

# **Alabama State Bar**

## **Report of Long-Range Planning Task Force**

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A long-range plan is like a roadmap for an organization. It can impact the framework and philosophy of governance and management.

The preamble of the 1994 Long-Range Plan of the Alabama State Bar describes the importance of setting goals:

Organizations, in order to be strong and survive, need a beacon in the future towards which to aim: a present agreement on a general course towards next year and the years thereafter. To come up with such a course is no easy task....

...[I]t is not an attempt to reorganize the Alabama State Bar Association as the present framework outlines an effective and efficient vehicle for providing dedicated service to the profession and the public. This report does however, represent an effort to examine, report on and make recommendations on matters affecting the performance of legal services by the Bar and its members. These recommendations are intended to augment the Bar's existing framework and thus provide enhanced services both to individual members of the Bar and the public.

### **Task Force Process and Members**

In 2001, Bar President Larry W. Morris appointed a Long-Range Planning Task Force (2001 Task Force) to draft a new plan. During 2003 and 2004, the 2001 Task Force worked as nine subcommittees, resulting in draft reports from the various subcommittees.

On September 9, 2004, President Douglas McElvy appointed a new Long-Range Planning Task Force (2005 Task Force), asking Caine O'Rear and Karen Bryan to serve as Chair and Vice Chair, respectively. A roster of the 2005 Task Force membership is attached.

On January 28, 2005, the 2005 Task Force met in Montgomery, chaired by Karen Bryan. The following members of the Task Force attended the meeting: Karen L. Bryan, David R. Boyd, Samuel N. Crosby, Karen L. Mastin, J. Douglas McElvy, J. Anthony McLain, Thomas J. Methvin, Keith B. Norman, John A. Owens, Robert David Segall, William

James Trussell, and David George Wirtes, Jr. Bar staff included: Edward M. Patterson, Susan H. Andres, Laura A. Calloway, Linda Lund, Judith M. Keegan, and Rita Gray. Bob Harris, a certified association executive from Tallahassee, served as facilitator. Though not in attendance at the January meeting, other Task Force members, including former President William N. Clark, provided significant input.

In making this recommendation, the 2005 Task Force reviewed as much pertinent information as it could obtain, including (i) the 1994 Long-Range Plan, (ii) the 2001 Task Force subcommittee reports, (iii) the reports of numerous standing committees and task forces of the Bar, (iv) the 2004 draft report, (v) input from former Bar presidents (vi) the long-range plans of other state bars, and (vii) the goals and trends identified by the National Association of Bar Executives and the American Society of Association Executives.

### **Duration of the Plan: 2005 - 2010**

While the long-range plan will have an impact for many years, the 2005 Task Force recommends the effective duration of the proposed 2005 Long-Range Plan be five years with an annual review given the first quarter of each year.

### **Terminology of the Plan**

A *mission statement* is the primary purpose of existence for the organization. A *values statement* describes the guiding principles of leadership and staff.

A *goal* is synonymous with an objective or core competency. The goals will influence resources, staffing, committee charges and section initiatives. The 2005 Task Force recommended five broad goals:

- I. Assure the Highest Standards of Professional Conduct, Ethics and Professionalism.
- II. Advance Improvements in the Administration of Justice.
- III. Maintain an Effective State Bar Organization and Structure.
- IV. Serve Member Needs While Enhancing the Use of Bar Technology and Communications.
- V. Advance the Principles of Racial, Ethnic, Gender, Age and Geographic Diversity.

The 2005 Task Force identified strategies to advance these goals. Where discussions highlighted issues of importance and proposed considerations, the strategies are noted herein, but not all strategies were fully developed by the Task Force. Future Bar presidents

will use the 2005 Long-Range Plan to develop their own programs and policies, and because it is intended to cover five years, the work implementing this Plan should be spread over that period. The Plan is meant to serve as a *guide*, realizing that other issues and priorities will arise.

