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## Minutes of the Annual Meeting of the Wyoming State Bar

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## MINUTES OF THE ANNUAL MEETING OF THE WYOMING STATE BAR

*September 6, 7, 8, & 9, 1972*

*Cheyenne, Wyoming*

The 32nd Annual Meeting of the Integrated Bar and the 57th Annual Meeting of the Wyoming State Bar was called to order by President Joseph B. Sullivan, at 9:00 o'clock a.m. at the Hitching Post Inn in Cheyenne, Wyoming.

Following President Sullivan's opening remarks, Mike Mullikin, speaking on behalf of Ward A. White, President of the Laramie County Bar Association, welcomed those assembled. Houston G. Williams, President-Elect, responded.

President Sullivan then called upon Joseph E. Darrah, Secretary-Treasurer, for the Secretary-Treasurer's report. Upon timely motion duly made, seconded, and unanimously carried, the reading of the minutes of the last annual meeting was dispensed with on the meeting calendar. Following the Treasurer's report, Mr. Oliver Steadman, Chairman of the Auditing Committee was called upon for his report. Chairman Steadman's report was concluded by recommending that the Treasurer's report for the period ending July 31, 1972, be approved and confirmed. Thereupon, upon motion duly moved, seconded, and unanimously carried, the report of the Treasurer and the Auditing Committee were accepted and approved as read.

President Sullivan then appointed Perry Dray, Dan Morgan and Vincent Vehar to serve on the Resolutions Committee for the annual meeting.

President Sullivan then relinquished the floor to President-Elect Williams who thereupon re-introduced President Sullivan for the purpose of presenting the annual President's report.

Immediately following the President's report Dean George Rudolph of The University of Wyoming, College of Law, was called upon for the law school report.

After thanking Dean Rudolph for his report, President Sullivan introduced honorary member Ted Hunt from Australia. Mr. Hunt gave an enlightening response with particular emphasis upon the similarity of the problems existing between the legal profession in his country and that of this Bar Association, particularly those problems concerned with disciplinary procedures. The response was well received.

President Sullivan then called upon Howell C. McDaniel, Jr. for a report from the Committee on the Client Security Fund. Mr. McDaniel proudly announced that the Supreme Court had adopted new Rule 22. He likewise explained that the Client Security Fund presently showed a balance of \$12,206.73, a gain of nearly \$3,000.00 since the last fiscal year.

Mr. Curtis L. Harden of Casper followed with a report of the services offered by the Office of Economic Opportunity in Wyoming. In addition to Mr. Harden's report Mr. Philip Whynott and Mr. Herbert Becker were called upon for a report from the Laramie County and Wind River programs, respectively. Mr. Harden then called upon Mr. James Roberts, Legislative Services director for Region VIII, Rocky Mountain Region, for an in depth report concerning the feasibility of state wide program, possible funding for such a program, and its advantages to the State of Wyoming. Following Mr. Robert's report Mr. Harden again took the floor and proposed a motion that the Wyoming State Bar Legal Aid Committee be reconstituted toward the view of the study and presentation of the funding proposal for a state wide program. The motion was seconded and unanimously carried by those assembled.

Following a short break President Sullivan called upon Mr. Peter Mulvaney, a Cheyenne attorney, legislator, and member of the Management Council for the Legislative Services Agency for the State of Wyoming. After a brief explanation of the program Mr. Mulvaney called upon Ralph Thomas, Director of the Legal Services Agency, Services Division, for an explanation of the functions of his office, with particular emphasis on bill presentation and drafting utilizing the computerized services of his department.

After the legislative services agency report President Sullivan adjourned the meeting for a luncheon address given by the Honorable Robert W. Meserve, President of the American Bar Association. President Meserve spoke on "Merit Selection and Tenure" and its particular relevance to the members of the Wyoming State Bar at this time.

