

VISION OF THE UTAH STATE BAR

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

MISSION OF THE UTAH STATE BAR

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

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 Commission Policies and Procedures

Page 40

(g) Diversity Requirements.

Providers of continuing education programs sponsored or co-sponsored by the Bar are asked to ensure that program presenters reasonably reflect the diversity of firms, geography and gender within the Bar membership. CLE program proposals may not inappropriately promote individual law firms. If the CLE Administrator is of the opinion that a program violates this prohibition, the matter shall be referred to the Executive Director for decision and any appropriate recommendation to the program provider.

UTAH STATE BAR AWARDS

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

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

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

Two most important responsibilities of a Bar Commissioner

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

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

Help fulfill vision by devoting time and intellect

Contribute ideas and work

Serve lawyers of Utah

Help accomplish goals of the commission

Represent my division and my liaison groups

Make the Bar meaningful to lawyers

Speak honestly

Contribute with ideas and feedback

Fiduciary

Forward thinking visionary

Communicate with Bar members

Have programs that assist all attorneys and advance the profession

Protect core functions

Promote access to justice and diversity

Know concerns of membership

Speak for membership

Take action on members' needs

Be conservative with bar dues

Attend the meetings

Use sound judgment

Serve community

Represent the unrepresented

Access to Justice

Work together to assist sections of the Bar

Support Rule of Law and integrity of legal system

Listen and participate

Utah State Bar Commission

Thursday, March 10, 2016 Dixie Convention Center St. George, Utah

Agenda

	12:00 Noon	Lunch	with Southern Utah Bar Association	
1.	1:15 p.m.	President's Report: Angelina Tsu		
	10 Mins. 05 Mins.	1.1 1.2	Meeting with Governor Herbert (Tab 1, Page 9) Utah State Bar Day at Legislature (Tab 2, Page 12)	
2.	1:35 p.m.	Action Items		
	15 Mins.	2.1	Changes to Bar Policies: John Baldwin (Tab 3, Page 14)	
	15 Mins.	2.2	Lawyer Referral Directory: John Lund	
	10 Mins.	2.3	Petition to Create Indian Law Section (Tab 4, Page 34)	
3.	2:15 pm	Discussion Items		
	10 Mins	3.1	Operations Review (Handout)	
	10 Mins	3.2	Bar Journal (Tab 5, Page 75)	
	10 mins.	3.3	Blomquist Hale (Tab 6, Page 90)	
	10 Mins.	3.4	ABA Young Lawyers Program	
	10 Mins	3.5	Young Lawyer Delegate to ABA: Chris Wharton (Tab 7, Page 93)	
	3:05 p.m.	Break		
4.	3:20 p.m.	Inforn	nation Items	
	05 Mins.	4.1	Paralegal Practitioner Steering Committee: John Baldwin (Tab 8, Page96)	
	05 Mins.	4.2	Breakfast of Champions: Michelle Mumford	
	05 Mins.	4.3	Leadership Academy: Liisa Hancock	
	05 Mins.	4.4	"Courthouse Steps" Clinic: Elizabeth Wright (Tab 9, Page 102)	
	05 Mins	4.5	Petition on Bar Applicant Qualifications: Elizabeth Wright	
	05 Mins.	4.6	OPC Consultation	
	05 Mins.	4.7	Summer Convention Planning: Kate Convers	
	05 Mins.	4.8	Spring Convention Schedule: Rob Rice	
	4:00 p.m.	Adjou	rn	
			(Over)	

Consent Agenda (Tab 10, Page 104)

- 1. Approve Minutes of January 22, 2016 Commission Meeting
- 2. Re-appointment of Chrystal Mancuso-Smith to Detection Deception Examiners Board
- 3. Appointment of Brooke Robinson to Pro Bono Commission

Attachments (Tab 11, Page 112)

- 1. January Financial Statements
- 2. Bar Policy on Waiver of Registration Fees for Conventions and Bar CLE Events
- 3. National Conference of Bar Presidents February Meeting Program

Calendar

March 20	Election Email Message Due		
March 30-April 2	Western States Bar Conference		Paradise Point, San Diego, CA
April 1	Election-Online Balloting Begins		
April 8	Executive Committee	12:00 Noon	Ray Quinney & Nebeker
April 15	Commission Meeting	9:00 a.m.	J. Reuben Clark Law School, Provo
April 15	Election-Online Balloting Ends		
April 16	Election-Ballots Counted		
April 19-21	ABA Day in Washington		Washington, D.C.
May 2-3	Northwestern States Bar Conference		Idaho
May 6	Executive Committee Meeting		Ray Quinney & Nebeker
May 13	Commission Meeting	9:00 a.m.	Law & Justice Center
May 25(?)	Admission Ceremony	12:00 Noon	TBD
June 2-4	Jackrabbit Bar Conference		Lake Tahoe
June 28	Executive Committee	12:00 Noon	Ray Quinney & Nebeker
July 6	Commission Meeting	1:00 p.m.	Lowe's Coronado, San Diego, CA
July 6-9	Summer Convention		Lowe's Coronado, San Diego, CA
,			, , ,

TAB 1

Meeting with Utah State Bar Officers 9:15 am to 9:45 am Friday, February 12th Governor's Office, Utah State Capitol

Purpose of the Event: Meet the current Utah State Bar President, President-elect and Executive Director and discuss matters of mutual interest.

Attending: There will be four representatives from the Bar:

President Angelina Tsu, Zions Management Services Corporation President-elect, Rob Rice, Ray Quinney & Nebeker Executive Director, John Baldwin Legislative Representative, Doug Foxley

Agenda: Introductions and discussion.

Talking Points:

Role of Media: None

Staff:

- Continued support for strong, diverse and independent judiciary
- The Bar's efforts to increase access to justice for the underprivileged and middle class, including licensing paralegals to perform limited legal services
- Any proposed legislation affecting access to justice

Background: The Utah State Bar is a Utah non-profit corporation which licenses lawyers and provides public and member services under the order of the Utah Supreme Court, pursuant to the Utah State Constitution. The Bar President and President-elect are elected by the lawyers of Utah and lead the Bar's 24-member governing Board of Bar Commissioners and 12,000 licensed lawyers.

Miscellaneous:				
Attire:				
Contact:	John Baldwin; 801-297-7028; jbaldwin@utahbar.org			

The Bar's efforts to increase access to justice for the underprivileged and middle class

- 1. Pro Bono Program
- 2. Modest Means
- 3. Futures Commission and AAA Task Force
 - A. Develop a robust and consumer-friendly lawyer referral directory
 - B. Build and promote a consumer-friendly website to serve as a clearing house for clients in need of legal assistance
 - C. Increase "discrete task representation" ("fee-per-task" services) through
 - (1) marketing the availability to the public;
 - (2) educating lawyers on rules and uses;
 - (3) promoting delivery models for meeting is courthouses, libraries and community centers.
 - (4) endorsing simplification of court processes, rules and procedures to better enable lawyers and clients to use limited scope representation
 - D. Promote "Incubators" and other support for new lawyers
 - E. Encourage more business and entrepreneurial training in law school
 - F. Promote expansion of "Third-Year Practice" Rule
 - G. Promote legislation to increase of small claims court jurisdiction and fund rural placement programs
 - H. Promote increased judicial case management oversight of dockets, especially in family and debt collection cases
 - I. Support reestablishment of Access to Justice Commission
 - J. Research the concept of family court
 - K. Establish a Law Practice Technology Committee to train lawyers to simplfy delivery of services to the public
 - L. Establish "Low Bono" clinics and expand into courthouses (Open Legal Concept)
- 4. Supreme Court Task Force to Examine Limited Legal Licensing
 - A. Establish licensing of paralegal practitioners to provide certain legal services in specific family law, eviction and debt collection matters.

TAB

Utah State Bar Day at the Legislature

February 17, 2016 9:00 a.m. – 12:15 p.m. State Office Building Auditorium

9:00 a.m.	Program Introduction and Bar Legislative Perspectives Angelina Tsu, Utah State Bar President
9:15 a.m.	The View from the Governor's Office Lt. Governor Spencer Cox
9:25 a.m.	Senate Perspectives on the Session Senate President, Wayne Niederhauser
9:35 a.m.	House Perspectives on the Session Speaker of the House, Greg Hughes
9:45 a.m.	The View from the Attorney General's Office Chief Civil Deputy Bridget Romano
10:05 a.m.	Judicial Branch Perspectives Chief Justice Matthew B. Durrant
10:25 a.m.	Break
10:40 a.m.	The Legislative Process and Access to Justice Senator Stephen Urquhart
11:10 a.m.	Utah Politics Dr. Quin Monson, BYU Department of Political Science
11:40 a.m.	Effectively Communicating with Your Legislators Frank Pignanelli, Doug Foxley, Stephen Foxley, Chris Kyler and Mike Ostermiller
12:10 p.m.	Closing Comments Angelina Tsu

TAB

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Proposed Changes to Bar Policies/

Public Disclosure of Physical Address

Item #: 2.1

Submitted by: John Baldwin

Meeting Date: March 10, 2016

ITEM/ISSUE:

Four issues have been raised recently by Bar members who question the effectiveness and necessity of certain Bar policies and one has been raised by the CLE Department which appears to require Commission involvement. They are detailed individually with cover sheets and memos in the following materials.

#1. Supreme Court 14-507 of the Rules of Lawyer Discipline and Disability requires that lawyers provide physical addresses to the Bar. It does not indicate that the address be public.

Various Bar policies provide that the business address of a lawyer on active status be available to the public, even when that address is the lawyer's residence. Judges' addresses are not required. Some members of the Bar are concerned that the public should not know where they live if their business address is their residence, particularly current and former prosecutors, current and former criminal defense lawyers, and others. Those who are concerned are told they can go to a UPS-like store which can give them a physical address and accept service of process and other documents. This has not resolved the problem for them.

(See Memo)

RECOMMENDATIONS:

1. Make no change to the policy and continue to tell them they need a UPS-like address or their residence will be public.

2. Do not make physical addresses kept by the Bar available to the public and only use them for Bar or Court purposes

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Utah State Bar.

MEMORANDUM

TO:

John C. Baldwin

FROM:

Elizabeth A. Wright

RE:

Bar Policy Requiring Active Lawyers to Have Public Address and Policies for

Address Management

DATE:

January 12, 2016

ISSUE

Does the Bar have adequate authority to require all active status lawyers to have a public address?

ANSWER

Court rules do not specifically state that the Bar must make member addresses public. A reading of a mix of sources and Bar policy state that we require active members to have a public address. We have one or two lawyers each year who object to the policy and point out the Court rule does not specify the information be made public. Ideally, we should have a Court rule that states active members, excluding judges, must have a public address.

CURRENT POLICY

The Bar requires all active members to have a public address listed on the Bar website.

AUTHORITY FOR CURRENT POLICY

There are a variety of sources of authority, including policy reasons, governing what licensing information the Bar can collect. There also are mixed sources of authority, including policies, as to *how* the collected information can be used. The most fundamental underlying concept is that the Utah Supreme Court oversees the practice of law, including admission, licensing and discipline, and delegates that authority and various duties to that Bar.

Rule 14-507 (Rules of Lawyer Discipline and Disability).

This rule sets forth the exact licensing information the Bar must collect. The rule states that we shall collect current **physical addresses** (plural – for both business and residence) and current telephone **numbers** (plural – for both business and residence) for all members. Judges are exempt from providing residential addresses and phone numbers.

Rule 14-508 (b) (Rules of Lawyer Discipline and Disability).

Provides in pertinent part that failure to provide the required annual licensing

information shall result in administrative suspension.

Rule 14-203 (d) (Bar's Bylaws).

Mirrors much of Rule 14-507 as to what information we can collect from lawyers. Also, however, allows that Board generally and the Executive Director (in individual cases specifically) to prescribe *other* required information on the licensing form as it deems to be important.

Bar's Policies and Procedures – Licensing Form Information.

Approved by Bar Commission. Page 6 of the Bar's Policies and Procedures describes what information will be collected on the licensing form. The Policy refers to Rule 14-507.

Bar's Policies and Procedures – Confidentiality Polices re Licensing Records.

Approved by Bar Commission. Page 48 of the Bar's Policies and Procedures describes which licensing information is confidential and which is public.

RATIONALE FOR POLICY

If a lawyer is on inactive status, there is a *presumption* that the lawyer is not practicing law and the lawyer can elect to have his or address made private.

If a lawyer is on active status, there is a *presumption* that the lawyer is engaged in the practice of law and he or she is obligated to make their "business" address/telephone number public by virtue of the status they have elected.

The Bar issues licenses through delegation by the Utah Supreme Court. The Court orders the Bar to collect certain information for admission, licensing and disciplinary purposes. Some information is designated as "private" for Bar purposes only and some information is designated as "public." Public policy reasons and Commission policy establish what is public and what is private.

If a lawyer is on active status the public is entitled to know how to contact the lawyer for purposes of process of service, consultation and access to client files. Therefore, the Commission through Supreme Court delegation requires that the lawyer have publically accessible licensing information which enables someone to physically locate the lawyer to get access to files and serve process.

The above is why a lawyer who is on active status and uses their residence as a place of business must have their residence address designated as public information. In essence, the residence is no longer just a private residence. We advise lawyers who are working from homes who do not want their private residence public to set up a box with a UPS store or other business that will provide a street address, as opposed to a P.O. Box, and accept service for the lawyer. The cost of mailbox service at UPS stores in Salt Lake City varies between \$26 and \$30 per month depending on the length of the contract.

DOPL POLICY

Because of restrictions in its new database, DOPL can only manage one address per licensee. DOPL therefore no longer publicly posts licensee addresses because it cannot distinguish between a home or business address. The public can only access name, license number and disciplinary history through the DOPL website. DOPL interprets GRAMA to require it to provide licensee addresses to the public (the Bar is not subject to GRAMA). Thus, the public can request address and contact information by submitting a request to DOPL. A DOPL employee whose job it is to provide addresses, makes sure the requester has proper I.D. and a legitimate reason for the request. Only one address per request is allowed.

OTHER BARS

Arizona: All active members must have a public address.

Nevada: All active members must have a public address. Rule 79.

Idaho: Requires active members to have a public address. RULE 303

Wyoming: Wyoming does not require members to provide an address that will be made public. Wyoming's Bylaws require that it have a current address on file but there is a "hide contact" option in their system that hides any contact information. Individuals or other lawyers cannot call the Bar to obtain this information. Currently, Wyoming has 103 members taking advantage of this option.

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Proposed Changes to Bar Policies/

Item #: 2.1

Payment and Requirements to Re-enroll Lawyers Suspended for Non-payment

Submitted by: John Baldwin

Meeting Date: March 10, 2016

ITEM/ISSUE:

#2. Bar policies provide that lawyers who wish to be re-enrolled after being suspended for non-payment pay the current licensing fee plus Client Security Fund fee plus the inactive fee for each year they were suspended. Utah Supreme Court rules also require the payment of a \$200 reinstatement fee.

If a lawyer has been suspended for many years, it has at times been pricy to come back into the active practice of law. There is some value in encouraging lawyers to stay on inactive status instead of being suspended for non-payment, which is discussed in the Memo from Elizabeth Wright, General Counsel (attached). The Utah Department of Professional Licensing and other bars do not permit the payment of fees to allow re-licensure. Other bars require a petition with a character and fitness review if they have been away from the practice in their states for more than a few years.

RECOMMENDATIONS:

- 1. Keep the current policy of unlimited fees: or
- 2. Cap the number of years in which a lawyer may just pay to be reinstated if suspended for non payment and is either out of the practice or out of state at 2 years. Require a lawyer who has been suspended for non-payment and is either out of practice or out of state for more than 2 years to file a formal request with the Admissions Department and go through a character and fitness review.

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Utah State Bar. MEMORANDUM

TO:

John C. Baldwin

FROM:

Elizabeth A. Wright

RE:

Reinstatement Fees for Lawyers Suspended for Non-Payment

DATE:

December 23, 2015

ISSUE

Should the Bar modify the rules regarding financial penalties for lawyers who seek reenrollment after an administrative suspension of a year or more for non-payment of licensing fees?

ANSWER

The Bar should not change its policy requiring suspended lawyers to pay all licensing fees in arrears. Lawyers who go years at a time without paying licensing fees should not have the windfall of being able to re-enroll with only a \$200 reinstatement fee. The Bar's current financial penalties are consistent with those of neighboring bars. No neighboring bars cap fees. Additionally, if we eliminated the requirement of paying licensing fees in arrears, there would be little or no incentive for lawyers to go on inactive status and that licensing status would become meaningless.

If anything, the Bar should consider making it more difficult for lawyers to be reinstated after three or more years of suspension for non-payment. Other bars require lawyers who go more than a year without paying licensing fees to petition the Court or bar for reinstatement and pass a character and fitness review. Idaho and Wyoming consider a lawyer who goes more than a year without paying licensing fees to have resigned and require re-application to the bar including a bar exam-

MY RECOMMENDATION

Lawyers who fail to pay for two years can be readmitted by paying the current licensing fee, inactive status fee for the two years the lawyer was suspended, the Client Security Fund assessment and a \$200 reinstatement fee. (Current fee and penalty policy)

Lawyers who fail to pay for three or more years will have to pay all of the above fees, pass a character and fitness review and submit a petition for readmission to the Board. (Will probably require a rule change by the Court.)

CURRENT POLICY

Lawyers who want to be re-enrolled after suspension for failure to pay fees must pay a \$200 reinstatement fee, the current Client Security Fund assessment and the inactive status fee for each year the lawyer was suspended. The current inactive status fee is \$105. A lawyer who failed to pay for five years would therefore be required to pay \$525 in past inactive licensing fees, a \$425 active status license fee, a \$5 client security fund assessment and a \$200 reinstatement fee for a total of \$1155.

Utah lawyers can go years without paying any licensing fees and then be readmitted solely by paying the reinstatement fee and license fees in arrears. We do not require those lawyers to certify competence or, as many other jurisdictions do, pass a character and fitness review and petition the Court or Board with an explanation of why they should be readmitted after years of non-payment.

Lawyers on inactive status do not have any CLE requirements. Lawyers who switch from inactive to active must complete 24 hours of CLE credit within one year of returning to active status. Rule 12-405.

AUTHORITY FOR CURRENT POLICY

The current policy regarding lawyers suspended for non-payment who want to be reinstated is set forth in Court Rule 14-508 and on page 20 of the Bar's Policies and Procedures under "Licensing Status" and "Re-enrollment after expiration for failure to renew."

Rule 15-508 states "The non-complying member may apply in writing for re-enrollment by tendering the *license fees* and/or the required information and an additional \$200 reinstatement fee."

The Bar's Policies and Procedures state:

(6.1) Re-enrollment after Expiration for Failure to Renew.

A lawyer whose license has expired for failure to renew may be re-enrolled under the Rules of Lawyer Discipline and Disability. "License fees" due under the rule shall include the current licensing fee at the status the lawyer requests plus the annual fees at the Inactive Status for all the years in which the lawyer has been suspended, the current Client Security Fund assessment and a \$200 reinstatement fee.

OTHER JURISDICTIONS

Utah's financial penalties are consistent with the policies of neighboring states. However, Utah's policy is more lenient than many because we allow a member to re-enroll and resume active status with *only* a financial penalty. Other states impose fines, require payment of past licensing fees and require a full or abbreviated admission process, including character and fitness review.

Idaho: A lawyers who fails to pay licensing fees has one year to seek reinstatement. Reinstatement requires paying fees required at the time suspended and a petition to the Supreme Court for readmission. An attorney who fails to pay for more than one year is deemed to have resigned and has to reapply for bar admission.

Arizona: An attorney suspended for more than 6 months must petition the Court for reinstatement, pay penalties and a \$1000.00 investigative fee.

New Mexico: A member suspended for nonpayment of license fees has to petition the Board of Bar Examiners for reinstatement and pay a reinstatement fee of twice the member's then license fee, fees in arrears and accrued late penalty payments.

Wyoming: The suspended member may be reinstated upon the filing of a petition for reinstatement with the Wyoming Supreme Court within one (1) year of the date of the order of suspension. The petition shall include copies of the records required by subsection (j) and shall be supported by an affidavit which shows: (1) that all past annual license fees, the current year's annual license fee and any late charges have been paid in full, in addition to all past and current annual fees for continuing legal education; (2) that the attorney is current on all mandatory continuing legal education requirements; (3) that there have been no claims or awards made in regard to an attorney on the clients' security fund for which the fund has not been reimbursed; and (4) the attorney has complied with all other applicable conditions for reinstatement. The petition shall be accompanied by all appropriate fees for applicants for admission on motion.

If an attorney who is suspended from the practice of law for non-payment of the annual license fee has not petitioned for reinstatement within one (1) year of the date of the order of suspension, such attorney's membership in the Wyoming State Bar shall be terminated by order of the Wyoming Supreme Court. Such attorney who thereafter seeks admission to the Wyoming State Bar shall comply with the admissions requirements set forth in the Wyoming Rules and Procedures Governing Admission to the Practice of Law.

