

Wyoming State Bar Board of Officers & Commissioners Meeting

November 10, 2023

Wyoming State Bar

Cheyenne, Wyoming

- In Attendance:** Anna M. Reeves Olson, President; Erin E. Weisman, President-Elect; Kelly M. Neville, Treasurer; Christopher H. Hawks, President, Immediate Past President; Stefanie L. Boster, First Judicial District Commissioner; Jason Petri, Third Judicial District Commissioner; Jennifer L. Kirk, Fifth Judicial District Commissioner; Alison O. Gee, Sixth Judicial District Commissioner; P. Craig Silva, Seventh Judicial District Commissioner; Shawn G. Wilde, Eighth Judicial District Commissioner; Clayton M. Melinkovich, Ninth Judicial District Commissioner; John P. Fritz, Chair, Young Lawyer Section; Sharon Wilkinson, Executive Director; Mark W. Gifford, Bar Counsel; Melinda McCorkle, Deputy Bar Counsel; Cathy Duncil, Admissions Director; Marie Ellis, CLE Director and Sally Slater, Assistant to Bar Counsel
- Absent:** James T. Whiting, Vice President; Dona Playton, Second Judicial District Commissioner and Kevin K. Kessner, Fourth Judicial District Commissioner
- Guests:** Hon. Kate M. Fox, Chief Justice of the Wyoming Supreme Court; Jack Speight, WyLAP Director; Cody Jerabek and Angie Dorsch, Executive Director of Equal Justice Wyoming and the Equal Justice Wyoming Foundation
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President Anna M. Reeves Olson called the meeting to order at 12:30 p.m. on Friday, November 10, 2023.

Consent Agenda

Commissioner Alison Gee made a motion to approve the consent agenda. Commissioner Stefanie Boster seconded the motion. The motion carried unanimously.

Judicial Branch Update

Chief Justice Kate M. Fox joined the meeting and directed the Board's attention to the Wyoming Judicial Council (WJC) Report as well as the Wyoming Judicial Branch EFiled Report in the meeting materials. She shared that two years ago the Judicial Branch Innovation Task Force came up with a strategic plan in order for the branch to be more strategic about the projects it takes on and to ensure that consistent messages are coming out of the Court.

Chief Justice Fox shared that in the 2024 legislative session, the branch is requesting ten new administrative positions and nine new Circuit Court clerks. They are also requesting \$5 million to get judicial branch employees up to where other state employees are with their salaries.

She explained how the Judicial Branch had previously been reluctant to use the same methodology to set pay as the other branches of government use, but that it now regrets that decision, as Judicial Branch employees are only at 83% of market. She reported that there are 280 branch employees not including the judges. She shared that 20 years ago when they got rid of Justices of the Peace and started the Circuit Courts, they did not add any administrative staff. Another reason for more administrative staff is due to the additional programs the courts have taken on such as treatment courts and the mental health diversion program.

Chief Justice Fox asked the Board members how many of them are using efilng. Commissioner Clayton Melinkovich indicated that he has and it was going well overall with just a few hiccups. Chief Justice Fox thanked everybody for their patience and indicated that efilng has been difficult to roll out. She reported that the clerks that have launched efilng want to implement mandatory efilng, as they are currently administering three different systems— efilng, paper filing and email filing. There is a proposal that will go before the WJC. The Chief asked the Board members how they felt about mandatory efilng and overall, the Board was supportive.

Executive Director Sharon Wilkinson asked Chief Justice Fox how communication would be shared with lawyers if the proposal is accepted. Chief Justice Fox indicated that as soon as a decision is made, she would coordinate with the Bar so that lawyers are informed ahead of time.

Chief Justice Fox thanked Kelly Neville and Mark Gifford for taking the lead on the Rural Practice Initiative and shared that even if the bill does not have success in next year's legislative session, it is a very good project and the judges support it.

Chief Justice Fox reported that the Court is currently working on projects to help self-represented litigants, which includes self-interactive electronic forms.

Chief Justice Fox again discussed how the Judicial Branch's strategic plan has been good to keep the branch focused. She reported that the Court has done some listening sessions and those have been helpful, as they are gathering good information.

