	-26.7%	0.5%
Total 5000 · Program Services Expense	132,301	138,508	144,100	8.9%	4.0%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	213,591	215,992	226,792	6.2%	5.0%
5605 · Payroll Taxes	14,951	17,064	15,875	6.2%	-7.0%
5610 · Health Insurance	24,430	21,056	17,758	-27.3%	-15.7%
5630 · Dental Insurance	1,852	1,829	1,906	2.9%	4.2%

Preliminary 2013/14 Budget Admissions

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
5640 · Life & LTD Insurance	1,533	1,575	1,575	2.7%	0.0%
5650 · Retirement Plan Contributions	21,359	20,143	22,679	6.2%	12.6%
5655 · Retirement Plan Fees & Costs	2,457	2,457	2,495	1.5%	1.5%
5660 · Training/Development	100	643	100	0.0%	-84.4%
Total 5500 · Salaries/Benefits	280,273	280,758	289,180	3.2%	3.0%
7000 · General & Admin					
7025 · Office Supplies	1,400	1,641	1,700	21.4%	3.6%
7035 · Postage/Mailing	2,600	3,172	3,300	26.9%	4.0%
7040 · Copy/Printing Expense	5,800	5,725	6,000	3.4%	4.8%
7050 · Computer Maintenance	500	13	500	0.0%	3650.0%
7089 · BA Subscription Service	9,217	9,217	9,217	0.0%	0.0%
7100 · Telephone	1,668	1,800	1,832	9.8%	1.8%
7120 · Membership/Dues	700	953	1,000	42.9%	4.9%
7140 · Credit Card Merchant Fees	8,600	9,419	9,800	14.0%	4.0%
7150 · E&O/Off & Dir Insurance	3,500	3,637	3,800	8.6%	4.5%
7195 · Other Gen & Adm Expense	100	-	-	-100.0%	-
Total 7000 · General & Admin	34,085	35,579	37,149	9.0%	4.4%
8000 · Building Overhead					
6015 · Janitorial Expense	481	521	736		
6020 · Heat	184	431	554		
6025 · Electricity	764	781	1,252		
6030 · Water/Sewer	69	84	129		
6035 · Outside Maintenance	167	183	302		
6040 · Building Repairs	529	536	740		
6045 · Bldg Mtnce Contracts	848	744	1,383		
6050 · Bldg Mtnce Supplies	49	28	67		
6065 · Bldg Insurance/Fees	18	216	320		
6070 · Bldg Depreciation	463	504	1,351		
6075 · Furn/Fixtures Depreciation	154	216	354		
7065 · Equip Depreciation	313	647	2,217		
Total 8000 · Building Overhead	4,039	4,891	9,405	132.9%	92.3%
Total Expense	450,698	459,736	479,834	6.5%	4.4%
Net Income	\$ 22,362	\$ (4,891)	\$ (24,934)	-211.5%	409.8%

Preliminary 2013/14 Budget
New Lawyer Training Program (NLTP)

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	Budget	6/30/2014	2014/15	14/15 Bgt	vs 14/15 Bgt
Income					
4020 · NLTP Fees	\$ 80,900	\$ 83,900	\$ 85,600	5.8%	2.0%
4200 · Seminar Profit/Loss	(300)	(300)	(300)	0.0%	0.0%
Total Income	80,600	83,600	85,300	5.8%	2.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities	\$ 400	937	1,000	150.0%	6.7%
5070 · Equipment Rental	100	-	-	-100.0%	-
5075 · Food & Beverage-external costs	1,200	1,172	1,200	0.0%	2.4%
5076 · Food & Beverage-internal only	-	764	800	-	4.7%
5700 · Travel					
5702 · Lodging	800	-	-	-100.0%	-
5703 · Transportation	2,100	727	800	-61.9%	10.1%
5704 · Mileage Reimbursement		593	600	-	1.1%
5705 · Per Diems	100	248	300	200.0%	21.0%
Total 5000 · Program Services Expense	4,700	4,441	4,700	0.0%	5.8%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	65,992	66,252	59,565	-9.7%	-10.1%
5605 · Payroll Taxes	4,620	4,140	4,170	-9.8%	0.7%
5610 · Health Insurance	8,143	6,201	5,919	-27.3%	-4.5%
5630 · Dental Insurance	617	651	635	2.9%	-2.4%
5640 · Life & LTD Insurance	503	503	503	-0.1%	0.0%
5650 · Retirement Plan Contributions	6,600	6,605	5,956	-9.8%	-9.8%
5655 · Retirement Plan Fees & Costs	759	250	655	-13.7%	162.0%
5660 · Training/Development	100	573	100	0.0%	-82.6%
Total 5500 · Salaries/Benefits	87,334	85,175	77,503	-11.3%	-9.0%
7000 · General & Admin					
7025 · Office Supplies	300	577	600	100.0%	3.9%
7035 · Postage/Mailing	100	69	200	100.0%	188.5%
7040 · Copy/Printing Expense	900	3,968	4,100	355.6%	3.3%
7100 · Telephone	556	600	611	9.9%	1.8%
7120 · Membership/Dues	700	700	700	0.0%	0.0%
7195 · Other Gen & Admin Expense	100	357	400	300.0%	11.9%
Total 7000 · General & Admin	2,656	6,272	6,611	148.9%	5.4%
8000 · Building Overhead					
6015 · Janitorial Expense	469	509	450		

Preliminary 2013/14 Budget
New Lawyer Training Program (NLTP)

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	<u>Budget</u>	<u>6/30/2014</u>	<u>2014/15</u>	<u>14/15 Bgt</u>	<u>vs 14/15 Bgt</u>
6020 · Heat	179	420	339		
6025 · Electricity	745	763	766		
6030 · Water/Sewer	68	83	79		
6035 · Outside Maintenance	163	179	185		
6040 · Building Repairs	517	524	453		
6045 · Bldg Mtnce Contracts	828	727	846		
6050 · Bldg Mtnce Supplies	48	27	41		
6065 · Bldg Insurance/Fees	17	211	196		
6070 · Bldg Depreciation	452	491	826		
6075 · Furn/Fixtures Depreciation	150	211	217		
7065 · Equip Depreciation	306	631	1,356		
Total 8000 · Building Overhead	3,942	4,773	5,754	46.0%	20.6%
Total Expense	98,632	100,661	94,568	-4.1%	-6.1%
Net Income	\$ (18,032)	\$ (17,061)	\$ (9,268)	-48.6%	-45.7%

Preliminary 2013/14 Budget
Bar Management

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4060 · E-Filing Revenue	\$ 14,400	\$ 8,964	\$ 9,000	-37.5%	0.4%
4095 · Miscellaneous Income	3,000	1,944	3,000	0.0%	54.3%
4103 · In - Kind Revenue - UDR	3,200	2,545	2,600	-18.8%	2.1%
4150 · Investment Income					
4151 · ILM Realized Gain/Loss	7,000	47,501	9,000	28.6%	-81.1%
4152 · ILM Interest Income	6,000	(10,561)	6,000	0.0%	-156.8%
4153 · ILM Unrealized Gain/Loss	2,000	4,689	2,000	0.0%	-57.4%
4155 · General Interest Income	100	81	100	0.0%	23.0%
Total Income	35,700	55,164	31,700	-11.2%	-42.5%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	500	951	1,000	100.0%	5.2%
5035 · Awards	300	1,132	1,200	300.0%	6.0%
5063 · Special Event Expense		1,402	1,500	-	7.0%
5075 · Food & Beverage-external costs	1,700	3,241	3,400	100.0%	4.9%
5076 · Food & Beverage-internal only	7,000	4,023	4,200	-40.0%	4.4%
5700 · Travel					
5702 · Lodging	200	-	-	-100.0%	-
5703 · Transportation	1,400	3,092	3,200	128.6%	3.5%
5704 · Mileage Reimbursement	100	-	-	-100.0%	-
5705 · Per Diems	200	771	800	300.0%	3.8%
5706 · Meals	100	-	-	-100.0%	-
5805 · ABA Annual Meeting	1,200	3,871	4,000	233.3%	3.3%
5810 · ABA Mid Year Meeting	1,200	1,328	1,400	16.7%	5.4%
5830 · Western States Bar Conference	500	3,690	3,800	660.0%	3.0%
Total 5000 · Program Services Expense	14,400	23,500	24,500	70.1%	4.3%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	394,313	430,668	452,201	14.7%	5.0%
5605 · Payroll Taxes	27,602	29,172	31,654	14.7%	8.5%
5610 · Health Insurance	36,645	43,624	26,638	-27.3%	-38.9%
5630 · Dental Insurance	2,777	3,807	2,858	2.9%	-24.9%
5640 · Life & LTD Insurance	3,684	3,684	3,684	0.0%	0.0%
5645 · Workman's Comp Insurance	5,774	6,151	6,458	11.8%	5.0%
5650 · Retirement Plan Contributions	39,431	45,135	45,220	14.7%	0.2%
5655 · Retirement Plan Fees & Costs	4,536	4,536	4,975	9.7%	9.7%
5660 · Training/Development	2,000	1,633	2,000	0.0%	22.4%
Total 5500 · Salaries/Benefits	516,762	568,409	575,689	11.4%	1.3%

Preliminary 2013/14 Budget
Bar Management

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
7000 · General & Admin					
7025 · Office Supplies	9,200	6,221	6,500	-29.3%	4.5%
7035 · Postage/Mailing	1,500	1,147	1,200	-20.0%	4.7%
7040 · Copy/Printing Expense	7,600	9,436	9,800	28.9%	3.9%
7055 · Computer Supplies	1,800	453	500	-72.2%	10.3%
7100 · Telephone	1,112	4,613	1,221	9.8%	-73.5%
7110 · Publications/Subscriptions	300	181	200	-33.3%	10.3%
7120 · Membership/Dues	1,900	2,539	2,600	36.8%	2.4%
7135 · Bank Service Charges	400	419	400	0.0%	-4.5%
7136 · ILM Service Charges	14,200	13,603	14,100	-0.7%	3.7%
7140 · Credit Card Merchant Fees	(4,700)	(5,595)	(5,800)	23.4%	3.7%
7150 · E&O/Off & Dir Insurance	3,500	3,637	3,800	8.6%	4.5%
7160 · Audit Expense	35,000	25,650	60,000	71.4%	133.9%
7175 · O/S Consultants	25,000	22,809	25,000	0.0%	9.6%
7179 · Payroll Adm Fees	2,900	3,203	3,300	13.8%	3.0%
7180 · Administrative Fee Expense	1,300	1,140	1,200	-7.7%	5.3%
7195 · Other Gen & Adm Expense	9,700	8,240	8,600	-11.3%	4.4%
Total 7000 · General & Admin	110,712	97,696	132,621	19.8%	35.7%
7090 · In Kind expenses					
7103 · UDR - In Kind Contributions	3,200	2,545	2,600	-18.8%	2.1%
Total 7090 · In Kind expenses	3,200	2,545	2,600	-18.8%	2.2%
8000 · Building Overhead					
6015 · Janitorial Expense	1,268	1,376	2,015		
6020 · Heat	484	1,135	1,516		
6025 · Electricity	2,014	2,060	3,430		
6030 · Water/Sewer	183	223	354		
6035 · Outside Maintenance	439	483	826		
6040 · Building Repairs	1,395	1,415	2,026		
6045 · Bldg Mtnce Contracts	2,236	1,961	3,788		
6050 · Bldg Mtnce Supplies	130	73	184		
6065 · Bldg Insurance/Fees	46	569	875		
6070 · Bldg Depreciation	1,221	1,327	3,699		
6075 · Furn/Fixtures Depreciation	405	571	970		
7065 · Equip Depreciation	826	1,704	6,070		
Total 8000 · Building Overhead	10,647	12,896	25,753	141.9%	99.7%
Total Expense	655,721	705,046	761,163	16.1%	8.0%
Net Income	\$ (620,021)	\$ (649,882)	\$ (729,463)	17.7%	12.2%

Preliminary 2013/14 Budget
Property Management

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4039 · Room Rental - All Parties	\$ 48,100	\$ 127,945	130,500	171.3%	2.0%
4042 · Food & Beverage Rev-3rd Parties	144,700	150,999	154,000	6.4%	2.0%
4043 · Setup & AV charges-All parties	3,000	7,117	7,300	143.3%	2.6%
4090 · Tenant Rent	21,800	27,536	20,952	-3.9%	-23.9%
4095 · Miscellaneous Income	6,800	177	200	-97.1%	12.8%
4103 · In - Kind Revenue - UDR	14,300	-	-	-100.0%	-
4104 · In Kind Rev-Facilities & Other	56,400	-	-	-100.0%	-
Total Income	295,100	313,775	312,952	6.0%	-0.3%
Expense					
5000 · Program Services Expense					
5070 · Equipment Rental	3,800	3,999	4,200	10.5%	5.0%
5075 · Food & Beverage	129,800	129,671	134,900	3.9%	4.0%
5079 · Soft Drinks	9,800	3,761	3,900	-60.2%	3.7%
5700 · Travel					
5704 · Mileage Reimbursement	100	-	100	0.0%	-
Total 5000 · Program Services Expense	143,500	137,431	143,100	-0.3%	4.1%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	92,005	90,391	94,910	3.2%	5.0%
5605 · Payroll Taxes	6,440	7,105	6,644	3.2%	-6.5%
5610 · Health Insurance	16,287	14,724	11,839	-27.3%	-19.6%
5630 · Dental Insurance	1,234	1,220	1,270	2.9%	4.1%
5640 · Life & LTD Insurance	971	792	792	-18.4%	0.0%
5650 · Retirement Plan Contributions	9,201	8,225	9,491	3.2%	15.4%
5655 · Retirement Plan Fees & Costs	1,058	1,058	1,044	-1.3%	-1.3%
Total 5500 · Salaries/Benefits	127,196	123,515	125,990	-0.9%	2.0%
7000 · General & Admin					
7025 · Office Supplies	1,400	3,619	3,800	171.4%	5.0%
7033 · Operating Meeting Supplies	16,600	18,852	19,600	18.1%	4.0%
7035 · Postage/Mailing	4,300	10,296	10,700	148.8%	3.9%
4094 · Copy/Ptg/Mailing Revenue	(98,100)	(21,716)	(22,200)	-77.4%	2.2%
7040 · Copy/Printing Expense	69,800	(1,148)	(1,200)	-101.7%	4.5%
7055 · Computer Supplies	100	484	500	400.0%	3.3%
7100 · Telephone	2,224	2,939	3,055	37.4%	4.0%
7140 · Credit Card Merchant Fees	100	51	100	0.0%	97.4%
7175 · O/S Consultant	-	1,139	1,000	-	-12.2%
7190 · Lease Interest Expense	2,496	95	2,496	0.0%	2536.6%

Preliminary 2013/14 Budget
Property Management

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
7191 · Lease Sales Tax Expense	235	188	235	0.0%	25.0%
Total 7000 · General & Admin	(845)	14,797	18,086	-2240.4%	22.2%
7090 · In Kind expenses					
5084 · In Kind Exp-Facilities & other	57,500	-	-	-100.0%	-
7103 · UDR - In Kind Contributions	14,600	35,236	36,600	150.7%	3.9%
Total 7090 · In Kind expenses	72,100	35,236	36,600	-49.2%	3.9%
8000 · Building Overhead					
6015 · Janitorial Expense	16,738	18,155	15,925		
6020 · Heat	6,390	14,977	11,984		
6025 · Electricity	26,578	27,195	27,110		
6030 · Water/Sewer	2,410	2,940	2,798		
6035 · Outside Maintenance	5,798	6,377	6,527		
6040 · Building Repairs	18,418	18,664	16,015		
6045 · Bldg Mtnce Contracts	29,508	25,891	29,945		
6050 · Bldg Mtnce Supplies	1,711	1,009	1,458		
6055 · Real Property Taxes	13,972	12,145	12,145		
6060 · Personal Property Taxes	312	312	288		
6065 · Bldg Insurance/Fees	609	7,509	6,917		
6070 · Bldg Depreciation	16,117	17,519	29,238		
6075 · Furn/Fixtures Depreciation	5,349	7,533	7,664		
7065 · Equip Depreciation	10,906	22,489	47,977		
Total 8000 · Building Overhead	154,816	182,716	215,991	39.5%	18.2%
Total Expense	496,767	493,695	539,767	8.7%	9.3%
Net Income	<u>\$ (201,667)</u>	<u>\$ (179,920)</u>	<u>\$ (226,815)</u>	12.5%	26.1%

Preliminary 2013/14 Budget
Office of Professional Conduct

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4095 · Miscellaneous Income	\$ 2,700	\$ 1,760	1,800	-33.3%	2.3%
4200 · Seminar Profit/Loss	9,800	9,820	9,800	0.0%	-0.2%
Total Income	12,500	11,580	11,600	-7.2%	0.2%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	-	3,718	3,900	-	4.9%
5040 · Witness & Hearing Expense	2,800	2,517	2,600	-7.1%	3.3%
5041 · Process Serving	900	719	700	-22.2%	-2.6%
5070 · Equipment Rental	-	440	500	-	13.6%
5075 · Food & Beverage-external costs	100	197	200	100.0%	1.4%
5076 · Food & Beverage-internal only	6,100	2,733	2,800	-54.1%	2.4%
5700 · Travel					
5702 · Lodging	(200)	4,857	5,100	-2650.0%	5.0%
5703 · Transportation	1,700	444	500	-70.6%	12.6%
5704 · Mileage Reimbursement	3,900	315	300	-92.3%	-4.7%
5705 · Per Diems	3,100	3,020	3,100	0.0%	2.6%
5805 · ABA Annual Meeting	1,000	3,954	1,000	0.0%	-74.7%
5810 · ABA Mid Year Meeting	1,900	-	-	-100.0%	-
Total 5000 · Program Services Expense	21,300	22,915	20,700	-2.8%	-9.7%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	784,742	768,823	807,264	2.9%	5.0%
5605 · Payroll Taxes	54,932	55,776	56,508	2.9%	1.3%
5610 · Health Insurance	81,434	78,711	59,195	-27.3%	-24.8%
5630 · Dental Insurance	6,172	7,179	6,352	2.9%	-11.5%
5640 · Life & LTD Insurance	6,120	6,235	6,235	1.9%	0.0%
5650 · Retirement Plan Contributions	78,474	68,963	80,726	2.9%	17.1%
5655 · Retirement Plan Fees & Costs	9,028	9,028	8,882	-1.6%	-1.6%
5660 · Training/Development	100	3,488	100	0.0%	-97.1%
Total 5500 · Salaries/Benefits	1,021,002	998,201	1,025,262	0.4%	2.7%
7000 · General & Admin					
7025 · Office Supplies	5,900	5,519	5,700	-3.4%	3.3%
7035 · Postage/Mailing	7,100	6,051	6,300	-11.3%	4.1%
7040 · Copy/Printing Expense	16,500	21,596	22,500	36.4%	4.2%
7050 · Computer Maintenance	700	-	-	-100.0%	-
7055 · Computer Supplies	1,300	1,661	1,700	30.8%	2.3%
7089 · BA Subscription Service	18,433	18,433	18,433	0.0%	0.0%
7100 · Telephone	6,673	7,201	7,331	9.9%	1.8%
7106 · Public Notification	800	353	400	-50.0%	13.2%
7110 · Publications/Subscriptions	5,400	7,849	8,200	51.9%	4.5%

Preliminary 2013/14 Budget
Office of Professional Conduct

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
7120 · Membership/Dues	6,400	5,307	5,500	-14.1%	3.6%
7150 · E&O/Off & Dir Insurance	12,400	12,731	13,200	6.5%	3.7%
7178 · Offsite Storage/Backup	6,200	4,900	5,100	-17.7%	4.1%
7195 · Other Gen & Adm Expense	500	633	500	0.0%	-21.1%
Total 7000 · General & Admin	88,306	92,234	94,864	7.4%	2.9%
8000 · Building Overhead					
6015 · Janitorial Expense	5,657	6,136	6,466		
6020 · Heat	2,159	5,061	4,866		
6025 · Electricity	8,982	9,191	11,008		
6030 · Water/Sewer	815	993	1,136		
6035 · Outside Maintenance	1,959	2,155	2,650		
6040 · Building Repairs	6,224	6,308	6,503		
6045 · Bldg Mtnc Contracts	9,972	8,749	12,159		
6050 · Bldg Mtnc Supplies	578	325	592		
6065 · Bldg Insurance/Fees	206	2,537	2,809		
6070 · Bldg Depreciation	5,447	5,920	11,872		
6075 · Furn/Fixtures Depreciation	1,808	2,547	3,112		
7065 · Equip Depreciation	3,686	7,600	19,481		
Total 8000 · Building Overhead	47,493	57,523	82,654	74.0%	43.7%
Total Expense	1,178,101	1,170,873	1,223,480	3.9%	4.5%
Net Income	\$ (1,165,601)	\$ (1,159,293)	\$ (1,211,880)	4.0%	4.5%

Preliminary 2013/14 Budget
General Counsel

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Expense					
5000 · Program Services Expense					
5700 · Travel					
5702 · Lodging	-	517	500	-	-3.4%
5703 · Transportation	1,000	381	1,000	0.0%	162.2%
5704 · Mileage Reimbursement	500	-	500	0.0%	-
5705 · Per Diems	100	264	100	0.0%	-62.1%
Total 5000 · Program Services Expense	1,600	1,163	2,100	31.3%	80.6%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	170,799	156,637	139,469	-18.3%	-11.0%
5605 · Payroll Taxes	11,956	10,755	9,763	-18.3%	-9.2%
5610 · Health Insurance	16,287	11,584	11,839	-27.3%	2.2%
5630 · Dental Insurance	1,234	744	1,270	2.9%	70.7%
5640 · Life & LTD Insurance	1,372	1,092	1,092	-20.4%	0.0%
5650 · Retirement Plan Contributions	17,080	14,435	13,947	-18.3%	-3.4%
5655 · Retirement Plan Fees & Costs	1,965	1,965	1,535	-21.9%	-21.9%
5660 · Training/Development	100	-	100	0.0%	-
Total 5500 · Salaries/Benefits	220,793	197,212	179,015	-18.9%	-9.2%
7000 · General & Admin					
7025 · Office Supplies	700	73	100	-85.7%	36.4%
7035 · Postage/Mailing	100	31	-	-100.0%	-100.0%
7040 · Copy/Printing Expense	400	191	200	-50.0%	4.9%
7055 · Computer Supplies	-	525	500	-	-4.8%
7100 · Telephone	1,112	1,200	1,221	9.8%	1.8%
7110 · Publications/Subscriptions	1,900	569	600	-68.4%	5.4%
7120 · Membership/Dues	700	-	-	-100.0%	-
7150 · E&O/Off & Dir Insurance	3,500	3,637	3,800	8.6%	4.5%
7176 · Bar Litigation	25,000	-	25,000	0.0%	-
7177 · UPL	35,000	10,485	35,000	0.0%	233.8%
7195 · Other Gen & Adm Expense	100	4	-	-100.0%	-100.0%
Total 7000 · General & Admin	68,512	16,716	66,421	-3.1%	297.3%
8000 · Building Overhead					
6015 · Janitorial Expense	1,088	1,180	1,245		
6020 · Heat	415	973	937		
6025 · Electricity	1,727	1,768	2,119		
6030 · Water/Sewer	157	191	219		
6035 · Outside Maintenance	377	415	510		
6040 · Building Repairs	1,197	1,213	1,252		

Preliminary 2013/14 Budget
General Counsel

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
6045 · Bldg Mtnce Contracts	1,918	1,683	2,341		
6050 · Bldg Mtnce Supplies	111	63	114		
6065 · Bldg Insurance/Fees	40	488	541		
6070 · Bldg Depreciation	1,047	1,139	2,286		
6075 · Furn/Fixtures Depreciation	348	489	599		
7065 · Equip Depreciation	709	1,461	3,750		
Total 8000 · Building Overhead	9,134	11,063	15,913	74.2%	43.8%
Total Expense	300,039	226,154	263,449	-12.2%	16.5%
Net Income	<u>\$ (300,039)</u>	<u>\$ (226,154)</u>	<u>\$ (263,449)</u>	-12.2%	16.5%

Preliminary 2013/14 Budget Computer/MIS

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Income					
4031 · Enhanced Web Revenue	\$ 500	\$ -	\$ 500	0.0%	-
4095 · Miscellaneous Income	2,500	400	-	-100.0%	-100.0%
Total Income	3,000	400	500	-83.3%	25.0%
Expense					
5000 · Program Services Expense					
5700 · Travel					
5702 · Lodging	300	(568)	(600)	-300.0%	5.6%
5703 · Transportation	1,500	2,868	3,000	100.0%	4.6%
5704 · Mileage Reimbursement		-	-	-	-
5705 · Per Diems		-	-	-	-
5805 · ABA Annual Meeting	300	-	-	-100.0%	-
5830 · Western States Bar Conference		-	-	-	-
Total 5000 · Program Services Expense	2,100	2,300	2,400	14.3%	4.3%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	118,480	110,719	116,255	-1.9%	5.0%
5605 · Payroll Taxes	8,294	7,316	8,138	-1.9%	11.2%
5610 · Health Insurance	16,287	12,800	11,839	-27.3%	-7.5%
5630 · Dental Insurance	1,234	1,220	1,270	2.9%	4.1%
5640 · Life & LTD Insurance	1,107	1,077	1,077	-2.7%	0.0%
5650 · Retirement Plan Contributions	11,848	10,577	11,625	-1.9%	9.9%
5655 · Retirement Plan Fees & Costs	1,363	1,363	1,279	-6.2%	-6.2%
Total 5500 · Salaries/Benefits	158,613	145,072	151,484	-4.5%	4.4%
7000 · General & Admin					
7025 · Office Supplies	1,750	2,111	2,250	28.6%	6.6%
7045 · Internet Service	4,000	6,873	4,000	0.0%	-41.8%
7050 · Computer Maintenance	400	1,843	1,900	375.0%	3.1%
7055 · Computer Supplies	3,500	7,781	8,100	131.4%	4.1%
7100 · Telephone	1,112	1,200	1,221	9.8%	1.8%
7110 · Publications/Subscriptions	450	293	300	-33.3%	2.3%
7120 · Membership/Dues		-	50	-	-
7175 · O/S Consultants	25,000	1,003	-	-100.0%	-100.0%
7195 · Other Gen & Adm Expense		-	-	-	-
Total 7000 · General & Admin	36,212	21,104	17,821	-50.8%	-15.6%
8000 · Building Overhead					

Preliminary 2013/14 Budget
Computer/MIS

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	<u>Budget</u>	<u>6/30/2014</u>	<u>2014/15</u>	<u>14/15 Bgt</u>	<u>vs 14/15 Bgt</u>
6015 · Janitorial Expense	398	432	593		
6020 · Heat	152	356	446		
6025 · Electricity	632	647	1,009		
6030 · Water/Sewer	57	69	104		
6035 · Outside Maintenance	138	152	243		
6040 · Building Repairs	438	444	596		
6045 · Bldg Mtnce Contracts	701	616	1,115		
6050 · Bldg Mtnce Supplies	41	23	54		
6065 · Bldg Insurance/Fees	14	179	258		
6070 · Bldg Depreciation	383	416	1,089		
6075 · Furn/Fixtures Depreciation	127	179	285		
7065 · Equip Depreciation	259	535	1,786		
Total 8000 · Building Overhead	3,340	4,047	7,578	126.9%	87.2%
Total Expense	200,265	172,523	179,283	-10.5%	3.9%
Net Income	\$ (197,265)	\$ (172,123)	\$ (178,783)	-9.4%	3.9%

Preliminary 2013/14 Budget
Continuing Legal Education

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4052 · Meeting - Sponsor Revenue	\$ 6,800	\$ 5,033	\$ 5,100	-25.0%	1.3%
4081 · CLE - Registrations	284,300	300,420	306,400	7.8%	2.0%
4082 · CLE - Video Library Sales	79,000	84,616	86,300	9.2%	2.0%
4083 · CLE - Material Sales	900	193	200	-77.8%	3.4%
4095 · Miscellaneous Income		-	-	-	-
4200 · Seminar Profit/Loss	12,000	7,051	7,200	-40.0%	2.1%
Total Income	383,000	397,313	405,200	5.8%	2.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	6,000	4,473	4,700	-21.7%	5.1%
5002 · Meeting Facilities-internal only	6,000	5,510	5,700	-5.0%	3.4%
5030 · Speaker Fees & Expenses	47,100	22,276	23,200	-50.7%	4.1%
5035 · Awards	900	583	600	-33.3%	3.0%
5063 · Special Event Expense	6,800	6,092	6,300	-7.4%	3.4%
5064 · MCLE Fees Paid	32,100	25,932	30,000	-6.5%	15.7%
5070 · Equipment Rental	2,900	2,113	2,200	-24.1%	4.1%
5075 · Food & Beverage-external costs	30,000	29,902	31,100	3.7%	4.0%
5076 · Food & Beverage-internal only	25,500	17,655	18,400	-27.8%	4.2%
5080 · Committee Expense		-	-	-	-
5085 · Misc. Program Expense		36	-	-	-100.0%
5700 · Travel					
5702 · Lodging	2,200	35	-	-100.0%	-100.0%
5703 · Transportation	1,200	3,091	3,200	166.7%	3.5%
5704 · Mileage Reimbursement	700	21	-	-100.0%	-100.0%
5705 · Per Diems	500	-	-	-100.0%	-
7199 · Overhead Allocation - Seminars	3,600	5,464	5,700	58.3%	4.3%
7200 · Event Revenue Sharing - 3rd Pty	33,200	42,132	43,800	31.9%	4.0%
Total 5000 · Program Services Expense	198,700	165,315	174,900	-12.0%	5.8%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	68,236	75,091	78,845	15.5%	5.0%
5605 · Payroll Taxes	4,777	5,755	5,519	15.5%	-4.1%
5610 · Health Insurance	8,143	7,127	5,919	-27.3%	-16.9%
5630 · Dental Insurance	617	609	635	2.9%	4.2%
5640 · Life & LTD Insurance	667	667	667	0.0%	0.0%
5650 · Retirement Plan Contributions	6,824	7,025	7,885	15.5%	12.2%
5655 · Retirement Plan Fees & Costs	785	785	868	10.6%	10.6%
5660 · Training/Development		40	-	-	-100.0%

**Preliminary 2013/14 Budget
Continuing Legal Education**

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Total 5500 · Salaries/Benefits	90,049	97,098	100,338	11.4%	3.3%
7000 · General & Admin					
7025 · Office Supplies	500	2,935	3,100	520.0%	5.6%
7035 · Postage/Mailing	7,300	13,820	14,400	97.3%	4.2%
7040 · Copy/Printing Expense	25,800	14,192	14,800	-42.6%	4.3%
7050 · Computer Maintenance	-	93	100	-	7.1%
7055 · Computer Supplies	-	556	600	-	7.9%
7089 · BA Subscription Service	18,433	18,433	18,433	0.0%	0.0%
7100 · Telephone	1,112	1,496	1,221	-9.8%	-18.4%
7105 · Advertising		9,708	10,100	-	4.0%
7110 · Publications/Subscriptions	400	27	-	-100.0%	-100.0%
7120 · Membership/Dues		-	-	-	-
7140 · Credit Card Merchant Fees	12,500	11,748	12,200	-2.4%	3.8%
7195 · Other Gen & Adm Expense	1,100	2,913	3,000	172.7%	3.0%
Total 7000 · General & Admin	67,145	75,921	77,954	16.1%	2.7%
8000 · Building Overhead					
6015 · Janitorial Expense	381	413	900		
6020 · Heat	145	341	677		
6025 · Electricity	605	619	1,533		
6030 · Water/Sewer	55	67	158		
6035 · Outside Maintenance	132	145	369		
6040 · Building Repairs	419	424	905		
6045 · Bldg Mtnce Contracts	671	589	1,693		
6050 · Bldg Mtnce Supplies	39	21	82		
6055 · Real Property Taxes	10,479	9,108	9,109		
6060 · Personal Property Taxes	234	235	216		
6065 · Bldg Insurance/Fees	14	171	391		
6070 · Bldg Depreciation	367	399	1,653		
6075 · Furn/Fixtures Depreciation	122	172	433		
7065 · Equip Depreciation	248	512	2,712		
Total 8000 · Building Overhead	13,911	13,216	20,831	49.7%	57.6%
Total Expense	369,805	351,550	374,023	1.1%	6.4%
Net Income	\$ 13,195	\$ 45,763	\$ 31,177	136.3%	-31.9%

Preliminary 2013/14 Budget Summer Convention

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Income					
4051 · Meeting - Registration	\$ 150,200	\$ 117,075	\$ 119,400	-20.5%	2.0%
4052 · Meeting - Sponsor Revenue	20,600	20,800	21,200	2.9%	1.9%
4053 · Meeting - Vendor Revenue	9,400	7,500	7,700	-18.1%	2.7%
4055 · Meeting - Sp Ev Registration	200	2,297	2,300	1050.0%	0.1%
4095 · Miscellaneous Income	3,800	10	-	-100.0%	-100.0%
Total Income	184,200	147,682	150,600	-18.2%	2.0%
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	1,400	19,215	15,000	971.4%	-21.9%
5002 · Meeting Facilities-internal only		613	600	-	-2.1%
5030 · Speaker Fees & Expenses	12,800	5,860	6,100	-52.3%	4.1%
5035 · Awards	5,400	-	-	-100.0%	-
5063 · Special Event Expense	17,200	9,708	10,100	-41.3%	4.0%
5064 · MCLE Fees Paid	4,300	3,647	3,800	-11.6%	4.2%
5070 · Equipment Rental	1,700	11,244	6,700	294.1%	-40.4%
5075 · Food & Beverage-external costs	91,200	125,478	70,500	-22.7%	-43.8%
5076 · Food & Beverage-internal only		1,478	1,500	-	1.5%
5085 · Misc. Program Expense	900	-	-	-100.0%	-
5700 · Travel					
5702 · Lodging	24,900	2,211	2,300	-90.8%	4.0%
5703 · Transportation	400	7,358	7,700	1825.0%	4.6%
5704 · Mileage Reimbursement	5,200	4,139	4,300	-17.3%	3.9%
5705 · Per Diems	3,200	2,083	2,200	-31.3%	5.6%
Total 5000 · Program Services Expense	168,600	193,034	130,800	-22.4%	-32.2%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	34,336	27,801	29,191	-15.0%	5.0%
5605 · Payroll Taxes	2,404	1,847	2,043	-15.0%	10.7%
5650 · Retirement Plan Contributions	3,434	2,487	2,919	-15.0%	17.4%
5655 · Retirement Plan Fees & Costs	395	395	321	-18.7%	-18.7%
Total 5500 · Salaries/Benefits	40,569	32,529	34,475	-15.0%	6.0%
7000 · General & Admin					
7025 · Office Supplies	300	142	100	-66.7%	-29.6%
7035 · Postage/Mailing	100	3,357	3,600	3500.0%	7.2%
7040 · Copy/Printing Expense	9,300	15,416	16,000	72.0%	3.8%
7100 · Telephone	227	260	244	7.5%	-6.2%
7140 · Credit Card Merchant Fees	3,400	2,763	2,900	-14.7%	5.0%
7195 · Other Gen & Adm Expense	400	4,536	4,700	1075.0%	3.6%

**Preliminary 2013/14 Budget
Summer Convention**

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Total 7000 · General & Admin	13,727	26,474	27,544	100.7%	4.0%
8000 · Building Overhead					
6015 · Janitorial Expense	163	177	180		
6020 · Heat	62	147	136		
6025 · Electricity	259	265	307		
6030 · Water/Sewer	24	28	32		
6035 · Outside Maintenance	57	63	74		
6040 · Building Repairs	180	181	181		
6045 · Bldg Mtnce Contracts	288	252	339		
6050 · Bldg Mtnce Supplies	17	9	16		
6065 · Bldg Insurance/Fees	6	73	78		
6070 · Bldg Depreciation	157	171	331		
6075 · Furn/Fixtures Depreciation	52	73	87		
7065 · Equip Depreciation	106	219	542		
Total 8000 · Building Overhead	1,371	1,659	2,303	68.0%	38.8%
Total Expense	224,267	253,696	195,122	-13.0%	-23.1%
Net Income	<u>\$ (40,067)</u>	<u>\$ (106,014)</u>	<u>\$ (44,522)</u>	11.1%	-58.0%

Preliminary 2013/14 Budget
Fall Forum

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4051 · Meeting - Registration	\$ 76,400	\$ 68,195	\$ 74,600	-2.4%	9.4%
4053 · Meeting - Vendor Revenue	12,000	12,675	12,900	7.5%	1.8%
4055 · Meeting - Sp Ev Registration	700	560	600	-14.3%	7.1%
4095 · Miscellaneous Income	-	105	100	-	-4.8%
Total Income	89,100	81,535	88,200	-1.0%	8.2%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	2,900	52,164	54,300	1772.4%	4.1%
5002 · Meeting Facilities-internal only		350	400	-	14.3%
5030 · Speaker Fees & Expenses	3,200	14,485	15,100	371.9%	4.2%
5035 · Awards	-	427	400	-	-6.3%
5064 · MCLE Fees Paid	3,100	3,109	3,200	3.2%	2.9%
5070 · Equipment Rental	6,200	-	500	-91.9%	-
5075 · Food & Beverage-external costs	46,700	643	700	-98.5%	8.9%
5076 · Food & Beverage-internal only	800	479	500	-37.5%	4.4%
5700 · Travel					
5702 · Lodging	1,400	-	-	-100.0%	-
Total 5000 · Program Services Expense	64,300	71,657	75,100	16.8%	4.8%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	10,090	9,840	10,332	2.4%	5.0%
5605 · Payroll Taxes	706	723	723	2.4%	0.0%
5650 · Retirement Plan Contributions	1,010	959	1,033	2.3%	7.7%
5655 · Retirement Plan Fees & Costs	116	116	114	-1.7%	-1.7%
Total 5500 · Salaries/Benefits	11,922	11,638	12,202	2.3%	4.8%
7000 · General & Admin					
7025 · Office Supplies	403	84	303	-24.8%	260.7%
7035 · Postage/Mailing		20	-	-	-100.0%
7040 · Copy/Printing Expense	6,300	4,636	5,300	-15.9%	14.3%
7100 · Telephone	165	177	183	10.9%	3.2%
7140 · Credit Card Merchant Fees	3,000	2,206	2,800	-6.7%	26.9%
7195 · Other Gen & Adm Expense	300	-	-	-100.0%	-
Total 7000 · General & Admin	10,168	7,123	8,586	-15.6%	20.5%
8000 · Building Overhead					
6015 · Janitorial Expense	163	177	180		

Preliminary 2013/14 Budget
Fall Forum

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	Budget	6/30/2014	2014/15	14/15 Bgt	vs 14/15 Bgt
6020 · Heat	62	147	136		
6025 · Electricity	259	265	307		
6030 · Water/Sewer	24	28	32		
6035 · Outside Maintenance	57	63	74		
6040 · Building Repairs	180	181	181		
6045 · Bldg Mtnce Contracts	288	252	339		
6050 · Bldg Mtnce Supplies	17	9	16		
6065 · Bldg Insurance/Fees	6	73	78		
6070 · Bldg Depreciation	157	171	331		
6075 · Furn/Fixtures Depreciation	52	73	87		
7065 · Equip Depreciation	106	219	542		
Total 8000 · Building Overhead	1,371	1,659	2,303	68.0%	38.8%
Total Expense	87,761	92,077	98,191	11.9%	6.6%
Net Income	\$ 1,339	\$ (10,542)	\$ (9,991)	-846.2%	-5.2%

Preliminary 2013/14 Budget Spring Convention

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4051 · Meeting - Registration	\$ 103,300	\$ 113,825	\$ 116,100	12.4%	2.0%
4052 · Meeting - Sponsor Revenue	14,500	18,375	18,700	29.0%	1.8%
4053 · Meeting - Vendor Revenue	10,700	9,900	10,100	-5.6%	2.0%
4055 · Meeting - Sp Ev Registration	200	974	1,000	400.0%	2.7%
Total Income	128,700	143,074	145,900	13.4%	2.0%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	4,800	5,967	6,200	29.2%	3.9%
5002 · Meeting Facilities-internal only		438	500	-	14.2%
5030 · Speaker Fees & Expenses	7,300	6,387	8,600	17.8%	34.6%
5063 · Special Event Expense	4,000	4,608	5,300	32.5%	15.0%
5064 · MCLE Fees Paid	4,000	4,508	5,200	30.0%	15.4%
5070 · Equipment Rental	500	4,272	4,900	880.0%	14.7%
5075 · Food & Beverage-external costs	5,000	33,340	34,700	594.0%	4.1%
5076 · Food & Beverage-internal only	2,000	1,227	1,300	-35.0%	5.9%
5700 · Travel					
5702 · Lodging	900	4,172	4,800	433.3%	15.0%
5703 · Transportation	700	1,235	1,800	157.1%	45.8%
5704 · Mileage Reimbursement	3,200	4,045	4,200	31.3%	3.8%
5705 · Per Diems	2,000	947	1,500	-25.0%	58.4%
Total 5000 · Program Services Expense	34,400	71,146	79,000	129.7%	11.0%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	27,780	23,347	24,515	-11.8%	5.0%
5605 · Payroll Taxes	1,945	1,834	1,716	-11.8%	-6.4%
5650 · Retirement Plan Contributions	2,778	2,264	2,451	-11.8%	8.3%
5655 · Retirement Plan Fees & Costs	320	320	270	-15.6%	-15.6%
Total 5500 · Salaries/Benefits	32,823	27,765	28,952	-11.8%	4.3%
7000 · General & Admin					
7025 · Office Supplies	200	359	400	100.0%	11.4%
7035 · Postage/Mailing		17	-	-	-100.0%
7040 · Copy/Printing Expense	6,800	6,100	7,300	7.4%	19.7%
7100 · Telephone	165	150	183	10.9%	22.0%
7140 · Credit Card Merchant Fees	3,400	3,363	4,000	17.6%	18.9%
7195 · Other Gen & Adm Expense	2,816	1,948	2,000	-29.0%	2.7%
Total 7000 · General & Admin	13,381	11,937	13,883	3.8%	16.3%

**Preliminary 2013/14 Budget
Spring Convention**

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	<u>Budget</u>	<u>6/30/2014</u>	<u>2014/15</u>	<u>14/15 Bgt</u>	<u>vs 14/15 Bgt</u>
8000 · Building Overhead					
6015 · Janitorial Expense	163	175	180		
6020 · Heat	62	148	136		
6025 · Electricity	259	283	307		
6030 · Water/Sewer	24	28	32		
6035 · Outside Maintenance	57	60	74		
6040 · Building Repairs	180	157	181		
6045 · Bldg Mtnce Contracts	288	258	339		
6050 · Bldg Mtnce Supplies	17	8	16		
6065 · Bldg Insurance/Fees	6	73	78		
6070 · Bldg Depreciation	157	182	331		
6075 · Furn/Fixtures Depreciation	52	74	87		
7065 · Equip Depreciation	106	264	542		
Total 8000 · Building Overhead	1,371	1,711	2,303	68.0%	34.6%
Total Expense	81,975	112,559	124,138	51.4%	10.3%
Net Income	\$ 46,725	\$ 30,515	\$ 21,762	-53.4%	-28.7%

Preliminary 2013/14 Budget Bar Journal

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Income					
4061 · Advertising Revenue	\$ 125,600	\$ 129,491	\$ 132,100	5.2%	2.0%
4062 · Subscriptions	300	227	200	-33.3%	-11.8%
4071 · Mem Benefits - Lexis	1,400	919	900	-35.7%	-2.0%
4072 · Mem Benefits-Royalties-Bar Jnl	4,800	6,248	6,400	33.3%	2.4%
Total Income	132,100	136,884	139,600	5.7%	2.0%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only		875	900	-	2.9%
5076 · Food & Beverage-internal only	4,600	2,902	3,000	-34.8%	3.4%
5090 · Commission Expense	19,900	20,908	21,700	9.0%	3.8%
Total 5000 · Program Services Expense	24,500	24,685	25,600	4.5%	3.7%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	27,147	26,173	27,482	1.2%	5.0%
5605 · Payroll Taxes	1,900	1,740	1,924	1.2%	10.6%
5610 · Health Insurance	4,072	3,500	2,960	-27.3%	-15.4%
5630 · Dental Insurance	309	305	318	2.8%	4.0%
5640 · Life & LTD Insurance	209	209	209	0.2%	0.0%
5650 · Retirement Plan Contributions	2,715	2,373	2,748	1.2%	15.8%
5655 · Retirement Plan Fees & Costs	312	312	302	-3.2%	-3.2%
Total 5500 · Salaries/Benefits	36,664	34,613	35,943	-2.0%	3.8%
7000 · General & Admin					
7025 · Office Supplies	-	8	-	-	-100.0%
7035 · Postage/Mailing	22,900	23,392	24,300	6.1%	3.9%
7040 · Copy/Printing Expense	95,700	93,689	97,400	1.8%	4.0%
7055 · Computer Supplies	-	93	100	-	7.1%
7100 · Telephone	288	311	306	6.3%	-1.5%
7140 · Credit Card Merchant Fees	500	713	700	40.0%	-1.9%
Total 7000 · General & Admin	119,388	118,207	122,806	2.9%	3.9%
8000 · Building Overhead					
6015 · Janitorial Expense	103	112	118		
6020 · Heat	39	92	89		
6025 · Electricity	164	168	201		
6030 · Water/Sewer	15	19	21		
6035 · Outside Maintenance	36	39	48		
6040 · Building Repairs	113	115	119		
6045 · Bldg Mtncn Contracts	182	160	222		
6050 · Bldg Mtncn Supplies	11	5	11		

Preliminary 2013/14 Budget
Bar Journal

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	<u>Budget</u>	<u>6/30/2014</u>	<u>2014/15</u>	<u>14/15 Bgt</u>	<u>vs 14/15 Bgt</u>
6065 · Bldg Insurance/Fees	4	47	51		
6070 · Bldg Depreciation	99	108	217		
6075 · Furn/Fixtures Depreciation	33	47	57		
7065 · Equip Depreciation	67	139	355		
Total 8000 · Building Overhead	866	1,049	1,509	74.2%	43.9%
Total Expense	181,418	178,554	185,858	2.4%	4.1%
Net Income	\$ (49,318)	\$ (41,670)	\$ (46,258)	-6.2%	11.0%

Preliminary 2013/14 Budget Committees

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4095 · Miscellaneous Income	100	1,000	1,000	900.0%	0.0%
Total Income	100	1,000	1,000	900.0%	0.0%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	\$ 2,999	\$ 2,291	\$ 2,400	-20.0%	4.8%
5035 · Awards		82	100	-	22.0%
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	100	-	-	-100.0%	-
5075 · Food & Beverage-external costs	1,200	757	800	-33.3%	5.7%
5076 · Food & Beverage-internal only	8,500	2,293	2,400	-71.8%	4.7%
5700 · Travel					
5702 · Lodging		809	800	-	-1.2%
5703 · Transportation		593	600	-	1.1%
Total 5000 · Program Services Expense	79,899	73,825	74,200	-7.1%	0.5%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	26,046	22,904	24,049	-7.7%	5.0%
5605 · Payroll Taxes	1,823	1,724	1,683	-7.7%	-2.4%
5610 · Health Insurance	4,072	3,500	2,960	-27.3%	-15.4%
5630 · Dental Insurance	309	305	318	2.8%	4.0%
5640 · Life & LTD Insurance	209	209	209	0.2%	0.0%
5650 · Retirement Plan Contributions	2,605	2,505	2,405	-7.7%	-4.0%
5655 · Retirement Plan Fees & Costs	300	300	265	-11.7%	-11.7%
5660 · Training/Development	-	400	2,000	-	400.0%
Total 5500 · Salaries/Benefits	35,364	31,848	33,889	-4.2%	6.4%
7000 · General & Admin					
7025 · Office Supplies	-	40	-	-	-100.0%
7035 · Postage/Mailing	400	199	200	-50.0%	0.7%
7040 · Copy/Printing Expense	2,200	1,356	1,400	-36.4%	3.2%
7100 · Telephone	288	311	306	6.3%	-1.5%
7195 · Other Gen & Adm Expense		27	-	-	-100.0%
Total 7000 · General & Admin	2,888	1,932	1,906	-34.0%	-1.3%
8000 · Building Overhead					
6015 · Janitorial Expense	103	112	118		

**Preliminary 2013/14 Budget
Committees**

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
6020 · Heat	39	92	89		
6025 · Electricity	164	168	201		
6030 · Water/Sewer	15	19	21		
6035 · Outside Maintenance	36	39	48		
6040 · Building Repairs	113	115	119		
6045 · Bldg Mtnce Contracts	182	160	222		
6050 · Bldg Mtnce Supplies	11	5	11		
6065 · Bldg Insurance/Fees	4	47	51		
6070 · Bldg Depreciation	99	108	217		
6075 · Furn/Fixtures Depreciation	33	47	57		
7065 · Equip Depreciation	67	139	355		
Total 8000 · Building Overhead	866	1,049	1,509	74.2%	43.9%
Total Expense	119,017	108,654	111,504	-6.3%	2.6%
Net Income	\$ (118,917)	\$ (107,654)	\$ (110,504)	-7.1%	2.6%

Preliminary 2013/14 Budget **Member Benefits**

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4071 · Mem Benefits - Lexis	\$ 900	\$ 1,647	\$ 1,700	88.9%	3.2%
4072 · Mem Benefits-Royalties-Bar Jnl	6,000	9,960	10,200	70.0%	2.4%
Total Income	6,900	11,607	11,900	72.5%	2.5%
Expense					
5000 · Program Services Expense					
5047 · Casemaker	70,100	55,436	57,700	-17.7%	4.1%
5098 · LHL Support	20,000	-	20,000	0.0%	-
5099 · Blomquist Hale	75,000	73,887	75,000	0.0%	1.5%
Total 5000 · Program Services Expense	165,100	129,323	152,700	-7.5%	18.1%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	6,216	8,003	8,403	35.2%	5.0%
5605 · Payroll Taxes	4,351	440	5,882	35.2%	1236.8%
5650 · Retirement Plan Contributions	622	800	840	35.1%	5.0%
5655 · Retirement Plan Fees & Costs	72	72	92	27.8%	27.8%
Total 5500 · Salaries/Benefits	11,261	9,315	15,217	35.1%	63.4%
7000 · General & Admin					
7025 · Office Supplies		5	-	-	-100.0%
7035 · Postage/Mailing		279	300	-	7.7%
Total 7000 · General & Admin	-	284	300	-	5.6%
8000 · Building Overhead					
6015 · Janitorial Expense	94	103	109		
6020 · Heat	36	84	82		
6025 · Electricity	150	153	185		
6030 · Water/Sewer	14	16	19		
6035 · Outside Maintenance	33	36	45		
6040 · Building Repairs	104	105	109		
6045 · Bldg Mtnce Contracts	167	147	204		
6050 · Bldg Mtnce Supplies	10	5	10		
6065 · Bldg Insurance/Fees	3	43	47		
6070 · Bldg Depreciation	91	99	199		
6075 · Furn/Fixtures Depreciation	30	43	52		
7065 · Equip Depreciation	62	127	327		
Total 8000 · Building Overhead	794	960	1,388	74.8%	44.6%

Preliminary 2013/14 Budget
Member Benefits

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	<u>Budget</u>	<u>6/30/2014</u>	<u>2014/15</u>	<u>14/15 Bgt</u>	<u>vs 14/15 Bgt</u>
Total Expense	177,155	139,882	169,605	-4.3%	21.2%
Net Income	<u>\$ (170,255)</u>	<u>\$ (128,275)</u>	<u>\$ (157,705)</u>	-7.4%	22.9%

