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Minutes of the Annual Meeting of the Board of Bar Commissioners of the Wyoming State Bar

The meeting was called to order at approximately 1:35 p.m. by Mr. President James L. Hettinger. The following officers were present: Mr. William Bon, President-Elect; Mr. David Carmichael, Vice-President; and Mr. George Simonton, Secretary-Treasurer. Also present were the following commissioners: Mr. Jerry Statkus; Mr. Timothy Beppler; Mr. Richard M. Davis, Jr.; Mr. Randy Bower, Mr. John Daly, Mr. Eric Alden and Mr. Richard Day. Ms. Elizabeth Senkewicz, Executive Director, was also in attendance.

Mr. Hettinger opened the meeting by indicating to the new Board that he would like to have meetings every other month at various locations throughout the state. Mr. Hettinger indicated that he wanted to have the next Annual Meeting of the Wyoming State Bar in Riverton in September of 1986. The Board had no objections to having the next annual meeting in Riverton.

Mr. Hettinger indicated that he would skip ahead an item on the agenda and invite Justice Cardine and other judges who were with him to come in and make their proposal. Justice Cardine was joined by District Court Judges Terry O'Brien and Al Taylor, and also by County Court Judges Robert Castor and John Holtz.

Justice Cardine indicated to the Board that he thought that the public perception of worth was based on what an individual was paid. The perception, therefore, in Wyoming has always been that Federal Judges are better because they are paid more. The particular problem was that the judges in the State of Wyoming have not received any cost of living adjustment when other state employees had received them. In Justice Cardine's opinion, this was singling out 30 state employees and discriminating against them.

Justice Cardine indicated that the judges needed the support of the Bar to rectify the situation. He indicated one possible route for correction was to get a constitutional amendment giving judges cost of living increases. He indicated that he wanted Bar members to write letters of support to the various legislators.

He indicated that the Supreme Court would be asking to receive the same salary as the Tenth Circuit Court of Appeals Judge, which was \$82,000.00 per year. The District Court Judges would be asking for the same salary as received by a Federal District Court Judge, which he believed was \$77,000.00.

In the State of Wyoming, the judges' retirement benefits were 50% of the salary after 18 years. On the federal level, retirement is 100%.

The only benefits received by the judges are health insurance, which is matched by the state. In other words, they receive the same health benefits as other state employees.

Justice Cardine related that since 1981, state employees have had increases of 18% while the judges have had none.

Also, Judge O'Brien indicated that some fifty-nine state employees make more money than the Wyoming Supreme Court Justices. Judge O'Brien provided Ms. Senkewicz with a copy of a computer printout of those state employees who make more money than the Supreme Court Justices. A copy of that computer printout is attached to these minutes. Also attached to these minutes is a salary scale for State Chief Justices.

Judge Castor of the Albany County Court indicated that the county court judges would be asking the legislature for 1) 90% of the salary of the Supreme Court Justices; 2) to be put on the state retirement system like District Court and Supreme Court Justices; and 3) a constitutional amendment for salary increases. Judge Castor indicated that the county court judges are asking for the support of the Bar on these and other legislative issues.

Judge O'Brien indicated that the Clerk of District Court in Campbell County makes more money than the county court judges.

Judge Holtz indicated that he thought the Bar should be concerned with the small number of applications for certain judgeships.

After the judges left, the Board reached a consensus that nothing would be decided right now but everyone would think about it and discuss this topic at the next meeting. Ms. Senkewicz was instructed to place on the next agenda the item of judicial salaries.

The first item on the agenda was the approval of the budget for the fiscal year 1985-86. In this vein, Ms. Senkewicz related that the Wyoming State Bar offices do not have a word processor. Ms. Senkewicz indicated that she would like to take an opportunity to study the options with respect to a word processor. Mr. Daly questioned Ms. Senkewicz regarding the computer, to which query Ms. Senkewicz responded that the computer was obsolete and would not be easily adaptable to a word processing program because it did not have a letter quality printer. Ms. Senkewicz was instructed to take the next few months and study the entire situation regarding office equipment and report back to the Board at the next meeting.