Other things Chief Justice Fox discussed included:

1. She is working with the WJC to ensure that it is a more robust and effective governing body. She feels that doing so will ensure that it will be less important who serves as the Chief Justice.
2. She is giving some thought to generative Artificial Intelligence (AI) and thinks it is really going to revolutionize not just the practice of law but how the courts operate.
3. She shared that there were 19 applicants for the District Court vacancy in Cheyenne.
4. She shared that there will be an upcoming vacancy for a Chancery Court judge.

President Olson asked if there would be a mandatory retirement age for the Chancery Court judge, and Chief Justice Fox indicated that there would not.

Mark Gifford asked if it is true that Judge Campbell's retirement will trigger a salary increase for the rest of the District Court judges and Chief Justice Fox indicated that was correct. She shared that the Legislature put that in a budget footnote and somebody's term had to end in order for the pay raises to kick in.

Commissioner Jennifer Kirk shared that her office had an issue with taking a special prosecution in another county due to a conflict. The Circuit Court judge wanted them to pay a filing fee, as that is how that particular judge interpreted the rule. She wondered if the Court could reexamine those rules and perhaps prosecutors' offices could be exempt. She shared that it all worked out in the end, but she thinks there is some confusion. Commissioner Melinkovich agreed and wondered about the same exemption for fees for copies.

Commissioner Gee asked about the Court Navigator Program. Chief Justice Fox reported that it will start in Natrona County. They received a grant from the State Justice Institute to retain the National Center for State Courts to help put the program together. One of the challenges is they thought they could use paralegal students from Casper College, but most are doing remote learning. She reminded the Board that the "navigators" do not need to be lawyers; they will simply point people in the right direction. Finding the right people is going to be the issue. She reported that what is built into the plan for Casper is to have the navigators available remotely. They are also working with libraries in the more remote communities to help people via Microsoft Teams. Ideally, there will be more offices with on-site people in the larger communities. The Chief also shared that she hopes in a community like Casper, there will be some retired attorneys who would like to help.

Treasurer Kelly Neville asked if there was going to be an effort to put the mandatory retirement age issue on the ballot again. Chief Justice Fox indicated that there has not been any discussion and thinks if it were to be brought up again, it would be up to the Bar to campaign for that, as the branch cannot lobby. She also shared that those efforts have only succeeded on a national level when there has been a robust campaign to support them.

Admissions

Cathy Duncil shared that, so far, 20 applicants have signed up to take the February 2024 Bar exam. This mostly includes those that failed the July 2023 exam. She shared that the filing deadline is one week from today and the exam will take place at Laramie County Community College (LCCC).

She reported that she recently attended a National Conference of Bar Examiners (NCBE) conference in Washington D.C. and there was much discussion about the NextGen Bar Exam.

Cathy Duncil shared that she and Melinda McCorkle have been dealing with an applicant for about a year who will be recommended for a hearing before the Character and Fitness Committee.

Cathy Duncil reported that the new admittee ceremony and the reception that followed was a huge success. She had the largest turn-out she has ever had.

Mark Gifford reported that at the recommendation of the Board of Law Examiners (BLE), the Wyoming Supreme Court has decided to adopt the NextGen Bar Exam for implementation in July 2027. He shared that the BLE was pleased that the Court came out as an early adopter. Cathy Duncil shared that the University of Wyoming College of Law has agreed to do field testing in January, so the staff will go over see how that works. Ms. Duncil reported that the new exam will take place over a two-day period—six hours the first day and three hours the second day.

Commissioner Shawn Wilde asked what impact NextGen will have on the law school's admissions process. Mr. Gifford indicated that it will not impact that process, but it will impact the curriculum.

Office of Bar Counsel Report

Mark Gifford shared that his office has been very busy and are up to 104 disciplinary complaints for the year. He reported that at any given time, his office has a few large cases that demand a lot of their time. He shared that having Melinda McCorkle as Deputy Bar Counsel has been a godsend.

President Olson reminded the Board that Jim Anderson, Chair of the Review and Oversight Committee (ROC), attended the August Board meeting and then followed up with an email regarding some suggested changes to the Office of Bar Counsel. President Olson asked Mr. Gifford to provide an update for the Board on these issues.