**Preliminary 2013/14 Budget
Section Support**

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Income					
4010 · Administrative Fees - Sections	\$ 84,348	\$ 87,544	\$ 93,606	11.0%	6.9%
Total Income	<u>84,348</u>	<u>87,544</u>	<u>93,606</u>	11.0%	6.9%
Expense					
5002 · Meeting Facilities-internal only		205	200	-	-2.4%
5076 · Food & Beverage-internal only		829	900	-	8.6%
5700 · Travel					
5704 · Mileage Reimbursement	100	-	-	-100.0%	-
Total 5000 · Program Services Expense	<u>100</u>	<u>1,034</u>	<u>1,100</u>	1000.0%	6.4%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	45,807	51,172	53,731	17.3%	5.0%
5605 · Payroll Taxes	3,206	4,000	3,761	17.3%	-6.0%
5610 · Health Insurance	8,143	7,676	5,919	-27.3%	-22.9%
5630 · Dental Insurance	617	609	635	2.9%	4.2%
5640 · Life & LTD Insurance	279	388	388	39.1%	0.0%
5650 · Retirement Plan Contributions	4,581	1,872	5,373	17.3%	187.0%
5655 · Retirement Plan Fees & Costs	527	527	591	12.1%	12.1%
		-			
Total 5500 · Salaries/Benefits	<u>63,160</u>	<u>66,244</u>	<u>70,398</u>	11.5%	6.3%
7000 · General & Admin					
7025 · Office Supplies		-	-	-	-
7040 · Copy/Printing Expense	-	187	200	-	7.1%
7089 · BA Subscription Service	9,217	9,217	9,217	0.0%	0.0%
7100 · Telephone	556	600	625	12.4%	4.2%
7195 · Other Gen & Adm Expense		195	200	-	2.7%
Total 7000 · General & Admin	<u>9,773</u>	<u>10,198</u>	<u>10,242</u>	4.8%	0.4%
8000 · Building Overhead					
6015 · Janitorial Expense	72	77	199		
6020 · Heat	27	64	150		
6025 · Electricity	114	116	338		
6030 · Water/Sewer	10	12	35		
6035 · Outside Maintenance	25	27	81		
6040 · Building Repairs	79	80	200		
6045 · Bldg Mtnce Contracts	126	111	374		
6050 · Bldg Mtnce Supplies	7	4	18		
6055 · Real Property Taxes	10,479	9,108	9,109		

Preliminary 2013/14 Budget
Section Support

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	<u>Budget</u>	<u>6/30/2014</u>	<u>2014/15</u>	<u>14/15 Bgt</u>	<u>vs 14/15 Bgt</u>
6060 · Personal Property Taxes	234	235	216		
6065 · Bldg Insurance/Fees	3	32	86		
6070 · Bldg Depreciation	69	75	365		
6075 · Furn/Fixtures Depreciation	23	32	96		
7065 · Equip Depreciation	47	96	599		
 Total 8000 · Building Overhead	 11,315	 10,068	 11,866	 4.9%	 17.9%
Total Expense	84,348	87,544	93,606	11.0%	6.9%
Net Income	\$ -	\$ -	\$ -	-	-

Preliminary 2013/14 Budget
Consumer Assistance

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only		400	400	-	0.0%
5700 · Travel					
5704 · Mileage Reimbursement	101	79	200	98.0%	154.2%
Total 5000 · Program Services Expense	101	479	600	494.1%	25.3%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	51,334	52,784	55,423	8.0%	5.0%
5605 · Payroll Taxes	3,593	4,260	3,880	8.0%	-8.9%
5650 · Retirement Plan Contributions	5,133	5,287	5,542	8.0%	4.8%
5655 · Retirement Plan Fees & Costs	591	591	610	3.2%	3.2%
5660 · Training/Development	100	-	100	0.0%	-
Total 5500 · Salaries/Benefits	60,751	62,922	65,555	7.9%	4.2%
7000 · General & Admin					
7025 · Office Supplies	100	113	100	0.0%	-11.8%
7035 · Postage/Mailing	200	291	300	50.0%	3.2%
7040 · Copy/Printing Expense	50	-	-	-100.0%	-
7055 · Computer Supplies	100	-	-	-100.0%	-
7100 · Telephone	556	2,800	2,900	421.6%	3.6%
7120 · Membership/Dues	-	645	645	-	0.0%
Total 7000 · General & Admin	1,006	3,849	3,945	292.1%	2.5%
Total Expense	61,858	67,250	70,100	13.3%	4.2%
Net Income	\$ (61,858)	\$ (67,250)	\$ (70,100)	13.3%	4.2%

Preliminary 2013/14 Budget
Access to Justice

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Income					
4063 · Modest Means revenue	\$ -	\$ 10,000	\$ 10,200	-	2.0%
4095 · Miscellaneous Income	-	67	100	-	50.0%
4200 · Seminar Profit/Loss	-	(143)	(100)	-	-29.9%
Total Income	-	9,924	10,200	-	2.8%
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	\$ 400	\$ 3,200	\$ 3,300	725.0%	3.1%
5070 · Equipment Rental	700	640	1,200	71.4%	87.5%
5075 · Food & Beverage-external costs	2,200	3,545	3,700	68.2%	4.4%
5076 · Food & Beverage-internal only	6,500	5,091	5,300	-18.5%	4.1%
5085 · Misc. Program Expense	500	-	-	-100.0%	-
5700 · Travel					
5702 · Lodging	400	207	200	-50.0%	-3.2%
5703 · Transportation	300	385	400	33.3%	3.8%
5704 · Mileage Reimbursement	2,800	4,821	5,000	78.6%	3.7%
5705 · Per Diems	800	343	400	-50.0%	16.7%
Total 5000 · Program Services Expense	14,600	18,232	19,500	33.6%	7.0%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	97,183	94,061	118,764	22.2%	26.3%
5605 · Payroll Taxes	6,803	7,624	8,314	22.2%	9.0%
5610 · Health Insurance	16,287	10,191	11,839	-27.3%	16.2%
5630 · Dental Insurance	1,234	952	1,270	2.9%	33.4%
5640 · Life & LTD Insurance	559	664	664	18.8%	0.0%
5650 · Retirement Plan Contributions	9,718	5,731	11,876	22.2%	107.2%
5655 · Retirement Plan Fees & Costs	1,118	1,118	1,307	16.9%	16.9%
5660 · Training/Development	300	640	300	0.0%	-53.1%
Total 5500 · Salaries/Benefits	133,202	120,981	154,335	15.9%	27.6%
7000 · General & Admin					
7025 · Office Supplies	1,100	908	900	-18.2%	-0.9%
7035 · Postage/Mailing	200	81	100	-50.0%	23.0%
7040 · Copy/Printing Expense	3,700	1,576	1,600	-56.8%	1.5%
7055 · Computer Supplies	900	-	-	-100.0%	-
7100 · Telephone	1,112	1,375	1,832	64.7%	33.3%
7110 · Publications/Subscriptions	100	-	-	-100.0%	-
7120 · Membership/Dues	700	767	800	14.3%	4.3%
7140 · Credit Card Merchant Fees		621	1,100	-	77.1%
7150 · E&O/Off & Dir Insurance	12,400	12,731	13,200	6.5%	3.7%

Preliminary 2013/14 Budget
Access to Justice

	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	Budget	6/30/2014	2014/15	14/15 Bgt	vs 14/15 Bgt
7175 · O/S Consultants	10,000	-	-	-100.0%	-
7195 · Other Gen & Adm Expense	500	408	400	-20.0%	-2.0%
Total 7000 · General & Admin	30,712	18,466	19,932	-35.1%	7.9%
8000 · Building Overhead					
6015 · Janitorial Expense	759	823	869		
6020 · Heat	290	679	654		
6025 · Electricity	1,205	1,232	1,480		
6030 · Water/Sewer	109	133	153		
6035 · Outside Maintenance	263	289	356		
6040 · Building Repairs	835	845	874		
6045 · Bldg Mtnce Contracts	1,337	1,173	1,634		
6050 · Bldg Mtnce Supplies	78	44	80		
6065 · Bldg Insurance/Fees	28	340	378		
6070 · Bldg Depreciation	730	793	1,596		
6075 · Furn/Fixtures Depreciation	242	341	418		
7065 · Equip Depreciation	494	1,019	2,619		
Total 8000 · Building Overhead	6,370	7,712	11,111	74.4%	44.1%
Total Expense	184,884	165,391	204,878	10.8%	23.9%
Net Income	\$ (184,884)	\$ (155,467)	\$ (194,678)	5.3%	25.2%

Preliminary 2013/14 Budget
Tuesday Night Bar

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	\$ -	\$ 27,600	\$ 28,700	-	4.0%
5075 · Food & Beverage-external costs	1,201	129	100	-91.7%	-22.5%
5076 · Food & Beverage-internal only		412	400	-	-2.9%
5085 · Misc. Program Expense	4,500	4,057	4,500	0.0%	10.9%
Total 5000 · Program Services Expense	5,701	32,198	33,700	491.1%	4.7%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	6,100	5,443	5,700	-6.6%	4.7%
5605 · Payroll Taxes	498	463	500	0.4%	8.1%
5650 · Retirement Plan Contributions	201	201	200	-0.5%	-0.7%
5655 · Retirement Plan Fees & Costs	70	70	63	-10.0%	-10.0%
Total 5500 · Salaries/Benefits	6,869	6,177	6,463	-5.9%	4.6%
7000 · General & Admin					
7040 · Copy/Printing Expense		-	-	-	-
7110 · Publications/Subscriptions	500	569	600	20.0%	5.4%
7195 · Other Gen & Adm Expense		-	-	-	-
Total 7000 · General & Admin	500	569	600	20.0%	5.4%
Total Expense	13,070	38,944	40,763	211.9%	4.7%
Net Income	\$ (13,070)	\$ (38,944)	\$ (40,763)	211.9%	4.7%

**Preliminary 2013/14 Budget
Legislative**

	<u>F/Y</u> <u>2013/14</u> <u>Budget</u>	<u>Projected</u> <u>6/30/2014</u>	<u>Budget</u> <u>2014/15</u>	<u>% Chg</u> <u>13/14 vs</u> <u>14/15 Bgt</u>	<u>% Chg</u> <u>13/14 Proj</u> <u>vs 14/15 Bgt</u>
Expense					
5000 · Program Services Expense					
5002 · Meeting Facilities-internal only	\$ -	\$ 1,913	\$ 2,000	-	4.5%
5055 · Legislative Expense	58,000	55,782	58,000	0.0%	4.0%
5070 · Equipment Rental	-	160	200	-	25.0%
5075 · Food & Beverage-external costs	1,800	1,483	1,500	-16.7%	1.1%
5076 · Food & Beverage-internal only		4,577	4,800	-	4.9%
5700 · Travel					
5702 · Lodging		207	200	-	-3.2%
5703 · Transportation	200	509	200	0.0%	-60.7%
5706 · Meals		48	-	-	-100.0%
Total 5000 · Program Services Expense	60,000	64,679	66,900	11.5%	3.4%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	3,220	2,689	2,823	-12.3%	5.0%
5605 · Payroll Taxes	226	201	198	-12.5%	-1.7%
5650 · Retirement Plan Contributions	322	249	282	-12.3%	13.4%
5655 · Retirement Plan Fees & Costs	37	37	31	-16.2%	-16.2%
Total 5500 · Salaries/Benefits	3,805	3,176	3,334	-12.4%	5.0%
7000 · General & Admin					
7035 · Postage/Mailing	300	-	300	0.0%	-
7100 · Telephone	-	77	869	-	1023.7%
7195 · Other Gen & Adm Expense	300	-	300	0.0%	-
Total 7000 · General & Admin	600	77	1,469	144.8%	1807.8%
Total Expense	64,405	67,932	71,703	11.3%	5.6%
Net Income	\$ (64,405)	\$ (67,932)	\$ (71,703)	11.3%	5.6%

**Preliminary 2013/14 Budget
Commission/Special Projects**

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Income					
4095 · Miscellaneous Income		\$ 7,200	\$ 7,300	-	1.4%
Total Income	-	7,200	7,300	-	1.4%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only	2,900	4,089	4,300	48.3%	5.2%
5002 · Meeting Facilities-internal only	-	1,738	1,800	-	3.6%
5030 · Speaker Fees & Expenses	4,400	-	-	-100.0%	-
5035 · Awards	1,000	1,293	1,300	30.0%	0.5%
5063 · Special Event Expense	500	1,064	1,100	120.0%	3.4%
5070 · Equipment Rental	1,400	53	100	-92.9%	87.5%
5075 · Food & Beverage-external costs	12,400	12,603	13,100	5.6%	3.9%
5076 · Food & Beverage-internal only	-	2,421	2,500	-	3.3%
5085 · Misc. Program Expense		260	-	-	-100.0%
5700 · Travel					
5702 · Lodging	18,900	20,044	20,800	10.1%	3.8%
5703 · Transportation	9,700	5,883	6,100	-37.1%	3.7%
5704 · Mileage Reimbursement	12,500	20,584	21,400	71.2%	4.0%
5705 · Per Diems	6,900	6,720	7,000	1.4%	4.2%
5706 · Meals	100	205	200	100.0%	-2.6%
5860 · Commission Mtg Travel	4,700	3,053	3,200	-31.9%	4.8%
5805 · ABA Annual Meeting	4,400	7,164	7,500	70.5%	4.7%
5810 · ABA Mid Year Meeting	2,700	6,300	6,600	144.4%	4.8%
5820 · ABA Annual Delegate	3,200	1,656	1,700	-46.9%	2.7%
5830 · Western States Bar Conference	10,000	14,500	10,000	0.0%	-31.0%
5840 · President's Expense	26,400	27,613	28,700	8.7%	3.9%
5865 · Retreat	17,800	13,892	14,400	-19.1%	3.7%
Total 5000 · Program Services Expense	139,900	151,136	151,800	8.5%	0.4%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	7,928	3,924	4,120	-48.0%	5.0%
5605 · Payroll Taxes	555	263	288	-48.0%	9.8%
5650 · Retirement Plan Contributions	793	385	412	-48.0%	6.9%
5655 · Retirement Plan Fees & Costs	91	91	45	-50.5%	-50.5%
Total 5500 · Salaries/Benefits	9,367	4,663	4,866	-48.1%	4.4%
7000 · General & Admin					
7025 · Office Supplies	400	595	600	50.0%	0.9%
7035 · Postage/Mailing	1,100	984	1,000	-9.1%	1.6%

**Preliminary 2013/14 Budget
Commission/Special Projects**

	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
7040 · Copy/Printing Expense	1,200	2,037	2,100	75.0%	3.1%
7100 · Telephone	-	1	-	-	-100.0%
7110 · Publications/Subscriptions	100	-	-	-100.0%	-
7120 · Membership/Dues	400	-	-	-100.0%	-
7145 · Commission Election Expense	-	3,616	3,800	-	5.1%
7150 · E&O/Off & Dir Insurance	7,200	8,256	8,600	19.4%	4.2%
7195 · Other Gen & Adm Expense	6,500	12,443	8,300	27.7%	-33.3%
Total 7000 · General & Admin	16,900	27,932	24,400	44.4%	-12.6%
Total Expense	166,167	183,731	181,066	9.0%	-1.5%
Net Income	\$ (166,167)	\$ (176,531)	\$ (173,766)	4.6%	-1.6%

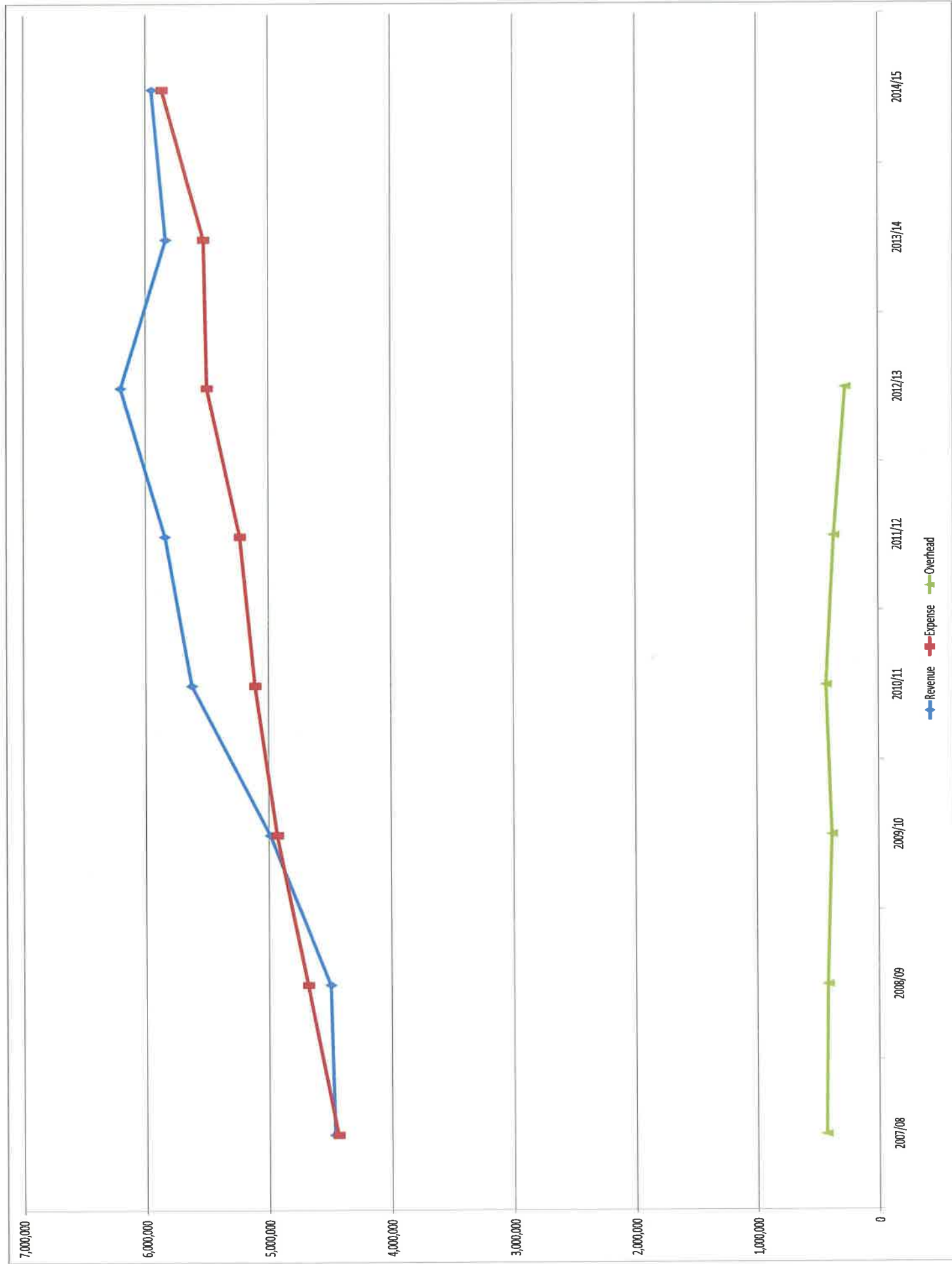
Preliminary 2013/14 Budget
Public Education

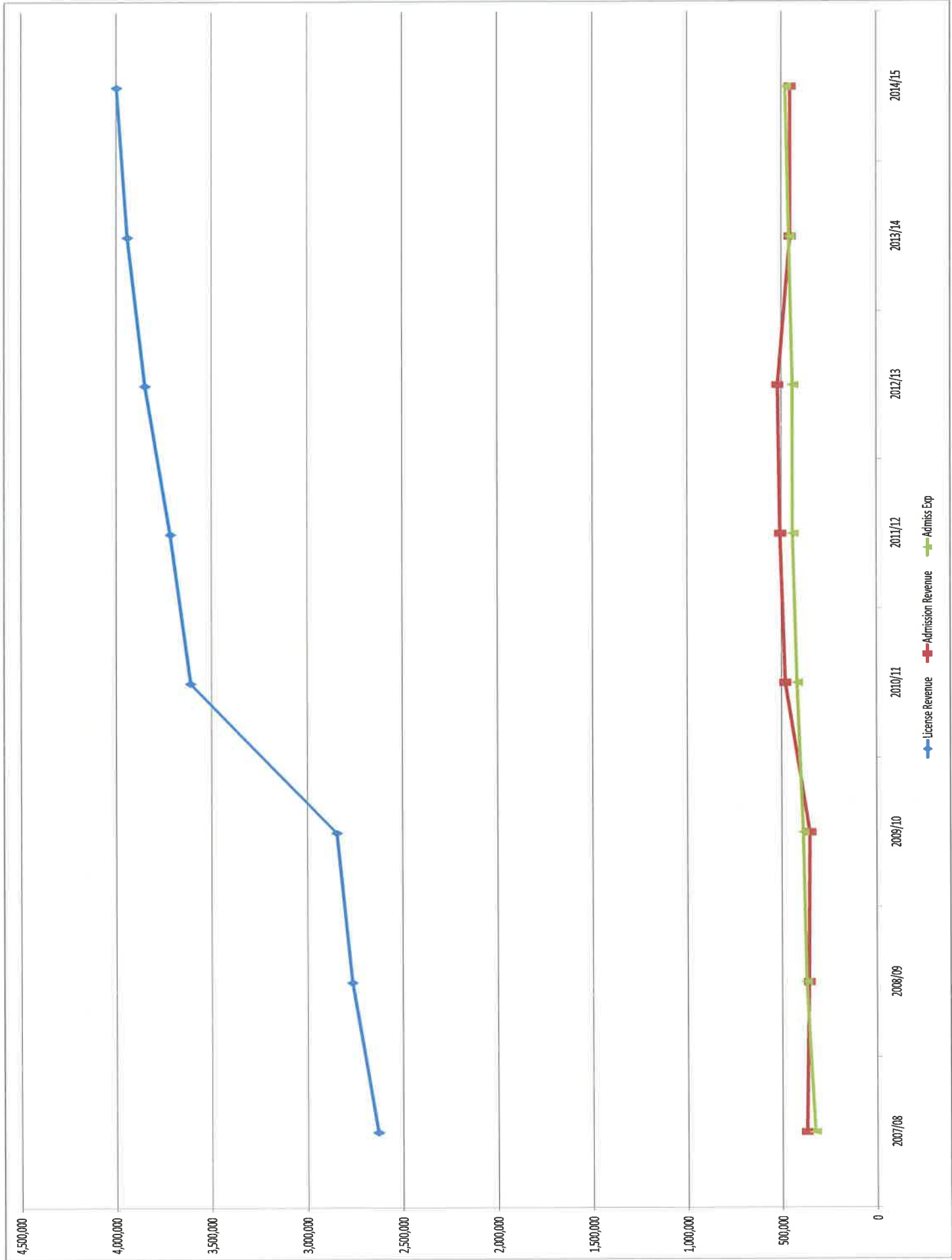
	F/Y 2013/14 Budget	Projected 6/30/2014	Budget 2014/15	% Chg 13/14 vs 14/15 Bgt	% Chg 13/14 Proj vs 14/15 Bgt
Expense					
5000 · Program Services Expense					
5063 · Special Event Expense	-	1,749	1,800	-	2.9%
5075 · Food & Beverage-external costs	-	45	50	-	11.1%
5700 · Travel					
5702 · Lodging	-	413	400	-	-3.1%
5704 · Mileage Reimbursement	-	570	600	-	5.3%
5705 · Per Diems	-	115	100	-	-13.2%
Total 5000 · Program Services Expense	-	2,892	2,950	-	2.0%
5500 · Salaries/Benefits					
5510 · Salaries/Wages	52,500	60,079	63,083	20.2%	5.0%
5605 · Payroll Taxes	3,675	4,882	4,416	20.2%	-9.5%
5610 · Health Insurance	8,143	6,697	5,919	-27.3%	-11.6%
5630 · Dental Insurance	617	611	635	2.9%	4.0%
5640 · Life & LTD Insurance	99	502	502	406.7%	0.0%
5650 · Retirement Plan Contributions	2,625	2,000	6,000	128.6%	200.0%
5655 · Retirement Plan Fees & Costs	604	604	694	14.9%	14.9%
5660 · Training/Development	100	-	100	0.0%	-
Total 5500 · Salaries/Benefits	68,363	75,374	81,349	19.0%	7.9%
7000 · General & Admin					
7025 · Office Supplies	1,000	34	100	-90.0%	197.6%
7035 · Postage/Mailing		2	100	-	4066.7%
7040 · Copy/Printing Expense		778	800	-	2.9%
7045 · Internet Service		96	1,000	-	941.7%
7055 · Computer Supplies	400	520	500	25.0%	-3.8%
7100 · Telephone	556	637	611	9.9%	-4.1%
7105 · Advertising	75,000	55,082	75,000	0.0%	36.2%
7110 · Publications/Subscriptions		60	100	-	66.7%
7120 · Membership/Dues	400	125	100	-75.0%	-20.0%
Total 7000 · General & Admin	77,356	57,333	78,311	1.2%	36.6%
8000 · Building Overhead					
6015 · Janitorial Expense	143	168	326		
6020 · Heat	55	144	245		
6025 · Electricity	227	290	555		
6030 · Water/Sewer	21	25	57		
6035 · Outside Maintenance	50	55	134		
6040 · Building Repairs	158	132	328		
6045 · Bldg Mtncce Contracts	252	254	613		
6050 · Bldg Mtncce Supplies	15	7	30		
6065 · Bldg Insurance/Fees	5	71	142		

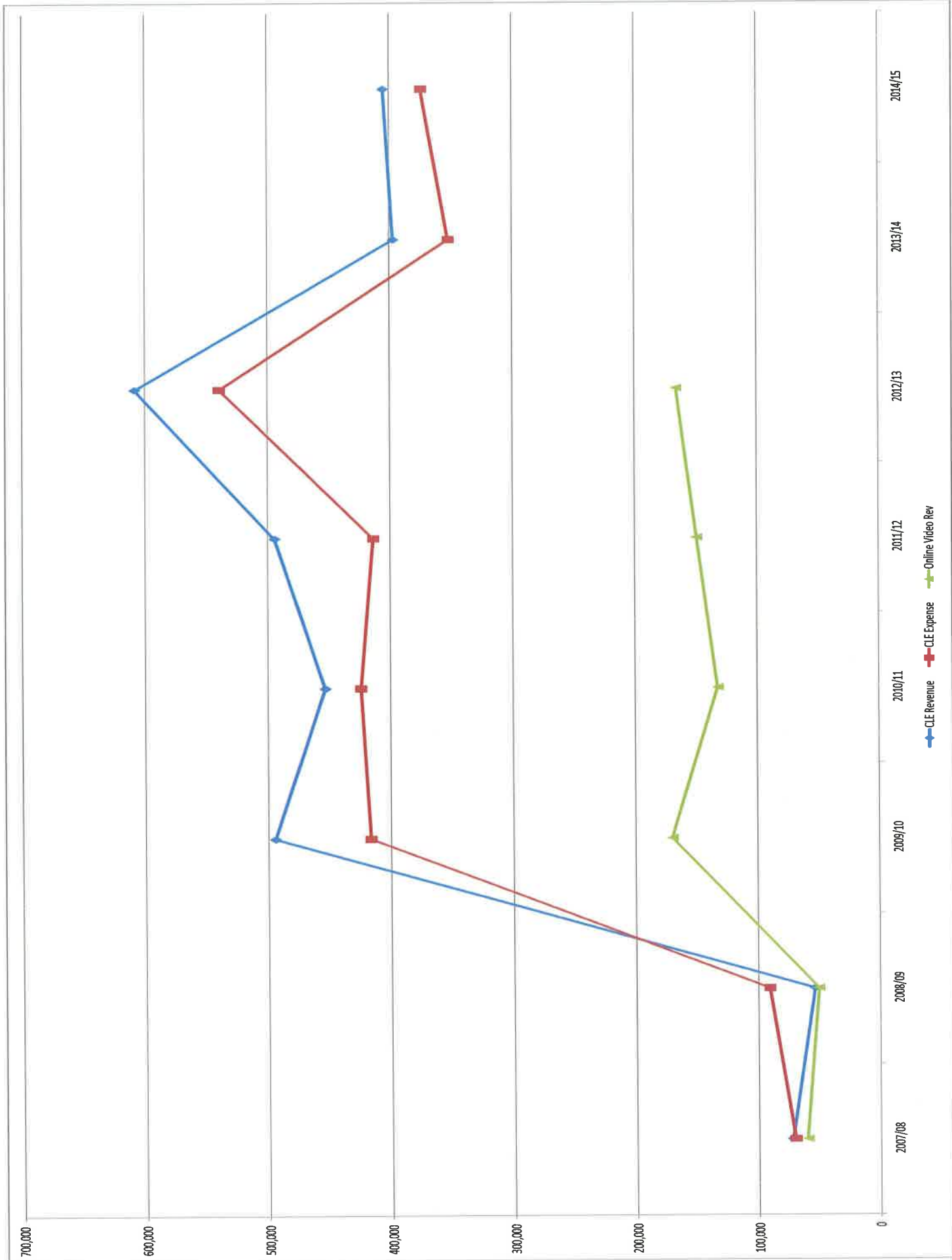
6070 · Bldg Depreciation	138	308	598		
6075 · Furn/Fixtures Depreciation	46	73	157		
7065 · Equip Depreciation	93	295	982		
Total 8000 · Building Overhead	1,203	1,824	4,167	246.4%	128.5%
Total Expense	146,922	137,423	166,777	13.5%	21.4%
Net Income	\$ (146,922)	\$ (137,423)	\$ (166,777)	13.5%	21.4%

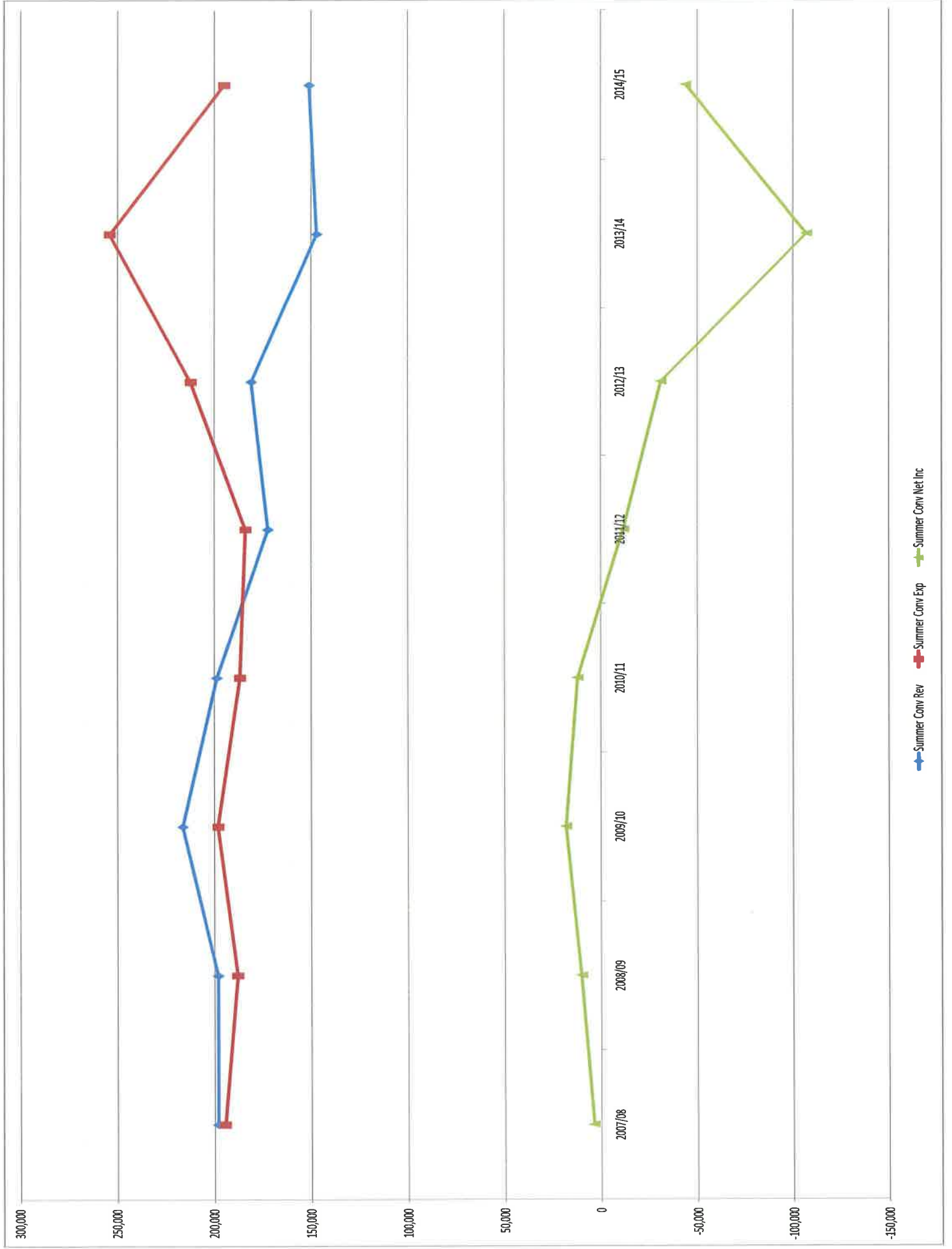
Preliminary 2013/14 Budget
Young Lawyers Division

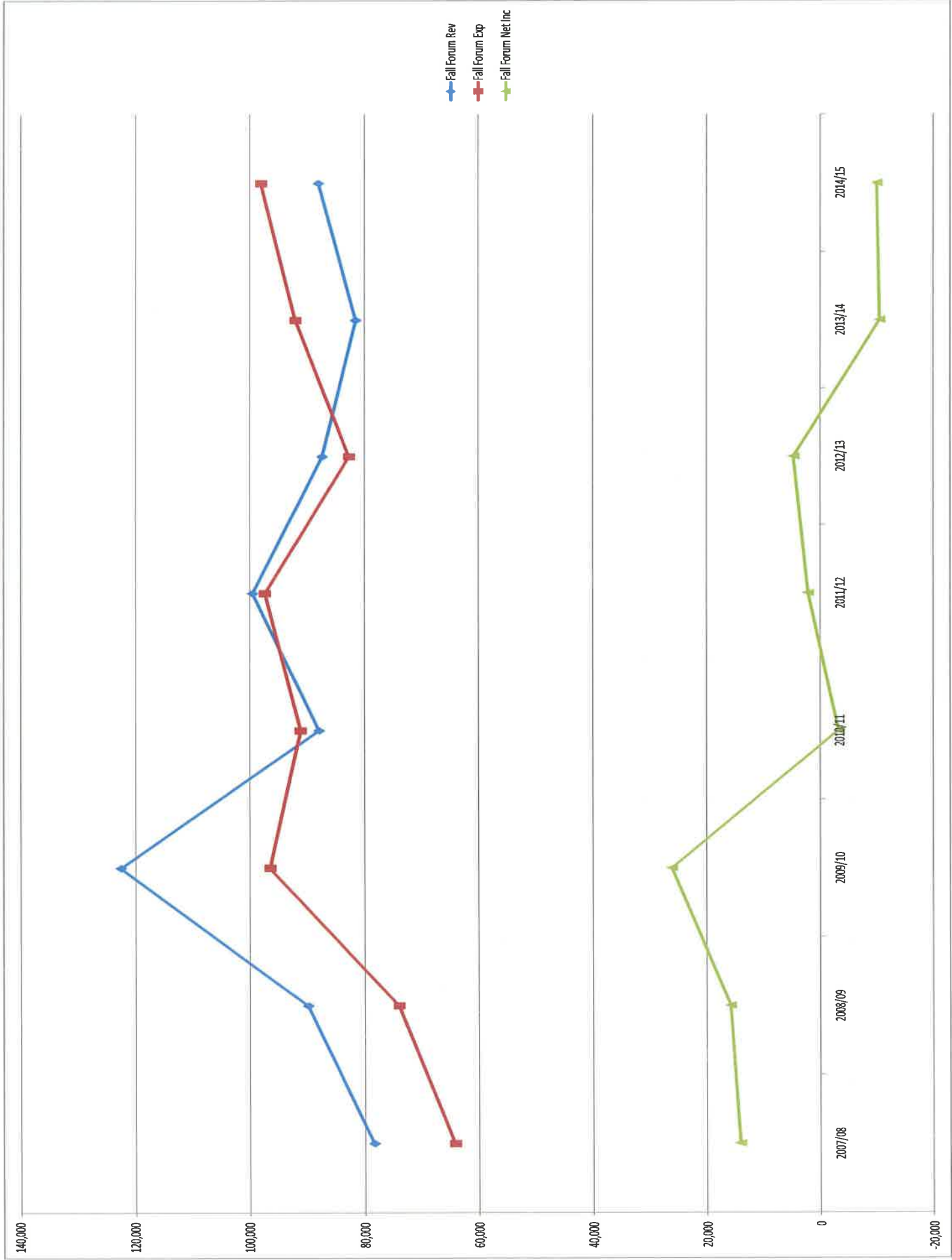
	F/Y			% Chg	% Chg
	2013/14	Projected	Budget	13/14 vs	13/14 Proj
	Budget	6/30/2014	2014/15	14/15 Bgt	vs 14/15 Bgt
Income					
4051 · Meeting - Registration		67	100	-	50.0%
Total Income	-	67	100	-	49.3%
Expense					
5000 · Program Services Expense					
5001 · Meeting Facilities-external only		9,692	15,100	-	55.8%
5002 · Meeting Facilities-internal only	460	160	200	-56.5%	25.0%
5030 · Speaker Fees & Expenses	460	-	-	-100.0%	-
5035 · Awards	2,087	1,333	1,400	-32.9%	5.0%
5037 · Grants/Contributions - general	1,599	456	500	-68.7%	9.6%
5060 · Program Special Activities		437	500	-	14.3%
5075 · Food & Beverage-external costs only		5,888	10,300	-	74.9%
5076 · Food & Beverage-internal only	21,045	315	300	-98.6%	-4.8%
5085 · Misc. Program Expense	4,855	315	300	-93.8%	-4.7%
5095 · Wills for Heroes	1,585	-	4,500	183.9%	-
5700 · Travel					
5702 · Lodging		675	700	-	3.8%
5703 · Transportation		1,279	1,300	-	1.7%
5704 · Mileage Reimbursement		328	300	-	-8.5%
5705 · Per Diems		-	-	-	-
5706 · Meals		41	-	-	-100.0%
5860 · Commission Mtg Travel	32	-	-	-100.0%	-
5805 · ABA Annual Meeting	14,179	5,941	6,200	-56.3%	4.4%
5810 · ABA Mid Year Meeting		4,317	4,500	-	4.2%
Total 5000 · Program Services Expense	46,302	31,177	46,100	-0.4%	47.9%
7000 · General & Admin					
7025 · Office Supplies	174	-	-	-100.0%	-
7035 · Postage/Mailing	91	4	-	-100.0%	-100.0%
7040 · Copy/Printing Expense	610	1,167	1,200	96.7%	2.9%
7100 · Telephone	19	-	-	-100.0%	-
7140 · Credit Card Merchant Fees	19	3	-	-100.0%	-100.0%
7195 · Other Gen & Adm Expense	785	800	800	1.9%	0.0%
Total 7000 · General & Admin	1,698	1,973	2,000	17.8%	1.4%
Total Expense	48,000	33,150	48,100	0.2%	45.1%
Net Income	\$ (48,000)	\$ (33,083)	\$ (48,000)	0.0%	45.1%

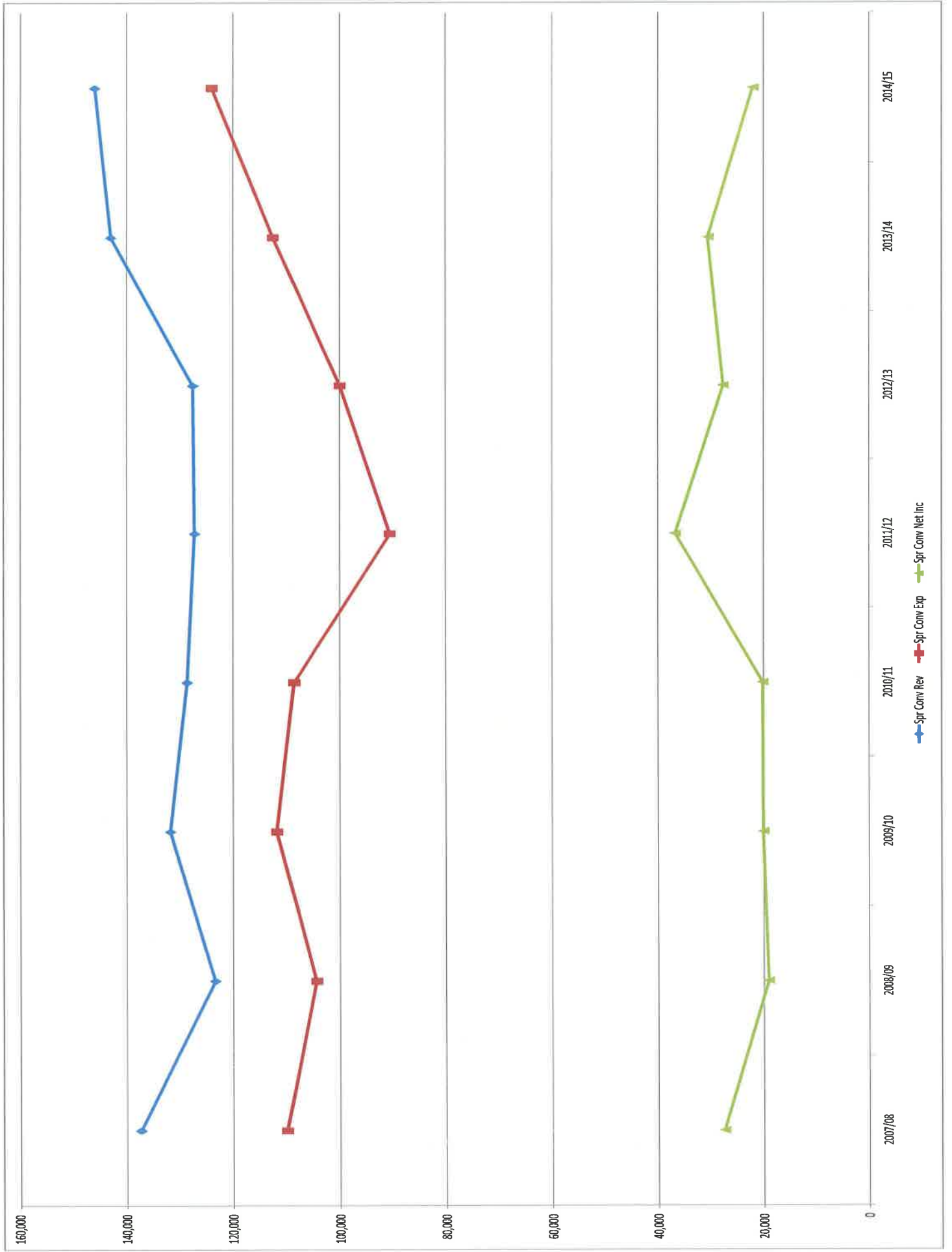




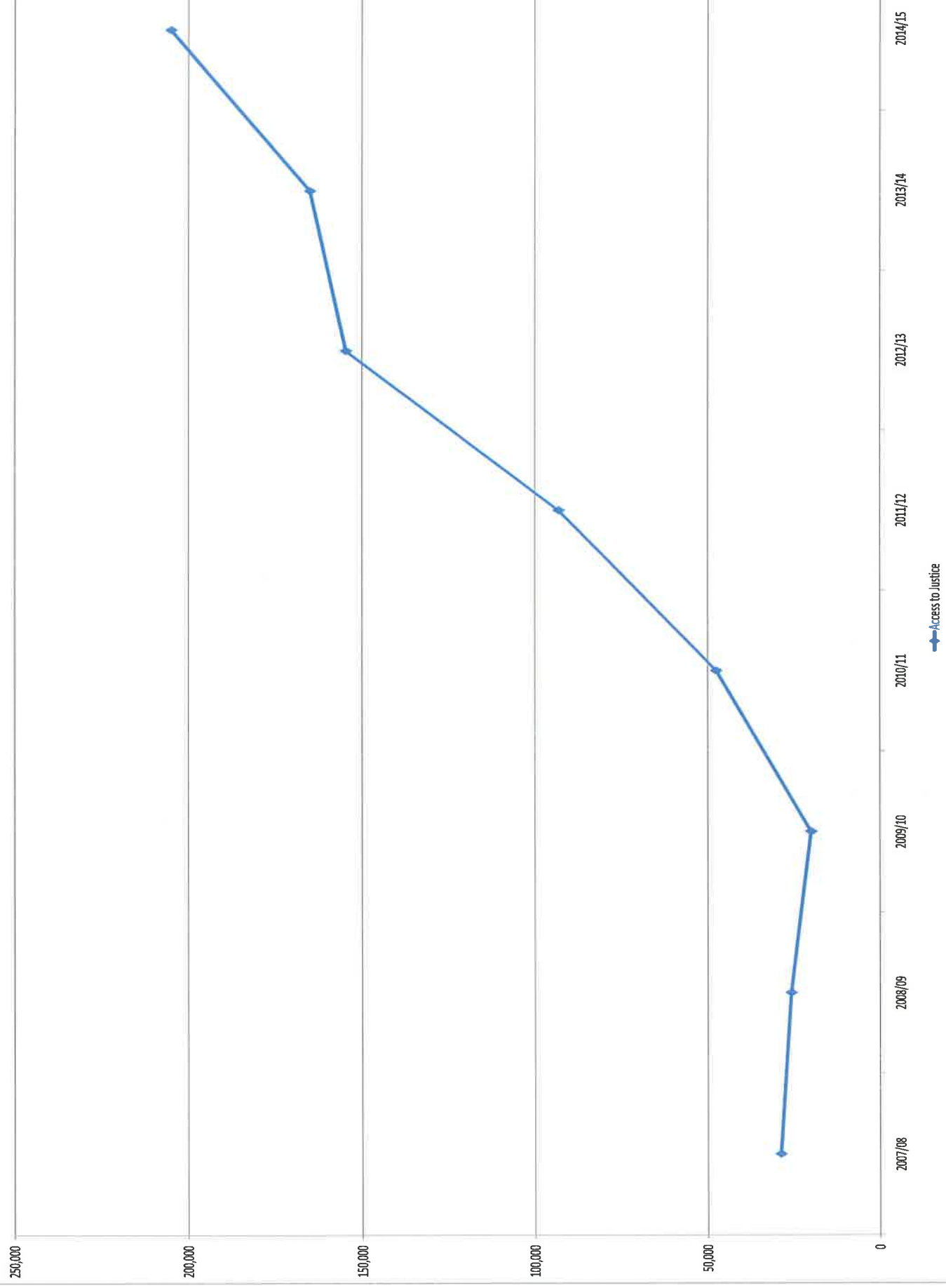








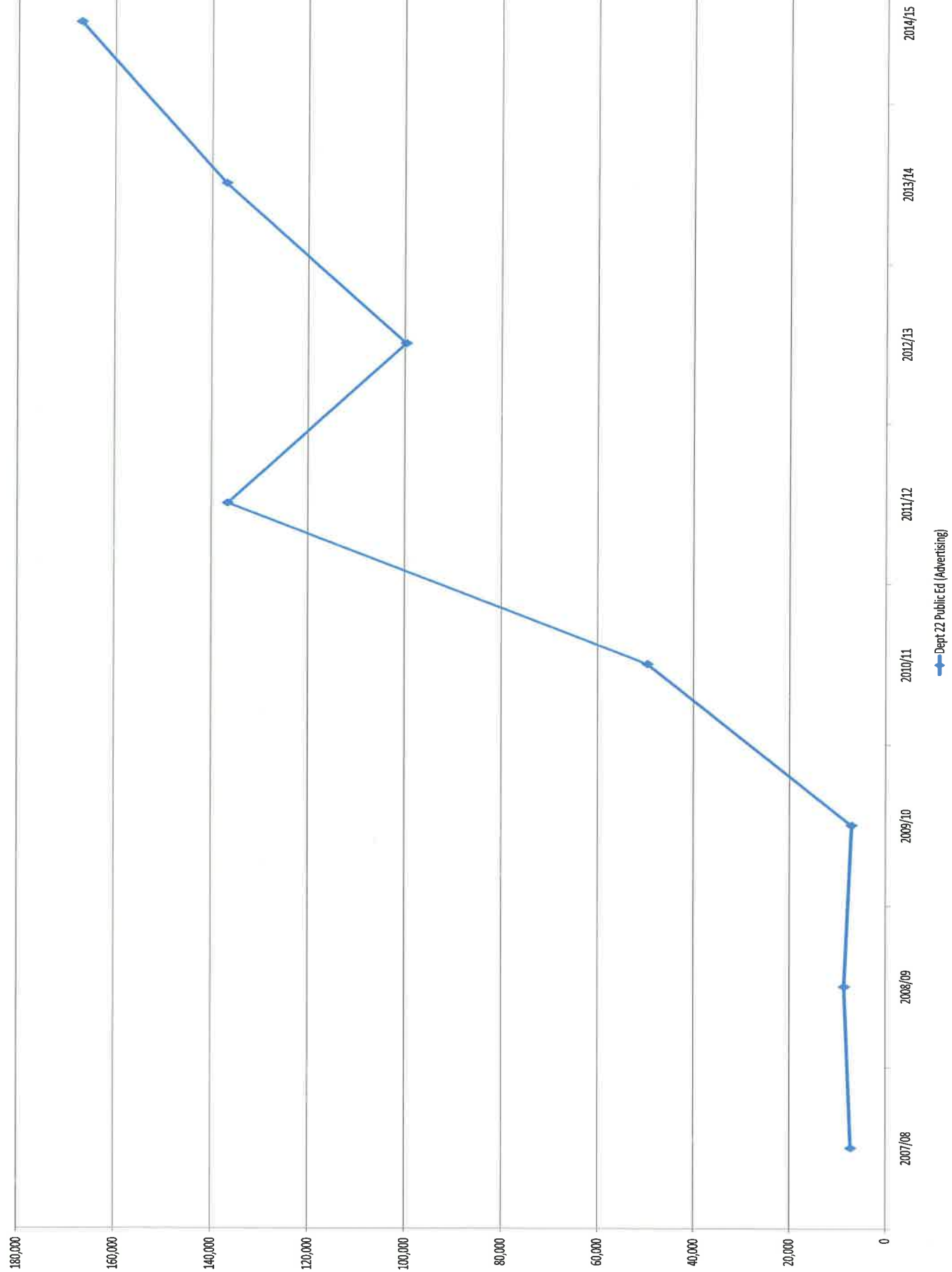
Access to Justice



Dept 21 Comm/Sp Proj



Dept 22 Public Ed (Advertising)



Tab 9

Utah State Bar 2014 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.mcgahay@utahbar.org

Total Amount Requested \$20,000 Date May 8, 2014

Applications for a grant from the Utah State Bar may be made by completing and submitting 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.



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
phone 801-689-1720
fax 801-689-1753



STAFF

Nancy McGahey
Executive Director

Kate Larimer
Case Management

Suzy Nagar
Spanish Program

Russ Osguthorpe
Court Program

Nancy Hansen
Youth Program

Lynette Wendel
Training Program

Evie Brinkerhoff
Ogden Office



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May 8, 2014

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:

I am writing on behalf of Utah Dispute Resolution (UDR) to ask the Utah State Bar Commission to approve a grant of \$20,000 in support of community mediation for the 2014-2015 fiscal year. The attached proposal provides background on our organization and explains 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 make a financial contribution this year.

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 in 1997. UDR's presence at the Law and Justice Center helps the Bar fulfill the vision for this building, which was founded to offer alternatives for conflict resolution beyond traditional litigation. 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 FY2015 annual operating budget is \$257,850 including cash expenditures and in-kind donations. This budget is similar to last year. 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 professional mediation 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.

Along with our application package, I have included an Executive Summary that provides highlights of the organization's accomplishments along with UDR's Annual Report for FY2013. I am happy to provide additional information as requested. Thank you for giving this proposal your consideration.

Sincerely,

Nancy McGahey
Executive Director

Enclosures

Executive Summary

Request

Utah Dispute Resolution (UDR) is asking the Utah State Bar Commission to approve a \$20,000 grant to help support UDR's mediation programs for low- and middle-income Utah residents.

UDR's Mission

UDR exists to provide residents of Utah with quality mediation and conciliation services, including information and training in alternative dispute resolution.

UDR Supports the Utah Bar's Mission

By providing free or low-cost mediation for Utah residents who need financial consideration, UDR:

- Helps the Bar fulfill its mission to promote access to justice, professional excellence, civility, ethics, respect for and understanding of the law.
- Supports the mission of the Law & Justice Center, which was built to support alternative means of resolving disputes outside of court.
- Works in partnership rather than competes with the legal profession. Utah laws and Court rules now require mediation or other form of ADR for most civil disputes. UDR helps the legal community meet this requirement.
- Complements the Bar's efforts to serve low- and middle-income populations in Utah, as reflected in the Bar's Pro Bono and Modest Means initiatives.

Mediations Conducted

In FY2013, UDR's volunteer mediators conducted **884** mediations among all programs. The resolution rates vary depending on the context of the dispute.

Family Program—of the 349 mediations conducted, 71% resulted in full or partial agreement.

Community Program—of the 32 mediations conducted, 63% resulted in agreement.

