

AWARDS COMMITTEE

The charge of the Awards Committee is to promote participation in the annual OBA awards process, to review nominees and make recommendations to the OBA Board of Governors and to consider any changes to the current awards given or to recommend new awards. The committee met at the Oklahoma Bar Center in Oklahoma City twice this year, once in the spring and again in the fall. Teleconferencing was available for the spring meeting. Since nominees are selected at the fall meeting, all members of the committee are asked to attend in person to facilitate discussion of all nominees.

This year, the committee, made up of 42 members in addition to a liaison from each of the Board of Governors and the Young Lawyers Division of the OBA, was chaired by D. Renée Hildebrant. Retired Judge Vicki Robertson served as the vice chair of the committee. In its spring meeting held on March 16, 2012, the committee reviewed the awards previously given, the rules pertaining to submission of nominations and made plans for seeking nominations for awards to be given at the Annual Meeting in 2012. At the conclusion of the spring meeting, the committee voted unanimously to recommend to the OBA Board of Governors that the OBA present the same awards as presented in 2011 with no changes. The Board of Governors approved this recommendation.

The committee actively sought nominations through publicity in various newspapers and through advertisements in the *Oklahoma Bar Journal* and on the OBA website. Members of the committee also made personal contact with all presidents of the county bar associations seeking nominations.

After the nominations were received, they were made available by OBA Communications Director Carol Manning and her staff to all committee members through downloads from a private page on the OBA website or through the mail for those requesting a printed copy.

At the fall meeting, all nominations were discussed and compared with the particular award criteria. A vote was then taken on the committee's selection for final nominees for each of the awards. In a few cases, the committee moved a nominee from one category to another where the criteria seemed more applicable. The committee tries very hard to make certain that the final nominees are the best the OBA has to offer.

This year, the committee received 58 excellent nominations that were all reviewed by the committee in advance of the fall meeting held on Sept. 13, 2012. At that meeting, the committee selected the nominees to be submitted to the Board of Governors for its approval. All of these recommendations were approved by the Board of Governors, and these awards will be presented at the OBA Annual Meeting.

With these recommendations, the work of the Awards Committee for 2012 was completed. Service on this committee is an honor and a joy given the outstanding members of the bar who are nominated and selected each year. When the public perception of lawyers suffers, it is a pleasure to hold up for public honor and recognition the best and brightest among our peers. The committee encourages members of the bar to nominate deserving attorneys and institutions when nominations are sought next year.

D. Renée Hildebrant, *Chairperson*

Report of the Bar Association Technology Committee

Last year the Committee recommended that the OBA issue a request for proposals for review of our Association software. Eventually, five proposals were received. Following a thorough analysis by a subcommittee, two proposals were selected as acceptable. After one of those proposers withdrew, the request was revised somewhat to more nearly meet our needs. The contract has been carefully reviewed and a number of revisions were made at our request. President Reheard authorized Executive Director John Morris Williams to execute a contract with Grant Thornton and that was accomplished.

Grant Thornton, over the next several months, interviewed staff to determine the strengths and weaknesses of our existing systems, both hardware and software, and investigated the possible alternatives before making recommendations to the Bar Association about the best path forward for the next decade.

We received a draft report and thereafter, a final report with recommendations and likely costs of each of the alternatives. As a result of their report and recommendations, the Bar Association Technology Committee recommended that the Board of Governors approve the following:

1. The Bar Association should move as quickly as reasonably possible to a single operating system, to-wit, the Microsoft operating system.
2. The Bar Association should continue moving its email system in-house.
3. With the operating system decision being made, the Executive Director and Board of Governors should proceed quickly to hire a Director of Information Technology.
4. The Bar Association should move as quickly as reasonably possible to acquire the case management software offered by the Louisiana Bar Association for use by the General Counsel's office (ultimately this recommendation was not followed because of issues raised with such software).

The Committee created a subcommittee to prepare a proposed step-by-step plan for implementation of the needed software and hardware upgrades needed to allow the OBA to operate efficiently and serve its members more effectively. The proposed plan was presented back to the Committee for ultimate presentation to the OBA Board of Governors for its action.

After careful review of the top three association management packages recommended by Grant Thornton by the staff, the Committee watched a demonstration of the staff's consensus first choice, Avectra, and unanimously recommended it for purchase to the board of Governors. We also unanimously recommended certain necessary hardware upgrades that will significantly improve performance on the network. Each of these proposals were approved by the Board of Governors.