Mr. Gifford shared that he is at a big disadvantage because Mr. Anderson has not discussed this with him, nor has he seen the email Mr. Anderson sent to the Board. He reported that he learned that one of Mr. Anderson's recommendations was to hire a hearing officer to preside over disciplinary hearings. Mr. Gifford clarified that there is already a provision in the Rules of Disciplinary Procedure that allows the Board of Professional Responsibility (BPR) to appoint a hearing officer (referred to a "disciplinary judge" in the Rules) and that has been in the rules for years. He shared that he does not know if it has ever been used, but that is already in place.

President Olson shared that another recommendation was to have disciplinary counsel be a stand-alone position separate from the Wyoming State Bar. Mr. Gifford again reiterated that Mr. Anderson did not discuss this with him.

Commissioner Gee reported that what she tried to express during the brief September Board meeting is that when the Board looks at the roles that both Mark Gifford and Sharon Wilkinson play in the organization, the concern is that it would be impossible to replace those skill sets. The Board should plan for the long term and thought it would be healthy to have counsel for the Bar and counsel for disciplinary actions evolve into two roles. She shared that in most cases, those are two different skill sets, but Mr. Gifford is an exception to that rule.

President Olson shared that the Board is unaware of the time commitment to handle all of the disciplinary cases.

Treasurer Neville recalled asking the staff to put some thought into succession planning for the long term and incorporate that into the 2025 strategic planning session.

Mark Gifford shared that in terms of succession planning, the plan now is that he and Melinda McCorkle will eventually switch roles—she will become Bar Counsel and he will take the position of Deputy Bar Counsel and scale back his hours. As for having separate counsel for the Board and for disciplinary matters, Mr. Gifford wondered how that would work and asked if it would be necessary to have full-time disciplinary counsel and wondered who would want that position, as he would not want to only handle only discipline. He listed the numerous other aspects of his job that he thoroughly enjoys and reminded the Board that he and Ms. McCorkle spend as much time helping lawyers stay out of trouble as they do on discipline. Mr. Gifford wonders if a separate office of disciplinary counsel were created, where would it be housed and who would assist Admissions Director Cathy Duncil with character and fitness review and representation of the Bar at hearings before the Character and Fitness Committee, which is an important aspect of the current structure of the office.

Commissioner Kirk shared that amongst the complaints she hears from her constituents, one of them is, “Why would I call the cops on myself?” as an example of why lawyers would not call Bar Counsel for help when Bar Counsel would be the one to discipline them if they got into trouble. She wondered if we separated those roles, would that alleviate some of those concerns.

Mark Gifford reminded the Board that his office does not lack for Ethics Hotline calls, and the calls continue to increase, which he welcomes. He wondered with such a separation who would take the Ethics Hotline calls. He explained that taking those calls makes him and Ms. McCorkle better at their disciplinary jobs and helps them give common sense guidance, as they live in the Rules of Professional Conduct day-in and day-out. Another advantage he and Ms. McCorkle bring to their positions is years of private practice experience. He shared that many of their hotline calls are about conflicts of interest, and they are very knowledgeable about those rules. Mr. Gifford wondered if having a lawyer whose only job is disciplining lawyers would be the best use of the Bar’s resources.

Melinda McCorkle shared that she represented attorneys for ten years before she took her current position. She and Mr. Gifford spend hours upon hours each day on the phone with lawyers, and she shared that lawyers who have no litigation experience or years of private practice experience have no business being in these jobs. She also shared that she is in agreement about she and Mr. Gifford swapping positions one day.

Ms. McCorkle shared her own concerns about the separation of general counsel and disciplinary counsel and wondered if one person could handle all of the disciplinary cases. While she understands the rationale, she worries about getting the right type of person to fill the position. She also shared that she sees administrative problems with it.

President Olson asked if any members of the BPR had discussed this issue with Mr. Gifford. He indicated that none of them had. Executive Director Sharon Wilkinson reminded the Board

that the hiring, firing and structure of the Office of Bar Counsel is the responsibility of the ROC, the BPR and ultimately the Wyoming Supreme Court.

Commissioner Shawn Wilde shared that job descriptions for both Mr. Gifford and Ms. McCorkle would help alleviate any concerns. He also shared that he thinks they have been managing the Office of Bar Counsel very well.

Mark Gifford shared that Bar Counsel's duties are outlined in the Rules of Disciplinary Procedure.

