

VBA Annual Report 2020-2021

The VBA Annual Reports cover VBA activities during the September 1 – August 31 time frame. Since August 31, 2020 we continued to face pandemic-related challenges that shifted somewhat when the state of emergency was lifted in Vermont in June, and continue to shift as we enter the Fall. Thanks to so many members and staff who have selflessly dedicated their time and talents to meet those challenges, we are proud to include in this report the different ways your VBA was able to continue helping legal professionals in weathering the pandemic storm while “Serving the Public and the Profession”.

Thank you for your patience as we launched our new mobile-friendly **website, membership database system and portal** in May. The new platform provides VBA members with an intuitive online member portal that allows them to update contact information and their directory profile; join sections and renew memberships; register for CLE’s and track CLE credits; and for Lawyer Referral Service members, track cases, submit status reports and process referral payments online. The new system also allows staff the tools to streamline many in-house processes.

The **VBA COVID-19 Committee** moved from weekly to monthly meetings to continue to ensure that the interests of lawyers were well-represented during the Judiciary’s continual amendments to AO 49 and courthouse safety protocols. It served as a liaison and provided input and feedback to the Judiciary and the Executive Branch on issues including law office safety protocols, the resumption of in-person hearings and criminal and civil jury trials, vaccination protocols, broadband and digitization of land records projects and remote hearings. The Committee also worked to develop numerous COVID-19 related volunteer opportunities for lawyers as well as opportunities for bar examinees faced with the challenge of remote bar exams.

Similarly, we moved from weekly to monthly **Section/Division Chairs and County Bar Presidents Conference Calls**, whose participants provided invaluable input for the ACCD guidance, the Judiciary’s emergency orders, the Legislature’s emergency legislation and critical information for the monthly phone conferences that VBA President Elizabeth Kruska and I had the privilege of holding over the last year with Chief Justice Reiber and other Supreme Court Justices, Chief Superior Judge Brian Grearson, CAO Pat Gabel and other members of the Judiciary leadership team.

The **Odyssey Court Users Group** that formed as a result of H. 951 helped achieve the end of the per-document e-filing fee, replaced by a per-case e-filing fee in April 2021. It also contributed to the efforts in the Legislature that resulted in S.39 that requires the Judiciary to include e-filing fees in the Judicial Branch Fee Report. The Group was reinstated in the Spring to serve as a liaison to a new Standard Practices Committee that the Judiciary created to address issues with the Odyssey system. The Group has submitted a detailed “Prioritization of Odyssey Issues” report to the Committee and is awaiting the scheduling of an initial meeting with the Committee.

The **Commission on the Well-Being of the Legal Profession** issued its **Second Annual Report** on July 1, detailing what each committee on the Commission has accomplished since the CWBLP State Action Plan was submitted to the Vermont Supreme Court on December 31, 2018, and the First Annual Report was

issued on July 1, 2020. Included in the Report are recommendations regarding important next steps in implementing the new Bar Assistance Program.

Thanks to the generosity of so many lawyers and judges who are willing to share their expertise, the VBA was able to offer a full smorgasbord of **CLE Programs** covering the gamut of legal topics. Over 6,700 total registrations show how many of you took advantage of VBA CLE offerings, including 5,782 for webinars, 938 for digital programs and 71 for teleseminars this past year. Many thanks to the amazing VBA section chairs who organized at least one CLE during the year at the Annual Meeting last September, at the Mid-Winter Thaw in January, at the Mid-Year Meeting in March, during the upcoming Annual Meeting in October and during the numerous stand-alone programs held throughout the year. Please don't hesitate to let us know what CLE offerings you'd like to see offered, or if you'd like to present!

We were pleased to offer the Fifth Annual **VBA Trial Academy** in a modified format due to the pandemic restrictions in place in July. Five trial judges and participating veteran trial practitioners from the criminal, civil, family, probate and juvenile dockets offered individual webinars geared to different aspects of trial practice in their respective dockets. Stay tuned for the Sixth Annual Trial Academy in the Summer of 2022!

In January of 2021, Casemaker merged with **Fastcase** to combine their full research capabilities and to improve access. VBA Members have automatic access to Fastcase, a leading legal research services provider with intuitive search capabilities. Fastcase libraries work similarly to Casemaker but the navigation is much more simple. Members should know that Fastcase uses Vt for Vermont Statutes rather than VSA, so please use the Vt notation when searching for specific titles in the Vermont Statutes. The tutorial videos in the "help" section of the Fastcase website are concise and informative and include specific tutorials to help former Casemaker users find the Fastcase equivalent of their preferred search methods. There will be an hour long Fastcase webinar training during our Annual Meeting week on October 13th, with registration available on our website. Check out the Fastcase tutorials, or you can call or email Jennifer Emens-Butler for personal training!

VBA membership includes unlimited access to section activity through our on-line communication platform "**VBA Connect.**" Developed in response to members' requests for the ability to archive and to search the invaluable information shared among section members, VBA Connect allows members to easily search and retrieve whatever information has been shared in all communities to date. VBA Connect has been an especially convenient way for members to stay abreast of the ever-changing legal landscape during the COVID-19 era. You can join any section with the click of a button, and easily set delivery preferences. If you haven't yet experienced the benefits of VBA Connect, please call or e-mail the VBA office at any time for personal training.

