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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, 1978

The 37th Annual Meeting of the Integrated Bar and the 63rd Annual Meeting of the Wyoming State Bar was called to order by President G. Joseph Cardine at 2:00 o'clock P.M., September 7, 1978 at the Ramada Snow King Inn in Jackson, Wyoming.

Upon motion duly made, seconded and unanimously carried, the reading of the minutes of the previous annual meeting were dispensed with.

President Cardine called for the Treasurer's report which was given by George L. Simonton of Cody, Wyoming. The Treasurer's report was prepared by Fisher Hines Price Company, certified public accountants, in Cheyenne. Upon motion, duly made, seconded and unanimously carried, the Treasurer's report was accepted.

President Cardine reported to the Convention on the progress and activities of the Bar during the preceding year. Some of the accomplishments were the implementation of a newly devised judicial poll which was conducted by the Political Science Department of the University of Wyoming and represented an improvement in many areas over the previous poll conducted by the Bar; the implementation of a public relations TV tape which was broadcast over the Casper and Cheyenne television stations for a period of about four months; the first year's progress on the Mandatory Continuing Legal Education Program adopted by the Bar at the 1977 Convention and later adopted by the Wyoming Supreme Court. He reported that 273 Wyoming attorneys had already completed the Mandatory CLE requirements for 1978; the Bar has participated in the printing of the Rules of Evidence, Rules of Appellate Procedure and the Criminal Jury Instructions which were distributed to all members of the Wyoming State Bar. President Cardine thanked the members of the Bar for their support during the past year.

Richard E. Day, Chairman of the Mandatory CLE Committee, reported on the progress of Mandatory CLE. Forms have been prepared for the submission of Mandatory CLE credits to the Executive Office of

the Bar. He also reported that although attorneys would have until March 1, 1979, to complete their 1978 requirements, that thereafter, all Mandatory CLE credits must be obtained during the calendar year.

James E. Fitzgerald, Chairman of the Young Lawyers Committee, reported that the Committee had made arrangements for and published an etiquette booklet for young lawyers. He suggested that the young lawyers have a column in the *Wyoming Lawyer*, the Bar newspaper. Allen C. Johnson, a member of the Committee had attended a meeting in New Orleans, Louisiana during the past year with the financial assistance of the Bar.

Henry A. Burgess, Chairman of the Judicial Supervisory Commission, reported that the present rules of the Committee were inadequate and in many ways ineffective. The Committee is without authority nor are their rules adequate to handle complaints received by the commission. Several ways were suggested in which these shortcomings might be remedied. One complaint which the Committee found to be increasing was unreasonable delay in deciding cases and motions. The Committee had also received complaints as to regular or unscheduled office hours and discourteous treatment of lawyers and litigants.

E. George Rudolph, Dean of the Law School at the University of Wyoming, then reported to the Convention on the progress of the Law School during the past year and invited all members of the Wyoming State Bar to a no-host luncheon to be held at the Law School prior to the Homecoming Football Game on October 7, 1978. Dean Rudolph also reported that the short courses for lawyers during the past year were a good success and that over 100 attorneys took advantage of the program. A similar short course is planned for the coming year. He then reported that admission requests at the University had increased. There were 540 applicants for the Freshman Class this past year; 56% of those enrolled in the Freshman Class at the Law School are residents of the State of Wyoming. The graduating class of the Spring of 1978 numbered 59 persons.

Ellen Crowley, Chairman of the Developmental Disabilities Committee, called upon Mr. Thomas P. Carroll, Executive Director of the National Center for Law and the Handicapped, Notre Dame University, who made a short talk on the need for the protection and advocacy system for the mentally disabled. Mr. Carroll stated that programs must be accessible to the handicapped. He also indicated that this area of the law would be a good selection as a career for young lawyers.

George G. Greenlee reported to the Bar on the CLE Programs conducted during the past year, and predicted that the Bar would become more and more involved in the presentation of CLE programs throughout the state. Several CLE programs will be offered to Wyoming attorneys during the coming year at various geographical locations throughout the state.

Carl L. Lathrop filed the report of the Ethics Committee of the Wyoming State Bar and reported that the Supreme Court had adopted the changes recommended by the Ethics Committee which were adopted by the Bar in 1977. These changes involve primarily the disciplinary rules concerning advertising.

Dan B. Riggs, Chairman of the Necrology Committee reported that Homer C. Mann of Powell, Wyoming; J. Edward Amschel of Hemet, California; Judson P. Watson of Lusk, Wyoming; L. A. "Jack" Crofts of Lander, Wyoming; and John R. Stewart of Houston, Texas had passed away during the preceding year.

Howell C. McDaniel then reported to the Bar on the status of the Client Security Fund Committee. No claims have been made against the fund during the preceding year. The fund balance stands at \$20,667.15.

James A. Zaring, Chairman of the Grievance Committee gave his report. There being no discussion, it was moved, seconded and unanimously approved that the report be accepted.

Following the report of the Grievance Committee, Thomas E. Lubnau opened the meeting for discussion of the adoption of a Fee Arbitration Rule for the Wyoming State Bar. The basic idea of the Fee Arbitration Rule was approved by the membership in principle and the adoption of the rule is to be presented to the Commissioners in final form after further study. Unanimously passed.

