

**Vermont Bar Association
Board of Bar Managers Meeting
Thursday, March 30, 2023 @ 3PM
Equinox Resort and via Zoom**

Present: Rich Cassidy, Josh Diamond, Judith Dillon, Tom Durkin, Pam Eaton, Bob Fletcher, Erin Gallivan, Kate Lamson, Kevin Lumpkin, Andrew Manitsky, James Rodgers, Ted Tyler, James Valente, Matt Valerio, Alfonso Villegas, special guest Judge Timothy Tomasi.

Staff: Bob Paolini, Lisa Maxfield, Laura Welcome, Mary Ashcroft, Kim Velk, Paul Velk

1. Call to Order: President Manitsky called the meeting to order at 3:07PM.

2. Emerging Issues: none

3. Acceptance of Consent Agenda

A. Minutes: There were two amendments to the proposed minutes of the Feb 17 draft minutes. First: in item 4B, the last sentence should read "Upon motion made by Tom Durkin, seconded by Josh Diamond and unanimously approved, Jill Martin Diaz and Bessie Weiss were elected to the VLA Board of Trustees." The second correction is in item 4C, the final sentence should read "This will be presented at the luncheon for the mid-year meeting on March 31. Upon motion made, seconded and unanimously approved, the minutes of the meeting of February 17, 2023 were approved as amended.

B. Treasurer's report: Lisa Maxfield reported that the membership committee had met to discuss non-renewing members. The VBA staff reached out via emails and phone calls to those not renewing and succeeded in getting 75 members back on the rolls. Work on renewals continues. Today the Board will vote on 27 new applications for membership. Lisa also reported that LRS income is lagging but noted that it is difficult to budget this line. LRS renewal notices have gone out, and Tom has emailed all Vermont licensed attorneys asking them to join the Lawyer Referral Service; this resulted in 5-6 new panel members. Overall, CLE income is \$16,000 more than we budgeted for whole year. The Notary Public training was lucrative, but even without that, we are still doing very well. There are 215 registrants for tomorrow's meeting. The 2023 directory is in the mail to members.

Judge Timothy Tomasi was introduced by Judge Durkin. Judge Tomasi will be serving as the Judiciary's rep to the Board of Bar Managers. Judge Tomasi thanked Judge Durkin for helping the transition. Judge Durkin noted that he was leaving the board with a little sadness, as he has served for 15 years, and thoroughly enjoyed it. He is glad that Judge Tomasi is stepping up. The board is one of the main lines of

communication between bench and bar. Andrew Manitsky thanked Judge Durkin for his service, and presented him with a plaque for his dedicated service.

C. Report of Executive Committee: Did not meet.

D. Board Committee Reports

i. Operations: Did not meet.

ii. Membership: Rich Cassidy said that the committee met to review the status of membership as reported by Lisa above. The committee noted the changing demographics, which results in losing higher dues when older attorneys retire as newer attorneys pay less in dues. We should review this trend and its revenue impact. The committee will work with VLGS to encourage those folks to join us. Rich noted that there is an upcoming law student/lawyer mixer in Montpelier in the planning stages.

iii. Program and Planning: Kim Velk reported that the committee had met with her about planning for this mid-year meeting at the Equinox. Beyond that, plans are underway for CLE programs for real estate law day and procrastinators day.

iv. Pro Bono Committee: did not meet.

v. Governance Committee: did not meet.

vi. Workforce Development Committee: Pam Eaton said the committee had met on March 21 and is continuing its work on the loan assistance program application. They also discussed outreach to other organizations, including VLGS. Teri Corsones had asked Judith to participate in the mock trial at the law school.

E. Presidents Report: President Andrew Manitsky reported the following:

--Bob Paolini and Andrew went to the Franklin Grand Isle holiday party last week;

--Bob and Andrew traveled to Washington, DC to participate in ABA Day by meeting with Vermont's congressional delegation. They were asked to lobby to robustly fund the Legal Services Corporation. Bob and Andrew met in person with Senator Welch, and with staffers from Senator Sanders and Representative Balint's offices.