Small Claims Program—of the 380 mediations conducted, 71% resulted in full or partial agreement.

Small Claims Appeals Program—of the 108 mediations conducted, 26% resulted in full or partial agreement.

Youth Program—of the 15 youth mediations conducted, 100% resulted in full agreement.

People Served

Even when parties decide not to mediate, UDR staff provides service by listening to concerns and offering relevant referrals. In FY2013, UDR served nearly **3,400** Utah residents through these programs:

Family Mediation Program—served over 1,400 low-income clients through mediation and/or referrals.

Community Mediation Program—served nearly 340 disputing parties through mediation and/or referrals.

Court Mediation Program—served 1,018 disputants in small claims and small claims appellate matters.

Youth Program—trained 340 at-risk youth in Salt Lake City and Ogden.

Training Program—trained 188 people through a UDR seminar.

Target Population for Mediation Services

UDR does not compete with private mediators; the organization provides service for people who need financial consideration. UDR is the only mediation center in Utah that provides services based on a sliding scale; no client is turned away because of inability to pay. In FY2013:

- 91% of all UDR clients received free services (1,602 people)
- 7% qualified for reduced fees (127 people)
- 2% paid a full fee (39 people)

In UDR's **Family Mediation Program**, individuals are asked to complete income surveys. Of the 698 clients who participated in mediation in FY2013:

- 73% fell below 150% of FPL; these clients qualified for fee waivers
- 20% fell between 150% and 250% of FPL; these clients qualified for a reduced fee of \$40 per hour
- 4% fell between 250% and 350% of FPL; these clients qualified for a reduced fee of \$60 per hour
- 3% fell over 350% of FPL and were assessed a full fee of \$80 per hour

Typically, if one party is assessed a fee for mediation, the other party receives a fee waiver.

FY2013 Funding

Last year, expenses totaled \$253,701, which included depreciation and in-kind expenses. Revenue totaled \$253,067, which included in-kind donations. UDR realized a year-end deficit of \$634. UDR received funding from these sources:

\$93,934	Training income generated from public seminars	37% of all revenue including in-kind
\$88,000	Grants from private foundations	35% of all revenue including in-kind
\$22,225	Service fees collected from clients	9% of all revenue including in-kind
\$9,550	Contracts for youth instruction	4% of all revenue including in-kind
\$9,872	Contributions from private donors	4% of all revenue including in-kind
\$29,121	In-kind contributions for rent and professional services	11% of all revenue including in-kind

UDR is cost-effective. The average cost per person served in each UDR program is:

- \$59 per side for a family dispute
- \$44 per side for a community dispute
- \$39 per disputant for a small claims matter
- \$53 per student who benefitted from the Youth Program

Historical Background

UDR was founded in 1991 under the oversight of the Utah State Bar. In 1996, UDR became an independent corporation and obtained IRS status as a 501c3 charitable nonprofit organization in 1997. In 2007, UDR opened its first satellite office in Ogden and continues to serve residents throughout the state through in-person as well as virtual mediation using Skype and telephonic technologies. The Utah Bar continues to provide in-kind space and services.

2014 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. This office coordinates mediations for low-income residents in the northern part of our state. The Salt Lake office conducts intake and arranges mediations for low-income residents in central and southern communities.

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 10). 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; University of Utah Alumni Association President

Palmer DePaulis, Secretary-Treasurer

Executive Director of the Department of Community and Culture, State of Utah; Chair of the Utah State employees ADR Council

George Lopez, Trustee

Mediator in private practice; managing partner, Community Mediation Center

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

Lisa Adams, Trustee

Past work experience in Utah State Bar programs and private Guardian ad Litem. Current Chair, KUED Advisory Board; Salt Lake City Council member from District 7.

David Leta, Trustee

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

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 six people who administer UDR's programs, including:

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

Evie Brinkerhoff, Ogden Office Development Manager (full time)

Kate Larimer, SLC Case Manager (full time)

Suzy Nagar, Spanish Language Case Manager & Court Programs (35 hours per week)

Lynette Wendel, Training Coordinator (20 hours per week)

Nancy Hansen, Youth Program Coordinator (15 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 2014-2015 fiscal year. The requested funding represents about 8% of UDR's total annual operating budget. (See Attachment B, page 11, for UDR's proposed 2014-2015 operating budget.) About 80% of UDR's annual budget supports compensation and program expenses. The remaining 20% of the budget funds administrative costs.

UDR staff members conduct intake, screen cases to ensure appropriateness and safety, schedule mediations, and coordinate volunteer efforts. Contractors are given 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 through the Bar's low-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.

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. Over the past two years, the Bar has

declined requests for financial support. While the organization has sought new funding sources, UDR anticipates an operating deficit of over \$10,000 for the current fiscal year, based on current projections.

UDR continues to seek funding from new sources, but that fact that service programs target clients who need financial consideration make it impractical to raise enough funding through fees. For this reason, UDR will continue to rely on the generosity of individual donors, foundations, and organizations like the Utah Bar to fund a portion of these service programs.

UDR has succeeded in increasing funding from training efforts, but in the last two years revenues generated from this source have fallen short of projections. In fiscal year 2012-13, revenue from training workshops generated about 42% of total income received for the year. Based on projections for the current fiscal year, training revenue should account for 39% of total income. Decreases are likely due to increased competition from other trainers.

UDR has identified these goals for the 2014-2015 fiscal year:

- Expand marketing efforts by updating the Web site to raise greater awareness of UDR's services. (This goal is dependent on funding.)
- Continue efforts to expand services statewide by building capacity to conduct virtual mediations from the Ogden office as well as the Salt Lake office. (UDR has submitted a proposal to the Utah Families Foundation to add this capability to the Ogden office.)
- Establish a regional presence in southern Utah and continue to increase mediator capacity throughout the state. (This goal is dependent on funding.)
- Continue to increase revenue through expanded training offerings. (This goal is ongoing.)

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

2012-13FY

UDR's budget and year-end projections for the current fiscal year is included as Attachment C (page 12). The anticipated year-end revenue is projected to be \$235,150, which is over \$22,000 short of budget. Expenses for the current fiscal year are projected to total \$245,760, which is likely to result in a deficit of over \$10,000 for the year. Because of reduced revenue, UDR did not achieve two goals: updating the Web site and establishing a satellite office in southern Utah.

Revenue Received to Date

As of March 31, 2014, UDR had received \$143,268 in revenue for the 2013-2014 fiscal year, as itemized below.

- Mediation Fees - \$17,485
- Individual and Organizational Contributions and Donations - \$4,120
- Training Income - \$65,413
- Youth Program Contract Income - \$5,000
- Utah Charitable Foundations - \$51,000 total contributions from:
 - George S. & Dolores Dore Eccles Foundation - \$25,000
 - And Justice for All - \$20,000
 - Marriner S. Eccles Foundation - \$5,000
 - Ralph Nye Charitable Trust - \$1,000
- Interest Income - \$250

In addition, the Utah Bar Foundation has committed to donate \$20,000.

Revenue Anticipated or Committed

Revenue Anticipated or Committed

Based on projections, UDR anticipates receiving an additional \$62,382 by the end of the current fiscal year, as itemized below.

- Mediation Fees - \$6,515
- Individual and Corporate Donations - \$6,880
- Mediation Training Revenue - \$14,587
- Youth Program Contract Income - \$4,300 (pledged; not received)
- Utah Charitable Foundations - \$30,000 total contributions from:
 - Utah Bar Foundation - \$20,000 (committed)
 - Michael Foundation - \$5,000 (requested; not approved)
 - R. Harold Burton Foundation - \$5,000 (requested; not approved)
- Interest Income - \$100

2013-14FY

UDR's Board of Trustees is currently in the process of reviewing and adopting a budget for the next fiscal year. A preliminary draft of this budget is included as Attachment B of this proposal (page 11). Including in-kind donations, the proposed budget reflects revenue and expenditures that are similar to the current fiscal year. Year-end projections for FY2014 will likely result in a deficit exceeding \$10,000. This deficit could have been higher if we had not delayed goals such as updating the Web site and delaying plans to establish an office in southern Utah. Increased funding in FY2015 will enable UDR to proceed with these projects.

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 2013 calendar year, UDR recorded 1,455 cases, which represents a small decrease from the previous year. This decrease resulted primarily from the continued decline in the numbers of small claims mediations, a trend that began when jurisdiction shifted from district to justice courts for small claims matters. Last year, UDR volunteers conducted 881 mediations over all programs.

Case Disposition. UDR tracks the disposition of cases to determine settlement rates. Last year, 65% 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	774	351	50%	21%	29%
Community Mediation Program	154	34	53%	3%	44%
Small Claims Mediation Program	393	393	65%	3%	32%
Small Claims Appeals Mediation	126	96	28%	2%	70%
Youth Mediation Program	8	8	100%	0%	0%
TOTALS	1,455	881	55%	10%	35%

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 ratings for mediations as well as UDR's overall service were 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. UDR's university partners include the University of Utah, the Quinney Law School, University of Phoenix, Utah Valley University, and Salt Lake Community College. 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 donate 400-500 hours of time each 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 a private mediator. In fiscal year 2013, 91% of all UDR clients received free services. Another 7% of clients qualified for reduced fees, which are far below market averages. Only 2% of 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; 20% of UDR clients fell into this bracket last year. Clients whose incomes fall between 250% and 350% of FPL pay \$60 per hour; 4% of clients fell into this bracket. If a client's income exceeds 350% FPL, that client pays \$80 per hour; only 3% 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 does not benefit monetarily from these mediations unless a staff member is mentoring a new mediator. 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 \$22,225 in service fees. The largest portion of these fees came from the \$25 administration fee charged in UDR's Family Program. Mediation fees represented 10% of all revenues collected.

8. Audited Financial Statement.

A copy of the 2013 audit report is attached to this proposal. This report covers the fiscal year from July 1, 2012 through June 30, 2013. The audit was conducted by Huizenga and Company.

9. Summary of the Bar's 2013 Contribution.

In 2013, 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 13) 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 2014-15 fiscal year.

10. **Signature:** HancyMcGahay
Title: Executive Director
Date: May 9, 2014

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, nearly 24 students have participated as peer mediators. In 2009, UDR expanded the Youth Program to the George Washington High School, Ogden's alternative school for at-risk teens.
- **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 Utahans.

Attachment B

2014-2015 Fiscal Year: UDR Draft Proposed Operating Budget

Note: pending approval of the UDR Board of Trustees

Revenue

	Cash	In-Kind	Total Budget
Mediation/Administrative Fees	25,000		25,000
Individual/Corporate Donations	12,000		12,000
Training Revenue	80,000		80,000
Youth Program Service Contracts	8,500		8,500
Foundation Grants	98,000		98,000
Youth Program Grants	6,000		6,000
Interest Income	350		350
In-Kind Donations	0	28,000	28,000
Total Revenue	\$229,850	\$28,000	\$257,850

Expenses

Compensation

	Cash	In-Kind	Total
Salaries and Wages	155,000		155,000
Accounting & IT Support	0	5,000	5,000
Payroll Taxes	12,500		12,500
Payroll Expenses & Fees	1,540		1,540
Contractors (court program)	6,000		6,000
Speaker Fees (for training)	4,000		4,000
Workman's Comp. Insurance	400		400
Total Compensation	\$179,440	\$5,000	\$184,440

Program Expenses

	Cash	In-Kind	Total
MCLE Fees	450		450
Food & Beverage Expense	3,500		3,500
Postage/Mailing	2,500		2,500
Youth Project Expenses	300		300
Meeting Facilities	2,500	5,000	7,500
Travel/Mileage Reimbursement	2,000		2,000
Training Materials	4,000		4,000
Volunteer/Staff Appreciation	1,000		1,000
Staff Training and Development	800		800
Total Program Expenses	\$17,050	\$5,000	\$22,050

General & Admin Expenses

	Cash	In-Kind	Total
Rent & Utilities	6,960	18,000	24,960
Office Supplies	3,000		3,000
Copy/Printing Expense	1,500		1,500
Computer Maintenance & Supplies	300		300
Fax	300		300
Advertising	12,000		12,000
Publications/Subscriptions/Memberships	1,100		1,100
Bank Charges & Credit Card Fees	2,000		2,000
Insurance Expense	2,000		2,000
Audit Expense/990 Filing	3,800		3,800
Fund Raising	300		300
Other Admin Expenses	100		100
Total General/Admin Expenses	\$33,360	\$18,000	\$51,360
Total Expenses	\$229,850	\$28,000	\$257,850

Revenue Less Expenses	\$0	\$0	\$0
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Attachment C

2013-2014 Fiscal Year: UDR Operating Budget vs. Projected Year-End Costs

(note: projections are based on YTD income and expenditures as of 3/31/14)

Revenue

	Budget Cash	In-Kind	Total Budget	Projected Year End
Mediation/Administrative Fees	24,525		24,525	24,000
Individual Donations	12,000		12,000	11,000
Training Revenue	85,000		85,000	80,000
Youth Program Service Contracts	13,000		13,000	9,300
Foundation Grants	88,240		88,240	78,000
Youth Program Grants	7,000		7,000	5,000
Interest Income	350		350	350
In-Kind Donations	0	27,500	27,500	27,500
Total Revenue	\$230,115	\$27,500	\$257,615	\$235,150

Expenses

Compensation	Budget Cash	In-Kind	Total Budget	Projected Year End
Salaries and Wages	159,415		159,415	154,000
Accounting & IT Support	0	7,500	7,500	7,500
Payroll Taxes	12,215		12,215	12,500
Payroll Expenses & Fees	1,575		1,575	1,500
Contractors (Court program)	4,200		4,200	6,000
Contract Trainer Fees	5,000		5,000	4,000
Workman's Comp. Insurance	400		400	400
Total Compensation	\$182,805	\$7,500	\$190,305	\$185,900

Program Expenses	Budget Cash	In-Kind	Total Budget	Projected Year End
MCLE Fees	300		300	425
Food & Beverage Expense	3,300		3,300	3,000
Youth Project Expenses	500		500	250
Meeting Facilities	2,500	5,000	2,500	7,500
Postage/Mailing	2,350		2,350	2,400
Mileage Reimbursement	2,700		2,700	1,500
Training Materials	3,650		3,650	4,000
Volunteer/Staff Appreciation	1,350		1,350	1,000
Staff Training and Development	875		875	400
Total Program Expenses	\$17,525	\$5,000	\$17,525	\$20,475

General & Admin Expenses	Budget Cash	In-Kind	Total Budget	Projected Year End
Rent, utilities, & Off-Site Storage	6,960	15,000	21,960	21,960
Office Supplies	2,750		2,750	2,700
Copy/Printing Expense	1,350		1,350	750
Computer Maintenance & Supplies	250		250	150
Fax	300		300	100
Advertising/Promotion	10,000		10,000	2,500
Publications/Subscriptions/Memberships	1,075		1,075	1,015
Bank Charges & Credit Card Fees	1,600		1,600	2,100
Insurance Expense	1,850		1,850	1,878
Audit Expense/990 Preparation	3,300		3,300	3,695
Other Gen/Admin Expenses	350		350	100
Depreciation	0		0	2,450
Total General/Admin Expenses	\$29,785	\$15,000	\$44,785	\$39,398

Total Expenses	\$230,115	\$27,500	\$252,615	\$245,760
Revenue Less Expenses	\$0	\$0	\$0	(\$10,610)

Attachment D

Summary of 2013-14 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.

Tab 10



2014 – 2015 Officers

Katherine E. Judd, President
T. Christopher Wharton, President - Elect
Brigman L. Harman, Treasurer
Breanne M. Miller, Secretary

June 6, 2014

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

Re: Young Lawyers Division 2014 -2015 Budget Request

Dear Bar Commissioners:

I am writing to you as the President-Elect of the Utah State Bar Young Lawyers Division to ask you to allocate \$59,000.00 to YLD for 2014-2015. A copy of our proposed budget as well as the 2013-2014 allocated budget is attached. While this represents an increase from last year's budget amount, several successful YLD programs have outgrown their prior budgets and we are adding new projects that will serve our members and increase visibility of the bar and its programs in the community.

YLD is one of the most active and visible sections of the bar. It is also one of the largest. YLD is dedicated to providing a diverse array of programs and projects designed to benefit young lawyers, all members of the bar, and the community. Next year YLD will run approximately 20 programs. These programs—while serving the community and the bar—play a crucial role in encouraging young lawyers to become active in the bar, which in turn translates into an active and community focused bar in the years to come. The proposed budget allocates funds to these essential programs in roughly the same amounts as in prior years, with a few exceptions. The major areas of increased funding are explained in greater detail below.

YLD Leadership Summit

Last year, YLD held a successful one-day leadership conference in Park City, Utah that was open to the general YLD membership. The Conference focused on leadership-related CLEs and limited attendance to 50 participants. This year we plan on redirecting the Leadership Conference funds to host a leadership summit (the "***Leadership Summit***") for approximately 45 YLD board and committee members (collectively "***YLD Leaders***"). The purpose of the Leadership Summit is to train YLD Leaders, collaborate and cement needed support for upcoming programs and events, and provide an opportunity to network. About one half of YLD Leaders are new to the board this year. New YLD Leaders need leadership training and an understanding of YLD's purpose and programs so these leaders can not only run successful programs themselves, but also have the knowledge to be able to be supportive of one another's programs. In addition, I have met with each YLD Leader (both past and present), and many of the prior YLD Leaders that are choosing to stay on for the coming year have expressed the feeling that they do not have support from other YLD Leaders at their events. My strong desire is to have a Leadership Summit to create congeniality and collaboration among YLD Leaders. I believe the Leadership Summit can greatly impact YLD's success this year. Moreover, the spirit

of friendship and cooperation that will be forged among YLD Leaders will strengthen the overall bar as YLD Leaders become future leaders of the bar.

The Leadership Summit will be a one-day event to take place in Park City, Utah on Saturday, September 13, 2014. Rather than host the Leadership Summit in a conference room at a hotel, we will rent a large residence with an open floor plan. A residential setting will be more conducive to friendships naturally forming, while providing a large enough space for trainings and presentations to all YLD Leaders in addition to smaller break out areas for networking activities. The morning and early afternoon schedule will be YLD business focused and will include leadership training, formal networking such as speed networking and "icebreaking" type activities, and presentations by YLD Leaders to the other Leaders regarding their programs and goals for the year to get feedback and support. The late afternoon will include an outdoors activity to provide an opportunity for YLD Leaders to network and bond in a different setting. Finally, the Leadership Summit will close with dinner.

Last year it was anticipated that the Leadership Conference would cost \$5,000, but the actual cost was \$7,864.17. In line with the actual cost last year, we request an additional \$3,000 be allocated to the YLD Leadership Summit. Funds will be used for the venue, food/drink, transportation, afternoon activity, training materials and other related expenses.

Wills for Heroes

Wills for Heroes was adopted in Utah in 2006 and has been a huge success. The program has helped over 4,500 first responders get their estate planning done free of charge. More than 10,000 pro bono hours have been donated by attorney and paralegal volunteers. Last year alone Wills for Heroes helped over 300 first responders.

The Utah Wills for Heroes program is unlike many other clinics or pro bono legal programs because it brings services to the doorstep of first responders at their department station, training facility, or headquarters. The Utah Wills for Heroes committee regularly receives inquiries and requests to hold events throughout the State of Utah, and next year we will be holding events for the US Marshall's Office at the new federal courthouse, Salt Lake Police Department, Woods Cross Police Department, Utah Highway Patrol, Washington County Sheriff's Department/St. George Police Department, and Cache Valley Sheriff's Department. Travel to these departments in various areas of the state increases travel costs. Due to the overwhelmingly positive response to the Utah Wills for Heroes program, demand has far exceeded our expectations and the printer used onsite to print estate documents is very worn out and needs to be replaced. Finally, in the past t-shirts were given to volunteer attorneys and paralegals as a thank you; additional shirts need to be ordered. We therefore propose that the total budget allocation for this program be increased by \$1,500 to purchase a new printer, reimburse committee members for the additional travel costs associated with serving first responders outside the Wasatch Front, and purchase t-shirts for volunteers.

Bullyproof: Young Lawyers Educating and Empowering to End Bullying

YLD's new initiative, Bullyproof: Young Lawyers Educating and Empowering to End Bullying, is modeled off the ABA program and focuses on combating bullying in our public schools with the assistance of young lawyers. The three key pillars of the Bullyproof project are:

1. Educating parents, teachers, students and school administrators. Materials, such as handouts, trivia game, and a video co-produced by the ABA YLD that features a host of U.S. political and cultural figures, will be used in presenting programs and seminars in local schools which will cover: defining bullying; issues facing victims and the aggressors; bullying is not just something kids go through or part of growing up, but is harassment, torture, and other various crimes that adults would seek the legal system to address; and combating bullying and the need for us all to work together to address the wrong and make schools safe.
2. Educating lawyers. Materials, programs, and other resources will be distributed on: how to advocate for victims of bullying; representing clients accused of bullying; and working with administrators to combat bullying.
3. Legislative. Sample anti-bullying policies will be made available to assist young lawyers in working with state legislatures and school administrators to create and implement anti-bullying policies and legislation.

We propose that the Bullyproof program be allocated \$500.00 to cover initial start-up costs including handouts and other materials.

Arrive Alive: Texting and Distracted Driving Prevention Program

YLD proposes a new community service project to address the growing issue of young adults texting while driving, distracted driving, and drunken driving. Motorists are 23 times more likely to crash if they are texting while driving, and over 50 percent of teens admit to texting while driving.

YLD desires assistance from UNITE, a national health and wellness organization, to present their Arrive Alive program, which features a high-tech driving simulator, impact video, and various other resources to teach students about the dangers of text while driving and drunk driving. By providing a controlled environment, the simulator allows participants to experience the possible consequences of engaging in dangerous driving behavior.

The project has two parts. First, YLD volunteers make presentations about statistics and legal ramifications of drunk/distracted driving and related topics to high school students at their school. Next, students get into an actual vehicle and put on a virtual reality headset, experiencing

what it is like to text and drive or drink and drive—without real-life consequences. Upon exiting the vehicle, each participant is handed a mock citation detailing the ramifications of their simulation. An external LCD monitor allows an audience to witness the action inside the simulator, including the high-impact video presentation. Finally, the Arrive Alive program also features a picture pledge where students have their picture taken in the simulator. The photos are placed on keychain cards and given to the students as keepsakes, reminders to drive S.A.F.E. (Sober and Free of Electronics).

To educate young people on distracted driving on this extremely important community issue in such a fun, unique, and interesting way is a very special opportunity. Last year the Allegheny County Bar Association in Pennsylvania teamed up with UNITE and it was met with great success and awarded the Most Outstanding Single Project – Service to the Public by the ABA.

We propose Arrive Alive be allocated \$2,500, the standard cost for a one-day event, which includes all UNITE travel, lodging, transportation, labor, press and media releases, and custom photo key chains. YLD is also exploring co-sponsorship with schools districts, sheriff offices, police departments, car dealerships, insurance agencies, and others to expand the one-day event to multiple days at different local schools.

Veterans Clinic

The combination of record numbers of military personnel leaving the armed services and difficult economic times has put particular pressure on our nation's veterans. The number of veterans needing legal assistance has grown substantially in recent years. Many of these brave men and women do not receive legal assistance because of inability to pay a lawyer. It is a troubling fact that so many of our veterans are reduced to abject poverty mere months after leaving military service. This poverty often prevents them from receiving the very benefits they earned as a result of their military service.

Last year, the Salt Lake City Veterans Clinic successfully launched. The clinic is held at the VA Hospital on Foothill Drive in Salt Lake City on the second Thursday of each month from 5:30 to 7:30 p.m. The clinic's scope is similar to Tuesday Night Bar, but clientele is limited to only veterans. Many veterans are disabled and unable to attend the Tuesday Night Bar, so the VA is an ideal location. Working with veterans is a uniquely rewarding experience, and allows our members to serve a very deserving population. An added benefit is a positive raise to attorneys' profile from the perspective of veterans and older disabled citizens.

Due to the success in Salt Lake City, a second clinic has opened in St. George (but does not have funding). Most recently, the Veterans Committee is in talks with VA administrators to use technology to increase accessibility to the clinic in rural areas. We propose that the Veteran

Committee be allocated an additional \$500 to cover dinner for volunteers at the two clinics, supplies, and a few thank you gifts and awards to the most consistent volunteers.

Utah State Bar Leadership Conference in Snowmass, Colorado

YLD has been invited to send two members of leadership at YLD's expense to the Utah State Bar's 2014 Leadership Conference to be held on Wednesday, July 16, 2014 in Snowmass, Colorado. YLD would like to participate and has been informed that the costs will include two nights at the Snowmass Westin (\$165.00 per night); round-trip travel reimbursement paid at the IRS rate of \$0.56 per mile (\$441.28); and three days per diem at the Aspen/Snowmass IRS rate of \$71.00 per day. This is a new expense, so we propose YLD be allocated \$1,960 to send two representatives to the Bar's Leadership Conference.

Other YLD Projects

In addition to the programs described in detail above, YLD has many other programs that reflect the energy and diversity of Utah's young lawyers. The following is a current listing of additional YLD projects that serve Utah lawyers and members of the community. Without exception, these programs improve the perception of lawyers in the community and help the bar to fulfill its basic responsibilities. Each of these projects relies on the volunteerism and good will of YLD members who donate their time and energy to doing great things.

Last year the Commission allocated YLD \$48,500. YLD will have spent nearly its entire 2013-2014 budget allocation. The 2014-2015 budget allocates effectively the same amount as last year for each of these projects listed below.

Networking Events

- Mentoring Marathon
- New Lawyer Mentoring Social
- Speed Networking Socials
- Young Lawyers Opening and Closing Socials
- Professional Networking Events
- Utah State Bar Convention Events

Community Service Programs

- Tuesday Night Bar
- Wednesday Night Bar
- Help R.I.S.E. Program
- Disaster Response Committee
- Serving Our Seniors
- Walk Against Violence
- Professional Clothing Drive
- Habitat for Humanity

June 6, 2014

- The Green Utah Pledge
- And Justice For All Phone-a-thon

Legal Education Programs

- Law Day
- Choose Law Program
- High School Debate Tournament
- ABA National Pro Bono Week Celebration
- Practice in a Flash

For these reasons, I respectfully request that the Bar allocate \$59,000.00 to YLD for the 2014-2015 year. These funds will allow YLD to continue to provide the quality programming and events that the Utah legal community has come to expect, to deliver excellent services to the community, and to improve upon and expand current and new services and programs. For most lawyers, involvement with the Utah State Bar begins with YLD. YLD is a great resource for both personal and professional development, and allows young lawyers to experience the satisfaction that comes with serving in their community—a practice we hope they will continue long after their time in YLD has ended. I feel fortunate to be a part of this organization and ask for your support in extending this same opportunity to others.

Sincerely,



Katherine E. Judd
YLD President-Elect

Enclosure

**Utah Young Lawyers Division
2014-2015 Proposed Budget**

<u>Committees:</u>	<u>2013-2014</u>	<u>2014-2015</u>
Law Day	\$900.00	\$900.00
Activities	\$6,000.00	\$6,000.00
Tuesday Night Bar (\$120 increase for gifts; \$20 gift card for 12 team leads)	\$100.00	\$240.00
Community Service (\$2,500 increase explained in letter)	\$1,500.00	\$4,000.00
Wills for Heroes (\$1,500 increase explained in letter)	\$1,500.00	\$3,000.00
Public Education	\$600.00	\$600.00
And Justice for All	\$250.00	\$250.00
Veterans Clinic (\$500 increase explained in letter)	\$500.00	\$1,000.00
Practice in a Flash - CLE	\$1,500.00	\$1,500.00
Bar Journal	\$0.00	\$0.00
Utah Debate Tournament	\$1,000.00	\$1,000.00
Law School Division	\$0.00	\$0.00
Paralegal Division	\$0.00	\$0.00
Government Relations	\$0.00	\$0.00
UMBA Banquet	\$600.00	\$600.00
Serving our Seniors	\$350.00	\$350.00
Career Advancement Committee	\$100.00	\$100.00
Executive Committee	\$3,200.00	\$3,200.00
Green Utah (\$100 increase to host kickoff event)	\$0.00	\$100.00
Publicity Coordination	\$0.00	\$0.00
YLD Leadership Summit (\$3,000 increase explained in letter)	\$5,000.00	\$8,000.00
Bullyproof (new program explained in letter)		\$500.00
TOTAL Committee Balances:	\$23,100.00	\$31,340.00
<u>ABA/Utah Conferences:</u>		
Utah Bar Snowmass, CO (July 2014) (new cost explained in letter)		\$1,960.00
ABA Annual Boston, MA (August 7-9, 2014)	\$4,000.00	\$4,000.00
ABA Fall Portland, OR (October 9-11, 2014)	\$4,000.00	\$4,000.00
ABA Midyear Houston, TX (February 15-17, 2015)	\$4,000.00	\$4,000.00
Utah Bar Spring Convention, St. George, UT (March, 2015)	\$0.00	\$0.00
ABA Spring Tampa, FL (May 15-17, 2014)	\$4,000.00	\$4,000.00
TOTAL Conferences:	\$16,000.00	\$17,960.00
<u>Miscellaneous:</u>		
Food & Beverage	\$2,500.00	\$2,500.00
YLD Opening Social	\$3,500.00	\$3,500.00
YLD Closing Social	\$2,000.00	\$2,000.00
End of year gifts for Board members (\$300 increase; \$24/gift for 50 ppl)	\$900.00	\$1,200.00
Reserve	\$500.00	\$500.00
TOTAL Miscellaneous:	\$9,400.00	\$9,700.00
GRAND TOTAL:	\$48,500.00	\$59,000.00

Tab 11

**2014 - 2015 Committee and Project Chairs,
Commission Liaisons to Committees, Sections and Local Bars**

Jim Gilson

2014 Fall Forum Committee
2015 Summer Convention Committee

Curtis Jensen

Federal Bar Association
Member Resources Committee
CLE Advisory Committee

Steven Burt

Construction Law Section
Disaster Resources Committee

H. Dickson Burton

Bankruptcy Section
Intellectual Property Section
Business Law Section
International Law Section
Admissions Committee

Susanne Gustin

Bar Journal Committee
UACDL
Criminal Law Section
Bar Examier Committee

Angelina Tsu

Banking & Finance Section
Corporate Counsel Section
2015 Spring Convention Committee
Governmental Relations Committee

Mary Kay Griffin

Tax Law Section
Non-profit / Charitable Law Section
Budget & Finance Committee

Mike Leavitt

Sixth District Bar Association
Southern Utah Bar Association
Eastern Utah Bar Association
Uintah Basin Bar Association
Garfield County Bar Association

Kenyon Dove

Collection Section
Davis County Bar Association
Weber County Bar Association
Real Property Section
New Lawyer Training Committee

John Lund

Unauthorized Practice of Law Committee
Litigation Section

Herm Olsen

Fee Dispute Resolution Committee
Box Elder Bar Association
Cache County Bar Association
Elder Law Section
Solo, Small Firm & Rural Practice Section

Janise Macanas

Education Law Section
Senior Lawyers Section
Estate Planning Law Section
Juvenile Law Section
Communications Section

Nate Alder

Antitrust and Unfair Competition Section
Dispute Resolution Section
Appellate Practice Seciton
Tooele County Bar Association

Margaret Plane

Government Law Section
Park City Bar Association
Constitutional Law Section
Military Law Section

Larry Stevens

Health Law Section
Fund for Client Protection Committee
Energy, Natural Resources Law Section
Franchise Law Section

Tom Seiler

Ethics Advisory Opinion Committee
Wasatch County Bar Association
Utah Association for Justice
Central Utah Bar Association
Inns of Court

Heather Farnsworth

Test Accommodations Committee
Securities Law Section
Family Law Section
Cyber Law Section
Character & Fitness Committee

Rob Rice

Labor & Employment Law Section
Hellenic Bar Association
Salt Lake County Bar Association
LGBT Bar Association

Tab 12

John Baldwin

From: Katherine Fox

Sent: Friday, May 09, 2014 4:02 PM

To: Curtis Jensen; Robert Jeffs; James D. Gilson; Robert Rice; Lori Nelson; H. Dickson Burton; John Lund

Cc: John Baldwin; Elizabeth Wright

Subject: RE: Bar's Proposed Advertising Rules Update

Dear Curtis and All:

Although the petition was filed in February 2013, it seems like this puppy has been on my desk in some form or another since the beginning of time. The hundreds and hundreds of hours of work that has gone into this project (most of it by Rob Jeffs, I might add) along with many twists and turns and at times, conflicting and strong personalities, make this one of the most challenging endeavors that we have undertaken, at least from my perspective.

Having said that, here are a few of my observations:

(1) It is not a bad rule in my opinion. It's a beginning (versus the whole enchilada we offered) and can be easily augmented in the future. It's a half step forward which reflects compromise because the Advisory Committee really didn't want any changes at all from the current rule. It also helps us to avoid constitutional challenges which would be easier to deflect if we could demonstrate significant problems out there that required mandatory measures to address. (I still think we would win those challenges, but who needs 'em?)

(2) If push comes to shove and we can't agree to this version (which actually retains quite a few of our original points - like expanding the definition of what constitutes misleading advertising and requiring disclosure of actors used in place of actual lawyers, etc.), the Court has to choose. I'm not confident at this point that the Court is sufficiently convinced there are problems significant enough to require mandatory submission of advertising.

(3) The Court relies heavily on the input of all its Advisory Committees. I believe it fair to say that in my experience, the Advisory Committee on Professional Conduct Rules enjoys a particularly favored status.

(4) Nearly all the comments that were received were extremely negative and nearly all of those objected most vigorously to mandatory submission. This is not without some impact on the Court albeit it's not controlling.

(5) Although this version doesn't serve the exact same purpose as the original one we submitted, it is not without purpose. It raises awareness among our members of improper advertising which is an important first step. And it accomplishes that without driving our lawyers off the deep end into the seas of resentment of the Bar. It offers a safe harbor for those seeking it with their advertising. It doesn't cost us anything in Bar resources (staff and operating expenses) and the work could be done by the new Bar Committee that operates in similar fashion to the EAO as it gains expertise along the way. Finally, it doesn't cost the lawyer anything, either. In terms of Bar resources, this might be seen as a win/win.

Let me know if you would like to discuss anything aspect in more detail. Thanks.

Katherine

From: Curtis Jensen [mailto:CJensen@snowjensen.com]
Sent: Friday, May 09, 2014 2:26 PM
To: Katherine Fox; Robert Jeffs; James D. Gilson; Robert Rice; Lori Nelson; H. Dickson Burton; John Lund
Cc: John Baldwin; Elizabeth Wright
Subject: RE: Bar's Proposed Advertising Rules Update

Katherine, John and Rob, what are your feelings regarding if a common ground could even be reached in this matter between the commission and committee. If my understanding of the intended effect of the current proposal, the key points of the rule were sections 7.1 & 7.2, the same sections that garnered significant discussion among the commissioners and may be the very heart of the proposed Advertising Rule. If we were to adopt the suggestions of the committee, then will the rule have any real purpose aside from serving as a basic guideline for practitioners? Such a result may be certainly better than where we stand currently, especially if I understand the present rule may have some constitutional concerns. Anyway, would all of you please share your thoughts and where you would like to see this matter go from here.

Thanks,

Curtis M Jensen |

Snow Jensen & Reece, P.C.

Tonaquint Business Park | 912 West 1600 South, Suite B-200 | St. George, UT 84770

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From: Katherine Fox [mailto:kfox@utahbar.org]
Sent: Friday, May 09, 2014 11:57 AM
To: Robert Jeffs; Curtis Jensen; James D. Gilson; Robert Rice; Lori Nelson; H. Dickson Burton; John Lund
Cc: John Baldwin; Elizabeth Wright
Subject: Bar's Proposed Advertising Rules Update

The Court's Advisory Committee on Rules of Professional Conduct (Committee) has finalized its suggested revisions to the Bar's proposed rules on lawyer advertising. I met with Steve Johnson (chair) and Gary Sackett (member) to discuss their proposed changes last Friday and understand their thinking. I have discussed the matter with John Baldwin in more detail and at his direction, only Executive Committee members (and Rob Jeffs) are being copied at this point.

The changes are significant. The biggest change is that under their suggested versions, submission of any advertising is not mandatory and they have deleted proposed Rules 7.2A and 7.2B in their entirety. This largely is based on their belief that there is not really a lawyer advertising problem.

The second biggest change is that they suggest another procedure and entity (a new Bar committee patterned after the Ethics Advisory Committee) to vet any advertising and provide a safe harbor for lawyers.

Other changes are relatively minor (e.g., changes commensurate with 2012-3 ABA Model Rules revisions, tightening up of language, etc.).

5/9/2014

The Court has indicated that it prefers ("strongly encourages") the Commission and the Committee to find common ground for agreement and would prefer a joint submission of any changes rather than being an arbitrator. Obviously, that will be their default role if agreement doesn't happen.

The first attachment contains a "clean" copy of Rules 7.1 and 7.2 as the Committee revised them.

The second attachment contains my "key" to their changes with short explanations.

The third attachment contains a rather confusing redlined version of their changes.

This issue has been a long time in the making but it appears that we are finally closing in.

Katherine

KEY TO RULES ADVISORY COMMITTEE ON URCP ADVERTISING RULE REVISIONS

Biggest differences: eliminates 7.2A & 7.2B - mandatory submission of designated advertising and replaces vetting procedures with new Bar committee similar to Ethics Advisory Opinion Committee process.

Streamlines language; eliminates list of things which do not have to be submitted (other languages, law school, etc.); makes rule consistent with other rules and adopts most of ABA's 2013-14 amendments.

RECOMMENDATION:

RULE 7.1 and Comments

1. Duplicative of URPC 8.4 (a) & (b).
2. Incorporates ABA's 2012-13 amendments to RPC Model Rule; enlarges scope of impact from just "client" to the public.
3. Eliminates Justice Lee's suggestion during initial court conference; Committee has issues with requiring compliance with non mandatory guidelines.
4. New; fits URCP normal pattern of identifying differences between ABA Model Rules and our rules.

RULE 7.2 and Comments

1. Replaces numerous examples such as "newspapers, periodicals, etc." by summarizing as "*recorded or electronic communications*."
2. No difference - moved to lines 57-60.
3. Redundant - deleted.
4. Redundant - deleted.
5. No difference; moved to line 25.
6. No difference except added ABA Model Rule changes.
7. Eliminated because conflicted with URPC Rule 8.5 (b) - choice of law.
8. Re-worded; eliminated requirement that disclosure be displayed the entire duration of ad.

9. Eliminated; duplicative of URPC Rule 7.4

10 Essentially the same.

11. Same; moved to current position.

12. All of "g" omitted because these things are either obvious and/or inherently truthful (second languages, law school attended, etc.).

13. Largely the same.

Comment Changes:

Mostly 2012-3 ABA Model Rules revisions.

Lines 116-8 in comments: retained our language.

Rule 7.1.

Rule 7.1. Communications Concerning a Lawyer's Services.

A lawyer shall not make a false or misleading communication about the lawyer or the lawyer's services. A communication is false or misleading if it:

(a) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;

(b) is likely to create an unjustified or unreasonable expectation about results the lawyer can or has achieved, ~~or states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law;~~

(c) compares the lawyer's services with other lawyers' services, unless the comparison can be factually substantiated; or

(d) contains a testimonial or endorsement which violates any portion of this Rule.

Comment

[1] This Rule governs all communications about a lawyer's services, including advertising permitted by Rule 7.2. Whatever means are used to make known a lawyer's services, statements about them must be truthful.

[2] Truthful statements that are misleading are also prohibited by this Rule. A truthful statement is misleading if it omits a fact necessary to make the lawyer's communication considered as a whole not materially misleading. A truthful statement is also misleading if there is a substantial likelihood that it will lead a reasonable person to formulate a specific conclusion about the lawyer or the lawyer's services for which there is no reasonable factual foundation.

[3] An advertisement that truthfully reports a lawyer's achievements on behalf of clients or former clients may be misleading if presented so as to lead a reasonable person to form an unjustified expectation that the same results could be obtained for other clients in similar matters without reference to the specific factual and legal circumstances of each client's case. Similarly, an unsubstantiated comparison of the lawyer's services or fees with the services or fees of other lawyers may be misleading if presented with such specificity as would lead a reasonable person to conclude that the comparison can be substantiated. The inclusion of an appropriate disclaimer or qualifying language may preclude a finding that a statement is likely to create unjustified expectations or otherwise mislead ~~a prospective client the public.~~

[4] See also Rule 8.4(e) for the prohibition against stating or implying an ability to influence improperly a government agency or official or to achieve results by means that violate the Rules of Professional Conduct or other law.

~~[5] All communications concerning a lawyer's legal services should comport with the Standards of and Civility.~~

~~[4a] The Utah Rule is different from the ABA 40 Model Rule. Subsections (b), (c), and (d) are added to the Rule to give further guidance as to which communications are false or misleading.~~

Rule 7.2. Advertising.

(a) Subject to the requirements of Rules 7.1 ~~and 7.3~~ and 7.3, a lawyer may advertise services through the public media, such as telephone directory, legal directory, newspaper or other periodical, billboards and other signs, radio, television and recorded messages the public may access by dialing a telephone number, or through written recorded or electronic communication, not involving solicitation as prohibited by Rule 7.3 including public media written, recorded or electronic communication, including public media.

(b) A lawyer shall not give anything of value to a person for recommending the lawyer's services; except that a lawyer may:

(b)(1) pay the reasonable costs of advertisements or communications permitted by this Rule;

(b)(2) pay the usual charges of a legal service plan or a lawyer referral service;

(b)(3) pay for a law practice in accordance with Rule 1.17; or

(b)(4) divide a fee with another lawyer as permitted by Rule 1.5(e).

(c) Any communication made pursuant to this Rule shall include the name and office address of at least one lawyer of the firm responsible for its content.

(a)(1) As used in these Rules, "advertisement" shall mean any communication made to induce persons to use a lawyer's services.

(a)(2) These Rules shall not apply to any advertisement that is broadcast or disseminated in another jurisdiction in which the advertising lawyer is admitted if such advertisement complies with the rules governing lawyer advertising in that jurisdiction and the advertisement is not intended primarily for broadcast or dissemination within the state of Utah.

(b) If the advertisement uses any actors to portray a lawyer, members of the law firm, or clients or utilizes depictions of fictionalized events or scenes, the same must be disclosed. In the event actors are used, the disclosure must be sufficiently specific to identify which persons in the advertisement are actors, and the disclosure must appear for the duration in which the actor(s) appear in the advertisement.

(c) All advertisements and written communications disseminated pursuant to these Rules shall include the name and office address of at least one lawyer or law firm responsible for their content.

(d) Every advertisement and written communication that indicates one or more areas of law in which the lawyer or law firm practices shall conform to the requirements of Rule 7.4.

(d) Every advertisement and written communication indicating that the charging of a fee is contingent on outcome or that the fee will be a percentage of the recovery shall set forth clearly the client's responsibility for the payment of costs and other expenses.

(e) A lawyer who advertises a specific fee or range of fees shall include all relevant charges and fees, and the duration such fees are in effect.

(g) The following information in advertisements and written communications shall be presumed not to violate the provisions of Rule 7.1:

~~(g)(1) subject to the requirements of this Rule and Rule 7.5, the name of the lawyer or law firm, a listing of lawyers associated with the firm, office addresses and telephone numbers, office and telephone service hours, and a designation such as "attorney" or "law firm";~~

~~(g)(2) date of admission to the Utah State Bar and any other bars and a listing of federal courts and jurisdictions other than Utah where the lawyer is licensed to practice;~~

~~(g)(3) technical and professional licenses granted by the state or other recognized licensing authorities;~~

~~(g)(4) foreign language ability;~~

~~(g)(5) prepaid or group legal service plans in which the lawyer participates;~~

~~(g)(6) acceptance or non-acceptance of credit cards;~~

~~(g)(7) fee for initial consultation and fee schedule, subject to the requirements of paragraphs (e) and (f) of this Rule; and~~

~~(g)(8) a listing of the name and geographic location of a lawyer or law firm as a sponsor of a public service announcement or charitable, civic or community program or event.~~

~~(h) Nothing in this Rule prohibits a lawyer and law firms from advertising their inclusion in law lists and law directories intended primarily for the use of the legal profession or such information as has traditionally been included in these publications.~~

~~(i) A copy or recording of an advertisement or written or recorded communication as set forth in Rule 7.2A shall be submitted to the Utah State Bar, and a copy shall be retained by the lawyer or law firm which advertises for 3 years after its last dissemination along with a record of when and where it was used.~~

~~(f) A lawyer shall not give anything of value to a person for recommending the lawyer's services, except that a lawyer may pay the reasonable cost of advertising or written or recorded communication permitted by these Rules and may pay the usual charges of a lawyer referral service or other legal service organization plan.~~

Comment

[1] To assist the public in learning about and obtaining legal services, lawyers should be allowed to make known their services not only through reputation but also through organized information campaigns in the form of advertising. Advertising involves an active quest for clients, contrary to the tradition that a lawyer should not seek clientele. However, the public's need to know about legal services can be fulfilled in part through advertising. This need is particularly acute in the case of persons of moderate means who have not made extensive use of legal services. The interest in expanding public information about legal services ought to prevail over considerations of tradition. Nevertheless, advertising by lawyers entails the risk of practices that are misleading or overreaching.

[2] This Rule permits public dissemination of information concerning a lawyer's name or firm name, address, email address website and telephone number; the kinds of services the lawyer will undertake; the basis on which the lawyer's fees are determined, including prices for specific services and payment and

credit arrangements; a lawyer's foreign language ability; names of references and, with their consent, names of clients regularly represented; and other information that might invite the attention of those seeking legal assistance.

[3] Questions of effectiveness and taste in advertising are matters of speculation and subjective judgment. Some jurisdictions have had extensive prohibitions against television and other forms of advertising, against advertising going beyond specified facts about a lawyer or against "undignified" advertising. Television, ~~is now one of the Internet and other forms of electronic communication are now~~ among the most powerful media for getting information to the public, particularly persons of low and moderate income; prohibiting television, Internet, and other forms of electronic advertising, therefore, would impede the flow of information about legal services to many sectors of the public. Limiting the information that may be advertised has a similar effect and assumes that the Bar can accurately forecast the kind of information that the public would regard as relevant. ~~Similarly, electronic media, such as the Internet, can be an important source of information about legal services, and lawful communication by electronic mail is permitted by this Rule.~~ But see Rule 7.3(a) for the prohibition against ~~the~~ a solicitation of ~~a prospective client~~ through a real-time electronic exchange ~~that is not initiated by the prospective client initiated by the lawyer.~~

[4] Neither this Rule nor Rule 7.3 prohibits communications authorized by law, such as notice to members of a class in class action litigation.

Paying Others to Recommend a Lawyer

[5] Except as permitted by Paragraph (f), ~~L~~awyers are not permitted to pay others for recommending the lawyer's services or for channeling professional work in a manner that violates Rule 7.3. A communication contains a recommendation if it endorses or vouches for a lawyer's credentials, abilities, competence, character, or other professional qualities. Paragraph ~~(b)(1)~~ (f), however, allows a lawyer to pay for advertising and communications permitted by this Rule, including the costs of print directory listings, on-line directory listings, newspaper ads, television and radio airtime, domain-name registrations, sponsorship fees, ~~banner ads~~ Internet-based advertisements and group advertising. A lawyer may compensate employees, agents and vendors who are engaged to provide marketing or client-development services, such as publicists, public-relations personnel, business-development staff and website designers. Moreover, a lawyer may pay others for generating client leads, such as Internet-based client leads, as long as the lead generator does not recommend the lawyer, any payment to the lead generator is consistent with Rules 1.5(e) (division of fees) and 5.4 (professional independence of the lawyer), and the lead generator's communications are consistent with Rule 7.1 (communications concerning lawyer's services). To comply with Rule 7.1, a lawyer must not pay a lead generator that states, implies, or creates a reasonable impression that it is recommending the lawyer, is making the referral without payment from the lawyer, or has analyzed a person's legal problems when determining which lawyer should receive the referral. See Rule 5.3 ~~for the~~ (duties of lawyers and law firms with

respect to the conduct of non-lawyers); ~~who prepare marketing materials for them~~ Rule 8.4(a) (duty to avoid violating the Rules through the acts of another).

[6] A lawyer may pay the usual charges of a legal service plan or a lawyer referral service. A legal service plan is a prepaid or group legal service plan or a similar delivery system that assists prospective clients to secure legal representation. A lawyer referral service, on the other hand, is an organization that holds itself out to the public to provide referrals to lawyers with appropriate experience in the subject matter of the representation.

~~No fee generating referral may be made to any lawyer or firm that has an ownership interest in, or who operates or is employed by, a legal referral service, or who is associated with a firm that has an ownership interest in, or operates or is employed by, a lawyer referral service.~~

[7] A lawyer who accepts assignments or referral from a legal service plan or referrals from a lawyer referral service must act reasonably to assure that the activities of the plan or service are compatible with the lawyer's professional obligations. See Rule 5.3. Legal service plans and lawyer referral services may communicate with ~~prospective clients~~ the public, but such communication must be in conformity with these Rules. Thus, advertising must not be false or misleading, as would be the case if the communications of a group advertising program or a group legal services plan would mislead ~~prospective clients~~ the public to think that it was a lawyer referral service sponsored by a state agency or bar association. Nor could the lawyer allow in-person, telephonic, or real-time contacts that would violate Rule 7.3.

~~[7a] Utah Rule 7.2(b)(2) differs from the ABA Model Rule by permitting a lawyer to pay the usual charges of any lawyer referral service. This is not limited to not-for-profit services. Comment [6] to the Utah rule is modified accordingly.~~

~~[7b] Utah Rule 7.2 A and 7.2 B have no corresponding provisions in the ABA Model 153 Rule.~~

[8] For the disciplinary authority and choice of law provisions applicable to advertising, see Rule 8.5.

[8a] This Rule differs from the ABA Model Rule in that it defines "advertisement" and places some limitations on advertisements. Utah Rule 7.2(b)(2) also differs from the ABA Model Rule by permitting a lawyer to pay the usual charges of any lawyer referral service. This is not limited to not-for-profit services. Comment [6] to the Utah rule is modified accordingly.

Rule 7.3. ~~Direct Contact with Prospective Solicitation of~~ Clients.

(a) A lawyer shall not by in-person, live telephone or real-time electronic contact ~~or other real-time communication~~ solicit professional employment from a prospective client when a significant motive for the lawyer's doing so is the lawyer's pecuniary gain, unless the person contacted:

(a)(1) is a lawyer; or

(a)(2) has a family, close personal, or prior professional relationship with the lawyer.

(b) A lawyer shall not solicit professional employment ~~from a prospective client~~ by written, recorded or electronic communication or by in-person, live telephone or real-time electronic contact ~~or other real-time communication~~ even when not otherwise prohibited by paragraph (a), if:

(b)(1) the prospective client target of the solicitation has made known to the lawyer a desire not to be solicited by the lawyer; or

(b)(2) the solicitation involves coercion, duress or harassment.

(c) Every written, recorded or electronic communication from a lawyer soliciting professional employment from ~~a prospective client~~ anyone known to be in need of legal services in a particular matter shall include the words "Advertising Material" on the outside envelope, if any, and at the beginning of any recorded or electronic communication, unless the recipient of the communication is a person specified in paragraphs (a)(1) or (a)(2). For the purposes of this subsection, "written communication" does not include advertisement through public media, including but not limited to a telephone directory, legal directory, newspaper or other periodical, outdoor advertising, radio, ~~or television or webpage~~.

(d) Notwithstanding the prohibitions in paragraph (a), a lawyer may participate with a prepaid or group legal service plan operated by an organization not owned or directed by the lawyer that uses in-person or other real-time communication to solicit memberships or subscriptions for the plan from persons who are not known to need legal services in a particular matter covered by the plan.

Comment

[1] A solicitation is a targeted communication initiated by the lawyer that is directed to a specific person and that offers to provide, or can reasonably be understood as offering to provide, legal services. In contrast, a lawyer's communication typically does not constitute a solicitation if it is directed to the general public, such as through a billboard, an Internet banner advertisement, a website or a television commercial, or if it is in response to a request for information or is automatically generated in response to Internet searches.

