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MINUTES OF ANNUAL MEETING OF THE WYOMING STATE BAR

September 12, 13, 14, 15, 1979

Casper, Wyoming

The 38th Annual Meeting of the Integrated Bar and the 64th Annual Meeting of the Wyoming State Bar was called to order by President William T. Schwartz at 9:00 A.M., September 14, 1979, at the Ramada Inn, Casper, Wyoming.

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

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

President Schwartz reported to the assembled attorneys on the activities of the Wyoming State Bar during the past year. He stated that the Bar now had 997 active members; 734 in state, 231 out of state and 32 honorary members. Sixty two new members of the Wyoming State Bar were sworn in before the Supreme Court on September 6, 1979. At the end of the first year, after the adoption of the Mandatory CLE Rule, only six attorneys had not completed their educational requirement for 1978. The reporting year has been changed to January 1st through December 31st of each year. Approximately 80% of Wyoming attorneys have completed their 1979 requirement. The Bar sponsored a number of seminars throughout the year including the Closely Held Corporation Seminar in Casper, the Probate Seminar which was presented in Cheyenne, Casper, Sheridan, Cody and Rock Springs. The seminar was attended by over 300 attorneys and was presented by Howell C. McDaniel, Jr. of Casper, Roy Stoddard, Jr., of Cheyenne, Bruce N. Willoughby of Sheridan,

Robert J. Wyatt of Casper and Richard Baker of Cheyenne, who donated their time for a full week in traveling throughout the state.

The Bar has sponsored a hospital and major medical insurance program which is offered by California Pacific Life Insurance Company assuring that members of the Wyoming State Bar and their employees will have an opportunity to obtain health insurance at a reasonable cost. President Schwartz also announced that the Wyoming State Bar would organize a fund raising drive to establish a Law School Enrichment Fund for the University of Wyoming Law School. Details were yet to be worked out at the time of the Convention.

A number of Officers and Commissioners of the Wyoming State Bar attended either the ABA Meeting held in Atlanta, Georgia or the Western States Bar Conference in San Diego, California.

The Bar is working actively to prepare a set of Civil Jury Instructions which will be printed and distributed to all members of the Wyoming State Bar.

President Schwartz thanked the members of the Bar for their active support during the past year.

The Honorable Joseph F. Maier, Chairman of the Legal Education Committee, reported to the Convention that his Committee had met with the accreditation committee of the American Bar Association and felt that the ABA Inspection Team was, for the most part, impressed with the University of Wyoming Law School. He also reported on other activities of the Committee including the decision to establish a Law School Enrichment Fund selecting solicitors throughout the Bar to campaign for its establishment. A copy of Judge Maier's report is attached to these minutes.

Allen C. Johnson, Chairman of the Young Lawyers Committee, reported to the Bar as to the activities of the Young Lawyers during 1979. A member of the Committee had attended the ABA Young Lawyers Meeting in New Orleans and in Dallas, Texas during the past year. The Young Lawyers Committee requested the Bar's permission to form a Young Lawyers Section of the Wyoming State Bar.

Mr. Richard E. Day, Chairman of the Mandatory CLE Committee, reported that 100% of the Bar had complied with the Mandatory CLE Rule adopted in 1978 and stated that an amendment submitted to the Supreme Court now placed the reporting of Mandatory CLE hours on a calendar year basis and that January 30th of each year would be the deadline for the reporting CLE hours.

David A. Scott, Chairman of the CLE Committee of the Wyoming State Bar, informed the Convention that the Committee had sponsored

three seminars throughout the state during the past year. The Appellate Procedure Seminar held in Thermopolis on December 8-9, 1979; the Closely Held Corporation Seminar held in Casper on April 27-28, 1979; and the UCC Seminar which was arranged by the CLE Committee in conjunction with the Wyoming State Bar Convention. A number of seminars are being planned for 1980.

Charles G. Kepler, Chairman of the Board of Law Examiners, reported that 116 applicants sat for the Bar Examinations during 1979. Ninety three passed and twenty three failed for a passing percentage of 80.172%, which is considerably higher than the national average. He also reported that the Board of Law Examiners were contemplating a multistate type of examination on the subject of ethics and professional responsibility, which would have to be passed by applicants to the Wyoming State Bar prior to their admission. This examination could be taken during the senior year of law school.

Donald E. Chapin, Chairman of the Grievance Committee, reported during 1979 forty two grievances had been received by the Grievance Committee of the Wyoming State Bar; that the Committee had issued five private reprimands and two reprimands with conditions; and one public reprimand now pending before the Wyoming Supreme Court. He also expressed the gratitude of the Bar for the services of James A. Zaring of Basin and Fred E. Burdett of Evanston, members of the Grievance Committee for many years, whose terms expired during the year 1979. New members of the Grievance Committee are Richard I. Leedy of Riverton and Thomas S. Smith of Laramie.