With these critical decisions made, the Bar Association Technology Committee is in a position to prepare a technology strategic plan for the next decade. By doing this, we believe that we will be able

to phase expenses in such a way to meet our most urgent needs first and then those with a lower priority.

The Chair wishes to express his sincere appreciation to President Cathy Christensen, Executive Director John Morris Williams, IT Director Robbin Watson and the members of the Bar Association Technology Committee for their commitment of considerable time, talent and energy this year.

/s/ Gary C. Clark

Gary C. Clark

Chair, Bar Association Technology Committee

CROWE & DUNLEVY
ATTORNEYS AND COUNSELORS AT LAW

MEMORANDUM

TO: Debbie Brink
FROM: Judy Hamilton Morse, Chairperson
DATE: October 21, 2012
RE: 2012 Annual Report for Bar Facilities Committee

During 2012 the Bar Center Facilities Committee continued work on completion of Phase IV of the four-phase remodeling of the Oklahoma Bar Center. The committee approved plans, finishes and a budget for the restrooms on the main entrance floor, second floor and a complete renovation of the Office of the General Counsel. In addition to, these updates, a budget for needed furniture was also approved and those items were acquired. Renovations were completed in August, 2012.

The build out of the General Counsel's office space included moving the reception area to the front of the office and placing security on the doors to increase security and privacy. Additionally, two new offices, a break area, and an additional conference room were created from the existing space. Furniture for common areas and artwork are planned for the future.

Judy Hamilton Morse
Chairperson

cc: John Williams

TULSA
500 KENNEDY BUILDING
321 SOUTH BOSTON AVENUE
TULSA, OK 74103-3313
TEL: 918.592.9800 • FAX: 918.592.9801

OKLAHOMA CITY
20 NORTH BROADWAY, SUITE 1800
OKLAHOMA CITY, OK 73102-8273
TEL: 405.235.7700 • FAX: 405.239.6651

NORMAN
THE HIPOINT OFFICE BUILDING
2500 SOUTH MCGEE, SUITE 140
NORMAN, OK 73072-6705
TEL: 405.321.7317 • FAX: 405.360.4002

2012 Annual Report

OBA Bench and Bar Committee

Co-chairs: Judge Barbara Swinton/Dean David Swank

This report summarizes and highlights the work of the OBA Bench and Bar Committee this year. This year the Committee spent time preparing for judicial retention ballots, judicial evaluations and self-represented litigants.

Self Represented Litigants

Our first project involves analyzing the needs, throughout the state, for assistance on dockets with large numbers of self-represented litigants. Our efforts have focused on video educational vignettes to be provided to Pro Se parties before appearing in Court on dockets with high volume of self-represented litigants.

Video Presentations – working with a model used in Norman Municipal Court, the Committee is developing scripts with education information on attire, demeanor and procedures to assist both the litigant and the Judge assigned to the docket. Many Judges spend significant time addressing these issues on each docket. With the advantage of viewing the videos before the docket, the litigant and Judge will save time and confusion and be able to move dockets more efficiently. We have arranged with the OBA video department to produce these vignettes and are working with the Supreme Court to distribute the videos on the OBA website; local court clerk's offices; and on the upcoming Uniform Case Management System.

Judicial Redistricting

The committee has monitored the legislative plans for Judicial redistricting on both district and appellate levels. This past legislative session left most districts without any changes. Most changes were to realign current districts with current precinct boundaries.

Uniform Court Rules

The Committee is investigating the development of uniform court rules for Oklahoma. We have gathered rules from each Judicial District with local rules and are beginning the process of analysis to determine where the conflicts arise and where they can be assimilated into cohesive Court Rules. This work is ongoing and will require input from the Supreme Court for implementation.

Oath of Office

The Committee considered the possibility of adding civility language to the oath taken by lawyers when they are admitted to practice in Oklahoma. The present oath is found in Title 5 O.S. 2. The Committee worked with the OBA Professionalism Committee on this project, but the committees after careful consideration decided not to make any recommendation for a change in the oath.

Judicial Retention

The State Chamber of Oklahoma has created a survey to review and evaluate the Appellate Judges who are on a retention ballot this November. The survey was limited in its focus, primarily considering if the opinions that related to business were favorable to businesses or not. The Chamber issued its report in late September. This committee has examined possible alternatives to this evaluation process. It will be examining the programs in other states to determine what options Oklahoma might use in the future with a more broad based approach.