~~{1}~~[2] There is a potential for abuse ~~inherent in when a solicitation involves~~ direct in-person, ~~or other real-time communication live telephone or real-time electronic contact~~ by a lawyer with ~~a prospective client~~ someone known to need legal services. These forms of contact ~~between a lawyer and a prospective client~~ subject the layperson a person to the private importuning of the trained advocate in a direct interpersonal encounter. ~~The prospective client~~ person, who may already feel overwhelmed by the circumstances giving rise to the need for legal services, may find it difficult fully to evaluate all available alternatives with reasoned judgment and appropriate self-interest in the face of the lawyer's presence and

insistence upon being retained immediately. The situation is fraught with the possibility of undue influence, intimidation, and over-reaching.

~~[1a] "Real-time communication" means telephonic, electronic, radio, wire, wireless or other similar communication directed to a specific recipient and characterized by the immediacy and interactivity of response between individuals, such as that provided through standard telephone connections and Internet "chat rooms." This Comment is not included in the ABA Model Rule 7.3, and is added to clarify that the definition of real-time communication is broad enough to cover real-time communication of all types.~~

~~[2] The [3] This~~ potential for abuse inherent in direct in-person, ~~and other real-time live telephone or real-time electronic~~ solicitation ~~of prospective clients~~ justifies its prohibition, particularly since lawyers ~~advertising and written and recorded communication permitted under Rule 7.2 offer~~ have alternative means of conveying necessary information to those who may be in need of legal services. ~~Advertising and written and recorded~~ In particular, communications ~~that may can~~ be mailed or ~~autodialed-transmitted by email or other electronic means that do not involve real-time contact and do not violate other laws governing solicitations. These forms of communications and solicitations~~ make it possible for ~~a prospective-client~~ the public to be informed about the need for legal services, and about the qualifications of available lawyers and law firms, without subjecting the ~~prospective-client-public~~ to direct in-person, ~~or other real-time live telephone or real-time electronic~~ persuasion that may overwhelm ~~the client's~~ a person's judgment.

~~[3] [4]~~ The use of general advertising and written, recorded or electronic communications to transmit information from lawyer ~~to prospective-client~~ the public, rather than direct in-person or other real-time communications, will help to ensure that the information flows cleanly as well as freely. The contents of advertisements and communications permitted under Rule 7.2 can be permanently recorded so that they cannot be disputed and may be shared with others who know the lawyer. This potential for informal review is itself likely to help guard against statements and claims that might constitute false and misleading communications in violation of Rule 7.1. The contents of direct in-person, ~~or other real-time communication between a lawyer and a prospective-client~~ live telephone or real-time electronic contact can be disputed and may not be subject to third-party scrutiny. Consequently, they are much more likely to approach (and occasionally cross) the dividing line between accurate representations and those that are false and misleading.

~~[4] [5]~~ There is far less likelihood that a lawyer would engage in abusive practices against ~~an individual who is~~ a former client, or a person with whom the lawyer has a close personal or family relationship, or in situations in which the lawyer is motivated by considerations other than the lawyer's pecuniary gain. Nor is there a serious potential for abuse when the person contacted is a lawyer. Consequently, the general prohibition in Rule 7.3(a) and the requirements of Rule 7.3(c) are not applicable in those situations. Also, paragraph (a) is not intended to prohibit a lawyer from participating in constitutionally protected activities of public or charitable legal-service organizations or *bona fide* political,

75 social, civic, fraternal, employee or trade organizations whose purposes include providing or
76 recommending legal services to ~~its~~their members or beneficiaries.

77 ~~{5}~~{6} But even permitted forms of solicitation can be abused. Thus, any solicitation which contains
78 information that is false or misleading within the meaning of Rule 7.1, that involves coercion, duress or
79 harassment within the meaning of Rule 7.3(b)(2), or that involves contact with ~~a prospective client~~
80 someone who has made known to the lawyer a desire not to be solicited by the lawyer within the meaning
81 of Rule 7.3(b)(1) is prohibited. Moreover, if after sending a letter or other communication ~~to a client as~~
82 permitted by Rule 7.2 the lawyer receives no response, any further effort to communicate with the
83 ~~prospective client recipient of the communication~~ may violate the provisions of Rule 7.3(b).

84 ~~{6}~~{7} This Rule is not intended to prohibit a lawyer from contacting representatives of organizations
85 or groups that may be interested in establishing a group or prepaid legal plan for their members, insureds,
86 beneficiaries or other third parties for the purpose of informing such entities of the availability of and the
87 details concerning the plan or arrangement which the lawyer or lawyer's firm is willing to offer. This form
88 of communication is not directed to ~~a prospective client~~ people who are seeking legal services for
89 themselves. Rather, it is usually addressed to an individual acting in a fiduciary capacity seeking a
90 supplier of legal services for others who may, if they choose, become prospective clients of the lawyer.
91 Under these circumstances, the activity which the lawyer undertakes in communicating with such
92 representatives and the type of information transmitted to the individual are functionally similar to and
93 serve the same purpose as advertising permitted under Rule 7.2.

94 ~~{7}~~{8} The requirement in Rule 7.3(c) that certain communications be marked "Advertising Material"
95 does not apply to communications sent in response to requests of potential clients or their spokespersons
96 or sponsors. General announcements by lawyers, including changes in personnel or office location, do
97 not constitute communications soliciting professional employment from a client known to be in need of
98 legal services within the meaning of this Rule.

99 ~~{7a}~~{8a} Utah Rule 7.3(c) requires the words "Advertising Material" to be marked on the outside of an
100 envelope, if any, and at the beginning of any recorded or electronic communication, but not at the end as
101 the ABA Model Rule requires. Lawyer solicitations in public media that regularly contain advertisements
102 do not need the "Advertising Material" notice because persons who view or hear such media usually
103 recognize the nature of the communications.

104 ~~{8}~~{9} Paragraph (d) of this Rule permits a lawyer to participate with an organization that uses
105 personal contact to solicit members for its group or prepaid legal service plan, provided that the personal
106 contact is not undertaken by any lawyer who would be a provider of legal services through the plan. The
107 organization must not be owned by or directed (whether as manager or otherwise) by any lawyer or law
108 firm that participates in the plan. For example, paragraph (d) would not permit a lawyer to create an
109 organization controlled directly or indirectly by the lawyer and use the organization for the in-person or
110 telephone, live person-to-person contacts or other real-time electronic solicitation of legal employment of
111 the lawyer through memberships in the plan or otherwise. The communication permitted by these

112 organizations also must not be directed to a person known to need legal services in a particular matter,
113 but is to be designed to inform potential plan members generally of another means of affordable legal
114 services. Lawyers who participate in a legal service plan must reasonably assure that the plan sponsors
115 are in compliance with Rules 7.1, 7.2 and 7.3(b). See Rule 8.4(a).
116

Advertising Advisory Committee Enabling Authority

I. ENABLING AUTHORITY AND GENERAL RESPONSIBILITY.

(a) The Advertising Advisory Committee ("the Committee") shall be a standing committee of the Utah State Bar ("the Bar").

(b) The Committee is the body designated by the Board of Bar Commissioners of the Utah State Bar ("the Board") to respond to:

(b)(1) Requests for advisory approval of specific lawyer advertising submitted by Utah lawyers; and

(b)(2) Inquiries from Utah lawyers and members of public concerning existing specific lawyer advertising that is currently in use.

(c) The Committee's duties and procedures are specifically set forth in the Rules of Procedure of the Advertising Advisory Committee ("the Rules"), as approved and amended from time to time by the Board.

II. MEMBERSHIP.

(a) Number of Voting Members. The Committee shall consist of seven members.

(b) Qualifications of Voting Members. Committee members shall be active members of the Bar in good standing. Members shall be willing to perform Committee obligations in a timely way.

(c) Term of Appointments. Appointments shall be for three-year terms running concurrently with the Bar's fiscal year beginning July 1, with approximately one-third of the terms to expire on each June 30.

(d) Manner of Appointment. Appointment to the Committee will be by written application to the Utah State Bar. An applicant shall indicate the reasons for and interest in applying for membership in the Committee, including a commitment to be available at reasonable times to consider requests made to the Committee for advisory approvals. The Utah State Bar President shall appoint Committee members from the list of applicants.

(e) Committee Chair. The Bar President for the fiscal year of the Bar shall appoint one of the Committee members as Committee Chair for that year.

(f) Committee Vice-Chair. The Committee Chair shall appoint a Vice-Chair from among the members of the Committee, who will assume the duties of the Chair when the Chair is not available or otherwise designates the Vice-Chair to act in his stead.

(g) Committee Secretary. The Committee Chair shall appoint a Secretary from among the members of the Committee, who shall take and maintain minutes of the meetings of the full Committee.

(h) Unexpired Terms. The Bar President shall fill vacancies created by resignation, death, incapacity or removal that occurs prior to scheduled expiration of a member's appointment. Such an appointment will be for the remainder of the unexpired term. The Bar President may suspend the provisions of § II(d) for such an appointment.

(i) Absences. If a Committee member fails to attend three meetings of the full Committee during a Bar fiscal year or has repeatedly declined to accept assignments to serve on advisory panels of the Committee, the Chair may notify the Bar President of the circumstances and request that the Bar President replace that member.

III. RELATION TO OFFICE OF PROFESSIONAL CONDUCT.

The Committee shall be independent from the Office of Professional Conduct of the Utah State Bar ("OPC").

IV. EFFECT OF ADVISORY OPINIONS.

(a) Opinions issued by the Committee are advisory only.

(b) Notwithstanding § IV(a), the OPC shall not prosecute a Utah lawyer for advertising for which the Committee has issued an advisory opinion that the advertising is in compliance with applicable provisions of the Utah Rules of Professional Conduct unless it subsequently successfully petitions and obtains from the Ethics Advisory Opinion Committee ("EAOC") or the Utah Supreme Court an opinion finding the advertising to be in violation of the Utah Rules of Professional Conduct.

(c) No court is bound by an advisory approval issued by the Committee.

V. OPINION REVIEW PROCEDURE.

The Committee's Rules shall provide procedures under which a person who receives a Committee advisory opinion disapproving of a lawyer advertisement may seek review of that opinion by the Ethics Advisory Opinion Committee of the Utah State Bar

("EOAC"). An opinion of the EAOC on review shall be controlling as to the effects set forth in Part IV above.

VI. ANNUAL REPORT.

The Chair of the Committee shall submit a written annual report to the Board by July of each year, summarizing the actions taken by the Committee in the previous calendar year. The report should include information concerning the number of requests for approval or opinion submitted to the Committee and the disposition of those requests.

Advertising Advisory Committee Rules of Procedure

PART I. DUTIES AND AUTHORITY.

(a) Duties. The Advertising Advisory Committee of the Utah State Bar (the "Committee") shall:

(a)(1) Respond to requests by members of the Utah State Bar and Utah law firms for advisory approval of specific legal advertising which the requesting party is using or intends to use is in compliance with Rules 7.1 through 7.5 of the Utah Rules of Professional Conduct ("Advertising Rules");

(a)(2) Respond to complaints and requests by members of the Utah State Bar, Utah law firms and members of the public who raise issues about whether a specific, current lawyer advertisement is in violation of the Advertising Rules;

(a)(3) Make recommendations to the Office of Professional Conduct ("OPC") of the Utah State Bar for possible prosecution of lawyers whose advertising is subject to a request under § I(a)(2) and for which the Committee finds probable cause that the advertising is in violation of the Advertising Rules; and

(a)(4) Compile and deliver to the President of the Board of Bar Commissioners an annual report of the Committee's activities.

(b) Authority.

(b)(1) In responding to requests under § I(a), the Committee shall interpret the Advertising Rules and, except as may be necessary to the opinion, shall not interpret other of the Utah Rules of Professional Conduct or other law.

(b)(2) The following requests are outside the Committee's authority:

(b)(2)(i) Requests that require interpretation of the Utah Rules of Professional Conduct other than the Advertising Rules.

(b)(2)(ii) Requests for opinions on advertising that has been used in the past but is no longer in use and for which there is no evidence it will be in used in the foreseeable future.

PART II. GENERAL COMMITTEE PROCEDURES

(a) Meetings.

(a)(1) The Committee shall hold scheduled meetings every month except July and at such other times as the Chair may designate.

(a)(2) The Committee shall meet at the Utah Law and Justice Center or such other places as the Chair may designate.

(a)(3) To conduct official business at a Committee meeting, more than 50% of the members must be present, either in person or by telephone or audio-visual conference connection.

(a)(4) The Secretary or other member of the Committee designated by the Chair shall prepare and the Committee shall approve minutes of Committee meetings.

(b) Complaints and Requests.

(b)(1) Requests and complaints shall be in writing and filed with the Committee or OPC. Requests filed with the OPC shall be forwarded to the Committee.

(b)(2) Unless the Chair determines there is good cause that a request or complaint be considered by the Committee en banc, the Chair will assign each request or complaint filed with the Committee to a panel of three members of the Committee and will designate a member as panel chair.

(b)(3) Three-member panels will be chosen in a manner that distributes cases among Committee members as uniformly as practicable.

(b)(4) A Committee panel's determination of a request or complaint will be deemed a final disposition by the Committee.

PART III. PROCEDURE—REQUESTS FOR ADVISORY APPROVAL.

(a) Any member of the Utah State Bar in good standing or a representative of a Utah law firm may submit to the Committee a specific advertisement for legal services and seek Committee approval that the advertisement complies with the Advertising Rules.

(b) Requests under this rule shall include:

(b)(1) Exact copies of the advertising for which approval is sought and any variations that are anticipated;

(b)(2) A statement of what advertising media the applicant intends to employ for the advertising;

(b)(3) A brief statement indicating why the Committee should issue an advisory approval; and

(b)(4) Citations to any relevant ethics opinions, judicial decisions and statutes.

(c) For each request or complaint submitted under this Part, the Committee shall:

(c)(1) Determine that the advertising is in compliance with the Advertising Rules;

(c)(2) Determine that, with certain modifications specified by the Committee, the advertising would be in compliance with the Advertising Rules; or

(c)(3) Determine the advertising violates one or more of the Advertising Rules.

(d) Upon the Committee's determination under this Part, the Chair shall inform the requesting party of the Committee's advisory opinion. Except for any suggestions for making the submitted advertising compliant with the Advertising Rules under § IV(d)(2), the advisory opinion will only state whether the advertising does or does not have advisory approval of the Committee. The Committee is not required to issue findings, conclusions or discussion in connection with an advisory opinion.

(e) The Committee shall, to the maximum extent practicable, endeavor to respond to requests under this Part within days of receipt of the request by the Committee.

(f) If the Committee has not responded to a request under this Part within days of the Committee's receipt of the request, the advertising may be used without exposure to prosecution by OPC for violations of the Advertising rules until such time as the Committee issues an advisory opinion finding the advertising not to be in compliance with the Advertising Rules. After the issuance of such an advisory opinion, the requesting party may be subject to prosecution by OPC if the unapproved advertising is not removed from advertising media within seven calendar days of the issuance of such an opinion.

PART IV. PROCEDURE—REQUESTS FOR EVALUATION OF ADVERTISING CURRENTLY IN USE

(a) Any person may submit to the Committee a signed statement complaining of, or requesting that the Committee determine whether, an advertisement currently in use through one or more media violates the Advertising Rules.

(b) A statement submitted under this rule need not be notarized or otherwise attested to and shall be substantially similar to:

I believe the advertisement (check one)

☐ specifically described below,

☐ a copy of which is attached

may violate lawyer advertising rules because it (check all that may apply):

☐ is false

- ☐ is misleading
- ☐ contains a material misrepresentation of fact or law
- ☐ creates an unjustified or unreasonable expectation
- ☐ compares the lawyer's services with other lawyers' services
- ☐ contains an improper testimonial or endorsement
- ☐ other: _____,

and should be evaluated or investigated for compliance with applicable rules.

(c) For each request or complaint submitted under this Part, the Committee shall either:

(c)(1) Determine there is no probable violation of the Advertising rules; or

(c)(2) Determine there is a probable violation of the Advertising Rules, and refer the matter to OPC with a recommendation that OPC initiate an investigation pursuant to its authority under the Rules of Lawyer Discipline and Disability § 14-504(b)(2).

(d) The Chair shall inform the requesting party of the Committee's determination.

PART V. OPINION REVIEW.

(a) An advisory opinion issued by the Committee is subject to review by the original requesting party or OPC by filing a petition with the Ethics Advisory Opinion Committee of the Utah State Bar ("EAOC") within days after the date of the Committee's final disposition of a request for advisory approval.

(b) A petition for review under this Part shall be in writing and shall state the bases in fact, law or policy in support of the request.

(c) Any person filing a petition for EAOC review under this Part shall serve a copy of the petition on the Committee Chair.

(d) Notwithstanding the filing of a petition for review of Committee action pursuant to these provisions, the action of the Committee shall be effective for the period during which EAOC review is pending.

(e) Upon receipt of a timely petition for review of Committee action, the EAOC, or a subcommittee of the EAOC specifically designated, shall review the action of the Committee. The EAOC or subcommittee may affirm, affirm with modifications or overrule the action of the Committee after conducting such procedures as it deems appropriate.

(f) If the EAOC has not responded to a request under this Part within days of the EAOC's receipt of the request, the advertising may be used without exposure to prosecution by OPC for violations of the Advertising Rules until such time as the EAOC issues an advisory opinion finding the advertising not to be in compliance with the Advertising Rules. After the issuance of such an advisory opinion, the requesting party may be subject to prosecution by OPC if the unapproved advertising is not removed from advertising media within seven calendar days of the issuance of such an opinion.

PART VI. CONFIDENTIALITY.

Committee members may not disclose the particulars of pending issues to persons outside the Committee; provided, however, that: (a) members may be assisted by their partners, colleagues, employees, associates or law student volunteers in researching issues raised by a request for an advisory opinion; and (b) members may discuss general principles of the Advertising Rules as they relate to a pending issue with non-Committee members. Those assisting a Committee member and members of the Office of Professional Conduct must also observe the confidentiality requirements of this section.

Rule 7.2A. Filing Requirements for Public Advertisements and Written,
Recorded, Electronic, or Other Digital Solicitations.

(a) General Rule. Except as provided in paragraphs (c) and (e) of this Rule, lawyer shall file with the Advertising Review Committee of the Utah State Bar, no later than the mailing or sending by any means, including electronic, of a written, audio, audio-visual, digital or other electronic solicitation communication:

(a)(1) a copy of the written, audio, audio-visual, digital, or other electronic solicitation communication being sent or to be sent to one or more prospective clients for the purpose of obtaining professional employment, together with a representative sample of the envelopes or other packaging in which the communications are enclosed; and

(a)(2) a completed lawyer advertising and solicitation communication application.

(b) A lawyer shall annually submit on the licensing renewal form the URL of any website(s) the lawyer uses.

(c) Pre-approval Requests; Advance Advisory Opinions. A lawyer who desires to secure an advance advisory opinion, referred to as a request for pre-approval, concerning compliance of a contemplated solicitation communication or advertisement may submit to the Lawyer Advertising Review Committee, not less than thirty (30) days prior to the date of first dissemination, the material specified in paragraph (a) or (b) or the intended initial access page submitted pursuant to paragraph (a), including the application form and required fee; provided however, it shall not be necessary to submit a videotape or DVD if the videotape or DVD has not then been prepared and the production script submitted reflects in detail and accurately the actions, events, scenes, and background sounds that will be depicted or contained on such videotapes or DVDs, when prepared, as well as the narrative transcript of the verbal and printed portions of such advertisement.

(d) Binding and non-binding effects of Advance Advisory Opinions. If a lawyer submits an advertisement or solicitation communication for pre-approval, a finding of noncompliance by the Advertising Review Committee is not binding in a disciplinary proceeding or disciplinary action, but a finding of compliance is binding upon OPC in favor of the submitting lawyer as to all materials actually submitted for pre-approval if

~~the representations, statements, materials, facts, and written assurances received in connection therewith are true and are not misleading and OPC shall not prosecute a lawyer for advertising that is in compliance with an advisory opinion.~~

~~(d)(1) No court is bound by the Advertising Review Committee's interpretation of the Utah Rules of Professional Conduct. The OPC may at any time request the Advertising Review Committee to review, modify or withdraw a decision on pre-approval of an advertisement.~~

~~(d)(2) The OPC may also request the Supreme Court to review, affirm, reverse or otherwise modify an advisory opinion on the pre-approval of an advertisement. The finding of compliance constitutes admissible evidence if offered by a party.~~

~~(e) The filing requirements of paragraphs (a) and (b) do not extend to any of the following materials, provided those materials comply with Rule 7.2 (a) through (c) and, where applicable, Rule 7:~~

~~(e)(1) an advertisement in the public media that contains only part or all of the following information;~~

~~(e)(2) the name of the lawyer or firm and lawyers associated with the firm, with office addresses, electronic addresses, telephone numbers, office and telephone service hours, telecopier numbers, and a designation of the profession such as "attorney," "lawyer," "law office," or "firm";~~

~~(e)(3) the particular areas of law in which the lawyer or firm specializes or possesses special competence;~~

~~(e)(4) the particular areas of law in which the lawyer or firm practices or concentrates or to which it limits its practice;~~

~~(e)(5) the date of admission of the lawyer or lawyers to the Utah State Bar, to federal courts, and to the bars of other jurisdictions;~~

~~(e)(6) technical and professional licenses granted by this state and other recognized licensing authorities;~~

~~(e)(7) foreign language ability;~~

~~(e)(8) fields of law in which one or more lawyers are certified or designated, provided the statement of this information is in compliance with Rule 7.4;~~

~~(e)(9) identification of prepaid or group legal service plans in which the lawyer participates;~~

~~(e)(10) the acceptance or non-acceptance of credit cards;~~

~~(e)(11) any fee for initial consultation and fee schedule;~~

~~(e)(12) other publicly available information concerning legal issues, not prepared or paid for by the firm or any of its lawyers, such as news articles, legal articles, editorial opinions, or other legal developments or events, such as proposed or enacted rules, regulations, or legislation;~~

~~(e)(13) in the case of a website, links to other websites;~~

~~(e)(14) that the lawyer or firm is a sponsor of a charitable, civic, or community program or event, or is a sponsor of a public service announcement;~~

~~(e)(15) any disclosure or statement required by these rules;~~

~~(e)(16) any other information specified from time to time in orders promulgated by the Supreme Court of Utah or~~

~~(e)(17) an advertisement in the public media that:~~

~~(e)(17)(i) identifies one or more lawyers or a firm as a contributor to a specified charity or as a sponsor of a specified charitable, community, or public interest program, activity, or event; and~~

~~(e)(17)(ii) contains no information about the lawyers or firm other than names of the lawyers or firm or both, location of the law offices, and the fact of the sponsorship or contribution;~~

~~(e)(18) a listing or entry in a regularly published law list;~~

~~(e)(19) an announcement card stating new or changed associations, new offices, or similar changes relating to a lawyer or firm, or a tombstone professional card;~~

~~(e)(20) in the case of communications sent, delivered, or transmitted to, rather than accessed by, intended recipients, a newsletter, whether written, digital, or electronic, provided that it is sent, delivered, or transmitted mailed only to:~~

~~(e)(20)(i) existing or former clients;~~

~~(e)(20)(ii) other lawyers or professionals; or~~

~~(e)(20)(iii) members of a nonprofit organization that meets the following conditions:~~
~~the primary purposes of the organization do not include the rendition of legal services;~~
~~the recommending, furnishing, paying for, or educating persons regarding legal services~~
~~is incidental and reasonably related to the primary purposes of the organization; the~~
~~organization does not derive a financial benefit from the rendition of legal services by a~~
~~lawyer; and the person for whom the legal services are rendered, and not the~~
~~organization, is recognized as the client of the lawyer who is recommended, furnished,~~
~~or paid by the organization;~~

~~(e)(21) a solicitation communication that is not motivated by or concerned with a~~
~~particular past occurrence or event or a particular series of past occurrences or events,~~
~~and also is not motivated by or concerned with the prospective client's specific existing~~
~~legal problem of which the lawyer is aware;~~

~~(e)(22) a solicitation communication if the lawyer's use of the communication to~~
~~secure professional employment was not significantly motivated by a desire for, or by~~
~~the possibility of obtaining, pecuniary gain; or~~

~~(e)(23) a solicitation communication that is requested by the prospective client.~~

~~(f) If requested by the Advertising Review Committee, a lawyer shall promptly submit~~
~~information to substantiate statements or representations made or implied in any~~
~~advertisement in the public media and/or written solicitation communication by which~~
~~the lawyer seeks paid professional employment.~~

~~Rule 7.2B. Advertising Review Committee; Pre-dissemination Review.~~

~~(a) Advertising Review Committee. The Board of Bar Commissioners shall create an Advertising Committee, to review filings submitted under Rule 7.2A and to respond to written requests from an advertising lawyer or law firm voluntarily seeking an advance opinion regarding that lawyer's compliance with the advertising rules.~~

~~(b) The Board of Bar Commissioners may promulgate bylaws, rules of procedure, and reasonable fees for advance opinions to offset the administrative costs of these committees, as it deems necessary and proper. A Bar staff member(s) shall be designated to assist with implementing this Rule, including but not limited to providing administrative support to the standing committees, and receiving and coordinating requests submitted under subparagraph (c)(1) of this Rule.~~

~~(c) Advertising Review Committee composition. The Advertising Review Committee shall have a minimum of 5 volunteer members, 4 of whom shall be members of the Utah State Bar and 1 of whom may be a non-lawyer. The committee shall also have a minimum of 5 members to serve as ad hoc or conflict replacements when needed.~~

~~(c)(1) Appointment. Members shall be appointed by the Board of Bar Commissioners and serve 2-year terms, subject to reappointment at the Board's discretion. No member shall serve a lifetime total of more than 12 years. Members may be removed by the Board of Bar Commissioners for cause.~~

~~(c)(2) Minimum duties. The committee shall meet at least monthly on a predetermined date, and as often thereafter as necessary, to review all matters before it in a timely fashion. Advance opinions shall be provided within 30 days of submission of the request or sooner. Requests to expedite review of advertisements shall be granted whenever possible within reason. The Board of Bar Commissioners may promulgate a procedure and attach an added fee for expedited requests.~~

~~(d) Review of filings; advisory opinions to OPC. The committee may issue advisory opinions on any advertisement filed with the Utah State Bar. If the committee finds that an advertisement does not comply with these rules, it may issue an advisory opinion to OPC within 30 days of its review. The opinion must include the basis for the~~

~~Committee's finding of noncompliance and a recommendation that OPC issue a notice to the lawyer or law firm requesting a correction or withdrawal of the advertisement.~~

~~(d)(1) If OPC accepts the committee's recommendation and issues the notice, the advertising lawyer or law firm has 30 days to respond to OPC's notice. OPC may initiate appropriate disciplinary action if the lawyer or law firm fails to file timely response.~~

~~(d)(2) The committee is also authorized to monitor all advertising submitted by a member of the Bar or public, or personally observed, and file a complaint with OPC. The resulting complaint shall constitute a valid written complaint as required by the Rule 14-510 of the Rules of Lawyer Discipline and Disability.~~

Rule 14-504. OPC counsel.

(a) Appointment and qualifications. The Board shall appoint a lawyer admitted to practice in Utah to serve as senior counsel. Neither the senior counsel nor any full-time assistant counsel shall engage in the private practice of law for payment.

(b) Powers and duties. The senior counsel shall perform all prosecutorial functions and have the following powers and duties, which may be delegated to other staff:

(b)(1) screen all information coming to the attention of the OPC to determine whether it is within the jurisdiction of the OPC in that it relates to misconduct by a lawyer or to the incapacity of a lawyer;

(b)(2) investigate all information coming to the attention of the OPC which, if true, would be grounds for discipline or transfer to disability status, and investigate all facts pertaining to petitions for reinstatement or readmission;

(b)(3) for each matter not covered in Rule 14-510 brought to the attention of the OPC:

(b)(3)(A) dismiss;

(b)(3)(B) decline to prosecute;

(b)(3)(C) refer non-frivolous and substantial informal complaints to the Committee for hearing; or

(b)(3)(D) petition to the district court for transfer to disability status;

(b)(4) prosecute before the screening panels, the district courts, the Supreme Court, and any other courts, including but not limited to, any court of the United States all disciplinary cases and proceedings for transfer to or from disability status;

(b)(5) attend the Character and Fitness Committee proceedings in all cases for readmission, and represent the OPC before the district courts, Supreme Court, and any other courts including, but not limited to, any court of the United States in all cases for reinstatement and readmission;

(b)(6) employ or appoint and supervise staff needed for the performance of prosecutorial functions and delegate such responsibilities as may be reasonably necessary to perform prosecutorial functions, including supervising attorneys who provide pro bono services to the Bar, by supervising the practice of respondents

who have been placed on probation;

(b)(7) notify promptly the complainant, the respondent, and any counsel of record of the disposition of each matter;

(b)(8) notify each jurisdiction in which a respondent is admitted of a transfer to disability status or any public discipline imposed in Utah;

(b)(9) seek reciprocal discipline where appropriate when informed of any public discipline imposed by another court, another jurisdiction, or a regulatory body having disciplinary jurisdiction;

(b)(10) forward a certified copy of the judgment of conviction to the disciplinary agency in each jurisdiction in which a lawyer is admitted when the lawyer is convicted of a crime in Utah which reflects adversely on the lawyer's honesty, trustworthiness or fitness as a lawyer;

(b)(11) maintain permanent records of discipline and disability matters subject to any expungement requirements and compile statistics to aid in the administration of the system, including but not limited to, a log of all informal complaints received, investigative files, statistical summaries of rules violated and dispositions, any transcripts of proceedings, and other records as the Supreme Court requires to be maintained;

(b)(12) expunge after seven years all records or other evidence of the existence of any informal complaint terminated by dismissal or a declination to prosecute;

(b)(12)(A) Notice to respondent. If the respondent was contacted by the OPC concerning the informal complaint, or the OPC otherwise knows that the respondent is aware of the existence of the informal complaint, the respondent shall be given prompt written notice of the expungement.

(b)(12)(B) Effect of expungement. After a file has been expunged, any OPC response to an inquiry requiring a reference to the matter shall state that there is no record of such matter. The respondent may answer any inquiry requiring a reference to an expunged matter by stating that no informal complaint was made.

(b)(13) provide informal guidance concerning professional conduct to members of the Bar requesting guidance, participate in seminars which will promote ethical conduct by the Bar, formulate diversionary programs, monitor probations, and disseminate disciplinary results to the Bar and the public through the Utah Bar Journal and otherwise as appropriate, maintaining the confidentiality of respondents subject to private discipline; and

(b)(14) along with the executive director annually formulate the budget for the OPC and submit the budget to the Board for approval. OPC counsel may petition the Supreme Court for review of modifications to the budget imposed by the Board.

(c) Disqualification. In addition to complying with the Rules of Professional Conduct regarding successive government and private employment (Rule 1.11 of the Rules of Professional Conduct), a former OPC counsel shall not personally represent a lawyer following completion of the OPC counsel's service in any proceeding as provided in these rules which former OPC counsel investigated or prosecuted during his or her employment by OPC.

(d) Effect of ~~ethics~~ advisory opinions.

(d)(1) The OPC shall not prosecute a Utah lawyer for conduct that is in compliance with an ~~ethics~~ advisory opinion issued by:

(d)(1)(A) the Ethics Advisory Opinion Committee that has not been withdrawn at the time of the conduct in question. ~~No court is bound by an ethics opinion's interpretation of the Utah Rules of Professional Conduct; or~~

(d)(1)(B) the Advertising Advisory Committee.

~~(d)(1)-(d)(2)~~ The OPC may at any time request the Bar's Ethics Advisory Opinion Committee to review, modify or withdraw an ethics advisory or advertising opinion and if so, any OPC investigation or prosecution is suspended pending the final outcome of the request. The Ethics Advisory Opinion

74 Committee may issue a modified opinion, withdraw the opinion or decline to take any action but shall
75 report its action or recommendation to the Board of Bar Commissioners and the Board will take such final
76 action as it deems appropriate.

77 ~~(d)(2)-(d)(3)~~ The OPC may also request the Supreme Court to review, affirm, reverse or otherwise
78 modify an ethics advisory opinion.

79 (d)(4) No court is bound by the interpretation of the Utah Rules of Professional Conduct by the Ethics
80 Advisory Opinion Committee or the Advertising Advisory Committee.
81

Tab 13

ABA Magna Carta Facsimile Traveling Exhibit Make History Come Alive



In anticipation of the 800th anniversary of Magna Carta, the American Bar Association is promoting the historical and contemporary relevance of this influential document through the ABA Magna Carta Facsimile Traveling Exhibit.

Support from law firms and corporations is crucial to the success of this endeavor. Your contribution will be recognized around the world and help pay tribute to the "Great Charter" that established one fundamental principle above all else: freedom under the law.

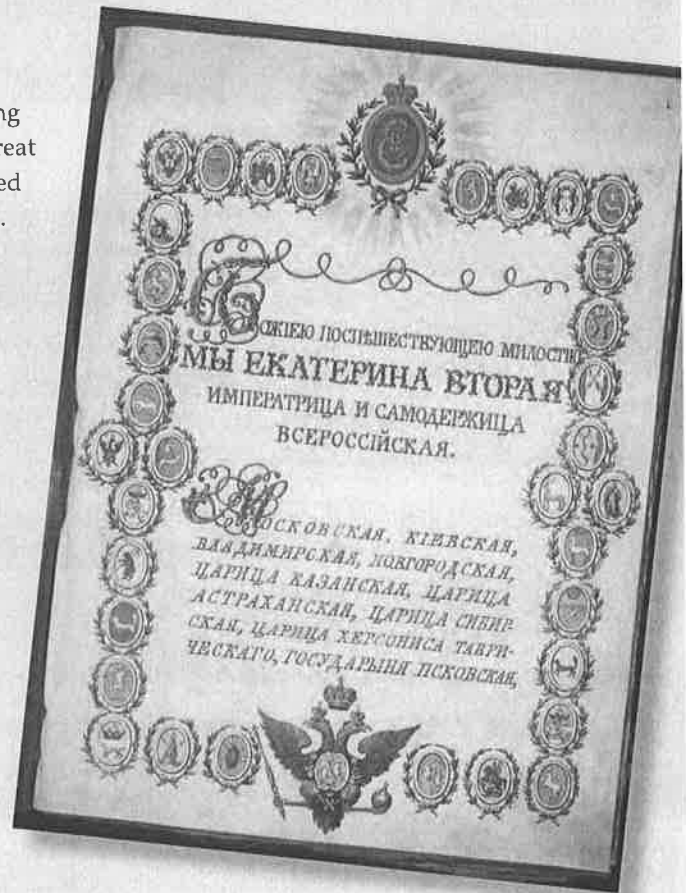
The History

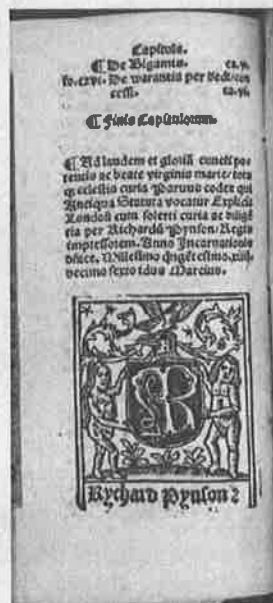
In a grassy meadow at Runnymede, England, barons compelled King John to accede to a number of rights and liberties by sealing the "Great Charter." In 1215, it represented freedom from tyranny and provided the basis for the idea that no one is above the law, not even the king.

Despite being written nearly 800 years ago, Magna Carta remains highly relevant today. As a cornerstone for concepts of freedom and liberty for centuries, it provided a fledgling country with the fundamental principles for drafting its governing document – the U.S. Constitution.

Beginning in November 2014, the Library of Congress will host one of the four original 1215 exemplifications of Magna Carta. This historic document will be the centerpiece of a major exhibition building up to the celebration of the Magna Carta 800th Anniversary in 2015.

The Library of Congress, using manuscripts from its collection, will trace the path of Magna Carta's influence from medieval England to America's founding to the unfolding story of the rule of law throughout today's world. In addition, the Library of Congress will host a substantive symposium and other events to highlight its exhibit in Washington, D.C.



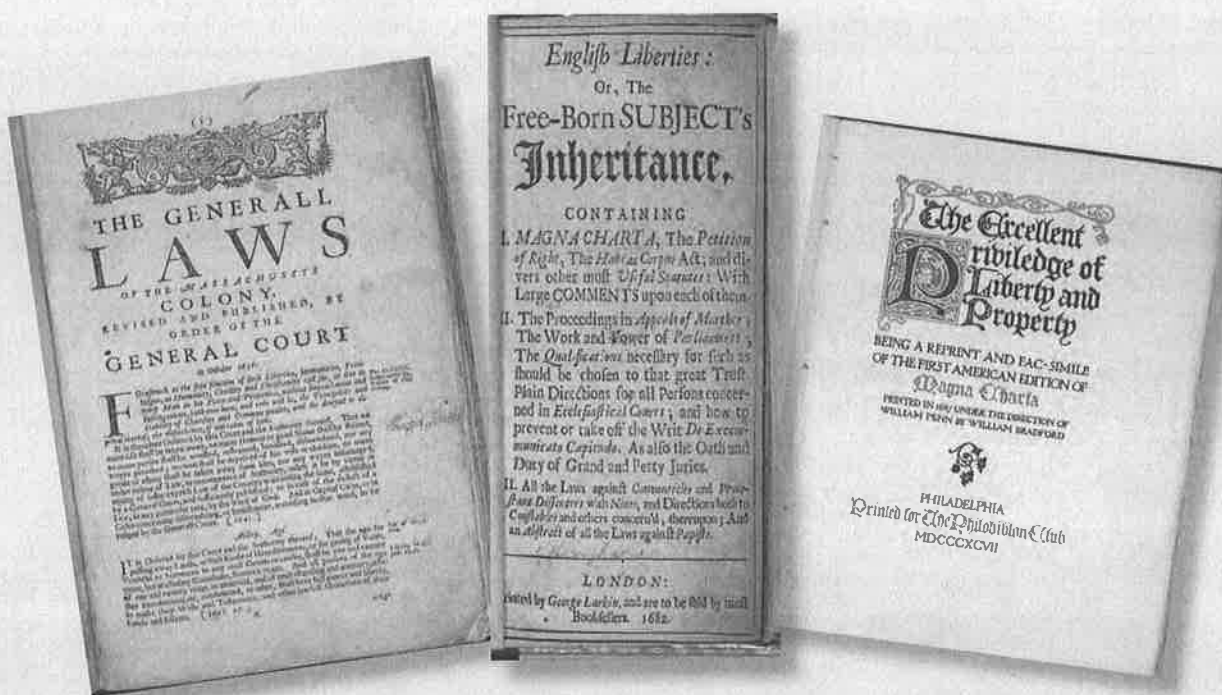


The ABA Magna Carta Facsimile Traveling Exhibit

The ABA Standing Committee on the Law Library of Congress is collaborating with the Law Library of Congress to develop a traveling exhibit to raise awareness about Magna Carta and celebrate its enduring legacy. As envisioned, the ABA Traveling Exhibit will be comprised of 12-16 freestanding banners with images that tell the story of Magna Carta and its catalyst role in promoting the rule of law.

The traveling exhibit is an integral part of the world-wide observations of the 1215 sealing of Magna Carta. Celebratory events surrounding the anniversary are already in progress and widely publicized in the United Kingdom and the United States.

Using images of Magna Carta related items from its priceless rare books collection, the Law Library of Congress will curate the Traveling Exhibit. A video of the Law Librarian of Congress and the Rare Books Curator handling the actual materials and explaining their significance will accompany the Traveling Exhibit and be posted online, significantly expanding the exhibit's reach.



Standing Committee on the
Law Library of Congress

For more information, please contact:

Amy Horton-Newell, Director,

ABA Standing Committee on the Law Library of Congress

(202) 662-1693 Amy.Hortonnewell@americanbar.org

The public service and educational programs of the American Bar Association receive funding through the ABA Fund for Justice and Education (FJE). The FJE qualifies as an exempt fund under Section 501(c)(3) of the Internal Revenue Code, and all contributions to the FJE are tax deductible to the full extent allowed by law.

ABA Traveling Exhibition on Magna Carta
An American Bar Association Exhibition Curated by the Library of Congress

In celebration of the 800th anniversary of the sealing of Magna Carta, the Library of Congress will open *Magna Carta: Muse and Mentor*. The exhibition will feature one of only four surviving original copies from 1215, the Lincoln Cathedral King John Magna Carta, and related treasures from the collections of the Library and the Law Library of Congress.

To raise awareness about Magna Carta and its enduring legacy, the American Bar Association has joined with the Law Library of Congress to tell the story of Magna Carta—and its role in promoting the rule of law—through some of the objects from the Library's exhibition.

Exhibit Specifications & Requirements

Contents:

- 16 free-standing one-sided banners with text, photographs, art and graphics
- Optional title banner spotlight
- Brochure stand

Supplemental:

- Video featuring David Mao, Law Librarian of Congress, and Nathan Dorn, Curator at the Law Library of Congress, discussing selected rare books and manuscripts featured in the exhibition
- Setup video
- Brochures
- Exhibition logo for promotions

Banner Dimensions:

- 33.5" wide x 89" high x 11" deep

Size:

- Approximately 48 running feet, plus video monitor (provided by venue)
- Smaller spaces may remove up to 4 of the specified optional banners, reducing the size to a minimum of 36 running feet, plus monitor (provided by venue)

Space:

- Viewing distance - 4 to 5 feet
- Exhibition to be displayed in a gallery, lobby, lounge area or wide hallway.
- Do not display in a narrow hallway, outdoors or in a temporary building.

Security:

- Supervision can be by guard, volunteer, student or receptionist. Someone must be in the room with the exhibition at all times and may be performing other duties as well as watching the exhibition.

- The exhibition is not to be left unguarded at any time while open to the public.
- Exhibition area must be locked and secure during closing hours.

Environmental Controls:

- Fire protection must be provided.
- Direct sunlight should be diffused or eliminated to prevent fading of banners.
- Smoking, eating and drinking are prohibited in the exhibition, staging and storage spaces.
- Empty shipping and carrying cases must be stored in secured, pest-free storage.

Points of Contact:

- The venue should provide a single point of contact for all communications related to the physical exhibition.
- ABA Exhibition Coordinator:
Kara Gillespie
202.662.1691; kara.gillespie@americanbar.org

Tour Dates:

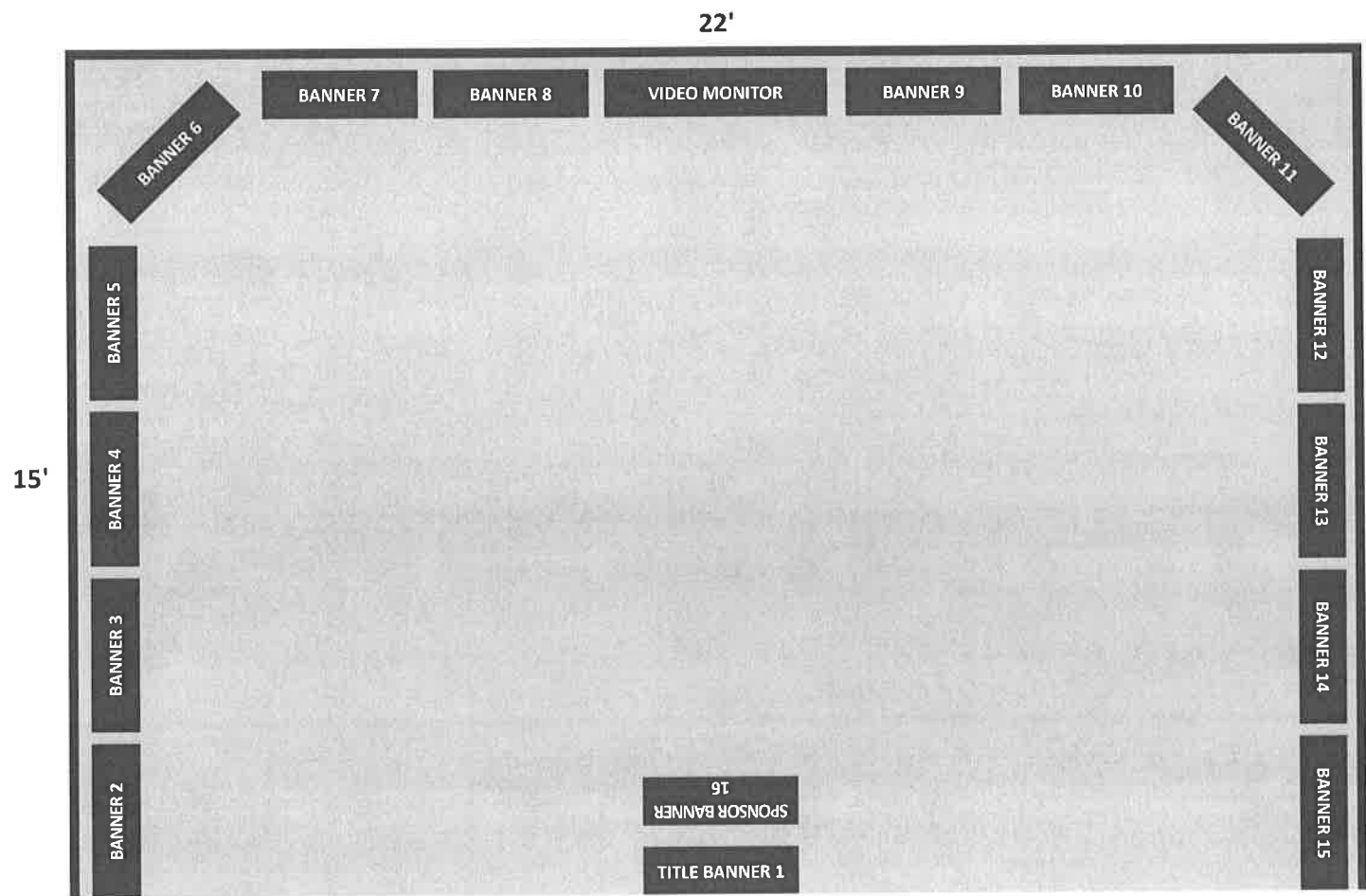
- Tour dates: launching August 2014
- For inquiries or to book, contact Elissa Lichtenstein at 202-662-1695 or elissa.lichtenstein@americanbar.org.

Return Shipping:

Kara Gillespie
 American Bar Association
 1050 Connecticut Avenue, NW, Suite 400
 Washington, DC 20036
 202.662.1691

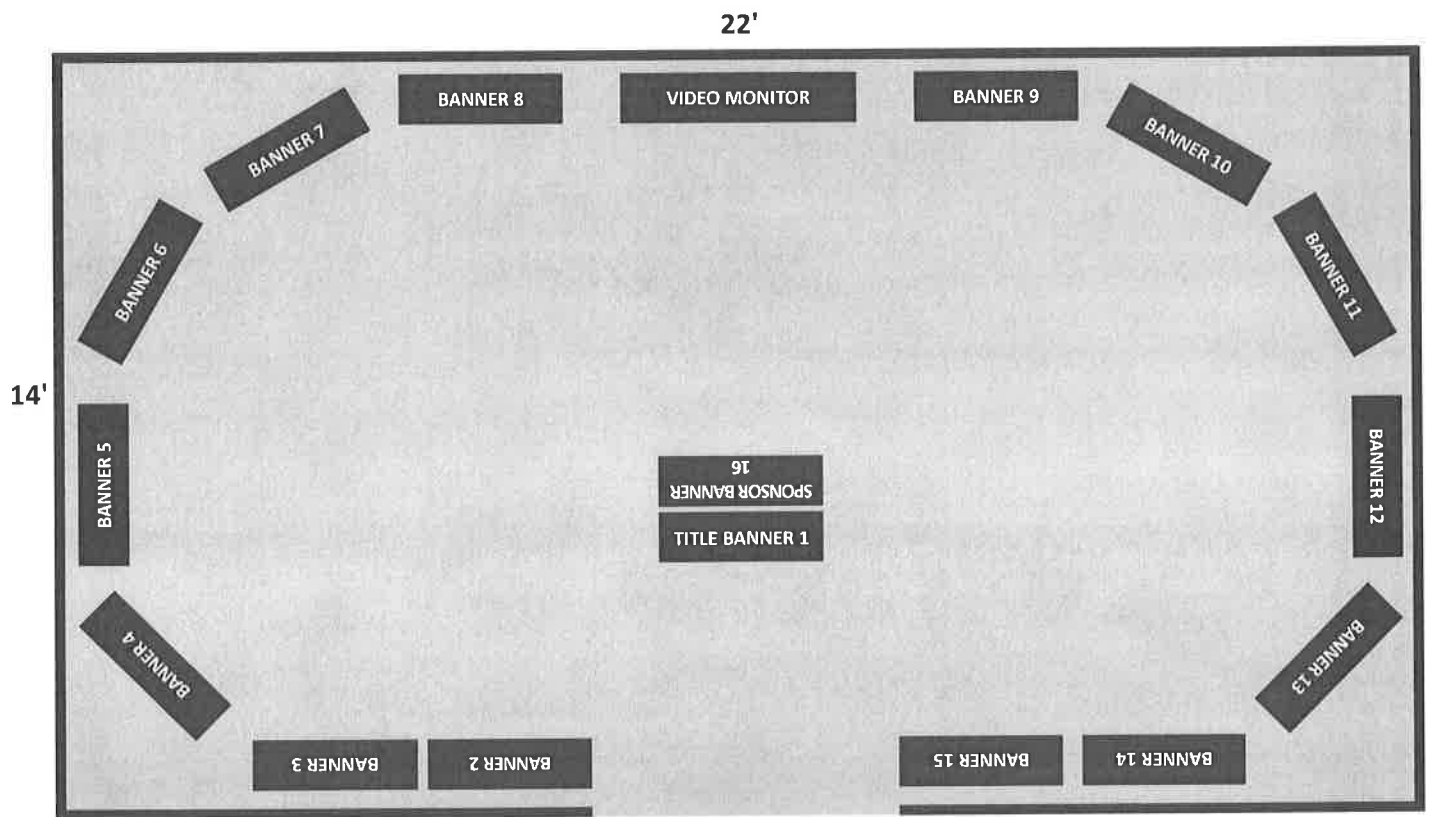
If special circumstances at your venue may prevent compliance with a Safety or Environmental Controls requirement, please contact Elissa Lichtenstein at 202-662-1695 or elissa.lichtenstein@americanbar.org.

