# The Bar Report

**Executive Director's Report to the Board of Governors** 



# **ANNUAL MEETING & CONFERENCE 2024**

# MEMBER RECOGNITION OWATCH NOW



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## From the desk of ...

# **Larry J. Martin, Executive Director**

This summer has been a whirlwind of activity. I've traveled across the state, meeting 19 new Board of Governors members and three new Wisconsin Law Foundation board members. After engaging in thought-provoking discussions, I'm confident that our new leadership will guide us well.

As many of you know, the Wisconsin Solo and Small Firm Conference (WSSFC) is one of the State Bar's premier events, alongside the Annual Meeting and Conference in June. Despite its name, WSSFC isn't just for solo practitioners—firms with up to 10 attorneys will find value in attending. I highly recommend it, even for larger firms; you won't be disappointed.

<u>The WSSFC</u>, set for Oct. 17-19 at the Kalahari Resort in the Wisconsin Dells, is designed to address the unique challenges small firms face, offering a space to learn, network, and problem-solve with peers. It's a place to gather tips for managing your growing practice, meet new contacts, and expand your professional network. You'll also receive reliable updates on legal developments across various practice areas and find solutions for issues that keep you up at night.

The conference features four tracks: Substantive Law (7.5 CLE), Practice Management (5.5 LPM, 1 LAU), Technology (7.5 LPM), and Quality of Life and Ethics (4 EPR, 1.5 LPM, 1 LAU). Additionally, there are five practical and engaging plenary sessions (3 CLE, 3 EPR, 1.5 LPM). If you miss a session, replays are available at no extra cost with your registration. Learn more about the sessions here.

But it's not all business. Special events include the Barristers' Bowling Bash, Dine-arounds, a Friday night Hospitality Suite, and a Passport to Prizes game with great rewards.

WSSFC offers incredible value at \$349 for the conference, with <u>affordable hotel rates</u>. It's a big win for you, your firm, and your family if you choose to bring them along for a getaway.

Don't delay your registration. Visit the WSSFC website for more details.

Thank you for your support. Have a wonderful fall, and as always, ever forward!



# In Case You Missed Larry Martin's Columns in Wisconsin Lawyer™

<u>Bringing the World, the Law, and Our Members Together:</u> In "The Innocents Abroad," Mark Twain wrote that "travel is fatal to prejudice, bigotry, and narrow-mindedness...." My recent travel has reinforced the wisdom of his observation. (June 2024)

<u>Finding, Building & Growing Community:</u> There is something exciting happening in Madison that holds the promise of profound impact, not just for our capital city but also for Wisconsin and the legal community. (July 2024)

<u>The Elephant ... and Donkey in the Room:</u> Soon, we will go to the polls and make our voices heard as to the future direction of our state and nation. There are as many perspectives and opinions on how best to do this as we have citizens, and that is how it should be. (Sept. 2024)



# **Upcoming Events**

# **In-person CLE Seminars/Events**



Legal Ethics 2024 October 3 State Bar Center (Also available by webcast)



Wisconsin Solo & Small Firm Conference Oct. 17-19 Kalahari Resort, Wisconsin Dells

### **Webcast Replays**



How to Select a Jury Runs various dates Sept. 25-Jan. 23



Public Records, Open Meetings Update 2024 Runs various dates Aug. 7-Nov. 7



Educate: We're Developing Skilled Legal Professionals

#### **Books Update**

PINNACLE® has launched its first book of the fiscal year: <u>Wisconsin Trust Code</u> <u>and Powers of Appointment Act</u>. Available in print, this edition includes updates to the trust code enacted in March 2024.

#### **Upcoming: Wisconsin Business Entity Handbook**

In November, the State Bar will release the *Wisconsin Business Entity Handbook*, a comprehensive guide designed to help attorneys advise clients on choosing the most suitable business entity. More details coming soon!



#### **Available Now: Updated Titles**

Check out the newly updated editions of <u>Wisconsin Guide to Citation</u>, <u>Securities Mergers and Acquisitions in Wisconsin</u>, and <u>Civil Procedure Before Trial</u>. These are available in both print and electronic formats on Marketplace.

#### **We Value Your Input**

We welcome your ideas for new books, feedback on existing publications, or interest in becoming an author. Please contact Keri Dunlap, product and publications manager.

