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## Committee Reports

Wyoming Start Bar

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## COMMITTEE REPORTS

### REPORT OF ALCOHOL & SUBSTANCE ABUSE COMMITTEE

The Wyoming State Bar may soon have an impaired professionals program, similar to those already operating for other professional groups in the state.

With the encouragement of the officers of the Wyoming State Bar, this committee has sought to deal with the many complexities involved in the implementation of a successful impaired attorneys' program. There is no question that the need for an effective program is great. However, it has been the committee's feeling that until some crucial legal and ethical questions are satisfactorily resolved and a sufficient network of volunteers and professionals is assembled, a program should not be officially launched. The committee has made available the services of private volunteer physicians to handle emergency referrals from the Wyoming State Bar office, but that service has been used infrequently.

The committee continues to grapple with the ethical dilemma posed by the need for absolute confidentiality with respect to referred persons versus the ethical obligation to report to the Grievance Committee problems which may come to light during the investigation, intervention, treatment, or follow-up of an impaired attorney. The committee views its primary purpose as attorney assistance and has determined an enforcement mechanism for the Grievance Committee. However, in order to clearly establish the parameters within which this committee will operate, the committee is actively involved in the process of drafting proposed rules to be adopted by the Supreme Court which will protect committee members and the attorneys they attempt to assist. In addition, the committee plans to meet with the Bar Commissioners and officers as well as the members of the Grievance Committee and the Supreme Court to clearly define the goals and authority of each group.

Efforts of the committee to actually implement an intervention and assistance program were dealt a severe blow earlier this year when Dr. James Haller, primary consultant to the committee, was seriously injured in an automobile accident. Dr. Bert Toews of Casper has consulted with the committee and has agreed to assist in implementation of the program eventually instituted by this committee. However, it now appears that Dr. Haller may not be able to participate, thus necessitating the location and coordination of other medical professionals to assist in investigation, implementation, treatment, and follow-up.

The committee views one of its most important services to an impaired attorney to be assistance in maintaining his law practice during periods of treatment and follow-up. In that regard, it is essential that all members of the bench and Bar cooperate to the extent possible with efforts of this committee to maintain an impaired attorney's practice. The committee actively seeks volunteers in each community

in the state who are willing to assist with practice maintenance, probably on a *pro bono* basis. Persons interested in adding their names to the practice maintenance volunteer list should call or write to any member of the committee. We can all follow the example of the Goshen County Bar which has agreed as a group to assist with practice maintenance efforts.

Another group of volunteers whose efforts will be essential to the success of an impaired attorney's program will be those who are willing to assist with peer counseling, follow-up, and support functions. Again, volunteers from throughout the state have already come forward, but many more are needed, especially from the ranks of those who are recovering substance abusers.

The committee expects to publish its Statement of Philosophy in a future issue of *THE WYOMING LAWYER*. The committee is also actively working on a written outline of procedures to be followed by the committee. If a sufficient network of volunteers and professionals can be assembled, it is the hope of the committee that the program will be prepared to accept its first referrals by year end. It appears that the notion of some sort of statewide joint program among professions is further in the future than previously hoped. Therefore, it is essential that this committee implement its own program with an eye toward merging with a statewide program if such a program ever develops. The committee does intend to coordinate its efforts with the Judicial Supervisory Commission to provide services to members of the Bench.

Finally, it is the understanding of the committee that the officers of the Bar have voted to expand the scope of this committee's work to include issues other than substance abuse. The addition of other areas of concern will, of necessity, require additional study by the committee and solicitation of professional advice from other fields. However, once that additional expertise is obtained, it is likely that the structure contemplated by the committee for attorney assistance will lend itself to assistance with other problems as well. The committee wishes to remain at its present strength but is anxious to acquire whatever professional and volunteer assistance is offered by those who are not voting members of the committee.

### REPORT OF BUDGET COMMITTEE

Members of the Budget Committee met recently to prepare a new budget for the coming fiscal year, which begins October 1, 1989.

Expenditures for the current fiscal year, ending September 30, were originally budgeted at \$358,055.00. Actual expenditures should fall just under budget. Expenses for Fiscal Year 1988-89 rose approximately \$80,000 over those of the previous year. This is due to the addition of bar counsel and other expenses related to creating an in-house grievance system. Before the addition of bar counsel, prosecution of grievances was handled through the office of the Wyoming Attorney General.

Revenues for the current fiscal year were budgeted at \$361,737.50, and total receipts will fall very close to that figure. Besides member dues, that figure includes income from interest; bookkeeping fees from the state; advertising and sales from publications; and, for perhaps the first time, a profit on the annual convention.

Administrative expenses including rent, salaries, travel, and related office overhead last year accounted for about two-thirds of total expenditures. With the addition of bar counsel, the bar now employs six people in its main office. In addition, the bar administers federal grants for employees of the Wyoming Legal Services Developer (one and one-half full-time staff persons) and the Wyoming Long-term Care Ombudsman (one and one-half full-time staff persons). Other major expenses this year included the annual convention, CLE seminars, underwriting of the UW Law School's *LAND AND WATER LAW REVIEW*, and publishing expenses for the annual directory and *THE WYOMING LAWYER*.

Total expenditures in the coming year are budgeted at about \$385,000.00. Revenues will balance the budget, making this the second non-deficit budget the bar has had in the past six years. Of course, this is because of the member dues increase initiated in the current year.

In a percentage breakdown, about 30 percent of next year's expenditures will go to staff salaries. Office and clerical overhead will account for another 15 percent. Grievance expenses, outside the expenses just mentioned, will amount to about 20 percent, publications to about 15 percent, CLE to about 10 percent, and the annual meeting to about 10 percent.

### **REPORT OF CIVIL PATTERN JURY INSTRUCTIONS COMMITTEE**

The Civil Pattern Jury Instructions Committee completed revisions and additions to the existing instructions, last compiled in 1981. Those revisions were made available to members of the bar in 1988, and can still be obtained from the Cheyenne office.

Judge Arthur Hanscum, Chairman of the Instructions Committee, said revisions were targeted to jury instructions for contract law, strict liability, professional liability, comparative negligence (to conform to recent changes in the law), and other miscellaneous areas.

In addition, the committee formulated new instructions for contracts, a section not included in the present instructions.

The revisions subsequently approved will be available shortly to members of the Bar, in the form of a set of supplements to the existing book of instructions.

Other members of the committee include Eric M. Alden, Wheatland; Paul J. Hickey, Cheyenne; Hon. Timothy J. Judson, Gillette; and Patrick J. Murphy, Casper.

### REPORT OF CLIENTS' SECURITY FUND COMMITTEE

The Clients' Security Fund, which was created in 1972, is charged with administering monies "to help reimburse losses caused by dishonest conduct by a member of the Wyoming State Bar in the practice of law." Rule 22, Rules Providing for the Organization of Government of the Bar Association of the Attorneys at Law of the State of Wyoming states the attorney must have died, been subject to criminal or disciplinary proceedings, or ceased to be a member of the Wyoming State Bar.