Carl L. Lathrop, Vice President of the Wyoming State Bar, reported on his attendance at the Western States Bar Conference. In addition to Mr. Lathrop, three commissioners of the Wyoming State Bar also attended, Tosh Suyematsu of Cheyenne, Dallas Laird of Casper and Bob Seipt of Riverton. Mr. Lathrop felt that the Western States Bar Conference was an extremely informative and helpful meeting as most of the Bars involved were faced with similar problems as the Wyoming State Bar.

Mr. R. R. Bostwick, Chairman of the Judicial Supervisory Commission, gave a detailed synopsis of how the Commission functioned and some of the problems which he envisioned. Mr. Bostwick stated that because of the confidential nature of the Commission, he could not report on the specific proceedings at any given time. Most of the attorneys present were vague as to the actual operation of the Judicial Supervisory Commission. Upon completion of Mr. Bostwick's report, it was moved, seconded and passed that a copy of the rules of the Judicial Supervisory Commission be attached to these

minutes and made a permanent part of the records of the Wyoming State Bar.

Mr. E. George Rudolph made the report of the Law School to the Bar. He stated that the Law School, during the past ten years, has grown both in size and in the quality of its legal education and while the Law School has grown in enrollment, in the size of the faculty, and has expanded its instructional program, it still has some weaknesses which needed correction, primarily in the library. The library is understaffed and requires a larger acquisition budget which was the primary deficiency discussed in the report of the ABA Inspection Team. The Law School has offered Summer Short Courses for Lawyers during the past year and anticipate such a summer short course for 1980. Dean Rudolph mentioned that he was making his final report to the Bar as Dean as he had retired from his position during 1979 and the newly appointed Dean, Peter C. Maxfield, assumed the position beginning the Fall semester of 1979.

Howell C. McDaniel, Jr. then gave the report of the Governor's Probate Statute Study Committee, which had successfully submitted to the 1979 Legislature a revision of the Wyoming Probate Code. The revised Probate Code was enacted into law and will become effective April 1, 1980. During the week of August 13th, the members of the Committee traveled throughout the state to explain the Probate Code to the members of the Wyoming State Bar as well as District Court Judges, Clerks of Court, Legal Secretaries, Trust Officers and others involved in probate and estate work.

Ross D. Copenhaver reported one of the largest legislative meetings in recent years was held in Cheyenne on January 6, 1979. Several measures which were submitted to the 1979 Legislature and supported by the Bar were enacted into law and several measures opposed by the Bar were defeated during the 1979 Legislature. Many matters adopted by the 1979 Legislature were reviewed by Mr. Copenhaver, all of which were of general interest to lawyers in practice in the State of Wyoming.

R. Stanley Lowe, Chairman of the Committee on Courts of the Wyoming State Bar, reported to the Convention that his Committee had met on numerous occasions throughout the past year to prepare a number of amendments to the County Court Act which had been adopted in 1971 and had become operative on January 1, 1979. Many important amendments to the County Court Act were adopted but Mr. Lowe stated that a good deal remained to be done to improve the state's limited jurisdiction courts, both structurally and procedurally.

R. Stanley Lowe, Wyoming Bar Delegate to the American Bar Association House of Delegates, then reported on the 1979 ABA Meeting held in Dallas on August 14-15, 1979. Mr. Lowe felt that the action of the ABA in the controversial area of administrative agencies was probably the most important matter to come before the meeting in Dallas. Recommendations adopted by the ABA would involve the President of the United States more directly in the process followed in making rules and regulations by administrative agencies, require an appraisal of the impact of proposed regulatory action before regulations are imposed and provide for congressional review of quasi-legislative administration actions. A Conference on Federal Regulations will be held in September of 1979 in Washington, DC. A number of other important actions were taken by the House of Delegates and the ABA at their annual meeting. A complete copy of Mr. Lowe's report is attached to these minutes.

Neither Dan B. Riggs nor Charles R. Hart of the Necrology Committee were able to attend the Convention, however, a written report was submitted and the Wyoming State Bar was saddened by the death of two distinguished members, Mayne W. Miller of Casper and John F. Lynch of Cheyenne.