### Seminars Update

#### **Introducing 'Your First' Series**



Your First Temporary Order Hearing in Family Court 2024

In collaboration with the CLE Committee and Young Lawyers Division, PINNACLE has launched the "Your First" Series, a collection of one-hour sessions designed to guide you through your first experiences in various legal procedures, such as handling your first temporary order hearing in family court, defending your first misdemeanor, preparing your first Medicaid application, and more. These sessions are ideal for those exploring new practice areas or new to the legal field. Visit <a href="Marketplace">Marketplace</a> for the full list of sessions, and stay tuned for new CLE programs.

#### How to Select a Jury: Demonstrations by Experienced Trial Lawyers

On Sept. 25, attend "How to Select a Jury," featuring demonstrations by four prominent trial lawyers using a real case set for trial at the Institute of Trial Practice on Nov. 20. Presided over by Judge Eugene Gasiorkiewicz, the Wisconsin chapter of the American Board of Trial Advocates' Judge of the Year, this seminar offers a rare opportunity to observe voir dire techniques and hear panel discussions, including feedback from jurors. Learn more and register in Marketplace.



Groups: We're Working Together for the Common Good

# **Section Reports**

**Appellate Practice Section:** The section will host its Annual Best Brief Reception on Oct. 17 at the State Bar Center from 4:30-6 pm. The event will celebrate the two best brief winners: Thomas Bellavia, retired assistant district attorney, for the case *Evers v. LCO*, and Andrew Hinkel, assistant state public defender, for the case *State v. Rector*.

**Construction & Public Contract Law Section:** The section held a luncheon CLE on June 18 that provided insight to "Integrated Systems Analysis" discarded in Wisconsin in the wake of the 5 Walworth decision.

**Family Law Section:** The section hosted the 43rd annual Family Law Workshop Aug. 1-3, providing CLEs for 146 attendees. The workshop offers sessions for both experiences practitioners and newcomers to family law. Held in Sturgeon Bay, the event included an optional evening boat tour.

**Intellectual Property & Technology Law Section:** The section held its annual intellectual Property Academy on July 11-12 in Stone Harbor. A panel on artificial intelligence included Atty. Matthew Sked, USPTO; Atty. Laura Kaiser, U.S. Copyright Office; Professor Desmond Wu, University of Wisconsin Law School; and Professor BJ Ard, University of Wisconsin Law School.

Labor and Employment Law Section: The section held a virtual CLE on long-term disability insurance for mental health conditions, presented by attorneys Jessica Victor and Brook Tylka on June 26. The presentation considered ow employer-sponsored long-term disability (LTD) plans can provide financial security to workers whose medical conditions impact their ability to perform their jobs. However, most LTD plans employ discriminatory practices to limit benefits for individuals with disabling mental health conditions.

**Multiple Sections:** Various sections have a student liaison on their board: Administrative & Local Government, Business Law, Children and the Law, Civil Rights and Liberties, Criminal Law, Dispute Resolution, Elder Law and Special Needs, Family Law, Health Law, International Practice, Labor and Employment Law, Litigation, Public Interest Law, Real Property, Probate and Trust.

#### **DEIA Reports**

**Diversity, Inclusion & Oversight Committee (DIOC):** In our ongoing commitment to fostering diversity, equity, inclusion, and accessibility in the legal profession, we are pleased to announce a restricting of DIOC subcommittees. This decision aligns our efforts with the evolving needs of the State Bar members and to enhance the impact of our initiatives in the legal profession.

#### Key changes include:

- New Leadership Structure: The leadership of the subcommittees will transition to a co-chair model to enhance collaboration and decision-making
- Subcommittee Formation: We are introducing redefined subcommittee purpose/ responsibilities (specific topics, training and education, community outreach, and action plan review).
- **Expand Non-Committee Member Participation:** The subcommittee now includes non-member participation.
- Oversight Committee: Oversees the Diversity and Inclusion Action Plan for the State Bar.

Diversity Clerkship Program (DCP): The Recognition Reception was held July 20 at the State Bar Center. Celebrating it's 32-year history, the DCP has facilitated 89 employers working withi 608 law clerks. This year, 21 employers provided law students with paid summer internships. In FY24, the program received 46 applications for 23 positions. Check out this article in *InsideTrack*.



Tom Wilson (left) and Barbra Klug (right) of Kohler pose for the photo with their clerk, Tara O'Donnell.