Sadly, the Clients' Security Fund Committee has had a very busy year. During the period from September 1988, through August 1989, it considered twenty-one claims. Of those claims, the committee approved payment of fifteen claims, for a total of \$11,160.66.

Here is a list of the claimants, the amounts paid, and the attorney against whom the claim was filed:

| Claimant                | Amount paid  | Attorney       |
|-------------------------|--------------|----------------|
| Avis Wagner             | \$5,500.00   | William Reiner |
| Bryce & Sherilyn Coates | 888.66       | Patrick Werner |
| Ray & Linda Foster      | claim denied | Patrick Werner |
| Mike & Millie Simms     | claim denied | Patrick Werner |
| Jeff Langlois           | 400.00       | Patrick Werner |
| Sheila Dolak            | 100.00       | Patrick Werner |
| Lawrence Van Cleave     | 1,000.00     | Bob Costin     |
| Robert Fletcher         | 750.00       | Jack Smith     |
| Herbert Bales           | 513.00       | Oscar Hall     |
| Richard Vigil           | 350.00       | Earl Johnson   |
| Stanley Steele          | 300.00       | Patrick Werner |
| Charles Aschenbrenner   | 200.00       | Patrick Werner |
| Jerry Stansfield        | 200.00       | Jack Smith     |
| Orland Melvin           | 750.00       | Jack Smith     |
| Sam Smith               | 750.00       | Jack Smith     |
| Suzette Garcia          | 200.00       | Jack Smith     |
| Peggy Johnson           | 200.00       | Jack Smith     |
| David Bennett           | claim denied | Patrick Werner |
| Thomas Anderson         | claim denied | Jack Smith     |
| Melvin Dimick           | claim denied | Jack Smith     |

The number of claims filed and paid represents a record number. The increase can be attributed to a variety of reasons. First, the Grievance Committee is disciplining more attorneys. Also, more clients who have been injured by their attorney have learned about the fund.

There are several things concerning the fund which should be addressed by the bar association. First, some provision should be made to assure that a sufficient amount of money is in the fund. We still have some claims pending which if paid in full could wipe out the fund. Also, until recently, the fund was one of the best kept secrets in Wyo-

ming. There should be more of an effort to publicize the procedures which can be followed by persons who have been harmed by the dishonest conduct of their attorney.

The committee is in the process of revising its rules. The present rules have not been updated since the committee was created in 1973. Obviously, there are several areas which should be updated. Some of these include: whether lay persons should serve on the committee; how the committee can function in a more efficient and effective manner; and whether a private investigator should be hired to investigate claims.

Committee members have expended a great deal of time during the last year, but all members have done their duty. Before a claim is presented to the committee, it must be investigated by a committee member. The member who represents the district in which the affected attorney practices is designated as the investigator. Because the majority of claims were filed against two lawyers from Rock Springs, Frank Thomas investigated most of the claims. The Bar Association would extend its special thanks to Frank for all of his fine work and dedication.

#### **REPORT OF CONTINUING LEGAL EDUCATION COMMITTEE**

The CLE Committee organized three major educational events this fiscal year including a seminar on civil RICO litigation, held in Laramie in October 1988; a public lands symposium, held in Jackson in March 1989; and finally, 11 separate seminars for the 1989 Annual Meeting in Gillette.

The most successful CLE forums this year take place at the Annual Meeting. Those seminars should attract well over 200 lawyers altogether.

March's public lands seminar in Jackson was also very successful. The two-day symposium held class at Teton Village and featured a number of top experts from the Rocky Mountain area and two environmental and energy experts from Washington, D.C. The seminar allowed time for afternoon recreation as well, making it a "CLE-and-ski" event. About 35-40 people attended the event, most of them lawyers. The success of last year's program led the committee to consider making it a yearly event. In 1990, it will be held March 9 and 10 in Jackson at the Wort Hotel. The University of Wyoming will co-sponsor the forum, and the program may be fused with the Frank J. Trelease Land and Water Symposium launched two years ago by the UW College of Law.

The bar will also sponsor a seminar with the College of Law this year on November 3 and 4. The course will address "State Administrative Law" and feature a number of top Wyoming administrative lawyers. It will offer a total of nine credit hours, and the program on Saturday will be followed by lunch and a Wyoming Cowboys football game.

Members of the CLE Committee include William F. Downes, chairman, Casper; Richard P. Boley, Cheyenne; Jeffrey J. Gonda, Sheridan; Floyd R. King, Jackson; R. Douglas Dumbrell, Sundance; E. George Rudolph, Laramie; Judith A. Studer, Casper; Joel M. Vincent, Riverton; and Rhonda S. Woodard, Cheyenne.

### REPORT OF THE GRIEVANCE COMMITTEE

Since the last report of the Grievance Committee, the following cases have been filed: (Cases are dismissed generally because the facts did not prove the allegations or no unethical conduct occurred.)

| <u>Docket No.</u> | <u>Disposition</u> | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                                       |
|-------------------|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| 79-88             | Pending            | Criminal charges filed; conduct adversely reflecting on fitness to practice.                                                              |
| 80-88             | Admonition         | Personal injury; lawyer attributed untrue remarks to a judge regarding opposing counsel's competence.                                     |
| 81-88             | Pending            | Various; misuse of trust account funds.                                                                                                   |
| 82-88             | Dismissed          | Employment discrimination; conflict of interest; counseling illegal conduct.                                                              |
| 83-88             | Pending            | Personal injury; neglect; failure to comply with court-ordered discovery.                                                                 |
| 84-88             | Dismissed          | Personal injury; attorney harassed client.                                                                                                |
| 85-88             | Dismissed          | Bankruptcy; excessive fees; plan not what agreed to.                                                                                      |
| 86-88             | Dismissed          | Domestic relations; attorney harassed opposing party.                                                                                     |
| 87-88             | Dismissed          | Firm refused to give files on case to departing member.                                                                                   |
| 88-88             | Dismissed          | Domestic relations; negligence in preparing decree; unethical collection practice.                                                        |
| 89-88             | Private Reprimand  | Medical malpractice; attorney filed designation as to doctor's testimony without his knowledge or consent.                                |
| 90-88             | Dismissed          | Breach of contract; personal injury; attorney raised hourly fee without consent of client; refused to deliver accounting; double billing. |