Nevada: A late fee is added to the amount a member owes after midnight on March 1. If a member is suspended for failure to pay, the amount owed is doubled. That amount then accumulates annually for each year the suspension continues. For example, a member who has belonged to any state bar for 5 or more years, pays an annual fee of \$450.00. If they do not pay by midnight March 1, the amount they owe includes a \$100.00 penalty. They now owe \$550.00. If they do not pay the \$550.00 by the time the State Bar Board of Governors signs the suspension order (typically in July), the fine of \$550.00 is added so they now owe \$1,100.00 in order to be reinstated. If it takes a member 5 years to decide to be reinstated, they will owe \$1,100.00 x 5.

Oregon: All applicants for reinstatement must pay the applicable reinstatement fee, membership dues for the year in which the application is filed, and all fees, assessments and penalties that are owed to the Bar at the time the reinstatement application. The application will not be approved until the applicant passes a character and fitness review which can take 2-3 months.

Washington State: A member who seeks reinstatement in the same calendar year pays twice the license fee and a reinstatement fee. A member who seeks reinstatement subsequent to the calendar year of suspension pays two times the license fee, reinstatement fee and the license fee for the current year.

INACTIVE STATUS IS A NECESSARY LICENSING CATEGORY

If lawyers were able to forego payment of licensing fees for years at a time and then reenroll by only paying a \$200 reinstatement fee, there would be no incentive to pay inactive licensing fees.

Inactive status is important because it allows lawyers who are not practicing law to maintain a law license at a reduced cost and without having to meet MCLE compliance. Even though the lawyer is not practicing, they have an inactive law license that is proof of Bar exam passage and admission and demonstrates the member is in good standing with the Bar. "Good standing" means the member has paid all fees and has not been disciplined.

Lawyers who take advantage of inactive status include members living and practicing in other jurisdictions, law professors, judges, law clerks and law librarians. There are also inactive members who are not in law-related fields who switch to inactive status while raising children or working in a non-legal business. By paying fees and keeping their license active, these individuals can switch to active status when their job situation requires. Members who switch from inactive to active status have one year to earn 24 CLE credit hours.

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Proposed Changes to Bar Policies

Item #: 2.1

Reducing Reinstatement Fees if Suspended for Non-payment and Failure to Comply

with MCLE Requirements

Submitted by: John Baldwin

Meeting Date: March 10, 2016

ITEM/ISSUE:

#3. Often lawyers who are suspended for failing to complete their MCLE requirements also fail to pay their Bar fees and when they are reinstated for both end up paying a \$200 Reinstatement Fee to the MCLE Board and a \$200 Reinstatement Fee to the Bar. Some while ago, the MCLE Board recommended charging just one Reinstatement Fee in these rare circumstances and splitting the fee, with \$100 going to each organization.

RECOMMENDATIONS:

Formalizing that policy by petition the Court to change the fees to \$100 each.

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Utah State Baro

TO:

John C. Baldwin

FROM:

Elizabeth A. Wright

RE:

Reinstatement Fees for Lawyers Suspended for Both Failure to Comply with

MCLE and Failure to Pay Licensing Fees

DATE:

January 6, 2016

CURRENT POLICY

Lawyers who are administratively suspended for both failure to comply with MCLE and failure to pay licensing fees pay MCLE fees, the required licensing fees, client security fund assessment and \$100 for licensing reinstatement (not the full \$200 required under 15-508).

The fees due can vary based on how long the lawyer has been suspended for nonpayment and whether the lawyer has been suspended for failure to comply with MCLE within the past five years. However, the reinstatement fees alone would be \$300 if the lawyer had not been late with MCLE compliance within the past five years.

Currently, there is no written policy for giving these individuals a \$100 discount on the \$200 licensing reinstatement fee. My understanding is that licensing decided not to charge the full combined \$400 in reinstatement fees.

FEES

MCLE Fees

- \$15.00 filing fee
- \$100.00 late filing fee
 - CLE completed after June 30 of reporting year or Certificate of Compliance filed after July 31 of reporting year.
- \$200 Reinstatement Fee
- An additional\$500.00 if the need for reinstatement is a repeat violation within the past five years

Licensing Reinstatement Fees

- Current Licensing Fee
- Annual Fee at the inactive status for all the years in which the lawyer was suspended (\$105 x Number of years suspended)
- Client Security Fund Assessment \$5
- \$200 Reinstatement Fee (This amount is set in Rule 14-508)

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Proposed Changes to Bar Policies/

Item #: 2.1

Changing Email Policies

Submitted by: John Baldwin

Meeting Date: March 10, 2016

ITEM/ISSUE:

#4. Lawyers at times complain about the number of emails they get from the Bar. We encourage them to create their own folder on the email account for Bar emails but that they need many of the regulatory notices and those from the Court and should be interested in other notices about CLE and services and programs.

We also try to be careful and not spam lawyers.

RECOMMENDATIONS:

1. Maintain current policy; or

- 2. Allow an opt-out of all Bar email except licensure and elections with a warning; or
- Pay to program our database to permit opting out of certain types of email.

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Proposed Changes to Bar Policies/

Item #: 2.1

Changing Email Policies

Submitted by: John Baldwin

Meeting Date: March 10, 2016

ITEM/ISSUE:

#4. Lawyers at times complain about the number of emails they get from the Bar. We encourage them to create their own folder on the email account for Bar emails but that they need many of the regulatory notices and those from the Court and should be interested in other notices about CLE and services and programs.

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RECOMMENDATIONS:

1. Maintain current policy; or

2. Allow an opt-out of all Bar email except licensure and elections with a warning; or

3. Pay to program our database to permit opting out of certain types of email.

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Utah State Bar. MEMORANDUM

TO:

John C. Baldwin

FROM:

Elizabeth A. Wright

RE:

Bar Email Policy

DATE:

December 30, 2015

ISSUE

Should lawyers be allowed to opt-out of receiving emails from the Bar?

CURRENT POLICY

Lawyers are not allowed to opt out of receiving emails from the Bar. This language is on the Bar's website and is sent to individual lawyers who request to be removed from the Bar's email list:

"The Utah State Bar sends email to its members to assist with licensing, compliance support and to provide information about the operation of the Bar. Email from the Utah State Bar to its members is not covered by the Can-Spam Act because it falls under the transactional and relationship exceptions to the Act.

Members who do not wish to receive email from the Utah State Bar have the option of creating a filter, blocking the domain with its attendant risks or deleting emails as they come in. However, those members who take action to block or filter email from the Bar risk missing notifications and reminders about licensing and compliance deadlines. Members who miss these deadlines risk administrative suspension."

When the Bar receives requests to be removed from its email list, Bar staff explain the above policy and suggest that lawyers use their email management tools to filter or block emails from the Bar. For instance, a lawyer can set up email controls so that all Bar emails go into a separate email folder that the lawyer can access only if he or she is interested in reading emails from the Bar.

FIVE CATEGORIES OF EMAILS THE BAR SENDS

1. Judicial Notices

The Court uses the Bar's "UtahStateBarNews" email system to send court notices such as rule changes or judicial vacancy notices.

2. Regulatory and Compliance

The Bar sends emails notifying lawyers about licensing deadlines, MCLE compliance deadlines and Bar Commission elections and voting.

3. CLE

Emails about CLE events and conventions.

4. Public Service

E-bulletins, information about Wills for Heros events or other pro bono opportunities.

5. Section and Specialty Bars

Lawyers who join a section or specialty bar receive email from the section about CLE or social events.

TYPES OF COMPLAINTS

Some lawyers do not want to receive any emails from the Bar. Some lawyers object to emails about CLE events, especially for areas of the law in which they do not practice.

OPTIONS

- 1. Maintain Current Policy. Lawyers can easily manage their email accounts to block emails from the Bar or direct the emails into a separate folder.
- 2. Allow Lawyers to Opt-out With A Warning.

The Bar could allow lawyers to opt-out of any emails from the Bar with a warning that the lawyer would not receive any licensing or compliance reminders.

3. Re-Program the Bar's Database to Allow Lawyers to Opt Out of Categories of Emails. The Bar could pay Euclid to reprogram the member control panel to allow layers to opt out of one of the five categories of emails. The Bar could prohibit lawyers from opting out of regulatory or compliance emails, but allow an opt-out for the other four categories. The Court may have an opinion regarding whether lawyers should be allowed to opt-out of judicial notices.

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Proposed Changes to Bar Policies

Payment of CLE Fees

Item #: 2.1

- - **,** -----

Submitted by: John Baldwin

Meeting Date: March 10, 2016

ITEM/ISSUE:

#5. Some lawyers attend CLE events without paying and thus get free CLE and some register but do not show up. There are currently about 300 lawyers who owe the Bar and Sections almost \$50,000 in total for CLE hours they have not paid for. Lawyers who register for events but do not show means materials and food which have been ordered and are wasted. Their not coming can often preclude others from attending.

RECOMMENDATIONS:

1. Required everyone to pre-pay, even if at the door; or

2. Add unpaid fees to their next license form and not permit re-licensure unless all fees are paid; or

3. Withdraw CLE credit until fees are paid.

INFO ONLY:

DISCUSSION:

ACTION NEEDED: X

Utah State Bar_®

MEMORANDUM

TO:

John C. Baldwin

FROM:

Elizabeth A. Wright

RE:

New Bar Policy for Individuals Who Fail to Pay for CLE Events

DATE:

December 28, 2015

ISSUE

The Bar needs written policies regarding: (1) collection of fees when a lawyer attends a CLE event without paying, and (2) collection of fees for a CLE event for which a lawyer registers but does not attend.

The CLE Department would like a written accounting policy stating what it should do with outstanding payments after a certain number of days for those no show/no pay attorneys.

CURRENT UNWRITTEN POLICIES

Once a month, the Finance Department sends the CLE Department a list of lawyers who did not pay for a CLE event. The CLE Department then sends the lawyers an email notifying them of the outstanding balance and asking them to log on to their online account and pay for the event. After several emails, a staff member will call the lawyers in an effort to collect the payment.

CLE reports that the lawyers either ignore efforts to collect or report that a deposition, deadline or other work related conflict came up. CLE staff then explains the cancellation policy and that the lawyer should have called to cancel.

Attendees Who Do No Pay

All lawyers who check in at a CLE event receive CLE credit for attending the event. Currently, the Bar does not withhold or remove the CLE credit for lawyers who never pay for an event they attended.

Registrants Who Do Not Show or Pay

The Bar sends collection notices to lawyers who register for but do not attend a CLE event. The Bar attempts to collect because it incurs expenses for speakers, food, materials and room rental based on anticipated attendance. Also, lawyers who are "no-shows" for fully booked events prevent other lawyers from attending.

CANCELLATION POLICY ON BAR WEBSITE

"Cancellation notice must be made in writing and provided to the CLE department at least 48 hours prior to the event date. If cancellation is made within the time period, the registration fee, minus a \$20 non-refundable fee will be returned to the registrant. No refunds will be given for cancellations made after that time.

The full registration fee is due and payable to the Utah State Bar if a cancellation is not received prior to the event as described above and the registrant does not attend or sends a substitute.

This policy does not apply to the Spring and Annual Conventions or other seminars where a separate cancellation policy is expressly written to govern the event attendance. Please send cancellations via Email: cle@utahbar.org"

CANCELLATION POLICY ON WEBSITE FOR SECTION EVENTS

"CANCELLATION POLICY Cancellations must be confirmed in writing at least 48 hours prior to the seminar date. If cancellation is made within the time period, the registration fee will be returned to the registrant. No refunds will be given for cancellations made after that time. The full registration fee is due and payable to the Utah State Bar if you register but do not attend."

PROPOSED POTENTIAL POLICIES

1. Require All Registrants to Pre-pay

Connie reached out to her colleagues in other jurisdictions to see how they solve the problem and most reported that they require pre-payment for all events. If door registrants are allowed, those individuals must pay at the door by check or cash. The Utah State Bar has the ability to set up a laptop for lawyers to use to log on to their accounts and pay by credit card.

Proposed new section (8) on page 40 under existing "(f) CLE Programs."

(8) Registrants Must Pre-pay for all CLE Events.

Any lawyer or other attendee who registers for a CLE event must pay for the event at the time of registration. If the event allows door registration, attendees must pay by cash, check or credit card at the time of door registration.

2. Add Fee To Annual Licensing Form

Lawyers who attend without paying will have the cost of the CLE event added to their licensing form or will be prohibited from licensing as long as there is an outstanding invoice.

3. Withdraw Credit

The Bar could adopt a written policy which provides that lawyers who attend a CLE event without paying for the event will have the CLE credit for the event removed from their transcript until payment is received.

Proposed new section (8) on page 40 under existing "(f) CLE Programs."
(8) Withdrawal of CLE credit for registrants who attend but do not pay for CLE event.

Individuals who attend a CLE event without having prepaid will be invoiced for the event. An email with the attached invoice and a request for payment will be sent to the attendee after the event. If the attendee does not pay the invoice after 30 days, the CLE credit will be removed from the lawyer's CLE transcript. A lawyer who pays an invoice after having the credit removed must notify the CLE department by email or letter that the invoice has been paid. Upon receipt of proof that the invoice has been paid in full, the CLE credit will be restored to the lawyer's CLE transcript.

If a CLE event takes place within 30 days of a MCLE compliance deadline, lawyers will not be allowed to attend without prepaying for the event.

MY RECOMENDATION

I recommend that all registrants be required to pre-pay for CLE events. This solves the problem of having to collect or withdraw CLE credit. It also solves the accounting problem of having to carry the non-payments on the CLE Department's books.

Some lawyers may complain that their employer will not reimburse until they have attended. Those lawyers will have to front the cost on their own credit card and seek reimbursement from their employer. The ABA, National Trial Lawyers and other CLE providers all require pre-payment for registrants so the lawyers would be familiar with the requirement to pre pay and to seek reimbursement if necessary.

TAB February 1, 2016

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

Re: Formation of Indian Law Bar Section

To Whom It May Concern:

With eight (8) Tribes located within the state of Utah and a distinct population of American Indians residing in the state, many Utah legal practitioners are encountering issues that implicate Indian law. However, without a forum to share their experiences and to learn from each other, these practitioners are not as well prepared to address these issues as they could be. Indian law is a complex and diverse area of law that impacts criminal, environmental, real property, tax, child welfare and other civil matters. The legal community would benefit from an Indian law bar section that is dedicated to advancing the understanding, application, interpretation, and improvement of federal laws, tribal laws, and to the extent applicable, state laws that pertain to American Indians, Tribes, and Indian country.

Furthermore, this need is not currently being met by an existing bar section. Admittedly, the Environmental Law section has a subcommittee for environmental issues; however, as previously indicated, Indian law encompasses much more than environmental issues.

As evident by the number of signatures collected, the Utah legal community supports the establishment of an Indian Law section. Therefore, we respectfully request that the Bar approve the formation of this new section.

If you have any questions or concerns, please do not hesitate to contact either of us. We look forward to hearing from you soon.

Sincerely,

Heather J. Tanana

Attorney at Law

Richards Brandt Miller Nelson

Michael Walch

ruchal Walsh

Attorney at Law

Callister Nebeker & McCollough

UTAH STATE BAR INDIAN LAW SECTION BYLAWS

ARTICLE 1 ORGANIZATION

- 1.1 <u>Creation</u>. The Indian Law Section (hereinafter "Section") was established pursuant to the Bylaws of the Utah State Bar (sometimes referred to as the "Bar") to accomplish the purposes set forth therein.
- 1.2 <u>Purpose</u>. The purpose of the Section shall be to assist its members and all interested members of the Bar:
 - a. By providing high quality continuing legal education ("CLE") opportunities which will satisfy all of the Utah State Bar Mandatory Continuing Legal Education requirements;
 - b. By sponsoring periodic CLE luncheons with topics selected by Section officers (after considering input from Section members);
 - e. By holding an annual Section meeting (typically a half-day seminar with an update of case law, legislation and other topics);
 - d. By sponsoring break-out session(s) at the Utah State Bar mid-year and annual meetings;
 - e. By providing opportunities and forums for lawyers to network and exchange ideas regarding the practice of tribal, state, and federal Indian law;
 - f. By periodically publishing a newsletter advising Section Members of upcoming events, legislation and other matters pertinent to practitioners working within the field of Indian law;
 - g. By monitoring legal and political issues relevant to Indian law and to make recommendations to the Bar with respect thereto including without limitation participation on the Utah State Bar Governmental Relations Committee;
 - h. If applicable, by forming ad hoc committees to address legislation of general interest to Indian law practitioners;
 - i. By promoting the education of the general public, both Indian and non-Indian, with respect to the application of laws and legal procedures of particular relevance to the Indian communities and governments thereof;
 - j. By sponsoring and engaging in activities and programs that promote and/or address social, cultural, political and legal issues affecting Indian communities.
 - k. By advancing the understanding, study, adoption, interpretation and improvement of federal laws, tribal laws, and, to the extent applicable, state laws, rules, and regulations which pertain to Indians, to Indian tribes, or to Indian country, and to their administration and enforcement; and
 - 1. To undertake such other service as may be of benefit to the Section's members, the legal profession and the public.

- 1.3 <u>Limitations</u>. These Bylaws are adopted subject to the applicable Utah Statutes and the Bylaws of the Utah State Bar, and supersede any existing Bylaws of the Section.
- 1.4 <u>Principal Office</u>. The principal office of the Section shall be maintained in the offices of the Utah State Bar.
- 1.5 Fiscal Year. The fiscal year of the Section shall coincide with that of the Utah State Bar.

ARTICLE 2 MEMBERSHIP

2.1 <u>Enrollment</u>. Any member of the Utah State Bar in good standing with the Bar shall, upon request to the Executive Director of the Bar, be enrolled as a member of the Section by the payment of annual Section dues in an amount and for the purpose approved by the Board of Commissioners of the Utah State Bar.

Enrollment of Associate Members. The members of the Section may include persons who are not attorney members of the Utah State Bar, but have a professional interest in the purpose of this Section (including without limitation members of the Federal Bar and other State Bars, tribal judges, advocates and representatives, State and Federal elected officials, representatives of governmental and private agencies and organizations dealing with Indian matters). These members shall be known as "Associate Members." It is the policy of this Section to involve Associate Members for the limited purpose of advancing the Section's principal objectives that are set forth in these Bylaws. As a specific condition for membership in the Section, Associate Members shall take all precautions to assure that they do not hold themselves out as being members of the Utah State Bar, and fill follow all guidelines and directives from the Section Chair in connection with the implementation of this requirement. Membership as an Associate Member shall be at the absolute and sole discretion of the majority of the members of the Executive Committee. Associate Members may not hold office in the Section, but are otherwise entitled to all of the privileges and benefits of Section membership. Associate Members shall pay annual Section dues equivalent to the amount paid by regular members of the Section.

Enrollment of Student Members. The Associate Members of the Section may include degree or certificate seeking students, subject to their showing evidence of current enrollment at an institution of higher education. Student Members are subject to the limitations, requirement, and benefits of other Associate Members pursuant to Article 2. Student Members shall pay annual Section dues.

- 2.2 <u>The Membership</u>. Members enrolled as provided in Section 2.1 shall constitute the membership of the Section.
- 2.3 <u>Dues</u>. The Section officers shall set the dues for Section members. The dues shall be \$25.00 for each member per year unless the Section officers determine an adjustment should be made.

ARTICLE 3 MEETINGS

- 3.1 <u>Annual Meeting</u>. The annual meeting of the Section shall be held at a place determined by the officers on the third (3rd) Thursday in the month of April in each year or such other date as designated by the Section Officers unless that day is a legal holiday, and if a legal holiday, on the following Thursday which is not a legal holiday.
- 3.2 <u>Quorum</u>. Those Section members present at any duly called Section meeting shall constitute a quorum for the transaction of business.
- 3.3 <u>Controlling Vote</u>. Action of the Section shall be by majority vote of the members present and voting at any meeting of the Section.
- 3.4 <u>Agenda</u>. At the annual meeting of the Section members, Officers of the Section shall be elected and other business may be discussed and voted upon as determined to be appropriate by the Officers.
- 3.5 <u>Special Meetings</u>. Special meetings of the membership of the Section may be called by the Section Chairperson at such time and place as he or she may determine.
- 3.6 Notice of Meetings. Written, printed, or electronic notice shall be given to all Section members stating the date, hour and place of all meetings of members, and in the case of all special meetings the purpose or purposes for which the meeting is called. Notice shall be delivered by hand, U.S. mail or e-mail at least five (5) days prior to the date of the meeting to each member of the Section. If mailed, notice shall be deemed delivered when deposited in the United States mail addressed to the member at his or her address as it appears on the records of the Utah State Bar, with postage thereon prepaid.