Conclusion

This year has been full with planning and analysis of the needs of Attorneys and Judges. I wish to thank all the members who have given much of their time in focusing our efforts and helping prepare the scripts for the video production.

**ANNUAL REPORT OF THE OBA CIVIL PROCEDURE/EVIDENCE CODE
COMMITTEE, 2012**

During the past year, the Civil Procedure and Evidence Code Committee met several times to discuss various proposals dealing with Oklahoma's procedural statutes and rules. With several of our recent proposals still working their way through the legislative process, our year was spent in part discussing new ideas for reform of evidentiary and civil procedure statutes and rules, including issues of discovery costs, discovery of medical records, possible use of referees or special masters to resolve discovery disputes, possible reform of statutes on vacating judgments, and the like. These proposals remain in the formative stages. In addition, late in the year, we approved a proposal to amend 12 O.S. 2502 to conform to the Upjohn rule regarding privilege communications with corporate entities. This proposal will be in our 2013 slate of proposals. We remain an active, working committee, spending little or no money, having no parties, but rather doing substantive work on behalf of the Oklahoma Bar Association.

James C. Milton, *Chairperson*

Communications Committee Report – 2012

The Communications Committee continued work on improving and adapting its Working with the Media program for use as an archived continuing legal education (CLE) seminar. The program is designed to educate journalists about lawyers and the law and help lawyers work with journalists. The committee gathered television news clips from reporters interviewing lawyers involved in high profile cases. These will be used in a video presentation to help lawyers talk to reporters on- and off-camera.

The committee also met with OBA CLE Director Susan Krug and decided to use a webinar format for the CLE. The seminar has been set for December 5, 2012 from noon to 2:00 p.m. Judge Niles Jackson will moderate and OBA Ethics Counsel Travis Pickens will add a portion on ethics. Committee members will also provide analysis and suggestions to help lawyers better understand how to deal with the media and handle media-related ethical problems.

The committee looked at ways to use social media to promote the OBA's consumer brochures, which are designed to help educate the public on various areas of the law. The committee also considered the use of posters and public service announcements to promote the brochures.

In addition, the committee discussed ways to design a series of two-minute video practice tips for lawyers that would be available as a value-added service on the OBA web site. This was a suggestion offered by OBA President Cathy Christensen. The committee determined that these practice tips were likely best produced by the OBA continuing legal education video staff.

The committee also discussed using a media strategy involving print, video and radio that would promote the legal profession by showing how lawyers give back to their community. This is an idea promoted by OBA President-Elect Jim Stuart, who attended one of the committee meetings to discuss ways to improve the image of the bar. These videos could also be used to highlight the positive contributions of lawyers in the community for the Ask a Lawyer television program.

The committee held a joint meeting with the OBA Law Day Committee in late August to discuss legal topics that would make for compelling video segments on the Ask a Lawyer program. The two committees decided to focus on elder law, social media, juvenile domestic violence and bullying, and child sexual abuse by teachers. This meeting was held to help the Law Day Committee determine video segments earlier than in past years in order to provide for stronger video stories, produced in a news style.

Finally, in addition to presenting the CLE program on December 5th, the committee will decide by the end of the calendar year how to spend carryover funds in the committee budget to assist the Communications Department and further OBA public relations activities.

Richard G. Pryor Jr., *Chairperson*

DISASTER RESPONSE AND RELIEF COMMITTEE REPORT

The Oklahoma Bar Association is aware of the need for legal assistance by victims of disasters. The stated goals of the Disaster Response and Relief Committee are:

- To prepare and implement a program to effectively respond to a mass disaster situation.
- To prepare the participating members of the Oklahoma Bar Association to effectively respond to disaster situations by the development of plans and procedures to be followed.
- To provide information during times of disaster to the public about the role of lawyers and the legal system to help build and preserve the confidence of the public in the legal system.
- To coordinate all activity in this area in cooperation with the various federal, state and local agencies.
- To provide assistance after the disaster situation to ensure that all victims of said disaster are protected from unethical conduct by any source.

The Committee continued its partnership with the Oklahoma Department of Emergency Management and the Federal Emergency Management Agency.

The Committee was called into action this year as a result of the wildfires that occurred in many Oklahoma counties during the summer heat. Consequently, the Committee, along with help from the Bar staff, set up a form on the OBA website for victims of the disasters to fill in listing their contact information and a short description of their issue or issues. Information was included on the website, in press releases, and by individuals on-site helping with the recovery efforts.

