

# **VBA Annual Report 2022-2023**

By Bob Paolini, Esq., VBA Executive Director

The VBA Annual Report covers VBA activities during the period September 1, 2022 – August 31, 2023 time-frame.

As you know I have returned as Executive Director. I want to thank the VBA Board of Managers for its faith in me to resume this position. I also need to acknowledge the outstanding staff that support the membership every day. One of the first things I did was to name Lisa Maxfield as Associate Executive Director. Lisa, formerly our CFO, has earned that promotion after nearly 30 years of service to the VBA. Laura Welcome remains our Program Coordinator and has served in that role for about 15 years. Kim Velk, Esq. has been our Director of Education and Communication for about 18 months and, working with Laura, has produced great programming for our members. I am constantly impressed by her energy and ability to research current trends in the law and seek out educational opportunities to keep VBA members informed and up to date. Tom Barrett, our Lawyer Referral Coordinator, also with the office for about 18 months, has shown great skill in managing that service which benefits not only Vermonters seeking legal help but our members as well. Mary Ashcroft, Esq. our Legal Access Coordinator, who was planning on retiring, has decided to extend her time at the VBA after 15 years of service. Her work is so important in so many areas that VBA President Andrew Manitsky is recognizing her at the Annual Meeting with a President's Award; well done Mary! Our newest staff member is Erica Back, our Office Administrator, who's been with us for about 2 months but who has already gotten into the flow of work and fits in perfectly with the team.

## **New Programs**

We've done a few new things this year. Vermont notary commissions expired at the end of January 2023. The Office of Professional Regulation of the Secretary of State's Office had mandated, for the first time, that non-attorney notaries who were not otherwise exempt had to complete a minimum of one hour of relevant continuing education prior to re-commissioning.

Through the good graces of Real Estate Section Co-Chair Jim Knapp, the VBA developed an approved 1.5-hour training. We made the session available to all for a modest \$25. Jim delivered that training via Zoom on Oct. 31 to nearly 1000 attendees. This was the largest audience ever for a VBA training. It was recorded for our digital library and has been viewed (as of the date of this writing) 3238 times.

This was a significant undertaking. The community of notaries in Vermont is large and not necessarily familiar with continuing education requirements. One of those requirements was documenting that they had completed the course. Our staff was kept very busy explaining how to view the recording and access the certificate of completion. Jim graciously agreed to take questions from recording viewers and is already thinking of how best to train them again when commissions expire again in January 2025.

The VBA also now sponsors what we call "Brown Bag Law Study." These are basic programs for those engaged in the 4-year law office study program (LOS). They are not what we would call traditional CLEs but are introductory to enable LOS participants to become familiar with the terms of different areas of substantive and procedural law which will help them navigate the bar exam. To date we've held five

programs, usually two one and a half hour sessions a month. We've done Property Law, Criminal Law, Torts, Family Law, and Contracts. Thanks to all the practitioners who volunteered their considerable time and effort to present these sessions. More are planned for the new fiscal year.

In July Vermont was rocked by flooding which affected many businesses and homes. The VBA responded by creating a Flood Victims Legal Response Project. Members of the VBA have volunteered to provide legal advice to Vermonters who are facing legal issues arising from the flooding of their homes, businesses, or places of employment. The VBA has also received a Vermont Bar Foundation grant to fund a new low bono project that will make lawyers available to provide limited legal services again at no cost to flood victims. Lawyers can elect to work pro bono for flood victims or receive a low bono stipend. Mary Ashcroft is administering this project, matching requests from Vermonters with an appropriate volunteer lawyer. The VBA has a Small Business Legal Assistance Project, partnering with the Vermont Law & Graduate School, to link low bono lawyers with small business owners who need advice and legal services related to their businesses in such areas as business formation, leases and contracts, business succession, intellectual property, employment law, business tax issues, regulatory compliance, and other business-related matters. The SBA grant can also be used to assist small businesses with flood related issues.