After the luncheon President Sullivan called upon Mr. Wade Brorby, an attorney from Gillette, together with Mr. Ed Murane, an attorney from Casper, for the report and proposal of the Disciplinary Procedures Committee as directed at the last Annual Meeting. Mr. Brorby reported on the activities of the Committee and introduced the Proposed Disciplinary Rules which were modeled after the Model Code on Disciplinary Procedures. Thereupon Mr. Brorby introduced Mr. Ed Murane, a life delegate from the House of Delegates of the American Bar Association. Mr. Murane expressed the need for adoption of the Proposed Rules with particular interest upon the so called "Clark Report" of the American Bar Association and explained the adoption of the Disciplinary Code in the other states. After Mr. Murane's presentation, Mr. Brorby gave a brief resumé of the proposed code, and thereupon moved for a resolution adopting the Proposed Disciplinary Code. Following a perfected amendment that Rule XVII(F) be replaced to Rule V(E), the Proposed Disciplinary Rules, as amended, were unanimously adopted by the membership present.

The next item on the agenda was the report of the Committee on Prepaid Legal Insurance. President Sullivan called upon Chairman Ross Copenhaver to introduce Mr. Philip J. Murphy, Staff Director, Committee On Legal Services of the American Bar Association. Mr. Murphy presented explanations and histories of prepaid legal services plans implemented in other states as well as the relative success of the same. Ross Copenhaver again took the floor and summed up the activities of the Committee and stated that he made no recommendations except that the Committee should be continued because of its relative importance to the membership of the Wyoming State Bar.

Following a short break, President Sullivan then introduced Mr. Howard A. Chapin, Senior Vice-President and Trust Officer of the Cheyenne National Bank of Cheyenne. Mr. Chapin made an interesting presentation with regard to the role of the trust department of banks and their approach to wills, trusts, and taxes as presented to their customers.

After thanking Mr. Chapin for an interesting presentation President Sullivan then called upon Mr. Larry Averill and Mr. Charles Kepler. There then followed an equally informative session and discussion on the Uniform Probate Code. Mr. Averill gave the general background of the Code and his personal reasons for favoring its adoption. Mr. Kepler, a Cody attorney, then followed with particular emphasis upon the general practitioner's point of view and the impact the Uniform Probate Code would have upon the present practice of Wyoming attorneys in that regard.

President Sullivan then adjourned the meeting in favor of evening festivities high-lighted by a cocktail party, given as a courtesy by

the Title Guaranty Company of Wyoming, and a dinner dance of German design.

The Friday morning session was called to order by President Sullivan at 9:00 o'clock a.m. President Sullivan first called upon Mr. Dick Bostwick, a Casper attorney. Mr. Bostwick requested the support of the members for the American Judicature Society.

The next item of business, President Sullivan called upon the panel members for the primary business of the morning session, namely the panel on no-fault insurance and insurance reform. Panel members introduced consisted of Mr. Edward P. Moriarity of Cheyenne; Mr. Larry Yonkee, a Sheridan attorney; Mr. Richard Bostwick, a Casper attorney; Mr. Gene Lonabaugh, a Sheridan attorney and a member of the Commission of Uniform Laws; as well as Mr. Richard Henrickson of Salt Lake City, Utah, representing the Tenth Circuit on the Board of Governors, American Trial Lawyers Association; and Mr. Leonard Ring, Chicago, Illinois, First Vice President, American Trial Lawyers Association. The panel was monitored by Mr. Moriarity. The apparent consensus of the panel was that no-fault insurance should not be looked upon favorably especially in light of the facts presented by Mr. Leonard Ring. Mr. Ring, incidentally, was instrumental in having the Illinois no-fault act declared unconstitutional. The entire discussion was very well received by those fortunate enough to be in attendance.

The meeting adjourned at 12:00 o'clock noon to a luncheon. There the members of the Bar were joined by their spouses for a very entertaining discussion on generally everything by a not so impromptu stand-in for the Honorable S. J. Sparks, who was to have spoken on "Women's Liberation and the Attorney's Wife."

The meeting then reconvened for more serious business at 1:30 o'clock p.m. when President Sullivan presented the speakers for the discussion on "Judicial Tenure and Selection and the Proposed Constitution Amendment no. 4". An informative presentation was made by Mr. Bostwick, as well as Mr. Thomas Morgan from Gillette, coupled with Mr. Thomas Lubnau also of Gillette, the Honorable William S. Eakes, District Judge, Sixth Judicial District, Durango, Colorado, and the Honorable Robert J. Brady, Presiding Judge, St. Louis Court of Appeals of St. Louis, Missouri. The Judicial Selection and Tenure Committee then made its report.