| <u>Docket No.</u> | <u>Disposition</u> | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                                                            |
|-------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 91-88             | Dismissed          | Criminal; prosecutorial misconduct.                                                                                                                            |
| 92-88             | Dismissed          | Domestic relations; attorney counseled client to leave state.                                                                                                  |
| 93-88             | Dismissed          | Foreclosure; attorney threatened suit if particular action taken.                                                                                              |
| 94-88             | Pending            | Criminal defense; neglect resulting in client's arrest; misrepresentation.                                                                                     |
| 95-88             | Dismissed          | Domestic relations; incompetent representation.                                                                                                                |
| 96-88             | Private Reprimand  | Bad check; harassment; misrepresentation.                                                                                                                      |
| 97-88             | Pending            | Execution; attorney tore up execution papers and threatened lawsuit.                                                                                           |
| 98-88             | Private Reprimand  | Estate; neglect; attorney spent a fee before earned.                                                                                                           |
| 99-88             | Disability         | Alcoholic lawyer fell off wagon.<br>Inactive Status                                                                                                            |
| 100-88            | Reinstated         | Reinstatement petition. after conditions fulfilled                                                                                                             |
| 101-88            | Dismissed          | Criminal defense; refused to respect client's wishes re: representation.                                                                                       |
| 102-88            | Dismissed          | Attorney withdrew from firm and started solo practice; firm refused to return unearned portion of fee.                                                         |
| 103-88            | Dismissed          | Criminal defense; neglect; tampering with evidence.                                                                                                            |
| 104-88            | Dismissed          | Criminal; ex parte contact with judge.                                                                                                                         |
| 105-88            | Pending            | Commercial transaction; attorney acquired information through deceit.                                                                                          |
| 106-88            | Dismissed          | Guardianship; attorney ignored jurisdiction of neighboring state; filed action with no legal basis; deceit; conflict of interest; ex parte contact with judge. |
| 107-88            | Dismissed          | Criminal investigation; attorney slandered police officer.                                                                                                     |

| <u>Docket No.</u> | <u>Disposition</u> | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                |
|-------------------|--------------------|--------------------------------------------------------------------------------------------------------------------|
| 108-88            | Dismissed          | Criminal defense; ineffective assistance of counsel; lack of communication; conflict of interest.                  |
| 109-88            | Pending            | Guardianship; falsification of affidavit by changing date after signed.                                            |
| 110-88            | Dismissed          | Criminal defense; neglect; incompetence.                                                                           |
| 111-88            | Dismissed          | Grievance response; untruthful allegations.                                                                        |
| 1-89              | Dismissed          | Domestic relations; attorney refused to pay expert deposition fee.                                                 |
| 2-89              | Pending            | Divorce; after attorney fees discharged in bankruptcy, attorney refused to turn over files.                        |
| 3-89              | Dismissed          | Criminal defense; breach of confidentiality.                                                                       |
| 4-89              | Pending            | Criminal conviction; fraud convictions.                                                                            |
| 5-89              | Pending            | Criminal defense; ineffective assistance of counsel.                                                               |
| 6-89              | Pending            | Family violence; attorney incorrectly informed clients case dismissed resulting in their arrest.                   |
| 7-89              | Pending            | Bank loan; refused to sue; neglect; malpractice.                                                                   |
| 8-89              | Pending            | Bank loan; attorney took case when had a conflict, then dropped it.                                                |
| 9-89              | Dismissed          | Fraud; attorney switched from contingent fee to hourly rate without client's consent; refused to return documents. |
| 10-89             | Dismissed          | Small claims; attorney refused to set trial date or communicate with client.                                       |
| 11-89             | Private Reprimand  | Commercial; ex parte contact with judge.                                                                           |
| 12-89             | Pending            | Property damage; attorney lied about status of lawsuit.                                                            |
| 13-89             | Dismissed          | Bankruptcy; attorney made misrepresentation to court.                                                              |

| <u>Docket No.</u> | <u>Disposition</u> | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                  |
|-------------------|--------------------|----------------------------------------------------------------------------------------------------------------------|
| 14-89             | Pending            | Criminal defense; collusion with prosecutor; ineffective assistance of counsel.                                      |
| 15-89             | Dismissed          | Criminal prosecution; reneged on plea bargain; collusion with defense counsel.                                       |
| 16-89             | Dismissed          | Divorce; incompetent representation.                                                                                 |
| 17-89             | Dismissed          | Criminal prosecution; allowed perjured testimony.                                                                    |
| 18-89             | Dismissed          | Divorce; incompetent representation; refused to carry out client's wishes; lack of communication; lack of diligence. |
| 19-89             | Dismissed          | Divorce; lied re: property; aided client in kidnapping child.                                                        |
| 20-89             | Dismissed          | Breach of contract; failure to abide by client's wishes; misled clients re: recoverability of attorney's fees.       |
| 21-89             | Pending            | Domestic relations; client not fully informed of matters; attorney acted without consulting client; excessive fees.  |
| 22-89             | Pending            | Domestic relations; excessive fees; incompetent representation; lack of diligence.                                   |
| 23-89             | Private Reprimand  | Home purchase; lack of diligence and communication.                                                                  |
| 24-89             | Dismissed          | Injury to property; attorney lied to judge about availability of witness.                                            |
| 25-89             | Pending            | Enforcement of child support; attorney did not live up to obligations of contract with DPASS.                        |
| 26-89             | Pending            | Personal injury; borrowed money from client.                                                                         |
| 27-89             | Reinstated         | Motion for reduction of penalty.                                                                                     |
| 28-89             | Pending            | Enforcement of child support; conflict of interest.                                                                  |
| 29-89             | Dismissed          | Criminal defense; conflict of interest; excessive fees.                                                              |
| 30-89             | Dismissed          | Breach of contract; incompetence.                                                                                    |

| <u>Docket No.</u> | <u>Disposition</u> | <u>Type of Case &amp; Allegations of Misconduct</u>                                                             |
|-------------------|--------------------|-----------------------------------------------------------------------------------------------------------------|
| 31-89             | Pending            | Divorce; attorney filed document materially misrepresenting position of opposing party.                         |
| 32-89             | Pending            | Dissolution of partnership; attorney settled without client's consent; incompetence.                            |
| 33-89             | Pending            | Miscellaneous; harassing deceased's daughter re: funeral home arrangements.                                     |
| 34-89             | Pending            | Attorney pled guilty to a felony.                                                                               |
| 35-89             | Pending            | Criminal investigation.                                                                                         |
| 36-89             | Dismissed          | Real estate; frivolous claim filed; attorney ignored stay of execution.                                         |
| 37-89             | Pending            | Divorce; incompetent representation.                                                                            |
| 38-89             | Pending            | Asset seizure; frivolous action; harassment.                                                                    |
| 40-89             | Pending            | Lawyer suspended in Colorado.                                                                                   |
| 41-89             | Pending            | Domestic relations; conflict of interest.                                                                       |
| 42-89             | Pending            | Probate; conflict of interest; disappearing records.                                                            |
| 43-89             | Pending            | Various civil; opposing counsel not receiving copies of documents.                                              |
| 44-89             | Pending            | Probate; failure to file claim.                                                                                 |
| 45-89             | Pending            | Civil RICO action; attorney would not reset deposition unless person being deposed would testify a certain way. |
| 46-89             | Pending            | General civil; attorney did not represent self as such; refused to pay deposition fee.                          |
| 47-89             | Pending            | General civil; lack of diligence; refused to return calls.                                                      |
| 48-89             | Pending            | Criminal defense; refused to go with client's wishes; refused to return unearned portion of fee.                |
| 49-89             | Pending            | Criminal prosecution; failed to disclose Brady material; threatened and intimidated a witness.                  |
| 50-89             | Pending            | Divorce; lack of diligence.                                                                                     |