**Law Student Outreach:** The Marquette Law School Organizations and Resource Fair was held Aug. 20. State Bar staff participated in the event.

Staff participated in the U.S. District Court for the Western District of Wisconsin Summer Law Clerk and New Associate Day on July 11. The event, facilitated by Chief District Judge James D. Peterson, was attended by 87 summer law clerks and new associates.



Judge Steven L. Crocker with law students.



Judge Anita M. Boor, Chief District Judge James D. Patterson, and Andy Wiseman, Chief Deputy Clerk of Courts.

# **Division Reports**

The **Government Lawyers Division** presented the CLE "Understanding How Elder Fraud Cases are Investigated and Prosecuted" at the Annual Meeting and Conference in Green Bay. A panel, Including April DeValkenaere, Robert Milhelich, and Peter Tempelis, discussed legal procedures for investigations, focusing on tools like subpoenas, dues trecum, and search warrants. Five division members received scholarships.

**Nonresident Lawyers Division** members potentially impacted by disasters in Massachusetts, Texas, Iowa, West Virginia, Kentucky, and Arkansas received emails from the State Bar of Wisconsin with offers of assistance through the Practice411 and WisLAP programs.

The **Senior Lawyers Division (SLD)** sponsored the 50-Year Member Recognition Celebration on May 23 to honor members admitted to practice in 1973. The division also presented a special award to the family of past-president Myron LaRowe, recognizing his years of service to the division and State Bar members.

The SLD sponsored the June Annual Meeting and Conference (AMC) networking luncheon to connect new and senior lawyers and hosted a networking event for senior lawyers.

The **Young Lawyers Division** presented the CLE "Guidance from the Bench to Young Lawyers" at AMC. A panel of judges, including Judges Tammy Jo Hock, Thomas M. Hruz, and Yadira Rein answered questions on motion practice, oral advocacy, and courtroom experience. YLD President Tammy Woelfel moderated the program. The division also hosted a networking reception, offering young lawyers the chance to connect with the judiciary.



Advocate: We're Advocating for Justice, Clients, the Legal System and Profession

# State Bar Hosts Election-focused Events to Inform Members and Public

On July 9, the State Bar of Wisconsin, in collaboration with the American Bar Association's Task Force on American Democracy, hosted "Elections in the 21st

Century," The event featured discussions on Wisconsin election issues and their impact on democracy and civic engagement. Speakers included outgoing ABA President Mary Smith, incoming ABA President-elect (and past State Bar of Wisconsin President) Michelle Behnke, and former Secretary of Homeland Security Jeh Charles Johnson, It included panels on election mechanics, state and federal election litigation, Wisconsin constitution and election law, and media and civil discourse around elections. Interested members and the public can watch the full recorded livestream on americanbar.org.

On Aug. 20, the State Bar sponsored a virtual lunchtime event with WisPolitics titled "Post-Primary Analysis: Redistricting, Legislative Margins, and Policy Impacts." The event, part of a series of WisPolitics events, examined how the August primary results could affect control of the legislative chambers next year. Speakers



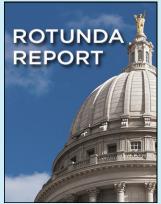
onsin: Taking the Next Step: Ensuring Trusted Elections and Civics for Wis

Incoming ABA President Michelle Behnke spoke at the July 9 event, "Elections in the 21st Century" at the State Bar Center in Madison.

Gov. Tony Evers. Watch the discussion on WisEye. As the fall election nears, Wisconsin will again be a battleground state drawing significant attention and resources to sway voters. The State Bar Advocacy team is preparing for the next legislative

included Scott Jensen, former GOP Assembly Speaker, and Melissa Baldauff, a former top aide to

session starting in January 2025 and is engaging in outreach to inform members about legislative priorities impacting the profession.



Follow Rotunda Report for upcoming Advocacy Team sponsored events this fall. Use this campaign season to revisit the State Bar's priority policy positions and explore the Advocacy Network Grassroots Toolkit to enhance your legislative advocacy skills. Questions or comments? Contact Grassroots Coordinator Devin Martin.