Mr. Alden indicated that based on Ms. Senkewicz's proposed budget, it was apparent that more than half of the members of the Wyoming State Bar were only paying half price dues. This brought up a discussion regarding the inactive membership category which Ms. Senkewicz had proposed as an amendment to the Bar Association Rules. Mr. John Daly moved, and Mr. Bill Bon seconded, that we create an inactive category for membership. After discussion, and with approval of the second, Mr. Daly amended his motion so that a committee would be created to rewrite the rule and that the committee was empowered to bind the Board with the approval of the President. After further discussion, the motion carried.

The attention of the Board was then refocused on the budget. There was some discussion as to whether we wanted to operate on a deficit budget for the next two or three years and get rid of our capital surplus in that fashion. There was also some discussion as to projects which could be undertaken by the Bar, or by the Wyoming State Bar Foundation, to improve the image of lawyers. It was the consensus of the Board, however, that the Wyoming State Bar Foundation should take care of its own funding and should not rely on the Wyoming State Bar for funding. Mr. Eric Alden moved, and Mr. George Simonton seconded, that the budget as proposed, be approved. After discussion, the motion carried.

The next item on the agenda was that of probate forms. Mr. Hettinger opened that he did not want to see the Bar get into the form business, and many Board members agreed with him. Mr. Dave Carmichael moved, and Mr. John Daly seconded to table this item. After discussion, the motion carried.

Mr. Don Morris, a Cheyenne high school teacher, next appeared before the Board. Mr. Morris is interested in starting a mock trial competition at the high school level statewide. The purpose of the mock trial competition will be to improve communications skills, improve critical thinking skills, and introduce students to careers in law. Mr. Morris related that he obtained from the state of Wisconsin a model on which he is basing his proposal.

Mr. Morris indicated that he was working with several local southeast Wyoming attorneys to set up the competition in the southeast counties for the spring of 1986. If he is successful on the local level, he would eventually like to go statewide with the program.

After Mr. Morris left the room, the Board agreed that such a program would be beneficial both to the public at large and to the Bar. Mr. John Daly moved, and Mr. George Simonton seconded, that we sponsor a trophy or trophies for Mr. Morris' competition. After discussion, the motion carried.

The next item on the agenda was the proposal from the Statue of Liberty/Ellis Island Foundation regarding the Wyoming State Bar as a sponsor of a fund-raising endeavor with respect to the Statue of Liberty and Ellis Island. Mr. John Daly moved, and Mr. Eric Alden seconded, that the item be tabled. After discussion, the motion carried.

The next item on the agenda was the Legal Assistant Program at Casper College. The President of the College was asking for our endorsement of the legal assistant program. Mr. William Bon moved, and Mr. John Daly seconded, that the following resolution be adopted:

RESOLVED, that the Wyoming State Bar endorses in principle the implementation of a Legal Assistant Program at Casper College.

After discussion, the motion carried.

With respect to the publication of the minutes of the Board Meetings in *The Wyoming Lawyer*, Ms. Senkewicz was instructed to highlight the minutes as an article in *The Wyoming Lawyer*.

Mr. Hettinger told the members of the Board that he was opposed to mandatory Continuing Legal Education. Mr. Hettinger feels that the program has been abused, and secondly, it is very expensive. Mr. Hettinger just wanted his feelings known to the Board and asked the Board members to think about mandatory CLE and its necessity in the State of Wyoming.

Mr. Statkus brought out the opinion of some of the members in his district that more women should be involved in the inner workings of the Wyoming State Bar, in particular, perhaps as a member of the Wyoming State Board of Law Examiners. Mr. Statkus moved that we recommend to the Supreme Court that the Court appoint a woman to the Board of Law Examiners. Other Board members expressed to Mr. Statkus that any individual who wanted to get involved with the Bar would be encouraged to do so and indeed if people indicated an interest it was highly unlikely that they would be rejected for a committee position. Also, the appointments to the Board of Law Examiners are Supreme Court appointments. Mr. Statkus then withdrew his motion but indicated that some statement to encourage women attorneys to apply for membership on the different committees might be appropriate. Mr. Dick Day moved, and Mr. Dave Carmichael seconded, that the Board resolve that the Board encourages all members of the Wyoming State Bar to become active in the administration of the Wyoming State Bar. After discussion, the motion carried.

Mr. Hettinger requested that if any commissioners had requests for committee appointments that he should forward them to either himself or Ms. Senkewicz as soon as possible. There being no further business before the Board, the meeting was adjourned at approximately 3:40 p.m.

Respectfully submitted,
MARY ELIZABETH SENKEWICZ
Executive Director