

Litigation Section Executive Committee Meeting Minutes

January 14, 2015

Present: David Castleberry, Michael Stahler, Rod Andreason, Heather Thuet, Tim Pack, Phil Lott, Christian Kesselring, George Burbidge, Jon Hafen, Judge Roth, Jess Kranich, Sade Turner
By Phone: Matthew Koyle, Judge Stone
Excused: Jen Tomchak, Kelly Nash, Ryan Frazier, Keith Call, Judge Dawson, Dan Steele, Matthew Orme, Heather Sneddon.

1. **Secretary's Report** (Michael Stahler, Secretary): Heather moved that we accept the minutes; Tim Pack seconded. Approved.
2. **Treasurer's Report** (Rod Andreason, Treasurer): Rod went over financials and expenses. The only major expense was the Rise and Shine that was done in December. Rod said that moving the monthly meetings to Parr Brown has saved us \$332. Dan asked that we get information regarding expenses for Golf and CLE. Rod got the information and forwarded it to Dan—Dan said it looked fine (\$5,000 in expenses). Rod pointed out that some of the expenses were for Bar Salaries and Benefits—at least those were line items. Jon said that he believes that these line items are account for staff timing on helping with our events. Rod is going to meet with CFO of the bar to discuss our concerns and anyone can join. Rod noted that the phone expenses for our August meeting were credited back to us—the phone was not working.
3. **Chair's Report** (David Castleberry, Chair): David thanked Tim Pack for Membership Committee. David also reported that “And Justice for All” has requested a \$1,000 grant. We also received a sponsorship request from the ADR Section. David tabled these items to discuss the budget.
4. **Chair Elect:** No new information to report.
5. **Committee Reports**
 - a. **Membership** (Pack). Tim had met with Holmberg and discussed some ideas as to growth. Tim reported that he has the current numbers for the past three years but there has been a decrease in membership. He hopes to reverse this trend.
 - b. **Technology.** Christian has delegated tasks regarding the website and will report back on ideas as to changes. He said that adding videos of our CLE's on the website are controversial and that maybe packing it as part of our website changes may work. Christian said that one issue that needs to be resolved is if the Bar will issue live credit for televised CLE. Jon said he will follow up on this issue and outlined the Bar's concerns.
 - c. **Newsletter.** Rod said that the second report went out. It was sent as a PDF because the Bar cannot send it out as an embedded Email. There were some formatting changes to it to make it easier to use. Rod said he will send a global Email to the Committee asking for news instead of individual Emails. The newsletter goes out the second Tuesday of each month. Rod would like some new material from the Membership Committee regarding membership benefits. We have covered the Bench Books. Heather said that her informal survey of lawyers regarding the newsletter was very glowing.
 - d. **Law Student Relations.** Jen Emailed David to say that the social is set for January 27th. We encourage Committee Members to attend. The Introduction to the Courts is set for February 27th at the Third District Court. It will be in November in future years. Jen reported that the Litigation Society at the U will be involved in the event. Jon asked why BYU has not been involved in our events and Heather said that our representative has not been very active. Michael said that the U Litigation Society was very ambitious in terms of what they wanted to do with our section including a mentoring program. Jon would like to see more events in Provo to get things going and offered to contact her. He wants an event down there this semester.
 - e. **Bench Books.** Jess said that they have 14 new or updated entries between August and December. Judge Roth introduced both Jess and Sade to the coordinator for the New

Litigation Section Committee Meeting Minutes (cont.)

January 14, 2015

Judge's Training. Sade and Jess will be at the New Judge's Training in February and will make a 15 minute presentation. They have also updated new material including standing orders and other information. New Judges will receive the questionnaire. David said that we need to update the Federal Judge information. Jess said that Rod's idea of letting folks know of the Bench Books in the Newsletter is a good idea.