The Committee then requested volunteer attorneys to respond to the requests for assistance. The following attorneys volunteered and assisted victims of the wildfires in various legal and geographical areas:

Molly Aspan
James Branum
Joel Cape
Conor Cleary
Alee Gossen
Cheryl Hamby
Henry Herbst
Jennifer Kirkpatrick
Kevin Kornegay
Gregg Luther
Ethan Shaner
Sheila Stinson
Kathy Wallis

The Committee has received requests for assistance from fourteen (14) victims on issues such as price gouging, contracts, construction, custody and visitation, wills and estate planning, and insurance. Volunteer attorneys provided assistance and, as of October 1, 2012, had closed eight (8) of these matters. The Committee continues to receive requests for assistance.

The Committee would like to thank all the attorneys who volunteered their time to assist these victims. The Committee would also like to thank Oklahoma Attorneys Mutual Insurance for providing malpractice coverage to volunteers whose services were not covered under other policies. Last, but certainly not least, the Committee would like to thank the Bar staff for their assistance training volunteers, coordinating the website form, and managing requests for assistance.

Molly A. Aspan
Chairperson

Diversity Committee - Executive Summary

Mission Statement

The stated aims and objectives of the Diversity Committee are: (a) Identify, recruit, mentor and install in OBA leadership positions more lawyers of color, women, young lawyers, and lawyers practicing in the public and corporate sectors of our profession; and (b) promote full and equal participation by minorities in all sectors of the legal profession (private, public, corporate, judiciary and academia) by creating increased opportunities in all aspects of lawyering, from recruitment by and graduation from the state's law schools to bar admission to first employment to job retention to advancement in their legal careers.

Leadership & Membership

The Diversity Committee is made up of 62 members. Kara Smith & Marcus Bivines were appointed as chairpersons in January 2012. The committee had its first meeting in January and has been meeting the second Wednesday of each month thereafter, with the exception of February and July.

Goals & Aspirations

The committee is attempting to accomplish some of the above objectives by recognizing the many aspects of diversity and promoting inclusion regardless of those aspects of diversity. When members feel included they will become engaged to act in ways that further the OBA's interests. We are committed to identifying and breaking down the barriers to inclusion and ensuring the membership knows that the OBA appreciates differences.

Projects & Programs

The Diversity Committee has several projects in progress. Primarily, the Diversity Committee was tasked with developing a CLE & Awards Luncheon designed to bring purpose and unity to the Bar Association focused around diversity. This program slated for October 18, 2012, will include a national speaker, an expert panel discussion, and feature an awards luncheon honoring those among us promoting diversity in our profession.

Secondly, we are working on a proposal to the bar journal's editorial staff regarding a reoccurring column dealing with diversity and inclusion topics. We also intend to establish a resource library for lawyers and firms interested in diversity and inclusion.

The Diversity Committee extends its thanks and appreciation to the president and president-elect for their enthusiastic support of this committee. It has truly been another exceptional year for the Diversity Committee.

Kara Smith, Chairperson

Oklahoma Bar Association
Group Insurance Committee Report 2012
Submitted by J. Angela Ables,
Chair, Group Insurance Committee

On behalf of the OBA Group Insurance Committee, the following Report is respectfully submitted to the membership detailing our sponsored insurance programs.

The OBA Group Insurance Committee has had a relatively quiet year in 2012. To conserve member's time, the Committee meets electronically (by email primarily) as appropriate to discuss topics pertinent to the programs sponsored by the OBA for its members. There was no new business presented to the Committee in 2012.

Disability Income & Business Overhead Expense Protection

This year the OBA's Disability Income and Business Overhead Expense insurance plans, underwritten by New York Life Insurance Company (NYL), were fully implemented and solicited. The programs' change to NYL in 2011 were welcomed by members and the transition went smoothly.

It is anticipated that the strong financial position of New York Life will gradually increase participation in the program as members become more familiar with the plans and their benefits.

Long Term Care Insurance

As the need for this product grows, with baby boomers coming "of that age", the market has become more unstable. Companies are still struggling to design and price benefits for these policies while maintaining profitability. This is still a relatively new insurance market with a relatively short history of approximately 25 years.