**SEPTEMBER 2024** THE BAR REPORT

**Consumer Protection Program** 

#### **Updates to Free Arbitration Program Boost Efficiency and Accessibility**

The Fee Arbitration Program exists so lawyers and clients who have a dispute about legal fees and related costs can submit their dispute to binding arbitration and to obtain an arbitrator's decision and award which may be enforced by a court of competent jurisdiction under Chapter 788 of the Wisconsin Statutes. Other kinds of disputes related to rendering legal services cannot be arbitrated under these Rules.



- The Fee Arbitration Program has processed 70 applications since the last ED report, with 65 applications received this fiscal year, including 62 from a single law firm.
- In June, the **Committee on Resolution of Fee Disputes** approved revised Program Rules, eliminating "district chairs" and geographic regions for case assignment. A statewide volunteer list will now expedite case handling, reducing backlogs in densely populated areas such as Dane and Milwaukee County, while other changes simplify rule usage for participants.

### ► The Wisconsin Lawyers' Fund For Client Protection Program (WLFCP)

The Wisconsin Lawyers' Fund for Client Protection is designed to provide reimbursement to clients who have incurred financial losses due to the dishonest conduct of their attorneys under Supreme Court Rule 12.04-12.12. State Bar of Wisconsin members are assessed annual fees to finance the Fund.

- The WLFCP Program has launched a new application with comprehensive questions to better understand claims and simplified wording for easier comprehension by claimants.
- Additionally, a new "reconsideration request" form has been introduced for individuals with
  previously denied claims, ensuring organized information submission and clear expectations for
  demonstrating eligible claims.

#### **Use Your Legal Expertise to Help Those in Need**

Every lawyer has a professional responsibility to provide legal services to those who are unable to pay, and a lawyer should aspire to render at least 50 hours of pro bono public services per year. This crucial aspect of the legal profession supports individuals in need and closes the justice gap here in Wisconsin. Engaging in pro bono work benefits the community, enhances your skills, and reflects positively on you and your reputation.

Looking for opportunities? Check out the State Bar of Wisconsin Pro Bono Portal for opportunities around the state. At the end of July, there were 28 unique opportunities from 12 civil legal aid providers posted in the portal



# **Serving Members and the Public**

In the fiscal year 2024, our specialists managed an impressive 31,305 calls and made 7,898 referrals, offering crucial support to individuals seeking legal guidance. We take pride in having a specialist and a customer service representative who are fluent in Spanish, enhancing our ability to assist our bilingual State Bar members and the broader community.

Additionally, LRS operates a weekly hotline where volunteer attorneys generously provide their time to answer basic legal questions from the public.





- Updating member records
- Processing event registrations
- · Facilitating book sales
- Addressing LRS inquiries
- · Membership renewals

# Unraveling a Murder: 2025 High School Mock Trial Case Preview

The Mock Trial Writing Committee has been hard at work this summer crafting the case for the 2025 season, featuring a gripping criminal trial.

Here's a brief overview: In Clearwater, Wisconsin, the murder of virtual reality gaming star Astor Rufflebottom shakes the community. Astor was killed just hours before the championship round of the National CastleDusk™ Tournament, where they were set to face off against their rival, M.J. Mossbridge, at the historic Hotel Clearwater. The State alleges Mossbridge committed the murder to secure victory and the title of CastleDusk™ champion, but others also had motives. This year's Wisconsin High School Mock Trial Program will see the state and defense battle over Mossbridge's guilt or innocence.

Mark your calendars: The regional tournament is set for February 1, 2025, with the state tournament on March 7-8.

The Wisconsin High School Mock Trial is funded, in part, by a generous donation from the Wisconsin Law Foundation. The program has been in existence since 1983.

# **Helping the Public Understand Legal Issues**

Know Your Legal Rights is a bimonthly legal newspaper column written by State Bar of Wisconsin members and distributed by the Wisconsin Newspaper Association. Subject areas highlight issues such as consumer protection, divorce, criminal law, Medicaid planning and more.

Educating the public about legal issues is one of the purposes of the State Bar as an organization. Media placements also allow the State Bar to showcase members as leaders, emphasizing the value of hiring lawyers and their contributions to the communities they serve.

From July 1, 2023, to June 30, 2024:

- 246 stories published in Wisconsin newspapers
- 20 authors
- 11 subject areas

If you or a colleague would like to contribute to a Know Your Legal Rights column, please email <u>Mike Wiltse</u>, public relations

#### Wisconsin Law Foundation

The Annual Wisconsin Law Foundation Fellows Recognition Dinner is set for Thursday, Oct. 10, 2024, at the Wisconsin Country Club in Milwaukee.