**ALABAMA STATE BAR**  
**2005 LONG-RANGE PLAN**

**MISSION AND VALUES STATEMENTS**

The **mission statement** of the Alabama State Bar is:

The Alabama State Bar is dedicated to:

- Promoting the professional responsibility, competence and satisfaction of its members;
- Improving the administration of justice; and,
- Increasing the public understanding of and respect for the law.

The **values statement** of the Alabama State Bar is:

The Alabama State Bar is guided by the values of:

- Trust
- Integrity
- Service

**GOALS AND STRATEGIES**

**I. Assure the Highest Standards of Bar Admission, Professional Conduct, and Professional Competence and Service.**

A. With respect to admission and membership:

1. Ensure that admission standards and bar examination procedures are current and consistent with the best practices nationally.
2. Ensure that the bar examination is an appropriate measure of minimum competency.
3. Enhance the Bar's liaison with in-state law schools to address issues of mutual interest, including:
  - a. Ensuring timely student registration with the Bar's admission office; and
  - b. Considering post-law school internships for all graduates.

4. Review “voluntary inactive” and “inactive” membership categories and the rules regarding transition to active status, with particular emphasis on:
    - a. Reinstatement costs;
    - b. Education accountability; and
    - c. Economic impact on the Bar.
- B. With respect to professional conduct and regulation:
1. Periodically review and make recommendations regarding disciplinary rules and procedures.
  2. Consider aspects of uniformity and expediency in disciplinary rules, utilizing the national model as a resource.
  3. Especially address the regulation of lawyers not licensed to practice in Alabama.
- C. With respect to professional competence and service:
1. Partner with local bars to encourage creation of mentoring or buddy programs.
  2. Review existing CLE requirements and needs, with special focus on:
    - a. Effectiveness of carry-over of hours provision;
    - b. Exemption at age 65 and above;
    - c. Number, availability and quality of programs; and
    - d. Course on professionalism for new lawyers to ensure that content, length, and presentation are appropriate and effective.
  3. Continue to work cooperatively with the Chief Justice’s Commission on Professionalism.
  4. Continue the Bar’s “road show” to maintain and increase awareness of opportunities afforded by the Bar staff, programs and CLE.

5. Develop programs for lawyer training on personal finances, law practice management, and quality of life issues.
6. Encourage lawyers to pursue public service and to seek public office.

## **II. Advance Improvements in the Administration of Justice.**

- A. Support the selection of justices and judges in a manner that removes the judiciary from political and special interests, pressures and influences.
  1. Support and participate in efforts to implement the recommendation made by the Board of Bar Commissioners in 2004 for establishing merit selection of appellate judges.
  2. Establish a committee or task force to study the issue of selection of circuit and district judges and, where appropriate, coordinate with the efforts of the various circuit and district judges associations.
  3. Consider effectiveness of setting minimum standards and experience levels for judge selection.
- B. Increase public understanding and respect for the law.
  1. Continue public service announcements and campaigns.
  2. Build relationships and partnerships with all stakeholders (government, private, associations, foundations, etc.).
- C. Promote public access to high quality legal services regardless of financial or other circumstances.
  1. Enhance public recognition by state and local bars for lawyers excelling in providing pro bono services.
  2. Promote the purpose for and use of Small Claims Court through an effective media campaign.
  3. Explore mandatory funding mechanisms for legal services for underprivileged and poor persons.
  4. Support the creation of a structure or mechanism to oversee, improve, and provide accountability for the provision of indigent legal services throughout the state.

- D. Be the leader in alternative dispute resolution.
  - 1. Encourage circuit judges to require mediation of domestic relation cases through appropriate court orders.
  - 2. Adopt additional rules concerning the qualification and training of arbitrators and an Alabama Code of Ethics for arbitrators.
  - 3. Develop pamphlets directed to the public which generally explain the rights, obligations, and potential costs for parties involved in arbitration.
  - 4. Explore the merits of promoting ADR for use in lawyer-to-lawyer disputes.
- E. Enhance the relationship between the Bar and Judiciary.
  - 1. Consider setting annual meeting site and dates to correspond with State Circuit Judge's meeting.
  - 2. Appoint a task force composed of judiciary and bar members to address both attorneys' behavior before judges and judges' behavior before attorneys.