ARTICLE 4 OFFICERS

4.1 Officers. The Officers of the Section shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer, chosen from the membership of the Section. One officer may simultaneously hold both the office of Secretary and Treasurer. The Officers shall establish the rates for Section dues, CLE presentations (monthly lunches and the annual Section meeting), as well as approve expenditures for special projects, donations, reimbursements and lodging and meals for guest speakers at Section-sponsored events. Specific duties of those officers related to administration and operation of the Section shall be as follows:

Chairperson

General oversight of Section
Liaison with Utah State Bar
Represent Section at Utah State Bar Commission meetings, as invited
Respond to inquiries made to Section
Oversee Distinguished Indian Law Practitioner award
Supervise and prepare agenda for Section Officer meetings

Communications to Section officers

Oversee monthly CLE presentations

Coordinate/oversee matters assigned by Section Officers

CLE presentations, special ad hoc projects

Vice Chairperson

Serve on Utah State Bar Governmental Relations Committee

Canvas Section Officers for position on pending legislation

Serve on Utah State Bar Annual Meeting Committee

Host Section breakfast at Utah State Bar Annual Meeting (if breakfast is held)

Arrange for Section-sponsored speakers at Annual Meeting

Attend Annual Meeting and introduce Section-sponsored speaker(s)

Provide plaque for outgoing Section Chairperson

Provide plaque for Distinguished Indian Law Practitioner award

Coordinate/oversee matters assigned by Section Officers

CLE presentations, special ad hoc projects

Secretary

Serve on Utah State Bar Mid-Year meeting committee

Arrange for Section-sponsored CLE session or sessions at mid-year meeting

Attend mid-year meeting and introduce Section-sponsored speaker(s)

Supervise preparation and mailing of newsletter

Maintain records (historical listing of CLE, Officers, Members, Section rules, etc.)

Reserve facilities for CLE meetings and select menus

Coordinate/oversee matters assigned by Section Officers

CLE presentations, special ad hoc projects

Treasurer

Analyze regular financial reports

Make recommendations on rates for dues, CLE charges, etc.

Monitor self-sufficiency of regular functions

Prepare annual budget / estimates of expenditures

Process reimbursements with Utah State Bar

Send out "dunning" letters for no shows at CLE presentations

Coordinate annual Section meeting in April, including arranging for speakers and preparing brochure, introducing speakers and conducting election of new Section Officer(s)

Coordinate/oversee matters assigned by Section Officers

Organize new lawyer CLE

CLE presentations, special ad hoc projects

ARTICLE 5 ELECTIONS

- 5.1 <u>Succession to Offices</u>. The Treasurer shall automatically succeed to the office of Secretary. The Secretary shall automatically succeed to the Office of Vice Chairperson. The Vice Chairperson shall automatically succeed to the Office of Section Chairperson.
- 5.2 <u>Elections</u>. A new Treasurer shall be elected each year at the Section's annual meeting by majority vote of the members then in attendance. If for lack of nominations or any other reason no Treasurer is elected, the position may be filled pursuant to Section 5.3, below.
- 5.3 <u>Vacancies</u>. If at any time an office shall become vacant for any reason, then the remaining Section Officers may appoint any member of the Section to fill the vacancy for the balance of the unexpired term. Such appointed person shall not succeed automatically to another Section Office as provided in Section 5.1, above, but shall be subject to elections as provided in Section 5.2, above.
- 5.4 <u>Term of Office</u>. The term of office shall begin May 1 and shall end on April 30 of each year.

ARTICLE 6 COMMITTEES

- 6.1 <u>Committees</u>. The Section shall have such committees as may from time to time be appointed by the Officers to perform such duties and exercise such powers as the Officers may direct.
- 6.2 <u>Committee Chairperson</u>. Each Committee shall have a Chairperson to be appointed by the Officers who will then regularly report to the Officers.
- 6.3 <u>Duties of Committees</u>. Each Committee shall have the responsibilities which are delegated to it by the Officers, which may include the following:
 - a. To plan and implement Section projects including but not limited to Section meetings and continuing legal education seminars.
 - b. To analyze issues and make recommendations to the Officers on matters referred to the Committee or on its own initiation.
- 6.4 <u>Membership of Committees</u>. Upon request, any member of the Section may be a member of one or more Committees.
- 6.5 <u>Duties of Members of Committee</u>. A Section member shall become a member of a Committee with the understanding he or she will devote sufficient time to assist the Chairperson of the Committee in performing the duties of the Committee.

6.6 <u>Meetings</u>. The Committees may act by correspondence or at meetings separate from the Section. Section members may but need not be given notice of Committee meetings and all Committee meetings may but need not be open to all Section members.

ARTICLE 7 AMENDMENTS

7.1 These Bylaws may be amended at any meeting of the Section by a majority vote of the members of the Section present and voting.

CERTIFICATION OF ADOPTION

CERTIFICATION OF ADOFTION	
I CERTIFY THAT THE FOREGOING BYLAWS WERE ADOPTED BY V SECTION MEMBERSHIP OF THE INDIAN LAW SECTION OF THE UT AT A MEETING, DULY CALLED, ON THETH DAY OF	
BY:, SECTION CHAIR	

Utah State Bar

The following individuals support the formation of a new Indian Law section of the Utah State Bar and would become a member of the section if formed:

No.	Printed Name	Contact Information	Bar Number	Sign Form Rec'd
1	Mary Ellen Sloan	1224 1 st Ave Salt Lake City, UT 84103 (801) 531-6541 sloans@xmission.com	2980	Y
2	Ryan Gregerson	Pearson Butler & Carson 1682 Reunion Ave, Suite 100 South Jordan, UT 84095 (801) 495-4104 ryan@pearsonbutler.com	12528	
3	Chris Pieper	Utah Attorney General's Office 160 East 300 South, 5 th Floor P.O. Box 140857 Salt Lake City, UT 84114 (801) 366-0353 cpieper@utah.gov	15010	
4	Randy Hunter	Utah Attorney General's Office 160 East 300 South, 5 th Floor P.O. Box 140857 Salt Lake City, UT 84114 (801) 366-0353 randyhunter@utah.gov	9084	
5	Ryan Holtan	Pearson Butler & Carson 1682 Reunion Ave, Suite 100 South Jordan, UT 84095 (801) 495-4104 ryanh@pearsonbutler.com	13244	
6	Geoff Dietrich	Pearson Butler & Carson 1682 Reunion Ave, Suite 100 South Jordan, UT 84095 (801) 495-4104 geoff@pearsonbutler.com	12075	
7	Heather Tanana	Richards Brandt Miller Nelson 299 S. Main Street, Suite 1500	13374	Y

		Salt Lake City, UT 84111 (801) 531-2000 heatherjhsmith@gmail.com		
8	Jamie Pleune	Richards Brandt Miller Nelson 299 S. Main Street, Suite 1500 Salt Lake City, UT 84111 (801) 531-2000 jamie-pleune@rbmn.com	11751	Y
9	Kari Dickinson	Richards Brandt Miller Nelson 299 S. Main Street, Suite 1500 Salt Lake City, UT 84111 (801) 531-2000 kari-dickinson@rbmn.com	12495	Y
10	Kristina Ruedas	Richards Brandt Miller Nelson 299 S. Main Street, Suite 1500 Salt Lake City, UT 84111 (801) 531-2000 kristina-ruedas@rbmn.com	14306	Y
11	Kristin Lindstrom	Lear & Lear 808 E. South Temple ST. Salt Lake City, UT 84102 (801) 538-5000 kristin.lindstrom@gmail.com		
12	Becky Holt	Lear & Lear 808 E. South Temple ST. Salt Lake City, UT 84102 (801) 538-5000 rebeccajeanholt@gmail.com	13747	Y
13	Michael Walch	Callister Nebeker & McCullough 10 E. South Temple, Suite 900 Salt Lake City, UT 84133 (801) 530-7300 mcwalch@cnmlaw.com	8472	Y
14	Paul Tsosie	5912 Feldspar Way South Jordan, UT 84081 (801) 699-1507 paul@tsosielaw.com	9468	Y

15	Emilie Lewis	Clyde Snow 201 S. Main Street, 13 th Floor Salt Lake City, UT 84111 (801) 322-2516 eel@clydesnow.com	13281	Y
16	C. Andres Ruedas	Andres Ruedas Legal Services 1561 E. Parkway Ave Salt Lake City, UT 84106 (801) 643-5291 cruedas@byulaw.net	14305	
17	Kristin Fadel	Office of the Guardian Ad Litem 450 S. State St, Suite W-22 P.O. Box 140403 Salt Lake City, UT 84114 (801) 238-7865 kristinf@utcourts.gov	5951	Y
18	Katharine Kinsman	Utah Attorney General's Office 160 East 300 South, 5 th Floor P.O. Box 140857 Salt Lake City, UT 84114 (801) 366-0140 kkinsman@utah.gov	7911	
19	Heather Carter- Jenkins	Jenkins Law Office 9980 South 300 West, Suite 200 Sandy, UT 84070 (801) 285-7539 hjcjenkins5@gmail.com	11386	
20	Janise Macanas	Utah Attorney General's Office 5272 College Drive, #200 Murray, UT 84123 (801) 366-0199 jmacanas@gmail.com	8065	
21	William Thorne	Utah Court of Appeals P.O. Box 510102 Salt Lake City, UT 84151 (801) 255-0616 jthorneut@gmail.com	3251	Y
22	Andrew Fitzgerald	Fitzgerald Law Offices 25 South 100 East	8944	

		Moab, UT 84532 (435) 259-1326 andrewmoablawyer@icloud.com		
23	H. Michael Keller	Vancott Bagley Cornwall & McCarthy 36 S. State St., Suite 1900 Salt Lake City, UT 84111 (801) 532-333 mkeller@vancott.com	1784	
24	M. Ben Machlis	Holland & Hart 222 S. Main St, Suite 2200 Salt Lake City, UT 84101 (801) 799-5915 mbmachlis@hollandhart.com	12585	Y
25	Heidi Bogus	Nelson Jones 8941 South 700 East, Suite 203 Sandy, UT 84070 heidibogus@gmail.com	13498	Y
26	Mark EchoHawk	Echo Hawk Law 505 Pershing Ave, Suite 100 Pocatello, ID 83201 (208) 478-1624 mark@echohawk.com	13424	Y
27	Alex Skibine	University of Utah S.J. Quinney College of Law 332 South 1400 East Salt Lake City, UT 84112 alexander.skibine@law.utah.edu		Y
28	John Ruple	University of Utah S.J. Quinney College of Law 332 South 1400 East Salt Lake City, UT 84112 (801) 581-6545 john.ruple@law.utah.edu	12294	Y
29	M. Covey Morris	Zions Bank Building, Suite 900 10 East South Temple Salt Lake City, UT 84133 (801) 530-7357 covey@cnmlaw.com		Y

30	Chris Cannon	P.O. Box J Provo, UT 84603 (801) 362-8300 chriscanno@gmail.com	562	Y
31	Brandelle Whitworth	Shoshone-Bannock Tribes Office of Tribal Attornesy P.O. Box 306 Fort Hall, ID 83203 (208) 478-3923 bwhitworth@sbtribes.com	14107	Y
32	Nicole Salazar- Hall	Clyde Snow 201 S. Main Street, 13 th Floor Salt Lake City, UT 84111 (801) 322-2516 nsh@clydesnow.com	13349	Y
33	Gabriella Archuleta	450 South State P.O. Box 140241 Salt lake City, Utah 84114-0241 (801) 578-3939 gabriellaa@utcourts.gov		Y
34	Herm Olsen	595 So. Riverwoods Pkwy Logan, Utah 84321 (435) 752-2610 herm@hao-law.com	2463	Y
35	David Read	510 South 200 West, Suite 200 Salt Lake City, Utah 84101 read.david@gmail.com	13089	Y
36	G. Mark Thomas	641 East 300 South #200 Vernal, Utah 84078 (435) 781-5436 mark@uintahcountyattorney.org	6664	Y
37	Paul Cassell	S.J. Quinney College of Law 383 University St. Salt Lake City, Utah 84112 (801) 585-5202 cassellp@law.utah.edu	6078	Y
38	Tyler Goddard	440 N. Paiute Drive Cedar City, Utah 84721 (435) 586-1112 Tyler.goddard@ihs.gov		Y

39	Sheena Knox	205 North 400 West Salt Lake City, Utah 84103 (801) 328-8891	15457	Y
		sknox@utahlegalservices.org		

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: Sheena Knox

Date: 11/24/2015

Contact Information:

Mailing Address	Utah Legal Services
1	205 N. 400 W
	Salt Lake City, UT 84103
Telephone	
	801-328-8891, x3370
Facsimile	
	801-869-2719
E-mail Address	
	sknox @ utah legal services. org

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

- CMM
Printed Name: Tyler C Goddard
Date: 11/20/15

Contact Information:

Mailing Address	440 N. Parte Drive
	Cedar City UT 84721
Telephone	435-586-1112 ext 310
Facsimile	435-867-1516
E-mail Address	tyler. godderdeihs: gov

Utah	State	Bar	Number	(if app	licable):	
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I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Duinted Name	EMILY	I	LEWIS
Printed Name:	Christ	1 2	

Date:	11/16/	15	
Dutte			

Contact Information:

Mailing Address	ONE UTAH (ENTER - 13th Floor 201 SOUTH MAIN STREET SALT LAKE CITY, UTAH BYIII
Telephone	(801) 372 - 2514
Facsimile	
E-mail Address	eel@c/ydosnow.com

Utah State Bar Number (if applicable): _________

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

	A CM
Printed Name:	Paul (45501)
Date:	11/11/15

Contact Information:

Mailing Address	4.5. Quinney College of Law
	383 Unwersity St SCC 841/2
Telephone	801-585-5207
Facsimile	
E-mail Address	cassellp@law.utah.edu

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

2 Milling				
Printed Na	ame:G. Mark Thomas			
Date:	November 11, 2015			

Contact Information:

Mailing Address	641 East 300 South #200 Vernal, UT 84078
Telephone	(435) 781-5436
Facsimile	
E-mail Address	mark@uintahcountyattorney.org

Utah State Bar Number (if applicable):6664	
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I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: Per	Machlis
Date:	15

Contact Information:

Mailing Address	ZZZ South Wain St SLC UT BLLOT
Telephone	801-799-5915
Facsimile	
E-mail Address	mbmachis@pollandhart.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

law world		

Printed Name: David W. Read

Date: October 9, 2015

Contact Information:

Mailing Address	510 South 200 West, Suite 200 Salt Lake City, UT 84101
Telephone	801-348-6723
Facsimile	801-348-6724
E-mail Address	david@readslaw.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: Karjanne Dickinson

Date: 7/27/2015

Contact Information:

Mailing Address	299 S. Main St., Shife 1500 Salt Lake City, UT 84111
Telephone	(801) 531- 2000
Facsimile	(801) 531-550Le
E-mail Address	Kari-dickinson@rbmn.com

I support the formation of a new Indian Law section of the Utah State	Bar	and !	hereby
pledge to become a dues paying member of the section if formed.			

	Salmillebondeter
	Printed Name: Gabriella Archuleta
	Date: 7/13/2015
t Information:	
Mailing Address	450 South State P.O. Box 14 0241 SLC, Let 84114-0241
Telephone	(80) 578-3939
Facsimile	
E-mail Address	gabriellaa @ wtcours.gov

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: Name

Date: 7-15-15

Contact Information:

Mailing Address	595 So. Riverwoods Logan, Ut. 84321	PKwy
	Logan, Ut. 84321	4
Telephone	435 752-2610	
Facsimile	753.8895	
E-mail Address	herma has-law. com	

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

	0 1	7	
Printed Name:	Paul	TSOS	1e

Date: 5/6/15

Contact Information:

Mailing Address	
	5912 Feldspar Way, WJordan
Telephone	801 699-1507
Facsimile	
E-mail Address	paulotsosielaw.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

10000	GI COMPONIA
Printed Name:	Nicole Salazar - Hall

Middle In One Citiel.

Date: 7/9/15

Contact Information:

Mailing Address	Clyde Snow 2015. Main St., 13th Ploor SLC, UT 84111
Telephone	(801) 322 . 2516
Facsimile	
E-mail Address	nshe clydesnow.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

(Jame There
	Printed Name: Jamis Pleuns
	Date: $(0-4-15)$

Contact Information:

Mailing Address	23MN 299, S. Main 4 Goite 1500 SLC UT 64103
Telephone	401-531-2051
Facsimile	
E-mail Address	Jamie - pleune @rbmn.com

Utah State Bar Number	(if applicable):	
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I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Drinted Name:	Heather	7	Tanana
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Date: 7 8 15

Contact Information:

Mailing Address	Richards Brandt Miller Nelso 299 So. Main St., Floor 15 Soilt Lake City, UT 84111
Telephone	(801) 531-2007
Facsimile	(801) 531-5506
E-mail Address	heather-tanana arbmn.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: BRANDELLE WHITWORTH

Date: 5/5/15

Contact Information:

Mailing Address	Shoshone-Bandock Tribes Office of TRIBAL ATTORNEYS P.O. BOX 306 FORT HALL, ID 83203
Telephone	28-478-3923
Facsimile	208-237-9736
E-mail Address	bwhitworth @sbtribes.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name:_	Heldi B.	Bogus	

Date: May 5, 2015

Contact Information:

Mailing Address	8941 South 700 E Suite 203 Sandy Utah 84070
Telephone	801-981-8779
Facsimile	801-505-0360
E-mail Address	HeidiBogus@gmail.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

drawie	Have	<u>. </u>
Printed Name:_	KRISTIN	FADEL
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Date: 412	4/15	10111111

Contact Information:

Mailing Address	450 SOUTH STOPE STREET WEZ SACE LAKE CITY UTPH BUILY
Telephone	801-238-7865
Facsimile	201-578-3945
E-mail Address	KRISTIN F CUTTOURTS. 600

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Ch	turn
Printed Name:_	Chris Cannor

Date: 5-12-15

Contact Information:

Mailing Address	
	P.O. Box J Provo, ut 84603
Telephone	801-362-8300
Facsimile	
E-mail Address	Chriscannoa Gmail. Con

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: Rebecca J. Holt

Date: 90 4/22/2015

Contact Information:

Mailing Address	808 East South Temple St. Sc. UT 84102
Telephone	801-538-5004
Facsimile	801-538-5401
E-mail Address	becky, hot @ leavlaw, com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: John C. Rupie

Date: April 16,705

Contact Information:

Mailing Address	C/o S.J. Quinney College of law 332 South 1400 E. Salt Lake City, U 8412-0730
Telephone	801.581.6545
Facsimile	801-581-6897
E-mail Address	John. ruple@law. utah. zdu

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: Alexander Tallchief Skibine

Date: 16 April 2015

Contact Information:

Mailing Address	S.J. Quinney College of Law University of Utah 332 S. 1400 E. Room 101 Salt Lake City, UT 84112	
Telephone	801-581-6833	
Facsimile	801-581-6897	
E-mail Address	alexander.skibine@law.utah.edu	

Utah State Bar Number (if applicable): ___Member of D.C. Bar__

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name:	MARK	Ecto	HANK
Printed Name:	MARK	Ecto	HANK

Date, 7/2013	Date:	4	20	15									
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Contact Information:

Mailing Address	P.O. Box 6119 Pocatello, 1D 83205
Telephone	(208)478-1624
Facsimile	1208) 478-1670
E-mail Address	war keechohawk.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Michael C.	Mibleh
Printed Name:_	Michael C. Walch
Date	April 24, 2015

Contact Information:

Mailing Address	Callister Nebeker & McCullough 10 E. South Temple, Suite 900 Salt Lake City, UT 84133
Telephone	(801) 530-7300
Facsimile	(801) 364-9127
E-mail Address	mcwalch@cnmlaw.com

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name	M. Covey Morris	

_	4.04.45	
Date:	4.24.15	

Contact Information:

Mailing Address	Zions Bank Building, Suite 900 10 East South Temple Salt Lake City, Utah 84133
Telephone	801.530.7357
Facsimile	801.364.9127
E-mail Address	covey@cnmlaw.com

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I support the formation of a new Indian Law section of the Utah State Bar and hereb pledge to become a dues paying member of the section if formed.

Printed Name: Nay Kilen Slown
Date: 04/16/15

Contact Information:

Mailing Address	1224 10T Ave Salt Lake City, Utah 84103
Telephone	801-503-5656
Facsimile	
E-mail Address	5/06n5D×mission.com

Utah State Bar - Indian Law Section

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

Printed Name: Kristina Ruedas

Date: 4 22 | 15

Contact Information:

Mailing Address	299 s. Main St, 15th Floor Salt Lake City, UT 84111
Telephone	801-531-2045
Facsimile	801-532-5806
E-mail Address	Kristina-Ruedas @rbmn.com

Utah State Bar Number (if applicable): 14306

Utah State Bar - Indian Law Section

I support the formation of a new Indian Law section of the Utah State Bar and hereby pledge to become a dues paying member of the section if formed.