The Fellows will honor new inductees and present the Charles L. Goldberg Distinguished Service Award, given annually to one lawyer in recognition of lifetime service in the public interest.

The Fellows program recognizes State Bar of Wisconsin members who have demonstrated outstanding legal ability and devotion to the wellbeing of their community, state, and nation, as well as to the profession, the advancement of the legal profession.

Opportunity to join the Fellows is limited to 2.5% of the State Bar's total membership and is extended, by nomination, to only to a limited number of Wisconsin lawyers each year.



Cultivate: We're Planning Together for the Future

# State Bar Ethics Program : A Commitment to Excellence

Ethics Counsel delivered 13 presentations between May 9 and Aug. 16. Highlights include:

- Ethical Issues for Tribal Attorneys
- Duty of Technological Competence
- Basics of Confidentiality (PINNACLE)
- Family Law Ethics
- Defending Actions in Municipal Court



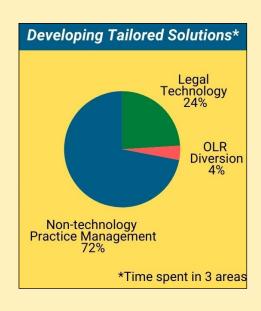


# Practice411: Guiding Law Practices with an Eye on the Future

Practice411™ continued supporting members through virtual practice management roundtables. Discussions focused on succession planning, generative AI, and the practice of law.

Practice411 also provided expert guidance with:

- 'Crazy Fast': As Al Evolves, State Bar Associations Respond
  " (InsideTrack)
- "Legal Research Tools and Techniques 2024" (PINNACLE)
- "Succession Planning: Preparing for the Unexpected 2024" (PINNACLE)
- "Take a Deep Dive into Technology Competence" (Annual Meeting and Conference)



# Starting Strong: Helping New Lawyers Navigate State Bar Benefits

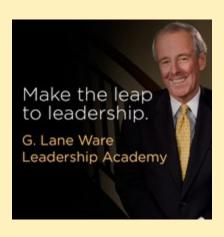
Starting out in the legal profession can be daunting, and navigating the programs and services available to young lawyers can be overwhelming. To help, we've created a series of biweekly emails under the "News for New Lawyers" banner. These emails, sent throughout the member's first year, include Information on State Bar programs, services, video introductions to program managers, and engagement opportunities. They're designed to help young lawyers take full advantage of the benefits available through State Bar membership.

# G. Lane Ware Leadership Academy: Session Dates Announced

The G. Lane Ware Leadership Academy is a comprehensive leadership development-training program created by the State Bar's Leadership Development Committee. It's specifically designed to empower participants with the skills, strategies, and resources to become effective leaders in their careers, communities, local and state bar associations, and the profession itself. The presenters are highly regarded national and regional speakers in their respective fields. Read more here.

Thank you to everyone who submitted nominations for the G. Lane Ware Leadership Academy. The application period closed on Sept. 16. This year's sessions are scheduled as follows:

Session 1: Nov. 22-23, 2024
Session 2: Jan. 17-18, 2025
Session 3: April 4-5, 2025







The Lawyers Assistance Program offers confidential well-being support to the legal community. WisLAP staff are available for consultations, mental health trainings, and well-being presentations. Additionally, WisLAP trained volunteers are available for individualized peer-to-peer support upon request.

# Join the 2025 Ready. Set. Practice. Mentoring Program



Recruitment is underway for the 2025 <u>Ready. Set. Practice. Mentoring Program.</u> Applications for mentors and mentees are open from Sept. 15 to Oct. 15, 2024.

If you have six or more years of legal experience, this is your opportunity to help new lawyers build connections and confidence as they enter the profession. You can guide mentees through new practice areas, share your experiences, and enhance your communication and interpersonal skills while supporting the next generation of attorneys.

The program is also focused on helping law students build a professional network before they graduate. Lawyers interested in answering career-focused questions and mentoring students are encouraged to apply. This is an excellent opportunity for attorneys with five years or less of practice to share their experiences transitioning from law school to the legal profession.

In partnership with Mitchell Hamline School of Law and St. Thomas School of Law, the program aims to connect Wisconsin alumni with law students interested in practicing in the state, helping them build a network that could lead to a smooth transition into the Wisconsin legal community.

