

MSBA/NEW LAWYERS SECTION

Meeting Minutes

November 20, 2008

Members Present: Lacey Anderson, David Classen, Charlie Delbridge, Laurie Young, Jennifer Daugherty, Jane Mase(?), Erin Wacker, Sam Edmunds, Todd Schenk, Jennifer Lurken, Christina Weber, Jodie McCallum, Brita de Malignon, Gabe Johnson, Nicole James, Jay Kautt, Dan Gilchrist, Dustin Bower, Joy Anderson, Troy Tatting, John Remakel.

I. Opening Business

- A. Introduction and Call to Order at 5:30 P.M. at the MSBA offices. Meeting chaired by Lacey Anderson.
- B. Christina Weber moved to approve the minutes of the October 2008 meeting; Jennifer Daugherty seconded. The motion passed unanimously.

II. New Business

- A. Chrysalis Presentation. Erin Wacker gave a presentation. She is a Staff Attorney for the Safety Project of the Tubman Family Alliance/Chrysalis. The Tubman Family Alliance/Chrysalis provides services in four core areas. The Safety Project is part of the legal services area. They provide help to battered women, and are looking for volunteer attorneys to represent battered women in need of legal services. These legal services include help with orders for protection, child custody issues, etc. The volunteer attorneys will meet with the clients immediately prior to their court hearings, and then represent the clients at those hearings. In order to be a client of the Safety Project, the woman's income must be less than or equal to 250% of the Federal Poverty Guidelines, and have a compelling need for representation. Volunteer attorneys must complete a total of 4 hours of training, in 2 two-hour sessions. These sessions will be on January 14 and 21. Anyone interested in serving as a volunteer attorney should e-mail Erin Wacker at ewacker@chrysaliswomen.org.
- B. Reminder about ABA conferences.
 - i. Mark your calendars for future conferences (& due date for statements of interest):
 - ABA Midyear, Boston, MA, Feb. 12-14, 2009 (statements of interest due to Erika Donner by Dec. 11, 2008).
 - ABA YLD Spring Conference, New Orleans, LA, May 14-16, 2009 (statements of interest due to Erika Donner by March 12, 2009).

ABA Annual, Chicago, IL, July 30-Aug. 1, 2009 (statements of interest due to Erika Donner by May 7, 2009).

- C. Update on Bylaws Changes: No update.
- D. Hearsay publication (editors: Shanda Pearson & Sam Edmunds). Monday, Nov. 24 is the due date for the articles. Additionally, Hearsay would like to start adding photographs to future editions, perhaps of social events or the meetings. In anyone has such pictures, or would like to take them, please contact Sam or Shanda.
- E. CLE Committee (Jennifer Lurken & Margie Jennings). A CLE was held before this meeting, and was attended by roughly 30 people. On January 15, 2009, the NLS meeting will be followed immediately by a financial presentation.
- F. Social/Recruitment Committee (Chanel Melin).
 - i. The Winter Social will be held on December 4, 2008 from 5 to 8 PM at Nami in Minneapolis. It is a Toys for Tots fundraiser, so bring a toy or a donation. Last year, we raised \$4,000. Volunteers are still needed: 3 people to work the door and take donations and 3 people to call firms for donations. Contact Chanel if you can help.
 - ii. Funding for the Social comes from vendors and the NLS. All donations from firms and attendees are given to Toys for Tots. Jennifer Daugherty moves for the NLS to fund \$750 for the Social; David Classen seconds. The motion passes unanimously.
 - iii. Mark your calendars for the Spring Social, scheduled for April 16, 2009.
- G. Community Service Committee (David Classen). Toys for Tots update: The NLS will be featured on the Kare 11 broadcast on Friday, December 5 at 5 PM. Erika Donner will speak on the broadcast. We need others to be standing in the background with toys. Anyone interested should be at the Kare 11 studio at 4:45 PM on Friday, December 5.

III. Reports

- A. Officer Reports
 - i. Secretary (Charlie Delbridge): No report.

