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Report of the President

Eric M. Alden

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REPORT OF THE PRESIDENT

Eric M. Alden

It has been a great pleasure for me to spend the last year serving the greatest profession in the world. It has been a platitude among politicians that our nation has the most perfect form of government ever devised by man; that some mystic quality moves the machinery of government in America to the constant betterment of our people. Lately, it has become as frequent of a political comment that lawyers are the bane of our system. What these self-appointed pundits fail to recognize is that it is the existence of lawyers that makes our governmental systems and societal systems work.

History has seen many occasions where nations have sought to copy our system of government in order to emulate our success. Nations have adopted our Constitution verbatim hoping that the institutional checks and balances and divisions of power would create the benevolence in their lands that we have so long enjoyed. These efforts have failed on numerous occasions in the last two hundred years because of the failure to appreciate and adopt the most critical institution of our society; the institution of a justice system where any citizen may obtain the intervention on his or her own behalf of a lawyer to insure the proper operation of the machinery of government.

What so many cheerleaders of our system refuse to recognize is that it is not the machinery of our system that makes it work. It is the lubricant. That lubricant is the lawyer.

Operating through our justice system, lawyers are the watchdogs of our society. The Wyoming State Bar's purpose is to watch the watchdogs. In the last year, we have continued to focus on the core functions of the Bar: admissions, education and discipline. Those functions are the reason this organization exists.

The Board of Commissioners remains committed to improvement in the quality enhancement and quality assurance aspects of our regulatory role. Active admission screening is in place. Increased continuing education programs are being offered. The purpose of these efforts is to increase the level of competence and ethical standards in our profession. The capstone of these efforts continues to be the discipline system.

If there is any area where I am disappointed in our progress it is in the area of discipline. Unethical and incompetent lawyers must be addressed with reasonable rapidity. Right now, that is not happening. Last year, the Board of Professional Responsibility held hearings on seven

occasions. That is a lot of work to ask of an unpaid board of busy practitioners and drafted laymen. That is barely enough to keep up with current case loads. It is not enough to reduce backlogs.

Our current system is not delivering rapid resolution of grievances. These delays injure the complaining parties, most of the subject lawyers, the reputation of our profession and the interests of the society we serve. The Bar has recently taken efforts to further address this problem. Last month we hired a full-time assistant bar counsel to assist in the handling of these cases. In the future, it may become necessary to increase the size of the board and split it into subpanels. We have had problems getting quorums for hearings.

The current board and I are sure my immediate successors are committed to delivering a fast, efficient and fair discipline system. Hopefully the courts will be supportive of these efforts. The alternative hurts all of the honest, competent and dedicated members of our profession. It destroys the integrity of our justice system and our society.

I would like to thank you for allowing me to serve for so long in the government of our Bar. It has been a great honor which I will always cherish. I would like to thank you also for the exceptional group of people who have served with me. The Officers and Commissioners of the Wyoming State Bar are the most talented, dedicated and thoughtful group of people I have ever associated with.

Finally, I would like to thank you for your own efforts on boards, committees, in sections and specialty bars. Your efforts have done more to enhance and protect excellence in our community than any centralized direction could have created. Thank you for your support and your strength and for letting me be your President.