		Printed Name: William A. THORDE, SE
Contact In	nformation:	
	Mailing Address	P.O. B ex 510102 SLC, UT 84151
	Telephone	801-255-0616
	Facsimile	
	E-mail Address	ithornal Carrilson

Utah State Bar Number (if applicable):

TAB

UTAH BAR COMMISSION MEETING AGENDA ITEM

Title: Utah Bar Journal Item # 3.2

Submitted by: John Baldwin and Margaret Plane Meeting Date: March 10, 2016

ITEM/ISSUE:

The Bar Commission Budget and Finance Review Committee identified the *Utah Bar Journal* as an item of particular concern. Although there is a stand-alone Bar Journal Committee, the review committee evaluated the *Utah Bar Journal* from an expense standpoint. The *Utah Bar Journal* has typically run at an annual loss of approximately (\$50,000) with the largest expenses for printing (\$97,400 budgeted in 2015) and mailing (\$24,300 budgeted in 2015). The review committee had detailed discussions on limiting the number of printed issues to reduce cost.

The review committee recommended that the Bar Commission consider reducing the frequency of printed and mailed copies of the *Utah Bar Journal* to four per year or less and replacing some issues with an electronic version. In addition, the review committee recommended that the Bar staff consider if changes to the printing, e.g. evaluate print paper quality, would materially reduce costs. Based upon discussions, the review committee also recommended that the Bar Commission consider appointing an additional special committee to evaluate was to improve the *Utah Bar Journal* and reduce costs and the impact such changes would have on the Bar. Either the Bar Commission or such special committee should consider commissioning a survey of Bar members to determine the impact of converting to electronic Bar Journals and potential changes to the format (e.g. implementing topic focused editions).

Angelina Tsu specifically requested that information be collected regarding the following:

- Q1. How can the *Utah Bar Journal* cut costs in half?
- Q2. How can the *Utah Bar Journal* break even?
- Q3. What if the *Utah Bar Journal* were published online only?
- Q4. What did the latest poll of Bar members show about readership?
- Q5. Could we add an "opt out of print copy" option on the licensing form?
- Q6. What is the Utah Bar Journal Committee input on changes?
- Q7. Could changes be made in sales?
- Q8. What do other states do with their publications?

Attached to this cover sheet is a general description of the *Utah Bar Journal*, its history, and analysis of *Utah Bar Journal* advertising, a listing of the current *Utah Bar Journal* editorial board, and a copy of the survey results form the 2011 Dan Jones survey of Utah Bar membership.

A1 and A2. Net costs for the *Utah Bar Journal* was \$38,868 last year, which is substantially lower than the previous years; \$49,300 (2013-2014), \$46,626 (2012-2013), and \$55,734 (2011-2012). It would be difficult to cut losses in half without substantially increasing

advertising revenues or changing the quality of the cover and paper, and substantially reducing the number of copy issues published.

We currently print 10,500 copies 6 times per year. It would be difficult to increase advertising income based on our limited readership and limited number of copies per year. Reducing pages from the current 72 page goal to 60 pages could save \$1,000 per issue but would also affect the editorial content to advertising balance.

Attached is also an analysis of *Utah Bar Journal* advertising by the current sales staff.

- A.3 Clearly there would be no print and mailing costs if the *Utah Bar Journal* were published online but the Bar Journal Committee has expressed its dissatisfaction of that option, believing that lawyers will not login to an online version.
- A.4 See the attached Dan Jones survey.
- A.5 Permitting an "opt out" option is supported by the Bar Journal Committee and might help same some costs if the numbers were substantial.
- A.6 We spoke with the *Utah Bar Journal* Committee Chair. He has been a faithful and dependable editor for many years now, working with a devoted committee. He is uncomfortable in terming the cost of the publication as a net "loss." He believes the *Utah Bar Journal* is a member benefit. He believes a per-member subsidy is worth the value. He has been involved in past changes over the years, when the number of issues has been reduced from 12 to 9 and then to 6 per year and paper quality has been reduced. He indicates that the Committee would be willing to accept some further quality reductions in paper quality but not with drastic quality reductions. He was not happy with the thought of placing the *Utah Bar Journal* exclusively online, believing that readership would dwindle significantly and that it is important to have something which you can touch and pick up to read. He felt the *Utah Bar Journal* is an important representation of the profession and should be part of the Bar.
- A.7 Advertising. We are exploring ways to have Bar Staff handle sales for the *Utah Bar Journal* without taking commission. That may save some money.
- A.8 Attached is a cost of advertising comparison with other states' publications. Our own informal survey of Idaho, Nevada, Arizona, Washington, and New Mexico showed that New Mexico does not have a bar journal. It publishes a weekly electronic bulletin that includes links to cases and breaks even. Arizona breaks even but Idaho, Nevada, and Washington lose money. They all consider a journal a "member benefit." Idaho, Nevada, and Arizona handle advertising in-house. Washington uses an outside advertising group.

INFO ONLY:

DISCUSSION: X ACTION NEEDED:

RECOMMENDATIONS:

Bar Journal

1. Summary description of the program activity and history.

The *Bar Journal* has been published monthly except for July and August of each year up until 2005, where it was decreased to being published bi-monthly. The *Bar Journal* combines the old *Utah Bar Journal*, the *Utah Bar Letter*, the *CLE Letter* and *The Barrister* (the Young Lawyers' publication) and has an approximate circulation of 10,000. The *Bar Journal* is designed to include the following varieties of specific information:

- (a) Substantive legal articles;
- (b) State Bar news and information;
- (c) Notices/articles from the judiciary and Bar committees and sections;
- (d) Information regarding the Utah Bar Foundation;
- (e) A forum for the exchange and expression of views from the Bar members;
- (f) Summaries of recent cases;
- (g) A section for judges who offer their views and opinions regarding a variety of issues;
- (h) A legislative report section.
- (i) A classified advertisement page;
- (i) A Message from the Bar president; and commissioners
- (k) Paid Advertisements

The *Bar Journal* includes a summary of Bar Commission meeting minutes, new ethics opinion summaries, notices of coming Bar events, and notices of Bar appointments, Commission elections and other matters.

2. Problems addressed and benefits Accomplished.

The *Bar Journal* is the sole means of regular communication with the lawyer by the Bar. It attempts to make Bar activities inclusive, to educate and inform and sometimes entertain. The budget concerns where addressed by reducing the number of Bar Journals to six, and also decreasing printing costs through use of a different printing process.

3. Staff, volunteers and members assigned.

The *Bar Journal* Committee is made up of 13 volunteer members. One Bar staff liaison, one format/designer. The editor, articles editor, and the

managing editor decide which articles will be published in each issue. They are also the proofreaders of the *Utah Bar Journal*. The Committee members from time to time also help with certain features in the Journal such as *Case Summaries* or the *Legislative Report*. The Young Lawyers have their own feature in the *Journal* and have one seat on the committee. The Legal Assistants Division also has a feature in the *Journal* and one seat on the Committee. There is one staff member who spends about ½ of her time coordinating the issues and communicating with the committee members, the advertisers and the publisher. Advertising is sold by Laniece Roberts. She is an independent contractor and has been providing sales for the *Bar Journal* since February 2000.

4. Evaluation of effectiveness in addressing the problems and suggestions for improvement and recommendations for change.

Overall, the *Bar Journal* receives good reviews from members and non-members alike. The commission, Executive Directors, and programs committees have all given input and added policies that have lowered costs and kept the integrity of the Bar Journal.

Cover Photo

Frosty Forest at Powder Mountain, by Utah State Bar member Paul G. Amann.

PAUL G. AMANN graduated from the University of Utah College of Law in 1993. He worked at Amann & Wray, LLC, for five years before joining the attorney general's office in 1998 where he has served primarily as the lead prosecutor for the Internet Crimes Against Children Task Force. Paul is the coordinator for the AG's office's volunteers for the Tuesday Night Bar. He is also a Bar Examiner. Paul took this photo on Christmas Eve while tree skiing at Powder Mountain on a perfect "POW!" day with his son and daughter.



SUBMIT A COVER PHOTO

Members of the Utah State Bar or Paralegal Division of the Bar who are interested in having photographs they have taken of Utah scenes published on the cover of the *Utah Bar Journal* should send their photographs (compact disk or print), along with a description of where the photographs were taken, to Utah Bar Journal, 645 South 200 East, Salt Lake City, Utah 84111, or by e-mail .jpg attachment to barjournal@utahbar.org. Only the highest quality resolution and clarity (in focus) will be acceptable for the cover. Photos must be a minimum of 300 dpi at the full 8.5" x 11" size, or in other words 2600 pixels wide by 3400 pixels tall. If non-digital photographs are sent, please include a pre-addressed, stamped envelope if you would like the photo returned, and write your name and address on the back of the photo.

MISSION & VISION OF THE BAR:

The lawyers of the Utah State Bar serve the public and legal profession with excellence, civility, and integrity.

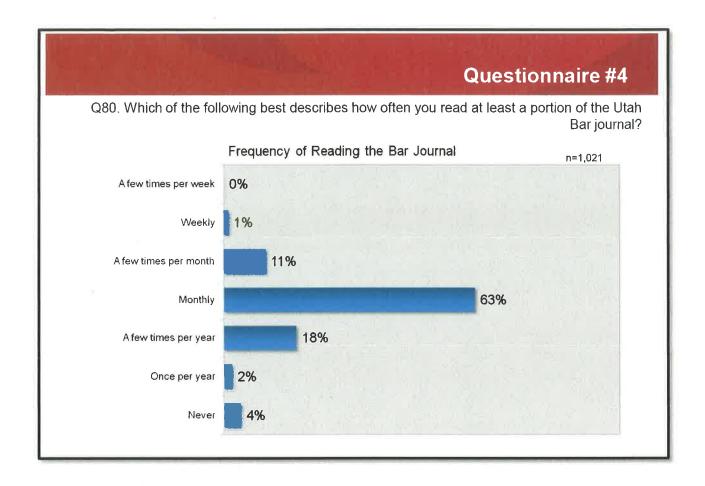
We envision a just legal system that is understood, valued, and accessible to all.

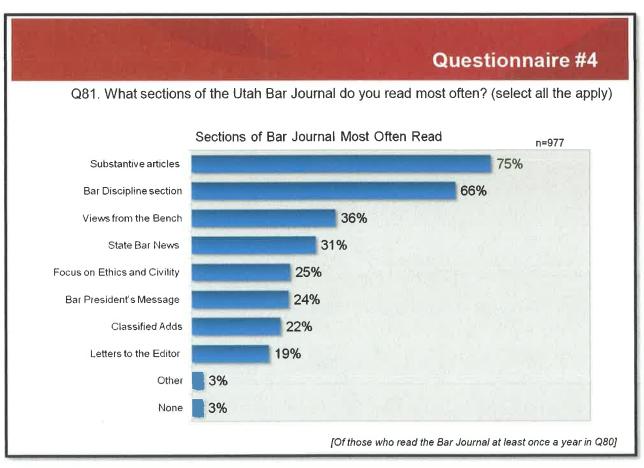
The Utah Bar Journal

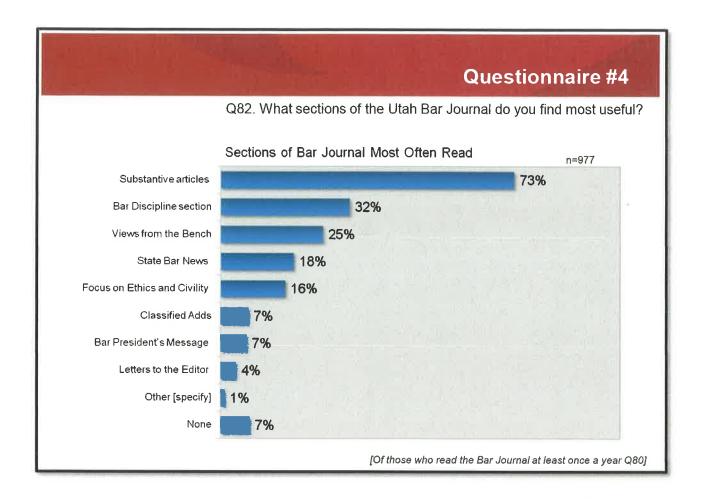
Published by the Utah State Bar

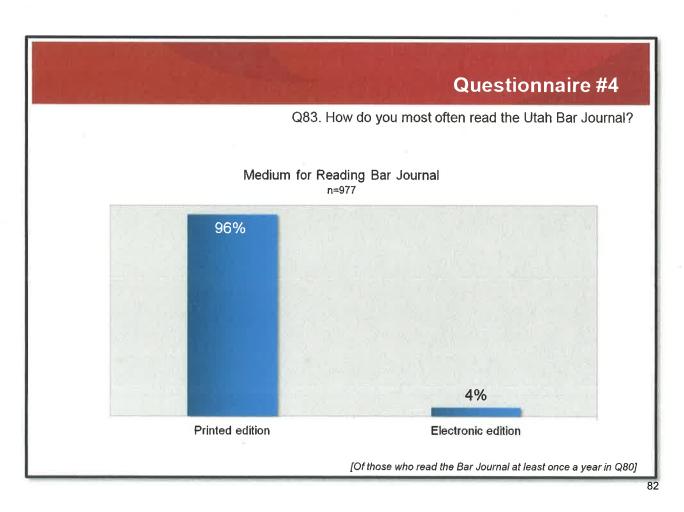
645 South 200 East • Salt Lake City, Utah 84111 • Telephone (801) 531-9077 • www.utahbar.org

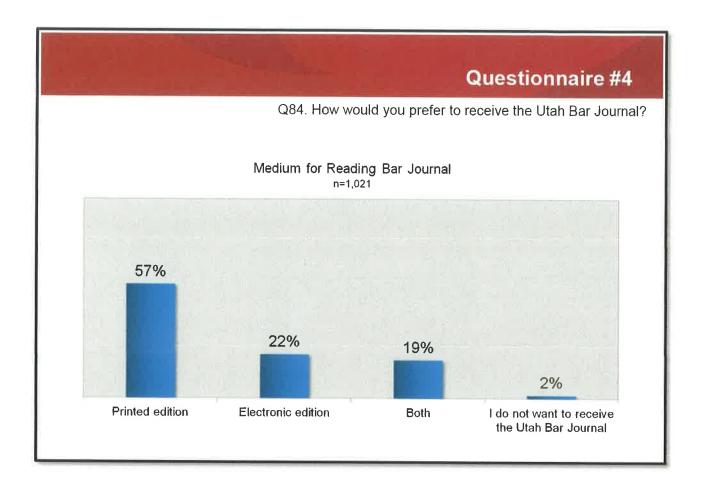
	BAR JOURNAL EDITORIAL BOARD	
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Nicole G. Farrell	Hal Armstrong	Laniece Roberts
Lee Killian	Paul Justensen	
Andrea Valenti Arthur		

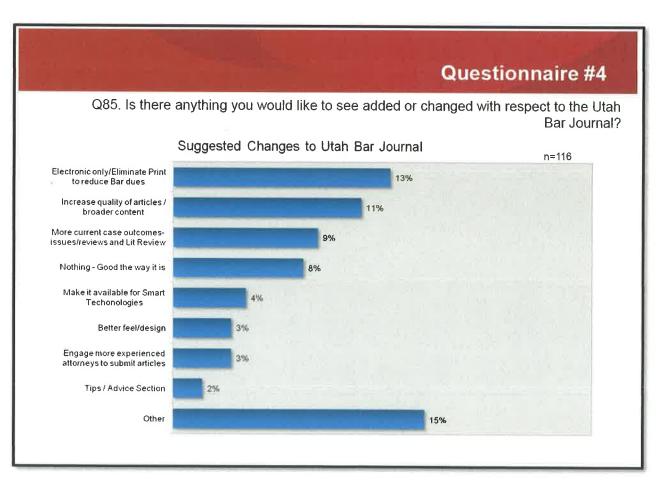












Analysis of Utah Bar Journal Advertising

by Laniece Roberts

At the request of John Baldwin, I am writing this report regarding *Utah Bar Journal* advertising, including it's challenges. As part of this process and for comparison purposes, I have researched the publications of other local professional organizations and, in particular, their advertising. I also looked at a number of other state bar journals and compared their advertising rates and ads to the *Utah Bar Journal*.

The difficulties of selling *Utah Bar Journal* advertising to companies that are not law-related

We have never had much success selling ad space in the *Journal* to companies without any law-related connection. Even though attorneys are an attractive market for luxury car dealers or upscale restaurants and retail stores, these types of advertisers look, not just at how much an ad is costing them, but how many people can be reached with each advertising dollar. When compared to a more broad-based advertising medium (newspaper, TV, radio) the cost-per-impression for a *Bar Journal* ad is high. Therefore, while a newspaper or TV ad costs more than an ad in the *Bar Journal*, those advertising mediums will reach many more people per dollar – *including Utah attorneys*. Ultimately these types of businesses decide that they don't need to advertise in the *Bar Journal* to reach attorneys – they are already reaching them through their regular advertising efforts.

Strengths of Selling Utah Bar Journal Advertising

The obstacles to selling to companies outside of the legal profession become great benefits when dealing with companies whose main customers are attorneys. The fact is, the *Bar Journal* is simply the best, most cost-effective way to reach out to Utah's legal community. It is certainly more affordable than buying a mailing list and paying postage to send a mailer to all 10,200+ Utah attorneys. Even e-mails tend to get lost in the shuffle of junk mail that we all receive every day. If attorneys are your target market, then the *Bar Journal* is the place to spend your advertising dollars.

The Utah Bar Journal compared to other professional association publications

Many of the professional associations in Utah are too small to publish anything more than a newsletter. However, I did find a few association magazines and when I compared them to the *Utah Bar Journal*, our ad rates seemed to be more than fair, especially considering the fact that our circulation is much larger than these other organizations. The major difference was the number of ads. The other publications had anywhere from just two ads in an issue up to 15 ads. Compare that to the 20–30+ ads that we have in each issue of the *Bar Journal* and I think we are doing quite well.

I examined at least a year's worth of issues from each of the publications I looked at. In every case I only found ads that related to that organization's profession. There were absolutely no ads for retailers of any kind.

The Utah Bar Journal compared to other state bar journals

I was able to acquire rate cards/media kits for nearly 30 different state bar journals. I discovered that our ad rates are currently at or near the average cost of other bar journals, when adjusted for circulation. If you do not adjust for circulation, then our ad rates are below average.

We have not raised our ad rates for several years, in part because of the difficult legal market and a resulting downturn in advertising expenditures by companies in the legal field. However, over the past two years we have seen advertising rebound to the point that, in 2015, we have often had as many ads as we could make room for in each issue. Therefore, I think it is likely time to raise the rates. I would suggest a raise of approximately 10% across the board. I would also increase the rate for "special position" in the *Bar Journal* from 10% to 20% or even 25%.

While doing this research I also had the opportunity to look through issues of dozens of state bar journals and I noticed a number of differences:

- A good number of the journals contained very few paid advertisements. Others had a fair number of
 ads, but only Arizona's journal came close to competing with the number of ads that we have in the
 Utah Bar Journal.
- Only one of the journals that I looked through contained a non-law related ad (for a vacation resort).
 None of the other journals had any ads for stores, car dealerships, or any other kind of retailer. All of the ads were law-related or law-firm focused.
- Several of the state bar journal rate cards or media kits referred to their journal as a "major member benefit".
- The average number of issues that each bar publishes annually is 9.
- Compared to other state bar journals, especially those with similar-sized membership, the *Utah Bar Journal* is one of the best looking and most professional journals. Whether they end up advertising with us or not, I have heard nothing but good things about the look and substance of the *Utah Bar Journal* from potential advertisers.

The cost of publishing the Utah Bar Journal

It is my understanding that we run an average of \$10,000 in costs above revenue for each issue of the *Bar Journal* published. That works out to just under \$1 per member per issue. That seems more than reasonable for the one tangible thing that Bar members receive for their Bar dues, not to mention the value it provides, including:

- Substantive and timely articles about recent developments in the law
- Informative "how to" articles
- Analysis of new technology and how it affects your practice

- Annoucements about Bar events, awards, etc.
- The opportunity for Bar Journal authors to communicate their ideas or share their experience and knowledge with their fellow Bar members
- A vehicle for the Bar to impart important and timely information and notices to members
- A way for the Bar to promote and encourage participation in pro bono programs, mentoring, upcoming conventions, CLEs, Bar sections and committees, and more
- A way for the courts to communicate with Bar members about upcoming changes, new technology, new programs, etc.
- A way for Bar members particularly those residing outside the Wasatch Front to feel connected to the Bar, beyond just paying their dues

Conclusion

When compared to other state bar journals or other professional organization's publications the *Utah Bar Journal* is actually doing quite well with respect to the number of ads per issue and the resulting advertising revenue. While ad rates could probably be raised somewhat to help with expenditures, the value of the *Journal* to the Bar membership, and to the Bar itself, should not be discounted.