--The trial court judges are meeting with Andrew tomorrow. Work continues on Fast Case uploading over 4000 trial court decisions so that they will be available here and also on the judiciary website. Andrew is still trying to partner with Westlaw. Judge Durkin thanked Andrew for his efforts on this venture.

F. Executive Director's Report: Bob Paolini noted that this initiative on trial court decisions is a major improvement for law practice, and that we should let attorneys know what the VBA is doing for them. Bob further reported the following:

--The judicial retention process in the Legislature is now complete and all judges and justices have been retained.

--The House has funded one new judicial position and one new law clerk—the judiciary had asked for 1 new judge and 11 staff positions. Judge Durkin noted that the judiciary is losing most of its operational assistants on the theory that most of the permanent staff have now been trained to take over the work. In person court appearances remain up to individual judges, but remote hearings are not going away. The Board discussed this at length. Judge Tomasi serves on the remote access committee for the judiciary.

--The uniform power of attorney bill is moving through the legislature and the VBA is assisting. There was also some action on the labor bills which Attorney Steve Ellis is monitoring. These include revisions to non-compete clauses and to discrimination law to remove the severe and pervasive standards. Bob thanks all those who participated to increase the ad hoc fee from \$50 to \$100.

--Bob thanked the VBA staff for being great, and especially praised Lisa for staying on top of everything and Kim for filling the calendar with CLE programs.

--Andrew asked Bob to monitor the legislative discussion of mental health issues in the courtroom, and to keep the Board informed.

G. Division & Section Reports

--The Young Lawyers Division held a “paint and sip” which was a good success. They are preparing for their annual meeting tomorrow. There are 4 open spots on YLD board and 6 people who want to join the board. James Valente will be leaving the YLD as he is “aging out.”

--Women’s Division: Erin Gallivan announced that Sam Lednicky will be stepping down as president, noting that she did a lot of work to revitalize the division. The Women’s Division will hold elections tomorrow.

--Government and Non-Profit Division: nothing to report.

H. Staff Reports

--Kim Velk said that this is the busy season for CLE programs, including the programs tomorrow and the following week. The Brown Bag Law program is underway, with Criminal Law coming in April, Tort Law in May and Family Law in June. She is working on Procrastinators’ Week in June. MLK awards were given out at the Governor’s Office to those students who entered the poster and essay context. The winter Journal is online and will be mailed soon; deadline for the spring Journal is April 7.

--Mary Ashcroft reported that the VBA operates with about \$250,000 to fund the various low bono projects. She had submitted grant applications to the VBF to fund the coordinator position and to fund the VBA’s county low bono program. Awards will be made in May.

I. VBF Report: Judith Dillon reported that the VBF is holding a fundraising auction online. She urged members to look at the items and bid generously.

J. ATJ Coalition Report—Mary reported that the legislative ask for member organizations, including the VBA, will likely not be funded this year, but we are using the opportunity to educate legislators about access to justice needs.

4. Action

A. Enrollments: Upon motion made, seconded and unanimously approved, the following were added as VBA members:

--Legal Members: Eric Benson, Alec Bolinsky, Sarah Butson, Nathan Carrier, Charles Congdon, Sean Dillon, Frank Fanshawe, Phillip Foy, Mark Franco, Kelleigh Gleason, Paul Kline, Jocelyn Koch, Robert MacDonald, Jr., Brian Neff, Jacqueline Quenneville, Thomas Rumbolt, Daniel Schmidt, Jessica Silvestrone.

--Law School Graduates: Mish Barbour, William Rison.

--Law Student Associate Members: Thomas Lewis, Katherine Mallary, Caroline Smith

--Licensed in another state: Adam Bruggemann, Clifford Miller

--Legal Administrator Member: Amal Duprey

--Interest in the Law: Susan Fay.

B. Workforce Development Committee Recommendations: This item is deferred until the next Board meeting.

5. Discussion: President Andrew Manitsky noted that this would be James Valente's last board meeting, and he thanked James for his work on the Board.

6. Executive Session: none

7. New Business: none

8. Old Business: none

9. Adjournment: Upon motion made, seconded and unanimously approved, the meeting was adjourned at 4:37PM.

Respectfully submitted: VBA Staff