

VERMONT BAR ASSOCIATION
Board of Managers Meeting
Friday, April 21, 2023 1:00PM
Vermont Law & Graduate School and via Zoom

Present: Jessica Bullock, Rich Cassidy, Josh Diamond, Judith Dillon, Pam Eaton, Bob Fletcher, Erin Gallivan, Kate Lamson, Andrew Manitsky, Jim Rodgers, Timothy Tomasi, Matt Valerio, Alfonso Villegas.

Staff: Bob Paolini, Lisa Maxfield, Mary Ashcroft

- 1. Call to order:** The meeting was called to order by President Manitsky at 1:07PM.
- 2. Emerging issues:** President Manitsky introduced VLGS students who were present as guests at this meeting, and the VBA Board members introduced themselves to these guests.
- 3. Acceptance of Consent Agenda**

A. Minutes: Upon motion made, seconded and unanimously approved, the minutes of the VBA Board meeting of March 30 were approved with one correction—the word “met” replaced the word “member” in the first sentence of the Membership Committee report.

B. Treasurer’s Report: Lisa Maxfield said that staff were working to get lapsed members back and new members signed up. Lawyer Referral Service income is significantly lower than at this time last year. Last year there were several large single checks received for percentage of fees paid. Amounts range from \$3,000 to \$8,000 per check. The volume of calls to LRS is steady at about 50 per day.

Income from continuing legal education programs is over \$237,000 with more CLE programs being planned. Even without the notary training income, we are \$70,000 over what we made last year at this time. Kim and Laura were thanked for their efforts and for providing excellent programs.

Our midyear meeting was successful with over 230 registrants in person following by a week of well attended zoom seminars. On the expense side, staff and board travel reflect costs for Judith to attend the ABA Bar Leadership Institute in Chicago, as well as ABA Day expenses for travel to DC for Bob and Andrew.

Upon motion made, seconded and unanimously approved, the Treasurer’s report was accepted as presented.

C. Report of Executive Committee: Did not meet.

D. Board Committee Reports:

- i. Operations: Did not meet
- ii. Membership: Did not meet.

iii. Program and Planning: Kim reported on this in her notes to the Board.

iv. Pro Bono: Did not meet

v. Governance: Did not meet.

vi. Workforce Development: Judith Dillon reported that the committee continues to work on the proposed VBA loan repayment program. The committee will request \$40,000 from the excess in the Client Security Fund to award \$2,500 to \$5,000 to each qualified applicant. The committee is working on the process for applying and for review.

E. President's Report: Andrew Manitsky reported as follows:

--The seminar on civility that he presented with Judge Teachout and Mike Kennedy at the mid-year meeting will be shared with judges at Judicial College. His President's Column for the Journal will include the results of the survey on civility. He will also speak to the Professional Responsibility Board at their June meeting.

--4,000 trial court decisions have now been uploaded on Fast Case and the membership will be informed.

--The April 5 webinar on identifying signs of mental illness was well attended. The Supreme Court's outreach meetings on DEI continue. Discussion ensued about access to Vermont's courts.

F. Executive Director's Report: Bob Paolini reported that the Legislature may be adjourning in 3 weeks; he continues to monitor VBA's interests at the State House. Rich Cassidy and Mark Langan assisted on the Uniform Power of Attorney bill. Bob is working on increasing the per hour payment to lawyers for ad hoc criminal case assignments. Bob will meet with the committee overseeing the rules of evidence to advocate for extending attorney client privilege to the VBA's Lawyer Referral Service. He is also monitoring two labor bills, a measure that would create a forensics facility for Vermont, and progress on funding for the judiciary.

G. Division & Section Reports:

i. Young Lawyer Division: Pam Eaton reported on concerns about meeting first year requirements. Most difficult is access to a mentor. The YLD will be sending out a survey on this. They have been in touch with Andy Strauss. YLD had 50-75 people at an affinity meeting in Bethel. They are planning more events including with VLGS and with judges.

ii. Women's Division: Erin Gallivan reported that the Division met at the mid-year meeting and elected new leadership. They are working on an event for Judge Whalen.

iii. Government and Non-Profit Division: No report.

H. Staff Reports:

--Kim Velk submitted her report in writing as she was travelling—see attached.

--Mary Ashcroft said that she had written an article for the Journal about Sarah Star, this year's Pro Bono Service Award recipient. Mary continues to be very busy with requests for attorneys under the low bono projects. She had a grant interview with the VBF to explain the VBA's request for \$22,000 to partially support her position. Last October's Pro Bono Conference has attracted several more attorneys signing up to take low bono cases.

I. VBF Report: Judith Dillon urged Board members to bid on items in the VBF's silent on-line auction. The VBF Board will meet in May to award competitive and non-competitive grants.

J. A2J Coalition Report: Mary noted that the Coalition's work toward legislative funding for access to justice partners has been educational this year and will focus on getting funding next year.

4. Action

A. Enrollments: Upon motion made, seconded and unanimously agreed to, the following were enrolled as members of the VBA: Legal Members: Nathan Carrier, Patrick Ciapciak, Christopher Courchesne, Benjamin Farstad, Krista Gay, John Mahoney, Irene Mendez, Megan Nelson, Kelsey Peterson, Theodore Stevens, Nicholas Zawarski; Law School Graduate Member: Nikolaus Houghton; Legal Administrator Member: Anne Miner; Law Student Associate Members: Shane Protivansky, Lucas Schacht, Carlyne Toomey; Interest in the Law Member: Carolyn Weaver.

B. Workforce Development: Judith Dillon made a motion, which was seconded, to dispense \$40,000 from the excess in the client security fund for the purpose of funding LRAP—loan repayment assistance program--being worked on by the Workforce Development Committee. Discussion ensued. Judith mentioned that if the market improved, the WDC may be requesting more money for this program. Rich Cassidy spoke against the motion, saying it was small in relation to the need, and that more information was needed, including the number of people who may apply for this loan based upon their salaries—only those making under \$67,000 (based upon compensation for assistant states attorneys and public defenders) will be eligible to apply. After discussion, the matter was voted upon. The motion passed, with Rich Cassidy voting against the motion.

5. Discussion

A. Retreat Planning: Judith Dillon, as president-elect, is responsible for setting up the Board retreat. The retreat will be held at Seyon Lodge in Groton. Judith had proposed June 16, but was finding a number of conflicts with that date. Bob will send

out a doodle poll to confirm a good date for the retreat. Retreat discussion items will likely include workforce development, succession planning for VBA staff, and how to integrate new members on the Board, possibly with a leadership track to encourage participation among younger lawyers. Judith also wants to discuss how best to promote the VBA and what we do for our members. She suggested a short survey, particularly among non-active members in each county, to find out what the VBA should be doing. What is our elevator pitch?

6. Executive session: None.

7. New Business: Alfonso asked whether others were concerned that turbo tax was offering services of estate planning attorneys. He asked whether we should look into this.

8. Old Business: None

9. Adjourn: Upon motion made, seconded and unanimously agreed to, the meeting was adjourned at 3:12PM.

Respectfully submitted: VBA Staff