| <u>Docket No.</u> | <u>Disposition</u> | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                                          |
|-------------------|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| 51-89             | Pending            | Land sale; attorney charged for attempted purchase when attorney approached complainant about purchase.                                      |
| 52-89             | Pending            | Criminal defense; attorney acted without consent of client.                                                                                  |
| 53-89             | Pending            | Real property; failure to file easements.                                                                                                    |
| 54-89             | Pending            | Criminal defense; improper withdrawal.                                                                                                       |
| 55-89             | Pending            | Civil rights; attorney did unauthorized work; breach of confidentiality; excessive fees.                                                     |
| 56-89             | Pending            | Collection; intern identified self as attorney; direct contact with represented person.                                                      |
| 57-89             | Pending            | Personal injury; excessive fees; failure to communicate.                                                                                     |
| 58-89             | Pending            | Domestic relations; conflict of interest; failure to look out for client's best interests.                                                   |
| 59-89             | Pending            | Domestic relations; attorney arranged sham marriage.                                                                                         |
| 60-89             | Pending            | Will contest; attorney took case incompetent to handle; lack of diligence; excessive fees.                                                   |
| 61-89             | Pending            | Domestic relations; failure to communicate; lack of diligence; incompetent representation; conflict of interest.                             |
| 62-89             | Pending            | Real estate; conflict of interest; incompetent representation; breach of confidentiality; failed to abide by client's wishes re: settlement. |

The following types of cases give rise to the number of grievances indicated:

|                                         |    |
|-----------------------------------------|----|
| Domestic Relations .....                | 21 |
| Criminal .....                          | 19 |
| Personal Injury .....                   | 6  |
| Commercial .....                        | 6  |
| Criminal Charges or Investigation ..... | 4  |
| Wills & Estates .....                   | 4  |
| Real Estate .....                       | 4  |

|                          |    |
|--------------------------|----|
| Breach of Contract ..... | 3  |
| Firm Break-up .....      | 2  |
| Bankruptcy .....         | 2  |
| Guardianship .....       | 2  |
| Other .....              | 19 |

The following allegations were raised in the following number:

|                                                   |    |
|---------------------------------------------------|----|
| Deceit or Misrepresentation .....                 | 19 |
| Incompetent Representation .....                  | 16 |
| Lack of Diligence .....                           | 13 |
| Conflict of Interest .....                        | 12 |
| Fees .....                                        | 8  |
| Refusing to Follow Client's Wishes .....          | 8  |
| Lack of Communication .....                       | 7  |
| Harassment .....                                  | 7  |
| Acting without Client Consent .....               | 4  |
| Adversely Reflecting on Fitness to Practice ..... | 4  |
| Ex parte Contact .....                            | 3  |
| Counselling Illegal Conduct .....                 | 3  |
| Ineffective Assistance of Counsel .....           | 3  |
| Breach of Confidentiality .....                   | 3  |
| Refusal to Deliver Accounting or Files .....      | 3  |
| Tampering with Evidence .....                     | 3  |
| Collusion .....                                   | 2  |
| Frivolous Claim .....                             | 2  |
| Refusal to Pay Deposition or Expert Fee .....     | 2  |
| Other .....                                       | 19 |

At the time of the committee's report last year, the following cases were pending and have since been disposed of in the following manner, or remain pending:

| <u>Docket No.</u> | <u>Disposition</u> | <u>Type of Case &amp; Allegations of Misconduct</u>                                      |
|-------------------|--------------------|------------------------------------------------------------------------------------------|
| 90-86             | Pending            | Bond issue; conflict of interest; conversion of funds.                                   |
| 97-86             | Pending            | Bankruptcy; defrauding the court by intentionally hiding assets of client.               |
| 13-87             | Pending            | Contract; failed to file answer resulting in default; concealing property to avoid debt. |
| 14-87             | Pending            | Estate; neglect; embezzlement.                                                           |
| 20-87             | Pending            | Personal injury; neglect; improper distribution of settlement.                           |
| 32-87             | Pending            | Criminal defense; conflict of interest.                                                  |

| <u>Docket No.</u> | <u>Disposition</u>     | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                                                          |
|-------------------|------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 59-87             | Pending                | Nursing home commitment; took advantage of elderly and borrowed money.                                                                                       |
| 69-87             | Private Reprimand      | Bankruptcy; improper discharge of creditor.                                                                                                                  |
| 84-87             | Disbarred              | Bad check; attorney paid for transcript with insufficient funds check.                                                                                       |
| 91-87             | Suspension & Probation | Criminal investigation; aided criminal conduct.                                                                                                              |
| 102-87            | Dismissed              | Divorce; did not follow wishes of client; neglect and excessive fee.                                                                                         |
| 104-87            | Dismissed              | Back child support; failure to inform departure of associate handling case; fees; not living up to agreement with client made by associate.                  |
| 6-88              | Dismissed              | Employment termination; neglect, excessive fee.                                                                                                              |
| 20-88             | Admonition             | Divorce; ex parte communication with judge.                                                                                                                  |
| 21-88             | Pending                | Divorce; conflict of interest.                                                                                                                               |
| 31-88             | Admonition             | Adoption; lack of diligence and communication.                                                                                                               |
| 32-88             | Admonition             | Adoption; lack of diligence; attorney misled client re: status of case.                                                                                      |
| 40-88             | Dismissed              | Estate; neglect; attorney refused to make accounting.                                                                                                        |
| 42-88             | Private                | Breach of contract; neglect.                                                                                                                                 |
| 43-88             | Dismissed              | Reprimand<br>Attorney charged criminally; tampering with a witness; advising person not to talk to police.                                                   |
| 44-88             | Pending                | Divorce; conflict of interest; misleading the court; deceitful conduct; filing frivolous motions; harassment of opposing party; ex parte contact with judge. |
| 46-88             | Private Reprimand      | Lawyer as criminal defendant; engaged in conduct which adversely reflected on fitness to practice law.                                                       |

| <u>Docket No.</u> | <u>Disposition</u>            | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                                                                             |
|-------------------|-------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 47-88             | Dismissed                     | Assault and battery; libelous letter written to county attorney.                                                                                                                |
| 48-88             | Dismissed                     | Assault and battery; lawyer for victim in a civil action attempted to influence county attorney to raise charges to felony and not accept nolo plea.                            |
| 50-88             | Dismissed                     | Breach of contract; lack of diligence; conflict of interest; breach of confidentiality.                                                                                         |
| 52-88             | Pending                       | Estate; neglect.                                                                                                                                                                |
| 53-88             | Admonition                    | General civil; attorney got default before answer time expired.                                                                                                                 |
| 54-88             | Dismissed                     | Adoption; obtained default while negotiating with opposing counsel.                                                                                                             |
| 55-88             | Dismissed                     | Criminal defense; attorney would not turn over file.                                                                                                                            |
| 56-88             | Disability<br>Inactive Status | Bankruptcy; induced out-of-state lawyer to represent client by misrepresenting client's financial status; got out-of-state attorney's fees wrongfully discharged in bankruptcy. |
| 57-88             | Dismissed                     | Domestic relations; neglect; excessive fee.                                                                                                                                     |
| 58-88             | Dismissed                     | Medical malpractice; lack of diligence.                                                                                                                                         |
| 59-88             | Dismissed                     | Personal injury; attorney bounced trust account check and lied about amount of settlement.                                                                                      |
| 60-88             | Pending                       | Estate; attorney ordered payment of his fees without court order.                                                                                                               |
| 61-88             | Admonition                    | Personal injury; neglect; let statute of limitations run.                                                                                                                       |
| 62-88             | Pending                       | Tax; neglect; failure to communicate.                                                                                                                                           |
| 63-88             | Disability<br>Inactive Status | Criminal defense; attorney withheld property of client; lied to client.                                                                                                         |