The OBA has sponsored John Hancock for the past several years, through our Plan Administrator Beale Professional Services. In the past year, Prudential and UNUM have withdrawn from new individual sales and Genworth and John Hancock have made significant pricing and plan changes for new business clients. The number of changes in the LTCI business has made it extremely difficult to manage.

To facilitate a more efficient process, Long Term Care Resources (LTCR) was added as Beale Professional Service's new LTCI sales & marketing partner. Our Plan Administrator believes that their partnership with LTCR will benefit our OBA members by giving them more choice in companies and products, along with the expertise of a firm that specializes only in Long Term Care Insurance. Beale will work directly with LTCR and oversee their sales and Marketing efforts to members.

A Fall 2012 mailing will be sent to the OBA members age 45 and older introducing LTCR and will be placed in the OBA email newsletter as well.

Health Insurance

Health insurance continues to be a contentious issue, both nationally and within Oklahoma since no one knows its' future. We are one year away (depending on the outcome of the November, 2012 elections) from full implementation of The Affordable Care Act ("ACA"). Unfortunately, the name appears to be a misnomer as it has done little to make health care or health insurance or health care more affordable.

The OBA continues to participate in the Oklahoma Professionals Insurance Trust (OPIT), which is an Oklahoma multiple-association trust, underwritten by Aetna Life Insurance Company. Aetna is the third largest health insurance carrier, after the Blue Cross Blue Shield Association and United Healthcare. Aetna has done an excellent job handling claims and has one of the highest rated online presences through Aetna Navigator. Members can track claims, find policy documents, set up health records, find providers and other health related services, as well as keep up with the changing rules associated with ACA.

The ACA requires each state to have an insurance exchange. Several states have such an exchange, but most (including Oklahoma) have not yet decided whether to pursue a state exchange, a partnership exchange or allow a federal exchange to be installed. This indecision leaves us all in a bit of a lurch. November 16th is the deadline for the states to submit their Exchange to the feds and taking no action will basically mean that the feds will create Oklahoma's exchange if the ACA remains on the books after the election. Things will become much clearer after the presidential election in November, but the timing leaves very little time to act. There is still some clarity lacking with regard to where associations insurance plans reside in the rules, as ACA really only addresses individuals, small and large employer groups. Since all these entities reside within the association "wrap", there is some question as to how OPIT will be structured going forward.

Beale is monitoring the situation daily and looking for opportunities to continue to provide a unique product in a new world of government mandated standardization. One solution might be to organize a private exchange for OPIT participants, with access through it to the public exchange, so all members can continue to be served under the new regulations.

Other Sponsored Plans

The OBA continues to provide a large variety of programs to members including Guaranteed Issue **Hospital Indemnity**, **Personal Accident Protection** and **Accident Disability Plans**.

The OBA Group Term Life Insurance plan, also underwritten by New York Life Insurance Company, offers members the option of an annual renewable term product or a 10 year level term product.

In addition, an individual annual renewable term insurance plan is available through ING as one of our sponsored programs.

Personal Umbrella – BPS continues to offer a Personal Umbrella Policy that includes Uninsured/Underinsured Motorists coverage, something unavailable to most persons in Oklahoma.

Dental Insurance– The OBA Delta Dental plan serves small firms and sole proprietors by giving them access to group dental insurance, featuring family orthodontia benefits and no waiting periods.

Non-Sponsored Plans

Through a recent negotiation by Beale with Hanover, Law Firms can get Workers' Comp insurance with less aggravation, as only a random sampling of approximately 10% of insured firms will be required to complete payroll audits each year. Beale will also be offering Business Owner Policies to law firms through the Hanover featuring competitive rates and options/limits geared towards law office exposures.

Through another special arrangement, Beale can now assist members with their Personal Auto and Homeowner's Insurance Coverage needs.

Annual Report of the OBA Investment Committee

The OBA Investment Committee met October 8, 2012. Members of the committee are:

Jon Trudgeon (Vice Chairperson)
Stephen Beam
Cathy Christensen
Renee DeMoss
Brian Hermanson
Kendra Robben
Alan Souter
Harry Woods, Jr.

Chris Meyers, II
Charles "Chuck" Chesnut
Judge Micheal Deberry
Robert "Bob" Farris
William "Bill" LaSorsa
Susan Shields
Jerome "Jerry" Tubb, Jr.

The responsibilities of the Investment Committee are to review the investment performance of OBA Funds, review investments of OBA Funds for compliance with the Investment Policy, consider changes in the Investment Policy, Investment Advisor and Asset Managers and make recommendations to the Board concerning these items.

