**VERMONT BAR ASSOCIATION**

**Board of Managers Meeting**

**Thursday, October 1, 2020 10:00 AM**

**Via Webex Conference**

Present: Amy Davis, Judith Dillon, Tom Durkin, Bob Fletcher, Gary Franklin, Elizabeth Kruska, Andrew Manitsky, Beth Novotny, Josh Diamond, Ted Tyler, Matt Valerio, Alfonso Villegas.

Staff: Mary Ashcroft, Teri Corsones, Lisa Maxfield

Guest: Jim Knapp

1. **Call to Order**: Meeting was called to order by Beth Novotny at 10:08AM.

2. **Emerging Issues**: None

3. **Acceptance of Consent Agenda**

A. Minutes: Upon motion made by Amy Davis, seconded by and unanimously voted, the minutes of the meeting of September 11, 2020 were accepted as presented.

B. Treasurer’s Report: Lisa Maxfield shared preliminary financial notes for September 2020 but no report because the month just closed yesterday. Dues reminders were sent out 9-15-20. As of 9-30-20 dues receipts were $333,780, down from last year’s $363,000 as of 9-30-19. Over 90 people have registered from the VBA’s Annual Meeting in early October; Income so far is approximately $15,000. CLE income to date is just over $8,000, which includes 23 persons registered for Basic Skills.

C. Report of Executive Committee: None

D. Board Committee Reports

i. Operations: None

ii. Membership: Bob Fletcher reported that the committee met by phone and discussed the possibility of extending opportunities for new graduates to join the VBA on same terms as we allowed this year while awaiting bar exam results. This would be for all law graduates, not just those from VLS. The Committee also discussed getting together with the Demographics Committee to target underserved populations.

iii. Program and Planning Committee: None

iv. Pro Bono Committee: None

v. Governance Committee: None

vi. Workforce Study Committee: None

vii. COVID-19 Committee: None

E. President’s report: Beth Novotny reported on two meetings of e-filing groups: one on alternate fees and the other on odyssey e-filing experiences. Doug Rowe of BarryDunn is the consultant hired by the Judiciary. He has experience working with agencies on IT projects. Doug is not to make recommendations, but to gather information and pass it to the CAO who will do a report to the Legislature. Beth’s goal is to find a way forward for the Judiciary and the VBA. At the first meeting of the alternative fees committee, the idea of a subscription fee was debunked by group. Teri did a summary of the minutes and posted to membership on VBA webpage.

F. Executive Director’s report:

--Teri commented on the Constitution Day panel presentation via WebEx—a link is provided on the VBA website. The presentation was well received and VLS students continue to request pocket constitutions.

--The alternate E-filing fee group meet on September 23. Doug Rowe floated ideas for different types of filing fees. The group rejected per envelope fee, per document fees and an annual subscription fee. The group supports a per case fee. Another meeting is set for October 15.

—The E-filing court users group met last Monday. The CAO’s response to Judiciary Rules Committee rejected the idea of delaying the rollout for the BRACE counties. The E-filing group noted that many issues remain. The Court Administrator is increasing training. Matt Valerio reported that the DG’s office had just done a training for public defenders and about 300 attended virtually. They will do 2 more trainings. The e-filing group also said there were insufficient resources to handle all of the inquiries about the new system. The Vermont Office of Child Support reached out to Teri —BRACE counties can’t access cases or locate files. VBA is documenting issues but there is little response. Matt Valerio noted that all licensed attorneys must sign up for e-filing, as this is the system the Judiciary will eventually use to communicate with attorneys.

--Teri noted that the Vermont Secretary of State was grateful for the VBA’s help with the volunteer poll worker initiative.

There was general board discussion of the e-filing system, particularly about which entity receives the money generated from the fees—Tyler or the Judiciary.

G. Staff Reports

--Mary Ashcroft noted that the VBA had just started up a virtual family law clinic to assist pro se litigants with forms, advice and hearing preparation. Low bono attorneys will be paid a stipend with money from the CARES act funding distributed by the Legislature.

--Jennifer Emens-Butler reported that 150 people have registered for the VBA Annual Meeting which got underway today. There are 50-60 lawyers signed up for each seminar which will be held via WebEx throughout the next two weeks. Sponsors will run a brief commercial at the beginning of each virtual seminar. Later this month the VBA will present seminars on tax law and elder law. The next Journal will be out later this month.

H. VBF Report: Elizabeth Kruska: The VBF is in the middle of the A2J campaign. Personalized letters were sent out. Bob Fletcher will attend the next VBF meeting as the Board rep in November.

I. ATJ Coalition Report: Teri reported that the Coalition has not met since the last Board meeting. The Coalition opted not to approach the Legislature for more funding at this point as organizations are trying to use funding already appropriated by the end of this year.

**4. Action**

A. Title Standards Report: Jim Knapp reported that every two years the Title Standards Committee, a subgroup of the Real Property Section of the VBA, presents a report on standards that have been adopted, revised or deleted. The VBA Board is asked to approve the changes. Jim advised that the several revisions in this Report related to two topics: how old tax liens relate to purchase money mortgages, and clarification of what constitutes reliable proof of death without requiring a death certificate, as those are now difficult to obtain. Discussion ensued. Upon motion made by Matt Valerio, seconded by Tom Durkin, the revised title standards were adopted by unanimous vote of the Board. Tom spoke of the value of title standards and thanked the committee for its work.

B. Committee Assignments: Beth worked with Elizabeth Kruska to come up with the committee assignment list, which is attached. On motion made by Tom Durkin, seconded by Bob Fletcher, the committee assignments were unanimously accepted.

C. Enrollments: Upon motion made, seconded and unanimously voted, the membership enrollments were accepted. New enrollments included attorneys Cameron W. Brown, Reilly M. Clark, Matthew J. Dendinger and Matthew D. Preedom. Other enrollments were Claire Burns, Elizabeth Sides and Jason Warfield.

**5. Discussion**: None

**6. Executive Session**: None

**7. New Business**: The Board considered a resolution drafted by Attorney Deb Bucknam related to free speech. The Board rejected the resolution as it tended to inflame the issue. Teri will so advise Attorney Bucknam.

Beth Novotny noted that this was Gary Franklin’s last meeting, and she thanked Gary for his service to the VBA. Gary spoke to the importance of volunteer service, especially within the profession.

**8. Old Business**: None

9. **Adjourn**—Upon motion made by Gary, seconded and unanimously voted, the meeting was adjourned at 11:33AM.

Respectfully Submitted:

VBA Staff