| <u>Docket No.</u> | <u>Disposition</u>            | <u>Type of Case &amp; Allegations of Misconduct</u>                                                                                                            |
|-------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 64-88             | Dismissed                     | Domestic relations; attorney refused to turn over file; failure to communicate; failure to follow client's wishes; failed to live up to agreement re: payment. |
| 65-88             | Private Reprimand             | Personal injury; neglect; misrepresentation.                                                                                                                   |
| 66-88             | Admonition                    | Domestic relations; attorney failed to finish case; refused to return file.                                                                                    |
| 67-88             | Dismissed                     | Child molestation; incompetent representation.                                                                                                                 |
| 68-88             | Dismissed                     | Breach of contract; incompetence; lack of communication.                                                                                                       |
| 69-88             | Disability<br>Inactive Status | Various civil; attorney neglecting duty.                                                                                                                       |
| 70-88             | Pending                       | Divorce; failure to comply with discovery orders.                                                                                                              |
| 71-88             | Dismissed                     | Divorce; opposing counsel lied to client and said opposing party was subject of FBI investigation.                                                             |
| 72-88             | Dismissed                     | Commercial; lawyer refused to pay expert witness fee.                                                                                                          |
| 73-88             | Dismissed                     | Commercial; lawyer refused to pay expert witness fee.                                                                                                          |
| 74-88             | Dismissed                     | Domestic relations; neglect.                                                                                                                                   |
| 75-88             | Dismissed                     | Personal injury; attorney lost documents and did not tell client.                                                                                              |
| 76-88             | Dismissed                     | Hiring of attorney; attorney alleged free consultation and then charged fee.                                                                                   |
| 77-88             | Dismissed                     | Loan payback; incompetence; inadequate representation.                                                                                                         |
| 78-88             | Dismissed                     | Sexual harassment; conflict of interest.                                                                                                                       |

Respectfully submitted,  
Dennis L. Sanderson  
Chairman

### REPORT OF LEGAL AID SERVICE COMMITTEE

This committee consisting of Berthenia Crocker, Lander; Jean Day, Jackson; Susan Feinman, Cheyenne; Curtis L. Hardin, Casper; Mark Harris, Evanston; Robert Oakley, Cheyenne; James Peck, Newcastle; and Dan Price II (Bar Liaison), Gillette; met several times this year. Linda Miller, because of other commitments, resigned from the committee. This committee also worked as two separate subcommittees on certain issues as well.

The first business meeting which the committee held yielded a mission statement. It is the mission of the Legal Aid Services Committee to improve access to the legal system for the people of Wyoming. Further discussion was held on a variety of topics including but not limited to feasibility of conducting an assessment regarding unmet legal needs; criteria for attorney fee awards in domestic relations matters; resource development for provision of legal services; and enlisting the aid of county bar associations for assisting in *pro bono* referral of cases. In reviewing the definition of *pro bono* services in the Wyoming Rules, it was suggested we need to approach the provision of *pro bono* services a step at a time in an organized manner as the definition of *pro bono* services is all-inclusive. It was discussed that a possible short working paper would be produced on the unmet needs of certain target areas such as indigent civil legal services, elderly legal services, developmentally disabled legal services, and indigent criminal defense representation. Further study was suggested by committee members in providing a toll free *pro bono* attorney referral system as well as a discussion focused on formalizing attorney fee awards in domestic relation matters.

This committee has primarily dealt with the *pro bono* resolution and implementation thereof since the 1985 resolution was passed. (This year, however, the committee began discussions and studies into areas which could positively affect access to the legal system of Wyoming residents heretofore having had problems with such access.) In the coming years this committee expects to further work and study in these areas to possibly yield future resolutions or working papers to address access issued.

### REPORT OF LEGISLATIVE & LAW REFORM COMMITTEE

The Wyoming State Bar lobbied to support or oppose 11 separate bills during this year's session of the Wyoming Legislature. The offer of technical assistance was made regarding six others.

Those bills which were encouraged by the Bar are listed below, along with a description of the proposal, its sponsor(s), and eventual disposition:

Senate File 196, Probate Code Amendment Sponsored by Sen. Tom Kinnison, R-Sheridan. The bill would allow not only a court clerk, but a decedent's personal representative or attor-

ney to mail the orders admitting a will to probate. The measure stayed in committee and did not reach the Senate floor for a vote.

Senate File 222, Judicial Planning Sponsored by Sens. Tom Kinnison, R-Sheridan; Bob Burnett, R-Albany; Frank Prevedel, D-Sweetwater; Charles Scott, R-Natrona; and John Turner, R-Sublette/Teton. The bill directed the Governor to organize a committee to study the efficiency of the Wyoming court system and propose perceived necessary changes. The bill also appropriated \$100,000 to retain needed research or consulting services. Appointment to the 14-member committee would be made by the speaker of the house and president of the senate (three members each); by the Governor (four members); and by the Wyoming Supreme Court (four members). The committee would be directed to compile its report to present to the Legislature and the Governor on or before January 1, 1990. The bill passed the Senate by a vote of 17-12, but it never got out of committee in the House. Still, the formation of a study committee was later worked out between the Governor and the Supreme Court, which proposes to present a report on the same schedule.

Senate File 229, Juror Attendance Sponsored by Sen. John Perry, R-Campbell/Johnson. The bill sought to repeal the statutory penalty for a juror's failure to appear so such failure could be handled under the court's contempt authority. The bill was signed into law by the Governor March 7, 1989.

House Bill 15, Criminal Background Clearance Sponsored by Rep. Harry Tipton, R-Fremont. The bill would have created a statutory provision allowing the Wyoming Division of Criminal Investigation to fingerprint and obtain criminal history clearances for prospective employees of school districts, individuals in whose custody or control a child is placed, and applicants for license under any law of the state if, by statute, conviction of a crime constitutes grounds for a license denial. The bill reached the general file in the House but did not come up for a vote.

House Bill 292, Jury Duty/Employee Protection Sponsored by Rep. Don Sullivan, D-Laramie. The bill provided that any person called to jury duty shall not be subject to discharge from employment, loss of pay, vacation or sick leave, and it further prohibited an employer from imposing any penalty, so long as he is given adequate notice by the employee of the summons. It barred loss of compensation for days of absence, but it allowed the employer to subtract from regular pay the amount of compensation given by the court. The bill never made it out of committee in the House.