Melinda McCorkle shared another concern that if the two positions were completely separate, disciplinary counsel would have no other attorney to collaborate with. She explained the collaboration she and Mr. Gifford have on disciplinary cases and how important that is.

Commissioner Kirk shared that the Board absolutely recognizes the great work that Mr. Gifford and Ms. McCorkle do and acknowledged how they have improved the disciplinary system and put effective systems in place. Her concern stems from one of them leaving and where that would leave the office. Commissioner Gee described how the two have professionalized the office and the system so much.

Mr. Gifford shared that it is hard for him and Ms. McCorkle to respond to phantom concerns, as they are not part of the dialogue.

President Olson asked Mr. Gifford to prepare job descriptions for the Board to review at the January Board meeting.

WyLAP Director Succession Planning

Jack Speight and Cody Jerabek joined the meeting. Mr. Speight shared a bit about his health issues and reasons that he needed to transition the WyLAP Director responsibilities to somebody else as a result. He shared that Cody Jerabek, a suspended lawyer from Cheyenne, has participated in a few of his interventions over the last few months, and he has been very impressed with what Mr. Jerabek brings to the table. He reported that he would like to transition everything to Mr. Jerabek so he could take over as the WyLAP Director. He shared that he would like to stay involved in order to help Mr. Jerabek with anything he needed and would like to be available in the event that Mr. Jerabek was unavailable.

Mark Gifford provided an overview of what led to Mr. Jerabek's suspension and shared that he has been sober for over three years. He also shared that Mr. Jerabek wrote an article for the December *Wyoming Lawyer* that brought tears to his eyes. Mr. Gifford reported that in all of his dealings with Mr. Jerabek, he has learned that he is bright, he is committed to his sobriety and he sees how important playing a role in the recovery of others is for his own recovery.

Mr. Gifford shared that he thinks Mr. Jerabek will open WyLAP up to a whole different demographic and while Mr. Speight has made the program what it is today, he thinks Mr. Jerabek is the right person to continue on and move the program forward.

Cody Jerabek reiterated that he is currently suspended from practicing law. He shared that he truly believes that without the help of the WyLAP program, he would not be suspended, but he would more likely be dead. He contacted Jack Speight on a weekend, and by that next Wednesday, he was in a treatment program—that's how quickly Mr. Speight was able to work to get him the help he needed. Mr. Jerabek admitted that WyLAP means a lot to him for selfish reasons, but he also thinks the program can do a lot more through more outreach, accessibility and modernization. He reported that he was also licensed in Minnesota and is familiar with its Lawyer Assistance Program (LAP). He felt that there is a lot he can learn from that program, which has been in place much longer than WyLAP.

Mr. Jerabek referenced a study the American Bar Association (ABA) did a few years ago and discussed the troubling statistics that came out of it.

Cody Jerabek shared that he has been involved with WyLAP since he began his recovery. He reiterated that he has helped Mr. Speight with some interventions and feels that he has been effective. He also shared that he has been as public and as loud about his shortcomings and his discipline as possible, as he knows he hurt people along the way. He is trying to share that this is not a shaming process, it is a very humbling one.

Mr. Jerabek discussed the importance of confidentiality and the separation from the Office of Bar Counsel.

President-Elect Erin Weisman asked Mr. Jerabek if his goal to once again be an active member of the Bar once his three-year suspension was over. Mr. Jerabek shared that currently he does not see himself giving up his law license completely, but he has so many other ventures. He reported that where he is in his recovery now, he has no present intention of going back into the courtroom.

President-Elect Weisman shared that being in active recovery is commendable, but there is always a chance for relapse. Executive Director Wilkinson reported that Mr. Jerabek has met with the WyLAP Advisory Committee, which is made up of Pat Crank, Craig Newman and Tom Callison, and it asked Mr. Jerabek that question directly, as it would be a black eye on the Bar if the WyLAP Director fell off the wagon.

Mr. Jerabek discussed statistical analyses of relapsing and discussed the studies that dictate those. He shared that he does not pretend that his recovery will not be ongoing and that there is not a chance for relapse. He also reported that he is extremely confident that the underlying issues that factored into his addiction have been resolved. He is more confident today in his recovery than he has ever been. President-Elect Weisman thanked Mr. Jerabek for his openness and willingness to discuss this with the Board.