# Rural Clerkship Program Seeks Employers for 2025

The second year of the Rural Clerkship Program launches in September 2024, recruiting employers to participate. The program offers first- and second-year law students from Wisconsin and Minnesota schools a paid, full-time summer position in rural Wisconsin.

The goal is to expand participation from both employers and students. If you or someone you know in rural Wisconsin is interested, contact <u>Kim Burns</u>, 608-250-6181.

# 2025 Leadership Development Summit: Nominations Open Soon

Nominate a new lawyer with leadership potential for the Leadership Development Summit, scheduled for April 5, 2025. Watch for an email in November with details on how to submit your nominations.

The summit is designed to engage new lawyers in State Bar volunteer leadership opportunities. It offers discussions on balancing work, life, and bar leadership, explains the career benefits of bar involvement, and helps participants find their niche in bar service. This event is tailored for newer lawyers who have shown interest in getting involved with the State Bar of Wisconsin.

### Explore State Bar Group Health Plan: It May Save You Money!

Rising health care costs remain a challenge for employers, with 2025 potentially seeing even higher increases due to wage growth, inflation, and advancements in medical technology. Now is the time to explore cost-saving measures to attract and retain staff.

The State Bar of Wisconsin's group health plan for law firms offers an alternative option for providing health care to attorneys and staff. While it may not suit every firm, consider submitting your details for a price quote to see if it could reduce your costs. Although November's open enrollment highlights this issue, law firms can enroll in the group health plan at any time throughout the year, not just during open enrollment. Coverage is provided by Wisconsin Physicians Service Insurance Corporation (WPS Health Insurance, Arise Health Plan, WPS Health Solutions).

For more information and quotes, contact Christine Nadolski, Benefits Manager, <a href="mailto:cnadoski@profinsprog.com">cnadoski@profinsprog.com</a>, 414-755-4172, or Wendy C. Block, senior account manager - benefits, wblock@profinsprog.com, 414-755-4185.



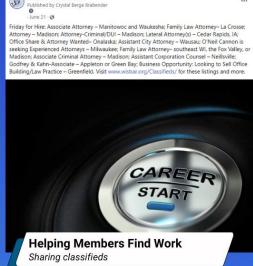
# **Social Media Impact**

Wisconsin attorneys engage with their State Bar through social media each and every day. This makes it a critical communications tool for the organization in its efforts to reach members and other stakeholders within the legal community. Here are some recent posts that illustrate how social media is playing an important role in advancing our mission.

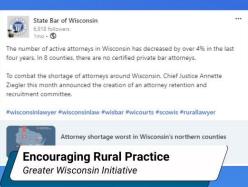








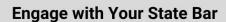
State Bar of Wisconsin











When you post about the State Bar on social media, it helps us build awareness and trust within the legal community. Please connect with us!













### **Executive Director Report Extra**

### **State Bar Celebrates 50-year Members**

The 50-Year Member Recognition Luncheon took place May 23, 2024, at the Delafield Hotel. This event celebrated lawyers admitted to practice in 1974 and continue to be State Bar of Wisconsin members. There were 29 current 50-year members in attendance with Wisconsin Supreme Court Chief Justice Annette Kingsland Ziegler opening the program. Read more about the event in *InsideTrack*.





The 50-year Member Recognition Luncheon on May 23 included a special award from the State Bar of Wisconsin Senior Lawyers Division to long-time Reedsburg attorney Myron LaRowe, who passed away in March 2023. Accepting the award were Myron's wife Rosemary and son Chris.



#### sessions are due no later than September 25.

#### The 2025 AMC is in Madison!

The State Bar's Annual Meeting & Conference is coming to Madison! Mark your calendars for June 18-20, 2025, at the Monona Terrace and Hilton Hotel.

The AMC is the State Bar's largest gathering of judges and lawyers from around the state. Join judges and justices from the Wisconsin Supreme Court, Court of Appeals and Circuit Courts to connect and learn together. More details will be released as 2025 plenary speakers become available.

As a Board of Governor member, and a leader within the state, this is a great opportunity for you to sponsor the AMC and promote your law firm or organization throughout the state. For more information, contact <a href="Crystal Brabender">Crystal Brabender</a>, advertising sales manager.

If you are a BOG liaison to sections and divisions, please remind them that RFPs for CLE breakout