OBA Funds consist of 1) unrestricted operating funds and 2) the restricted Client Security Fund. OBA policy requires that unrestricted operating funds exceed or equal three months of budgeted operating expenses, which is currently, approximately \$1.5 million. Unrestricted operating funds currently consist of approximately \$2.1 million in operating bank accounts and \$1.8 million of excess operating funds invested in fixed income certificates of deposit earning an average interest rate of 1.0% with an average investment period of one year.

The Client Security Fund consists of the Current Fund of \$100,000 invested in a nine month certificate of deposit earning 0.9 % and the Permanent Fund. The Permanent Fund balance at September 30, 2012 was approximately \$1.1 million and was up 10.3% since the beginning of the year. The Permanent Fund investment advisor is Morgan Stanley Wealth Management and the funds are invested in the TRAK Consulting Group Capital Markets Fund, Global Asset Allocation Model Five. The assets are allocated 5% to cash, 35% in bonds and 60% in equities.

Considering market conditions, the OBA investment results are good and in line with expectations, investments are in compliance with investment policy, and no changes are needed in the investment advisor or asset managers and funds. The only changes recommended by the Investment Committee are to update the OBA's Investment Policy to reflect changes in standard market metrics that have occurred since the investment policy was first written and clarify that current asset allocation methods are in compliance with those originally defined in the policy.

M. Joe Crosthwait Jr., *Chairperson*

LAW DAY COMMITTEE

The OBA Law Day Committee celebrated Law Day on April 26, 2012. The Law Day edition of the *Oklahoma Bar Journal* was published on April 14, 2012. As in the past, the focus of this issue was the celebration of Law Day statewide. This year's theme was "No Courts, No Justice, No Freedom." Oklahoma Supreme Court Chief Justice Steven Taylor issued a directive, urging each of the judicial districts in Oklahoma to host Law Day activities and events. Additionally, Gov. Mary Fallin issued a proclamation designating May 1, 2012, as "Law Day" in Oklahoma.

Each year the Law Day Committee sponsors contests for students grades PreK-12 throughout Oklahoma. Entries begin in the fall with the deadline for entries at the end of the fall semester. This year the Law Day Committee continued the efforts as in years past by purchasing a targeted mailing list, distributing fliers and information to publicizing the contest and sending out extra promotional materials. The committee chose 1st, 2nd and honorable mention winners for each grade level. First and second place winners received a cash prize. The contests include a coloring contest for pre-kindergarteners, kindergarteners and transitional first graders, which is the category with the highest number of entries. First and second graders participate in a drawing contests, while third through fifth graders could create a collage. Fifth through eighth graders had the option of entering the creative writing or visual arts contest. The creative writing contest received the second highest number of entries.

The creative free for all category for ninth through twelfth graders invited students to use their imaginations and choose any medium to demonstrate the Law Day theme. The students took on the challenge and came through with outstanding results; entries included artwork and creative writing. This was the fourth year for the YouTube video contest, which is open to for all grade levels. The videos continue to be inspired, educational, and fun. Students were encouraged to film their own videos and upload them to YouTube and an award was given for the best.

This year's YouTube video contest winner was submitted by Mike Hogsett and Kyle Fitzgerald of Christ the King Middle School and featured a simulated newscast discussing the Law Day theme.

One student was designated as the "grand prize winner" for the best entry from all grades. This year's grand prize winner was Madison Tryzbiak of Union 6th-7th Grade Center in Tulsa, who created a large-scale collage for the sixth grade visual arts contest.

The Ask A Lawyer TV show aired April 26, 2012, from 7-8 p.m. on OETA. This was the show's 34th year. The TV show again followed the magazine-show style format with real Oklahoma cases highlighted in on-location interview segments, produced by Red Rock Productions. Each segment was followed by panel discussions taped at the OETA studios. The panel discussion was conducted in a town-hall format. Audience members had the opportunity to ask panelists legal questions. Actual litigants, attorneys, audience members, and judges once again helped to personalize the show.

This year's show highlighted several current issues in the legal world and how Oklahoma lawyers are making a difference. Viewers heard about the story of a couple who needed a new roof after a devastating Oklahoma hail storm, only to discover their insurance company was unwilling to pay their claim. Lawyer Gregg Luther of Shawnee took on their case and led them to a resolution in their favor despite several roadblocks. Attorneys Lynn Babb, Mort Welch and Brad West served as panelists.