Judge John F. Raper reported the successful completion of the Wyoming Pattern Jury Instructions which were now printed and available to all members of the Wyoming State Bar. He pointed out that the instructions were a guide only and had not been adopted by the Wyoming Supreme Court, however, much work had gone into the compilation which were complete with footnotes and case references, and which would be extremely useful to those involved in the criminal practice. Judge Raper suggested that the President appoint a committee to begin work on the revision of the Civil Jury Instructions. He also suggested that the financial burden of such Committee would probably have to be borne by the Wyoming State Bar.

R. Stanley Lowe outlined to the Convention the progress of the Committee to review the County Court Act. A good deal of work has been accomplished by this committee, but much remains to be done before final recommendations can be made to amend, update and modernize the Wyoming County Court Act.

Walter C. Urbigkit, Jr. of Cheyenne, addressed the Convention on a number of problems confronting the Bar. Mr. Urbigkit urged that graduates of the University of Wyoming Law School should automatical-

ly be admitted to the Wyoming State Bar. He cited the need for additional judges and felt this should be a goal and a source of action by the Wyoming State Bar. He felt that Mr. Burgess' suggestion for continued evaluation of the judiciary be given serious consideration.

Houston G. Williams, Wyoming State Bar Delegate to the Board of Governors of the American Bar Association, gave his report to the Convention. He stated that the Board of Governors of the American Bar Association had included TV in the amendments to the Ethical Code of the American Bar Association. This portion of the original amendment has not been adopted by the Wyoming State Bar. Mr. Williams also announced that he would not be a candidate for an additional term on the Board of Governors as he felt that such an office should be passed along to other qualified members of the Wyoming Bar. The office of delegate to the Board of Governors is time consuming, but educational. The Bar, by acclamation, extended Mr. Williams their thanks for his service on the Board of Governors.

All of the reports of the various committees of the Bar were duly adopted by the Convention.

President Cardine then called for nomination of officers for the 1978-79 year. Those nominated were as follows: President-Elect, Thomas E. Lubnau; moved by Howell McDaniel that the rules be suspended and unanimous ballot be cast. Vice-President, Carl L. Lathrop; moved by Charles Kepler that the rules be suspended and unanimous ballot be cast. Secretary-Treasurer, George L. Simonton; moved by Ross Copenhaver that the rules be suspended and unanimous ballot be cast. Delegate to the Board of Governors to the American Bar Association, R. Stanley Lowe; moved by Houston Williams that the rules be suspended and unanimous ballot be cast. All motions passed.

President Cardine then called for Resolutions from the floor. The following resolutions were unanimously passed.

RESOLUTION I

WHEREAS the members of the Wyoming State Bar have had the privilege of attending their 63rd Annual Meeting in City of Jackson, Wyoming on September 6, 7, & 8, 1978;

WHEREAS the members of the Wyoming State Bar desire to recognize the generosity of the Title Guaranty Company of Wyoming, Inc., The Michie Company, Frontier Reporting Service, First Wyoming Bank, Land Title Company, Provident Federal Savings & Loan Assoc., Bancroft-Whitney Company, Matthew Bender Company, Commerce Clearing House, Inc., Executive Reports Corporation, The Foundation Press and West Publishing Company;

WHEREAS the members of the Wyoming State Bar are desirous of expressing their appreciation, thanks and gratitude to those above named who have contributed to the success of the 63rd Annual Meeting;

NOW, THERE, BE IT RESOLVED that the Wyoming State Bar, in session duly assembled on the 7th day of September, 1978, 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 THEREFORE RESOLVED that the Executive Director-Secretary of the Wyoming State Bar send copies of this resolution to the parties named herein.

RESOLUTION II

WHEREAS the Wyoming State Bar has been fortunate in having the following persons participate and contribute to various proceedings and meetings, to-wit: Honorable S. Shepard Tate, President, American Bar Association; Honorable Andrew W. Bogue, Federal District Judge, Rapid City, South Dakota; Honorable Joseph H. Bottum, South Dakota District Judge, Rapid City, South Dakota; Joseph M. Butler, Bangs, McCullen, Bulter, Foye & Simmons, Rapid City, South Dakota; Professor Gideon Kanner, Loyola University School of Law, Los Angeles, California; Carlos F. Lucero, President, Colorado State Bar; Larry Weiss, Colorado State Bar; John C. Beaslin, President, Utah State Bar and Thomas P. Carroll, Executive Director, National Center for Law and the Handicapped, Notre Dame University;

WHEREAS the Wyoming State Bar has greatly appreciated the fine work of these persons who have contributed immensely to the success of this 63rd Annual Meeting;

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

RESOLUTION III

WHEREAS G. Joseph Cardine has ably served the Bar of the State of Wyoming as its President for this year;

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

NOW, THEREFORE, BE IT RESOLVED, that the Wyoming State Bar acknowledge with gratitude the service rendered by G. Joseph Cardine and the Executive Director-Secretary shall send a copy of this resolution to G. Joseph Cardine.

Respectfully submitted,

GEORGE L. SIMONTON
Secretary-Treasurer