

Litigation Section Executive Committee Meeting Minutes

December 10, 2014

Present: David Castleberry, Rod Andreason, Tim Pack, Heather Thuet, George Burbidge, Jon Hafen, Greg Gunn, Matthew Orme, Jon Hafen, Phil Lott, Judge Dawson, Sade Turner, Matthew Koyle, Judge Roth, Heather Sneddon.

By Phone: Jen Tomchak, Dan Steele, Michael Stahler.

Excused: Keith Call, Brian Pattison, Jess Krannich, and Nicole Farrell.

1. **Secretary's Report** (Michael Stahler, Secretary): Michael attended via phone and said that it was a good experience because he could hear what the "conferencing service" sounds like. He had presented a Request from the Bar for the Fall Forum, the Minutes, and Agenda. He had also forwarded the financial report to the committee. There were no requested revisions to the Minutes. Michael moved to accept the minutes; Heather seconded. The Committee unanimously accepted the minutes.
2. **Treasurer's Report** (Rod Andreason, Treasurer): Rod went over financials for the month of October (they run a month behind). Revenues were great in terms of membership dues (thanks to efforts to marketing and CLE's). Rod responded to Dan's concerns regarding Golf and CLE and said that the Bar is going to be getting back to him regarding the revenues. Rod also said that he is following up regarding telecommunication costs for the August meeting in which the phone did not work. He said that expenses and revenues were on chart with previous years. Current revenues were \$49,855.
3. **Chair's Report** (David Castleberry, Chair): David introduced the new members of the Committee. He reported that Judge Stone will be joining us and is very excited to be on our Committee. Judge Dawson is a new member of the Committee and said that he is so glad to be on the Committee and has been on the bench for 20 years. Jon and Heather said that Judge Dawson has been a great CLE presenter. Phil Lott is representing the AG's office on our Committee. He has been at the AG's Office for 10 years doing Constitutional and Tort Law; prior to that he did legal malpractice work prior to the AG's Office. Matthew Koyle is a solo practitioner in Ogden and has been interested in our programs.
4. **Chair Elect:** Nothing.
5. **Committee Reports**
 - a. **Membership** (Holmberg). No report. We will need a new Chair
 - b. **Technology.** Nothing further reported.
 - c. **Newsletter.** Rod reported that the first newsletter has been a long odyssey and that he was able to send out the first version the day before the meeting. Please remember that if you are organizing an event you need to Email Rod AND Summer so that they can promote the event on our site and in the Newsletter. Please also be sure that you also provide a summary of your event to Rod. We need material to make a successful Newsletter. Rod did mention that his programmer accidentally used the wrong gender pronoun for Judge Toomey, but that he was able to fix that problem. Despite that, things are moving in the right direction. George commented that he was able to click the links for the recent Rise and Shine CLE to get to the materials for the event. Heather Sneddon thanked Rod for his work.
 - d. **Law Student Relations.** Jen introduced herself to the new members and reported that the Law Student Social is going to be at Squatters on Tuesday, January 27th. She encouraged members to attend this event. This was the only date that worked with the law school schedules. She has also is planning with Judge Hanson an Introduction to the Courts that will occur on one of these dates: February 20th, 27th, March 5th, March 13th. In November the proposed dates are November 6th and 13th. She is hoping that this will become an annual event that will occur for new members of the bar in November.

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- e. **Bench Books.** Sade Turner reported that they had exceeded their goal of 10 new entries (they are at 14). They want to add at least 7 more before summer and will send out a reminder Email after the holidays. Sade said that with the new judges there is a push to make sure that the information is current. David thanked Sade for her help. Judge Roth said that the New Judge's Training is in February and suggested that Sade contact Tom Langhorn to arrange to make a brief presentation on the Bench Books project. Jon said that the most visited part of the site is the Bench Books portion.