### **III. Maintain an Effective State Bar Organization and Structure.**

- A. Rigorously preserve the role of the Bar as an independent organization for maintaining professional integrity and self-regulation.
- B. Aggressively advocate issues which promote the Bar's mission statement, and do so in a manner which minimizes fragmentation among its members.
  - 1. Regarding political or ideological issues, the Bar should take positions and/or utilize its resources only with respect to those issues which are germane to the Bar's stated purposes, such as regulation of the legal profession, the improvement of the quality of legal services and of the administration of justice, and the promotion of the public's understanding of and respect for the law.
  - 2. Monitor and, if appropriate, act on current issues concerning the regulation of the profession which include, among others, federal efforts to regulate lawyers, multi-jurisdictional practice initiatives, and pro hac vice admission rules.

- C. Maintain the financial health of the Bar and its components.
  - 1. Maximize the purpose and utilization of the State Bar foundations.
  - 2. Monitor income and expenses and develop new revenue sources.
- D. Enhance the network of local and specialty bars.
  - 1. Provide guidance and resources as deemed appropriate for the State Bar.
  - 2. Offer a local bar leader conference to promote education and networking for local volunteer leaders.
  - 3. Consider whether a network of “regional” bars would be more effective than county or single circuit bars in some areas.
- E. Promote an effective structure for service by Bar Commissioners.
  - 1. Consider term limits of not more than two consecutive terms, with an option to seek re-election after sitting out a term.
  - 2. Develop a template or uniform electronic report for Bar Commissioners to send to local members.
  - 3. Appropriately post minutes of the Bar Commission meetings on the Bar’s website.
- F. Develop training opportunities for new admittees, including review and assessment of the effectiveness of the Bar’s inaugural Leadership Forum initiated in 2005.
- G. Study the opportunity for and impact of affiliate relationships with the Bar.
- H. Study the committee and section structure of the Bar to ensure that the Bar is best situated to meet its mission and goals, including consideration of “Rapid Response” committees to volunteer for short, intense projects.

**IV. Serve Member Needs While Enhancing the Use of Bar Technology and Communications.**

- A. Conduct a quality of life survey in 2005, with special focus on student loan debt, and utilize results to be a member-driven organization.
- B. Promote the programs and resources of the Bar by making access to resources “user-friendly” and a “first choice” for lawyers.
  - 1. Consider how a “Bar Concierge Service” might operate.
  - 2. Develop benefits programs, such as health insurance, and other programs which assist in a) professional, b) economic, and c) personal development for lawyers. Customize, package, and promote member benefits and services to various categories of members, such as developing “suites of benefits” targeting varied practice settings and specializations.
- C. Encourage lawyer participation in meaningful ways on committees, in sections and in other Bar roles, including promotion of a “menu” of opportunities for participation in the Bar.
- D. Maximize the use of technology for effective communications.
  - 1. Develop video meetings and on-line collaboration so that rural members can easily participate.
  - 2. Anticipate that technology and the Internet will be the communication medium of choice for members.
  - 3. Study and report how the “virtual law office” of the future will operate and affect the Bar.
  - 4. Position the Bar to understand and anticipate technology as it impacts a) the practice of law, b) member relations, services and communications, and c) the public and stakeholders.
- E. Expand opportunities for CLE on-line and by DVD.
- F. Continue partnering with allied organizations to best position the Bar to serve the public and its members.

- G. Develop a media “campaign of the year” initiative, rather than multiple messages which may drain resources and cannot be measured well for effectiveness.

**V. Advance the Principles of Diversity**

1. Promote racial, ethnic, gender, age, and geographic diversity among all programs and components of the Bar, including leadership, staffing and composition of committees, sections, and local bars.
2. Promote continuation of diversity principles in law school admissions.
3. Promote opportunities for women and minorities in the legal profession.