U-SHAPED OPEN CONFIGURATION /
VIDEO AT BACK



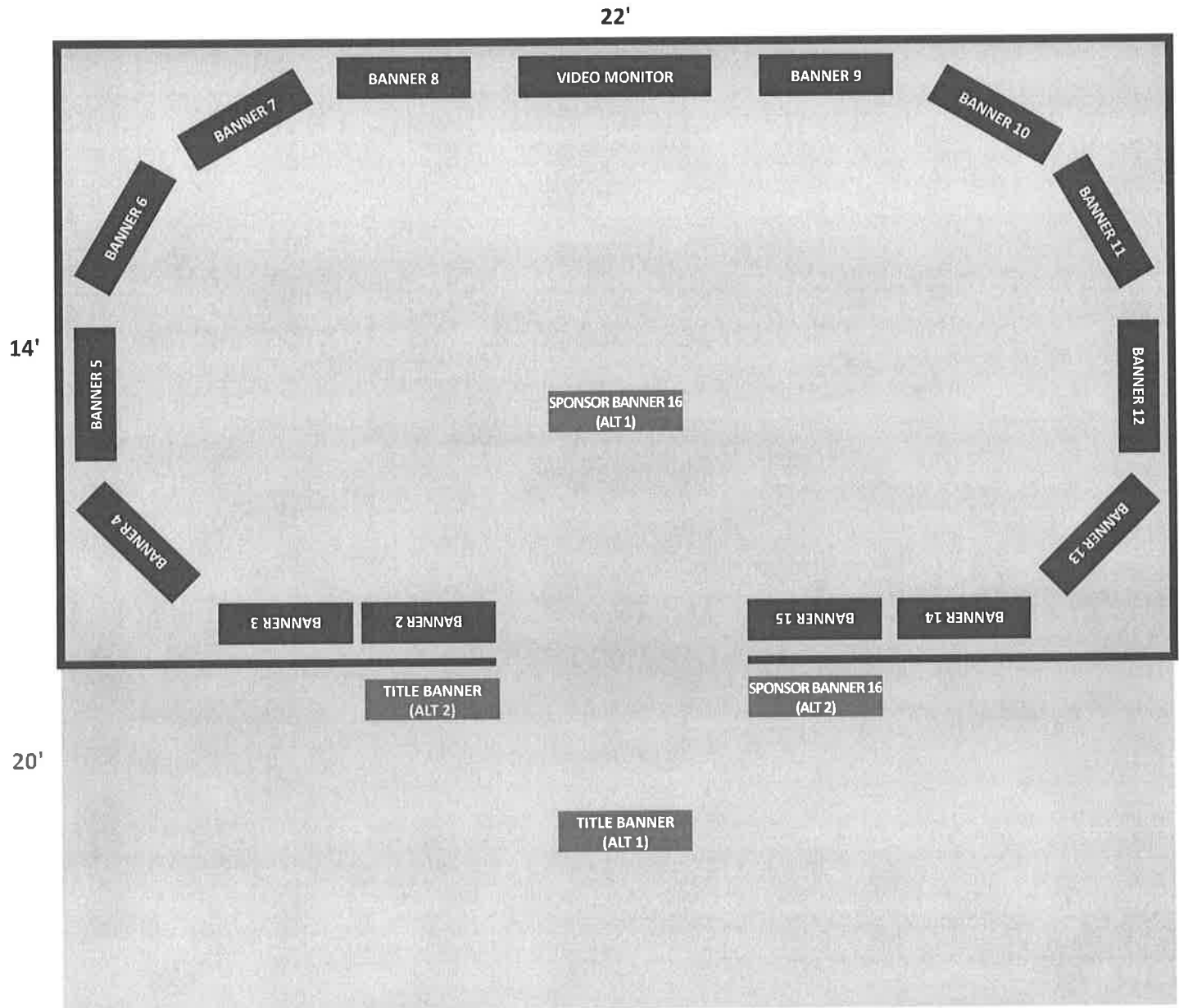
Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

WIDE CONFIGURATION / VIDEO AT BACK

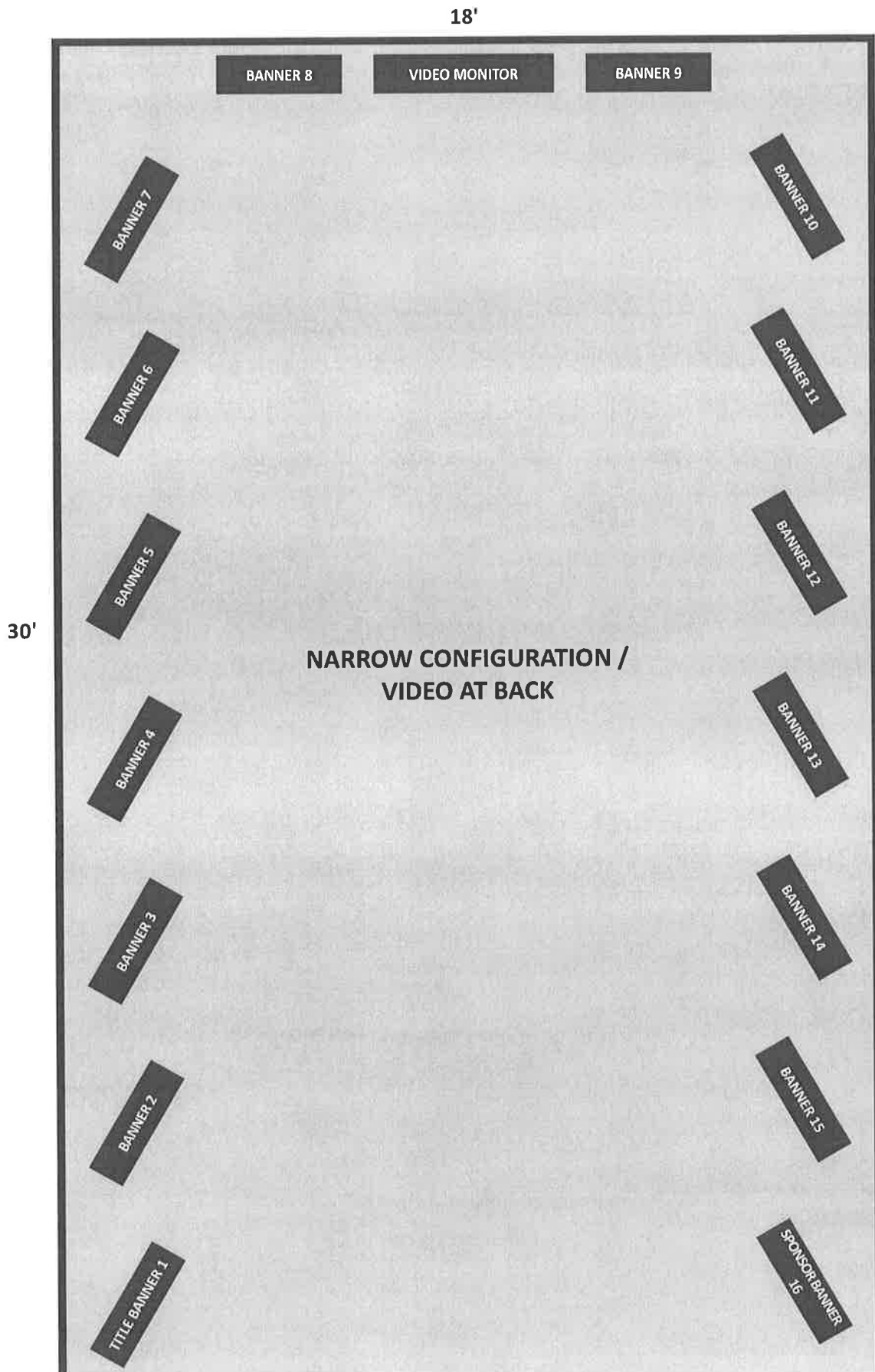


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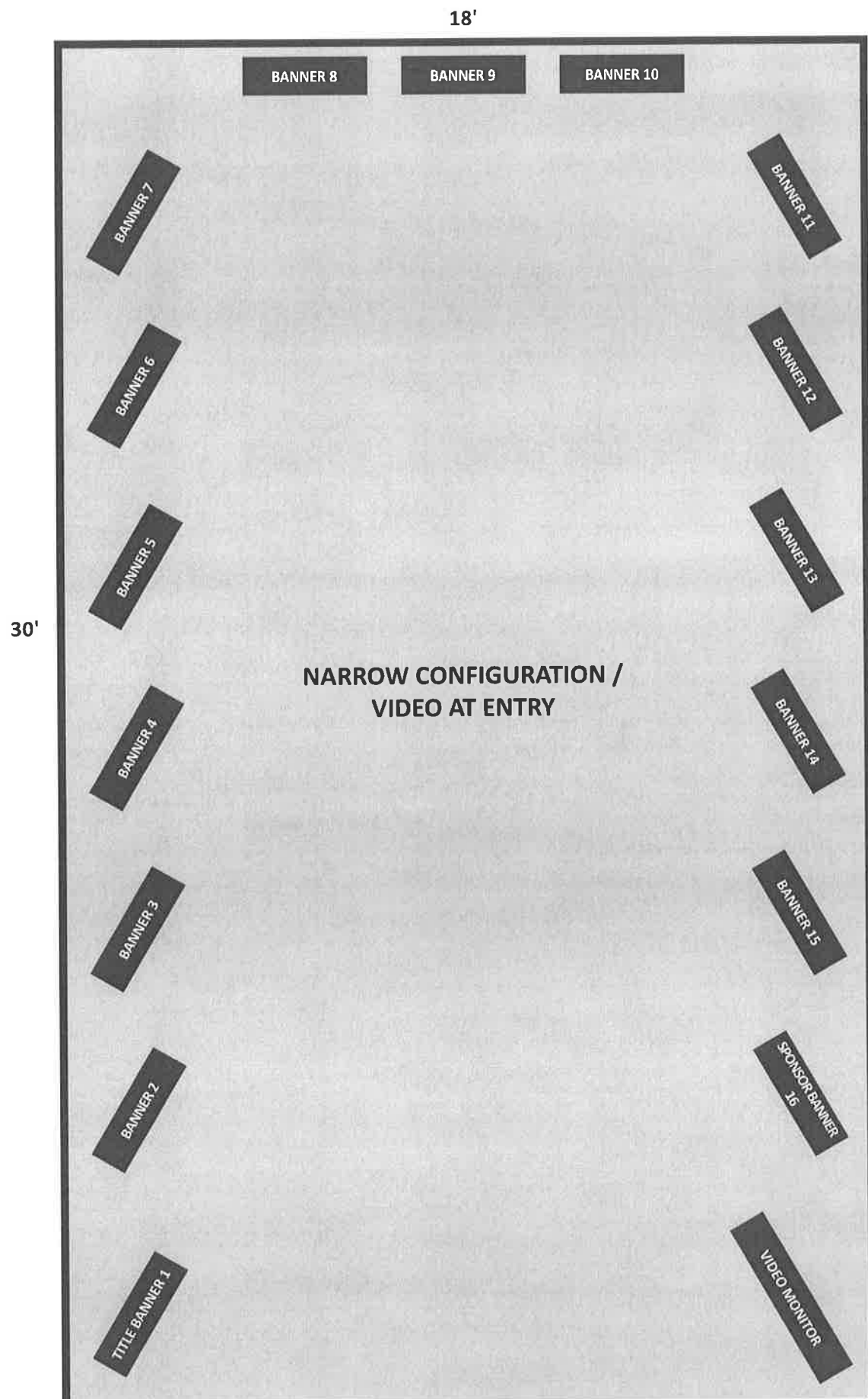
ALTERNATE WIDE CONFIGURATION / VIDEO AT BACK



Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

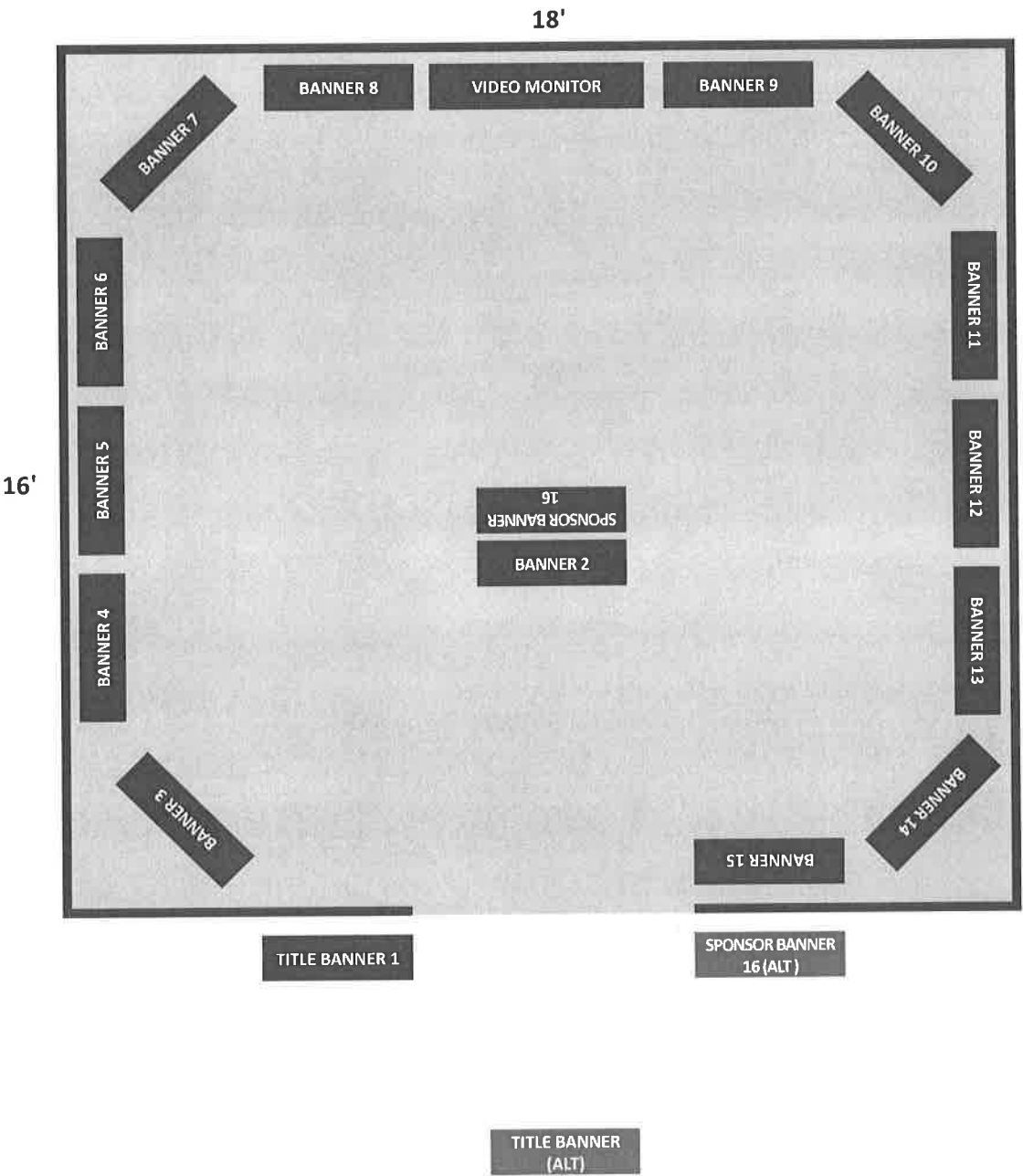


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Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

SQUARE / VIDEO IN BACK

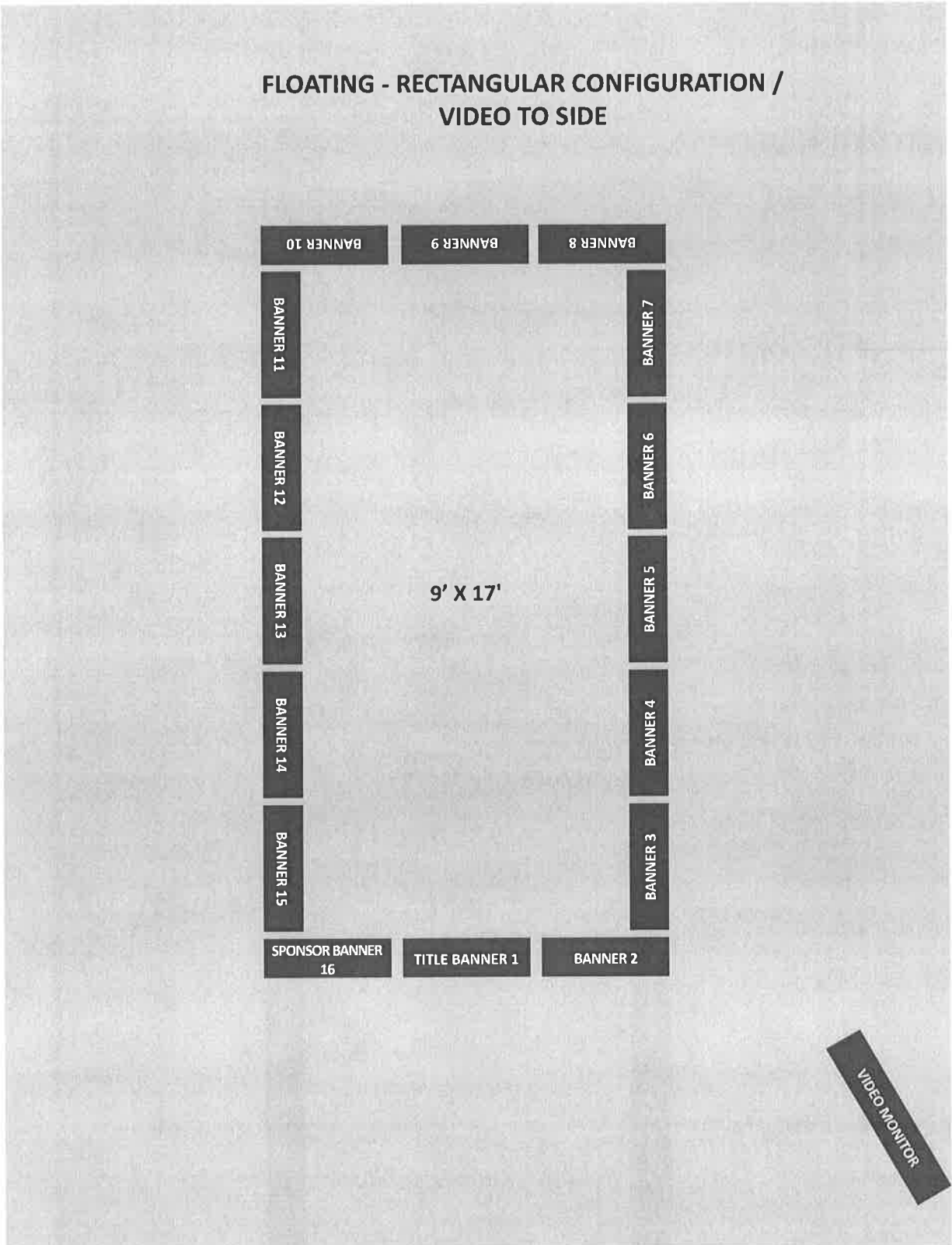


Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

20'

FLOATING - RECTANGULAR CONFIGURATION / VIDEO TO SIDE

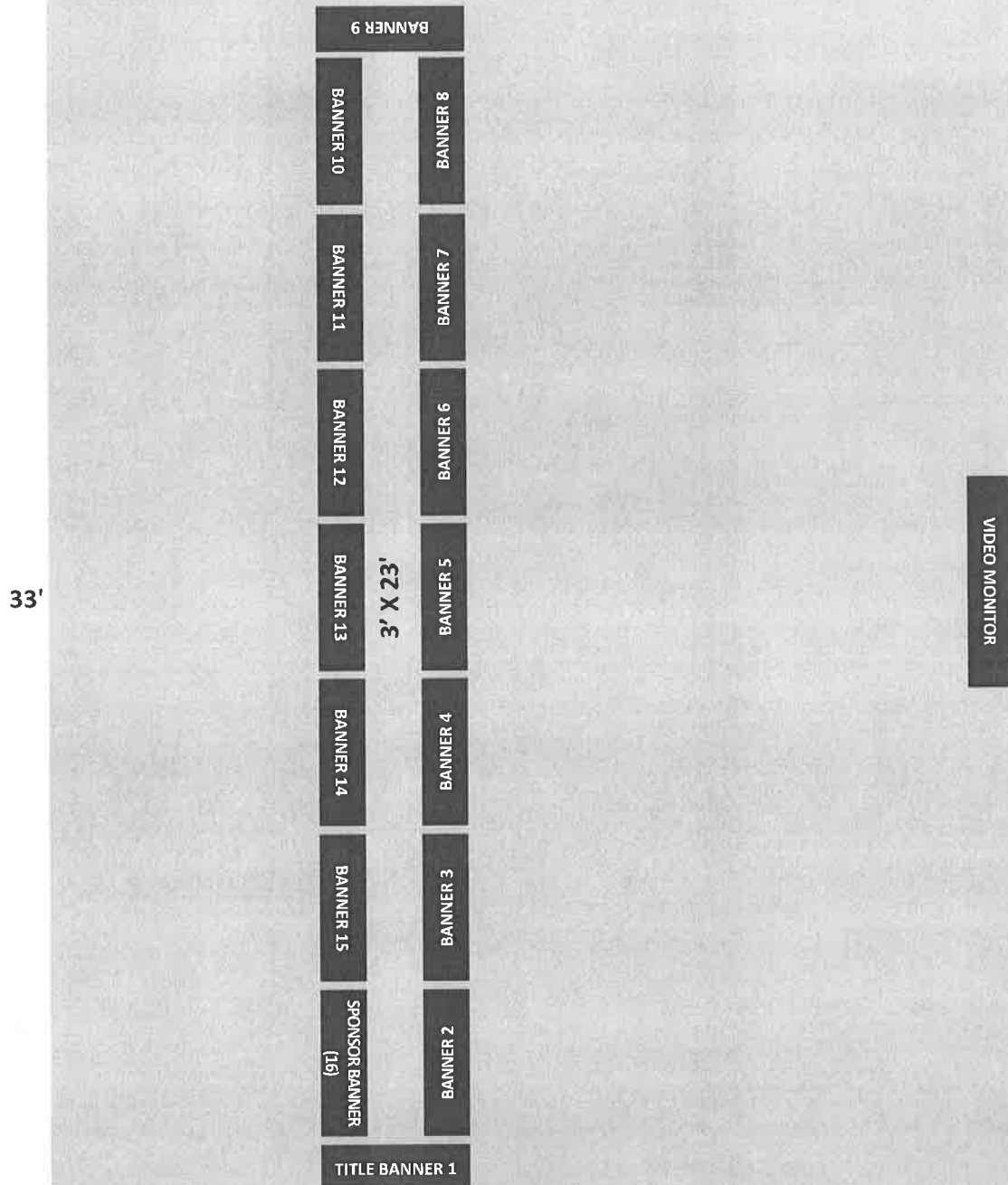
27'



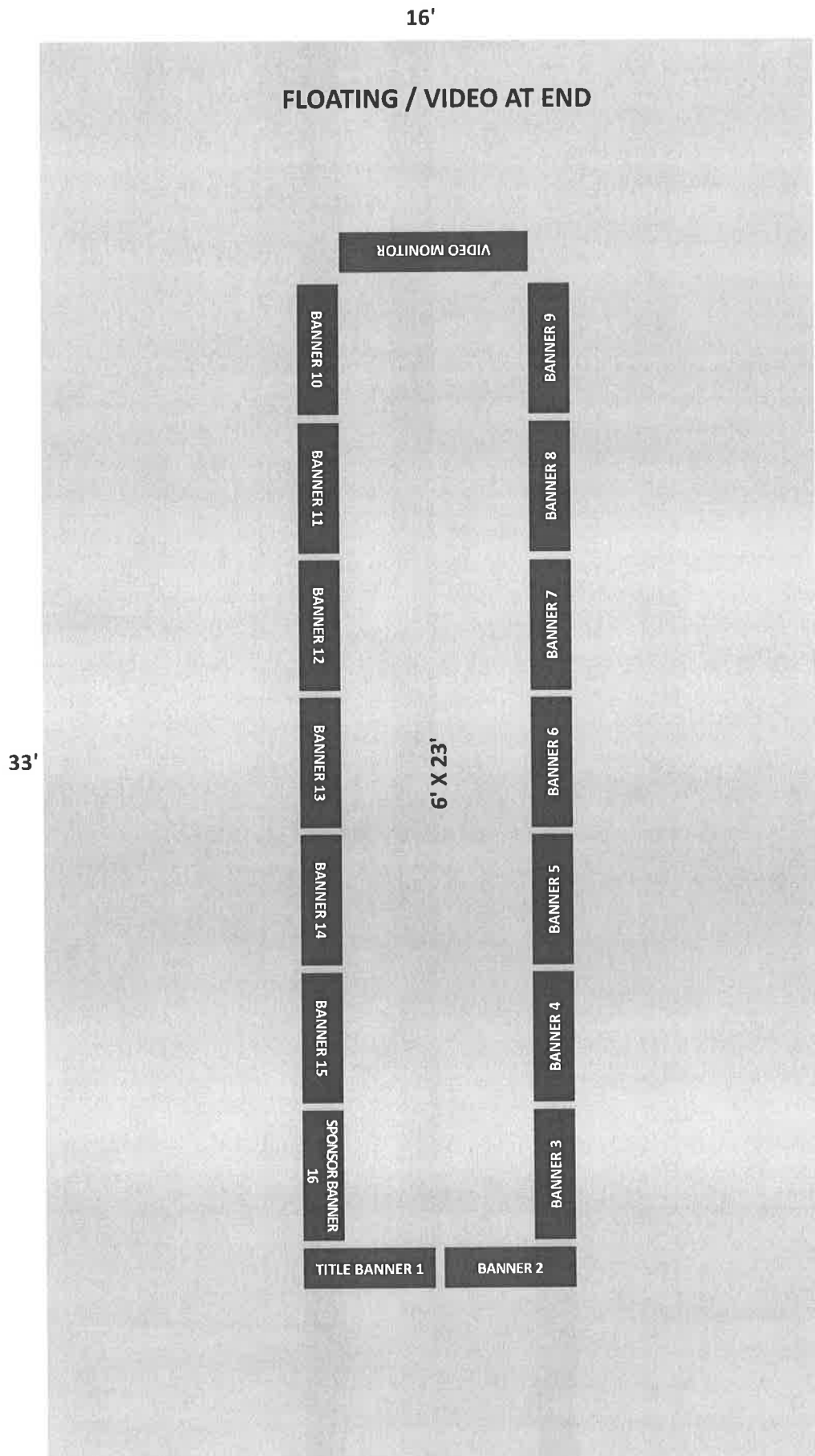
Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

18'

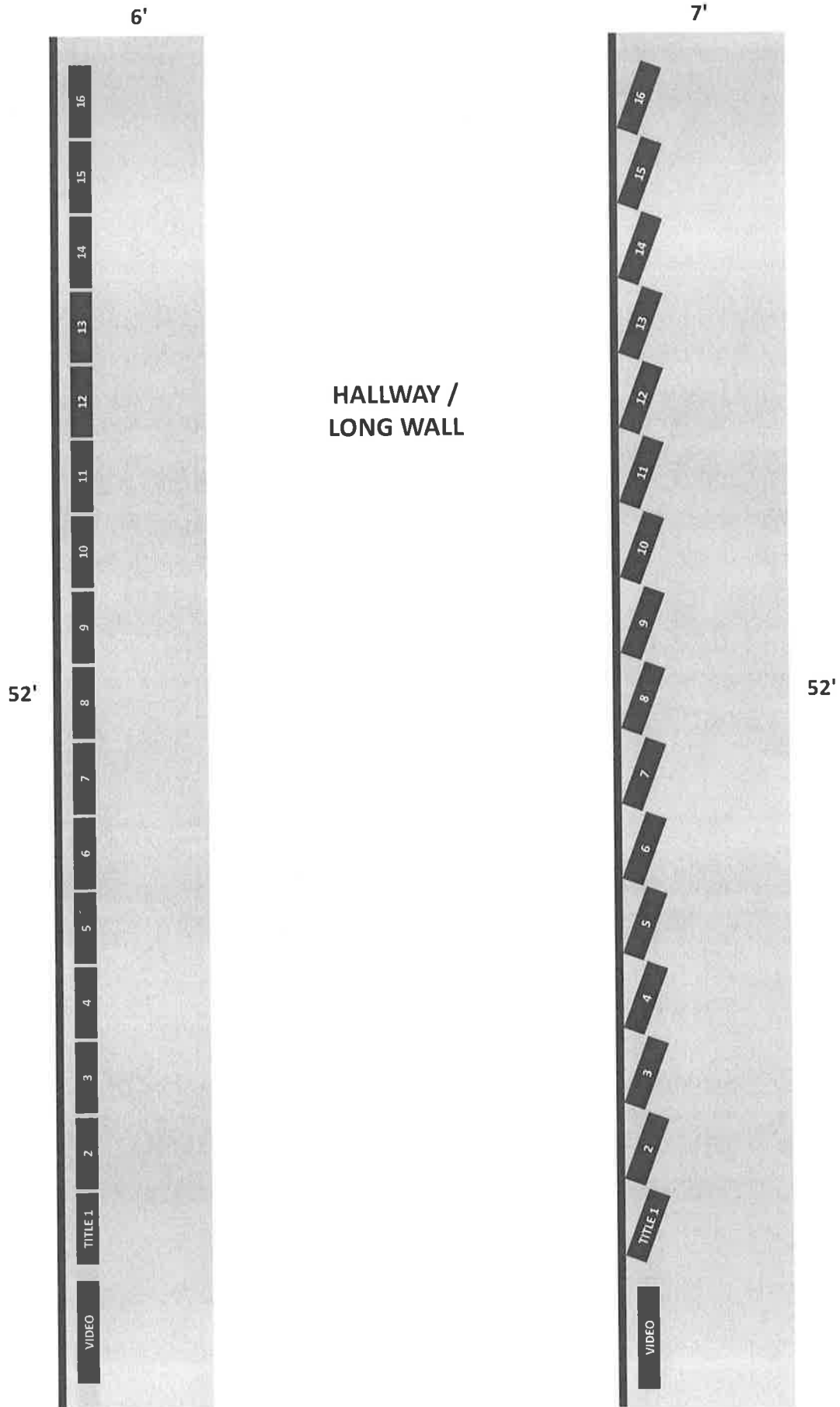
FLOATING - LONG CONFIGURATION / VIDEO TO SIDE



Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

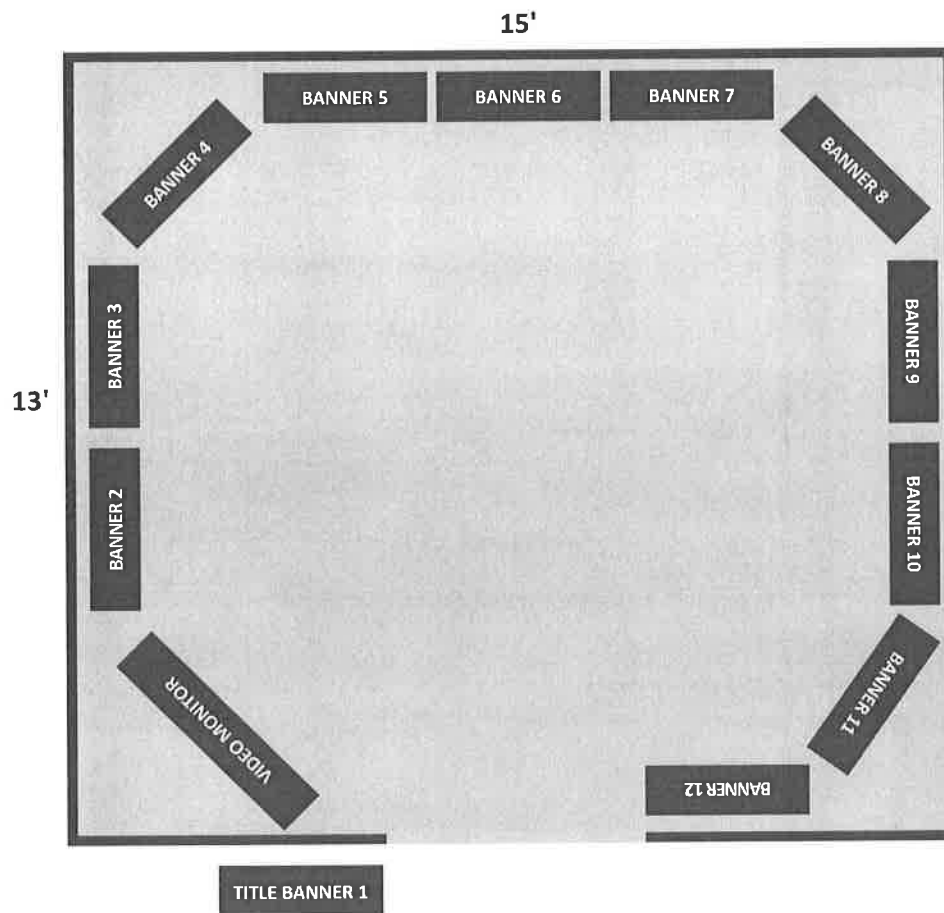


Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

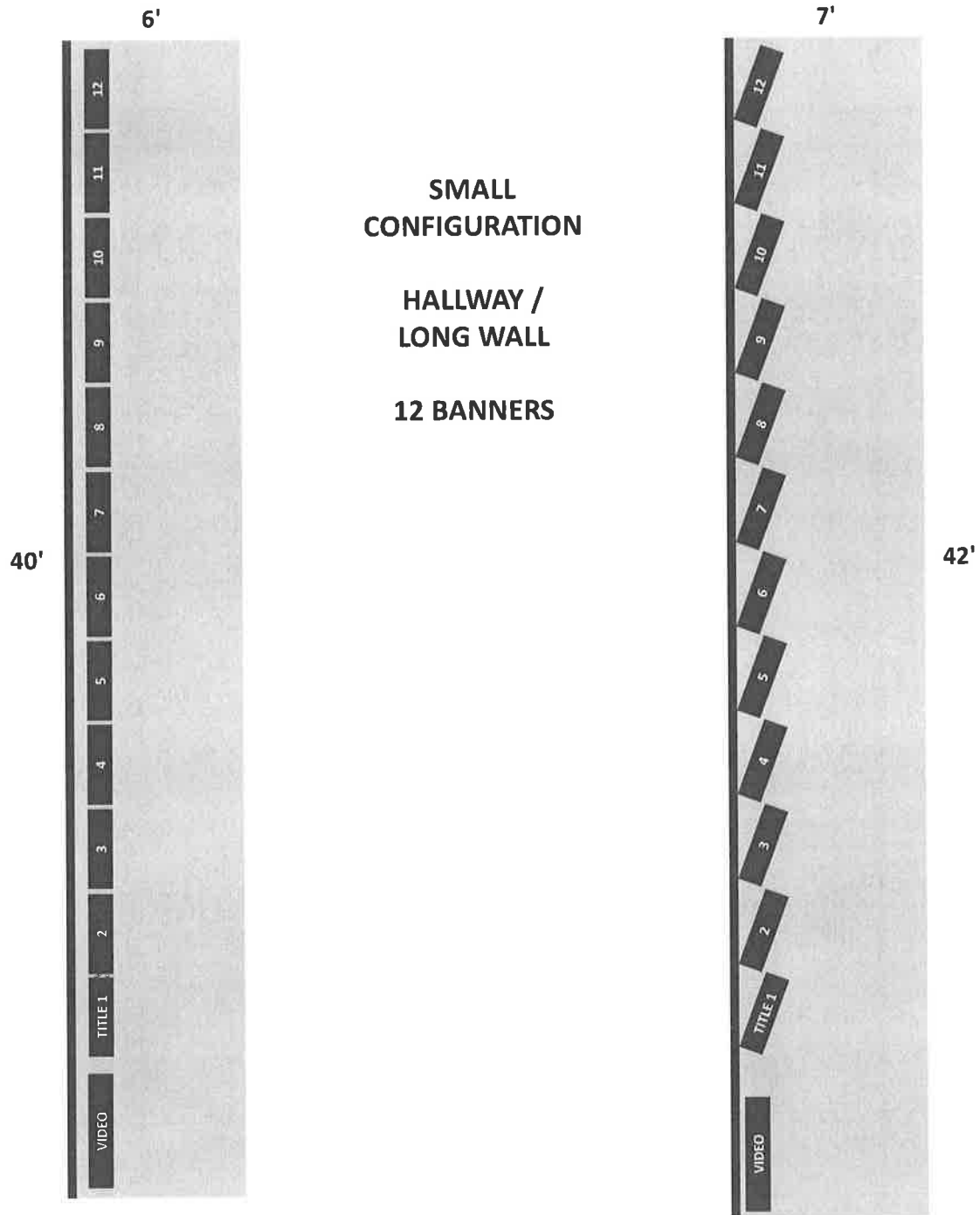


Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

**SMALL SQUARE / VIDEO BY ENTRANCE
12 BANNERS**



Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.



Example floor plans show minimum room size for the configuration. Larger room sizes will often be desirable to avoid crowding of exhibition and viewers. Example floor plans are suggestions, not requirements. Assumes a 48"-wide monitor and stand. Scale is approximate.

ABA LLOC Magna Carta Community Events

- Reading of Magna Carta and/or U.S. Constitution and/or Gettysburg address & discussion
- Movie and Magna Carta discussion - movie such as *12 Angry Men* that is relevant to rights found in the Great Charter
- Essay contest
- PechaKucha or Ignite talks (5-6 minutes visual-driven talks)
- Book displays
- Book club discussion topic
- Debate or panel with professors, judges, legal historians or lawyers
- PBS-organized discussion panels in communities where the Exhibit is displayed and a PBS documentary on Magna Carta airs
- Class field trips: Arrange for high school students, from schools close to venues where the Traveling Exhibit is being shown, to tour the exhibit
- Middle-school field trips to tour the exhibit, with a follow-up activity (*e.g.*, write an essay on why Magna Carta remains important today; put on a play about Magna Carta; organize a debate)
- School plays linking and depicting sealing of Magna Carta and signing of Declaration of Independence
- Show the video prepared for the Traveling Exhibit at opening sessions of midyear and annual meetings of bar associations in cities where the exhibit is appearing
- Work with schools in Connecticut to bring the Traveling Exhibit to urban high schools, and invite bar associations and young lawyers to speak
- Collaborate with Public Education Division, especially in re. schools
- Collaborate with Gavel Awards
- Libraries feature relevant books and/or offer discussion panels
- Bar associations name a "Magna Carta Day" and offer relevant programming
- Fundraising lunch or dinner to commemorate Magna Carta and devote donations to a relevant local civic priority
- Op-Ed to local newspapers when Traveling Exhibit is in town, explaining relevance of Magna Carta to today's legal system and rights (consider Op-Ed from ABA President and/or local/state bar president)

Discussion ideas for essay, debate, panels:

- Impact on practice of law today
- If the Barons were massed on the National Mall today, what would they demand of government? If the serfs were massed on the National Mall today, what would they demand of the Barons?
- What would the common man ask of the Barons today?

Tab 14

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Judicial Council's Technology Committee

Item # 2.11

Submitted by: John Baldwin

Meeting Date: June 13, 2014

ITEM/ISSUE:

Bently Tolk has resigned as the Bar's representative to the Judicial Council's Technology Committee. This creates a vacancy for the Bar Commission to fill. The Bar solicited names and received 3 indications of interest.

Blake Miller (Litigator)
MILLER GUYMON, PC
165 REGENT ST
Salt Lake City UT 84111 U.S.A.
Phone No: (801) 363 - 5600 Ext:
miller@millerguymon.com

Russ Minas (Family Law)
VanCott Bagley Cornwall & McCarthy
36 S. State Street, Suite 1900
Salt Lake City UT 84111 U.S.A.
Phone No: (801) 532 - 3333
rminas@vancott.com

Rand Bateman (Litigator & IP)
BATEMAN IP
257 East 200 South, STE 750
Salt Lake City UT 84111 U.S.A.
Phone No: (801) 533 - 0320
rbb@batemanip.com

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

RECOMMENDATIONS:

Lincoln Mead recommends Blake Miller.

Tab 15

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

APRIL 25, 2014

UTAH STATE BAR – LAW & JUSTICE CENTER

In Attendance: President Curtis M Jensen; Commissioners: Steven Burt, H. Dickson Burton, Kenyon Dove, Hon. Evelyn Furse, Mary Kay Griffin; Susanne Gustin, Michael Leavitt, Janise Macanas, Herm Olsen, Rob Rice, Tom Seiler, and Angelina Tsu.

Ex-Officio Members: Nate Alder, Danielle Davis, Heather Farnsworth, Lori Nelson, Margaret Plane, Jesse Nix, Lawrence Stevens, and Gabe White; Executive Director John C. Baldwin; Assistant Executive Director Richard Dibblee; General Counsel Katherine A. Fox; and Supreme Court Liaison Tim Shea.

Not in Attendance: Commissioners: President-elect James D. Gilson and John Lund, Ex-Officio Members: Dean Robert Alder, Jesse Nix, and Dean James Rasband.

Also in Attendance: Sean Toomey, Utah State Bar Communications Director.

Minutes:

1. President's Report:

NEW: Curtis announced that Katherine Fox would be retiring soon and Elizabeth Wright, the Bar's current NLTP director, would be taking her place as the Bar's General Counsel.

1.1 Review Election Results

Curtis congratulated Angelina Tsu, Rob Rice, Dickson Burton and Herm Olsen on winning their elections. He also thanked Tom Seiler for running a good race. Several Commissioners observed how easy it was to vote online.

1.2 Report on Meetings with Congressional Delegations

Margaret Plane reported that ABA Law Day was a success and that we were able to meet with five of our six Congressional Delegates. She noted that it was a great opportunity to educate our representatives and senators and their respective staffers on various issues. Those issues included legal services funding and the possibility of instituting the accrued income accounting method for professional service businesses making over \$10 million dollars annually. Unfortunately, this would encompass larger law firms. Currently, those businesses use a cash basis for accounting and tax purposes.

Nate Alder interjected that current funding for legal services is \$2.4 million based on the poverty level which has increased in Utah. Curtis opined that it would be helpful to contact

our representatives earlier in the process to maximize the potential benefits of Law Day. A discussion ensued over what the accrued accounting method would mean for large Utah law firms and consensus was that it would be harmful. We need to be watchful of this possible legislation.

1.3 Report on Western States Bar Conference

Various Commissioners commented on the benefits of attending the recent Western States Bar Conference. Angelina noted that the conference emphasized the importance of voting, constitutional law and Law Day. Nate said that the small bar breakout sessions were relevant and interesting. There is a movement in California and the State of Washington (as well as Oregon and Arizona) that emphasizes the public's need for more comprehensive service at a lower cost which often involves non-lawyers. John Baldwin observed that the trend seems to be "the delivery of legal service is more important than who delivers it."

1.4 Special Appearance by Attorney General Sean Reyes

Utah Attorney General Sean Reyes, a former ex-officio Commissioner, attended this part of the meeting. He lauded Commissioners' service to the legal profession and remarked that he has been invited to be on a panel at the upcoming Summer Convention. He updated the Commission on the reorganization of the Attorney Generals' Office, their efforts on behalf of Amendment 3 and described his office's part in the recent cattle conflict in Nevada. Lori Nelson inquired how to motivate the Attorney Generals' Office to become more involved with the Bar. Sean responded that they do a lot of specialized CLE which is less expensive for the attorneys since their office is under-resourced and underfunded. He also said that attending Bar Conventions was cost prohibitive because the office is unable to pay for it. He suggested that instituting a reduced government rate would encourage these lawyers to become more active in the Bar.

Sean also opined that more social events (e.g., volleyball, softball and picnics) might be a good idea. Towards these ends, Janise Macanas mentioned that she had suggested a free reception for government lawyers at the Fall Forum to encourage more involvement. Eve Furse said that she would like the AG's Office to be more active in submitting nominations for Bar awards. Sean closed the discussion by noting that he would like to come back more prepared with ideas of how the Commission can support the AG's Office and get his lawyers more involved.

1.5 Review Law Day Schedule of Activities

Richard Dibblee reported that next Thursday the YLD was sponsoring the Law Day Luncheon. The Bar has purchased a table for 10 at this event which will be held at the City Creek Marriott at noon on May 1st. Sean Toomey added that there is a great deal of media coverage planned.

1.6 Review Spring Convention Survey

Curtis announced that the Spring Convention was a very successful event and congratulated those in charge. Discussion ensued including the idea of moving the movie to Thursday or Friday night and placing more emphasis on the keynote speakers.

1.7 Review Young Lawyers Poll

Curtis highlighted features of the recent Young Lawyers Survey. He noted that times were changing and we need to focus more on the future of the profession in order to maintain our relevancy. There is pressure on new lawyers with new low salaries within the profession coupled with high debt loads. A second poll will go into more details of the financial aspects of new lawyers along with home/work balance issues. Discussion took place. Steve Burt observed that the cost of obtaining a legal education has increased more than billing rates. Mike Leavitt wondered about organizing a pre-law outreach program so that prospective lawyers better understood the new reality because by the time they are in law school, it's too late. Kenyon Dove and Nate agreed. Eve said that we need to make lawyers aware of non-traditional ways to practice with having more CLE's in this area along with more CLE's about life/work balance issues. Curtis observed that we are faced with the challenge of keeping the Bar relevant and avoiding fall-out from our members. Janise added that the appropriate committees need to stay on top of these issues. Finally, consensus was that results of the survey should be posted on our website separate from the Commission materials.

2. Executive Director's Report: John Baldwin

2.1 Report on Public Communications

No discussion.

3. Action Items

3.1 Client Security Fund Assessment

John explained that we need to keep the annual balance of the Client Security Fund at \$200,000. He detailed the report in the materials. There will be an additional \$75,000 payment on Matthew Graff claims and approximately \$35,000 of pay-outs are being reviewed which if paid, would result in the Fund being reduced to \$146,000. We therefore are recommending a \$20 assessment for this year's licensing cycle which is the maximum we charge. **Dickson Burton moved to approve the assessment and Mike Leavitt seconded the motion which then passed unanimously.**

3.2 Federal Legislation on Taxation of Accrued Income

Curtis announced that a tax idea to raise revenues to address, in part, the federal debt, has emerged. Although it is just in the discussion phase with no implementation date on the horizon, he observed that we would be wise to monitor the issue since lawyers, at least those at large firms, would be affected. Nate explained that the discussion centers on business entities with budgets of \$10 million or more. Currently, these entities calculate and pay taxes on a cash basis but the new method, accrued income, would include account receivables. Some states as well as the ABA have already passed resolutions opposing this idea. Mary Kay Griffin added that this idea, if congressionally approved, would affect all professional service entities, not just lawyers. The accrual method is much more complex and constitutes a significant tax burden. As such, accountants are soundly opposed to the idea.

Lori said that all large law firms write-off a portion of their accounts receivable which are uncollectable but nevertheless would be counted as income under the new method. Any professional services entity having inventory also would be affected. Margaret Plane noted that the ABA is monitoring the situation and that the proposal, if approved, would result in a tax increase.

Additional discussion ensued. Nate observed that a tax increase boils down to an access to justice issue. Tom said, however, that about half of our members won't be affected and won't care about this issue. We should be careful how we approach this and maybe letters to our congressional representatives would be appropriate. Curtis thought we should mention the situation in the Bar's e-Bulletin and Rob Rice opined that perhaps a letter to the larger law firms alerting them might be a good idea. In two months we should revisit the issue. No action was taken.

3.3 Pro Bono Commission Rule Changes

Rob said that there is an effort to expand the sphere of pro bono service by permitting certain attorneys on inactive status to engage in the practice of law. Although we have a current rule allowing inactive Utah attorneys to provide free legal service under the supervision of designated legal services organizations, this new rule is targeted for those attorneys licensed elsewhere on inactive status. Moreover, they would not need to be supervised under the proposed rule. Rob continued that 20 states have a similar rule in place and that it would increase the number of pro bono attorneys. He also stated that as currently drafted, the rule needs some changes including resolving issues with who regulates this and how. Katherine Fox has helped identify some issues and made some suggestions which Rob believes are helpful. He will work with Katherine to help iron out some of these problems. Eventually, Rob said, the Commission would need to bless the amended proposed rule. The Pro Bono Commission has endorsed the proposed rule at least in principle as it will hopefully give indigent clients access to quality lawyers. It also would keep pace with what other states are doing in this area. No action was taken.

4. Information Items

4.1 Charitable Efforts for Public Safety Officer

Tom introduced this item. He posed the issue as whether the Commission should take steps to assist the families of fallen officers. John Valentine is very interested in this effort and Tom's law firm is assisting the Wride family. He believes our efforts would garner positive publicity for lawyers. Curtis observed that these deaths are a great hardship for the families and asked the question, "Is this something the Bar should do under our rules and with lawyer's Bar fees?" Discussion ensued but no action was taken.

5. Executive Session

HANDOUTS DISTRIBUTED AT MEETING:

1. Invitations to Paralegal Luncheon on May 15, 2014.
2. Media Coverage Copies
3. Law Day Newspaper Insert
4. Statistics on Reagan Billboard Advertising Campaign

ADJOURNED: 11:30 a.m.

CONSENT AGENDA:

1. Approve Minutes of March 13, 2012 Commission Meeting (with correction: Margaret Plane was in attendance)
2. Approve Bar Applicants for Admission

**UTAH BAR COMMISSION MEETING
AGENDA ITEM**

Title: Casemaker Contract

Item: Consent Agenda

Submitted by: John Baldwin

Meeting Date: June 13, 2014

ITEM/ISSUE:

The Casemaker contract is due for renewal. Casemaker is proposing a 5-year term with enhancements. This is the Bar's 3rd contract renewal. Each time, the Commission has voted to retain Casemaker rather than contract with FastCase. Included in this section is a very thorough comparison of Casemaker vs. FastCase compiled by the Connecticut Bar Association.

CONSENT AGENDA: X

RECOMMENDATIONS:

CASEMAKER vs. FASTCASE

Legal Research

Casemaker

Fastcase

Service Comparison

Case Coverage

- | | |
|--|--|
| <ul style="list-style-type: none">• More in-depth case coverage in half the states• Twice as much federal case coverage | <ul style="list-style-type: none">• Fewer in-depth case coverage in half the states• Half as much federal case coverage |
|--|--|

Statutes & Codes

- | | |
|--|---|
| <ul style="list-style-type: none">• Statutes/Codes provided in every state• Editors update Codes & Statutes within 10 days of bill signature• Provides notice if the Code is to change prospectively• Archived Statutes/Codes in every state – 10+ years in most states | <ul style="list-style-type: none">• Statutes/Codes only provided in 47 states• No active editing for Codes and Statutes because of no editorial staff• No notice of prospective changes in Code• Archived Statutes/Codes in only 47 states – less than 6 years in the majority of these states |
|--|---|

Session Acts

Sessions Laws in every state - significant archives

Session Laws in only 15 states

Editorial

Editorial staff oversees daily legislative and case updates for all States and the U.S.