Mr. Curtis L. Harden, Chairman of the Legal Aid Services Committee, reported to the Bar that funds would soon be available to extend legal services throughout the State of Wyoming. Some areas of the State, because of insufficient funding, will not receive an expanded program of legal services, however, some services can be extended through the use of circuit riders in counties not now covered. Mr. Harden requested the Wyoming State Bar to authorize certain funds to allow legal services programs to be coordinated throughout the state. The budget proposed by Mr. Harden was submitted to the Officers and Commissioners for their consideration.

Ellen Crowley, Chairman of the Committee for the Mentally Disabled, reported that her Committee had received renewed interest during the past year and that a number of programs and goals were in view for 1980, including the recruitment and education of lawyers interested in developmental disabilities law. Projects mentioned included ones to develop a special library section at the Law School by collecting and indexing legal material on the law for the developmentally disabled; and to publicize the Committee's activities through the use of media and the Wyoming State Bar.

Charles G. Kepler, one of Wyoming's Commissioners to the National Conference on Uniform State Laws, reported on the activities of the Conference during the past year. Wyoming's members on the Commission are Alfred Pence, Wade Brorby, Dave Carmichael

and Charles Kepler. Numerous uniform acts are under consideration by the Commission of interest to the Bar, one is the amendment of the Uniform Gift to Minors Act and the Uniform Conservation and Historical Preservation Agreements Act. Wyoming has enacted 33 of the uniform model acts recommended by the Commission.

Howell C. McDaniel gave the report of the Client's Security Fund Committee. The Committee had received no claims during the past year.

All reports were adopted by the Convention unanimously.

Peter C. Maxfield, Dean at the University of Wyoming Law School, addressed the Convention. Dean Maxfield stated that the resources of the Law School, including both the faculty and the facility, are available to all lawyers throughout the state.

President Schwartz then called for the nomination of Officers for 1979-80. James O. Wilson nominated Carl L. Lathrop for the office of President-Elect of the Wyoming State Bar; there being no further nominations, it was moved by Howell McDaniel and seconded by Stan Lowe that the rules be suspended and an unanimous ballot be cast. The motion passed. Charles Crowell nominated Howell C. McDaniel for the office of Vice-President of the Wyoming State Bar; there being no further nominations, it was moved by Jerry Housel, seconded by R. Stanley Lowe that the rules be suspended and an unanimous ballot be cast. The motion passed. Richard Stacy nominated George L. Simonton for the office of Secretary-Treasurer of the Wyoming State Bar; there being no further nominations, it was moved by Howell McDaniel and seconded by Dick Stacy that the rules be suspended and an unanimous ballot be cast. The motion passed.

President Schwartz 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 the City of Casper, Wyoming on September 12, 13, 14 & 15, 1979.

WHEREAS the members of the Wyoming State Bar desire to recognize the generosity of the Title Guaranty Company of Wyoming, Inc. and the Michie Company who contributed so generously to the success of the Convention.

WHEREAS the members of the Wyoming State Bar are desirous of expressing their appreciation, thanks and gratitude to the Title Guaranty Company of Wyoming, Inc. and the Michie Company.

NOW, THERE, BE IT RESOLVED that the Wyoming State Bar, in session duly assembled on the 14th day of September, 1979, does hereby express to the above named, the appreciation, thanks and gratitude of all its members and spouses 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.

Willis C. Geer, President of the Wyoming County Attorneys Association submitted the following resolution.

RESOLUTION II

WHEREAS the Wyoming Legislative Judiciary Interim Subcommittee has undertaken preliminary work on the recodification of the Wyoming Criminal Code, Title 6, Wyoming Statutes and

WHEREAS the Legislative Service Office has prepared a Criminal Code revision which contains numerous changes in the law governing criminal conduct in this state and

WHEREAS the proposed changes have not received sufficient study and

WHEREAS the Criminal Code and its efficient administration are vital to the peace and well being of the people of Wyoming.

NOW, THEREFORE, BE IT RESOLVED by the Wyoming State Bar assembled in its 64th annual meeting this 14th day of September, 1979, that the Wyoming State Bar respectfully petitions the Honorable Ed Herschler, Governor of the State of Wyoming, to appoint a broad-based committee of persons involved in the administration of criminal justice of Wyoming as well as citizens at large to study the proposed criminal code revision and to make appropriate recommendations to the Governor and the Wyoming State Legislature.

RESOLUTION III

WHEREAS William T. Schwartz 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

William T. Schwartz and the Executive Secretary shall send a copy of this resolution to William T. Schwartz.

There being no further business, the 64th Annual Meeting of the Wyoming State Bar adjourned at the hour of 12:30 P.M. on the 14th day of September, 1979.

Respectfully submitted,

George L. Simonton

Secretary Treasurer

WYOMING STATE BAR