House Bill 382, Administrative Hearings Sponsored by Reps. Steve Freudenthal, D-Laramie and Fred Harrison, D-Carbon

and Sens. James Applegate, D-Laramie and Win Hickey, D-Laramie. The bill authorized the Governor to designate a consolidated office of administrative hearings, which, in effect, would create a new state agency. The bill sought to expand the authority of the current Office of Administrative Hearings and Appeals, which hears contested worker's compensation cases. It excepted contested cases involving county and municipal agencies, the Employment Security Commission, Industrial Siting Council, Public Service Commission, Department of Revenue and Taxation, and a few others. The bill never made it out of committee in the House.

House Bill 490, Attorneys-at-Law Sponsored by Rep. Harry Tipton, R-Fremont. The bill was essentially designed to clean up the statutes pertaining to the Board of Law Examiners and bar admissions. It renamed the Examiner's Board the State Board of Bar Admissions and provided immunity for conduct in the course of members' official duties. It also sought to strike outdated residency requirements which state one has to be a bona-fide resident of Wyoming to practice law in the state. Finally, it allowed the Wyoming Supreme Court more flexibility in determining examination fees and bar dues and adopting rules to carry out the function of qualifying attorneys to practice. Although it reached the general file in the House, it never came up for a vote.

The Bar opposed four bills introduced in the 1989 legislative session. They are listed below:

Senate File 20, Judgment Liens Sponsored by Sen. John Perry, Campbell/Johnson. The act would have provided that specified judgments constituted a lien against real property of a judgment debtor, including property being sold under an executory land date. The bill never made it out of committee in the Senate.

Senate File 101, Contingent Fees Sponsored by Sen. Charles Scott, R-Natrona. The bill sought to limit attorney contingent fees in any civil action where such fees are permitted. It specified allowable limits as one-third of the first \$100,000 received, 20 percent of the next \$400,000 recovered, and 10 percent on any amount recovered over \$500,000. It also mandated that attorneys file a detailed account of receipts and expenses related to cases in which settlements or awards are received. The Bar opposed the legislation for various reasons including that contingency guidelines are already outlined by the Wyoming Supreme Court. The measure did not make it out of committee in the Senate.

House Bill 380, District Courts - Filing Fees Sponsored by Sen. Lisa Kinney, D-Albany and Rep. Gary Yordy, R-Laramie.

The act would have increased filing fees for probate cases, from \$10 to \$25. It also increased the general fee for filing civil actions from \$25 to \$50, and increased costs for transcripts in appealed cases from \$25 to \$50. The measure failed on first reading in the House.

House Bill 433, Crime Victim Restitution Sponsored by Rep. Richard Honaker, D-Sweetwater. The bill deleted limits in the definition of pecuniary damages and provided for orders of restitution and execution against a defendant's assets. The bill did not make it out of committee in the House.

In addition to the bills it lobbied for or against, the Bar offered technical advice to sponsors of five various senate files and a house bill on attorney fees.

The senate files included SF 137, a bill to revise the State's aging corporations act, sponsored by Sen. Charles Scott, R-Natrona. The new act was signed into law March 9, 1989, by Gov. Mike Sullivan.

Senate File 46, a probate code amendment, was also signed into law on February 24. The bill was sponsored by Sen. John Perry, R-Campbell/Johnson.

Sen. Lisa Kinney, D-Laramie, sponsored SF 141, a bill pertaining to medical power of attorney. The bill would have allowed persons to designate attorneys-in-fact to make health care and treatment decisions for them. It allowed these agents to consent to treatment, discuss health care options, obtain information, and sign documents to accomplish necessary health-related decisions. The bill did not make it out of committee in the Senate.

The Bar also offered assistance on SF 222, the bill on Judicial Planning mentioned above, and SF 268, an act on Dispute Mediation. The latter bill was sponsored by Sen. James Geringer, R-Platte and Rep. Gary Yordy, R-Laramie. It did not make it out of committee in the Senate.

House Bill 483, on attorney's fees, was sponsored by Rep. Shirley Humphrey, D-Laramie. The act authorized the successful party in litigation to recover attorney's fees in any contested action arising out of a contract. The bill was introduced too late in the session to be voted on, and never made it to the general file in the House.

In weighing factors affecting the Bar's involvement with particular pieces of legislation, the Legislative and Law Reform Committee, chaired by Wheatland attorney Don Sherard, closely studied more than 65 separate bills and cursorily reviewed dozens more.

Members of the committee also include Vice-Chairman Hoke MacMillan of Laramie; Second Vice-Chairman Ellen Crowley, Cheyenne;

Kermit Brown, Rawlins; John Hursh, Riverton; Larry Jorgenson, Cheyenne; James McCarty, Casper; Philip Nicholas, Laramie; Gary Shockey, Jackson; Joel Vincent, Riverton; and Cameron Walker, Casper.

### REPORT OF LONG-RANGE PLANNING COMMITTEE

The Long-Range Planning Committee was initiated in President John Daly's term to consider the overall direction of the Bar, to define goals for the organization, and to assess the current level of services. Subsequent to its work this year, the committee finalized the following set of organizational goals for the Wyoming State Bar. They are presented in no particular order of importance:

1. To ensure the highest standards of ethical conduct and professionalism in the legal system;
2. To assure professional competence among members of the Wyoming State Bar;
3. To promote cooperation, understanding, and respect among lawyers, the judiciary, and the bar;
4. To ensure the legal system is fair, efficient, accessible, and responsive;
5. To identify and respond positively to the needs of lawyers in Wyoming;
6. To increase the public's understanding of the law and the role of the legal profession.

As an overall statement of purpose, or mission statement to encapsulate a central theme for the organization, the committee has proposed the following:

The Wyoming State Bar: an organization of lawyers responding positively to the needs of the public and the profession.

In its final meeting of the year, held in Casper in August, the committee also identified general services provided by the Bar which fall in the scope of individual goals. For purposes of assessment, they are listed substantially as follows:

Within the scope of goal #1 (ethics and professionalism): fee arbitration, the Grievance Committee, ethics advisory opinions, adoption of the Rules of Professional Conduct, and endorsement of the ABA Code of Professionalism;

Goal #2 (professional competence): continuing legal education seminars, technical articles and columns included in THE WYOMING LAWYER; other publications like TITLE STANDARDS, WYOMING LOCAL GOVERNMENT LAW and pattern jury instructions; and the Substance Abuse Committee.

Goal #3 (cooperation among Lawyer's Assistance lawyers, judges, etc.): the Bench-Bar Relations Committee and the Judicial Survey.

Goal #4 (ensure the legal system is fair, efficient, accessible, and responsive): lawyer referral service, *pro bono* programs, Interest on Lawyers' Trust Accounts (IOLTA), and legal services for the elderly (Legal Services Developer and the Long-Term Care Ombudsman).

Goal #5 (respond to the needs of lawyers in Wyoming): general committees, Member Survey, Annual Meeting, insurance programs/ALPS, legislative/lobbying efforts, and regular communication through district meetings and THE WYOMING LAWYER.

Goal #6 (increase public understanding of the legal system): UW Legal Studies Institute for middle school and secondary teachers; consumer publications; media relations and media workshops; constitutional studies programs; and special projects like Law Day, History Day and working with safehouses and sexual assault centers.