Following the panel discussion and a short break, President Sullivan then called upon the Necrology Committee consisting of Richard W. Day, John B. Speight, and Thomas A. Burley for their report. Upon the motion duly made, seconded, and unanimously carried the Necrology Report was accepted and approved by the Wyoming State Bar.

Following the Necrology Report President Sullivan called upon Mr. William Kirven, attorney from Buffalo, Wyoming and delegate from the State Bar to American Bar Association, for the ABA report.

Following the ABA report the Resolutions Committee then reported. After full presentation, upon the motion duly made, seconded, and unanimously carried the following resolutions were adopted by the members of the Bar.

#### RESOLUTION NO. 1

WHEREAS, the members of the Wyoming State Bar were privileged to have enjoyed the hospitality and generosity of the Laramie County Bar Association, the wives and members thereof, The City of Cheyenne, Hitching Post Inn, The Title Guaranty Company of Wyoming, Inc., Wyoming Bancorporation and affiliated banks throughout the State, Holding's Little America, Cheyenne House, Michie Company, Prentice Hall, Shepard's Citations, Inc., and West Publishing Company during the 57th Annual Meeting of the Wyoming State Bar at Cheyenne, Wyoming held on September 6, 7, 8 and 9, 1972; and

WHEREAS, the members of the Wyoming State Bar are desirous of expressing their appreciation, thanks, and gratitude to all who have made their meeting so successful and memorable;

NOW THEREFORE, BE IT RESOLVED, that the Wyoming State Bar in session duly assembled on the 8th day of September, 1972, does hereby express to the above named the appreciation, thanks and gratitude of all its members and wives who have attended this annual meeting.

BE IT FURTHER RESOLVED, that the Secretary-Treasurer of the Wyoming State Bar send copies of this Resolution to the parties named herein.

#### RESOLUTION NO. 2

WHEREAS, the Wyoming State Bar has been fortunate in having the following men participate and contribute to various proceedings and meetings, to-wit: The Honorable Robert W. Meserve, President American Bar Association, Boston, Massachusetts; Phillip J. Murphy, Staff Directors, American Bar Association Committee on Legal Services; Howard A. Chapin, Senior Vice-President and Trust Officer, Cheyenne National Bank, Cheyenne, Wyoming; Leonard Rings, Chicago, Illinois, First Vice-President, American Trial Lawyers Association; Richard Hendrickson, Salt Lake City, Utah, representing the 10th Circuit on the Board of Governors, American Trial Lawyers Association; the Honorable S. J. Sparks; Robert G. Brady, Presiding Judge, St. Louis Court of Appeals, St. Louis, Missouri; The Honorable William S. Eakes, District Judge, Sixth Judicial District, Durango,

Colorado; and The Honorable Stanley K. Hathaway, Governor of the State of Wyoming; Ted Hunt of the Australian Bar; and those members of the Wyoming Bar who so graciously participated in and contributed to the instructive and enlightening programs presented.

WHEREAS, the Wyoming State Bar has greatly appreciated the fine work of these gentlemen which has contributed immensely to the success of this 57th Annual Meeting.

NOW THEREFORE, BE IT RESOLVED, that the Wyoming State Bar extends its thanks and appreciation to the distinguished gentlemen above named for their contribution to and participation in this meeting and that the Secretary-Treasurer of the Wyoming State Bar send copies of this Resolution to the parties named.

#### RESOLUTION NO. 3

WHEREAS, Wade Brorby, Jerry W. Housel, Robert W. Sievers and John A. MacPherson, Members of the Wyoming State Bar Committee on Discipline, and Edward Murane, Ex-officio Member, worked long and hard on the Proposed Disciplinary Rules of the Wyoming State Bar and contributed greatly to the success of the 57th Annual Meeting of the Wyoming State Bar; and

WHEREAS, the members of the Wyoming State Bar wish to express their thanks to the Wyoming State Bar Committee on Discipline, and the Judicial Selection and Tenure Committee.