None

Additional Functionality

- | | |
|---|--|
| <ul style="list-style-type: none">• Eleven stated search options – Keyword (Boolean), Citation, Party, Section, Docket No., Case Name, Court, Attorney, Judge, Panel & Date Decided• Create and name both high-level folders and subfolders. Easy to move or rename folders• Create Client/Matter folders• Makes notes in documents• More precise results retrieved including older and newer results• Citator shows positive/negative treatment | <ul style="list-style-type: none">• Three stated search options for cases – Keyword (Boolean), Natural Language, and Citation Lookup• Merely deposits individual documents or search queries into one long list• None• None• Fewer precise results retrieved
• Only provides algorithmic citation information |
|---|--|

Additional Functionality (Continued)

- Advanced updating of primary sources by staff editors
- Session report designating elapsed time, client, searches, etc.
- No staff editors therefore searches across vendors' & public legal databases
- None

Casemaker/ FastCase Comparisons in Key Research Areas

Casemaker

Fastcase

Citator:

CaseCheck+

Attorney/editorial staff analyzing each case for negative treatments;

Tracks 10 aspects of negative treatments:
Criticized, Appeal (cert) granted, modified, overruled, overruled in part, questioned, reversed, superseded, vacated, withdrawn

Comparative Test Conducted by Casemaker

375 cases with negative treatments in Casemaker were randomly selected and tested for negative treatments in Fastcase. Results:

102 FC Shows negative Treatment (i.e., vacated, reversed)

225 FC shows no negative treatment

48 cases NOT FOUND! In Fastcase

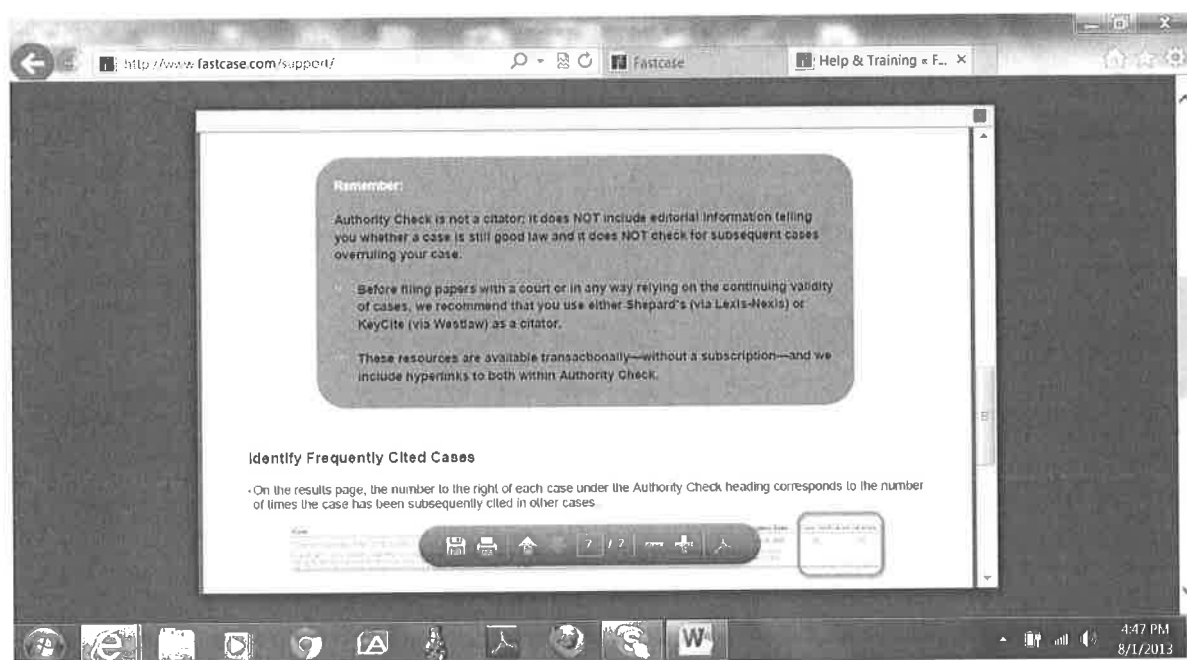
Authority Check

Computer Algorithm

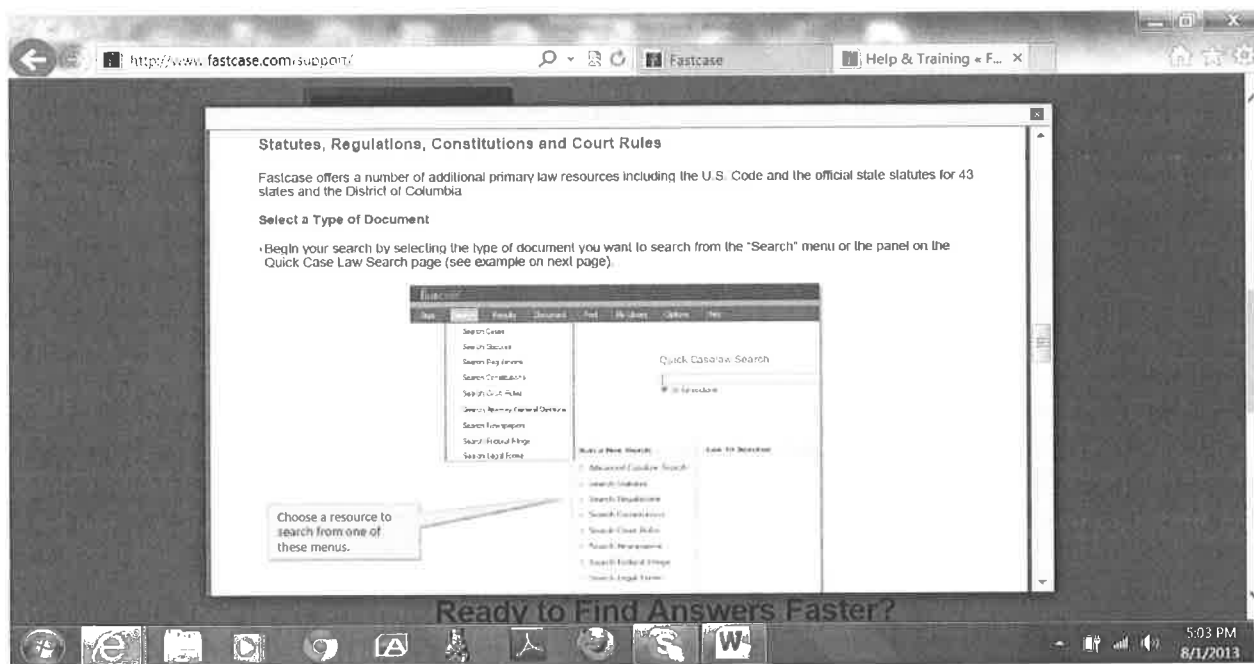
Only picks up obvious key words via algorithm (i.e. reversed, vacated)
(Fastcase states in their help literature that Authority Check is NOT a citator and cannot tell if a case has been overruled* see note below)

<p><i>Statutes: Collections</i></p> <p>All 50 states and DC; US Code</p> <p>All codes searchable together under one search engine for comprehensive national search</p> <p><i>Statutes: Updating</i></p> <p>Casemaker's staff of in-house attorney-editors (each with over 20 years of experience in statute editing) tracks legislation as it proceeds through all state legislatures and the US Congress. As each bill is enacted it is incorporated into the state code on Casemaker (usually within 2 to 3 days of signing). Casemaker keeps the most current codes online.</p>	<p>43 states** and DC; US Code</p> <p>The remaining states are available via links out to state web sites; this means the user is required to utilize different search engines for each different state being searched.</p> <p>Like most other companies, Fastcase waits until the entire legislative session is concluded, then waits for the state web sites to update their codes, then downloads the entire code once per year.</p> <p>This means the codes on Fastcase can be months out of date</p>
<p><i>Administrative Codes</i></p> <p>34 State Admin Codes plus the CFR and Federal Register are online and all searchable under the Casemaker search engine (together or in any combination of jurisdictions)</p>	<p>25 State Admin codes are available online; only searchable one at a time; other admin codes are provided via links to the state web sites; CFR is available on Fastcase but also searchable by itself, not in combination with other material; Federal Register is only available via link to the federal web site</p>

*Page from Fastcase Help manual stating that Authority Check is NOT a citator



****Fastcase Help manual states there are 43 state statutes available online**



Casemaker

Fastcase

Search Example:

Comparative Test Conducted by Connecticut Bar

Search "common law marriage" in Connecticut

Cases Retrieved? 53

First Listed Case: Collier v. City of Milford, 537 A.2d 474, 206 Conn. 242 (1988)

How Many Cases Cite Collier v. City of Milford? 3

Cases: Herring v. Daniels, 70 Conn. App. 649, 805 A.2d 718 (2002)

Jennings v. Hurt, 160 A.D. 2d 576, 554 N.Y.S.2d 220 (1990)

Packer v. SN Servicing Corp., 02078 CTDC, 3 04 cv1506 (2008)

Both Connecticut and New York cases are found in both Casemaker and Fastcase, but only Casemaker retrieved the Federal case from the U.S. District Court for Connecticut.

Comparative Test Conducted by Connecticut Bar

Search "common law marriage" in Connecticut

Cases Retrieved? 21

First Listed Case: Collier v. City of Milford, 537 A.2d 474, 206 Conn. 242 (1988)

How Many Cases Cite Collier v. City of Milford? 2

Cases: Herring v. Daniels, 70 Conn. App. 649, 805 A.2d 718 (2002)

Jennings v. Hurt, 160 A.D. 2d 576, 554 N.Y.S.2d 220 (1990)

Both Connecticut and New York cases are found in both Casemaker and Fastcase **but only Casemaker** retrieved the Federal case from the U.S. District for Connecticut.

<p><i>Search Example:</i></p> <p><u>Search Wrongful* w/5 terminat* w/20 whistle* in all states</u></p> <p>Cases Retrieved? 486</p> <p>Cases Retrieved from 44 states</p> <p>Listing of results gives you pertinent information such as case name, citation, court, date and summary</p> <p>Search within Results give you options to narrow results by keyword(s), jurisdiction, court, citation, docket number, case name, judge, attorney and date decided</p>	<p><u>Search Wrongful* w/5 terminat* w/20 whistle* in all states</u></p> <p>Cases Retrieved? 494</p> <p>Cases Retrieved from 44 states</p> <p>Listing of results gives little pertinent information other than citation and summary</p> <p>Search within Results only gives you the option to narrow results by keyword(s)</p>
<p><i>Search Example:</i></p> <p>86 Cal.App.4th 840</p> <p>Case Retrieved: Yes</p>	<p>86 Cal.App.4th 840</p> <p>Case Retrieved: No. This case is not in their database. Instead, they have pulled two cases that are close to that citation with a statement that says "(There is no exact match for citation – nearest match shown)". See screen shot below.</p> <p><small>1. Hessians Motorcycle Club v. Flanagan, 193 Cal Rptr 2d 552, 86 Cal App 4th 833 (Cal App, 4 Dist, 2001) (There is no exact match for citation - nearest match shown)</small></p> <p><small>2. Hessians Motorcycle Club v. J.C. Flanagan, 103 Cal Rptr 2d 552, 86 Cal App 4th 833 (Cal App, 2001) (There is no exact match for citation - nearest match shown)</small></p> <p>This can be confusing to the researcher</p>
<p><i>Search Example:</i></p> <p>Texas Library</p> <p>Casemaker is able to search Administrative Code, Attorney General Opinions, Case Law, Constitution, Federal Court Rules, Session Laws, State Court Rules, and Statutes all at the same time.</p>	<p>Texas Library</p> <p>Fastcase can only search State Supreme Court and Appeals Court at the same time.</p>

Search Example:

Dog Bite in New York Court

Cases Retrieved: 295

Results: Second case listed is People v. Beauvil, 20 Misc.3d 1116(a), 872 N.Y.S.2d 692(A), July 10, 2008

When searched by Party Name, People v. Beauvil, there are 5 results. While viewing these results, you can search within these results with keyword(s), court, citation, docket number, case name, judge, attorney, and/or date decided.

Editorial Note is listed on the case – “This case is not published in a printed volume and its disposition appears in a table in the reporter.”

Links within the case work and link out to the appropriate case.

Footnotes are working in Casemaker.

Dog Bite in New York Court

Cases Retrieved: 286

Results: Second case listed was same as found on Casemaker but was retrieved as a slip opinion with page numbers but no main citation in Fastcase. If searched by 872 N.Y.S.2d 692(A), the case is not found.

When searched by Party Name, People v. Beauvil, there are 4 results. Fastcase is missing People v. Ventura, 800 N.Y.S.2d 354. While viewing these results, you can search within these results with only a keyword(s) and no other options.

There is no Editorial Note

Some links within the case are not working and don't link out, e.g. Conroy v. Sperl within the case of People v. Beauvil.

Most footnotes are not working properly.



Database Evaluation Report

Testing Casemaker, Fastcase, and Smart Litigator

**presented to the leadership of the
Connecticut Bar Association**

on October 11, 2013

**Jon Stock, Connecticut Judicial Branch Libraries (retired)
Catherine Dunn, University of Connecticut Law School
Janis Fusaris, University of Connecticut Law School (retired)
Sarah Ryan, Yale Law School**

**on behalf of the Law Librarians Section of the
Connecticut Bar Association**

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Executive Summary

Three databases were evaluated by members of the Law Librarians Section of the Connecticut Bar Association in the summer of 2013 at the request of the leadership of the Connecticut Bar Association. They included: Casemaker, Fastcase, and Smart Litigator. These databases were evaluated with members of the bar association in mind, particularly sole practitioners and small law firms. Each database has strengths and weaknesses across a host of criteria, as illustrated throughout this report.

Casemaker provides the most precise search results, complete with the most current and oldest Connecticut cases and statutes. Casemaker's editorial staff provides advanced updating of Connecticut statutes. The vendor offers the best traditional citator, at an additional cost to individual users. Casemaker has strong customer support, though not live chat. It is accessible via mobile devices, though it employs somewhat responsive design. Unlike its competitors, Casemaker offers little secondary source content, but it could integrate CBA content (e.g., practice guides) in the future. Casemaker has been the CBA member benefit for years.

Fastcase offers the most ways of sorting results, and captures a larger number of cases using algorithmically-driven searching and its *Forecite* feature. Its Bad Law Bot and Bubble Chart, both free, enable some authority checking. Fastcase has partnered with vendors such as Hein to provide one-stop browsing of diverse legal content, though much of the content is not free. The vendor provides free access to public legal materials such as constitutions and court rules. Fastcase has the strongest customer support, including live chat with attorneys. It offers mobile applications (apps.) and features fully responsive design. It employs few or no human editors.

Smart Litigator provides a search interface similar to the other databases and licenses its primary source content from Fastcase. It delivers primary source results identical to Fastcase, though it does not offer the *Forecite* feature. The vendor provides no citator, and little primary source editorial content. However, Smart Litigator offers the most extensive Connecticut secondary source content of the three vendors, including: *Connecticut Law Tribune* treatises and columns, Connecticut verdicts and settlements, court-tested forms, judicial profiles, and practice Q&As. Smart Litigator offers limited customer support and mobile access.

It is our hope that this report will enable the leadership of the Connecticut Bar Association to make the best selection possible given the diverse needs of its membership. For additional information about the database review process or this report, please contact Jon Stock at jcstock@snet.net

Overview of the Service Providers

The three service providers included in this evaluation are: Casemaker, Fastcase, and Smart Litigator.

Casemaker has provided legal research services since 1999,¹ and has served as the Connecticut Bar Association's member benefit database for several years. Casemaker is a subsidiary of Lawriter LLC, based in Cincinnati, Ohio, and founded in 1983.² Casemaker is overseen by David Harriman, CEO, who was President of the National Law Library from 2000-2009.³ The company is co-chaired by Dan Shapiro and Satish Sheth, who maintain legal and medical practices, respectively.⁴ Linda Franklin is the Director of Client Services; she is the former Executive Director of the South Carolina Trial Lawyers Association.⁵ Casemaker has 11 full-time attorney editors and approximately 8 contract editors located in the U.S. and Mumbai, India.⁶ Casemaker customer support is based in Virginia.⁷ Casemaker boasts more than 200,000 attorney users nation-wide,⁸ including 47% of lawyers in Connecticut, and numerous state bar associations.⁹

Fastcase was founded in 1999; it is based in Washington D.C.¹⁰ Ed Walters is the CEO of Fastcase. He was previously an attorney at Covington & Burling and a speech-writer for President George H.W. Bush.¹¹ Phil Rosenthal is the President of Fastcase. He was an associate at Covington & Burling; he holds a J.D. from Harvard Law School and a Ph.D. in Physics from CalTech.¹² Because Fastcase is an algorithmic service, it does not employ a sizeable legal editorial staff. Fastcase customer support is based in Virginia. In 2010, Fastcase was the first to launch a legal research application for the iPhone.¹³ In summer 2013, Fastcase announced its partnership with Hein, which will provide primary and secondary materials browsing for Fastcase subscribers.¹⁴ Fastcase boasts more than 500,000 attorney users nation-wide, and more than 20 state bar associations.¹⁵

¹ Casemaker, *About Us*. <http://www.casemaker.us/AboutUs.aspx>

² As indicated at the base of Casemaker web pages. For more on Lawriter, see: <http://investing.businessweek.com/research/stocks/private/snapshot.asp?privcapid=40542376>

³ Casemaker, *Management*. <http://www.casemaker.us/AboutUsManagement.aspx>

⁴ Casemaker, *Management*, *ibid.*

⁵ Casemaker, *Management*, *ibid.*

⁶ Linda Franklin, David Harriman, & David Shapiro, *Presentation to Law Librarians Section of the Connecticut Bar Association Database Evaluation Committee* (University of Connecticut Law School, June 27, 2013).

⁷ Franklin et al., *ibid.*

⁸ Casemaker, *About Us*, *ibid.*

⁹ Franklin et al., *ibid.*

¹⁰ CrunchBase [technology company directory]. *Fastcase*. <http://www.crunchbase.com/company/fastcase>

¹¹ Ed Walters. *LinkedIn: Ed Walters*. <http://www.linkedin.com/in/walters>

¹² Phil Rosenthal. *LinkedIn: Phil Rosenthal*. www.linkedin.com/pub/phil-rosenthal/0/62/55a

¹³ Crunchbase, *ibid.*

¹⁴ Fastcase, *Press*. <http://www.fastcase.com/press/>

¹⁵ Fastcase, *Bar Association Subscribers*. <http://www.fastcase.com/barmembers/>

Smart Litigator was launched by ALM in 2010; it is based in New York, New York.¹⁶ Primary source content is currently provided by Fastcase;¹⁷ Connecticut secondary source content is derived from *The Connecticut Law Tribune* and other local sources. Smart Litigator principals include: Jeff Forte, Publisher and Senior Management Executive for *The Connecticut Law Tribune*; Tim Kennelty, Vice-President of Product Development at ALM; and Colleen Hanson, Product Specialist and Customer Trainer at ALM. Prominent litigators, including incoming CBA president Mark Dubois, write original content for Smart Litigator.¹⁸ Approximately five editors review incoming content.¹⁹ Smart Litigator concentrates on four states: Connecticut, New York, New Jersey, and Pennsylvania.²⁰ Smart Litigator boasts much Connecticut content, including: all *CLT* treatises (except Caron on Foreclosures), forms, jury verdicts & settlements, judge profiles, expert witnesses, and a Connecticut law news archive.²¹

¹⁶ Robert Ambrogi, *A Smart Resource for Smart Litigators*. <http://www.lawsitesblog.com/2010/11/a-smart-resource-for-smart-litigators.html>

¹⁷ Smart Litigator might be willing to license primary content and a citator from Casemaker, as per July discussions between Smart Litigator executives and the CBA Law Librarians Database Evaluation Committee.

¹⁸ E.g., Mark Dubois, *Written Fee Letters*, Smart Litigator Q&A [Ethics & Malpractice Practice Area].

¹⁹ Jeff Forte, Tim Kennelty, and Colleen Hanson, *Presentation to Law Librarians Section of the Connecticut Bar Association Database Evaluation Committee* (University of Connecticut Law School, July 9, 2013).

²⁰ Forte et al., *ibid.*

²¹ Forte et al., *ibid.*

The Databases Side-by-Side

	Casemaker (CM)	Fastcase (FC)	Smart Litigator (SL)
Coverage	Deepest Connecticut coverage, featuring newest and oldest cases. Little secondary content.	Adequate Connecticut coverage, though not as current as CM. Partnerships for secondary source materials.	Adequate Connecticut coverage, though not as current as CM. Extensive secondary materials.
Search Language	Natural language searching, consistent and supported by good documentation	Natural language searching, consistent and supported by good documentation	Natural language searching, somewhat consistent, no supporting documentation
Retrievability	More precise results retrieved than FC or SL, including older and newer results than the other databases	More results retrieved in general and via <i>Forecite</i> feature, but not always as new, old, or specific as CM	Same general results retrieved as Fastcase for primary source searches, but no <i>Forecite</i> feature
Results Ordering	Best default relevance rankings, supported by human editors	Algorithmically-generated default results. Most options for sorting results	Identical results to FC for primary sources. Fewer options for sorting than FC
Citator	No free citator. For-purchase CaseCheck+ shows positive/negative treatment, citations since decision date, graphs	Free Bad Law Bot provides algorithmic citation info. Free Bubble Chart shows case history graphically	No citator available. Global searching for cases enables retrieval and analysis of related cases
Editorial Content	Staff attorneys provide editorial content for primary sources, including advanced updating. Little secondary source editorial content	Little primary source editorial content. Partnerships with vendors for secondary content, mostly for purchase	Little primary source editorial content. Broader secondary source editorial content than CM or FC, including attorney Q&As
Secondary Source Content	Little secondary source content, including a few bar journals. CM has the potential to integrate CBA content (e.g., practice guides)	Some free public content. Partnerships with Hein and others for searching and browsing for-purchase content (e.g., forms)	Most CT secondary content: treatises and columns from <i>CLT</i> , CT verdicts and settlements, forms, judicial profiles, and practice Q&As
Historical Content	CT and other states' case law from 1880s; CT statutes from 2000. Little historical secondary source content	CT case law from 1880s; current CT statutes. Browsing of some Hein historical content	CT case law from 1880s; current CT statutes. Some historical secondary source content
Printing	Single or multiple document printing in single or dual column format	Single or multiple document printing in single or dual column format	Single document printing in single column format
Research Organization	Most advanced folders and notetaking features	Limited foldering and no notetaking capability	Good foldering via "briefcase" but no notetaking capability
Additional Features	Advanced updating of primary sources by staff editors.	Searching across vendors' and public legal databases.	Links to sites that CT attorneys need to access (e.g., CT gov. resources, CT law blogs).
Mobile Access	Downloadable mobile apps., somewhat responsive design.	Downloadable mobile apps., fully responsive design.	No mobile apps., somewhat responsive design.
Customer Support	M-Friday phone support, no live chat, good documentation, online tutorials.	M-Friday phone support, live chat with attorneys, good documentation, online tutorials.	Some telephone support, no live chat, some online documentation, no online tutorials.

Coverage

Casemaker, Fastcase, and Smart Litigator all have strong collections of federal materials, but there are differences in coverage of Connecticut-specific materials. Casemaker's coverage of Connecticut materials is the deepest. It has a full run of the reported case law in the state, dating back to 1814 for Connecticut Supreme Court decisions, as well as significant coverage of Attorney General Opinions, Formal Ethics Opinions, Workers Compensation Decisions, and Freedom of Information Commission Decisions. In addition, Casemaker has current versions of the state statutes, regulations, and court rules, as well as several years of local legal news and bar journals.

CASEMAKER COVERAGE AT-A-GLANCE

Connecticut Case Law:

- Atlantic Reporter (vol. 1 in A. – vol. 70 in A.3d) (1885-current)
- Connecticut Reports (Conn.) (vol. 1-309) (1814-current)
- Connecticut Appellate Reports (Conn. App.) (vol. 1-144) (1983-current)
- Connecticut Circuit Court Reports (Conn.Cir.Ct.) (vol. 1-6) (1961-1974)
- Connecticut Supplement (Conn. Supp.) (vol. 1-52) (1935-current)
- Unreported Superior Court Decisions (1989-2013)
- Attorney General Opinions (1990-2013)
- Formal Ethics Opinions (1986-2013)
- Workers Compensation Decisions (1994-2013)
- Freedom of Information Commission Decisions (1986-2013)

General Statutes of Connecticut (current)

Connecticut Constitution (current)

Regulations of Connecticut State Agencies (current)

Code of Evidence (as amended 3/1/13)

Federal Court Rules (CT-related)

- U.S. District Court Rules for the District of CT (Rules 1-58)
- U.S. Court of Appeals Rules for the Second Circuit (Local Rule 1.1 - XVI)

Connecticut Practice Book (current)

- Superior Court Procedures (General Provisions, Procedure in Civil Matters, Procedure in Family Matters, Procedure in Juvenile Matters, & Procedure in Criminal Matters)
- Rules of Appellate Procedure
- Probate Rules of Procedure
- Rules of Professional Conduct

The Connecticut Lawyer (2000-2012)

Connecticut Bar Journal (vol. 64-86) (1990-2012)

DSS Uniform Policy Manual (current)

Smart Litigator licenses its primary legal materials from Fastcase, so its coverage is the same. This includes access to case law in Connecticut via the Atlantic Reporter only (dating back to 1885 for Supreme Court decisions and 1983 for Appellate Court decisions). Fastcase and Smart Litigator also provide access to the General Statutes of Connecticut, but they do not have the

Regulations of Connecticut State Agencies. An exception is that Fastcase links to Connecticut's banking regulations available via the Connecticut Department of Banking's website.

Fastcase and Smart Litigator diverge when it comes to coverage of secondary materials, as described in the Secondary Sources section of this document. Smart Litigator provides greater access to local, practice-driven secondary materials. This includes: legal news, a series of books published by the *Connecticut Law Tribune*, select information on verdicts in Connecticut, forms, judicial profiles, and a series of Q&As by local practitioners on specific areas of the law.

Note that representatives from all three platforms indicated a willingness to add additional primary and secondary materials if desired by the CBA.

FASTCASE COVERAGE AT-A-GLANCE

Case Law:

- Connecticut Supreme Court (Atlantic Reporter) (1885-current)
- Connecticut Appellate Court (Atlantic Reporter) (1983-current)

General Statutes of Connecticut (current)

Connecticut Banking Regulations (via state website)

Connecticut Constitution (via state website)

Law Journal Searching via Hein

Newspaper Abstract Searching via NewsLibrary.com

Legal Forms via USLegalForms.com

Docket Sheet Access (limited) via a Beta Project with Justia

Administrative Opinions & Orders for Certain States

Attorney General Opinions

Constitutions

SMART LITIGATOR COVERAGE AT-A-GLANCE

Connecticut Case Law:

- Licensed from/matches Fastcase

General Statutes of Connecticut (current)

Connecticut Court Rules:

- The Attorney's Oath
- Rules of Professional Conduct
- Code of Judicial Conduct
- Superior Court (General Provisions, Procedure in Civil Matters, Procedure in Family Matters, Procedure in Family Support Magistrate Matters, Procedure in Juvenile Matters, & Procedure in Criminal Matters)
- Rules of Appellate Procedure

Treatises/Analysis:

- Connecticut Causes of Action
- Connecticut Insurance Law
- Connecticut Landlord and Tenant Law with Forms
- Connecticut Medical Malpractice Law
- Connecticut Employment Law

- Connecticut Ethics and Malpractice
- Electronic Discovery
- Class Actions: The Law of 50 States
- Modern Visual Evidence
- Structured Settlements and Periodic Payment Judgments

CT Verdicts and Settlements from VerdictSearch database (www.verdictsearch.com)

Connecticut Law Tribune (2002-current)

Other Materials:

- Forms, judicial profiles, & practice Q&A (by CT practitioners)

Search Language

All three databases default to natural language searching with implied AND connectors. That is, whenever several terms are typed in the search box, without quotations around them, the database looks for documents containing all of the terms. Terms do not have to appear in order.²² Adding quotation marks should ensure that a phrase is searched in the order it appears.

Searching tips are available for each database. Casemaker and Smart Litigator's tips are directly linked to the search screen. For Casemaker, "search tips" is a clickable link under the search button. For Smart Litigator, "Search Tips" is a clickable link beside the search button. For Fastcase, researchers can access search tips via the "FAQs" under the "Help Options" box on the right, or via Fastcase blog posts.²³ Some searching tips include:

	Casemaker	Fastcase	Smart Litigator
Minimization of unwanted results	NOT <i>zoning NOT residential</i>	NOT <i>zoning NOT residential</i>	NOT <i>zoning NOT residential</i>
Word grouping	Parentheses/OR + AND <i>(zoning OR land use) AND chickens</i>		Parentheses/OR + AND <i>(zoning OR land use) AND chickens</i>
Phrase searching	Quotation marks <i>"commercial zoning"</i>	Quotation marks <i>"commercial zoning"</i>	Quotation marks <i>"commercial zoning"</i>
Wildcard searching (i.e., for various word endings)	* <i>zon*</i>	* <i>zon*</i>	* <i>zon*</i>
Proximity searching	/# or w/# <i>zoning w/3 residential</i>	w/# <i>zoning w/3 residential</i>	/# or w/# <i>zoning w/3 residential</i>

Reviews of user manuals and extensive searching revealed nuanced differences among the three databases:

²² So, a search for *the zoning commission of each city* could yield results such as: "city zoning commission will cover each...;" "each member of the zoning commission of the city...;" and "the city has decided to establish a commission for the zoning of livestock enclosures, each of which will...." Note, most databases will not search for articles or prepositions.

²³ E.g., <http://www.fastcase.com/fastcase-tips-constructing-a-broad-keyword-search/>

CASEMAKER

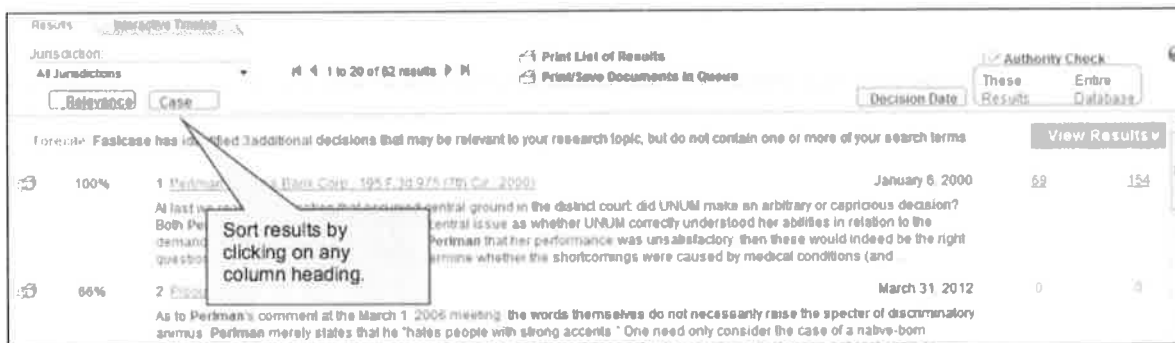
Search Language is summarized in the *User Guide*, downloadable from the Casemaker site, on page 10 under "Search Tips." Search Language is, with occasional variances, consistent with these tips:

1. Queries, carefully built, tend to produce the best answers. They are effectively ranked by relevance, reflecting human editorial judgment. For example, a search for "pro hac vice" special infrequent occasion* yielded the optimal result—P.B. §2-16.
2. Search results are automatically ranked by relevance, but, with case law, a Sort By box allows "date decided" and "most cited" as sorting options.

FASTCASE

Search Language is summarized in one short document and one long document. The short document is the *Fastcase Reference Guide 2011*, a concise instruction sheet to getting started; the long document is *Fastcase User Guide 2012 edition*, running 24 pages. Of special help in the latter is Keyword Search (with Boolean Operators) in an orange box. Like Casemaker, Fastcase has built strong instructional materials downloadable from its website. Search Language is, with occasional variances, consistent with these tips:

1. Optimal search language conforms, with occasional glitches, to the orange box standard. The same search in Fastcase as in Casemaker for "pro hac vice" special infrequent occasion* yielded the same answer—P.B. §2-16 at 100%.
2. Queries, well built, yield good answers ranked by percentage rather than relevance—a numeric ranking yielded by machine word count, not editorial analysis.
3. Search results can be sorted a variety of ways, including number of citations within the entire database and within the search results, as depicted in the visual below.²⁴



²⁴ Visual from: Fastcase, *Customizing Your Caselaw Search Results*. <http://www.fastcase.com/wp-content/uploads/2013/08/4-Customizing-your-Caselaw-Results.pdf>

SMART LITIGATOR

Smart Litigator offers no user guide or other instructional document at this time.²⁵ Absent that, the assumption is that the search language will follow its licensor, Fastcase. While the assumption seems generally true, it might not always be so. Along those lines, we found:

1. Because the search language is not as clearly defined as in Casemaker or Fastcase, some guesswork is involved.
2. Answers, while often comparable to those yielded by Fastcase, are ranked by “term frequency” in Smart Litigator, not the various rankings offered by its licensor. While term frequency in Smart Litigator is doubtless derived from the same machine-base as Fastcase, saying so specifically by percentage would offer an assurance to the researcher. For example, in a search about the authority of tree wardens, the same search query used in Casemaker and Fastcase produced the identical correct answer: C.G.S. §23-59, relevance ranked in first position. As distinct from Fastcase, however, the *stated* ranking criterion was “frequency.”
3. Sort By allows cases, as in Fastcase, to be ranked by Date and Most Cited as well.

Retrievability

All three databases retrieved similar top results for many searches, but often did not yield *identical* recent or total results. Two examples illustrate noteworthy differences. First, the citing references for *Harris v. Zoning Commission*, 259 Conn. 402, 788 A.2d 1239 (Conn., 2002) differed across the databases. Casemaker linked to 48 citing references, whereas Fastcase and Smart Litigator linked to 150. Both lists included numerous duplicates.²⁶ Casemaker’s results list contained the most recent and oldest cases; the other databases’ lists were much more exhaustive for the years of 2002-2012.

	Casemaker	Fastcase	Smart Litigator
Number of results, including duplicate cases	48	150	150
First case in results (default sort) and date	Rocamora v. Rocky Hill Planning and Zoning... May 21, 2013	Malone v. Zoning Bd. of Appeals of the Town of Westport... April 10, 2012	Malone v. Zoning Bd. of Appeals of the Town of Westport... April 10, 2012
Second (unique) case in results (default sort) and date	Patterson Oil Co. v. Borough of Bantam... May 9, 2013	Mountain Brook Ass'n, v. Zoning Bd... of Wallingford February 7, 2012	Mountain Brook Ass'n, v. Zoning Bd... of Wallingford February 7, 2012
Last case in results (default sort) and date	Webster Bank v. Zak March 26, 2002	Vibert v. Board of Ed. April 23, 2002	Vibert v. Board of Ed. April 23, 2002

²⁵ None is available on the website. An instructional document was requested at the July 9, 2013 training session, but we have received nothing as of the writing of this report.

²⁶ Roughly 30-40% of cases were duplicates across the databases. Even with the duplicate listings, Fastcase and Smart Litigator yielded more results, and Casemaker missed some results.

Second, a search for Jewish divorce²⁷ yielded different results. Inclusive dates again differed, with Casemaker providing both the newest and oldest cases.

	Casemaker	Fastcase	Smart Litigator
Number of results, including duplicate cases	40	14	14
First relevance-ranked result and date	Light v. Light December 6, 2012	Luster v. Luster April 26, 2011	Luster v. Luster April 26, 2011
Newest case in results and date	Light v. Light, December 6, 2012	Luster v. Luster, 128 April 26, 2011	Luster v. Luster, 128) April 26, 2011
Oldest case in results and date	Kantor v. Bloom March 15, 1916	Mitchell v. Mitchell) August 28, 1984	Mitchell v. Mitchell August 28, 1984

In addition to these differences, Fastcase's *Forecite* retrieved "hidden" results that might not have been found using traditional search methods (e.g., A search for "desegregation" in most databases would not yield *Brown v. Board of Education*, as the landmark case did not include the term desegregation; *Forecite* would yield *Brown*). In a search for case law containing the term 8-2(a) (i.e., a section of the Connecticut General Statutes), only *Forecite* yielded *Bloom v. Zoning Bd. of Appeals of City of Norwalk*, 658 A.2d 559, 233 Conn. 198 (Conn. 1995). That case was cited 17 times by the other search results and 143 times within the database. The only case cited more within the search results was *Harris v. Zoning Commission*, arguably the most relevant case on the topic. *Bloom* was not retrieved by Casemaker or Smart Litigator because it did not contain the term 8-2(a). The case dealt with municipal zoning, setbacks, variances, and other items central to 8-2(a).

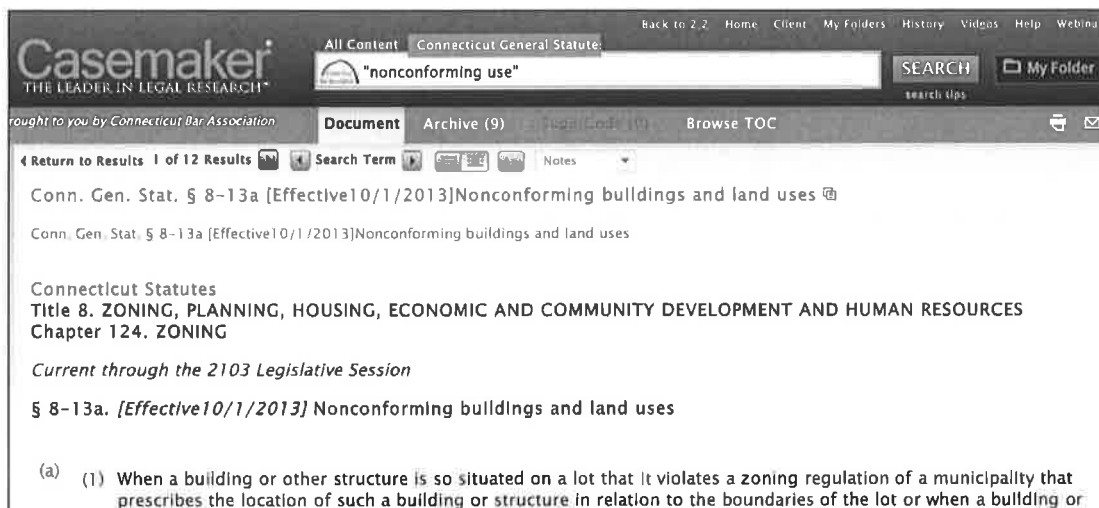
Results Ordering

Results were returned in different orders across the three databases; researcher sorting options also differed. A statutes search revealed important differences in the default ordering of results. A search was performed for "nonconforming use" within the Connecticut General Statutes (CGS) and auto-sorted by relevance. Casemaker retrieved 12 results (2 duplicate, for 10 unique results), Fastcase retrieved 19 results (no duplicates), and Smart Litigator retrieved 19 results (no duplicates). The top five results were ordered as follows:

Casemaker	Fastcase	Smart Litigator
CGS 8-13a	CGS 8-2	CGS 8-2
CGS 8-13a	CGS 8-6	CGS 8-6
CGS 8-2	CGS 8-13a	CGS 8-13a
CGS 21-68	CGS 8-12	CGS 8-12
CGS 8-2m	CGS 21-68	CGS 21-68

²⁷ I.e., A natural language search, not enclosed in quotation marks. This search intended to retrieve cases related to customary religious divorces, such as *Light v. Light*, No. NNHFA124051863S (Ct. Super. Ct. 2012).

Arguably, the most relevant statute section is 8-13a, as it is the section entitled “Nonconforming buildings and land uses.” CGS 8-2 is the introductory section; CGS 8-6 articulates the powers and duties of board of appeals. Only Casemaker listed 8-13a first.



Fastcase and Smart Litigator, which receives its statutory content directly from Fastcase, arrived at 8-13a third. They might have ranked the relevance of results by a raw count of the occurrence of “nonconforming use” as a phrase. The phrase appears 10 times in CGS 8-2; seven times in CGS 8-6; and three times in CGS 8-13a. Interestingly, the word count varies in exactly the same order: CGS 8-2 is more than 10 times as long as CGS 8-13a.

Citator

None of the databases includes a free citator. Casemaker offers the most complete human-edited citator, for purchase. Fastcase offers a free citator-like feature, Bad Law Bot. A careful review of the free and for-purchase options led us to the following conclusions:

CASEMAKER

Casemaker, among the three competing vendors, offers the closest approximation to a traditional citator with its CaseCheck+ product. Under the current bar association agreement with Casemaker, attorneys must purchase CaseCheck+ individually. CaseCheck+ flags negative (red) and positive (green) subsequent treatment. While it lacks the subtle gradations of Shepherds or Keycite, it offers warning signals sufficient to trigger closer scrutiny. It is human editor driven. In greater detail:

1. Casemaker supplements its Yes/No advice through Citing References, a feature that takes researchers from the original document to subsequent cases.


2. Citing References allows clicking on any one of the listed citations and being dropped down directly to the passage where the original case was cited. That is convenient. It also parallels what a researcher can do in Shepherds and Keycite.
3. Citing References (for Connecticut) are broken down into three jurisdictions: Connecticut, Other State, and Federal
4. Line graphs chart Citing References clearly from the decision date to the present. These graphs color-code the three jurisdictions: Orange=Connecticut; Green=Federal; Blue=Other States.
5. There is, unlike Shepherds or Keycite, no clear template for distinguishing between citations to different resources: e.g. Connecticut Statute v. Connecticut Practice Book. So some cases retrieved are irrelevant.

For CBA members who elect not to pay \$300 per year for the full citator, an option exists to upload briefs. For \$10 per brief, up to fifty citations can be checked with the results e-mailed back to the researcher.

FASTCASE

Fastcase blends two methods for suggesting positive or negative treatment: Bad Law Bot and a Bubble Chart that tracks case histories. Bad Law Bot lists subsequent cases in which the present case is listed within close proximity to words such as “overruled” or “distinguished.” Clicking on a blue number under the Authority Check column to the far right of a retrieved case will yield Bad Law Bot. It will also yield the Bubble Chart. The following search illustrates each feature:

1. Click on a retrieved statute, C.G.S. §23-59, yielding 19 citing cases. Of these, the first listed with 7 Authority hits is *Kondrat v. Town of Brookfield*, 97 Conn. App. 31, 902 A.2d 718 (2006).
2. Click on the number “7” in blue. It yields Bad Law Bot and Bubble Chart.
3. Bad Law Bot indicates 5 cases out of 19 flagged with negative treatment by a court.
4. Click on the first Bad Law Bot case: *Robbins v. Physicians for Women’s Health LLC*, 133 Conn. App. 577, 38 A.3d 142 (2012). Note: Clicking does not drop to the context in which *Kondrat* is cited, as Casemaker might have done.
5. Return to the annotations/citation list offered at the bottom of C.G.S. 23-59.
6. Click again on the blue number “7” to the right under Authority Check.
7. Examine the “Interactive Timeline” or “Bubble Chart.”
8. Five subsequent cases citing *Kondrat* are listed.
9. Rest a pointer on each of the five “bubbles” in the Interactive Timeline, bringing up the immediate context wherein each case cited *Kondrat*. Further, clicking on each bubble brings up that case for reading in full.
10. Note: Of the six cases listed in the Bubble Chart, only one, *Rivers v. City of New Britain* for, does not appear in Bad Law Bot. Also, *Robbins v. Physicians for Women’s Health*, appears twice in Bad Law Bot (once as official, once as unofficial citation).



Bad Law Bot Beta! - what other courts have said about this case

When a court cites a case that has been overturned or reversed (even on other grounds), the Bluebook requires that the court indicate the negative history right there in the citation. Bad Law Bot reads through the citations in Fastcase, identifying this kind of negative "signal information" in citations. It then reports what other courts have said about this case when citing it, flagging negative history reported by the courts. The full list of citing cases is below. [More »](#)

Rivers v. City of New Britain, 950 A.2d 1247, 268 Conn. 1 (Conn., 2008) July 22, 2008

► **Negative treatment indicated in a citation in this case**

...of a statute would yield a ridiculous result, and rejecting the interpretation on the premise that the legislature never would have intended such an absurd result. For example, in *Pecora v. Zoning Commission*, 145 Conn. 435, 144 A.2d 48 (1958), superseded by statute on other grounds as stated in *Campion v. Board of Aldermen*, 85 Conn.App. 820, 833-34, 859 A.2d 586 (2004), rev'd on other grounds, 278 Conn. 500, 899 A.2d 542 (2006), we considered whether the statutory provision that zoning regulations must "be made in accordance with a comprehensive plan and . . . be designed to . . .

Gaida v. Planning Com'n of Shelton, 947 A.2d 361, 108 Conn.App. 19 (Conn. App., 2008) May 27, 2008

► **Negative treatment indicated in a citation in this case**

...of § 8-7d(a) because the zoning change was a self-initiated action. The court then rejected the plaintiffs' claims that the zone change was spot zoning. It found that the first prong of the test to identify spot zoning, namely, the size of the area of land affected by the zone change, see *Campion v. Board of Alderman*, 85 Conn.App. 820, 849 n. 21, 859 A.2d 586 (2004), rev'd on other grounds, 278 Conn. 500, 899 A.2d 542 (2006), was met, but it also found that substantial evidence in the record supported the . . .

Overall, the Fastcase citation capability has merit. Still, it is important to consider: Is the Fastcase citation system suitable for practitioners who seek fast answers *and* certainty?

SMART LITIGATOR

Smart Litigator, having a limited license with Fastcase for its Cases & Codes library, runs roughly parallel in some areas of document retrieval. Importantly, however, its limited license with Fastcase strips out the licensor's most valuable citator-like features: Bad Law Bot and Bubble Chart. The ability in Smart Litigator to track positive/negative subsequent treatment is limited.

The same search used in Fastcase (above) retrieves the same four statutes, with C.G.S. §23-59 ranked first by "term frequency." Clicking on the retrieved statute, however, does not retrieve the 19 citing case annotations offered by Fastcase, only the 7 pinpoint case citations offered in the official statutes. The first recourse is running the statute number within quotation marks ("23-59") globally in Connecticut caselaw. That yields 22 cases. *Kondrat* is ranked Number 4 by term frequency. Clicking on *Kondrat* allows retrieval of the same 7 cases obtained in Fastcase. Clicking on those cases, however, does not provide access to either Bad Law Bot or Bubble Charts. That pattern, maintained throughout the six appended exercises, appears uniform. Smart Litigator, therefore, does not—at present—offer a citator or citator-like feature competitive with either Casemaker or Fastcase.

Editorial Content

Editorial staff and content varies widely across the three databases:

CASEMAKER

Casemaker has an editorial staff of 11 full-time attorneys and approximately 8 contract editors located in the U.S. and Mumbai, India. Some of the attorney editors are from the former Michie

Company and bring many years of experience in the field. As noted throughout this report, these editors contribute to the increased accuracy of default results and to the advance updating of primary sources (see the *Additional Features* section).

FASTCASE

Fastcase uses computer analytics as the basis for its database, relying on algorithmic devices like the Bad Law Bot rather than human editors, so it retains a minimal editorial staff.

SMART LITIGATOR

Smart Litigator licenses most of its primary source content from Fastcase. However, Smart Litigator also maintains an informal editorial board comprised of attorneys specializing in a variety of practice areas. Each member of the board contributes original secondary source content. Connecticut members include 18 attorneys from Connecticut law firms, including Mark Dubois, President-Elect of the CBA.



Secondary Source Content

Secondary source content varies widely across the three databases:

CASEMAKER

Casemaker provides little in the way of secondary source content. The full text of bar journals from 14 states and several law reviews are all that is included. However, Casemaker has the ability to integrate CBA-provided treatises, practice guides, and CLE materials into Casemaker and provide links so that users can purchase the full text of the materials.

FASTCASE

Fastcase did not provide free secondary source material during our review of the database, though a number of Fastcase partnerships enable users to search the contents of other vendors' libraries. Searching is free, but users have to pay to access most full-text materials.

- **Law Journals:** Due to a recent partnership with Hein, users will soon be able to search the contents of Hein's Law Journal Library, which includes more than 1,800 law reviews back to their first volumes. Users will be able to see Hein results and abstracts for free but will have to pay for access to the full articles. Hein searching will be integrated into the primary Fastcase site.
- **Newspapers:** Fastcase has partnered with NewsLibrary.com to offer an archive of newspaper articles from papers across the country. Searches can be restricted by state and, within that, by newspaper or journal. The query search "Boston Bombing," restricted to Connecticut yielded 1,592 hits. Brief snippets introduced each article. Full text, however, required purchase. Individual articles cost \$2.95; a monthly membership allowing 25 articles costs \$19.95; and an annual subscription allowing 500 articles per year costs \$199.95.
- **Legal Forms:** Fastcase has partnered with USLegalforms.com to offer a database of legal forms. This feature enables researchers to retrieve packages plus questionnaires on a desired topic. Using the search term "living will" and selecting Connecticut retrieved downloadable packages and questionnaires in this area. These packages (and some questionnaires) were available at cost for either instant download or mailing as paper. The Connecticut Living Wills & Health Care Package, for example, cost \$49.95 as an Instant Download and \$59.95 as a paper mailing. The living will questionnaire cost \$14.95 as instant download or \$19.95 for paper mailing. It is not clear whether the questionnaire is embedded in the package or must be bought separately. It is also not clear whether responding to the questionnaire delivers a "client ready" document.
- **Dockets and Filings:** A beta project with Justia, this feature permits multiple search avenues: Case Name, Federal Circuit Court & Federal District Court, Decision Date, etc. Direct full document access requires a PACER account. Justia appears to offer, at present, "free" daily newsletters with Federal opinion summaries.
- **Administrative Opinions & Orders:** A limited number of administrative decisions, federal and state, are included. The state level incorporates administrative orders and opinions from Hawaii, Missouri, and Oregon. It also includes Iowa Workers Comp. Decisions.
- **Attorney General Opinions:** Fastcase offers A.G. Opinions from 48 out of 50 states. Their retrospective reach varies widely and might, if Connecticut is an example, be limited to what can be retrieved from the public websites.
- **Court Rules:** An apparently comprehensive holding of current rules online—both federal and state—is drawn from public websites.
- **Constitutions:** Also an apparently comprehensive list of current materials—federal and state—is drawn from official websites.

SMART LITIGATOR

Smart Litigator provides a wealth of Connecticut secondary source materials. These materials include the following:

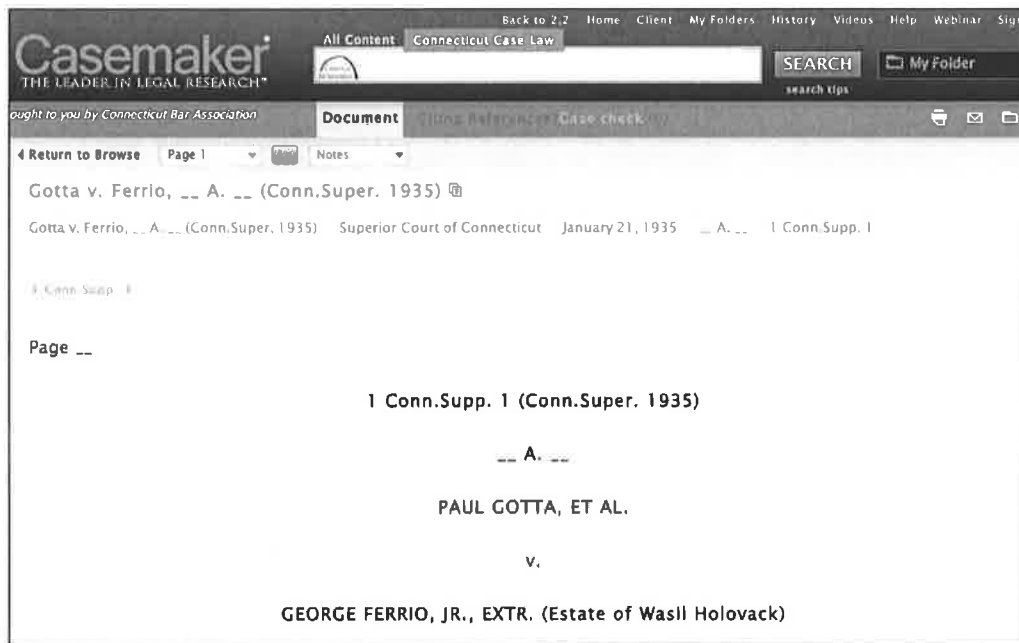
- Treatises published by the *Connecticut Law Tribune* (with the exception of Caron on Foreclosures) are provided (i.e., 10 titles in all). Any books published by the *CLT* in the future will be added to the database, with a plan to publish two new titles each year.
- Columns from the *Connecticut Law Tribune*, fully searchable and covering from 2002 to the present. Not all articles are available for free in full-text.
- Connecticut verdicts and settlements from the VerdictSearch database, covering the last 10 years, searchable by type of case and county. Drawn from Court documents and defense counsel information, this feature collects key data from important personal injury cases, including verdict information and, where applicable, jury awards or pretrial settlements. Sorting is possible by subject category. Some Verdicts & Settlement items are older. Searching V&S with the term "fibula," for example, yields cases back to 1989.
- Court-tested forms (i.e., over 1,000), created by leading Connecticut litigators. The emphasis in Smart Litigator is on Connecticut trial practice. These forms are blank boilerplate—not questionnaire/automatic-fill documents.
- Judicial profiles for all Connecticut state and federal judges. The profiles include links to relevant cases, verdicts, and news articles on Smart Litigator.
- Practice Q & A's, whereby top CT litigators answer frequently asked civil procedure and practice area questions submitted by users. 200 searchable Q & A's, and growing.

<p>Analysis</p> <ul style="list-style-type: none"> • Searchable archive of columns from the <i>Connecticut Law Tribune</i> since 2003 • Access to six Connecticut treatises, four litigation treatises and four monthly Law Journal Newsletters 	<p>Judges</p> <ul style="list-style-type: none"> • Profiles of all Connecticut State and Federal Court judges, including contact information, biographical information and links to all Smart Litigator content associated with that judge 	<p>Rules and Regulations</p> <ul style="list-style-type: none"> • Connecticut Court Rules, including Rules of Evidence, Rules of Ethics and Rules of Appellate Procedure
<p>Cases</p> <ul style="list-style-type: none"> • Database of state and federal court cases and statutes for all 50 states • Decisions from the <i>Connecticut Law Tribune</i> dating back to 2003, including hard-to-find unpublished opinions 	<p>News</p> <ul style="list-style-type: none"> • Searchable archive of news articles from the <i>Connecticut Law Tribune</i> dating back to 2002 • Full online subscription to the <i>Connecticut Law Tribune</i> available 	<p>Statutes</p> <ul style="list-style-type: none"> • Connecticut statutes • United States Code • Access to statutes for all 50 states
<p>Forms VIEW MORE</p> <ul style="list-style-type: none"> • Court-tested forms from top Connecticut litigators and eight Connecticut forms books • Searchable database of more than 1,000 forms 	<p>Practice Q & A</p> <ul style="list-style-type: none"> • Top Connecticut Litigators on our Board of Contributors answer subscribers' frequently asked procedure and practice area questions • Covers more than ten areas of practice from Commercial to Zoning and Land Use 	<p>Verdicts & Settlements</p> <ul style="list-style-type: none"> • Access to more than 4,700 Connecticut verdicts and settlements from the VerdictSearch database • VerdictSearch National database available


Historical Content

Historical content varies widely across the three databases:

Casemaker covers case law from all Connecticut courts from 1886 to the present. Its coverage of Connecticut statutes is from 2000 to the present. Casemaker's coverage of other state materials varies by state. All state appellate opinions go back to at least 1950, with some states dating back to the 1800's.



Fastcase covers case law from all Connecticut courts from 1885 to the present. Its coverage of Connecticut statutes appears to be current only. However, due to its recent partnership with Hein, users will soon be able to search the content of *Hein's State Statutes: A Historical Archives Library*, a database of all states' superseded statutes, with some states dating back as far as 1717. In addition, *Hein's Session Laws Library*, which contains the session laws of all states back to inception, will also soon be integrated into the Fastcase search system. Users will see Hein results and abstracts for free but will have to pay for access to the full text. Fastcase's coverage of other state materials varies by state. All state appellate opinions go back to at least 1950, with some states dating back to the 1800's.