Committee members also discussed services or issues which they believe deserve the attention of the bar in the future. The following items received particular attention, though no recommendations for adopting these services have been made:

a) Launching a more effective legislative effort to help make laws more efficient or uniform. The initiation of sections of the bar was discussed in this context. It was suggested the bar could act as a clearinghouse to sort and forward bills to lawyers interested in any particular type of practice sometime during or after each legislative session;

b) Initiating some guidelines for attorney advertising. It was suggested the bar monitor advertising by lawyers and perhaps make recommendations regarding particularly tasteless or unprofessional solicitations; and

c) Better advertising of what constitutes professionalism and an adherence to ethics. In that regard the committee noted that grievances and action by the grievance committee could be better disseminated to lawyers and the public. It was also suggested the bar might work more closely with the law school at UW on developing some practical course dealing with professionalism and ethics.

Members of the Long-Range Planning Committee included Richard M. Davis, Jr., chairman; Hon. Robert B. Denhardt; Hon. Gary P. Hartman; Mary S. Garman; Henry C. Phibbs II; Dan R. Price II; and William P. Rohrbach.

### **REPORT OF MEDICAL SOCIETY/STATE BAR LIAISON COMMITTEE**

The Medical Society/State Bar Liaison Committee met on May 24, 1989, at the offices of the Wyoming State Bar. The meeting was well attended by representatives of both organizations and was chaired by Gary L. Yordy.

There was discussion of the original "Principles of cooperation", a draft document which the committee began work on in 1988. A number of changes were proposed, some of which were accepted. A final version of the "Principles of Cooperation" for physicians and attorneys in the state of Wyoming was adopted to be presented to the 1989 meeting of the Wyoming Medical Society in the summer and to the Wyoming State Bar Meeting in the fall of 1989. The purpose of this presentation is to obtain further input from members of the organizations with regard to the proposed document. Following completion of the presentation to the memberships of both organizations, the committee will reconvene to carry out further action, specifically to attempt to encourage implementation of the agreement at the local level and between the two professions and the judiciary.

At the May meeting, the committee also discussed a letter from a practicing attorney with regard to problems which he was having with a group of practicing physicians. The letter outlined a number of problems which were the result of misunderstandings between the two professions. Chairman Yordy drafted a letter to the parties involved and to suggest changes which could be made in the interaction process to avoid future confrontations.

The committee also discussed the Professional Review Panel legislation passed by the 1989 legislature. The Governor had contacted the committee and requested input on the implementation of the Professional Review Panel. A variety of positions were held by members of the Committee. It was agreed that the committee was not prepared to make suggestions to the Governor with regard to implementation of the Professional Review Panel, but the Committee members agreed that the issue should be discussed with the membership of both groups at their annual meeting.

### **REPORT OF SURVEY COMMITTEE**

The Survey Committee met this year to revise and administer the 1989 member opinion poll and discuss changes in the Judicial Evaluation Poll scheduled for 1990.

Changes to the member survey were minimal, due to the desirability of gauging shifts in member attitudes since the last survey conducted in 1987. Still, significant questions were added to identify the most important issues facing the legal profession in Wyoming. The section on legislative issues was also changed to reflect changes in bills and proposals which affect the courts and lawyers.

The 1989 member survey was sent to all in-state members just prior to this year's Annual Meeting. The committee hopes to get as good a response rate as the 1987 survey. Statistical compilation will be performed by the University of Wyoming Statistical Consulting Center under the direction of Dr. Robert Cochran, head of the Statistics Department.

Some changes are planned for the Judicial Evaluation Poll to make it more usable for judges and the public. A particular concern has been how to interpret results of the survey, and revisions will be designed to more properly gauge each individual judge's performance and perhaps make it a more usable tool to help a judge improve his or her performance.

Members of the Survey Committee include Richard E. Day, chairman, Casper; Michael E. Warren, Torrington; Hon. Terrence L. O'Brien, Gillette; and John E. "Jack" Stanfield, Laramie.

**Wyoming State Bar**  
**Approved Budget for Fiscal Year 1989/1990**

**Revenues**

|                                                        |                     |
|--------------------------------------------------------|---------------------|
| Annual Fees* .....                                     | \$320,512.50        |
| 1193 x \$225.00                                        |                     |
| 463 x \$112.50                                         |                     |
| Interest .....                                         | 21,000.00           |
| Supervisory & Bookkeeping Fees (from state government) | 5,400.00            |
| Directory Sales .....                                  | 5,310.00            |
| Wyoming Lawyer Advertising .....                       | 2,030.00            |
| Mailing Labels .....                                   | 1,500.00            |
| Miscellaneous Revenues .....                           | 1,800.00            |
| Title Standards, etc.                                  |                     |
| Photocopy Income .....                                 | 3,000.00            |
| Board of Law Examiners (from state government) ....    | <u>3,300.00</u>     |
| <b>Total Revenues .....</b>                            | <b>\$363,852.50</b> |
| <b>Surplus: \$2,795.93</b>                             |                     |

\*The actual amount of revenues from fees is uncertain since some attorneys have the option of taking inactive or retired status.

**Expenditures**

| <b>01 Salaries</b>           | <b>1988-89</b>      | <b>1989-90</b>      |
|------------------------------|---------------------|---------------------|
| A. Exec. Director .....      | \$ 33,100.00        | \$ 40,000.00        |
| B. Dir. of Comm. ....        | 24,000.00           | 25,200.00           |
| C. Bookkeeper .....          | 12,060.00           | 14,553.00           |
| D. Admin. Asst. ....         | 13,027.00           | 16,828.35           |
| E. Program Asst. ....        | 10,200.00           | 10,710.00           |
| F. Bar Counsel .....         | -0-                 | 38,850.00           |
| G. Supervisory Fees          |                     |                     |
| 1. Exec. Director .....      | 3,600.00            | -0-                 |
| 2. Bookkeeper .....          | 1,800.00            | -0-                 |
| H. Health Insurance .....    | 5,268.00            | 7,800.00            |
| I. FICA Match .....          | 6,992.00            | 10,975.22           |
| J. Temporary Help .....      | -0-                 | <u>100.00</u>       |
| <b>Total Salaries .....</b>  | <b>\$110,047.00</b> | <b>\$165,016.57</b> |
| <br><b>02 Travel</b>         |                     |                     |
| A. President .....           | \$ 5,000.00         | \$ 5,000.00         |
| B. President-Elect .....     | 3,000.00            | 3,000.00            |
| C. Vice-President .....      | 1,500.00            | 1,500.00            |
| D. Secretary-Treasurer ..... | 1,000.00            | 1,000.00            |
| E. Exec. Director .....      | 4,000.00            | 4,500.00            |
| F. Commissioners .....       | 9,000.00            | 9,000.00            |
| G. ABA Delegate .....        | 1,500.00            | 1,500.00            |