President-Elect Weisman made a motion to convene an Executive Session. Treasurer Neville seconded the motion. The motion carried unanimously. The Executive Session convened at 2:00 p.m.

President-Elect Weisman made a motion to adjourn the Executive Session. Commissioner Kirk seconded the motion. The motion carried unanimously. Executive Session was adjourned at 2:24 p.m.

Commissioner Kirk made a motion to authorize the WyLAP Advisory Committee to hire Cody Jerabek to serve as the WyLAP Director with a salary of \$1,500 per month beginning January 1, 2024. Commissioner Stefanie Boster seconded the motion. The motion carried unanimously.

Equal Justice Wyoming Annual Report

Angie Dorsch joined the meeting. She shared that Equal Justice Wyoming (EJW) is a Judicial Branch entity that falls under the Wyoming Supreme Court, and it manages state funding for civil legal services. She reported that EJW does not only have money that is given out as grants, but it also administers access to justice related projects. EJW runs the statewide volunteer lawyer program and matches lawyers with clients. It also recruits lawyers to volunteer for legal clinics, Wyoming Free Legal Answers and for the Volunteer Reference Attorney (VRA) program. Ms. Dorsch shared that she really values the partnership that EJW has with the Bar, and it really helps with the communications with lawyers all over the state.

Ms. Dorsch reported that they are still trying to get back to full swing after the pandemic. They are hosting in-person programs again and have even added some more VRA programs around the state. She shared that in some of the more remote areas, they struggle to get volunteers, so they try to utilize technology in those areas as much as they can.

Ms. Dorsch reported that Wyoming Free Legal Answers has been very helpful and they have seen more attorneys signing up to volunteer.

Angie Dorsch reported that Access to Justice 2.0 is looking for ways to promote and recruit for pro bono work. She shared that in comparison to other states, Wyoming offers many benefits for doing pro bono work—malpractice insurance, cost reimbursement and CLE credit. In addition to pro bono EJW has self-help resources on its website and they are currently working to improve those resources.

Ms. Dorsch reported that she staffs the Access to Justice Commission as well as the 2.0 group. In addition to EJW, she also runs a separate 501(c)3 foundation with its own separate governing board. She shared that starting with the grant cycle two years ago, they combined the cycles and now EJW and its foundation do it together. She reported that the joint effort has been very successful and they will do it again early next year.

Ms. Dorsch discussed how EJW gets its revenue and shared that she is seeing revenue decrease every year, but they are replacing it with other funds. Unfortunately, she shared that some of those funds are going away. She reported that over time, they have had to dip into their reserves, but that was intentional in order to provide services during the pandemic.

She shared that there has been a big push on the foundation side to do private fundraising. They are aware that fundraising alone is not enough, so they have been seeking some grants

as well and have received some from private foundations and other entities. Ms. Dorsch reported that they are trying to be proactive as they see some funding resources decline and they do not want the level of services to decline.

Angie Dorsch shared that as part of the restructuring of the Judicial Branch to the new Wyoming Judicial Council, EJW has been asked to determine how it fits within the branch. Executive Director Wilkinson reminded the Board that Cathy Duncil serves as the Vice President of the EJW Board and Commissioners Kirk and Wilde also sit on that Board. Executive Director Wilkinson shared that she serves on the Equal Justice Wyoming Foundation Board.

Commissioner Kirk shared that they worked very hard on the proposal that will go to the WJC. It was a cooperative effort of which she is very proud. Cathy Duncil echoed that as well.

Mark Gifford expressed his gratitude for everything Ms. Dorsch had worked so hard to accomplish. He provided an overview of how the Wyoming State Bar Foundation was transitioned over to the EJW Foundation several years ago.

Proposed Amendments to the Bylaws of the Wyoming State Bar

Mark Gifford reminded the Board that Shawna Goetz, Clerk of the Wyoming Supreme Court, recommended some amendments to the Bylaws of the Wyoming State Bar simply to unburden the Court of certain requirements (i.e., sending notices via certified mail). He shared that as long as we were going to propose those changes, the staff did a thorough review to determine if any other amendments were necessary. Mr. Gifford reminded the Board that the proposed Bylaws amendments were sent to the membership and he received a handful of comments. He requested approval to send the proposed amendments to the Supreme Court for adoption.