### **The New Vermont Superior Court Division Database**

If you were at the Annual Meeting in Lake Morey in September last year, you'll recall that then-incoming VBA President Andrew Manitsky pledged that during his presidential year, the VBA would make Vermont trial court opinions available through a searchable database. Mission accomplished! As Andrew prepares to hand the gavel over to incoming President Judith Dillon, we can report that the database is up and running and growing. You can now search, read, and cite a large (approaching 5,000 cases) database of Vermont Trial Court decisions. This was a big project, accomplished by Andrew's efforts and excellent cooperation from our partners in the judiciary and at Fastcase. Fastcase is, of course, the legal research platform available to all VBA members as a benefit. Andrew will be recognizing this fruitful collaboration with a President's Award to Fastcase at the 2023 Annual Meeting in Burlington on Sept. 29.

### **Civility and Professionalism**

Andrew's other pledge back at Lake Morey was to advance the cause of civility and professionalism in the Vermont Bar. In late January, the VBA launched a survey on "civility and professionalism." The response was excellent. The survey was sent to Vermont lawyers, state and federal judges, court staff, paralegals, and other participants in our legal system. Nearly 700 responses came back. Andrew wrote about the responses in his President's Colum. Along with Bar Counsel Mike Kennedy and the Hon. Mary Miles Teachout (Ret.), he led a CLE seminar at the Mid-Year Meeting in March to discuss the survey and the responses. It was a standing room only crowd and they had a lot to say. The conversation continued with other professional organizations (Vermont judges and trial lawyers making it a theme of their meetings this year as well). The VBA will pick the topic up again at the Annual Meeting o Sept. 29. Certainly in 2023, we had our consciousness raised about the importance of civility and professionalism.

## Continuing Business

The monthly Section/Division Chairs and County Bar Presidents Zoom Calls are continuing. These monthly meetings provide an opportunity to share information between the VBA and County Bars.

We continue to offer a wide range of CLEs through Zoom, many of which are recorded for viewing in our digital library. Our Mid-Year Meeting in March at the Equinox broke the post-pandemic record for attendance at an in-person meeting with about 225 on hand. The Trial Academy was held in July at Vermont Law and Graduate School and the Young Lawyer's Division managed to host the Mid-Winter Thaw at its traditional timing in January. The VBA also continued to provide necessary programming for first-year requirements for newly admitted attorneys. Thank you to our member attorneys and those judges who have been willing to share their expertise for these programs.

The Workforce Development Committee continues its efforts to recruit and retain lawyers and has led the way to create a Mentor and Advice Program, which pairs seasoned attorneys with newly admitted members in a six-month mentorship program. Many of the requests for mentors come from lawyers that are not yet in Vermont. The committee has completed work on a loan repayment assistance program (LRAP) that was once funded by the Vermont Bar Foundation.

VBA Access to Justice initiatives have proven invaluable to disadvantaged Vermonters especially during the time of the pandemic. Our projects use grant funds to pay private attorneys to represent low-income Vermonters and crime victims in certain cases. Legal Access Coordinator Mary Ashcroft has placed more than 400 cases with the more than 150 attorneys who participate on our low bono referral panel. Our thanks go to all of them, and we ask more of our colleagues to join the effort. Please contact Mary Ashcroft at [mashcroft@vtbar.org](mailto:mashcroft@vtbar.org) for more information.

The VBA Lawyer Referral Service continues to assist clients in need of Vermont counsel. The VBA fields over 500 calls per month and the program has earned more than \$1 million in LRS revenue for our 125 LRS panel members.

The VBA continued its focus in the arena of public education by co-hosting the annual Constitution Day with the Vermont Law and Graduate School as well as organizing the Young Lawyers Division and Diversity Section's annual Martin Luther King Poster Essay Contest for middle-school students.

The VBA continues to partner with the Vermont Law and Graduate School in the VBA/VLGS Incubator Project. This project assists new lawyers starting solo practices in underserved legal and geographic areas of Vermont. The VBA/VLGS teams provides day-to-day mentoring and weekly check-ins, review of business plans, smart start-up grants, referral of low bono and pro bono cases. This project is also part of the VBA's commitment to workforce development.

The VBA Sections and Divisions chairs and members have been working hard to facilitate legislative initiatives, CLE programming, contributions to the Vermont Bar Journal, and much more. We thank all of you for what you do. Please take a moment to read about their accomplishments and remember to utilize our online community platform, VBA Connect, to join sections and divisions of your choosing to stay informed and network with your peers.