We're honored to work closely with all three branches of the Vermont Government, to ensure that your and your clients' interests are well-represented. The VBA serves as a resource to the Legislature, government agencies and the Judiciary which helps insure our members' needs are considered. The VBA monitors the legislative sessions for any proposals affecting our members and helps coordinate testimony from section chairs and members when needed. Although we were once again prevented from co-hosting Legislators' Days with the Judiciary due to courthouse restrictions, we hope to be able to resume hosting a **VBA Legislators' Reception** in January and a Legislators' Coffee and Donuts event in

March. At the time of this writing, legislators continue to work on protocols for returning to the statehouse in January.

VBA Access to Justice initiatives have proven invaluable to disadvantaged Vermonters during this time of pandemic. Our A2J projects use grant funds to pay private attorneys to represent low-income Vermonters and crime victims in certain priority cases. This year we have increased the payment to \$75 per hour for between 3 to 10 hours per case. We now have 150 attorneys on our low bono referral panel. The Vermont Bar Foundation funds our county low bono and foreclosure defense projects statewide, and a grant from the US Department of Justice helps us provide representation to crime victims. We recently finished using up two 3-year grants from the Vermont Supreme Court for representation in adult involuntary guardianships and for PACA negotiations. We are very grateful to all of our funders who have made low bono representation possible. On average, over 400 cases are referred to the VBA low bono projects each year, and we successfully place about 85% of them. Our thanks go to the many lawyers who participate in our low bono projects, and we ask more of our colleagues to join the effort. For more information and to sign up contact Mary Ashcroft, Esq., VBA's Legal Access Coordinator, at mashcroft@vtbar.org.

Our Vermont **Lawyer Referral Service** continues to work well for clients in need of Vermont counsel, and for the 138 LRS panel members who earned more than \$1 million in LRS revenue this past year! The VBA fielded 6472 LRS requests, averaging 539 requests per month. We printed and distributed VBA business cards with the LRS 800 number, the VT Free Legal Answers website, and the "Modest Means" website to all of the Vermont state courthouses, numerous public libraries, and many veteran centers throughout Vermont. If you're not already an LRS member, consider joining for the low cost of \$70.00 per year. Your next big case could be an LRS referral!

A continuing focus in the arena of public education was to encourage lawyer presentations in conjunction with **Constitution Day** in September. The VBA has now provided over 6,000 copies of "Pocket Constitutions" for lawyers and judges to distribute at presentations they give to school and civic groups throughout the state. We were pleased to organize a sixth annual Constitution Day Panel Presentation, with an esteemed panel including justices, trial judges and a Vermont Law School Constitution Law Professor, moderated by VBA President Elizabeth Kruska in September. The panel presented a "virtual" one-hour basic overview of the Constitution, with a focus on "Advancing the Rule of Law". Links to the videos of each Constitution Day presentation are on the VBA website. The VBA is happy to provide this and other resources to whomever would like to make a presentation in their community this year.

The Young Lawyers Division and the VBA Diversity Section organized a **Martin Luther King, Jr. Poster-Essay Contest** for Vermont middle-school students in the Fall. Chief Justice Paul Reiber presented awards to the winners at the Vermont Supreme Court in January; the students and their families also toured the Vermont Supreme Court Building. Watch for materials for the 2022 MLK, Jr. Poster-Essay Contest coming out soon!

The VBA continues to partner with Vermont Law School in the **VBA/VLS Incubator Project**. The project provides support for new lawyers starting solo practices in underserved legal and geographic areas of Vermont. The VBA/VLS team provides day-to-day mentoring, review of business plans, small start-up grants, referral of pro bono and low bono cases, and weekly check-ins. This year, our incubator lawyers are setting up practices in Orwell, Weybridge, Montpelier and Randolph.

Since 2012, the VBA has offered training for and has coordinated the **Foreclosure Mediation Program** where interested lawyers receive specialized training to be foreclosure mediators and agree to be part of a state-wide pool that is offered to eligible litigants who opt for mediation in their foreclosure cases. There was a moratorium on foreclosures due to the pandemic for much of the past year. Since the moratorium ended recently, courts have begun to once again refer foreclosure cases to the VBA for mediators.

As always, we strive to bring you the latest membership products and services, as evidenced by the numerous sponsors and exhibitors at our major meetings, and as detailed in the **“Member Benefit”** section on the website. Be sure to take advantage of the substantial discounts available for legal research, practice management software, professional liability insurance, retirement program, credit card processing, insurance needs, investigative research, solo/small firm practice, shipping services, legal document/time and billing, ABA publications and software training.

None of the above accomplishments would have been possible without the hard work and complete dedication of the **remarkable VBA team**, whether working at the VBA office, or remotely! I am deeply indebted to them, as well as to the VBA Board of Managers for providing excellent leadership for your Vermont Bar Association. Please know that we are all at your service (to meet whatever challenges the next reporting period may have in store) and appreciate whatever recommendations you have to bring even more value to your VBA membership.

Teri Corsones
VBA Executive Director