The show also featured the story of a man who found he had no place to live as he struggled to turn his life around after his release from prison. Complicating his challenges is the fact that he is HIV positive. Legal Aid attorney Craig Reffner took on his case and guided his client toward a successful outcome as he is currently on a waiting list for federal housing assistance. Attorneys Paul Austin, Gary Briggs and Keren McLendon served as panelists.

The Families in Transition program was detailed as an innovative program administered through Family Court Services in Tulsa County aimed at assisting families as they go through a divorce. During the show, viewers heard from participants who explained why the help they received made a difference for their children. Also featured in this segment were OBA members Judge Mark Barcus of Tulsa District Court and Jim Gotwals of Tulsa. OBA Governor Kimberly Hays served as a panelist during the discussion of family law that followed the segment, alongside Phil Tucker and Noel Tucker.

There was also a segment to provide an update on the OBA's Oklahoma Lawyers for America's Heroes program. The initiative, now in its second year, has been deemed more critical than ever as thousands of troops serving with the Oklahoma National Guard 45th Infantry Brigade Combat Team have now returned stateside after their year-long deployment in Afghanistan. Viewers heard from a returning service member and a veteran who needed legal services during and after their deployments, and heard why the OBA's legal assistance program is important to heroes like them. Also featured were Immediate Past President Deborah Reheard who initially conceived the program, as well as OBA member Lt. Col. Max Moss from the 45th who explained why the program continues to be vitally important to members of his outfit.

There was a featured appearance by OBA President Cathy Christensen. Attorney Dick Pryor of Oklahoma City moderated the town halls and served as the show's host. The show also featured Chief Justice Steven Taylor speaking about the Law Day theme and speaking with the winners of the Law Day Contests. The winners of the Law Day Contests also had the opportunity to be photographed with Chief Justice Taylor in the Supreme Court. This experience for the winners and their families was very well received!

A mainstay of Law Day in addition to the TV show has been the free legal advice offered by the OBA as a public service to Oklahomans. This year on April 26 callers were able to reach an attorney statewide by calling a toll-free number throughout the day

from 9 a.m. to 9 p.m. Additionally, attorneys were available in 28 counties for callers who preferred to speak to an attorney who practiced locally. Keeping in mind the OBA's efforts of outreach to the Spanish-speaking community, the Law Day Committee, in conjunction with the Oklahoma and Tulsa County Bar Associations' Law Day Committees, stepped up efforts to recruit and provide Spanish-speaking attorneys throughout the day.

The Law Day Committee is looking forward to improving the contests and the TV show to continue to improve its quality and attract a larger audience. Plans for Law Day 2013 are already underway and we are looking forward to another successful Law Day!

Richard J. Vreeland
Chairperson

2012 LAW-RELATED EDUCATION COMMITTEE REPORT

This year has been one of change for the Law Related Education (LRE) Committee. Last year LRE evaluated existing programs and investigated new, innovative programs to meet LRE's objective of increasing public service and enhancing public understanding of the law and the legal system. Several programs were eliminated from the LRE lineup, due in part to lack of funding, and new programs were adopted. The LRE Committee meets monthly, and continues to make progress as we strive to create an active and responsible citizenry.

We the People - The Citizen & The Constitution

This program allows students to demonstrate understanding of their rights and responsibilities as citizens. The participants testify in a simulated congressional hearing before panels of judges, concerning the values and principles found in the Constitution and its conception and development. Unfortunately, federal funding for this program was discontinued for 2011-2012. In spite of the lack of funding, Norman High School held a district competition on December 14, 2011. The Norman team had the opportunity to compete at the National Finals, but was unable to raise funding for travel expenses.

Justice Sandra Day O'Connor – A Partnership for Civic Education: iCivics in Oklahoma

On April 24, 2012, the OBA partnered with Oklahoma City University to host Justice Sandra Day O'Connor, promoting her mission to increase public understanding of civics and the U.S. system of democracy. Justice O'Connor's iCivics program, created in 2009, consists of an interactive website which provides free lesson plans, games and interactive modules meant to engage and educate students inside and outside of the classroom. The day's events included a "Conversation with Justice O'Connor and Chief Justice Steven Taylor" held at the Oklahoma Bar Center. Twenty-one middle/high schools attended, and the 273 guests present listened while the Justices answered a variety of student questions. Access to the conversation was made available through a webcast for those unable to attend the presentation. That afternoon educators attended the Law School for Educators Program, with attorney presenters Heath Merchen, John W. Coyle, Mary Sue Backus, and Amy Fisher. The evening was capped off with a reception and banquet, with Justice O'Connor as the keynote speaker. Links to the iCivics website have been posted on the LRE website. LRE has already begun training teachers to use the iCivics program.