- ii. Treasurer (Christina Weber): The Section has spent about \$3,000, not including the \$750 approved at this meeting for the Toys for Tots fundraiser.
- iii. Vice Chair (Lacey Anderson): The following individuals have expressed interest in serving as liaisons:

Heidi Swisher – Family Law
Phil Kohls – Food and Drug Law
Allison Marshall – General Practice, Solo & Small Firm
Jeffrey Muszynski – Appellate Practice
Adam Chelseth – Environmental, Natural Resources and Energy Law

Jennifer Lurken moves to approve these individuals as liaisons; Christina Weber seconds. The motion passes unanimously.

- iv. Chair (Erika Donner): Council update—thoughts on MSBA endorsement of non-ABA-accredited law school graduates sitting for Minnesota Bar Exam. The Council discussed this issue.

-Some wanted to know whether this applied to foreign law schools, or just those within the United States. The view of some was that foreign lawyers that have been practicing law in their home countries for some time should not have to go to a domestic law school in order to take the Bar and practice locally. At least as to that group, some in the Council were in favor of the endorsement.

-Others were against the endorsement on the ground that the Minnesota Bar Exam is easier than many in other states, and so may not provide as much protection against bad lawyers. Others feared the proliferation of fly-by-night law schools springing up around the state.

B. Affiliate Reports

- i. Hennepin County Bar Association (Laurie Young):

-The HCBA is hosting Tubman/Chrysalis training. See the HCBA website for more details.

-Also, they are participating in People Serving People. See website for details.

-There will also be a one-hour Wills for Heroes training session on April 1, 2009.

-Finally, there will be an all-day “Nuts & Bolts” CLE on December 4. See website for details.

- ii. Ramsey County Bar Association: No report.
- iii. ABA/YLD: No report.

C. Liaison Reports

- i. Civil Litigation Section (Joy Anderson). Someone from this section will be lobbying for judicial funding. This section’s Annual Meeting will be held on April 16, 2009, and will include a CLE featuring Mike Ciresi. Finally, this section wants to get more involvement from new lawyers.
- ii. Business Law Section (John Remakel and Meredith Bauer). This section is moving forward with the development of a pro bono program. Additionally, this section has a position open for a new attorney involving monitoring legislative developments relevant to business law. This section is also planning a CLE on May 4-5—The Business Law Institute—largely regarding new securities regulations.
- iii. Employee Benefits Section (Brita de Malignon). The Advanced Employee Benefits Workshop will take place on January 22, 2009.
- iv. Labor & Employment Law Section (Jody McCallum). As discussed at the last NLS meeting, this section is working on the standards for their new specialist certification. The proposed standards for obtaining that certification are 6 to 10 years of practice, with labor and employment constituting 75% of practice; or 10+ years of practice, with labor and employment constituting 60% of practice. The section is accepting comments via its section’s page on the MSBA website; such comments must be received by January 30, 2009.

-There was extensive and lively discussion regarding whether or not the NLS should take an official position in opposition to these standards. Those arguing in favor of such a position pointed out that the proposed standards would exclude nearly all new lawyers, and the New Lawyers Section has a responsibility to advocate on behalf of new lawyers. Those opposed to the NLS taking a

position on the standards argued that it would not be fair for the Council—which is a very small percentage of all the members of the New Lawyers Section, and which itself was divided on the issue—to take a stand that could potentially be contrary to the views of a majority of new lawyers. Further, opponents argued that it would be better to allow individual new lawyers to comment on the standards, rather than doing so as a body.

-Troy Tatting moves (1) that an e-mail be sent out to new lawyers; (2) that the e-mail should describe the issue and have a link to the webpage on which the Labor & Employment Section is soliciting comments; (3) that the e-mail should state that this issue will be discussed further at the NLS December meeting, and those interested in the issue are encouraged to attend; and (4) that someone from the Labor & Employment Section should be invited to speak at the December NLS meeting. Nicole James seconds. The motion passes.

IV. Adjournment

- A. The meeting was adjourned by motion at 6:40 PM.