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Fastcase Announces 2013 "Fastcase 50" Award Winners

Hein and Fastcase Announce Publishing Partnership

Hein to Include Hyperlinks to Caselaw and Bad Law Bot;
Fastcase to Offer Law Reviews and Historical State Statutes and Session Laws

BUFFALO, NY and WASHINGTON, DC (July 9, 2013) – Independent legal publishers William S. Hein & Co. and Fastcase today announced a new partnership in which the companies will share complementary strengths for the benefit of their members.

Under the agreement, Hein will provide federal and state case law to HeinOnline subscribers via inline hyperlinks powered by Fastcase. In addition, Fastcase will completely integrate HeinOnline's extensive law review and historical state statute collection in search results, with full access available to Fastcase subscribers who additionally subscribe to Hein's law review database.

Smart Litigator licenses its primary materials from Fastcase, so the scope of coverage for its basic primary sources is the same. Smart Litigator's secondary source coverage, which differs from Fastcase's coverage, is described in the *Secondary Source Content* section of this report.

Printing

CASEMAKER

Casemaker allows users to download individual documents, multiple documents, or lists of documents into PDF, Microsoft Word or Word Perfect format. From that point, they can print to an attached printer. To select the downloading/printing option, each screen has a printer icon in the upper right-hand corner. Before downloading materials, a user may choose between a single column and dual column layout, and he or she can include highlighted search terms and/or citing references when printing. Users may also attach notes and/or a cover page if desired.

FASTCASE

Fastcase allows users to print lists of results directly to an attached printer. Individual documents or multiple documents can be downloaded to PDF or Microsoft Word formats and then printed as well. The commands are clear. From a list of results, there is a link entitled "Print List of Results." Once a user is in a document, the links change to "Print/Save" (for individual documents) and "Add to My Print Queue" (for groups of documents). As part of authorizing the print request, a user can choose to print in one or two columns and to highlight search terms in the printed or downloaded materials.

SMART LITIGATOR

Smart Litigator allows users to print individual documents directly to an attached printer. Users may also download individual documents into PDF or Microsoft Word formats before printing. Smart Litigator does not seem to allow printing or downloading either multiple documents or lists of results. Instead, a user must go into each document and print or download it one at a time. Smart Litigator also does not allow a user to control the number of columns or print highlighted search terms. To print an open document, a user selects the printer icon located in the upper right-hand corner of the screen; there are PDF and Word icons in the same portion of the screen for downloading the document.

Research Organization

For many years, the only way to organize research using online databases was via a “History” feature, which kept track of searches run and materials retrieved. All three low-cost platforms have this feature as well, called “History” on Casemaker, “Recent Documents” on Fastcase, and “My Site History” on Smart Litigator. However, in recent years, major platforms such as WestlawNext and Lexis Advance added an organizational structure for research based on an electronic folder system, and the low-cost research platforms have largely followed suit. Casemaker has a “My Folders” tab, Fastcase has a “Favorites” feature, and Smart Litigator has “My Briefcase.”

The “Favorites” feature on Fastcase is the least sophisticated of the three, as it merely deposits individual documents or search queries into one long list. “Favorites” retains such information longer than the “Recent Documents” feature, so it is a useful addition even without the ability to manipulate the materials on the list, but it is not as user-friendly as the options on Casemaker and Smart Litigator.

Smart Litigator’s “My Briefcase” allows users to create and name different briefcases for different research projects. Users can then save individual documents to a briefcase by selecting an icon from within an open document that looks like a briefcase. “My Briefcase” also provides a variety of sorting options from within each briefcase such that users can reorder the saved items by date, title, or type.

Finally, Casemaker’s “My Folders” has the highest level of sophistication of the three platforms, as it allows users to create and name both high-level folders and subfolders. The options menu makes it easy to move or rename folders, and the left-hand navigational bar gives the user a clear sense of every folder and subfolder available and which one he or she is in at a given time. Users can also print, download, or email individual documents or groups of documents from within a folder or subfolder. Finally, Casemaker is the only platform of the three to include a notes feature. From within a document, there is a drop-down menu that allows users to create notes that attach to the top of the case. As discussed earlier, users can choose whether to show these notes or keep them hidden when printing or downloading materials.

Additional Features

Each database offers additional features CBA members might find useful. These were some of the most useful additional features we encountered:

CASEMAKER

Advanced Update of Primary Sources: Casemaker proactively gathers primary source changes and incorporates them into a revised version of what is—or will be upon effective date—the current version of a primary source. For example, Conn. Gen. Stat. §8-13a was editorially updated to incorporate changes by P.A. 13-9 effective 10/1/13. Prior to 10/1/13, the entry was identified as “pending.” A researcher can also click to the amending Public Act and drop directly to the change. That is a positive feature and reflects editorial work. Of course, the Casemaker projected version is not the official version (i.e., it has no official status). Anticipating too proactively the Legislative Commissioners Office, the List of Sections Affected, the Connecticut Law Revision Commission, and Connecticut State Library indexing might—in some instances—be concerning.

FASTCASE

Searching across Vendors’ and Public Legal Databases: As described in *Secondary Source Content*, Fastcase has partnered with Hein, NewsLibrary.com, USLegalforms, Justia, and others to provide a wide array of materials in abstract and full-text form. This enables researchers to conduct a more exhaustive search from one location—the Fastcase website—rather than opening multiple websites. Some content is free and reflects Fastcase’s effort to gather publicly available legal materials for its users (e.g., constitutions), other content is available for purchase via the original vendor (e.g., Hein).

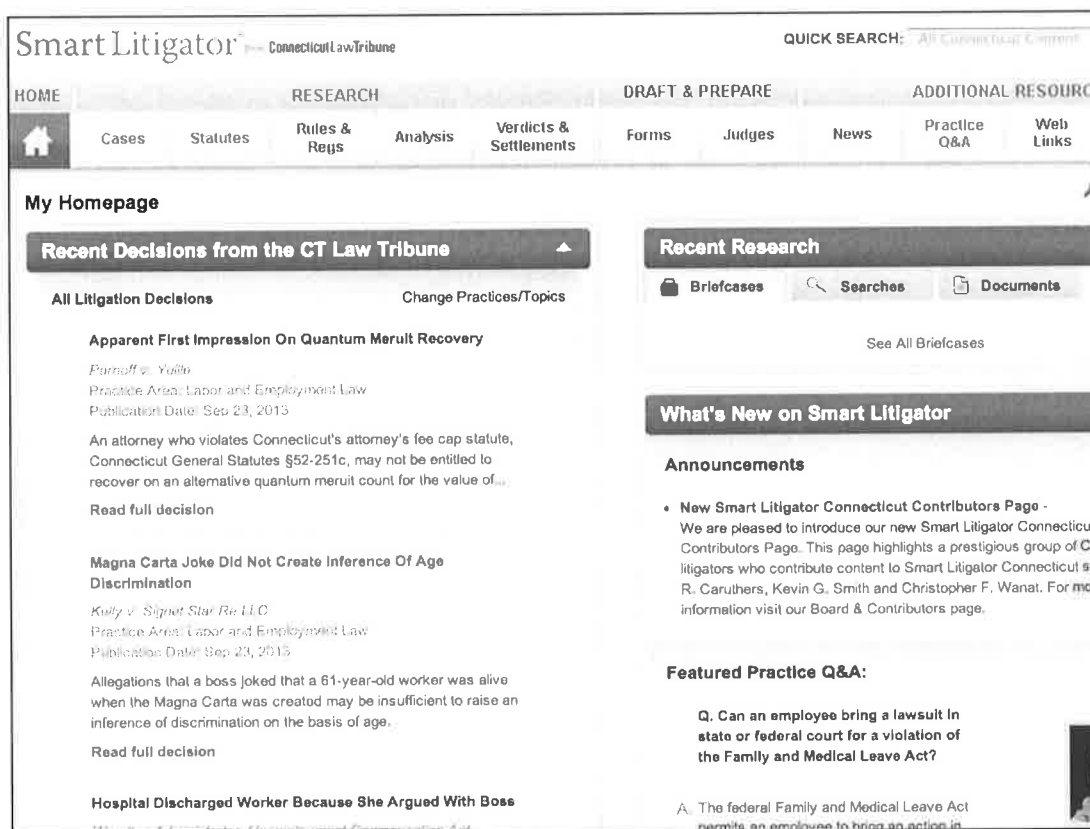
SMART LITIGATOR

Links to Sites that Connecticut Attorneys Need to Access: This emerging feature speeds access to public sites frequently useful for practitioners—Connecticut Bar Resources; Connecticut Courts; Connecticut Statutes, Rules, & State Constitution; Connecticut Legislative Resources; Connecticut Government Resources; Pre-Suit Investigation; Expert Witness Information; Legal Blogs; and Additional Web Resources. It promises to offer an efficient electronic “ready reference file” of places where members might need to go fast.

Mobile Access

All three databases are accessible via mobile devices. Casemaker “provides a mobile application for most smart phones, including the iPhone and Blackberry.”²⁸ Fastcase offers a mobile application that is “synchronized with the Fastcase bar association member benefit [e.g., in New York, New Jersey].”²⁹ Smart Litigator does not appear to have a mobile application yet, but ALM has released smartphone and tablet applications for *The Connecticut Law Tribune* and other legal titles,³⁰ so a Smart Litigator application might be forthcoming.

Outside of the apps, there is a subtle distinction between Fastcase and the other two databases. Fastcase’s responsive design adjusts the text to fit the size of the screen, whereas Casemaker’s design does not. The following graphics demonstrate this difference. Each time a screen is readjusted (e.g., laptop to desktop, differently sized browser window), the text adjusts to the screen in Fastcase. In Smart Litigator and Casemaker, the text does not readjust and is partially unreadable. It is unclear whether this distinction will be important to practitioners.



²⁸ Wanda J. McDavid, *Casemaker Upgrades and New Products Improve Functionality*, 40 Colorado Law. 53 (2011). Also available at: www.aallnet.org/chapter/coall/pubs/lrc/lrc0211.pdf

²⁹ Fastcase, *Introducing: Mobile Sync from Fastcase*. <http://www.fastcase.com/mobile-sync/>

³⁰ Business Wire, *ALM Launches iPhone and iPad Apps for 14 Legal Publications in U.S.* <http://www.businesswire.com/news/home/20130625005970/en/ALM-Launches-iPhone-iPad-Apps-14-Legal>

Casemaker
THE LEADER IN LEGAL RESEARCH™

All Content **Connecticut** Save Se...

Brought to you by Connecticut Bar Association

☐ KEYWORD ☐ CITATION ☐ PARTY ☐ SECTION

Cases View All 40

Overview

Cases 40

Unreported Superior Court 33

Bar Journal 2

CaseKnowledge 22

1. **Light v. Light, NNHFA124051863S.**

Light v. Light, NNHFA124051863S. Superior Court of Con
December 6, 2012

...time as the defendant granted the plaintiff a Jewish religious **divorce**
...defendant honor the agreement and grant the religious divorce, and
...his wife-to-be " in the manner of Jewish husbands who feed and sup

2. **Gitelman v. Gitelman, FA 00-0725844**

Gitelman v. Gitelman, FA 00-0725844 Superior Court of
...previously divorced. The wife claims that the previous divorce was p

fastcase Fastcase Home | Contact Info | Help and Support | Logout

Start Search Results Document Print My Library Options Help Welcome, Sarah Ryan

Results Interactive Timeline

Jurisdiction:
 1 to 14 of 14 results

Relevance Case Decision Date These Results Entire Database

Forecite: Fastcase has identified 3 additional decisions that may be relevant to your research topic, but do not contain one or more of your search terms.

Relevance	Case	Decision Date	These Results	Entire Database
100%	1. Luster v. Luster, 128 Conn.App. 259, 17 A.3d 1068 (Conn. App., 2011)	April 26, 2011	0	3
	9. The effect of the plaintiff's actions in the trial court has been to deny the defendant equal access to the court and to a hearing on relief that he, but not the plaintiff, seeks, solely on the basis of his incompetence. Although an action for divorce in Connecticut exists under an extensive statutory framework, it is an equitable proceeding: "While an action for divorce or dissolution of marriage is a creature of statute, it is essentially equitable in its nature. Stoner v. Stoner, 163 Conn ...			

Customer Support

Casemaker provides customer support via telephone and email, Monday through Friday from 8:00 a.m. to 8:00 p.m. Live chat service is not provided. Online documentation consists of a 21-page user guide. Training webinars and a series of online tutorials are also available.

Fastcase provides customer support via telephone, email, and live chat, Monday through Friday, from 8:00 a.m. to 8:00 p.m. It is the only one of the three services that provides customer support through live chat with a staff of reference attorneys. Online documentation is extensive and includes a complete 30-page reference guide along with a series of brief guides on specific features. Training webinars and a series of online tutorials are also available.

Smart Litigator provides customer support via telephone and email; available hours are unclear. Live chat service is not provided. Online documentation consists of a “Help System” that takes the user step-by-step through the system’s features. Training webinars and online tutorials are not provided.

Appendix: Jon Stock's Search & Retrieval Examples

CASEMAKER

Topic I	Zoning: Non-Conforming Use
Question 1:	What Connecticut Statute governs nonconforming use in zoning?
Search Method:	Go to Connecticut General Statutes
Search Query:	"nonconforming use"
Answer:	Conn. Gen. Stat. § 8-13a
Question 2:	What 2013 CT Public Act amended that Statute in 2013?
Search Method:	Go to "History" immediately below the list of previous amendments.
Answer:	P.A. 13-9 entitled "An Act Concerning Enforcement Protection for Nonconforming Structures" effective October 1, 2013
Question 3:	What related Statute protects the continuance of any nonconforming use existent at the time when other regulations were adopted.
Search Method:	Continue down to item 3 in the 12 document citation list retrieved from searching "nonconforming use."
Answer:	Conn. Gen. Stat. § 8-2(a)
Question 4:	What 2002 Connecticut Supreme Court case references the statute immediately above?
Method:	Return to the home page. Select Connecticut.
Search Query:	"8-2 a "
Answer:	Harris v. Zoning Commission of the Town of Milford, 788 A.2d 1239, 259 Conn. 402 (2002).
Question 5:	Is there any negative treatment indicated of the above cited case?
Answer:	No. It has a green flag.

- Question 6:** Is there any way of retrieving subsequent cases citing *Harris v. Zoning Commission of the Town of Milford*?
- Method:** Click on “Citing References” at the top center.
- Answer:** There are 72 citing references: 67 Connecticut, 3 Federal, and 2 in other states.
- Question 7:** Is there any method of tracking citations to this case from decision date to present?
- Method:** Click on the bar graph symbol immediately to the right of the case name.
- Answer:** Yes. There is a line graph tracking all citations through time. Further, it is color coded for clarity: orange=Connecticut; green=Federal; blue=other state.
- Question 8:** How are search results ranked?
- Method:** Study the “Sort By” box at top.
- Answer:** “Relevance”—seemingly a subjective term. However, it seems to be backed up by human editorial analysis. C.G.S. §8-13a truly is the most relevant statute. *Harris* truly is the most relevant case. You can also sort by date decided and most cited.

FASTCASE

- Question 1:** What Connecticut Statute governs nonconforming structures in zoning?
- Search Method:** Go to Connecticut General Statutes
- Search Query:** “nonconforming use”
- Answer:** Conn. Gen. Stat. § 8-2. *Commentary: Fastcase ranks this statute at 100%-- a hard number rather than the Casemaker subjective standards of Relevance. Yet, Casemaker is right. The best answer is Conn. Gen. Stat. §8-13a. Fastcase relies on a frequency count rather than human editorial analysis.*

Question 2:	Fastcase, working from the official annotations, lists out two 2011 amending acts. What were they?
Search Method:	Go to the official "History" annotations below C.G.S. §8-2.
Answer:	P.A. 11-124 Sec. 2 and P.A. 11-188 Sec. 3
Question 3:	Does Casemaker list out the same two 2011 Amendments for Conn. Gen. Stat. §8-2 as did Fastcase?
Answer:	Yes. There have not been amending acts over the last two years.
Question 4:	Does Casemaker enhance those two references in a way that Fastcase does not?
Answer:	Yes. You can hypertext directly to those enactments in Casemaker. Fast Case lacks that capability. Furthermore, when Conn. Gen. Stat. 8-13a is retrieved as most relevant in Casemaker, they list out the latest Amendment P.A. 13-9. Not only can you hypertext to the act, but it is also codified as if in the next statutory update. <i>That is a major advantage of Casemaker over Fastcase.</i>
Question 5:	Does Fastcase pick up the 2013 amendment to Conn. Gen. Stat. 8-13a in its annotations?
Answer:	No. The latest change listed was P.A. 97-296 Sections 3 and 4. Nor can you hypertext to these acts; nor is there any attempt to update the codification in real time.
Question 6:	What related Statute protects the continuance of any nonconforming use existent at the time when other regulations were adopted.
Answer:	Conn. Gen. Stat. § 8-2(a) which gets first position with 100% relevance in Fastcase, but only third position in Casemaker. Commentary: <i>Again, Casemaker appears to base "relevance" on human editorial work. Fastcase, by contrast, relies upon hard, computerized numbers.</i>
Question 7:	What 2002 Connecticut Supreme Court case references the Conn. Gen. Stat. 8-2?
Method:	Return to the home page. Go to Quick Caselaw Search.
Search Query:	"8-2 a "

Answer: The correct case that we are looking for--Harris v. Zoning Commission of the Town of Milford, 788 A.2d 1239, 259 Conn. 402 (2002) does appear, but only at Position 2 with 87% relevance. It is topped in Position 1 at 100% by Notopoulous v. Statewide Grievance Committee, 277 Conn. 218, 890 A.2d 509 (2006).

Commentary: That response is wrong because it cites Practice Book §8.2(a) not C.G.S. "8-2 a."

Question 8: **Is there any way of determining negative or positive treatment of Harris v. Zoning Commission of the Town of Milford?**

Answer: Not clearly; but you can get substantial information (not really citator-like) by clicking on the case and utilizing Authority Check as outlined immediately below.

Question 9: **Is there any way of retrieving subsequent cases citing Harris v. Zoning Commission of the Town of Milford?**

Method: Yes. Go to the Case. See Authority Check in the Toolbar. It lists on the right 150 cited cases. Click on that number.

Answer: 150 cases are listed out in inverse chronological order. There is also a "bubble chart" tracking out frequency of citation through time. Resting your pointer on the bubble chart brings up a case summary, plus the ability to hypertext to the full decision. There is also a citation summary indicating that *Harris* is cited in 149 state cases and one federal. No clear ability exists, however, to determine positive or negative subsequent treatment.

Observations:

- Fastcase does not have even the basic citator feature in Casemaker: an ability to reflect at least positive or negative treatment.
- The bubble chart chronological tracking is quantitative, not qualitative.
- Over all, Fastcase is strong on high tech innovation—but weak on editorial analysis.
- Compared to Casemaker, Fastcase makes you take "the long way round." You have to ask more questions and perform more steps to get somewhat comparable results.

Smart Litigator

Question 1: **What Connecticut Statute governs nonconforming structures in zoning?**

Search Method: Go to Connecticut General Statutes

Search Query: “nonconforming use”

Answer: Conn. Gen Stat. §8-2 ranks highest in a list of 19 results based on frequency. It is the same result—but without percentage indicator (100%). Like its licensor FC, SL ranks the best answer (C.G.S. 8-13(a)) in third position. Both rely on word frequency count/artificial intelligence rather than human editorial work. SL licenses only a “watered down” FC.

Question 2: **What is the latest amendment shown in the statute history section?**

Search Method: Go to “History” immediately below the list of previous amendments.

Answer: P.A. 11-124, S. 2; 11-188, S. 3 [Same answer as Fastcase. Unlike Casemaker, you cannot directly hyperlink to the amending acts.]

Question 3: **What related Statute protects the continuance of any nonconforming use existent at the time when other regulations were adopted.**

Search Method: Continue down to item 3 in the 10 document citation list retrieved from searching “nonconforming use.”

Answer: Conn. Gen. Stat. § 8-13(a) [Casemaker and Fastcase. Like its partner, Smart Litigator does not pick up the 2013 amendment; nor, again, is there any capability of linking to previous amendments. Both systems adhere strictly to what is in the latest official code with no enhancements.]

Question 4: **What 2002 Connecticut Supreme Court case references Conn. Gen. Stat. §8-2?**

Method: Select Connecticut Cases from the home page.

Search Query: “8-2 a “

Answer: Same Answer as with FC. The correct case that we are looking for--Harris v. Zoning Commission of the Town of Milford, 788 A.2d 1239, 259 Conn. 402 (2002) does appear, but only at Position 2 with 87% relevance. It is topped in Position 1 at 100% by Notopoulos v. Statewide Grievance

Committee, 277 Conn. 218. 890 A.2d 509 (2006). *Commentary: That response is **wrong** because it cites Practice Book §8.2(a) not C.G.S. “8-2 a.”*

Question 5: Is there any negative treatment indicated of the above cited case?

Answer: No.

Question 6: Is there any way of retrieving subsequent cases citing *Harris v. Zoning Commission of the Town of Milford*?

Method: Yes. Click on the Case. At the top, there is an option for “Citation Check.” It indicates 150 citing cases. Click on that number.

Answer: You get the same 150 cases retrieved in Fastcase question 9 above. The “bubble chart” view retrieved in Fastcase **does not**, however, emerge in Smart Litigator. SL has a watered down license.

Observations:

- Good Point: The default is always Connecticut. You do not have to reset constantly.
- Bad Point: Like its partner Fastcase, Smart Litigator only mirrors the statutory amendment history in the official version. It offers no opportunity to link directly with the amending acts; nor does it, like Casemaker, proactively codify recent changes into the statutory compilation before it official comes out.
- Bad Point: Searching a specific citation in case law cannot be restricted by Court Level—only by date. As indicated above, the Supreme Court decision most frequently citing Conn. Gen. Stat. 8-2 needs the 2002 annual restriction. Otherwise, you get an unwieldy 683 cites. Since working through cite lists is impossibly slow, other restrictions are necessary; and the only one readily available seems to be date. That requires you to know the date.
- Bad Point: Running citation check in Smart Litigator, although yielding the same Connecticut results, does not even include the bubble chart feature offered by Fastcase. Nor is there any Bad Law Bot feature. Again, SL offers only a watered down FC.

CASEMAKER

Topic II: Authority of Tree Wardens

Question 1: Cite the Connecticut Statute that gives local tree wardens care and control of all trees and shrubs in whole or in part within the limits of any public road or grounds.

Search Method: Select Connecticut from the main menu. Select the General Statutes of Connecticut.

Search Query: tree w/10 warden* care control

Answer: Conn. Gen. Stat. 23-59 ranks number 1 among 3 hits by "relevance."
Commentary: Good point. That is the correct statute and, again, relevance is determined by human editorial analysis.

Question 2: What Are the latest amending public acts?

Search Method: Click on C.G.S. 23-59. Review the red-lettered list of amending acts posted immediately under Title and Chapter.

Answer: The amending acts **were—on the first search**--set forth immediately below.

Includes legislation enacted in P.A. 13-1 through P.A. 13-127; 13-129 through P.A. 13-247, P.A. 13-277, P.A. 13-303, and P.A. 13-311.

*Commentary : The second search run 8/2/13 finds that the above cited 2013 change legislation has evaporated from the annotations. While revisions remain in red, they appear to come from P.A. 00-106—not from any 2013 amendment. Bottom line is that the advanced codification **may not** be accurate. Further, this proactive codification **may not** be secure. It is **not** official and—not being official—one may need to consult the Official List of Sections Affected from the General Assembly.*

Question 3: How many citing cases are there?

Search Method: Select Connecticut cases from the main menu.

Query: 23 w/1 59

Commentary 1: No result comes from searching "23-59" even though closed quotes are supposed to work in their documentation. Instead, an proximity search is needful. Further, Casemaker does not even utilize the

pinpoint case citations provided in the official statutes. So you end up with none.

Answer: 69 including unpublished trial court decisions.

Question 4: Of these, what is the most recent Connecticut Appellate Court Decision?

Search Method: Select "Court of Appeals of Connecticut" on the left and run the same search. That produces 14 results. Then change the Sort from relevance to date decided.

Commentary: The method of selecting court level is too difficult.

Answer: Wisniewski v. Town of Darien, 42 A.3d 46, 135 Conn. App. 364 (2012).

- Good point: Casemaker gets the unofficial and official citations earlier than Fastcase.
- Bad point: An unofficial version of the same case appears immediately below which is redundant.

Question 5: Can you determine subsequent treatment via the Casemaker citation check feature?

Answer: Yes. There is a green flag and a clear indication in the text that there has been no negative treatment.

*Commentary: Neither competitor offers this clear-cut positive/negative indication. Also, subscribers can, should they not opt to pay \$300 extra per year, upload individual briefs. For \$10 they can get flag-checking for up to 50 citations. Further, clicking **Case Check** yields two citing references to an unpublished trial court case this year. Unfortunately, the citations are duplicative to Williams v. Housing Authority of Bridgeport (January 31, 2013). Shepherds also gets that case.*

Question 6: Of the 14 Connecticut Appellate Court cases retrieved, which case tops the "relevance" list?

Answer: McDermott v. Calvary Baptist Church, 791 A.2d 602, 68 Conn. App. 284 (2002). It has a red flag.

- Good point: Note that, of the fourteen cases, 2 have negative treatment and 11 positive.

- Bad Point: One—O’Connell, Flaherty, & Attmore v. Doody (2010) shows no subsequent treatment or citing cases which is unlikely. So there are flaws in the citator.
- Another Bad Point: Again, some cases refer to P.B. Sec. 23-59 rather than the statute. It all makes the case for accessing Shepards or Keycite via the public law libraries. Casemaker is better than its competitors with this feature, but not sufficient when you are on trial.

FASTCASE

Question 1: Cite the Connecticut Statute that gives local tree wardens care and control of all trees and shrubs in whole or in part within the limits of any public road or grounds.

Search Method: Go to Search Statutes. Check Connecticut.

Search Query: tree w/10 warden* & care & control

Answer: Conn. Gen. Stat. 23-59 ranked at 100%.
Commentary 1: Again, percentage confirmation is encouraging—but, again, keep in mind that machine count frequency is the criterion.

Question 2: What Are the latest amending public acts?

Search Method: Review the list of amendments.

Answer: P.A. 00-106.

Question 3: How many citing cases are there?

Search Method: Click on the statute and review Fastcase annotations.

Answer: 19.

Question 4: Of these, which is the most recent Connecticut Appellate Court Decision?

Answer: Wisniewski v. Town of Darien. Conn. App. 2012. *Bad point: Official cite not given. Earlier Conn. App. Cases do have official citations. So Fastcase seemingly runs well behind. Good point: they do give you direct case law links, unlike Casemaker. Bad Law Bot sometimes compensates at least partially for not having a citator feature.*

Question 5: Can you run “Authority Check” on Wisniewski?

Answer: No. *The authority check box offers no citing cases. It misses Williams v. Housing Authority of Bridgeport (2013) found by Casemaker. Williams, incidentally, does arise from Lexis/Shepherds.*

Question 6: Of the ten cases, the highest number of authority hits is at top with 7: **Kondrat v. Town of Brookfield, 97 Conn. App. 31 (2006).** How do you reach those cases—and what do they tell us about subsequent treatment?

Method: Click on the number 7.

Answer: 7 cases appear in “Bad Law Bot” (in Beta test), which is based on a Bluebook standard that courts reversing or overturning a decision (even if on other grounds) so indicate in an opinion. That is the Fastcase effort to indicate positive or negative treatment. You also get the interactive time-line or “bubble chart” feature as an attempt to provide citator capacity. *Bad point: Kondrat is not highlighted; nor, if you use Google Chrome, can you reach it with an Edit/Find. Nor does there appear to be a click for hitting Kondrat in context. So you have to read through the entire case.*

SMART LITIGATOR

Question 1: Cite the Connecticut Statute that gives local tree wardens care and control of all trees and shrubs in whole or in part within the limits of any public road or grounds.

Search Method: Go to Search Statutes. The default is always Connecticut. *Good Point: Convenience for Connecticut practitioners. Bad Point: Insular and discourages look elsewhere. Convenient, but maybe too convenient.*

Search Query: tree w/10 warden* & care & control

Answer: Conn. Gen. Stat. 23-59. Same result as Fastcase. There were the same 4 hits as with FC but again **no percentage indicator, “relevance” being the default criterion.**

Question 2: What Are the latest amending public acts?

Search Method: Review the list of amendments.

Answer: P.A. 00-106.

Question 3: How many citing cases are there?

Search Method: Review list at the end.

Answer: 7. Only the list of cases provided in the official statutes—and those are pin point citations so it is hard to get the case with a first page citation.

Commentary: It does not include the list of cases offered in Fastcase (10). Nor does there appear to be an Authority Check feature. Nor does there appear to be Bad Law Bot. Nor do you get the “bubble chart.” So the “partnership” between Fastcase and Smart Litigator is less than full.

Question 4: Of these, what is the most recent Connecticut Appellate Court decision?

Method: Go to the CT Statute Library and run the query set below. N.B.: *Wisniewski, supra.* is not discernible from these limited pin-point citations from the official code only. Probably there is no citation since the case was recent from 2012. SL, a cut-down FC, requires going the long way around.

Search Query: “23-59.”

Answer: There are 22 results are retrieved as opposed to 10 in Fastcase. So Smart Litigator may be running ahead; but, as we see below, some results are irrelevant and pertain to the Practice Book section 23-59 and not the statutes. *Wisniewski v. Town of Darien*, 135 Conn. App. 364, 42 A.3d 436 (2012) does appear at Position 2. **Good point:** It has the updated citation, unlike Fastcase. **Bad point:** A 2013 Appellate Court case *Syncowicz v. Syncowicz*, 140 Conn. App. 525, 59 A.3d 1194 (2013) appears first when you sort by most recent date; but it is a family case with no relevance to tree wardens. Nor can you readily discern the hit to 23-59. It may be there as a practice book citation, but even Edit/Find does not reveal it. Other cases on the list also cite to the practice book. There is no way, as in Shepherd’s, to specify the search as to a statute.

Question 5: Can you run “Authority Check” on Wisniewski?

Answer: No. the right hand column below the authority check box on the lower right reads zero. Same as in Fastcase.

Question 6: Of the 22 cases retrieved in Smart Litigator (as opposed to 7 in Fastcase), sorting by Frequency puts Kondrat v. Brookfield in position 4 by term frequency. How many citing cases are listed for Kondrat v. Brookfield?

Answer: 7 cases are listed as with Fastcase. Bad point: the “Bad Law Bot” feature appears to be absent—so, again, the licensing agreement between the two appears not to be comprehensive. It is not true that, by acquiring Smart Litigator, you also get a full Fastcase. So, their offer to license Casemaker instead (including its citator feature) needs close scrutiny. Another bad point in the same vein: Smart Litigator does not give you the “bubble chart” view provided by Fastcase. Still another bad point: It does not seem possible to sort by court level.

Casemaker

Topic III Common Law Marriage in Connecticut

Question 1: How many Connecticut cases address the topic of common law marriage?

Search Method: “common law marriage*”

Question 2: How many cases are retrieved?

Answer: 53

Question 3: What is the criterion for this listing?

Answer: “relevance”

Question 4: What is the citation of the first listed case.

Answer: Collier v. City of Milford, 537 A.2d 474, 206 Conn. 242 (1988).
Observation: In Connecticut, it is better that the official citation appears first, the unofficial second.

Question 5: Does the Casemaker citator reveal any negative treatment?

Method: Observe green flag and click on the case.

Answer: No. There has been no negative treatment.

Question 6: How many cases cite Collier v. City of Milford?

Search Method: Click on "Citing References/Case Check" next to "Document" at top.

Answer: 3

Question 7: What are the three citing cases?

Search Method: Click on "Case Check."

Answer: Herring v. Daniels, 70 Conn. App. 649, 805 A.2d 718 (2002)
Jennings v. Hurt, 160 A.D.2d 576, 554 N.Y.S.2d 220 (1990)
Packer v. SN Servicing Corp., 02078 CTDC, 3 04 cv1506 (2008)

Commentary: Both Connecticut and New York cases are the same as found in FC and SL. But neither retrieve the third Federal case from the U.S. District Court for Connecticut.

Question 8: Is there any indication about how the second New York Appellate Division case viewed the Connecticut Appellate Court decision?

Answer: No. There are no indicators of how it was viewed, nor what points of law within the original cited case may have been important, nor positive or negative treatment.

Question 9: How can we extract the reference to *Collier* by the Appellate Division?

Search Method: Click on the case.

Answer: It drops you directly to where *Collier* is cited.

Commentary: That does not happen in FC and SL where you can do an Edit/Find using the Explorer browser. Using Google Chrome, Edit/Find is not an option. So the direct drop to the citation in Casemaker is an advantage. Here is the key passage:

"To establish a common-law marriage in South Carolina, the proponent must establish "an intention on the part of both parties to enter into a marriage contract ..." (Ex Parte Blizzard, 185 S.C. 131, 193 S.E. 633). The mutual agreement necessary to create such a marriage "must be conveyed with such a demonstration of intent and with such clarity on the part of the parties that marriage does not creep up on either of them and catch them unawares. One cannot be married [160 A.D.2d 578] unwittingly or accidentally" (Collier v. City of Milford, 206 Conn. 242, 537

A.2d 474, 478-479). The evidence in this instance demonstrates that there was neither a mutual intent nor an agreement to enter into a marriage contract. Consequently, there was no common-law marriage."

Fastcase

Question 1: **How many Connecticut cases address the topic of common law marriage?**

Search Method: "common law marriage*"

Question 2: **How many cases are retrieved?**

Answer: 21

Question 3: **What is the criterion for this listing?**

Answer: Fixed percentage relevance.

Question 4: **What is the citation of the first listed case.**

Answer: Collier v. City of Milford, 537 A.2d 474, 206 Conn. 242 (1988).It rates 100%.

Commentary: In Connecticut, it is better that the official citation appears first, the unofficial second.

Question 5: **How many cases cite Collier v. City of Milford?**

Search Method: Open the case and reference "Authority Check" at top left immediately above the case name.

Answer: 2

Question 6: **What are the two citing cases?**

Search Method: Click on the highlighted number "2."

Answer: Herring v. Daniels, 70 Conn. App. 649, 805 A.2d 718 (2002)
Jennings v. Hurt, 160 A.D.2d 576, 554 N.Y.S.2d 220 (1990)
Commentary: Again, FC does not pick up the Federal Case
Packer v. SN Servicing Corp., 02078 CTDC, 3 04 cv1506 (2008)

Question 7: Is there any indication about how the New York Appellate Division viewed the Connecticut Appellate Court decision?

Answer: No. Not more clearly than in Casemaker or SL. However, Fastcase does offer the “bubble chart” tracking of citations over time—as well as the Bad Law Bot feature when necessary. Smart Litigator, although it ostensibly licenses Fastcase, does not offer these features. So the terms of the partnership are very restricted.

Commentary: Having Smart Litigator does not provide all Fastcase utilities—including the most important ones. There are no indicators of how it was viewed, nor what points of law within the original cited case may have been important.

Question 8: How can we extract the reference to *Collier* by the Appellate Division?

Search Method: Click on “Jump to Most Relevant Paragraph” at the top right.

Answer: There is one match to *Collier*, apparently favorable and accepting Connecticut criteria to establish a valid common law marriage.

“To establish a common-law marriage in South Carolina, the proponent must establish “an intention on the part of both parties to enter into a marriage contract ...” (Ex Parte Blizzard, 185 S.C. 131, 193 S.E. 633). The mutual agreement necessary to create such a marriage “must be conveyed with such a demonstration of intent and with such clarity on the part of the parties that marriage does not creep up on either of them and catch them unawares. One cannot be married [160 A.D.2d 578] unwittingly or accidentally” (*Collier v. City of Milford*, 206 Conn. 242, 537 A.2d 474, 478-479). The evidence in this instance demonstrates that there was neither a mutual intent nor an agreement to enter into a marriage contract. Consequently, there was no common-law marriage.”

General Observation on all three databases: For people using Windows XP, the speed of navigation is better with an alternative browser rather than Explorer. I have switched to Google Chrome which has effectively cured the slowness—especially with Smart Litigator.

Question 9: Is it possible to track subsequent treatment of *Collier v. Milford*?

Method: Click on the Case.

Answer: Yes. The same two Connecticut and New York cases are retrieved as with Casemaker:

Herring v. Daniels, 70 Conn. App. 649, 805 A.2d 718 (2002)
Jennings v. Hurt, 160 A.D.2d 576, 554 N.Y.S.2d 220 (1990)
Commentary: But, again, FC does not get the Federal Case: Packer v. SN Servicing Corp., 02078 CTDC, 3 04 cv1506 (2008)

FC does have the bubble chart citation tracking over time plus the Bad Law Bot feature as relevant. It should be noted that, although SL licenses elements of FC, it does not have even these features. So having SL does not mean full having FC.

Smart Litigator

Question 1: **How many Connecticut cases address the topic of common law marriage?**

Search Method: Go to Connecticut caselaw.

Search Query: "common law marriage*"

Question 2: **How many cases are retrieved?**

Answer: 21
*Commentary: Pasting in the Search Query in Question 1 yields a **zero** result. Typing it in yields the **same** 21 results as in FC.*

Question 3: **What is the criterion for this listing?**

Answer: Term Frequency.

Question 4: **What is the citation of the first listed case.**

Answer: Collier v. City of Milford, 537 A.2d 474, 206 Conn. 242 (1988).

Commentary: In Connecticut, it is better that the official citation appears first, the unofficial second.

Question 5: **How many cases cite Collier v. City of Milford?**

Search Method: See "Citation Check" at top immediately below the case name.

Answer: 2

Question 6: **What are the two citing cases?**

Search Method: Click on "2 total cases."

Answer: Herring v. Daniels, 70 Conn. App. 649, 805 A.2d 718 (2002)
Jennings v. Hurt, 160 A.D.2d 576, 554 N.Y.S.2d 220 (1990)
Commentary: As with FC, SL misses the Federal decision found in CM:
Packer v. SN Servicing Corp., 02078 CTDC, 3 04 cv1506 (2008)

Question 7: **Is there any indication about how the New York Appellate Division viewed the Connecticut Supreme Court decision?**

Answer: No. There are no indicators of how it was viewed, nor what points of law within the original cited case may have been important. Nor is there any bubble chart; nor, any Smart Law Bot.

Commentary: These features were not part of the license agreement between FC and SL. Caution is advised as to whether SL could license the CM citator as well.

Question 8: **How can we extract the reference to Collier by the Appellate Division?**

Search Method: Open *Jennings* and do Edit/Find from the menu.

Answer: There is one match, apparently favorable and accepting Connecticut criteria to establish a valid common law marriage.

"To establish a common-law marriage in South Carolina, the proponent must establish "an intention on the part of both parties to enter into a marriage contract ..." (Ex Parte Blizzard, 185 S.C. 131, 193 S.E. 633). The mutual agreement necessary to create such a marriage "must be conveyed with such a demonstration of intent and with such clarity on the part of the parties that marriage does not creep up on either of them and catch them unawares. One cannot be married [160 A.D.2d 578] unwittingly or accidentally" (Collier v. City of Milford, 206 Conn. 242, 537 A.2d 474, 478-479). The evidence in this instance demonstrates that there was neither a mutual intent nor an agreement to enter into a marriage contract. Consequently, there was no common-law marriage."

Commentary: Again, the apparent absence of a "next hit" capability within the document is inconvenient. It is, again, clear that the citation feature is profoundly limited. Further, Edit/Find cannot work either if you are using Google Chrome.

There does not appear to be a fast way of getting back to your full list of retrieved citations—except by hitting the back button on the browser. Another way is backing up to the home page and accessing “Site History” which is an obscure name. Search History would be better.

Summary Observation: The system, over all, is time-consuming and loads slowly. Speed is improved by using Google Chrome as the browser. But it is still slow and clunky compared to its competitors.

Question 9: Is it possible to track subsequent treatment of *Collier v. Milford*?

Method: Click on the Case.

Answer: No. SL does not have the bubble chart citation tracking over time plus the Bad Law Bot feature present in FC. It should be noted—again--that, although SL licenses elements of FC, the licensure falls far short of full partnership. That caution needs to be monitored in any proposed future linkage between any of the three databases now under review. We would need to know very precisely the terms of all proposed alliances before making a final decision.

CASEMAKER

Topic IV Connecticut age disqualification from jury service

Question 1: What Connecticut statute includes a provision allowing disqualification of a person who is seventy years of age or older and chooses not to perform juror service?

Search Method: Go to the Connecticut General Statutes

Search Query: disqual* jur* serv* choose* perform*

Answer: Conn. Gen. Stat. §51-217.

Question 2: Is it possible to determine when the age seventy disqualification was first enacted?

Search Method: Review the historical annotations beneath the statute text.

Answer: No. The official version traces back to the previous 1949 code provision. It then enumerates changes to the present 1958 codification from 1963 onward. To know when historically the age 70 option to disqualify was

adopted, you would have to trace back manually through all previous codes in print.

Commentary: It is often necessary to work backward to determine historical derivation. For that—absent a subscription to some electronic archive—you have to rely upon print archived in public access law libraries. Further, recent developments between Fastcase and Hein-On-Line merit attention. The HOL alliance may such items as Connecticut Statutes back to 1888 and session laws back to the 17th Century within reach.

Question 3: **When was this statute most recently amended?**

Search Method: Look at the “History” Section immediately below the official annotations. The most recent amendment is in blue hypertext.

Answer: P.A. 10-43 effective Oct. 1, 2010.
*Commentary: This feature makes one uneasy. The information changed since a previous search. CM is anticipating the **work of the Legislative Commissioner; and that anticipation may not be accurate.***

Question 4: Did any of the above enactments impact Conn. Gen. Stat. §51-217(a)(7) setting forth the age 70 disqualification?

Search Method: Review the statutory text as set forth. Amending language appears in red. Hypertext to the latest amendment: 10-43. Review that amendment.

Answer: No. The 2010 amendment leaves the age 70 disqualification intact.

Commentary: Again, the advance codification service appears attractive; but caution is advised. Whatever CM comes up with lacks official status, their view shifts through short periods, and technology is no secure alternative to human judgment—in this instance that of the Legislative Commissioner.

Question 5: **Does Casemaker include the pinpoint case annotations offered by our official statutes?**

Search Method: Review the annotations.

Answer: No. There are no case citations to any provision of that statute.
*Commentary: **Why? Especially since they offer none of their own.***

Question 6: **How many case citing Conn. Gen. Stat. §51-217 emerge from searching that database?**

Search Method: Go to Connecticut Case Law.

Search Query: "51-217" seventy

Answer: Four cases are retrieved and ranked by "relevance."
 1) Morgan v. St. Francis Hospital & Medical Center, 583 A.2d 630, 216 Conn. 621 (1990).
 2) State v. Townsend, 356 A.2d 125, 167 Conn. 539 (1975).
 3) Johnson v. Commissioner of Correction, 589 A.2. 1214, 218 Conn. 403 (1991)
 4) State v. Cobbs, 324 A.2d 234, 164 Conn. 402 (1973).

Question 7: Is there an indication of subsequent treatment.

Search Method: Examine the flagging system for each case, both in the citation list and internally within the case.

Answer: All four cases bear the green flag indicating no negative subsequent treatment.

Question 8: Is there an ability to retrieve other cases citing each of the four above—and can you get a citation list for each?

Method: Observe the blue number immediately to the far right of each case.

Answer: Yes. Case 1 is cited in 5. Case 2 is cited in 42. Case 3 is cited in 93. Case 4 is cited in 53. Click on the numbers produces the full citation list.

Question 9: Is there a time-line/chart based tracking system of citations to these cases?

Method: Click on the blue bar graph symbol following the number of citations listed on the far right.

Answer: Yes. There is a line graph charting from the date of decision to the present. It also color codes the citing courts: orange for Connecticut, green for Federal, and blue for other states.

Commentary: This capability is competitive with the "bubble chart" offering in Fastcase. The combination of a credible—although limited—citorator feature with the line charts merits serious consideration. It is especially attractive since this system is more lucid than bubble charts and—most importantly—green flag/red flag gives busy practitioners the best "heads-up" in emergency situations.

FASTCASE

Question 1: What Connecticut statute includes a provision allowing disqualification of a person who is seventy years of age or older and chooses not to perform juror service?

Search Method: Go to the Connecticut General Statutes

Search Query: disqual* & jur* & serv* & choose* & perform*

Answer: Conn. Gen. Stat. 51-217 is the sole hit.

Comment: Fastcase validates hits by fixed percentages—not abstract relevance. The above statute rates 100%. Again, note that the rating is machine based, not human editorial based.

Question 2: Is it possible to determine when the age seventy disqualification choice was first enacted?

Search Method: Review the historical annotations beneath the statute text.

Answer: No—for the same reason stated above. Fastcase only reproduces the historical changes from the 1949 code. See my answer to this same question above. The official version traces back to the previous 1949 code provision. It then enumerates changes to the present 1958 codification from 1963 onward. To know when historically the age 70 option to disqualify was adopted, you would have to trace back manually through all previous codes **in print**.

Commentary: It is often necessary to work backward to determine historical derivation. For that—absent a subscription to some electronic archive—you have to rely upon print archived in public access law libraries. Further, all three databases would benefit from licensing archival materials from some other vendor. Law Library Microform Consortium Digital (LLMC) might be an option.

Question 3: When was this statute most recently amended?

Search Method: Check the historical annotations reproduced from the official version. That is all you can do in Fastcase.

Answer: P.A. 10-43.

Commentary: Fastcase, like Casemaker, goes with the official history—inevitable since no changes have happened since the latest codification. It may be that the Casemaker advance codification, although attractive, is risky.

Question 4: Did any of the above enactments impact Conn. Gen. Stat. §51-217(a)(7) allowing the age seventy disqualification?

Search Method: Review the official history text.

Answer: No. for the same reasons stated above with Casemaker. Unlike CM, FC does not let you hyperlink to P.A. 10-43. Nor does it drop you to the relevant section thereof.

Question 5: Does the official code offer cases citing Conn. Gen. Stat. §51-217?

Search Method: Review the annotations.

Answer: Yes. This version reproduces extensive—albeit pinpoint only—citations to cases.

Commentary: Casemaker fails to reproduce these citations, which are present in the official version online. Something appears to have slipped.

Question 6: How many cases does FC list citing Conn. Gen. Stat. 51-217?

Search Method: Observe the FC Annotations immediately following the official text.

Answer: 17 cases are listed out—ranked by the number of cases in which each is subsequently cited. The interactive time-line/bubble chart is given for each.

Commentary: The listing out of cases citing the statute is far better than in Casemaker, which offers none.

Question 7: How many cases citing Conn. Gen. Stat. §51-217(a)(7)—the section embedding the age seventy disqualification--emerge from searching that data base?

Search Method: Go to Connecticut Case Law.

Search Query: "51-217" & seventy

Answer: Four cases are retrieved and ranked fixed percentage.
1) State v. Townsend, 356 A.2d 125, 167 Conn. 539 (1975). 100%
2) Morgan v. St. Francis Hospital & Medical Center, 583 A.2d 630, 216 Conn. 621 (1990). 100%
3) State v. Cobbs, 324 A.2d 234, 164 Conn. 402 (1973). 66%
4) Johnson v. Commissioner of Correction, 589 A.2. 1214, 218 Conn. 403 (1991). 66%

Question 8: Is there an indication of subsequent treatment?

Search Method: Click on the first cited case State v. Townsend. Observe "Authority Check." The blue numbers 1 and 43 . Click on the blue number 1 first.

Answer: Clicking on 1 yields State v. Townsend with bubble chart and Bad Law Bot.

Question 9: Is there an ability to retrieve other cases citing each of the four above—and can you get a citation list for each.

Method: Click on the blue number 43.

Answer: Again, you get "Bad Law Bot" plus a list of the 43 citing cases. The same thing can be done with the other three so retrieved.

Commentary: This approach yields the FC version of a "citor" and corresponds to Casemaker Question 9 above.

SMART LITIGATOR

Question 1: What Connecticut statute includes a provision allowing disqualification of a person who is seventy years of age or older and chooses not to perform juror service?

Search Method: Go to the Connecticut General Statutes

Search Query: disqual* & jur* & serv* & choose* & perform*

Answer: Conn. Gen. Stat. 51-217 is the sole hit.
Comment: SL, predictably, yields the same result; but it does not provide the assurance by a 100% percentage that FC yields. It is important to stress that the SL licensing of FC is by no means comprehensive. We need to be careful about that in any other contractual sharing. The same might be important in any linkage with Casemaker.

Question 2: Is it possible to determine when the age seventy disqualification choice was first enacted?

Search Method: Review the historical annotations beneath the statute text.

Answer: No—for the same reason stated above. Like Casemaker and FC, SL reproduces the official annotations which only project backward to the 1949 code. Fastcase only reproduces the historical changes from the 1949 code. To know when historically the age 70 option to disqualify was adopted, you would have to trace back manually through all previous codes **in print**.

Commentary: It is often necessary to work backward to determine historical derivation. For that—absent a subscription to some electronic archive—you have to rely upon print archived in public access law libraries.

Additional Commentary: All three databases would benefit from licensing archival materials from some other vendor. It may seem that—at this writing—Fastcase has made the best progress therein.

Question 3: When was this statute most recently amended?

Search Method: Check the historical annotations reproduced from the official version. That is all you can do in Fastcase.

Answer: P.A. 10-43.

Question 4: Did any of the above enactments impact Conn. Gen. Stat. §51-217(a)(7) allowing the age seventy disqualification?

Search Method: Review the official history text.

Answer: No. P.A. 10-43 is the latest change as in CM, FC, and the official states. Unlike CM and like FC, you cannot go direct to the amending act and drop down to the change.

Question 5: Does the official code offer cases citing Conn. Gen. Stat. §51-217?

Search Method: Review the annotations.

Answer: Yes. This version reproduces extensive—albeit pinpoint only—citations to cases present in the official version.

Commentary: Casemaker fails to reproduce these citations, which are present in the official version online. Something appears to have slipped.

Question 6: **How many cases—beyond the official pinpoint cites—does Smart Litigator offer citing Conn. Gen. Stat. 51-217?**

Search Method: Look for non-official annotations in the SL document.

Answer: None. SL does not offer the 17 cases listed out in FC. Nor is there any interactive time-line bubble chart.

Commentary: Again, the SL license with FC is “bare bones” and lacks enhancements provided by the latter.

Question 7: **How many cases citing Conn. Gen. Stat. §51-217(a)(7)—the section embedding the age seventy disqualification--emerge from searching that data base?**

Search Method: Go to Connecticut Case Law.

Search Query: “51-217” & seventy

Answer: 9 cases are retrieved—all but two different than in FC. The full is:
State v. Rodriguez, 183 Conn. 382
State v. Townsend, 165 Conn. 539
State v. David, 2 Conn. Circ. 199
State v. Machia, 38 Conn. Supp. 407
Bradford v. Brennan, 42 Conn. Supp.534
Tillman v. Commissioner of Corrections, 54 Conn. App. 749
State v. Tillman, 240 Conn. 487
Johnson v. Commissioner of Correction, 218 Conn. 403
Deming v. Nationwide Mutual Ins. Co., 279 Conn. 745

Commentary: Pasting in the FC search yields zero. You have to enter independently in SL. Also, there is no way to click forward to hits within the case. Only State v. Townsend and Johnson v. Commissioner of Correction are held in Common. Further, some may not even be on point. From the digest, only disparate portions of the searched terms are highlighted. Moreover, you cannot click through a case for further highlighting.

Question 8: **Is there an indication of subsequent treatment?**

Search Method: Click into the first case State v. Rodriguez.

Answer: No. There are 120 cases, but no means of evaluation regarding subsequent treatment.

Question 9: **Is there an ability to retrieve other cases citing each of the 9 above—and can you get a citation list for each?**

Search Method: Repeat the Search Method for Question 8 above clicking on the first case State v. Rodriguez.

Answer: Yes. The same 120 cases are there. But, as you get a cite list only, the data is not very illuminating.

CASEMAKER

Topic V Jewish Divorce

Question 1: **How many New York cases address the steps necessary to obtain a Jewish Divorce (Get) under state law?**

Search Method: Go to New York Cases.

Search Query: "Jewish Divorce"

Answer: 26

Question 2: **What is the first case ranked by "relevance"?**

Search Method: Go to the top of the list.