Commissioner Clayton Melinkovich made a motion to approve the request to submit the proposed amendments to the Bylaws to the Supreme Court for adoption. Commissioner Wilde seconded the motion. The motion carried unanimously.

Nota Trust Accounting Software Update

Executive Director Wilkinson reminded the Board that she reported in August that she learned that the Florida Bar is providing its 111,000 members with free access to legal trust accounting software. She reported that a legal financial management company, Nota, developed the software. She, Mark Gifford, Melinda McCorkle and Commissioner Boster participated in a demo of the software in late August and all found the software to be very user-friendly. Executive Director Wilkinson shared that she would continue the dialogue with the folks in Florida and see if she can determine when the software may be available for other bars.

Senior Section Update

Executive Director Wilkinson reminded the Board that it directed her to include a question on the 2023 Bar Member Survey in order to learn if the membership would participate in a Senior Section. She shared that over half of the respondents indicated that they would join such a

section. She also reminded the Board that it voted unanimously on a motion to have Past President Chris Hawks form a committee to explore the options for a Senior Section. Despite some written communication back and forth about the subject, nothing had been done.

Mark Gifford reminded the Board that we will launch the mentorship program in January, and he thinks a Senior Section would be beneficial to recruiting mentors.

Commissioner Gee asked Executive Director Wilkinson if we could offer the section membership free of charge for the first year. Executive Director Wilkinson agreed that was a good idea.

President-Elect Weisman asked if there were any retired lawyers and judges we could get to participate. After discussion President Olson directed Executive Director Wilkinson to reach out to some retired judges and lawyers to see if they would be willing to participate.

Annual Meeting Wrap-Up

Executive Director Wilkinson directed the Board's attention to her wrap-up report included in the meeting materials and shared that the Bar unfortunately lost a little bit of Monday on this year's conference due to the increasing costs of providing all programs virtually. There was also discussion about the continued decline in the number of young lawyers who attend the Annual Meeting. John Fritz, Chair of the Young Lawyer Section (YLS), shared that he is hopeful the YLS can host the reception for members of the judiciary once again, as he plans to increase communication that will be shared with the young lawyers about that and feels that more will participate simply because next year's conference is in Cheyenne.

President-Elect Weisman shared that she is hopeful the Bar will host the training session for the prosecutors again next year, as it was well attended and was a quality training. Executive Director Wilkinson shared that she would like to brainstorm with the prosecutors on the Board to see how the Bar can better make all prosecutors part of the annual conference. President-Elect Weisman shared that the information about the training needs to be shared with all prosecutors instead of only the elected ones, as many were unaware the training was even being offered.

Proposed Updates to Board Manual

Executive Director Wilkinson reminded the Board that it dissolved the Government Law Section during the August meeting. As a result, it is necessary to remove that section from the Board Manual. She also shared that this prompted her to recognize other changes such as updating the manual to reflect the current Strategic Plan.

Past President Hawks made a motion to approve all of the recommended changes to the Board Manual. President-Elect Weisman seconded the motion. The motion carried unanimously.

Proposed Amendments to the Wyoming Rules of Professional Conduct

Mark Gifford shared that the ABA House of Delegates adopted changes to Rule 1.16 of the Model Rules of Professional Conduct, which is the termination of representation rule. He

explained that those changes were an effort to get ahead of Congress trying to impose reporting requirements on lawyers in order to cut down on money laundering and terrorism. He shared that those changes really beefed up and underscored things that were already in the rules. Due to that adoption, Mr. Gifford explained that he, Melinda McCorkle and Hon. Joseph B. Bluemel, who serves as a liaison to the ABA Standing Committee on Ethics and Professional Responsibility, did a line-by-line comparison of Wyoming's rules with the Model Rules. He reminded the Board that Wyoming has typically defaulted to the Model Rules, as there is so much authority to cite to. He indicated that they also built in definitional cross references. He reported that these changes have been approved by the BPR and the ROC and asked for this Board's blessing to put them out for member comment.