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	circulation	rull pg color	cost/coby	1/2 pg color	cost/coby	T/4 pg color	cost/coby	issues/yi
Texas	112,625	\$4,442.00	\$0.04	\$3,592.00	\$0.03	\$2,707.00	\$0.02	12
Florida	83,600	\$3,075.00	\$0.04	\$2,228.00	\$0.03	\$1,519.00	\$0.02	10
Michigan	40,000	\$1,910.00	\$0.05	\$1,440.00	\$0.04	\$1,165.00	\$0.03	12
Illinois	33,000	\$3,735.00	\$0.11	\$2,501.00	\$0.08	\$1,729.00	\$0.05	12
Georgia	32,000	\$2,864.00	\$0.09	\$1,867.00	\$0.06	\$1,496.00	\$0.05	12
North Carolina	31,700	\$2,000.00	\$0.06	\$1,500.00	\$0.05	\$1,100.00	\$0.03	4
Missouri	31,000							9
Pennsylvania	30,000	\$3,435.00	\$0.11	\$2,365.00	\$0.08			9
Wisconsin	24,900	\$1,845.00	\$0.07	\$1,420.00	\$0.06	\$730.00	\$0.03	11
Ohio	24,000	\$2,686.00	\$0.11	\$1,867.00	\$0.08	\$1,473.00	\$0.06	9
Arizona	23,000	\$2,995.00	\$0.13	\$1,665.00	\$0.07			11
Louisiana	20,000	\$1,370.00	\$0.07	\$1,050.00	\$0.05			9
Oregon	18,800	\$1,845.00	\$0.10	\$1,235.00	\$0.07	\$1,020.00	\$0.05	10
Kentucky	17,800	\$1,800.00	\$0.10	\$730.00	\$0.04	\$520.00	\$0.03	9
Colorado	17,000							12
South Carolina	15,000	\$1,070.00	\$0.07	\$630.00	\$0.04	\$360.00	\$0.02	9
Tennessee	12,000	\$1,100.00	\$0.09	\$935.00	\$0.08			12
Indiana	11,500	\$1,257.00	\$0.11	\$871.00	\$0.08	\$631.00	\$0.05	10
Nevada	11,000	\$992.00	\$0.09	\$735.00	\$0.07	\$504.00	\$0.05	12
Utah	10,200	\$1,400.00	\$0.14	\$770.00	\$0.08	\$560.00	\$0.05	9
Connecticut	10,000	\$1,750.00	\$0.18	\$1,150.00	\$0.12	\$880.00	\$0.09	6
lowa	8,000	\$1,550.00	\$0.19	\$1,220.00	\$0.15	\$1,035.00	\$0.13	11
Hawaii	7,300	\$1,540.00	\$0.21	\$1,280.00	\$0.18			12
Kansas	7,300	\$1,000.00	\$0.14	\$500.00	\$0.07	\$315.00	\$0.04	10
Rhode Island	6,400							9
Idaho	6,200	\$750.00						6
Arkansas	2,000	\$775.00	\$0.16	\$430.00	\$0.09			4
Wyoming	3,500	\$490.00	\$0.14	\$325.00	\$0.09	\$210.00	\$0.06	9
Maine	3,050	\$750.00	\$0.25		\$0.15		\$0.08	4
averages		\$1,862.65	\$0.11	\$1,310.04	\$0.08	\$957.05	\$0.05	8.7

	circulation	full pg b/w	cost/copy	1/2 pg b/w	cost/copy	1/4 pg b/w	cost/copy	issues/yr
Texas	112,625	\$3,302.00	\$0.03	\$2,340.00	\$0.02	\$1,568.00	\$0.01	12
Florida	83,600	\$2,425.00	\$0.03	\$1,578.00	\$0.02	\$869.00	\$0.01	10
Michigan	40,000	\$1,250.00	\$0.03	\$780.00	\$0.02	\$505.00	\$0.01	12
Illinois	33,000	\$3,085.00	\$0.09	\$1,851.00	\$0.06	\$1,079.00	\$0.03	12
Georgia	32,000	\$1,790.00	\$0.06	\$1,168.00	\$0.04	\$935.00	\$0.03	12
North Carolina	31,700	\$1,600.00	\$0.05	\$1,100.00	\$0.03	\$700.00	\$0.02	4
Missouri	31,000	\$1,193.00	\$0.04	\$887.00	\$0.03			9
Pennsylvania	30,000	\$2,535.00	\$0.08	\$1,465.00	\$0.05			9
Wisconsin	24,900							11
Ohio	24,000	\$1,911.00	\$0.08	\$1,092.00	\$0.05	\$698.00	\$0.03	9
Arizona	23,000							11
Louisiana	20,000	\$1,085.00	\$0.05	\$800.00	\$0.04			9
Oregon	18,800	\$1,620.00	\$0.09	\$1,010.00	\$0.05	\$795.00	\$0.04	10
Kentucky	17,800	\$1,700.00	\$0.10	\$630.00	\$0.04	\$420.00	\$0.02	9
Colorado	17,000	\$925.00	\$0.05	\$590.00	\$0.03	\$365.00	\$0.02	12
South Carolina	15,000	\$820.00	\$0.05	\$490.00	\$0.03	\$280.00	\$0.02	9
Tennessee	12,000							12
Indiana	11,500	\$934.00	\$0.08	\$548.00	\$0.05	\$309.00	\$0.03	10
Nevada	11,000	\$817.00	\$0.07	\$560.00	\$0.05	\$329.00	\$0.03	12
Utah	10,200	\$970.00	\$0.10	\$600.00	\$0.06	\$440.00	\$0.04	9
Connecticut	10,000	\$1,500.00	\$0.15	\$900.00	\$0.09	\$630.00	\$0.06	6
lowa	8,000	\$1,000.00	\$0.13	\$680.00	\$0.09	\$485.00	\$0.06	11
Hawaii	7,300	\$955.00	\$0.13	\$695.00	\$0.10			12
Kansas	7,300							10
Rhode Island	6,400	\$822.00	\$0.13	\$443.00	\$0.07	\$253.00	\$0.04	9
Idaho	6,200	\$500.00	\$0.08	\$400.00	\$0.06	\$300.00	\$0.05	6
Arkansas	5,000							4
Wyoming	3,500							9
Maine	3,050	\$535.00	\$0.18	\$315.00	\$0.10	\$160.00	\$0.05	4
averages		\$1,446.70	\$0.0\$	\$906\$	\$0.05	\$585.26	\$0.03	8.7

UTAH ASSOCIATION PUBLICATIONS

	circulation	full pg	cost/copy	1/2 pg	cost/copy	1/4 pg	cost/copy
Utah Bar Journal	10,200	\$1,400	\$0.14	\$770.00	\$0.08	\$260	\$0.05
National Assoc. of Cert. Valuators	7000	\$2,045	\$0.29	\$1,585	\$0.23	\$1,135	\$0.16
Utah Association of CPAs	3,000	\$900	\$0.30	\$500.00	\$0.17	\$200.00	\$0.07
Utah Bankers Association	1,800	\$2,884	\$1.60	\$2,163	\$1.20	\$1,622	\$0.90
Utah Manufacturers Assoc.	1,000	\$2,925	\$2.93	\$2,225	\$2.23	\$1,695	\$1.70
Utah Assoc. for Justice*	400	\$330	\$0.83	\$220	\$0.55	\$150	\$0.38

\$0.03 \$0.05 \$0.22 \$0.08 \$0.13 cost/copy \$1,648 \$5,500 \$1,550 \$1,693 \$3,278.75 full pg 95,000 30,000 25,000 20,000 13,200 circulation Salt Lake Trib/Deseret News** **OTHER LOCAL PUBLICATIONS Utah Business Magazine** Healthy Utah Magazine Utah Valley Business Q SLUG Magazine

cost/copy \$0.01 \$0.02 \$0.13

\$612 \$3,230

\$0.02 \$0.03 \$0.15 \$0.05 \$0.08

> \$921 \$3,780 \$950 \$998

1/4 pg \$915

cost/copy

1/2 pg \$1,525 \$0.06

\$763

TAB

BLOMQUIST HALE EMPLOYEE ASSISTANCE

Individual Support

DIRECT CARE & NO SET SESSION LIMITS

Unique in the industry, our EAP does not place any pre-determined session limits on the course of treatment. This creates greater trust and comfort for your employees as they visit with our staff, and ensures that we are able to truly help them navigate the life challenges that come their way.

NO FORMS OR PRE-QUALIFICATION

The entire cost of our services is covered by you, the employer. The services provided by Blomquist Hale are FREE to your employees.

SERVICES WITH NO CHARGE OR CO-PAY

All services are included in our basic monthly fee, with no co-pay, insurance approval, or deductible required. There are no additional charges for employees or their dependents, or for your organization to use any or all of the services that we offer.

PERSONAL, FACE-TO-FACE ASSISTANCE

Help with virtually any distressing life issue, many of which are not covered by medical insurance:

- Marital, relationship, and family counseling
- Stress, anxiety or depression
- Personal and emotional challenges
- Grief or loss
- Financial or legal difficulties
- Substance abuse and other addictions
- Senior care planning

BHEA CLIENT SUPPORT CONTACT:

Sean Morris 801-971-4401 sean@blomquisthale.com

Organizational Support

In addition to our outstanding employee assistance service, we also partner with your organization to save on health insurance expenses, boost workplace culture, increase productivity, strengthen leadership, and save time & money needed to find specialty business consultants. We also specialize in helping organizations implement wellness programs and mental health cost-containment solutions.

We are so much more than the standard "bundled" crisis line. We are Blomquist Hale.



Employee Assistance Program



Face-to-Face Therapy



Supervisory & Management Training



Onsite Crisis Intervention



Dedicated Support



Drug-Free Workplace & SAP Services



Change Courses



Behavioral Wellness



Risk Reduction & Assistance with Troubled Employees



Customizable Training

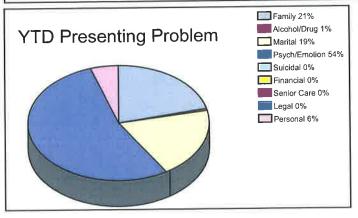


Utah State Bar 10294 645 South 200 East Salt Lake City, UT 84111

	Curi	rent	YTE	
Presenting Problems	Emp	Dep	Emp	Dep
Family	4	5	38	38
Alcohol/Drug	0	0	0	2
Marital	6	4	36	31
Psychological/Emotional	29	15	134	59
Suicidal	0	0	0	0
Financial	0	0	0	0
Senior Care	0	0	0	0
Legal	0	0	0	0
Personal	2	3	7	13
Wellness	0	0	0	0
Totals	41	27	215	143
Total Individuals		68	358	
Total Cases		48	2	48

	Curre	ent	YTE)
Referral Actions	Emp	Dep	Emp	Dep
In house EAP counseling	44	27	238	149
In house Group	0	0	2	2
Rx for Psych Meds - pcp	0	1	1	2
Rx for Psych Meds - psy	0	0	0	3
Outpatient Psychiatric	0	1	3	2
Outpatient A & D	0	0	0	0
Inpatient Psychiatric	0	0	0	1
Inpatient A & D	0	0	0	0
Financial	0	0	0	0
Attorney	0	1	1	2
Self Help Group	0	0	0	0
Totals	44	30	245	161

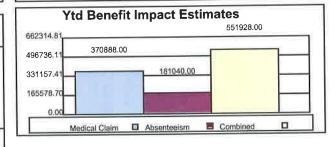
Referral Analysis	Current		YTI	
Individual Status	Count	%	Count	%
EAP Resource Only	67	98.53	346	96.65
EAP Counseling + Med Eval	0	0.00	1	0.28
Med Evaluation Only	1	1.47	5	1.40
Outpatient Care	0	0.00	5	1.40
Inpatient Care	0	0.00	1	0.28
Totals	68		358	

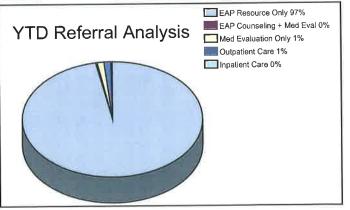


Quarterly Report 10/1/2015 to 12/31/2015 Year to Date 1/1/2015 to 12/31/2015

Current	YTD	
48	248	
48	248	
0	0	
48	248	
tus		
28	48	
20	200	
48	248	
nployees	7672	
<u>Jtilization</u>		
By Cases	3.23	
dividuals	4.67	
	48 48 0 48 tus 28 20 48 nployees Jtilization By Cases	48 248 48 248 0 0 48 248 tus 28 48 20 200 48 248 enployees 7672 dtilization By Cases 3.23

Clinical Hours	Current	YTD	
Therapy Time	235.25	860.50	
Group Time	0.00	6.00	
Follow-up Time	20.50	57.75	
Total Clinical	255.75	924.25	
Service Time Company Contacts	Current	YTD	
Customer Service	12.50	67.50	
Emp/Sup Training	0.00	0.00	
Seminars/Training	1.00	4.00	
Total Service	13.50	71.50	
# Critical Events	1	6	
1			





TAB To: Bar Commissioners From: Margaret Plane

Re: Young Lawyer Delegate to the ABA House of Delegates

Date: February 20, 2016

The House of Delegates is the policy making body of the ABA. Last year, the HOD approved an amendment to the ABA constitution that allows each state delegation to have at least one young lawyer delegate. The goal of this amendment was to ensure that young lawyers have a seat at the table to help move the ABA and the profession forward.

Utah currently qualifies for two state bar association delegates. The 2015 amendment allows us to add a young lawyer to the delegation. The position has been created and is currently listed as "vacant." According to the bylaw below, the state bar association chooses the new young lawyer delegate. (There is an alternative method that does not apply to Utah.)

The HOD's next meeting is August 8-9 in San Francisco. I believe a young lawyer delegate could attend that meeting, but would leave the mechanics to John and the ABA. There are good policy reasons to create a new ex-officio position and fund a young lawyer delegate, including that adding the seat will encourage involvement with the bar and the ABA, as well as build young leaders.

Here are a few policy questions the commission may want to consider:

- 1. Does the commission want to create a new ex-officio seat on the bar commission for this young lawyer delegate to the HOD?
 - a. If so, what is the cost associated?
 - i. Is this an additional cost, or is it part of the funds the commission already appropriates to the YLD?
 - b. If the commission does not want to create a new ex-officio:
 - i. Should the current YLD ex-officio automatically be the HOD delegate? This would also be an increased cost, although less than another ex-officio. However, because the ex-officio position is only one year, this probably does not work.
 - ii. Could the commission require the young lawyer HOD delegate to report to the YLD and the YLD ex-officio, but not have a seat on the commission? Or does that overstep the commission's role vis-à-vis the YLD? And does the commission lose important interaction with the delegate?
- 2. Regardless of whether the young lawyer delegate is on the commission or not, how should the individual be selected?

- a. Open nominations directly to the bar commission?
- b. The YLD board nominates and forwards to the bar commission?
- d. Other?

§6.4 State Bar and Local Bar Association Delegates. (a) A state bar association is entitled to at least one delegate in the House of Delegates, except that if there is more than one state bar association in a state the House shall determine which associations may select delegates. A state bar association in a state that has more than 4,000 lawyers is entitled to an additional delegate for each additional 2,500 lawyers above 4,000 until it is entitled to four delegates. A state bar association in a state that has more than 14,000 lawyers and not more than 20,000 lawyers is entitled to five delegates. If it has more than 20,000 lawyers, it is entitled to six delegates. If the bar associations of a state are entitled to four or more delegates, at least one delegate representing the state bar or a local bar association in that state must have been admitted to practice in his or her first bar within the past five years, or must be less than 36 years old at the beginning of the term. Each state delegation that did not have an additional young lawyer delegate prior to the 2015 Annual Meeting shall be entitled to one additional delegate, chosen by either the state bar association or one of the qualifying local bar associations referred to in Article 6.4(b) below, provided that such delegate was admitted to his or her first bar within the past five years or is less than 36 years old at the beginning of his or her term. It is the responsibility of the state bar association to ensure that this requirement is satisfied. However, a state bar association is entitled to at least as many delegates as it was entitled to certify at the 1990 annual meeting.

- (b) A state bar association in a state that has more than 5,000 Association members and not more than 10,000 Association members is entitled to one additional delegate. If it has more than 10,000 Associationmembers and not more than 20,000 Association members, it is entitled to two additional delegates. If it has more than 20,000 Association members and not more than 28,000 Association members, it is entitled to four additional delegates. If it has more than 28,000 Association members, it is entitled to five additional delegates. A local bar association that has more than 2,500 Association members is entitled to one additional delegate. For the purposes of this subsection law student members are not included.
- (c) A local bar association that has 2,000 or more members is entitled to one delegate in the House.
- (d) State bar association delegates and delegates from local bar associations shall be selected in the manner prescribed by the state or local bar association concerned. The term of such a delegate is two years. If a state or local bar association has only one delegate, the term of such a delegate ends with the adjournment of the annual meeting in an even-numbered year. If a state or local bar association has more than one delegate, the expiration of the terms shall be alternated beginning with an even-numbered year, so that the terms are staggered as equally as possible. If such a delegate resigns, is disqualified, or dies, the association concerned may select and certify a successor to serve for the unexpired term.
- (e) A state, territorial or local bar association or affiliated organization may not be represented in the House if its governing documents discriminate with respect to membership because of race, sex, religion, creed, color, national origin, ethnicity, age, sexual orientation or persons with disabilities.

TAB

(1) COMMITTEE MEMBERS AND STAFF

- Dean Robert W. Adler, S. J. Quinney College of Law
- John Baldwin, Utah State Bar
- Dean Alison Belnap, J. Reuben Clark Law School
- N. Adam Caldwell, Bingham Snow & Caldwell
- Mary Jane Ciccarello, Self-Help Center
- Dr. Thomas Clarke, National Center for State Courts
- Teresa Conaway, Utah Valley University
- Sue Crismon, Utah Legal Services
- James H. Deans, Attorney at Law
- Julie M. Emery, Parsons Behle & Latimer
- Jody R. Gonzales, Administrative Office of the Courts
- Judge Royal I. Hansen, Third District Court, Vice Chair
- Justice Deno G. Himonas, Utah Supreme Court, Chair
- Dixie A. Jackson, Attorney at Law
- James S. Jardine, Ray Quinney & Nebeker
- Scott G. Jensen, Jensen and Sullivan
- Steven G. Johnson, Attorney at Law
- Commissioner Kim M. Luhn, Third District Court
- Ellen M. Maycock, Kruse Landa Maycock & Ricks
- Daniel O'Bannon, Division of Consumer Protection
- Robert O. Rice, Ray Quinney & Nebeker
- Timothy M. Shea, Utah Supreme Court
- L. Monte Sleight, Salt Lake Community College
- Judge Kate A. Toomey, Utah Court of Appeals
- Senator Stephen H. Urguhart, Utah Senate
- Elizabeth Wright, Utah State Bar

(2) COMMITTEE CHARGE

In general, the steering committee should familiarize itself with the report and recommendations of the Task Force to Examine Limited Legal Licensing and identify the details for making the licensed paralegal practitioner profession a reality. The committee should address questions raised by the task force, but should also explore and resolve questions that come up during its discussions.

Forming subcommittees as needed, the committee should involve experienced lawyers, educators, administrators, and others to thoroughly investigate alternatives

and recommend policies and procedures to make the licensed paralegal practitioner profession economically sustainable, professionally competent and accountable, respected in the legal community, and relevant to legal proceedings. Specifically, the committee should:

(a) ANSWER THE QUESTIONS THE TASK FORCE DID NOT HAVE TIME TO RESOLVE:

- Should a paralegal practitioner be required to sign or otherwise acknowledge a form prepared but not filed by the licensed paralegal practitioner?
- Should a licensed paralegal practitioner be authorized to represent a client in non-mediated negotiations?
- Should a licensed paralegal practitioner be authorized to accept service on behalf of a client?
- Should guardianship of a minor be an authorized practice area?
- Should "debt collection" include small claims?
- What are the initial sources of money to get the program started until there are enough dues to run on its own? How long might that be?

(b) DEVELOP THE ADMINISTRATION AND CURRICULUM FOR TO MEET THE EDUCATION REQUIREMENTS

(i) TASK FORCE RECOMMENDATIONS

- Doctor of Jurisprudence degree from an ABA-approved law school; or
- Associate's degree with a paralegal or legal assistant certificate from a program approved by the ABA plus:
 - successful completion of the paralegal certification through the National Association of Legal Assistant's Certified Paralegal/Certified Legal Assistant exam;
 - o successful completion of a course of instruction for a practice area (content to be determined based on the approved practice area); and
 - experience working as a paralegal under the supervision of a lawyer or through internships, clinics or other means for acquiring practical experience.

We recommend that a JD degree be one of two methods for meeting the education requirements of a licensed paralegal practitioner, but the candidate under either method would be required to meet any licensing requirements.

Since the range of authorized tasks that we recommend depends so heavily of the existence of a form, we recommend that the advanced instruction include intense work

with the forms in a practice area, the objective that each form is intended to achieve, and the facts and procedures relevant to that objective.

(ii) TASK FORCE QUESTIONS

- Must a JD be from an ABA approved law school to satisfy the education requirement of a licensed paralegal practitioner?
- Should any of the education or experience requirements of a licensed paralegal practitioner be waived for current paralegals? Which requirements should be waived? What should be the minimum requirements to qualify for the waiver? For how long should a waiver be available?
- Are there equivalent credentials from other states or nations that should satisfy the education requirement?