Answer: Pal v. Pal, 45 A.D.2d 738, 356 N.Y.S.2d 672. (1974)

Question 3: **What is indicated about subsequent treatment?**

Search Method: Observe flagging and enter the case itself.

Answer: Green flag. No negative treatment.

Question 4: **What must divorcing parties do under New York law to obtain a Jewish Divorce?**

Search Method: Go to "Search Term" within Pal v. Pal and click once on the Forward arrow.

Answer: Submit themselves to a rabbinical tribunal as to whether the plaintiff should be directed to take the necessary steps to grant a Jewish divorce.

Question 5: What provision of the New York statutes does the court cite?

Search Method: Click the Forward arrow again.

Answer: CPLR Article 75. Arbitration

Question 6: How many cases cite Pal v. Pal?

Search Method: Return to the citation list. Observe the blue number immediately to the right.

Answer: 3

Question 7: Among the 26 cases retrieved, are there any who cite Connecticut decisions and—if so—which New York cases and which Connecticut decisions.

Search Method: Work through the 26 cases clicking on the blue number and examining only those opinions issued in other states. You can speed the process by entering each case. The list breaks down by Current State (New York), Federal, and Other State. Click on "Other State" working down the list until you reach the one with a Connecticut Citation.

Answer: Yes. The following New York case and one Connecticut case citing them are listed below.

- 1) Avitzur v. Avitzur, 58 N.Y.2d 108
- 2) Light v. Light, No. NNHFA124051863S (December 6, 2012).

Observation: There is no fast way to break out citing references among the 26 by state or federal jurisdiction. You have to work through the entire 26 examining the Other State citations.

Question 8: Are there any further citing references to the Connecticut case above: Light v. Light, No. NNHFA124051863S?

Search Method: Go to Connecticut case library. Click on Docket Number. Paste in the docket number above.

Answer: No. Nor is there any indication of subsequent treatment.

Question 9: Was the trial court decision appealed?

Search Method: Go to the Judicial website searching the Connecticut Appellate Court docket by case name: Light v. Light.

Answer: Yes. The husband filed an appeal on January 22, 2013. The wife filed a motion to dismiss the appeal for lack of jurisdiction on February 19, 2013. Her motion was granted and the appeal dismissed on April 17, 2013.

Commentary: That answer comes only by leaving all three databases and going to the official source. Absent granting certiorari, there would be nothing in Lexis or Westlaw as well.

Question 10: Returning to Avitzur v. Avitzur, what does Casemaker indicate with regard to subsequent treatment?

Search Method: Observe the flagging system.

Answer: Casemaker green flags the case indicating no negative treatment.

FASTCASE

Question 1: How many New York cases address the steps necessary to obtain a Jewish Divorce under state law?

Search Method: Go to Advanced Caselaw Search. Scroll down to Select Jurisdiction. Click on Individual Jurisdictions. Select New York.

Commentary: The option is only for Supreme and Appellate Court cases—not clearly for trial court cases. Besides, the Supreme Court in New York is the principal trial court. Does Fastcase allow for such jurisdiction differences? Another problem: Setting the default at Connecticut can have a downside—insularity. That is especially true when navigating between jurisdictions is hard.

Search Query: “Jewish Divorce”

Answer: 22

Question 2: What is the first case ranked by “relevance”?

Search Method: Go to the top of the list.

Answer: Pal v. Pal, 45 A.D.2d 738, 356 N.Y.S.2d 672. (1974) It is ranked at 100% relevance.

Question 3: What is indicated about subsequent treatment?

Search Method: From the cite list, go to Pal v. Pal. Click on Authority Check to the right.

Answer: Absent green flag/red flag symbols, one has to rely on citing cases. There is one: Waxstein v. Waxstein, 90 Misc.2d 784, 395 N.Y.S.2d 877 (1976). Absent flagging, you have to rely on and whether or not there is any Bad Law Bot. The latter not being there, you have to assume that all may be all right. Assumptions are dangerous.

Commentary: Since this case appears in New York Miscellaneous, we now know that the official trial court cases are there; but it is not clear from the menu. Also, it is hard to back out of Authority Check. One way is to click on the document and the number 3 under authority check. It lists out two other citing cases: Adams v. Adams 459 N.Y.S.2d 927, 92 A.D. 2d 644 (1983) and Thaw v. Thaw, 89 Misc.2d 18 (1976). Question: Authority Check indicates 1 authority case but two others which also cite Pal v. Pal. Why? Again, there is a bubble chart but no Bad Law Bot. So the best "guess" is no negative treatment. Bottom lines: Fastcase can be hard to navigate and has instructions that are sometimes ambiguous.

Question 3: Is there also a bubble chart within Pal v. Pal and—if so—does it indicate any cases since Pal was decided?

Search Method: Examine the bubble chart, resting your pointer on the respective bubbles.

Answer: Yes. There are three related cases either cited by Pal or citing it. Margulies v. Margulies, 42 A.D.2d 517 (1974), Rubin v. Rubin, 45 A.D.2d 738 (1974), and Waxstein v/ Waxstein, 90 Misc.2d 784 (1976) cited above.

Question 4: What must divorcing parties do under New York law to obtain a Jewish Divorce?

Search Method: Go to Fastcase home page. It lists at center Last Ten Searches. Click on the most recent query at top "Jewish Divorce." Enter the top rated case: Pal v. Pal.

Answer: Submit themselves to a rabbinical tribunal as to whether the plaintiff should be directed to take the necessary steps to grant a Jewish divorce. This answer is embodied in the first term highlighted. Click next term through the case for further discussion.

Question 5: What provision of the New York statutes does the court cite?

Search Method: Click "Next Term" (N) at the top.

Answer: CPLR Article 75 Arbitration. It is referenced immediately before the second appearance of the highlighted search terms.

Question 6: How many cases cite Pal v. Pal?

Search Method: Observe Authority check at the Upper Left

Answer: 3 as cited in the Answer to Question 3 above.

Question 7: Among the 22 cases retrieved, are there any who cite Connecticut decisions and—if so—which New York cases and which Connecticut decisions?

Search Method: Work through the 22 cases clicking on the blue number to the far right of each case listed and examining only those opinions issued in other states. To shorten the process, click on the drop-down box below any bubble chart or Bad Law Bot to see if Connecticut is among the out-of-state cases for any of the 22 New York cases.

Answer: No. Casemaker found one New York Case--Avitzur v. Avitzur, 58 N.Y.2d 108—cited in a Connecticut Decision: Light v. Light citing a No. NNHFA124051863S (December 6, 2012). **Fastcase missed that recent unpublished trial court decision. So, either they are running behind or there are gaps in that part of their database. Given that Light is a case of first impression in Connecticut, that absence is important.**

Commentary: Avitzur v. Avitzur lists out 8 cases in Bad Law Bot—2 Federal, 3 New York, 1 New Jersey, and 1 Delaware. That is good since Casemaker offers only a green flag indicating no negative treatment of Avitzur.

SMART LITIGATOR

Question 1: How many New York cases address the steps necessary to obtain a Jewish Divorce under state law?

Search Method: Go to Cases. Unselect Connecticut. Select Other State Courts. Select New York.

Search Query: "Jewish Divorce"

Answer: 22 [*Comment: Moving to another jurisdiction is easier in SL than in its Licensor FC. So the interface is an improvement.*]

Question 2: What is the first case ranked by "relevance"?

Search Method: Go to the top of the list.

Answer: Pal v. Pal, 45 A.D.2d 738, 356 N.Y.S.2d 672. (1974) It is first by term frequency. The cases appear to be the same as those in FC.

Question 3: What is indicated about subsequent treatment?

Search Method: Click on Pal v. Pal. Observe Citation Check at the top.

Answer: SL retrieves the same 3 cases found in FC. Waxstein v. Waxstein, 90 Misc.2d 784, 395 N.Y.S.2d 877 (1976), Adams v. Adams 459 N.Y.S.2d 927, 92 A.D. 2d 644 (1983) and Thaw v. Thaw, 89 Misc.2d 18 (1976).

Comment: Other than citing cases, however, there is no evaluation of subsequent treatment as in FC: no Bad Law Bot and no bubble chart.

Question 4: What must divorcing parties do under New York law to obtain a Jewish Divorce?

Search Method: Go to Smart Litigator home page. It lists at center Last Ten Searches. Click on the most recent query at top "Jewish Divorce." Enter the top rated case: Pal v. Pal.

Answer: *Search terms are not highlighted within the case. Nor is Edit/Find an option at least within Google Chrome. So you have to read through the case to get the results highlighted in FC.*

Commentary: Moving backward and forward to the search results is easier than in FC. So also is moving backward and forward between the two documents. So Navigation is better.

Question 5: What provision of the New York statutes does the court cite?

Search Method: Read down through the case carefully.

Answer: CPLR Article 75 Arbitration.

Comment: Again, absent highlighting, the only recourse is to read mechanically through the case.

Question 6: How many cases cite *Pal v. Pal*?

Search Method: Observe Authority check at the Upper Left

Answer: 3 as cited in the Answer to Question 3 above.

Question 7: Among the 22 cases retrieved, are there any who cite Connecticut decisions and—if so—which New York cases and which Connecticut decisions?

Search Method: Work through the 22 cases clicking on the blue number to the far right of each case listed and examining only those opinions issued in other states.

Answer: *Avitzur v. Avitzur*, 58 N.Y.2d 108—originally found in Casemaker—is 21 in a cite list of 22 as in FC. Like FC, however, it does not pick up the unpublished Connecticut Decision *Light v. Light* NNHFA124051863S (December 6, 2012). Nor does Quick Search (covering all content) retrieve that decision whether by case name or docket number.2012).

Commentary: SL has the same content gap found in FC.

CASEMAKER

Topic VI Pro Hac Vice

Question 1: What Connecticut Practice Book Section governs allowing non-Connecticut attorneys in good standing at the bar of another state to participate on special or infrequent occasion *pro hac vice* in a cause or appeal before our court?

Search Method: Select Connecticut. Select Practice Book.

Search Query: "pro hac vice" special infrequent occasion*

Answer: Connecticut Practice Book §2-16

Question 2:	What is the end-date for the latest amendments?
Search Method:	Click into P.B. §2-16 and view the red statement immediately above the Section number.
Answer:	March 1, 2013
Question 3:	What, according to the History note at bottom, is the effective date of the latest change?
Search Method:	Review the History note at bottom.
Answer:	January 1, 2012
Question 4:	How many Connecticut cases use those search terms?
Search Method:	Select All Content immediately above the search box and to the left of Connecticut Practice Book and run the search again. That Search being run, Select Cases to the left. Then Select Connecticut at the box at the left.
Answer:	19 cases
Question 5:	Of these, which is ranked first by relevance?
Search Method:	Look at the Sort By box at top. It is already set at the default Relevance.
Answer:	Yale Literary Magazine v. Yale University, 4 Conn. App. 592, 496 A.2d 201 (1985).
Question 6:	What subsequent treatment is indicated?
Method:	See the flag at the left of the above case.
Answer:	Negative treatment is indicated by the red flag.
Question 7:	How Many Citing References are there?
Method:	Click the number 13 to the right of the Case.
Answer:	12 (the original case adds 1)

Question: Is this case cited in any other state?

Method: There is one Other State Reference. Click on that.

Answer: State ex. rel. H.K. Porter, Inc. v. White, 386 S.E. 2d 25 (W.Va. 1989).

Fastcase

Question 1: What Connecticut Practice Book Section governs allowing non-Connecticut attorneys in good standing at the bar of another state to participate on special or infrequent occasion *pro hac vice* in a cause or appeal before our court?

Search Method: Select Search Court Rules from the home page. Select Connecticut. Unselect CT Rules of Professional Conduct, CT Code of Judicial Conduct, CT Rules of Appellate Procedure. Leave selected Connecticut Rules for the Superior Court (2013 Edition only).

Search Query: "pro hac vice" special infrequent occasion*

Answer: Connecticut Practice Book §2-16

Commentary: The same search terms used in Casemaker work in Fastcase.

Question 2: What is the end-date for the latest amendments?

Search Method: Click into P.B. §2-16 and review the history note at the bottom of the document.

Answer: Unlike CM, FC does not indicate having checked through this year for currency.

Commentary: That is a weakness since Casemaker affirms that its version is current through March 1, 2013. Practice Rules typically go into effect January 1. Caution: It is still good to check the current practice book.

Question 3: What, according to the History note at bottom, is the effective date of the latest change?

Search Method: Review the History note at bottom.

Answer: January 1, 2012

Question 4: **How many Connecticut cases use the current search terms.**

Search Method: Go to cases. Check Recently Searched Jurisdictions to make sure that Connecticut has been selected. Run a search in case law with the same terms but adding the Practice book section in quotes.

Search Query: "pro hac vice" special infrequent occasion* "2-16"

Answer: 3 reported cases. 3 unreported cases. 6 cases in total. They are as follows:

1. Tunxis Management Co. v. State, No. CV 06 4010686 S (Conn. Super. 5/23/2006) (Conn. Super., 2006)
2. Dominion Nuclear v. Town of Waterford, No. CV 03 0566126S (CT 4/12/2004) (CT, 2004)
3. Doctor's Assoc., Inc. v. Jamieson, No. NNH CV06 4020952 (Conn. Super. 7/19/2006) (Conn. Super., 2006)
4. Pagan v. Commissioner of Correction, 104 Conn. App. 531, 935 A.2d 175 (Conn. App., 2007)
5. State v. Gasser, 74 Conn. App. 527, 812 A.2d 188 (Conn. App., 2003)
6. Shockley v. Okeke, 882 A.2d 1244, 92 Conn.App. 76 (Conn. App., 2005)

Question 5: **Of these, which case is ranked first by percentage relevance?**

Search Method: See number one on the cite list.

Answer: Tunxis Management Company v. State of Connecticut, Opinion No. 93611, CV 06 4010686 S (May 23, 2006).

Question 6: **Of the six cases, how many offer references under Authority Check?**

Method: Review all six checking the two blue numbers on the right hand side in the Authority Check column.

Answer: The last three—all officially published. Case 4 has bubble chart and citing references. Cases 5 and 6 have those plus Bad Law Bot.

Smart Litigator

Question 1: What Connecticut Practice Book Section governs allowing non-Connecticut attorneys in good standing at the bar of another state to participate on special or infrequent occasion *pro hac vice* in a cause or appeal before our court?

Search Method: Select Rules & Regulations from the Research Menu at top. That brings you directly to Court Rules—the Connecticut Practice Book.

Search Query: "pro hac vice" special infrequent occasion*

Answer: Connecticut Practice Book §2-16

Commentary: As with Fastcase, there is one result based—however—on term frequency not percentage.

Question 2: What is the end-date for the latest amendments?

Search Method: Click into P.B. §2-16 and review the history note at the bottom of the document.

Answer: There is no indication as to when, since the latest 2012 amendment, that section has been checked for currency.

Commentary: That is a weakness since Casemaker affirms that its version is current through March 1, 2013. Practice Rules typically go into effect January 1. Caution: It is still good to check the current practice book. Smart Litigator, therefore, has the same limitation of its parent licensee Fastcase.

Question 3: What, according to the History note at bottom, is the effective date of the latest change?

Search Method: Review the History note at bottom.

Answer: January 1, 2012

Commentary: The same answer as with Fastcase above. Both go no farther than the official annotations.

Question 4: **How many Connecticut reported cases cite this practice book section?**

Search Method: *Go to cases. Check Recently Searched Jurisdictions to make sure that Connecticut has been selected. Run a search in caselaw with the same terms but adding the Practice book section in quotes.*

Search Query: "pro hac vice" special infrequent occasion* "2-16"

Answer: 3 reported cases. 3 unreported cases. 6 cases in total. They are:

1. Tunxis Management Co. v. State, No. CV 06 4010686 S (Conn. Super. 5/23/2006) (Conn. Super., 2006)
2. Dominion Nuclear v. Town of Waterford, No. CV 03 0566126S (CT 4/12/2004) (CT, 2004)
3. Doctor's Assoc., Inc. v. Jamieson, No. NNH CV06 4020952 (Conn. Super. 7/19/2006) (Conn. Super., 2006)
4. Pagan v. Commissioner of Correction, 104 Conn. App. 531, 935 A.2d 175 (Conn. App., 2007)
5. State v. Gasser, 74 Conn. App. 527, 812 A.2d 188 (Conn. App., 2003)
6. Shockley v. Okeke, 882 A.2d 1244, 92 Conn.App. 76 (Conn. App., 2005)

Commentary: *The search query utilized in Fastcase—not unpredictably—yielded the same results in Smart Litigator. Unpredictably, however, these same terms first yielded no result in Smart Litigator when pasted in from the previous exercise. Entering the same query manually worked and produced the same result. There are quirks in the search system.*

Question 5: **Of these, which case is ranked first by percentage relevance?**

Search Method: See number one on the cite list.

Answer: Tunxis Management Company v. State of Connecticut, Opinion No. 93611, CV 06 4010686 S (May 23, 2006).

Commentary: *The same result as in Fastcase. But the criterion, again, is term frequency.*

Question 6: **Of the six cases, how many offer references under Authority Check?**

Method: Enter each of the six cases, looking to looking to Citation Check below the case name to get references if any.

- Commentary 1: The method is similar, but the interface is different as between Fastcase and Smart Litigator. You can speed up the review either by clicking the Forward arrow in the results bar at top doing the same via the search results screen on the far left. Again, there is a slight interface distinction.*
- Commentary 2: There are, again, no bubble charts or Bad Law Bot editorials as present in the licensor Fastcase.*



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Comparing Casemaker & CasemakerPRO

	Casemaker	CasemakerPRO
Federal Cases	✓	✓
State Cases – most states over 100 years	✓	✓
Statutes & Codes – updated w/in 24-48 hours of bill signature	✓	✓
Prospective Code change notification	✓	✓
Statute Annotator	✓	✓
Archived Statutes	✓	✓
Multiple library search	✓	✓
Multiple Search Options	✓	✓
Save Search	✓	✓
Google-like interface	✓	✓
Create Client/Matter folders	✓	✓
Save case research in folders	✓	✓
Create & save notes in cases	✓	✓
Sort by date, most cited, or relevance	✓	✓
Track session time by client/matter	✓	✓
Editorial accuracy	✓	✓
Live Chat Help	✓	✓
Negative Citator – CaseCheck+		✓
Brief Checker – CiteCheck		✓
Daily Digest (where available)		✓

Casemaker - Fastcase Comparison

	Casemaker	FastCase
	Date indicates first year of collection	
Federal		
Public laws	1989	No
Code of Federal Regulations	Yes	Yes
Federal Register	2005	No
Board of Immigration Appeals	1955	1955
Bankruptcy Opinions	1979	1979
Circuit Opinions	1879	1924
District Court Opinions	1880	1932
Federal Rules Decisions	1940	No
Longshore Opinions	1986	No
Supreme Court	1754	1754
Court of Appeals—Armed Forces	1975	No
Court of Appeals—Veterans Claims	2001	No
Court of Claims	1997	1929
Court of Internatl Trade	1999	1980
Constitution	Yes	No
Internal Revenue Service Filings	1954	1954
NTSB Decisions	2000	No
US Code	Yes	Yes
Tax Court	1940	No
Federal Rules of Appellate Procedure	Yes	No
Federal Rules of Bankruptcy Procedure	Yes	No
Federal Rules of Civil Procedure	Yes	No
Federal Rules of Criminal Procedure	Yes	Yes
Federal Rules of Evidence	Yes	No
Rules of the United States Supreme Court	Yes	No
Rules of the U.S. Courts of Appeals	Yes	No
Rules of U.S. District Courts	Yes	Yes
Rules of Selected U.S. Bankruptcy Courts	Yes	Yes
U.S. Customs Court	No	1938
Special Court, Reg. Rail Reorg. Act	No	1974
Court of Customs & Patent Appeals	No	1929
Alabama		
Administrative Code	Yes	No
State Court Rules	Yes	No
Code of 1975	Yes	Yes
Constitution	Yes	No
Session Laws	2009	No
The Alabama Lawyer	2006	No
Attorney General Opinions	1996	No
Case law	1840	1950
Alaska		
Alaska Law Review	2006	No

Casemaker - Fastcase Comparison

Session Laws	1993	No
Administrative Code	Yes	No
Attorney General Opinions	1995	No
Anchorage Code of Ordinances	Yes	No
Fairbanks Code of Ordinances	Yes	No
Juneau Code of Ordinances	Yes	No
Kenai Peninsula Borough Code	Yes	No
Seward City Code	Yes	No
Case law	1950	1959
Constitution	Yes	No
Workers Comp Decisions	2005	No
Ethics Opinions	1968	No
Jury Instructions	Yes	No
Court Rules	Yes	No
Statutes	Yes	Yes
Municipal Codes	Yes	No

Arizona

Session Laws	1995	No
Case law	1883	1950
Constitution	Yes	No
Court Rules	Yes	No
Statutes	Yes	Yes
Administrative Code	No	Yes

Arkansas

Case law	1837	1886
Code of 1975	Yes	Yes
Constitution	Yes	No
Rules	Yes	Yes
Session Laws	2010	No
Administrative Rules	No	No

California

Session Laws	1993	No
Code of Regulations	Yes	Yes
Attorney General Opinions	2007	No
California Bar Journal	2008	No
Case law	1850	1950
Ethics Opinions	2007	No
Jury Instructions	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Workers Compensation Decisions	2008	No
Constitution	Yes	No
Fair Employment and Housing Cases	Yes	No

Casemaker - Fastcase Comparison

Colorado

Session Laws	1993	No
Attorney General Opinions	1984	No
The Colorado Lawyer	1971	No
Case law	1864	1950
Constitution	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Workers Compensation Decisions	1998	No
Code of Regulations	Yes	No

Connecticut

Session Laws	2009	No
Regulations of State Agencies	Yes	No
Attorney General Opinions	1990	No
Connecticut Bar Journal	1989	No
Case law	1832	1885
Constitution	Yes	No
DSS Uniform Policy Manual	2008	No
FOI Comm. Decisions	1986	No
The Connecticut Lawyer	2000	No
Ethics Opinions	1986	No
Unreported Superior Court cases	1989	No
Workers Compensation Decisions	1994	No
General Statutes	Yes	Yes
Code of Evidence	Yes	No
State Court Rules	Yes	Yes

Delaware

Session Laws	1977	No
Case law	1832	1885
Constitution	Yes	No
Court Rules	Yes	No
Statutes	Yes	Yes
Administrative Code	No	No

District of Columbia

Case law	1942	1942
Statutes	Yes	Yes
Session Laws	2010	No
Adoption Rules of the Superior Court	No	Yes
Administrative Code	No	No

Florida

Session Laws	1997	No
Administrative Code	Yes	Yes
Case law	1846	1950

Casemaker - Fastcase Comparison

Constitution	Yes	No
Court Rules	Yes	No
Statutes	Yes	Yes
Georgia		
Session Laws	1995	2010
Rules and Regulations	Yes	Yes
Attorney General Opinions	1994	1992
Georgia Bar Journal	2002	No
Case law	1846	1846
Constitution	Yes	Yes
GSU Law Review	2000	No
Mercer Law Review	2009	No
State Court Rules	Yes	Yes
Code of Georgia	Yes	Yes
Hawaii		
Session Laws	2001	1999
Administrative Rules	Yes	Yes
Attorney General Opinions	1987	1997
Hawaii Bar Journal	2006	No
Case law	1847	1959
Constitution	Yes	Yes
Ethics Opinions	1968	No
Civil rights Commission	1998	1993
Corporation Council	1988	2002
Hawaii County Code	2010	No
Disciplinary Board Opinions	1992	2012
Public and Private Employment Decisions	2002	2010
Labor and Industrial Relations Appeals Bd.	1994	1994
Honolulu County Code	current	No
Maui Code	current	No
Office of Information Practices	1989	1990
Division of Occupational Safety and Health	2002	2009
Court Rules	Yes	Yes
Revised Statutes	Yes	Yes
Kauai County Code	Yes	No
Idaho		
Session Laws	2006	No
Administrative Rules	Yes	No
Attorney General Opinions	1990	No
Constitution	Yes	No
Jury Instructions	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Case law	1867	1950

Casemaker - Fastcase Comparison

Illinois

Session laws	1997	1997
Administrative Rules	Yes	Yes
Case law	1819	1832
Constitution	Yes	Yes
State Court Rules	Yes	Yes
Statutes	Yes	Yes
Attorney General Opinions	No	1971
Register	No	Yes

Indiana

Session Laws	2004	2009
Administrative Code	Yes	Yes
Attorney General Opinions	2001	No
Case law	1848	1936
Constitution	Yes	No
Ethics Opinions	1961	No
Ethics Curbstone/Res Gestae	2000	No
Tax Court Opinions	1997	No
Court Rules	Yes	No
Code	Yes	Yes
Unpublished cases	2007	No
Res Gestae	Yes	No

Iowa

Session Laws	2011	No
Case law	1855	1879
Constitution	Yes	No
Iowa Court Rules	Yes	No
Iowa Code	Yes	Yes
Administrative Code	No	Yes
Workers Compensation Decisions	No	1999

Kansas

Session Laws	2009	No
Administrative Regulations	Yes	No
Attorney General Opinions	1989	No
Kansas Bar Journal	1991	No
Case law	1862	1950
Constitution	Yes	No
Ethics Opinions	1988	No
Board of Tax Appeals	2005	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Workers Compensation Decisions	2000	No

Casemaker - Fastcase Comparison

Kentucky

Session Laws	2000	No
Administrative Regulations	Yes	No
Attorney General Opinions	1992	No
Case law	1785	1785
Constitution	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Workers Compensation Decisions	1992	No

Louisiana

Session Laws	2010	No
Case law	1830	1950
Constitution	Yes	Yes
State Court Rules	Yes	No
Statutes	Yes	Yes
Administrative Code	No	Yes

Maine

Attorney General Opinions	1985	No
Session Laws	2009	No
Code of Maine Rules	Yes	No
Maine Bar Journal	2000	No
Case law	1832	1885
Constitution	Yes	No
Maine Law Review	1999	No
Workers Comp Decisions	2012	No
Public Utilities Commission	1997	No
State Court Rules	Yes	No
Superior Court Decisions	2000	No
Revised Statutes	Yes	Yes

Maryland

Case law	1851	1885
Constitution	Yes	No
State Court Rules	Yes	Yes
Session Laws	2011	No
Statutes	Yes	Yes
Code of Regulations	No	Yes
Attorney General Opinions	No	1993

Massachusetts

Session Laws	1997	2011
Code of Regulations	Yes	No
Attorney General Opinions	2000	No
Case law	1804	1936
Constitution	Yes	No

Casemaker - Fastcase Comparison

Ethics Opinions	1973	No
Land Court Cases	2008	No
MBA Law Review	1970	No
MBA Section review	2002	No
State Court Rules	Yes	No
Superior Court Decisions	1997	No
General Laws	Yes	Yes
Workers Compensation Decisions	1999	No
Michigan		
Session Laws	1997	No
Administrative Code	Yes	No
Attorney General Opinions	1977	No
Case law	1847	1879
Constitution	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Minnesota		
Case law	1851	1875
Constitution	Yes	No
Session Laws	1994	2009
State Court Rules	2007	No
Statutes	Yes	Yes
Administrative Rules	No	No
Mississippi		
Session Laws	1999	No
Attorney General Opinions	1979	No
Case law	1843	1950
Constitution	Yes	No
Ethics Opinions	2005	No
Public Service Commission	2005	No
State Court Rules	Yes	No
Code of 1972	Yes	No
Workers Compensation Decisions	2005	No
Code Conversion Table	Yes	No
Administrative Regulations	No	No
Missouri		
Case law	1821	1876
Constitution	Yes	Yes
State Court Rules	Yes	Yes
Session Laws	2011	1995
Statutes	Yes	Yes
Administrative Code	Yes	Yes
Attorney General Opinions	No	1968

Casemaker - Fastcase Comparison

Administrative Hearing Commission Dec.	No	1999
Montana		
Case law	1868	1950
Session Laws	2011	No
Constitution	Yes	No
Montana Court Rules	Yes	No
Montana Statutes	Yes	Yes
Administrative Rules	No	No
Nebraska		
Session Laws	2009	No
Administrative Rules	Yes	No
Attorney General Opinions	1997	No
Case law	1871	1879
Constitution	Yes	No
Jury Instructions	Yes	No
Nebraska Law Review	1996	No
Advisory Ethics Opinions	1968	No
Creighton Law Review	1999	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Appellate Brief Bank	Yes	No
Lawyer's Desk Book	Yes	No
Title Standards	Yes	No
Nevada		
Session Laws	1995	No
Administrative Code	Yes	No
Case Law	1866	1950
Constitution	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
New Hampshire		
Session Laws	2001	No
Code of Administrative Rules	Yes	No
New Hampshire Bar Journal	2003	No
Case law	1816	1885
Constitution	Yes	No
Ethics Opinions	1984	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Unpublished Opinions	Yes	No
New Jersey		
Session Laws	1996	No

Casemaker - Fastcase Comparison

Administrative Code	Yes	Yes
Attorney General Opinions	1989	No
Case law	1832	1885
Constitution	Yes	No
State Court Rules	Yes	Yes
Statutes	Yes	Yes
Workers Compensation Decisions	Yes	No
Rules of Evidence	No	Yes

New Mexico

Session Laws	2009	1996
Administrative Code	Yes	Yes
Attorney General Opinions	1999	1983
Case Law	1852	1852
Constitution	Yes	Yes
Uniform Jury Instructions	Yes	Yes
State Court Rules	Yes	Yes
Statutes	Yes	Yes

New York

Session Laws	1995	2011
Administrative Code	Yes	Yes
Attorney General Opinions	1995	No
Case law	1847	1885
Constitution	Yes	No
New York City Admin. Code	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
New York City Charter	Yes	No
New York City Local Laws	Yes	No

North Carolina

Session Laws	1993	2010
Administrative Code	Yes	Yes
Attorney General Opinions	1977	1955
Case law	1778	1778
Constitution	Yes	Yes
Jury Instructions	Yes	Yes
Wake Forest Law Journal	1999	No
Charlotte City Code	Yes	No
Durham City Code	Yes	Yes
Greensboro City Code	Yes	Yes
Raleigh City Code	Yes	Yes
Winston Salem City Code	Yes	Yes
Journal of Law and Technology	2001	No
State Court Rules	Yes	Yes
General Statutes	Yes	Yes

Casemaker - Fastcase Comparison

North Dakota

Code	Yes	Yes
Session Laws	2011	No
Administrative Code	Yes	No
Case law	1876	1879
Attorney General Opinions	1980	No
Constitution	Yes	No
Jury Instructions	Yes	No
State Court Rules	Yes	No

Ohio

Session Laws	1997	No
Administrative Code	Yes	No
Attorney General Opinions	1993	No
Case law	1821	1936
Constitution	Yes	No
Ethics Opinions	1997	No
Civil rights Commission	1994	No
OSBA Jury Instruction	Yes	No
State Court Rules	Yes	No
Commercial Court Opinions	2008	No
Unreported Opinions	Yes	No
Revised Code	Yes	No
Verdict Reporter	Yes	No

Oklahoma

Session Laws	2000	No
Case law	1890	1950
Constitution	Yes	No
Statutes	Yes	Yes
State Court Rules	Yes	No
Administrative Code	Yes	No

Oregon

Session Laws	1995	1999
Administrative Rules	Yes	Yes
Attorney General Opinions	1940	1940
Case law	1847	1938
Constitution	Yes	Yes
Ethics Opinions	2005	No
ERB Decisions-Arbitration	2004	2004
ERB Decisions	2004	2004
LUBA	1990	1999
Court Rules	Yes	Yes
Revised Statutes	Yes	Yes
Workers Compensation Decisions	2002	2001

Casemaker - Fastcase Comparison

Pennsylvania

Session Laws	1975	No
Case law	1845	1845
Constitution	Yes	No
Statutes	Yes	No
Administrative Code	No	No

Rhode Island

Session Laws	1994	No
Attorney General Opinions	1995	No
Rhode Island Bar Journal	2000	No
Case law	1828	1885
Constitution	Yes	No
Ethics Opinions	1999	No
State Court Rules	Yes	No
Tax Court Decisions	2012	No
Superior Court Opinions	2000	No
General Laws	Yes	Yes
Workers Compensation Decisions	1990	No
Jury Instruction	Yes	No
Administrative Code	No	No

South Carolina

Acts	2003	No
Regulations	Yes	Yes
Attorney General Opinions	1989	No
South Carolina Lawyer	1989	No
Case law	1846	1886
Constitution	Yes	No
State Court Rules	Yes	No
Administrative Law Court Decisions	1994	No
Bar Ethics Opinions	1975	No
Judicial Ethics Opinions	1992	No
Rules of Professional Conduct	Yes	No
Code	Yes	Yes
Unpublished Opinions	2004	No
Municipal Codes	Yes	No

South Dakota

Session Laws	2010	1996
Case law	1878	1879
Constitution	Yes	Yes
Statutes	Yes	Yes
Attorney General Opinions	No	1968
Administrative Rules	No	No

Casemaker - Fastcase Comparison

Tennessee

Session Laws	1997	1997
Case law	1799	1886
Constitution	Yes	Yes
State Court Rules	Yes	Yes
Statutes	Yes	Yes
Attorney General Opinions	No	2000
Rules and Regulations	No	Yes

Texas

Session Laws	1995	No
Administrative Code	Yes	Yes
Attorney General Opinions	1947	No
Case law	1846	1886
Constitution	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes

Utah

Session Laws	1997	No
Administrative Code	Yes	No
Utah Bar Journal	2000	No
Case law	1873	1950
Constitution	Yes	No
Workers Comp Decisions	1995	No
Ethics Opinions	1965	No
State Court Rules	Yes	No
Code	Yes	Yes

Vermont

Session Laws	2009	No
Vermont Bar Journal	2001	No
Case law	1832	1885
Constitution	Yes	Yes
State Court Rules	Yes	No
General Statutes	Yes	Yes
Environmental Court Decisions	1994	No
Labor Relations Board Decisions	1995	No
Medicaid Rules	Yes	No
Professional Responsibility Board Decisions	1990	No
Superior Court Decisions	2002	No
Title Standards	2002	No
Vermont Digest	1995	No
Workers Compensation Decisions	1995	No
Advisory Ethics Opinions	Yes	No
Green Mountain Care Board Decisions	Yes	No
Human Services Board Decisions	Yes	No

Casemaker - Fastcase Comparison

Public Service Board Orders	Yes	No
Administrative Code	No	No
Virginia		
Session Laws	2009	No
Case law	1846	1900
State Court Rules	Yes	No
Virginia Code	Yes	Yes
Constitution	Yes	No
Administrative Code	Yes	No
Washington		
Session Laws	2009	No
Administrative Code	Yes	No
Attorney General Opinions	1949	No
Case law	1855	1950
Constitution	Yes	No
Ethics Opinions	1951	No
State Court Rules	Yes	No
Revised Code	Yes	Yes
Unpublished Appellate Decisions	2006	No
Environmental Board Decisions	2000	No
Growth Management Decisions	2000	No
Gonzaga Journal of Intl Law	1997	No
University of Wahington Law Review	2003	No
Pacific Rim Law & Policy Journal	2006	No
Seattle U. Journal of Social Justice	2010	No
Seattle University Law Review	2007	No
Journal of Law, Technology & Arts	Yes	No
West Virginia		
Session Laws	2009	2009
Attorney General Opinions	1985	1985
Case law	1864	1864
Constitution	Yes	Yes
Court Rules	Yes	Yes
Code	Yes	Yes
Administrative Code	No	No
Wisconsin		
Administrative Code	Yes	Yes
Session Laws	2011	1989
Case law	1853	1879
Constitution	Yes	Yes
State Court Rules	Yes	Yes
Statutes	Yes	Yes
Attorney General Opinions	No	1982

Casemaker - Fastcase Comparison

Wyoming

Session Laws	2001	No
Attorney General Opinions	1978	No
Case law	1873	1950
Wyoming Lawyer	2005	No
Constitution	Yes	No
State Court Rules	Yes	No
Statutes	Yes	Yes
Administrative Code	No	No

John Baldwin

Subject: FW: Helping ULS meet Legal Services Corporation Requirements

From: Anne Milne [mailto:AMILNE@utahlegalservices.org]

Sent: Thursday, June 05, 2014 11:20 AM

To: John Baldwin

Subject: Helping ULS meet Legal Services Corporation Requirements

John,

The Legal Services Corporation requires a majority of our Board be appointed by the Utah State Bar and while 10 of the attorney members meet this standard we have had some resignations and have recruited two attorneys who are willing to serve and have been approved by our Board.

Daniel W. Boyer was involved with us as a law student and in pro bono work at the S.J. Quinney Law School. He has passed the Bar and is employed at the Attorney General's office and will help us in our efforts to grow support among younger lawyers. Bryan J. Pattison works in the St. George office of Durahm Jones & Pinegar and will help us maintain the community support that Lowery developed to create the Southern Utah Community Legal Center. Please let me know if you need more details or a more formal request.

Anne Milne
Executive Director
Utah Legal Services
801-924-3381

6/5/2014

Utah Legal Services Board of Directors	Catherine F. Labatte		2014/07/01
Utah Legal Services Board of Directors	A. Howard Lundgren		2014/07/01
Utah Legal Services Board of Directors	Thom R. Roberts		2014/07/01
Utah Legal Services Board of Directors	Lauren I. Scholnick		2014/07/01
Utah Legal Services Board of Directors	Erik Strindberg		2014/07/01
Utah Legal Services Board of Directors	Roland F. Uresk		2014/07/01
Utah Legal Services Board of Directors	Kenneth R. Wallentine		2014/07/01
Utah Legal Services Board of Directors	Tracey M. Watson		2014/07/01
Utah Legal Services Board of Directors	John L. Black		2017/07/01
Utah Legal Services Board of Directors	Jody K. Burnett		2017/07/01
Utah Legal Services Board of Directors	Bart J. Johnson		2017/07/01

Tab 16

3:53 PM
05/19/14
Accrual Basis

Utah State Bar Balance Sheet As of April 30, 2014

	Apr 30, 14	Mar 31, 14	Apr 30, 13
ASSETS			
Current Assets			
Checking/Savings			
1010 • Petty Cash	625	625	625
1011 • Cash in Bank	61,035	114,696	151,652
1060 • ILM Invested Funds Market Value	3,003,073	3,431,535	3,478,174
Total Checking/Savings	3,064,732	3,546,856	3,630,451
Accounts Receivable			
1071 • Accounts receivable	(9,595)	22,771	12,835
Total Accounts Receivable	(9,595)	22,771	12,835
Other Current Assets			
1070a • Other Accounts Receivable	(351)	164	(35)
1089 • Unbilled tenant costs	17,978	(2,182)	39
1100 • Prepaid Expense	107,285	55,561	64,855
1919 • Section ILM net earn recvble	5,031	4,738	4,299
1920 • A/R - Section Funds	30,461	7,429	15,885
Total Other Current Assets	160,404	65,710	85,043
Total Current Assets	3,215,542	3,635,338	3,728,329
Fixed Assets			
1500 • Property & Equipment	4,313,523	4,199,740	3,338,329
1550 • Accumulated Depreciation	(3,125,044)	(3,109,990)	(3,034,138)
1600 • Land	633,142	633,142	633,142
Total Fixed Assets	1,821,621	1,722,892	937,333
TOTAL ASSETS	5,037,164	5,358,230	4,665,662
LIABILITIES & EQUITY			
Liabilities			
Current Liabilities			
Other Current Liabilities			
2010 • Other Accounts Payable	15,828	11,055	28,710
2100 • Accrued Payables	331,936	327,500	324,377
2350 • Capital Lease Obligations-ST	2,710	2,710	1,844
2920 • A/P - Section Funds	4,760	1,385	9,090
Total Other Current Liabilities	355,233	342,650	364,020
Total Current Liabilities	355,233	342,650	364,020
Long Term Liabilities			
2400 • Capital lease obligations	6,356	6,356	12,156
3000 • Deferred Revenues/Expenses	7,250		24,000
Total Long Term Liabilities	13,606	6,356	36,156
Total Liabilities	368,840	349,007	400,177
Equity			
3500 • Unrestricted Net Assets (R/E)	3,698,625	3,698,625	2,955,918
3510 • Fund Balance - Beginning			36,591
Net Income	969,699	1,310,598	1,272,976
Total Equity	4,668,324	5,009,223	4,265,485
TOTAL LIABILITIES & EQUITY	5,037,164	5,358,230	4,665,662

Utah State Bar
Summary Income Statement
April 30, 2014

	Year to Date			2013/14
	Actual	Budget	Variance Fav/(Unfav)	Total Budget
<u>Revenue</u>				
Licensing	\$ 3,936,683	\$ 3,868,271	\$ 68,412	\$ 3,886,900
Admissions	454,822	447,304	7,518	473,060
NLTP	83,900	74,017	9,883	80,600
Mgt - Service	14,095	17,394	(3,299)	17,400
In Kind Revenue	2,046	2,701	(655)	3,200
Mgt - Interest & Gain	38,939	12,014	26,925	15,100
Property Mgt	259,571	234,275	25,296	295,100
OPC	12,957	2,594	10,363	12,500
CMIS/Internet	300	2,480	(2,180)	3,000
CLE	338,166	210,134	128,032	383,000
Summer Convention	147,682	184,200	(36,518)	184,200
Fall Forum	81,535	89,100	(7,565)	89,100
Spring Convention	143,074	127,876	15,198	128,700
Bar Journal	108,814	107,562	1,252	132,100
Committees	2,850	100	2,750	100
Member Benefits	10,597	5,659	4,938	6,900
Section Support	-	-	-	84,348
Access to Justice	10,789	-	10,789	-
Commission/Sp Proj	7,160	-	7,160	-
Young Lawyers Division	50	-	50	-
Total Revenue	\$ 5,654,030	\$ 5,385,681	\$ 268,349	\$ 5,795,308
<u>Expenses</u>			(Fav)/Unfav	
Licensing	98,405	94,008	4,397	170,683
Admissions	402,498	385,922	16,576	450,698
NLTP	85,030	82,268	2,762	98,632
Bar Mgt	594,052	591,706	2,346	655,721
Property Mgt	417,548	389,662	27,886	496,767
OPC	973,480	991,256	(17,776)	1,178,401
General Counsel	200,173	255,764	(55,591)	300,039
Computer/MIS/Internet	144,467	167,312	(22,845)	200,265
CLE	306,935	224,669	82,266	369,805
Summer Convention	244,333	219,271	25,062	224,267
Fall Forum	92,547	86,480	6,067	87,761
Spring Convention	105,676	76,793	28,883	81,975
Bar Journal	149,085	148,831	254	181,418
Committees	101,476	108,773	(7,297)	119,017
Member Benefits	121,879	146,779	(24,900)	177,155
Section Support	72,416	68,665	3,751	84,348
Consumer Assistance	55,820	50,533	5,287	61,858
Access to Justice	143,569	142,116	1,453	184,884
Tuesday Night Bar	33,174	9,286	23,888	13,070
Legislative	61,734	64,252	(2,518)	64,405
Commission/Sp. Proj	162,522	139,988	22,534	166,167
Public Education	82,750	90,317	(7,567)	146,922
Young Lawyers Division	34,762	40,020	(5,258)	48,000
Total Expenses	\$ 4,684,331	\$ 4,574,671	\$ 109,660	\$ 5,562,258
Net Revenue/(Expense)	\$ 969,699	\$ 811,010	\$ 158,689	\$ 233,050
Add: Depreciation	76,035	35,277	40,758	55,363
Cash Increase/(Decrease) from Operations	\$ 1,045,734	\$ 846,287	\$ 199,447	\$ 288,413
Other Uses of Cash				
Change in Assets/Liabilities	(310,575)	(310,575)	-	
Capital Expenditures	746,164	550,000	196,164	550,000
Net Change in Cash	\$ (11,005)	\$ (14,288)	\$ 3,283	\$ (261,587)

Utah State Bar 10294
645 South 200 East
Salt Lake City, UT 84111

Quarterly Report 10/1/2013 to 12/31/2013
Year to Date 1/1/2013 to 12/31/2013

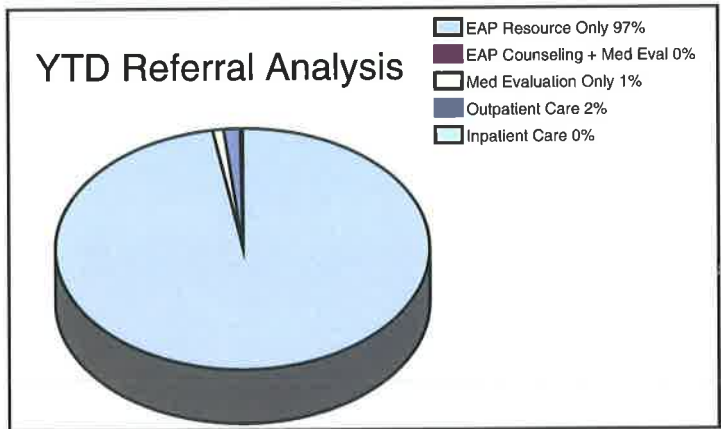
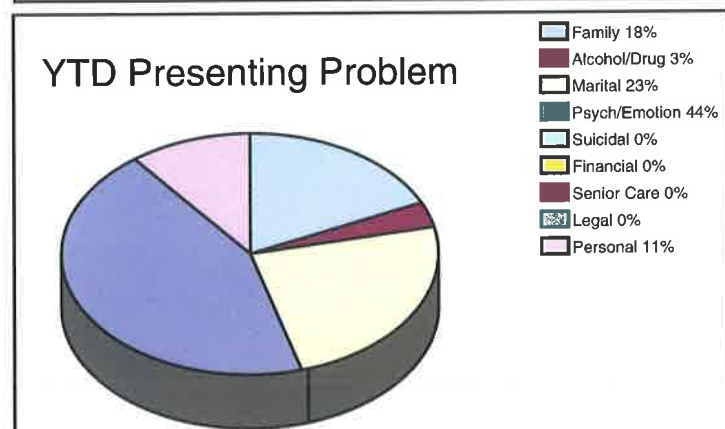
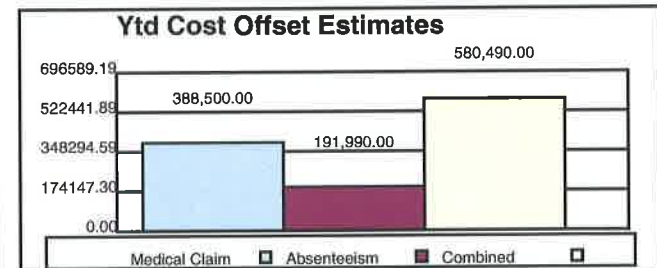
Presenting Problems	Current		YTD	
	Emp	Dep	Emp	Dep
Family	5	4	33	36
Alcohol/Drug	1	0	6	6
Marital	8	6	46	42
Psychological/Emotional	35	20	115	49
Suicidal	0	0	0	0
Financial	0	0	0	0
Senior Care	0	0	0	0
Legal	0	0	0	0
Personal	2	3	30	12
Wellness	0	0	0	0
Totals	51	33	230	145
Total Individuals	84		375	
Total Cases	60		263	

	Current	YTD
New Cases	60	263
Referral Type		
Self	60	262
Supervisor	0	1
Totals	60	263
Case Status		
Active	35	63
Inactive	25	200
Totals	60	263
Number of Employees		7672
Annualized Utilization		
By Cases		3.43
By Individuals		4.89

Referral Actions	Current		YTD	
	Emp	Dep	Emp	Dep
In house EAP counseling	54	38	252	159
In house Group	1	1	3	3
Rx for Psych Meds - pcp	0	0	2	1
Rx for Psych Meds - psy	1	0	1	3
Outpatient Psychiatric	2	0	4	3
Outpatient A & D	0	0	0	0
Inpatient Psychiatric	0	0	0	1
Financial	0	0	0	0
Attorney	0	0	0	0
Self Help Group	0	0	0	0
Totals	58	39	262	170

Clinical Hours	Current	YTD
Therapy Time	268.50	881.25
Group Time	4.00	14.00
Follow-up Time	15.75	53.75
Total Clinical	288.25	949.00
Service Time		
Company Contacts	Current	YTD
Customer Service	11.00	66.00
Emp/Sup Training	0.00	0.00
Seminars/Training	3.00	6.00
Total Service	14.00	72.00
# of Crises	1	

Referral Analysis Individual Status	Current		YTD	
	Count	%	Count	%
EAP Resource Only	82	97.62	364	97.07
EAP Counseling + Med Eval	0	0.00	0	0.00
Med Evaluation Only	0	0.00	4	1.07
Outpatient Care	2	2.38	6	1.60
Inpatient Care	0	0.00	1	0.27
Totals	84		375	



BLUMQUIST HALE

EMPLOYEE ASSISTANCE

Utah State Bar 10294
645 South 200 East
Salt Lake City, UT 84111

Quarterly Report 1/1/2014 to 3/31/2014
Year to Date 1/1/2014 to 3/31/2014

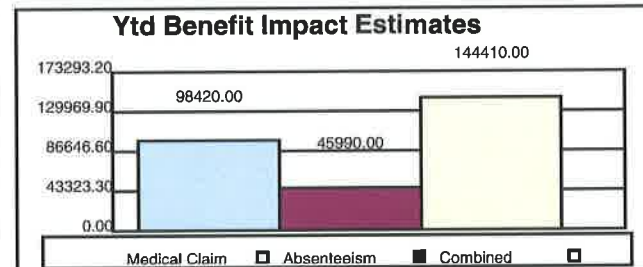
Presenting Problems	Current		YTD	
	Emp	Dep	Emp	Dep
Family	9	15	9	15
Alcohol/Drug	1	2	1	2
Marital	7	11	7	11
Psychological/Emotional	37	12	37	12
Suicidal	0	1	0	1
Financial	0	0	0	0
Senior Care	0	0	0	0
Legal	0	0	0	0
Personal	0	0	0	0
Wellness	0	0	0	0
Totals	54	41	54	41
Total Individuals	95		95	
Total Cases	63		63	

	Current	YTD
New Cases	63	63
Referral Type		
Self	62	62
Supervisor	1	1
Totals	63	63
Case Status		
Active	34	34
Inactive	29	29
Totals	63	63
Number of Employees	7672	
Annualized Utilization		
By Cases	3.33	
By Individuals	5.03	

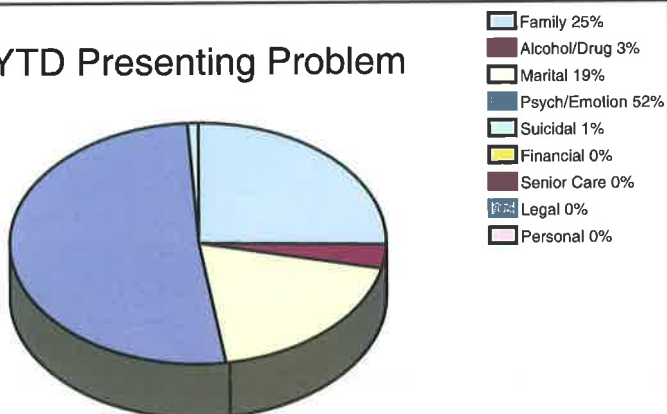
Referral Actions	Current		YTD	
	Emp	Dep	Emp	Dep
In house EAP counseling	55	44	55	44
In house Group	2	0	2	0
Rx for Psych Meds - pcip	0	0	0	0
Rx for Psych Meds - psy	0	0	0	0
Outpatient Psychiatric	0	0	0	0
Outpatient A & D	0	0	0	0
Inpatient Psychiatric	0	0	0	0
Financial	0	0	0	0
Attorney	0	0	0	0
Self Help Group	0	0	0	0
Totals	57	44	57	44

Clinical Hours	Current	YTD
Therapy Time	124.00	124.00
Group Time	0.00	0.00
Follow-up Time	10.50	10.50
Total Clinical	134.50	134.50
Service Time		
Company Contacts		
Customer Service	24.00	24.00
Emp/Sup Training	0.00	0.00
Seminars/Training	0.00	0.00
Total Service	24.00	24.00
# Critical Events	2	

Referral Analysis Individual Status	Current		YTD	
	Count	%	Count	%
EAP Resource Only	95	100.00	95	100.00
EAP Counseling + Med Eval	0	0.00	0	0.00
Med Evaluation Only	0	0.00	0	0.00
Outpatient Care	0	0.00	0	0.00
Inpatient Care	0	0.00	0	0.00
Totals	95		95	



YTD Presenting Problem



YTD Referral Analysis