Past President Hawks made a motion to approve Mr. Gifford's request to put the proposed amendments to the Wyoming Rules of Professional Comment out for member comments. Treasurer Neville seconded the motion. Commissioner Melinkovich noticed that there was a strike through the comment in Rule 1.2 pertaining to attorney-assisted draft documents. Mark Gifford shared that his office does not have a way to enforce that rule and he is not in favor of having rules that cannot be enforced. Commissioner Jason Petri shared that they see that all the time in Sweetwater County. Mr. Gifford shared that the limited entry of appearance rule is still in place. The motion carried unanimously.

2023-2025 Strategic Plan Progress Report

Executive Director Wilkinson directed the Board's attention to the progress report she maintains for each Strategic Plan. In regard to Strategic Goal #1 – New Lawyers, she was pleased to report that she had recently been invited to watch a Wyoming Cowboys football game in the President's Suite at the Wildcatter Club and enjoyed the opportunity to visit with Kevin Carman, the Provost at the University of Wyoming, about the selection of the new Dean of the University of Wyoming College of Law and the importance of that person having good relations with the Bar. She indicated that it is her understanding that the provost has the final say in the hiring process. President Olson reminded the Board that she serves on the selection committee for the new Dean, and they will be interviewing several candidates in a few weeks.

Executive Director Wilkinson shared that she has been working closely with folks from Chronus so that she can effectively learn its platform in order for her to run the lawyer mentoring program that will launch in January. She shared that her next task is to determine the questions and categories included on the intake forms for both mentors and mentees. She shared that eventually, she will want all Board members to join the platform and serve as guinea pig mentors and mentees to provide her with feedback on any tweaks or changes.

In regard to Strategic Goal #2 – Rural Practice, Treasurer Neville, who is heading up the Rural Practice Initiative, reported that she, Mark Gifford and Professor Alan Romero attended the Joint Judiciary Committee meeting last week in Douglas. She reported that they got great support from Representatives Barry Crago and Ember Oakley as well as some non-lawyer legislators. She reported that the bill passed with an 8-6 vote to go for introduction. Treasurer Neville reminded the Board that when a bill is proposed during a budget session, it requires a 2/3 vote. She shared that those that did not support the bill had concerns that this issue

should be solved by the free market and that it is inappropriate for the government to interfere. Some claimed that all professions are short on workers, not just the legal profession. She reported that Representative Ken Chestek pointed out that the free market is failing in this effort. Treasurer Neville will schedule some time to meet with Representatives Crago and Oakley as well as Mark Gifford and Marcia Shanor to strategize and see where we go from here.

Commissioner Melinkovich asked Treasurer Neville if she could provide him with some talking points about the bill and the overall initiative, as he is meeting with his legislator next week.

Treasurer Neville also shared that Douglas lawyer Heather Jacobson also spoke in favor of the bill and really did a nice job. She shared that one question they received from a legislator was, “How do you think the established attorneys in the rural areas that had to establish their practice all on their own with no government assistance will feel about this initiative?” They were pleased to report that nobody would be happier than the current lawyers in these small towns would be. Treasurer Neville also shared that Loretta Howieson Kallas also spoke in support of it.

Treasurer Neville was pleased to report that Professor Romero had some of his students look at the eight counties that have the lowest attorney to public population and they have prepared a report that shows more accurate numbers reflecting those “active” lawyers who are actually practicing law as opposed to those who maintain Active status but are no longer taking cases.

Mark Gifford shared that they are all aware that this is a long shot for the coming legislative session, but he feels it is important to get it on the radar.

Treasurer Neville shared that she thinks the legislature needs to hear about the market failure, as we will continue to hear arguments about why just the legal profession. She indicated that they are also going to try some other things to show that the private side is helping too.

Executive Director Wilkinson reported that in support of Strategic Goal #3 – Website Enhancement & Communication Modernization, she and members of the staff had an initial meeting with the folks at Gannett Peak to discuss ideas for the website facelift. She also reported that she has been working with Madi Miller, the Bar’s social media manager and as a result of Madi’s efforts, the October analytics showed a 6.4% increase in followers and engagement almost doubled! She also shared that they are working on more video content and President Olson filmed a social media reel to announce the mentorship program and encourage lawyers to sign up as mentors.

Selection of Committee Liaisons

Executive Director Wilkinson went through the list of the current liaison from this Board to other Bar committees. After discussion, liaisons were chosen for all committees.