AND WHEREAS Thomas Lubnau and the Judicial Selection and Tenure Committee have worked diligently upon the explanation of the Proposed Constitutional Amendment No. 4 to the lay public and the members of the Bar,

NOW THEREFORE, BE IT RESOLVED that the Wyoming State Bar acknowledge with gratitude the service rendered by the above named committees and the members thereof.

#### RESOLUTION NO. 4

WHEREAS, Joseph B. Sullivan has ably served the Bar of the State of Wyoming, as its president, this year; and

WHEREAS, this distinguished gentleman is retiring as President of the Wyoming State Bar and the Bar regards it fitting and proper to recognize and commend him for his service and dedication to the cause of the Bar;

NOW THEREFORE, BE IT RESOLVED, that the Wyoming State Bar acknowledges with gratitude the service rendered by Joseph B. Sullivan and that the Secretary of the Wyoming State Bar shall send a copy of this Resolution to Joseph B. Sullivan, Esquire.

RESOLUTION NO. 5

WHEREAS there has been a tremendous increase in the number of attorneys appointed to represent indigents; and

WHEREAS the ability of the several counties to adequately pay for such service is limited;

NOW THEREFORE, IT IS RESOLVED BY THE DISTRICT BAR OF THE SIXTH JUDICIAL DISTRICT that the Wyoming State Bar urge the Wyoming Legislature to provide by statute that the State of Wyoming shall be responsible for and pay all fees due, or to become due, under such appointment; that the fees provided for representation be substantially increased and that the State Legislature appropriate sufficient funds to adequately pay for services rendered to such indigents.

RESOLUTION NO. 6

WHEREAS, the need for continuing education is growing every year in every area of the law and it is increasingly difficult for practicing lawyers to keep abreast of the changes that are taking place and the new legislation that is being enacted; and

WHEREAS many of the courses offered elsewhere are difficult for the practicing lawyer to attend and sometimes ill-suited to his practice;

NOW THEREFORE, IT IS RESOLVED BY THE DISTRICT BAR OF THE SIXTH JUDICIAL DISTRICT that the Wyoming State Bar be asked to study and consider the implementation and means of financing of a program of continuing legal education designed for Wyoming practicing attorneys, in which lawyers, teachers and other qualified persons are hired by the Wyoming State Bar to prepare and present appropriate course for practicing attorneys in local communities throughout the State and that the by-laws of the Bar Association be amended to provide a standing committee on continuing legal education.

The next and final item of business to come before the meeting was the annual election of officers. The chair recognized Ralph Thomas who moved the following slate of officers :

President-Elect .....	Thomas Morgan
Vice President .....	William Kirven
Secretary-Treasurer .....	Joseph E. Darrah

Whereupon the motion continued to the effect that the rules be suspended, the nominations closed, and the elections be declared over. After hardy approval the slate was then declared elected by President Sullivan. Upon motion made by Mr. Thomas Lubnau, William Kirven was renominated and re-elected as the State Bar Delegate to the American Bar Association.

By virtue of the rules governing the conduct of the Wyoming State Bar, Houston G. Williams of Casper, Wyoming the 1971-72 President-Elect succeeded to the office of the President of the Wyoming State Bar for the 1972-73 year.

At the conclusion of the elections, there being no further business to come before the meeting, the same was duly adjourned at 5:00 o'clock p.m. A social hour, hosted by the Wyoming Bancorporation and its affiliated banks throughout the State of Wyoming, preceded the annual banquet. The banquet was highlighted by presentation of fifty year plaques to Howard B. Black, John C. Pickett, Otis Reynolds, and Wilford W. Neilson as well as an address from the Honorable Stanley K. Hathaway, Governor of the State of Wyoming, and finally a transfer of the Australian Boomerang Plaque from the outgoing to the incoming president by E. A. "Ted" Hunt of Sidney, Australia.

Respectfully submitted,

JOSEPH E. DARRAH  
Secretary-Treasurer