| 1990                                           | WYOMING STATE BAR PROCEEDINGS | 333                    |
|------------------------------------------------|-------------------------------|------------------------|
| H. Miscellaneous .....                         | 1,000.00                      | 1,000.00               |
| I. Dir. of Comm. ....                          | 1,500.00                      | 2,500.00               |
| J. Bar Counsel .....                           | <u>-0-</u>                    | <u>3,000.00</u>        |
| <b>Total Travel .....</b>                      | <b>\$ 27,500.00</b>           | <b>\$ 32,000.00</b>    |
| <br><b>03 Financial Audit .....</b>            | <br><b>\$ 3,200.00</b>        | <br><b>\$ 2,500.00</b> |
| <br><b>04 Office</b>                           |                               |                        |
| A. Rent/Utilities .....                        | \$ 17,900.00                  | \$ 20,310.00           |
| B. Copy Mach. Maint. ....                      | 1,415.00                      | 2,000.00               |
| C. Postage Meter .....                         | 2,500.00                      | 2,500.00               |
| D. WSB Stationery .....                        | 700.00                        | 900.00                 |
| E. Equipment Repairs .....                     | 200.00                        | 200.00                 |
| F. Xerox Type. Maint. ....                     | 350.00                        | 350.00                 |
| G. P.O. Box Rental .....                       | 84.00                         | 120.00                 |
| H. Snow Removal/Cleang. ....                   | 1,368.00                      | 1,500.00               |
| I. Misc. Supplies .....                        | 2,750.00                      | 2,750.00               |
| J. Legal Books .....                           | 330.00                        | 330.00                 |
| K. Casper Star-Trib. ....                      | 115.00                        | 115.00                 |
| L. Misc. Duplicating .....                     | 50.00                         | 50.00                  |
| M. Building Insurance .....                    | 400.00                        | 400.00                 |
| N. Computer Programming .....                  | 500.00                        | 2,000.00               |
| O. Copier Supplies .....                       | 650.00                        | 650.00                 |
| P. Copier Lease .....                          | 2,785.00                      | 2,785.00               |
| Q. Computer Supplies .....                     | <u>600.00</u>                 | <u>700.00</u>          |
| <b>Total Office .....</b>                      | <b>\$ 32,834.00</b>           | <b>\$ 37,660.00</b>    |
| <br><b>05 Postage .....</b>                    | <br><b>\$ 5,000.00</b>        | <br><b>\$ 4,000.00</b> |
| <br><b>06 Telephone .....</b>                  | <br><b>\$ 10,000.00</b>       | <br><b>\$ 7,000.00</b> |
| <br><b>07 Publications and Communications</b>  |                               |                        |
| A. Wyoming Lawyer .....                        | \$ 7,500.00                   | \$ 7,500.00            |
| B. 1990 Directory .....                        | 5,000.00                      | 5,000.00               |
| C. Bar Leader .....                            | 84.00                         | 95.00                  |
| D. Law Review .....                            | 25,000.00                     | 26,025.00              |
| E. Legis. Service .....                        | 130.00                        | 150.00                 |
| F. Press Clipping Serv. ....                   | 250.00                        | 400.00                 |
| H. Consumer Guide .....                        | 2,000.00                      | 3,200.00               |
| I. UW Teaching Insti. ....                     | -0-                           | 4,000.00               |
| J. Miscellaneous Exp. ....                     | 4,360.00                      | 1,500.00               |
| K. Postage .....                               | <u>-0-</u>                    | <u>4,004.00</u>        |
| <b>Total Publications .....</b>                | <b>\$ 44,324.00</b>           | <b>\$ 51,874.00</b>    |
| <br><b>08 Dues, Professional Organizations</b> | <br><b>\$ 300.00</b>          | <br><b>\$ 350.00</b>   |

|                                                            |                     |                     |
|------------------------------------------------------------|---------------------|---------------------|
| <b>09 Grievance Committee</b>                              |                     |                     |
| A. Bar Counsel .....                                       | \$ 37,000.00        | See Salaries        |
| B. Secretary .....                                         | 3,000.00            | See Salaries        |
| C. Health Benefit .....                                    | 1,270.00            | See Salaries        |
| D. FICA Match .....                                        | 2,860.00            | See Salaries        |
| E. Travel .....                                            | 3,000.00            | See Travel          |
| F. Dues .....                                              | 150.00              | 150.00              |
| G. Investigator .....                                      | 4,000.00            | 6,000.00            |
| H. Postage/Photo .....                                     | 6,000.00            | 6,000.00            |
| I. Telephone .....                                         | 1,500.00            | 1,300.00            |
| J. Supplies .....                                          | 500.00              | 700.00              |
| K. Comm. Expenses .....                                    | 9,000.00            | 9,000.00            |
| L. Legal Books .....                                       | 1,240.00            | 1,200.00            |
| <b>Total Grievance Committee .....</b>                     | <b>\$ 69,520.00</b> | <b>\$ 24,350.00</b> |
| <b>10 Fee Arb. Comm. ....</b>                              | <b>\$ 1,000.00</b>  | <b>\$ 1,000.00</b>  |
| <b>11 Unauthorized Practice<br/>of Law Committee .....</b> |                     |                     |
|                                                            | <b>\$ 1,000.00</b>  | <b>\$ 1,000.00</b>  |
| <b>12 Other Committees .....</b>                           |                     |                     |
|                                                            | <b>\$ 2,000.00</b>  | <b>\$ 3,800.00</b>  |
| A. Insurance Committee .....                               |                     | \$ 200.00           |
| B. Survey Committee .....                                  |                     | 200.00              |
| C. Medical/Legal Committee ....                            |                     | 175.00              |
| D. Legal Aid Services Committee                            |                     | 200.00              |
| E. Legal Education Committee ..                            |                     | 100.00              |
| F. Bench Bar Committee .....                               |                     | 100.00              |
| G. Client Security Committee ...                           |                     | 500.00              |
| H. Long Range Planning<br>Committee .....                  |                     | 200.00              |
| I. Law Reform Committee .....                              |                     | 100.00              |
| J. Legislative Committee .....                             |                     | 1,600.00            |
| K. Miscellaneous Committees ...                            |                     | 425.00              |
| <b>13 Lawyers Assistance Committee ..</b>                  | <b>\$ 8,000.00</b>  | <b>\$ -0- *</b>     |
| <b>14 New Adm. Luncheon .....</b>                          | <b>\$ 1,000.00</b>  | <b>\$ 1,000.00</b>  |
| <b>15 Cash Reserve</b>                                     |                     |                     |
| A. Bar Survey .....                                        | \$ 6,000.00         | \$ -0-              |
| B. Judicial Survey .....                                   | -0-                 | 6,500.00            |
| C. Contingency Fund .....                                  | 10,000.00           | 18,000.00           |
| D. Legal Services Dev. ....                                | -0-                 | 1,500.00            |
| E. Ombudsman Program .....                                 | -0-                 | 1,500.00            |
| <b>Total Cash Reserve .....</b>                            | <b>\$ 16,000.00</b> | <b>\$ 27,500.00</b> |
| <b>16 UWLS Scholarship .....</b>                           | <b>\$ 1,780.00</b>  | <b>\$ 2,006.00</b>  |
| <b>Total Expenditures .....</b>                            | <b>\$358,505.00</b> | <b>\$361,056.57</b> |

\*Moved to Cash Reserve Contingency Fund.