President's Report

President Olson shared that she is enjoying working with Justice Fenn and Executive Director Wilkinson to revise the Judicial Performance Assessment in order to shorten it and make the online platform more user-friendly. There was discussion about the frustration with last year's survey and the identifying questions, which caused the response rate to decline drastically.

President Olson shared her surprise that the federal judges were not included in the survey. Executive Director Wilkinson shared that they have not been included for over ten years now as a result of a request from a former Chief Judge. After discussion, Executive Director Wilkinson was directed to contact Judge Skavdahl to see if the federal judges wished to be included in the 2024 Judicial Performance Assessment.

President-Elect's Report

President-Elect Weisman shared that she is looking forward to attending Bar Leadership Institute (BLI) next March in Chicago.

Executive Director's Report

Executive Director Wilkinson shared that of the 3,719 members who owe an annual license fee, 1,700 have paid, which is about 46% of the membership. She reminded the Board that license fees are due November 30th and those who do not pay by that date will be assessed a \$75 late fee. Those who have still not paid by December 15th will be recommended for suspension.

She reported that status changes have been slow this year, as she has only processed 61 status changes since October 1st, and she typically processes over 100 by this time of year. She reported having a handful of pending status changes that will be processed at the end of the year.

Executive Director Wilkinson shared that the annual audit with McGee, Hearne & Paiz LLP will take place in the office December 11th - 22nd. She shared that Cathy Duncil, Bookkeeper, has been working closely with their office to submit preliminary documents. She reminded the Board that Robert Dahill, a partner at the firm, will be attending the January meeting in Casper to present the audit report.

Young Lawyer Section Report

John Fritz shared that his goal is to increase participation at the Annual Meeting amongst the section. Currently, he and the section council are partnering with the Business Law Section to do a CLE on business structure for law clerks. They are also looking to do one about estate planning and why it is such an important practice area for young lawyers to consider. He shared that for their Annual Meeting proposal, they will focus on a legal writing program.

Commissioners' Report

- ***First Judicial District*** – Commissioner Boster shared that she went to American Inns of Court last night with Treasurer Neville and John Fritz. She shared that the Laramie County Bar Association is not active at all.

- ***Second Judicial District*** – not present
- ***Third Judicial District*** – Commissioner Petri shared that the attorneys in his area started e-filing last month. He discussed it with Judge Lavery and learned that only two attorneys have taken advantage of it, so it does not seem to be very popular yet. He reported that people have a lot of questions and concerns about the processes.
- ***Fourth Judicial District*** – not present
- ***Fifth Judicial District*** – Commissioner Kirk reported that Big Horn County finished a multi-million-dollar remodel to the courthouse a few years ago, but unfortunately, nobody has been able to use it because it is not large enough for the trials they have. She shared that currently, all parties must go upstairs and use the district courtroom. Commissioner Kirk shared that she connected with one of our Annual Meeting speakers, Bobby Williams. He lost his mom to heart disease and related issues, and he started a “Lawyers Running for Heart Awareness” program. She shared that she is going to try to start her own team and raise some money.
- ***Sixth Judicial District*** – Commissioner Gee shared that they no longer have county bar meetings so there is not much going on.
- ***Seventh Judicial District*** – Commissioner Silva reported that they have a new Circuit Court judge. He also shared that their Public Defender’s Office has taken over drug court. His district also has e-filing and he reported that his office really likes it.
- ***Eighth Judicial District*** – Commissioner Wilde reported that his district meeting in August was a great success. They hosted it in Wheatland this year and had golf, trap shooting and dinner. He shared that even some judges and their staff members attend. He shared that the Converse County bar is still trying to get together once a month for coffee and donuts. He reported that the local bar members also participate in the Christmas giving tree program and picks up the expenses to purchase gifts for children.
- ***Ninth Judicial District*** – Commissioner Melinkovich shared that he is glad to be a part of this Board and he thanked Past President Hawks and President-Elect Weisman for nominating him. He shared that he would make a concerted effort to get out and about to all of the counties in his district.

Board/Committee Liaison Reports

- Criminal Pattern Jury Instructions Committee – Commissioner Silva reported that new self-defense and voyeurism instructions are being rolled out.

President Anna Olson adjourned the meeting at 4:50 p.m. on Friday, November 10, 2023.

Minutes Submitted by:

Sharon Wilkinson
Executive Director