(iii) STEERING COMMITTEE CHARGE

- Develop learning objectives. What does a paralegal practitioner need to know?
- Develop curriculum for courses and examinations in the practice areas.
- Develop a model for delivering that curriculum.

(c) DEVELOP THE REGULATIONS AND ADMINISTRATION FOR LICENSING

(i) TASK FORCE RECOMMENDATIONS

Based on the requirements for paraprofessionals in other states and for lawyers in Utah, we recommend that regulations in the following areas be considered.

- Application and fee
- Character and fitness review
- Utah-specific licensing exam in the approved practice areas
- Mentored experience
- Appointment by the supreme court
- · Oath of office
- Financial responsibility (bond or professional liability insurance)
- IOLTA account
- Annual licensing fee
- CLE
- Rules of professional conduct
- Complaint and discipline process

The supreme court might also consider establishing the paralegal division as a regulatory board, instead of using the board of bar commissioners for that role.

(ii) STEERING COMMITTEE CHARGE

Draft rules for the regulation, administration and licensing of paralegal practitioners.

(d) DEVELOP MEASURES FOR SUCCESS

(i) TASK FORCE RECOMMENDATIONS

Program goals: Increase access to legal remedies. Protect consumers.

Participant's role: See the section in the report on recommended authority.

Key stakeholders: A successful program will need participation by:

- Clients/Public
- Lawyers in the specified practice areas
- Bar administration
- Paraprofessionals in the specified practice areas
- Paraprofessional administration
- Higher education
- District court judges
- District court staff
- Self-help center lawyers
- Supreme court

Appropriateness. Determine whether the specified authority of a paraprofessional will make a significant difference in access to legal remedies. Determine whether the education, licensing and regulation required of a paraprofessional are sufficient to enable him or her to perform those tasks competently. Determine whether the education, licensing and regulation required of a paraprofessional are sufficient to protect clients.

Effectiveness. Determine whether paraprofessionals are indeed competently performing their authorized tasks. Determine whether paraprofessionals are being used. Identify and measure any secondary goals of key stakeholders.

Sustainability. Determine whether a market-based solution in which paraprofessional services are paid for by clients is durable. Determine whether the education, licensing and regulation of paraprofessionals in which the cost is paid for by the paraprofessional is durable. Determine whether the key stakeholders, particularly the paraprofessionals and their clients, perceive value.

(ii) STEERING COMMITTEE CHARGE

Specify the data points and data collection methods for measuring the success of the paralegal practitioner program.

SUBCOMMITTEES

(1) EDUCATION

- Robert W. Adler, Chair
- Allison Belnap, Vice Chair
- N. Adam Caldwell
- Teresa Conaway

(2) ADMISSIONS AND ADMINISTRATION

- Royal I. Hansen, Chair
- Robert O. Rice, Vice Chair
- John Baldwin
- Sue Crismon

- James H. Deans
- Scott G. Jensen
- L. Monte Sleight
- Timothy M. Shea, Staff
- Julie M. Emery
- Ellen M. Maycock
- Stephen H. Urquhart
- Elizabeth Wright, Staff

RULES OF PROFESSIONAL CONDUCT AND DISCIPLINE (3)

- Kate A. Toomey, Chair

- Dixie A. Jackson
- Kim M. Luhn James S. Jardine, Vice Chair
- Mary Jane Ciccarello

(4)

- EXECUTIVE • Deno G. Himonas, Chair
- Royal I. Hansen, Vice Chair
- Robert W. Adler
- Allison Belnap
- Thomas Clarke

- Steven G. Johnson
- Daniel O'Bannon
- Elizabeth Wright, Staff
- James S. Jardine
- Robert O. Rice
- Kate A. Toomey
- Timothy M. Shea, Staff
- Elizabeth Wright, Staff

TAB

Proposal for Utah State Bar to Sponsor and Administer Courthouse Steps "Low Bono" Document Clinic

Courthouse Steps is part of the Bar's new Affordable Attorneys for All Initiative. At the once-amonth clinic, clients receive assistance with their divorce and custody matters through document preparation and legal advice on a one-time basis for a \$100 flat fee, regardless of income. The clinic is currently being run by Open Legal Services (www.openlegalservices.org), Utah's first non-profit law firm. Other firms and attorneys participate in the clinic as well.

Of the 14,088 divorces and annulments in Utah in 2014, both sides had an attorney in only 12% of the cases. Neither party had counsel in 60% of the cases, which reflects a sharp increase from 47% in 2005. The unrepresented litigants are in an unfamiliar system without an advocate, without a trained professional, and without someone they can trust. Court forms can be difficult to understand, and are often not appropriate for a particular situation where children, real property, retirement plans, foreign citizenship, or myriad other difficult issues are presented. The judges and court staff must remain impartial and cannot provide legal advice to a party. Maintaining that impartiality can be difficult when it is clear a party needs legal counsel. This often results in many patient efforts to explain the process and to try to guide the party towards legal counsel who can properly advise them.

The Utah State Bar's Futures Commission recently noted that litigants often do not know how to access lawyers, and recommended that the Bar should "proactively use its resources to make lawyers more accessible to the middle class and small businesses, to connect lawyers with those who need legal help, and to communicate with the public about the availability of affordable lawyers and their value." The AAA Task Force has been working to address this recommendation in a variety of ways, including by developing the Courthouse Steps clinic.

To date, Courthouse Steps has successfully run three clinics with notably high client satisfaction. Unfortunately, attendance at the clinic has been low. It is believed that those who need the clinic do not know about it. The most likely source of referrals is from judges and commissioners, but they are not comfortable referring parties to a clinic run by private attorneys. Many have indicated, however, that they would refer parties to a Bar-sponsored clinic, which is why this request for sponsorship is being made.

The Bar's sponsorship and administration of Courthouse Steps would be modeled on its administration of the Tuesday Night Bar program, except attorney participants would accept payment from those seeking assistance, rather than acting as volunteers. Tyler Needham would take on the responsibility of administering the program. Through the Bar's sponsorship, we hope to grow the program and serve a broader number of those with legal needs. We also hope to be able to provide feedback about the needs of litigants to the Courts to assist with the development of new calendars that can help litigants resolve their disputes more efficiently. Through the clinic and working with the Courts, we hope to improve access to justice to a variety of people who currently do not have access to legal assistance.

https://www.utahbar.org/wp-content/uploads/2015/07/2015 Futures Report revised.pdf at 5.

TAB

UTAH STATE BAR BOARD OF BAR COMMISSIONERS MINUTES

JANUARY 22, 2016

LAW AND JUSTICE CENTER

In Attendance: President Angelina Tsu, President-elect Rob Rice; Commissioners: H.

Dickson Burton, Steven Burt, Kate Conyers, Kenyon Dove, Susanne Gustin, Liisa Hancock, John Lund, Michelle Mumford, Herm Olsen and Katie Woods.

Ex-Officio Members: Dean Robert Adler, Nate Alder, James D. Gilson, Margaret Plane, Dean

James Rasband, Susan Motschiedler, Michelle Kennedy, Chris Wharton and

Supreme Court Liaison Tim Shea.

Not in Attendance: Heather Farnsworth, Mary Kay Griffin, Ex-Officio Members: Heather Allen,

Also in Attendance: Executive Director John C. Baldwin, General Counsel Elizabeth A. Wright,

and Utah State Bar Communications Director Sean Toomey.

Minutes: 9:05 a.m. start

1. President's Report:

- 1.1 Supreme Court Task Force on Limited Legal Licensing. Justice Dino Himonas and Appellate Court Administrator Tim Shea updated the Commission on the Supreme Court's decision to go forward with a Legal Paralegal Practitioner licensing program ("LPP") and the next steps that will be taken towards implementation.
- 1.2 Report on Fall Forum. Gabe White and Amy Fowler will be chairing the 2016 Fall Forum. Gabe White presented the 2016 budget projections which show the event making a small profit. John Lund moved to have the 2016 Fall Forum be a two day event. Rob Rice seconded the motion which passed unopposed.
- 1.3 HJR001 Requires Judges of Courts not of Record to be Lawyers. Representative Craig Hall reported on a bill he intends to run during the 2016 legislative session. The bill proposes a state constitutional amendment to require all justice court judges to be licensed attorneys. Current reasoning behind why not all justice court judges are required to be lawyers is the concern that rural areas will not have attorneys to fill the positions. Assistant Court Administrator Richard Schwermer explained that the Office of Court Administration supports the concept that all judges be lawyers but is opposed to amending the Utah Constitution. The OCA believes the requirement could be implemented statutorily with language giving rural areas the leeway to have non-lawyers sit as Justice Court Judges.

Commissioner Katie Woods expressed concern with voting on the issue until she could seek feedback from lawyers in her district. John Lund moved that the Commission support the concept that all judges, including Justice Court judges, should have a law degree. Herm Olsen seconded the motion which passed with Katie Woods opposed.

- 1.4 Meeting with Chief Justice Durrant. Angelina Tsu reported that the Justices want the Commission to evaluate the findings of the Summer Convention Review Committee and set guidelines for how much financial loss is acceptable for the Summer Convention. Also, the Court is interested in going ahead with the ABA review of OPC but would like the Bar to pay for half of the \$9000 cost. The Court will allow the Commission to see the ABA's report and will likely make the report publicly available. Steve Burt moved that the Commission pay \$4500 for half the cost of the ABA review of OPC. Dickson Burton seconded the motion which passed unopposed.
- 1.5 Legislative Breakfast/Bar Day/Phone Conferences/Lobbying. On February 17, 2016 at 7:30 a.m., the Bar will host its annual breakfast with legislators at the Capitol. Afterwards the annual Law Day on the Hill CLE will take place. Every Tuesday during the legislative session the Governmental Relations Committee meets to discuss pending legislation. At 4:00 on Tuesdays, the Commission has a phone conference to discuss the legislation on which the Governmental Relations Committee recommended the Bar take a position.
- **1.6** Appointment of a Committee to Review Bar Policies on Sections. Kate Conyers volunteered to begin looking for potential committee members.
- 1.7 Report of Bar Review Event. Angelina Tsu reported that the January 14, 2016 event was very well attended and positively received. After sponsorships, the event came in \$1000 under budget.

2. Information Items

- **2.1 2016 Spring Convention Planning.** Rob Rice reported that hotel rooms are booking up fast and gave an overview of the speakers, breakouts and events.
- **2.2 AAA Report.** Rob Rice reported that we are well underway to delivering 4 or 5 of the recommended actions.
- **2.3 Breakfast of Champions Report.** Michelle Mumford reported that the awards breakfast will take place on February 24, 2016 at the Alta Club. Three awards will be given to lawyers who serve as mentors in the legal community.
- 2.4 Leadership Academy Report: Postponed until next meeting.

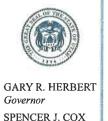
HANDOUTS DISTRIBUTED AT MEETING:

1. Fall Forum 2015 and 2016 budgets.

ADJOURNED: 1:20 p.m.

CONSENT AGENDA:

1. Approve Minutes of December 4, 2015 Commission Meeting.



Lieutenant Governor

State of Utah Department of Commerce

Division of Occupational and Professional Licensing

FRANCINE A. GIANI Executive Director

MARK B. STEINAGEL Division Director

February 2, 2016

UTAH STATE BAR 645 SOUTH 200 EAST SALT LAKE CITY UT 84111

Gentlemen:

It is time for us to again consider nominations for appointment to the Deception Detection Examiners Board. The term of Chrystal Mancuso-Smith (Utah State Bar assn rep) expires on June 30, 2016. Ms. Mancuso-Smith is eligible for reappointment to the Board. An incumbent who is eligible for reappointment can be nominated again if your association recommends their continued service.

In accordance with statutory requirements and for the purpose of obtaining your organization's recommendation of candidates for appointment to the board, we respectfully solicit your nominations. We would appreciate three (3) nominations ranked in the order of your preference. The Executive Director will consider those nominations along with any others she may receive and will thereafter make the appointment. Please remember, the appointment is hers and she may or may not appoint one of your nominees.

In order to complete our list of nominations by May 2, 2016, please submit not later than April 4, 2016 your organization's nominations to the Division along with a copy of each nominee's resume. If you would prefer to email your nominations and accompanying resumes, please send them to Carol Inglesby, Administrative Assistant (cinglesby@utah.gov). If we have not received your nominations by that date, we will have to proceed without them.

In submitting your nominations, please consider the availability of each candidate to devote the time and attention required of a board member. They must first serve to protect the public interest and will often participate in disciplinary proceedings against members of the profession. It little serves the profession or the Division if a candidate cannot place behind him the natural tendency to "protect" the professional when the demands of regulation require an appropriate sanction.

Current officers of professional associations are felt to be inappropriate nominees due to possible conflict of interest issues. Appointed board members should not accept an officer position with a professional association for the same conflict of interest reasons.

Your assistance is greatly appreciated.

Sincerely

Mark B. Steinage

Director



NOMINATIONS

for

BOARD/COMMITTEE APPOINTMENT

BOARD/COMMITTEE:

Deception Detection Examiners Board (Chrystal Mancuso-Smith - Utah State Bar assn rep)

NOMINEE		RESUME ATTACHED					
1. Name:	. []	Yes	[]	No	
Street Address:	-						
City	¥						
State Zip							
Email address:	-						
Telephone: Work	-						
Home	-						
2. Name:	. []	Yes	[]	No	
Street Address:	-						
City	-						
State Zip	-						
Email address:	-						
Telephone: Work	-						
Home	-						
3. Name:	_ []	Yes	[]	No	
Street Address:	— <u>,</u> ,						
City	_						
State Zip	-						
Email address:	-						
Telephone: Work	_						
Home							

Brooke Robinson

Law Student at Brigham Young University Provo, Utah Area | Political Organization

Current

Brigham Young University

Previous

Utah Legal Services, H&R Block Logan, UT Franchise

Education J. Reuben Clark Law School

Experience

Law Student Brigham Young University 2011 – Present (5 years)



Legal Intern Utah Legal Services June 2012 – August 2012 (3 months)

Receptionist

H&R Block Logan, UT Franchise January 2011 – April 2011 (4 months)

Bar ID			00015246
Prefix	Ms.		
First Name Middle Name	Brooke	Lyn	
Last Name Suffix	Robinson		
Long Salutation	Ms. Brooke Robinson		
Org. ID			
Organization	Utah Legal Services		
- Address Type	VGV		
Address 1	455 N. University Ave. #100	+	
Suite			
Address 3			
County	UTAH		
Oty State	Provo	υτ	
Zip Country	84601	United States of America	
Member Member	(Member	○ NonMember	
Member Type	AttUnder3		
Mem. Status	Paid		
Member Status Details			
Member Class			
Paid Thru	07/01/2016		
Orop Date			
Bill To	Organization	 Individual 	
Area of Focus			
More Chapters			
Demographic			
State Bar Admit	10/16/2014		
Public Discipline?			
D.O.B.	03/05/1989		
Gender	○ Male	Female	

TAB

UTAH STATE BAR Budget and Finance Committee Highlights of the January 2016 Financial Statements

FINANCIAL STATEMENT HIGHLIGHTS

<u>Licensing</u>: Licensing revenue is at 102% of the year-to-date (YTD) budget with revenue totaling \$4.1 million. The main contributor of higher than budgeted revenue is late fees which exceed budget by \$27k. Licensing expenses are under budget by \$16k mainly due to lower than budgeted salaries and benefits, a factor of personnel changes this year. There are 109 more active attorneys than last year at this time and 49 fewer inactive attorneys.

<u>Admissions</u>: Admissions revenue is at 123% of the YTD budget with revenue totaling \$222k. The main contributor to higher than budgeted revenue is retake fees which exceed budget by \$18k. Admissions expenses are right on track for the year at \$267k.

NLTP: NLTP revenue is at 79% of the YTD budget and 58% of the total budget for the year. There are slightly fewer participants than last year, but it is expected that revenue will catch up to the budget by the end of the fiscal year. NLTP expenses are running slightly over the YTD budget due mainly to higher than budgeted salaries and benefits.

OPC: OPC spending is right on track relative to the YTD budget.

CLE: CLE revenue is at 123% of YTD budget with revenue totaling \$220k. However, it is right on track compared to FY2015 which is interesting because there have been approximately 50 (28%) fewer events this year. Now that the new overhead allocation methodology has been decided upon, several events can be closed and event profits and losses will be passed on to sections, thereby affecting revenue. CLE YTD expenses exceed budget by approximately \$63k, much of which is due to higher event revenue sharing with third parties.

<u>Summer Convention:</u> The Summer Convention YTD net loss is \$15k compared to a YTD budgeted net loss of \$99k. Summer Convention revenue exceeded budget by \$37k due to paying attendees up 36% relative to budget. Expenses were under budget by \$46k due to improved cost control for the Sun Valley event.

<u>Fall Forum</u>: The Fall Forum YTD net loss is \$23k compared to a YTD budgeted net profit of \$17k. Fall Forum revenue was under budget by \$57k due to much lower than expected attendance. Expenses were over budget by \$17k due to higher expenses associated with the event venue, Grand America.

Spring Convention: Both revenue and expenses are on track relative to the Spring Convention budget.

UTAH STATE BAR

Budget and Finance Committee Highlights of the January 2016 Financial Statements

<u>Member Services:</u> Member services YTD net loss of (\$227k) is at 76% of budget. Member services revenue is \$109k which is 119% of YTD budget, due to higher Bar Journal advertising revenue. Expenses are at 86% of budget due to minimal legislative activity thus far this year.

<u>Public Services:</u> Public services YTD net loss of (\$273k) is at 95% of budget due to lower salaries and benefits in Committees.

<u>Bar Operations</u>: Bar Operations YTD net loss of (\$799k) is at 107% of budget. Though investment income is higher than budget by approximately \$21k, it is offset by higher salaries and benefits which result from one additional headcount and additional CFO expenses.

Facilities: Facilities net loss for the year is at (\$140k) or 81% of budget. There have been approximately 100 (11%) fewer events this year compared to last resulting in lower facilities revenue of approximately \$13k. Expenses are under budget by \$47k due also to fewer events and to lower general and administrative expenses (meeting supplies, copy/printing).

<u>Total Revenue and Expenses – Accrual Basis</u>: YTD net profit is \$1,821,000 compared to YTD budgeted net profit of \$1,662,000 mainly due to higher than budgeted licensing and admissions revenue and slightly lower than budgeted legislative activity and facility expenses. It is likely the gap between actual and budgeted net profit will narrow as the year goes on and event activity and legislative activity increase.

<u>Total Revenue and Expenses - Cash Basis</u>: By adding back YTD depreciation of \$127,470, revenue exceeds expenses on a cash basis by \$1,949,000 which is \$163,000 favorably over budget.

