

**Vermont Bar Association  
Board of Bar Managers Meeting  
October 21, 2022 – 1PM  
VBA Conference Room, Montpelier and Via Zoom**

Present: Jessica Bullock, Rich Cassidy, Josh Diamond, Judith Dillon, Pam Eaton, Bob Fletcher, Erin Gallivan, Kate Lamson, Jordana Levine, Kevin Lumpkin, Andrew Manitsky, James Rodgers, James Valente, Matt Valerio, Alfonso Villegas.

Staff: Mary Ashcroft, Tom Garrett, Lisa Maxfield, Bob Paolini, Kim Velk, Laura Welcome

**1. Call to order:** The meeting was called to order by President Andrew Manitsky at 1:02PM.

**2. Emerging Issues:** None.

**3. Acceptance of Consent Agenda:**

**A. Minutes:** Upon motion made, seconded and unanimously approved, the minutes of the Board meeting of October 7, 2022 were accepted as printed.

**B. Treasurer's Report:** Lisa Maxfield asked the Board to amend the amended budget to correct the line related to the additional grant of \$21,000 received from the Vermont Bar Foundation. Of this amount, \$18,800 will be used for the county low bono projects and so should not be included in the operating budget. Only the additional amount of \$2,200 for the Coordinator position should be included as operating money. Upon motion made, seconded and unanimously approved, the amended budget was amended to make the above correction. Lisa said that we are in the first month of the VBA's fiscal year; while we are down quite a bit for dues renewals, dues continue to roll in and staff hopes to get another reminder out soon. Lisa will update the Board at its November meeting on the annual meeting net revenue. She also noted there will be some additional expenses for travel to NABE and for a new laptop for Laura.

**C. Executive Committee:** President Manitsky reported that the VBA had received a claim against our client security fund. He said that it may not fit the criteria, but it must be examined. The Executive Committee will meet remotely to do so.

**D. Board Committee Reports:**

i. Operations Committee: Did not meet.

ii. Membership Committee: Rich Cassidy reported that the committee had met. They first reviewed a list of those VBA members who had not renewed membership. They will have exact figures at the next meeting. The committee discussed how to reach out to law students and college students, possibly by offering a discounted membership. Matt suggested that we ask Lisa about the actual cost of adding each member.

iii. Program and Planning Committee: Did not meet. President Manitsky suggested that we consider doing free CLE programs for solos and small firm lawyers.

iv. Pro Bono Committee: Did not meet.

v. Governance Committee: Did not meet.

vi. Workforce Development Committee: Judith Dillon reported that the committee met and discussed their ideas for a loan repayment assistance program. Bob Paolini had offered a reality check on the small amount of excess funds that would be available in the Client Security Fund due to the falling stock market. To get the ball rolling, the committee decided to set a more reasonable limit on grants for loan forgiveness—maybe annual grants of \$500 to \$1,000. They have not set limits yet, as they were discussing eligibility criteria. So far, they agreed that grantees should be VBA members, that there should be a salary limit on what the grantees make, and preference should be given to those serving in underserved geographic areas or legal areas. They discussed whether and how to include attorneys in public service who benefit from the federal loan forgiveness program. They are looking at the old template for LRAP used by the Vermont Bar Foundation. The committee also explored setting up a webpage within the VBA webpage to just add recommendations and links for new attorneys rather than re-doing the website. They continue to do outreach with VLGS and affinity law groups, and are particularly interested in reinstating the mock trial participation at the law school.

E. President's Report: Andrew Manitsky said that he had met in conference call with the county bar and section group and reported on the client security fund rules amended by the Board to allow use of excess funds. Andrew discussed his initiative to get trial court decisions published and available. He reported that the VBA Board had met with Chief Justice Reiber and other Justices just prior to this meeting. The Chief was very supportive of the VBA's focus on civility. Andrew, Mike Kennedy, and a trial court judge will be involved in an upcoming CLE on the topic. Justice Eaton wants to hear from the Bar.

F. Executive Director's Report: Bob Paolini reported on the Judiciary's backlog reduction plan. Retired judges and retired court staff will be used to cover some trials, freeing up existing court staff and judges. Probate judges will cover RFAs, small claims and no stalking hearings. There will be a revision on how cases are calendared and the disposition guidelines may be revised. Attorneys can weigh in on these proposed change in county bench bar meetings.