6. **Budget Discussion.** Heather led the discussion regarding our budget. The first issue was our 2013 initiative to offer free Rise and Shine Breakfasts and Quarterly Lunches. The intent was to offer added benefit to our members and "spending down" our money. Unfortunately our expenses for food and beverage are now on the order of \$20,000. Based upon projections, we will not have enough money in 2015-2016 to continue this initiative. Rod said it was a good marketing move and would hate to give it up but we have losses for no-shows. He suggested a modest cover charge of \$10 per event. Looking at the revenue, the increase in membership revenues reflected an increase in fees charged and not an increase in members. Michael pointed out that the accounting we had was different than the individual event accounting (in that Bar salaries and benefits are NOT listed). David said that the annual administrative fee our section pays was supposed to cover Bar salaries and benefits. David asked how much the Trial Academy cost—Michael said that the Section financed \$2-4,000 for the event and used fees to pay for it. Getting back to the discussion regarding food, Michael reported that Connie Howard has said that we spend too much money on food and that a lot is wasted. The Committee discussed this issue—there is so much food left over that the Bar employees come down and eat it. This might be an issue with regarding how much the Bar orders and that they ordered too much. Christian said that there is a new person who is handling administrative issues including food. This new person may not order as much. George said that it is important that we order enough to cover our attendees. He also pointed out that only about 750 people get the free meals and that most of our members are not taking advantage. He added that charging \$10 per person helps reduce the cost. Michael added that the SLC area people are getting the free food at events and that this might result in people outside of the area not renewing their membership. Rod said that we need to evaluate how much food is ordered. George pointed out that the last Quarterly Lunch cost \$21.00 per attendee; Jon said it was very good food. David asked if charging \$10 would keep people away; Jon doubted it. Heather said that many St. George and Cache Valley attorneys do not want to join our section because their funds finance free meals in Salt Lake City. She also said that we need to be uniform in charging fees, especially if we have events outside of Salt Lake. Jon said that we should consider sponsoring lunch events in areas outside of Salt Lake. He suggested that we do this to increase our presence in other areas and to increase membership. Jon said that we can easily get Judges in these areas to help us. Michael moved that we start charging \$10 for attendees at our Quarterly Lunches and Rise and Shine Events. Jess Krannich seconded. The Committee agreed to implement this change effective immediately (except for those events that were already publicized). The Committee voted unanimously to implement the charge. Jon and George then led a discussion about sponsoring events outside of Salt Lake County to increase membership. George said that he is organizing an evening with the Second District and that he has learned that the Weber County Bar is well organized. He suggested that we coordinate with local bar associations to cosponsor events instead of competing with them. George said that he is in touch with the Davis and Weber County Bar presidents and will discuss cosponsoring events with them. David suggested that we use the "Evening with the Judicial District" events as a means to expand into these areas. Jon said this was a good idea and that if demand is there we can expand into sponsoring lunches. Jess said that we need to have representation from each region on our Committee. Jon will work with Bryan Pattison to sponsor a judicial reception in St. George. Michael said that we have representation in Utah County but we need to give them direction. Matthew Koyle said that having an additional

Litigation Section Committee Meeting Minutes (cont.)

January 14, 2015

event every few months would be good in his region. Jess said that trying to do one event in each additional market makes sense. We tabled the discussion regarding additional events outside of Salt Lake County for next month.

7. **Upcoming CLE's:** David reported that Nicole is moving ahead with her CLE scheduled for March. Jess is working with Connie to set up the Q2 Luncheon and does not want to conflict with other events. He will update us as to his progress next month. The Committee suggested that June is a good month. He also needs an idea for topics/speakers. Christian said that he has lined up Prof. Holbrook from the U to present on cognitive bias in negotiation for his Q1 Rise and Shine. He wants to do this on the U Spring Break (week of March 16th), but this might conflict with the luncheon.
8. **CLE Advisory on Bar's Conventions:** David and Jon were going to attend the meeting on January 14th.
9. **Update on Spring Convention:** Christian said that we have speakers lined up and it is all set to go.
10. **Federal Bar Convention:** Jon said that the National Federal Bar Convention is coming in September to SLC and there will be some impressive speakers. The event will be a Thursday-Sunday event. The Federal Bar Symposium will be May 7-9th.
11. **Annual Convention:** Heather reported that they had presentations as to CLE ideas. One in particular was entitled, "Are You a Pervert?" She said it was more of a criminal law issue, but Connie asked if we would cosponsor this event. She said that while the title was catchy, the substance was not as good. The presenter specializes in sex crimes and works as a therapist. Heather conceded that the presenter is likely looking to get new business. The Committee did not wish to sponsor this CLE.
12. **Sponsorship Requests:** Michael will draft the form. The ADR Section and "And Justice for All" have asked for money. The ADR Section needs help to cosponsor a CLE event; they seem to be looking for money. David will forward the form to the requesting parties.
13. **Trial Skills Academy:** Michael said that the subcommittee will meet.
14. **Ski CLE:** Michael said that the Real Estate Section is interested in cosponsoring a Ski CLE. He will await more information from Connie Howard. Heather suggested that we contact the Park City Bar.
15. **Future Meetings:** Rod suggested that we have future meetings at Parr Brown. The Committee enthusiastically agreed. The Committee greatly appreciates the generosity of Jon Hafen and Parr Brown in hosting us. Rod moved that we have our meetings at Parr Brown; Michael seconded. The motion was unanimously approved. Michael will ask Jon Hafen.

POST NOTE:

16. **Ski CLE:** Following our monthly meeting, the Real Property Section formally approached Michael to ask that the Section co-sponsor the Ski CLE Event in Park City for February 11, 2015. They asked for our section to offer the "It's All Downhill from Here" CLE and to contribute up to \$1,500 to cover any expenses above and beyond what the fees cover. After discussion amongst the Leadership Team, Michael Emailed the Committee to approve the request on January 15th. We got ten responses and the measure was approved on a vote of 9-1. Michael and Kent have coordinated the event with OPC and have recruited law students to do the role play. As of Friday, February 6th, enrollment was 38 paid attendees for the event, which represents a significant increase in interest over our Ski CLE in January 2014.

Litigation Section Committee Meeting Minutes (cont.)

January 14, 2015

Adjourned at 9:30 am. The next meeting will be at 8:00 am on Wednesday, February 11th.

Respectfully submitted,

/S/ Michael A. Stahler

Secretary for the Executive Committee