ADDITIONAL COMMENTS

<u>Board Designated Reserves:</u> In consultation with Bar management and the Budget and Finance Committee, the Commission targeted the following reserve amounts:

Operations Reserve (4 months' operations)	\$2,028,000
Capital Replacement Reserve (equipment)	200,000
Capital Replacement Reserve (building)	<u>650,000</u>
Total	\$2,878,000
Cash and investments at January 31, 2016	\$4.815.000

Utah State Bar Income Statement January 31, 2016

	Actual	Budget	Fav (Unfav)	% of	Total	YTD % of
	YTD	YTD	variance	Budget	Budget	Tot Budget
Revenue						
Licensing	4,106,011	4,078,593	27,418	101%	4,137,400	99%
Admissions	222,410	181,130	41,280	123%	439,300	51%
NLTP	52,200	66,370	(14,170)	79%	90,300	58%
OPC	1,224	1,521	(297)	80%	11,700	10%
CLE	219,732	178,305	41,427	123%	543,100	40%
Summer Convention	194,539	157,726	36,813	123%	157,400	124%
Fall Forum	118,251	175,443	(57,192)	67%	176,750	67%
Spring Convention	35,631	33,435	2,196	107%	124,300	29%
Member Services	109,041	91,956	17,085	119%	228,921	48%
Public Services	10,010	9,041	969	111%	16,480	61%
Bar Operations	40,646	30,505	10,141	133%	48,200	84%
Facilities	146,245	159,841	(13,596)	91%	312,152	47%
	5,255,940	5,163,866	92,074	102%	6,286,003	84%
Expenses						
Licensing	56,612	73,023	16,411	78%	120,653	47%
Admissions	267,283	268,107	824	100%	457,985	58%
NLTP	46,887	45,283	(1,604)	104%	74,845	63%
OPC	738,784	740,972	2,188	100%	1,253,170	59%
CLE	212,003	149,021	(62,982)	142%	506,224	42%
Summer Convention	209,822	256,383	46,561	82%	266,758	79%
Fall Forum	141,224	158,352	17,128	89%	176,114	80%
Spring Convention	16,688	12,154	(4,534)	137%	114,878	15%
Member Services	336,132	391,971	55,839	86%	701,791	48%
Public Services	282,985	297,002	14,017	95%	470,404	60%
Bar Operations	839,459	776,068	(63,391)	108%	1,357,628	62%
Facilities	286,576	333,443	46,867	86%	582,642	49%
Total Expenses	3,434,454	3,501,779	67,325	98%	6,083,092	56%
MARKET SELECTION OF THE SECOND SERVICE OF THE SECOND SECOND SERVICE OF THE SECOND SECOND SERVICE OF THE SECOND SEC			4			
Net Profit (Loss)	\$ 1,821,486	\$ 1,662,087	\$ 159,399	110%	\$ 202,911	
Depreciation	127,470	123,821	(3,649)	103%	230,671	
Cash increase (decrease) from operations	1,948,956	1,785,908	163,048	109%	433,582	
Changes in operating assets/liabilities	(2,363,131)	(2,363,131)	(0)		196	
Capital expenditures	(40,244)	(72,917)	32,672	55%	(125,000)	
Net change in cash	\$ (454,420)			70%	\$ 308,582	
-						

Utah State Bar Balance Sheets June 30, 2015 and January 31, 2016

	6/30/2015	1/31/2016
ASSETS		
Current Assets		
Petty Cash	625	625
Cash in Bank	774,689	45,889
Invested Funds	4,494,367	4,768,747
Total Cash/Investments	5,269,681	4,815,261
Accounts receivable	23,709	13,704
Other Accounts Receivable	1,481	16,743
Prepaid Expenses	82,458	132,126
A/R - Sections	123,998	6,795
Total Other Current Assets	231,646	169,369
Total Current Assets	5,501,327	4,984,630
Fixed Assets		
Property & Equipment	4,596,029	4,636,273
Accumulated Depreciation	(3,377,434)	(3,504,904)
Land	633,142	633,142
Total Fixed Assets	1,851,737	1,764,511
TOTAL ASSETS	7,353,064	6,749,141
LIABILITIES & EQUITY Liabilities Current Liabilities		
AP Trade	137,428	
Other Accounts Payable	113,353	7,854
Accrued Payables	364,416	334,170
Cap Lease Oblig - ST	3,473	3,473
A/P - Sections	174,799	1,025
Deferred Revenue	1,976,402	· .
Total Current Liabilities	2,769,871	346,522
Long Term Liabilities		
Capital Lease Oblig	2,905	845
Total Long Term Liabilities	2,905	845
Total Liabilities	2,772,776	347,367
Equity	•	
Unrestricted Net Assets		
Unrestricted Net Assets (R/E)	4,580,288	4,580,288
Fund Balance - Current Year	4	1,821,486
Total Equity	4,580,288	6,401,774
TOTAL LIABILITIES & EQUITY	7,353,064	6,749,141

Administrator for attachment to the statements and forwarding, and after the Financial Administrator's evaluation, to the Executive Director for final payment approval. Said credit card receipts should also be attached to invoices, statements and receipts connected to the transaction. Under no circumstances will credit card charges or any other expenditure of Bar funds be made in amounts exceeding applicable budget line items, for purposes not authorized by the Board, or for any personal expenditures whatsoever.

(5) Commissioner Convention and Bar-Sponsored CLE Waiver.

Registration fees to Bar Conventions and all Bar-sponsored CLE events shall be waived for Commissioners in order to encourage visibility, participation and access for our membership.

(6) Interpretation of Rules and Policies.

Questions of interpretation of these rules and policies shall be resolved by the Board which may, in appropriate instances, delegate its authority to the Executive Director, the Executive Committee, or to the Board's Budget and Finance Committee.

(b) General Reimbursement Procedures.

Each request for reimbursement shall be submitted in writing on forms prescribed by the Bar, shall be signed and dated by the person submitting it and shall

NABEINCBPINCBF

2016 MIDYEAR MEETING



February 2-6, 2016

NABE 2016 MIDYEAR MEETING

Welcome to sunny San Diego, California! In honor of our beachside setting, the theme for the NABE 2016 Midyear Meeting is *Waves of Change*. At this meeting, we will be exploring the evolving role of bar associations and our educational workshop sessions will focus on the following targeted areas: leadership , value proposition and running of the bar . Programming is designated with an for leadership, for value proposition, and for running of the bar after the title which denotes that category it falls under.

All program sessions will take place at the Marriott Marquis and Marina, South Tower, unless otherwise indicated.

TUESDAY, FEBRUARY 2, 2016

8:30 A.M. - 3:00 P.M.

NABE Board of Directors Meeting San Diego County Bar Association, 401 West A Street, Ste. 1100, San Diego, CA 92101, (619) 231-0781

3:00 P.M. - 6:00 P.M.

NABE/NCBP/NCBF Joint
Registration
Marina Registration, Level 3

3:30 P.M. - 5:00 P.M.

NABE Communications Section
Executive Council Meeting
Newport Beach, Level 4

4:30 P.M. - 5:30 P.M.

Orientation for NABE First-time
Attendees
Carlsbad, Level 3

6:00 P.M. - 7:00 P.M. NABE Welcome Reception Mission Hills/Balboa, Level 3

Come meet your colleagues, speakers, sponsors and other early arrivals at the NABE Welcome Reception. Enjoy light reception fare before heading out to dinner on your own.

Sponsored by Abila

7:30 P.M. - 10:00 P.M.

NABE First-time Attendees' Event BICE, 425 Island Avenue, San Diego, CA, 92101, (619) 239-2423 Are you attending the NABE meeting for the first time? Then this is the event for you! All first-time attendees are invited to a night of traditional Italian cuisine, fun and networking during dinner at BiCE. Please gather at the main entrance lobby of the Marriott at 7:10 p.m. to meet groups walking to the venue.

WEDNESDAY, FEBRUARY 3, 2016

6:45 A.M. - 4:30 P.M.

NABE/NCBP/NCBF Joint

Registration

Marina Registration, Level 3

Registration will be closed from 12:00 pm. – 1:00 p.m.

7:45 A.M. - 8:45 A.M.

NABE Welcome Breakfast, Firsttime Attendee and Sponsor Introductions

Marina E, Level 3

Begin your day with a continental breakfast and an opportunity to visit with your colleagues. First-time meeting attendees and our meeting sponsors will be introduced, and our city/state hosts will welcome us to San Diego before we transfer to the opening session.

SPEAKERS

Nancy M. Roberson, Charlotte, NC, Executive Director, Mecklenburg County Bar and NABE President

Elizabeth Rindskopf Parker, San Francisco, CA, Executive Director, The State Bar of California Ellen Miller Sharp, San Diego, CA, Executive Director, San Diego County Bar Association

2016 NABE NCBP NCBF MIDYEAR MEETING

Sebrina Barrett, Jefferson City, MO, Executive Director, The Missouri Bar and NABE Membership Committee Chair

Terri Bryant, Atlanta, GA, Executive Director, Atlanta Bar Association and NABE Sponsorship Committee Chair

8:45 A.M. - 9:00 A.M. *Transfer Break*

9:00 A.M. - 9:45 A.M.

Plenary Session - Ride the Wave Without Falling in the Trough Marina G, Level 3

Change comes whether we are ready for it or not. Personally and professionally, we struggle with change on a daily basis. However, although we already have coping skills designed to help us deal with change, those coping strategies are themselves under strain. Whether we are discussing innovation, leadership or our own personal growth and achievement we have some mental models we need to tear down and rebuild to help ourselves navigate the coming decade. Come along with us as we attempt to re-envision the change process and think about reinventing our workplaces, our families and ourselves.

INTRODUCTION

John F. Phelps, Phoenix, AZ, Chief Executive Officer, State Bar of Arizona and NABE Program Committee Chair

SPEAKER

Shelly Alcorn, Sacramento, CA, CAE and Principal, Alcorn Associates Management Consulting

9:45 A.M. - 10:15 A.M.

Sponsor Networking Refreshment Break

Marina D, Level 3

Take a quick break, grab some refreshments and visit with sponsors to learn about their services and enter the sponsor raffle to win great prizes. Two prize drawings will be held during the meeting. The first drawing will be at the end of the 2:50 p.m. sponsor break on Wednesday, and the final drawing will be held at the 10:10 a.m. sponsor break on Thursday. A drawing to win a compli-

mentary meeting registration to the NABE 2016 Annual Meeting in San Francisco, CA, will also be held at the final sponsor break on Thursday (all NABE Midyear meeting registrants are automatically entered into this drawing). You must be in attendance to win!

10:15 A.M. - 11:15 A.M. Concurrent Track Sessions

> Track 1A - Effective Leadership: Charting the Future for Smooth Sailing •

Marina F, Level 3

Most of us learned leadership from watching the leaders who came before us. We adopted strategies that suited our style and personalities. Research now provides us with principles and practices to effectively engage today's highly skilled, resourceful and knowledgeable employees. In this session, you will learn of key behaviors that can make a difference in leading and motivating today's workforce. This session will also explore what you are doing now and what you can change to drive the results you need for organizational success. You will also have an opportunity to hear a bar executive's experience about implementing some of the strategies.

SPEAKERS

Rory Gilbert, Mesa, AZ, Consultant, Diversity, Leadership and Organizational Effectiveness, Rory Gilbert LLC

John F. Phelps, Phoenix, AZ, Chief Executive Officer, State Bar of Arizona and NABE Program Committee Chair

Track 1B - Hooking the Big Fish: Big Firms, What it Takes to Engage Them! **©**

Cardiff/Carlsbad, Level 3

What does it take to keep the big firms active and involved in your bar association? This panel will discuss their experiences working with the large firms in their communities and how the needs of a large firm practitioner are different from the solo and small firm lawyer. Ideas

2016 NABE NCBP NCBF MIDYEAR MEETING

9

for getting the managing partner to support the local and state bars will be discussed as well. MODERATOR

Victoria Schatz, Kansas City, MO, Executive Director, Kansas City Metropolitan Bar Association

SPEAKERS

Mary A. Augsburger, Columbus, OH, Executive Director, Ohio State Bar Association Russell Jones, Kansas City, MO, President, Kansas City Metropolitan Bar Association Abbigail R. Willingham, St. Louis, MO, Director of Member Relations, Bar Association of Metropolitan St. Louis

Track 1C - Steering the Right Course to Avoid the IRS Ire 📵 Balboa/Mission Hills, Level 3

Learn how to keep your organization on the "right" side of the IRS. Regardless of organization size, this interactive and fast-paced presentation will focus on the legal/financial issues most relevant to a \$501(c)(6) organization, including lobbying/political activities, public disclosure, transactions with insiders, reasonable compensation, expense reimbursements, unrelated business income, information reporting and best practice governance. SPEAKER

Brian Yacker, Huntington Beach, CA, CPA and Partner, YH Advisors The Exempt ORG Experts

11:15 A.M. - 11:30 A.M. Transfer Break

11:30 A.M. - 12:30 P.M. Concurrent Track Sessions

Track 2A - Effective Leadership: Charting the Course and Maximizing the Crew's Talents 🕒 Marina F, Level 3

Successful leadership requires effective communication. This session addresses one aspect of effective communication with employees, colleagues and others: understanding their

preferred work style. You will learn about your own approach to the work environment as well as how this style interacts with others. By the end of the session, you will have gained insight into how you might address your own specific challenging and frustrating situations. With a bar executive on hand, you will also hear about some specific challenges in steering the ship and options for staying the course.

SPEAKERS

Rory Gilbert, Mesa, AZ, Consultant, Diversity, Leadership and Organizational Effectiveness, Rory Gilbert LLC

John F. Phelps, Phoenix, AZ, Chief Executive Officer, State Bar of Arizona and NABE Program Committee Chair

Track 2B - Ahoy There! ... Stretching Your Conference Content to Reach More Sailors **®** Cardiff/Carlsbad, Level 3

Learn how to stretch the content you collect from your annual meeting for year-round use! This session will cover how to use editorial content, photos, and videos as marketing tools for your future events and membership marketing in order to generate engagement throughout the year. **SPEAKERS**

Monica Bussolati, Washington, DC, President and Creative Director, BUSSOLATI Associates Sayre Happich Ribera, San Francisco, CA, Assistant Director, Communications and PR, The Bar Association of San Francisco

Tracy King, Minneapolis, MN, Chief Learning Strategist Founder, InspirÉd, LLC

Track 2C - Scanning the Horizon: New Tools for Hiring and Engaging Your Shipmates 📵 Balboa/Mission Hills, Level 3

More and more, for-profit corporations are turning to personality assessment and predictive instruments as part of their successful employee recruitment. Given the unique culture of bar associations and limited time and resources to hire and on-board employees, this may be a critical solution for all size bars, especially

when it comes to fit. What kind of information will these predictive indexes provide and where do you start? Learn from an expert who helps groups develop and apply assessments in the hiring and employee development practices, and also from a bar association that has been successfully utilizing these approaches.

SPEAKER

Mindy Bortness, Escondido, CA, President and CEO, Communication Works, Inc.

12:30 P.M. - 1:40 P.M. General Lunch Marina E, Level 3 Sponsored by GEICO

12:30 P.M. - 1:40 P.M.

Lunch and Discussion for Associate, Assistant and Deputy Executive Directors

La Costa, Level 4

Share the rewards and challenges of serving as the second in command at your association over lunch with individuals who wear the same hat.

1:40 P.M. - 1:50 P.M.

Transfer Break

1:50 P.M. - 2:50 P.M. NABE Talks

Marina G, Level 3

Back by popular demand are NABE Talks! Four dynamic leaders will deliver short, but powerful presentations on the follow topics: human resource strategies, websites, wellness and aging lawyers.

Ship Shape HR Strategies

What can we learn from a world famous non-profit zoo navigating the turbulent waters of California's labor and employment laws? Turns out, a lot! Hear from the San Diego Zoo's lead HR expert, Tim Mulligan, on how they keep their employees "ship shape" - engaged, productive, innovative, and best in class.

SPEAKER

Tim Mulligan, San Diego, CA, Chief Human Resources Officer, San Diego Zoo Global The Storm on the Horizon - How to Recognize and Deal with an Employee with Substance Abuse

When one of your employees has a substanceabuse problem, productivity and overall staff morale is affected, and yet many avoid it like the elephant in the room. Learning how to recognize and successfully deal with the problem will improve everyone's work life, especially yours.

SPEAKER

Clark Smith, San Diego, CA, M.D., DFAPA, General, Forensic and Addiction Psychiatry Pain Medicine Medical Director, Recovery Works

Taking Care of Old Sailors -Navigating Cognitive Decline in Lawyers

Lean what innovative approaches the South Carolina Bar Association is taking in order to address the topic of cognitive decline in aging lawyers.

SPEAKER

Leah G. Johnson, Columbia, SC, Assistant Executive Director, South Carolina Bar Association

How to Avoid a Sinking Ship of a Website - Conversion Conundrums

Are your website visitors slipping through the cracks? Discover the solutions to capture and convert website leads before they click away! SPEAKER

Mikel Bruce, San Diego, CA, Chief Executive Officer, TinyFrog Technologies

2:50 P.M. - 3:20 P.M.

Sponsor Networking Refreshment Break

Marina D. Level 3

Don't miss your second chance to visit with our sponsors to learn about their services and resources. While visiting, enjoy an afternoon snack and enter to win raffle prizes. The first prize drawing will be held during this break and winners must be in attendance to claim their prize.

2016 NABE NCBP NCBF MIDYEAR MEETING

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3:20 P.M. - 4:40 P.M.

Beverage & Bull Plenary - Catching the Wave

Marina G, Level 3

Come join your colleagues for a beverage and some bull at this quick moving session. Select to sit at a table with your colleagues from like-bars, as seating will be designated by your bar association size: large bars, mid-sized bars and small bars. You'll have the opportunity to discuss a variety of facilitated topics in a setting that promotes sharing and learning from your peers at similar-sized bar associations.

FACILITATORS

Crista Hogan, Springfield, MO, Executive Director, Springfield Metropolitan Bar Association

John F. Phelps, Phoenix, AZ, Chief Executive Officer, State Bar of Arizona and NABE Program Committee Chair

Lorrie Trogden, Little Rock, AR, Associate Executive Director, Arkansas Bar Association

6:30 P.M. - 8:30 P.M.

NABE Wednesday Night Surfin' Safari Party

Pool Patio

Put on your best tropical shirt and join your NABE colleagues poolside for a beach party. You'll have fun, fun, fun, as the evening will be filled with collegiality, yummy bites and beverages, and some hip beach-themed activities. So grab those flip-flops and head on down to the pool - Let's go surfin' now. Everybody's learning how. Come on and safari with NABE!

Sponsored by LawPay

THURSDAY, FEBRUARY 4, 2016

7:30 A.M. - 6:00 P.M.

NABE/NCBP/NCBF Joint

Registration

Marina Registration, Level 3

Registration will be closed for lunch from 12:50

p.m. to 1:50 p.m.

7:45 A.M. - 8:45 A.M. General & Section Breakfasts

General Breakfast Marina E, Level 3 Sponsored by ASI

Administration & Finance Section Breakfast Point Loma, Level 1

Communications Section Breakfast La Costa, Level 4

8:45 A.M. - 9:00 A.M.

Transfer Break

9:00 A.M. - 10:00 A.M. Concurrent Track Sessions:

Track 3A - Looking Below the Surface: The Neuroscience of Leadership and Decision-Making in the Bar •

Marina F, Level 3

In this highly interactive session, participants will explore emerging research in neuroscience and decision-making. Brain imaging studies will be used to explain how we lead in high-pressure, diverse, and political environments. Our session speaker will pinpoint the areas where policies and practices can be affected by unconscious processes and subtleties; review how unconscious decision-making processes affect assessments of veracity, intelligence, threat, and competence; and identify ways to increase fairness guided by science.

Kimberly Papillon, Berkeley, CA, Professor, Judicial Education, California Judicial Council's Administrative Office of the Courts

Track 3B - Getting to YES Faster! Tips and Tricks to Shorten and Improve Your Bar's Retention Cycle and Get Members Invested in Your Association Cardiff/Carlsbad, Level 3

Hear from state and local bar professionals on how they are moving members to "yes" faster during the renewal process. As bar executives, we strive to get our members to "yes" as soon as possible - we want our members to say "yes, I want to renew/submit my payment right away" and "yes, I want to be involved in my bar association." Presentations will touch on retention plans, processes, cost-saving tips and marketing ideas. Panelists will also discuss when all else fails... how to implement an effective win-back campaign after the end of the renewal cycle. Return to the office with practical tools and information you can immediately apply to your membership retention process. MODERATOR

Angela Weston, Augusta, ME, Executive Director, Maine State Bar Association
SPEAKERS

Lowell Brown, Austin, TX, Communications Division Director, State Bar of Texas SJ Kalian, San Diego, CA, Deputy Executive Director, San Diego, County Bar Association Heather Seavey, Augusta, ME, Deputy Executive Director, Maine State Bar Association

Track 3C - Setting Sail with CLE ® Balboa/Mission Hills, Level 3

Come board the SS NABE for a one hour cruise around CLE Harbor. Join us in the Neptune Lounge for an informative panel discussion that will examine three aspects of CLE: technological programming, live events and publishing. Our experts will give you the latest tips to make your CLE operations current and profitable. SPEAKERS

Donita Douglas, Oklahoma City, OK, Executive Vice President of Client Success, InReach and former CLE Director, Oklahoma Bar Association

10:00 A.M. - 10:10 A.M. *Transfer Break*

10:10 A.M. - 10:40 A.M.

Sponsor Networking Refreshment Break

Marina D, Level 3

Take a break from the workshop sessions and visit our meeting sponsors one last time before the Midyear Meeting comes to a close. The final raffle drawing, including the chance to win the complimentary registration to the NABE 2016 Annual Meeting in San Francisco, will take place during this break. All prize winners must be in attendance to claim their prize.

10:40 A.M. - 12:10 P.M.

NABE Chat Rooms – Peer-to-Peer Discussion Groups

(See locations listed in each description below)
Gather with your colleagues for an opportunity to learn from each other in this open format session. Attendees may select from different rooms to join peer-to-peer discussions led by facilitators focused on a specific topic. Select a new topic at any time during this session by moving from room-to-room. Choose from the following topics:

Chat Session A - We are All Equal Before a Wave Marina F. Level 3

The rules of the game for bar associations continue to evolve based on the actions of the courts and legislatures. Whether you are a mandatory or voluntary association, come learn from each other and chat about the best strategies to address these recent developments in the law.

FACILITATORS

Julie Armstrong, Indianapolis, IN, Executive Director, Indianapolis Bar Association and Foundation

George C. Brown, Madison, WI, Executive Director, State Bar of Wisconsin

Robert E. Craghead, Springfield, IL, Executive Director, İllinois State Bar Association

2016 NABE NCBP NCBF MIDYEAR MEETING

Chat Session B – Now Hear This, All Hands on Deck: The Hottest of Hot Topics in Bar Communications

Cardiff/Carlsbad, Level 3

Want to hear how other bars are handling some of the issues that are on your radar (or should be)? Join us for small group discussions focused on issues that matter to communicators. Our discussions will draw from hot topics discussed at the Orlando Communications Section Workshop last October, including social media, publications, marketing, public relations, and more. Come ready to participate as discussion will be guided by the interests of the group.