Bob attended the public hearing on October 13 on proposed changes to the judicial nominating board rules. The Board adopted changes to the conflict-of-interest section of their rules. There was no decision about the proposed rules on re-applying in the same biennium by either a candidate found qualified or not qualified. There was also no decision on whether to change the "well qualified" standard.

Bob reminded the Board that they need to set up a nominating committee to make a report at the December Board meeting. The nominating committee usually includes the Executive Committee and representatives from the YLD, Women's Division, and Government and Non-Profit Section. They should meet at 10AM on Dec. 9<sup>th</sup>, then report to the Board at its 1PM meeting. Bob will send out a notice inviting candidates for the Board to submit statements of interest.

G. Staff Reports:

Kim Velk said that the annual meeting was successful—a good mood permeated the gathering—and that a series of webinars the following week rounded out the CLE programming. She is working on the VBA Journal and is awaiting one more piece. The series "Choosing Vermont" will be opened up to VLGS grads who stayed in-state after graduation. Kim is looking for Board members to help with the MLK essay contest. The VBA is putting together a CLE-type program for those seeking to renew their notary public commissions which expire at the end of January 2023. The program will be presented on 10-31-22 and will be recorded. Attorneys don't have to attend, but will receive 1MCLE credit if they do.

To accommodate needs of Board members with time constraints, the Executive Session was taken out of order. Upon motion made, seconded and unanimously agreed to the Board went into Executive Session at 1:55PM. The Board came out of Executive Session and staff reports resumed.

Mary Ashcroft: Bob reported on Mary’s behalf that yesterday’s Pro Bono Conference went well—there were 100 attendees, including many young attorneys. A number of attorneys signed up to take low bono cases and to work on pro bono projects. Four of the sessions were video recorded so that these CLE programs can be added to the VBA digital library and made available to those interested in participating in the VBA’s low bono projects.

H. VBF Report: No report.

I. A2J Coalition Report: Did not meet.

**4. Action**

A. Enrollments: Upon motion made, seconded and unanimously approved, the enrollments were accepted as presented. The following are now VBA members:

First Name	Last Name	State Mail	Membership Category
Brian	Bailey	VT	Legal Member
Matthew	Bakerpoole	VT	Law Student Associate Member
Elizabeth	Blank	RI	Legal Member
Sonia	Buck	ME	Legal Member
Mary Grace	Callahan	NJ	Legal Member
Sarah	Carter	VT	Non-Member
Gabriel	Edelsohn	VA	Legal Member
Andrew	Hogan	VT	Legal Member
Colleen	Jackson	VT	Law Student Associate Member
Jeffrey	Kaplan	VT	Legal Member
Noelle	Letteri	VT	Legal Member
Leonard	Levie	PR	Interest in the Law
Robert	Lydon	VT	Law School Graduate
Patrick	Martin	MA	Legal Member
Raul	Muniz	NY	Legal Member
Marysol	Newton	VT	Law Student Associate Member
Tiffany	O'Connell	MA	Legal Member
Diana	O'Hara	MA	Legal Member
Christin	Paglen	VT	Legal Member
Andrew	Pernokas	MA	Legal Member
David	Peterson	MA	Legal Member
Anna	Pierattini	VT	Interest in the Law
Pamelyn	Pinard	VT	Paralegal
Nicole	Riley	VT	Legal Member
Harrison	Stark	VT	Legal Member

Jules	Toraby	NY	Legal Member
Edward	Wilson	DC	Legal Member
Bonnie	Yamani	VT	Legal Member
Andrew	Zehner	VT	Legal Member

**5. Discussion:**

A. NEBA: Andrew Manitsky will be President Elect of NEBA. Matt Valerio will fill Andrew’s unexpired term of one year. As previously decided at the September VBA Board meeting, Judith Dillon will serve a three-year term.

B. YLD: Kevin Lumpkin reported on status of preparations for the Thaw in Montreal. He also spoke of possible events such as trivia nights and working with affinity groups such as LGBTQ to plan events together.

C. Lawyer Referral Privilege: Bob Paolini asked the Board about a proposal once made to the Standing Committee on the Rules of Evidence to create a privilege for information shared in a lawyer referral call to the VBA. The Board was supportive of the creation of such a privilege.

**6. Executive Session:** See above—taken out of order.

**7. New Business:** Andrew Manitsky said that Division Reports will be added as a standing item on future Board agendas.

**8. Old Business:** None

**9. Adjournment:** There being no further business to conduct, on motion made, seconded and unanimously agreed to, the meeting was adjourned at 3:08PM.

Respectfully submitted: VBA Staff