6. **Sponsorship Request for Fall Forum.** Jon reported that we had a fantastic event at the Fall Forum. He summarized some of the highlights of the event. Jon said that the AV expenses were necessary—the microphones and projector and screen—but these items were pretty pricey. He said that the Fall Forum is doing “well” in terms of revenue but encouraged the Committee to support the request to encourage good relations with the Bar. We did put on a significant portion of the CLE for free, so if we cannot fund it completely, that is fine. David said that the panel was excellent and that the members did an excellent job. Michael reported that the reception the night before was well-attended but the Bar made it a separate event and this caused logistical issues including people thinking they were registered when they were not. Rod reported that we did have a good amount of funds in our budget to cover this expense and he is comfortable paying the entire request. We should go back to them and split the Fall Forum request because of other demands on our section. Heather said that we add a huge amount of value to the Fall Forum for free. Michael agreed. Jon said that Fall Forum is making money while the Annual Meeting is losing money. David said that he did not want to have the Bar expect that we will pay for this every year. Michael said that the request was very last minute. Judge Roth moved that we pay \$750; Rod seconded. The Committee unanimously agreed. Jon said that this needed to be forwarded to the Bar with concerns about the budget and such requests.

7. **Budget Discussion.** Rod discussed that the Committee has a lot of funds for its discretion. Over the years we have run a surplus. The goal in 2013 was to spend down to about \$15,000 left in our account. Last year we got down to \$19,000. He said that we have made spending decisions based upon this policy of having \$15,000 carry over each year. One line item that is unusual was for the Annual Meeting Expenses—Heather said that these expenses may now be separated out. Rod said that the allocations seem odd considering that we budget based on CLE events and not for line item expenditures. He noted that other line items had decreased. We need to make a policy decision as to what amount we carry-over each year—do we affirm the \$15,000 amount or a different amount? Heather explained the accounting form and that it only revealed the first four months of the 2015 budget. She also said that at the end of the year we have to pay a Bar Administration Fee of about \$15,000 that comes out of our revenue stream. She also pointed out we have been financing all meals for CLE events (Lunches and Rise and Shines). Last year our food and beverage expenses were \$23,000; for the first quarter of 2015 we were already at \$6,200. We are now spending much more than we take in; Jon confirmed this saying that last year we spent \$14,000 more than we took in for revenue. This is fine for the short term but not for the long term. George pointed out that it is confusing to understand the accounting because there was a seminar loss. We need to know how the Bar categorizes our expenses and revenues. Heather said that this is a difficult thing to do. Judge Roth said that the current trend would suggest that our carry-over would be \$5,000 or less. Jon said that we need to instill some fiscal discipline with the Bar because they are already receiving \$15,000 from us at the beginning of each year. Michael reminded the Committee that we have the Trial Academy coming up this year and it will be three days. The 2013 Academy was \$20,000. He also expressed concern about free meals policy and said that the Bar Staff have repeatedly said that a lot of food is wasted. Heather agreed with these concerns. Jon suggested that we charge a nominal fee to prevent abuses and wasted food. He said that this

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might be a reasonable compromise. Tim Pack suggested that we increase dues; they are relatively low. David said that he agreed with charging a nominal fee to prevent abuses and encourage attendance. Heather said that the Administrative Fee continues to increase annually—last year it was over \$15,000. Jon suggested that we ask what the basis is for this fee. Heather said that it was based upon a “formula” that they use. Rod said that typically our grants request budget is about \$1,000, but in the past was based upon a percentage of what we carry-over. The idea came up that we have our monthly meetings at a law firm to save the expense of room and phone fees. Jon said that we used to have the Bar cater the meetings until it got to expense. Jon offered Parr Brown’s space for the meetings. Heather said that the Bar has heard our complaints regarding meeting expenses and did not entertain any negotiation regarding those fees. Michael suggested that we use a different telephone conferencing service because of the poor quality for the money. Heather said that other members have had the same issue. George moved that we have the next meeting at Parr Brown and Jon seconded. The Committee unanimously agreed. Regarding lunches and breakfasts, Michael tabled the motion. Conversation regarding the budget for grants and other spending policies are to also be continued at the next meeting.

Adjourned at 9:05 am. The next meeting will be at 8:00 am on Wednesday, January 14, 2015 at the offices of Parr Brown.

Respectfully submitted,

/S/ Michael A. Stahler

Secretary for the Executive Committee