FACILITATORS

Sarah I. Coole, Atlanta, GA, Director of Communications, State Bar of Georgia

Alexa M. Giacomini, Springfield, IL, CAE, Director of Marketing and Membership, Illinois State Bar Association

Jenna Grubb, Toledo, OH, Director of Communications, Toledo Bar Association

Sharon Nolan, Chicago, IL, Director of Marketing, The Chicago Bar Association

Chat Session C – Catching and Riding the Technology Wave Balboa/Mission Hills, Level 3

Do you have to be a professional IT surfer to catch and ride the endless new waves of technology decisions that face your bar organization? Or...are there practices and techniques that even an amateur surfer can apply to successfully ride each wave to shore? Come join your colleagues in a discussion about the technology challenges we all face and how best to address them.

FACILITATORS

Lisa Deane, Phoenix, AZ, Chief Member Services Officer, State Bar of Arizona
Victor L. Velazquez, Washington D.C., Chief
Operating Officer, D.C. Bar

12:10 P.M. - 1:40 P.M.

NABE Luncheon and Business Meeting

Marina E, Level 3

After lunch, the biannual membership meeting will take place and include the financial report, a report on NABE's delegate to the ABA House of Delegates, and remarks by the 2015 Bolton Award Winner, Roseanne Lucianek. President Nancy Roberson will provide a status report on the organization before calling the 2016 Midyear Meeting to a close.

Sponsored by LexisNexis

2:00 P.M. - 4:00 P.M.

NABE Program Committee Meeting Del Mar, Level 3

2016 NCBP MIDYEAR MEETING

All programs take place at the Marriott Marquis and Marina, South Tower, unless otherwise indicated,

THURSDAY, FEBRUARY 4, 2016

7:30 A.M. - 6:00 P.M. NABE/NCBP/NCBF Joint Registration Marina Registration, Level 3 Registration will be closed for lunch from 12:50 p.m. to 1:50 p.m.

7:30 A.M. - 8:30 A.M. NCBP 21st Century Lawyer Committee Meeting Miramar, Level 3

7:30 A.M. - 9:00 A.M. NCBP Finance & Investment Committee Meeting Del Mar, Level 3

8:30 A.M. - 9:30 A.M. NCBP Sponsorship Committee Meeting Miramar, Level 3

9:00 A.M. - 10:00 A.M. NCBP Membership Committee Meeting Encinitas, Level 3

9:30 A.M. - 10:30 A.M. NCBP Diversity & Inclusion Committee Meeting Miramar, Level 3

10:00 A.M. - 11:30 A.M. NCBP Communications Committee Meeting Encinitas, Level 3

10:30 A.M. - 1:00 P.M. NCBP Program Committee Meeting Del Mar, Level 3

1:00 P.M. - 4:00 P.M. NCBP Executive Council Meeting Catalina, Level 4

2:00 P.M. - 4:00 P.M. MBC Executive Committee Meeting Newport Beach, Level 4

4:00 P.M. - 5:00 P.M. NCBP Diversity Committee Gathering Cardiff/Carlsbad, Level 3 By Invitation Only.

5:00 P.M. - 6:30 P.M. NCBP /MBC Welcome Reception Bayside, Level 1 Welcome to all NCBP, NABE Joint Meeting and

NCBF attendees! Come greet old and new friends alike and enjoy light refreshments before your night on the town in San Diego. All NCBP, NABE Joint Meeting and NCBF registrants will receive two drink tickets; a cash bar is available for all additional beverages and for guests.

7:00 P.M. - 10:00 P.M. NCBP Executive Council Alumni and Past Presidents Dinner Seasons 52, 789 W Harbor Dr., Suite #134, San Diego, CA, 92101, (619) 702-0052 Advance reservations are required to attend the NCBP Executive Council Dinner. Sponsored by LexisNexis

7:30 P.M. - 10:30 P.M.

MBC Executive Committee Dinner 1500 Ocean, Hotel Del Coronado, 1500 Orange Ave., Coronado, CA, 92118, (619) 522-8490 Advance reservations are required to attend the MBC Dinner.

Sponsored by Insurance Specialists, Inc.

FRIDAY, FEBRUARY 5, 2016

7:30 A.M. - 4:30 P.M.

NABE/NCBP/NCBF Joint

Registration

Marina Registration, Level 3

Registration will be closed for lunch from 12:30 p.m. to 1:30 p.m.

7:15 A.M. - 8:15 A.M.

First Timers Breakfast

Marina G, Level 3

If this is your first NCBP meeting, then this is the breakfast you want to attend. Meet with NCBP leaders to learn about the organization and opportunities for active involvement. Get to know your colleagues in leadership positions at their respective bar associations. Breakfast is available at 7:15 a.m., and the program begins at 7:45 a.m.

7:30 A.M. - 8:20 A.M.

General Breakfast

Marina DE, Level 3

For all NCBP registrants (except NCBP first-timers and their buddies, who should attend the First-timers breakfast), NCBF registrants and NABE Joint Meeting registrants. Enjoy coffee and a continental breakfast with your bar leader colleagues from around the country. The introduction of the 2016 NCBP Fellows Award will follow breakfast.

8:20 A.M. - 8:40 A.M.

Welcome, Introductions and Presentation of NCBP Fellows Award

Marina DE, Level 3

NCBP President Lanneau "Lanny" Lambert, Jr. will welcome attendees along with his fellow organization leaders and our host city/state bar representatives. Lanny will also introduce the 2016 NCBP Fellows Award recipient.

SPEAKERS

Lanneau Wm. Lambert, Jr., Columbia, SC, Past President, South Carolina Bar and NCBP President

Nancy Roberson, Charlotte, NC, Executive Director, Mecklenburg County Bar and NABE President

Leonard Pataki, Tulsa, OK, Vice President and General Counsel, Sheehan Pipe Line Construction Co., and NCBF President

David J. Pasternak, Los Angeles, CA, President, The State Bar of California

Heather S. Riley, San Diego, CA, President, San Diego County Bar Association

8:40 A.M. - 9:50 A.M.

Friday Morning Plenary - The Legal Profession: Where Are We?

Marina DE, Level 3

The traditional lawyer career path – law school graduate to law firm associate to law firm partner – is becoming less traditional, as fewer law school graduates land jobs in firms, and the law firm model itself is less reliable. William Henderson has been nationally recognized as a leading voice on changes in the legal profession. His observations, as well as challenges, will set the stage for the conference and ignite critical dialogue for bar leaders now and into the future.

MODERATOR

Christine H. Hickey, Indianapolis, IN, Past President, Indianapolis Bar Association

SPEAKER

William Henderson, Bloomington, IN, Professor of Law and Val Nolan Faculty Fellow, Indiana University Maurer School of Law

9:50 A.M. - 10:00 A.M.

Transfer Break

10:00 A.M. - 11:00 A.M.

First Session of Joint Concurrent Workshops

Workshop 1A - Challenges for Unified State Bars

Marina F, Level 3

Developments impacting unified state bars continue to hold our attention. Join us for updates on legislative actions, court settlements, and a pending lawsuit that portends major disruption for the foundation on which unified bars are built. And let us know what's happening in your jurisdiction.

2016 NABE NCBP NCBF MIDYEAR MEETING

MODERATOR

Gwynne A. Young, Tampa, FL, Past President, The Florida Bar and Member, NCBP Executive Council

SPEAKERS

Ronald L. Gibson, Charlotte, NC, Past President, North Carolina State Bar

Robin L. Haynes, Spokane, WA, Presidentelect, Washington State Bar Association John W. Nields, Washington, DC, Past President, The District of Columbia Bar

Workshop 2A - How to Raise the Bar Through Online Communities And Personal Relationships

Cardiff/Carlsbad, Level 3

With today's technology and the ability to live life without ever meeting in person, a focus on personal relationships often gets lost in translation. Yet leadership success is about creating one-on-one connections. In this lively panel discussion, hear from an all-virtual bar, a traditional bar, and a young lawyer bar leader to find out how your bar can best use the "virtual connections" – Twitter, Facebook, LinkedIn, email, webinars – we've all come to rely on with the ever-important personal networking opportunities members still long for.

MODERATOR

Kathleen D. Wilkinson, Philadelphia, PA, Past President, Philadelphia Bar Association and Member, NCBP Executive Council SPEAKERS

Josie Beets, Washington, DC, President-elect, Military Spouse JD Network

Lowell Brown, Austin, TX, Communications Division Director, State Bar of Texas

Autumn Ronda, Los Angeles, CA, Past President, Beverly Hills Bar Association Barristers

Workshop 3A - Getting in Rhythm: Making Health and Wellness a Priority for Your Members

Balboa/Mission Hills, Level 3

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Are you ready to shake things up? This program will help bar leaders navigate the best

practices to make health wellness and life balance priorities for themselves and their members, while helping to leverage strategic relationships in the health and wellness communities. It is a must attend to ensure that you get the most out of your role and so you can take your members to the next level.

MODERATOR

Michael R. Freed, Jacksonville, FL, Past President, Jacksonville Bar Association and Member, NCBP Executive Council
SPEAKERS

Hon. Pamila J. Brown, Ellicott City, MD, President, Maryland State Bar Association Giselle Carson, Jacksonville, FL, President,

Alice F. Paylor, Charleston, SC, Past President, South Carolina Bar and Member, NCBP Executive Council

Workshop 4A (MBC) - From Surviving to Thriving: Practice Readiness for New Lawyers

Point Loma/Solana, Level 1

Jacksonville Bar Association

Moving from "the study of law" to the "practice of law" can be daunting for new lawyers in today's changing market. Metro bars are in a unique position to help with this transition, whether through mentoring programs, creating fee generating work through connections with court personnel, or training in practice management and basic lawyering skills. Hear from three metro bars that have practice readiness programs your bar can adapt right now to help new lawyers and engage them in your bar association.

MODERATOR

John F. Kautzman, Indianapolis, IN, Past President, Indianapolis Bar Association SPEAKERS

Lisa G. Arrowood, Boston, MA, President, Boston Bar Association

Darrel J. Papillion, Baton Rouge, I.A, Immediate Past President, Baton Rouge Bar Association

Matthew A. Passen, Chicago, IL, Chair, Chicago Bar Association Young Lawyers Section

Workshop 5A (NCBF) - How to Create the Perfect BOD (Board of Directors): Insider Secrets to Inspire Your Board to Show Up, Reach Out and Bring In Dollars (Part I)

Santa Rosa, Level 1

Your Board of Directors is your lifeblood to the community, but is often disengaged or unclear about its role. The world is moving faster and how we do business is changing. Boards must balance agility with a focused strategy in order to maximize their mission. This two-part session will demonstrate how to apply the Impact Triangle formula, equip the board for success, engage the board as partners, reduce fundraising anxiety, and create a culture of accountability.

SPEAKER

Cindi Phallen, San Diego, CA, President, Create Possibility

11:00 A.M. - 11:30 A.M.

Sponsor Networking and Appreciation Break

Marina Foyer, Level 3

Take a refreshment break and learn about the products and services offered by our generous sponsors. Don't forget to leave your business card with vendors for a chance to win great raffle prizes!

11:30 A.M. - 12:30 P.M.

Second Session of Joint Concurrent Workshops

Workshop 1B - The Outsourcing and Job Bidding of Legal Work Marina F, Level 3

In our global world, it is common practice to outsource work and promote job bidding, even among law firms. So how does this work in the legal industry? What are the legal and ethical issues surrounding outsourcing, within the United Sates, across borders, and overseas? What advice should bar associations be providing their members? Our experienced pan-

elists will discuss what the rules do and don't allow, and the consumer protection issues involved, including cyber security of confidential client information.

MODERATOR

Rew R. Goodenow, Reno, NV, Past President, State Bar of Nevada and Immediate Past President, NCBP

SPEAKERS

Deirdre Oren Byrne, New York, NY, Legal Services Business Unit Head, Integreon

Matt Samuelson, Denver, CO, Chief Deputy Regulation Counsel, Colorado Supreme Court, Office of Attorney Regulation Counsel Lynda C. Shely, Scottsdale, AZ, President, Association of Professional Responsibility Lawyers

Workshop 2B - Leveraging Technology to Address Unmet Legal Needs

Cardiff/Carlsbad, Level 3

How is the legal profession capitalizing on innovative technology right now to meet the needs of moderate income clients? Whether it's providing an online directory of lawyers, supporting self-help centers in conjunction with the courts, or creating online legal triage help for potential clients, the application of technology tools can increase access as well as efficiencies. Join us to learn how some programs are addressing the public's need for solutions to their legal problems, and how you can implement similar approaches in your communities.

Nathan D. Alder, Salt Lake City, UT, Past President, Utah State Bar and Member, NCBP Executive Council

SPEAKERS

Bonnie Rose Hough, San Francisco, CA, Managing Attorney, Center for Families, Children & the Courts, Judicial Council of California Ed Marks, Albuquerque, NM, Executive Director, New Mexico Legal Aid, Inc.

Janet Welch, Lansing, MI, Executive Director, State Bar of Michigan

2016 NABE NCBP NCBF MIDYEAR MEETING

Workshop 3B - Member Mobilization: Engagement Strategies for Your Bar Balboa/Mission Hills, Level 3

We've all seen the statistics about millennials not being joiners. But what if it's not about just joining, but actually being engaged in your bar? Simply sending out a welcome packet and asking members to go to your website isn't enough anymore. Hear from bar leaders who've created a community within their bar and mobilized their members with engagement programs that work.

MODERATOR

John Rubiner, Los Angeles, CA, Past President, Beverly Hills Bar Association and Member, NCBP Executive Council

SPEAKERS

David A. Blaner, Pittsburgh, PA, Executive Director, Allegheny County Bar Association Cynthia D. Mares, Littleton, CO, Immediate Past President, National Hispanic Bar Association

Ellen Miller-Sharp, San Diego, CA, Executive Director, San Diego County Bar Association

Workshop 4B (MBC) - The Graying of the Profession Point Loma/Solana, Level 1

Studies show that the age of the average bar member is older than in decades past. As the profession grays, a host of issues come to the forefront: how to engage seasoned members; what to do when there are cognitive or memory difficulties; changing priorities for aging lawyers; etc. Join this discussion of what your bar association can do to address the needs of more mature members.

MODERATOR

Daniel A. Cotter, Chicago, IL, Past President, Chicago Bar Association and Member, NCBP Executive Council

SPEAKERS

Louraine C. Arkfeld, Tempe, AZ, Presiding Judge (retired) Chair, ABA Senior Lawyer Division

Dean J. Zipser, Irvine, CA, Former Chair, Orange County Bar Association Masters Division Co-sponsored by the ABA Senior Lawyers Division

Workshop 5B (NCBF) - How to Create the Perfect BOD (Board of Directors): Insider Secrets to Inspire Your Board to Show Up, Reach Out and Bring In Dollars (Part II)

Santa Rosa, Level 1

This session continues the discussion from the earlier workshop.

SPEAKER

Cindi Phallen, San Diego, CA, President, Create Possibility

12:30 P.M. - 1:50 P.M.

Diversity Forum and Lunch: Unconscious Bias

Marina DE, Level 3

Even if we don't know we're doing it, unconscious biases influence everything from hiring decisions to promotions to everyday interactions with colleagues. Unfortunately, many in today's world believe biases no longer exist and any inequality is a result of different individuals' capabilities, commitment and choices. This interactive luncheon will allow you to engage in discussions and hear from implicit bias experts on how your bar can make a stronger commitment to equal opportunity.

MODERATOR

Aurora Abella-Austriaco, Chicago, IL, Past President, The Chicago Bar Association and Member, NCBP Executive Council

SPEAKERS

Kimberly Papillon, Berkeley, CA, Professor, Judicial Education, California Judicial Council's Administrative Office of the Courts

Wendy Shiba, Altadena, CA, Past President, National Asian Pacific American Bar Association, Member, ABA Commission on Women in the Profession and Member, ABA Diversity & Inclusion 360 Commission

1:50 P.M. - 2:20 P.M.

Sponsor Networking and Dessert Break

Marina Foyer, Level 3

Join us in the sponsor area for some dessert and your final chance to visit with our sponsors and learn about their services and resources. All luncheon guests are invited to participate. This is your last chance to enter for raffle prizes – raffle winners will be announced either before the Friday Afternoon Plenary or before the Saturday Morning Plenary.

2:20 P.M. - 3:20 P.M.

Friday Afternoon Plenary – The Future of Legal Education: A Conversation with Law School Deans and Bar Leaders – Young and "Seasoned"

Marina DE, Level 3

Join us for an interactive discussion on key topics related to legal education, including alternatives to traditional law school models, the practice readiness of new lawyers, and ways to reduce the cost of law school and law school debt.

MODERATOR

A. Scott Chinn, Indianapolis, IN, Past President, Indianapolis Bar Association and Member, NCBP Executive Council

SPEAKERS

Johnathan J. Cole, Nashville, TN, Past President, Nashville Bar Association and President-elect, NCBP

Lacy L. Durham, Dallas, TX, Chair, ABA Young Lawyers Division

Rachel F. Moran, Los Angeles, CA, Michael J. Connell Distinguished Professor of Law and Dean Emerita, UCLA School of Law

3:20 P.M. - **3:30** P.M. *Transfer Break*

3:30 P.M. - 4:30 P.M.

Metro Bar Roundtables - In Vino Veritas and More

Marina F. Level 3

Join the Metropolitan Bar Caucus for an interactive roundtable discussion on the current issues and proposed solutions to metro bar concerns. Bring your ideas for how metro bars can shape the future for bar leaders and the legal profession.

3:30 P.M. - 4:30 P.M.

State Bar Roundtables

Marina DE, Level 3

Join bar leaders from around the country to brainstorm ideas, get advice and share your stories on issues for which there is no easy answer. Gain practical take-aways during this time to talk with other state bar leaders.

4:30 P.M. - 5:00 P.M.

MBC Executive Committee Meeting La Costa, Level 4

5:30 P.M. - 7:00 P.M.

NCBP/NABE/NCBF Joint Reception Pool Patio

Top off the day by the pool with this opportunity to relax and share conversation with fellow Mid-year Meeting attendees. NCBP and NABE joint registration includes a ticket to this poolside patio event to enjoy drinks and light hors d'oeuvres. Others can purchase tickets at the NABE/NCBP/NCBF registration desk.

Sponsored by LexisNexis

SATURDAY, FEBRUARY 6

7:30 A.M. -11:00 A.M.
NABE/NCBP/NCBF Joint
Registration
Marina Registration, Level 3

8:00 A.M. - 9:10 A.M. NCBP Breakfast and Discussions Marina DE, Level 3

Join other bar leaders for a breakfast discussion about how bars can address issues of the future. Sponsored by Rimkus Consulting Group

9:10 A.M. - 9:30 A.M.

ABA Law Day and Louis M. Brown Awards and Introduction of Sponsors

Marina DE, Level 3

This awards presentation will feature presentations to individuals, bar associations and other law-related entities for their work in support of the organized bar, the profession and the public. The ABA Law Day Awards highlight the best programs that promote public understanding of law and integrate the 2015 Law Day theme, "Magna Carta: Symbol of Freedom Under Law." The Louis M. Brown Award for Legal Access honors programs and projects dedicated to matching the unmet legal needs of the middle class with lawyers who provide affordable legal information, services and representation. Audience members will also hear from NCBP sponsors.

9:30 A.M. - 9:45 A.M. ABA President Speaks Marina DE, Level 3 SPEAKER

Paulette Brown, Morristown, NJ, President, American Bar Association

9:45 A.M. - 11:15 A.M.

Marina DE, Level 3

Saturday Morning Plenary – Access to Legal Services: Creating Solutions, One Step at a Time

Years of research have shown that roughly only fifteen percent of the U.S. can afford legal services when they need it. Should legal services be available to only those who can afford it? How do we promote access to justice for the other eighty-five percent without giving up the pillars of the profession? Hear from leaders who are finding solutions, rather than waiting to have a solution thrust upon them – solutions that may not be in the best interest of the profession.

MODERATOR

Carl D. Smallwood, Columbus, OH, Past President, Columbus Bar Association and Past President, NCBP

SPEAKERS

Gillian Hadfield, Los Angeles, CA, Kirtland Professor of Law and Professor of Economics, University of Southern California Gould School of Law George T. "Buck" Lewis, Memphis, TN, Past

President, Tennessee Bar Association, and Member, ABA Standing Committee on Pro Bono and Public Service

David Miranda, Albany, NY, President, New York State Bar Association

Andrew Perlman, Boston, MA, Dean and Professor of Law, Suffolk University Law School and Vice Chair, ABA Commission on the Future of Legal Services

11:15 A.M. – 11:30 A.M.

Wrap Up

Marina DE, Level 3

Hear last minute announcements from President Lambert before the 2016 NCBP Midyear Meeting wraps up.