The webcast was re-broadcast on September 17, 2012 as part of LRE's recognition of Constitution Day.

Hatton W. Sumners Summer Teacher Institute

On June 11-14, 2012, the fifth annual Hatton W. Sumners Foundations of Democracy: Basic LRE-101 teacher institute was held in Norman. The program focused on the Foundations of Democracy curriculum developed for Pre-K through 12th grade students by the Center for Civic Education.

Lectures on three of the four concepts addressed by the textbook series were given by Dr. John Patrick, Professor Emeritus, Indiana University (Authority and Justice) and Dr. Margaret Ellis, OU, Political Science Department (Responsibility). Mentors Sandy Baker and Melissa Bell conducted classroom application sessions.

The institute concluded with training on the iCivics website, conducted at Oklahoma City University's Intergenerational Computer Lab. The session was taught by Carrie Ray-Hill, National iCivics Curriculum Team Manager, Amy Fischer, Jane McConnell, LRE Coordinator and Dr. Lisa Lawter.

National Recognition for an LRE fan!

Oklahoma teacher Donna Garrison Hickman received the American Lawyers Alliance 2012 Middle School Teacher of the Year Award. Ms. Hickman, a long time supporter of LRE education programs, teaches eighth grade history at Union Eighth Grade Center in Tulsa Oklahoma. The award was presented to Ms. Hickman at the Tulsa County Bar Association Annual Meeting held on August 23, 2012.

PROS (Peaceful Resolutions for Oklahoma Students)

PROS is a collaborative project of the Early Settlement Programs administered by the Supreme Court of Oklahoma, Administrative Office of the Courts and LRE. This school-based peer mediation program encourages young people to resolve conflicts positively and constructively.

Two elementary and two secondary training sessions were conducted in September of 2012. Phil Johnson, Peer Mediation Specialist with the Administrative Office of the Courts conducted the training sessions which took place in Tulsa and at the Oklahoma Bar Center in Oklahoma City.

Oklahoma Close Up

Planning is underway for the OBA/LRE to host Oklahoma Close Up on February 20 & 21, 2013, at the Oklahoma Bar Center. Students from across the state will get a bird's eye view of Oklahoma state government by shadowing state officials at work. The event also includes civic education activities, such as mock legislative hearings and court proceedings.

LRE Lending Resources

LRE has made a concerted effort this year, in light of the budget tightening felt all around, to locate and make readily available civic education resource materials. These resources include the mock trial DVD *State v. Bean*, sets of the Foundations of Democracy curriculum, and Elements of Democracy text/DVD. During 2012, copies of the North Carolina Bar Association's Big Bad Wolf video have been added to the resource library. These materials are available on 4 week loan to attorneys, teachers and students at no charge.

Website

Jane McConnell, LRE Coordinator, and Debra Jenkins, our LRE Assistant, have worked tirelessly to update our website, making it more user friendly and filling it with links to numerous FREE civics education resources. Pages and links have been added allowing users access to iCivics, Constitution Day/Freedom Week resources, and updates to LRE's Lawyers in the Classroom Program, just to name a few. Links are continually added as new resources are discovered. The OBA LRE Facebook page is continually updated with LRE events and photos. LIKE us on Facebook!

Newsletter

The LRE newsletter is published three times annually. Copies are mailed to 5,007 Social Studies teachers and counselors from public and private institutions statewide, an increase of 2.5% recipients from 2011. The newsletter is also archived online and distributed at conferences and events.

CIVITAS International Teacher Exchange Program Website

The four Foundations of Democracy lesson plans developed at the 2011 Hatton W. Sumners Institute are now available online with the Center for Civic Education's CIVITAS Lessons on Democracy.

<http://new.civiced.org/civitasresources/partner-developedmaterials/lessonsondemocracy>

A link for the lesson plans written by Oklahoma educators is available on our new Constitution and Freedom Week Page. These lessons will assist teachers using the newly adopted OC³ Standards for Social Studies writing component.

Publications

In 2001 the Law Related Education Department created and copyrighted its first version of a publication titled "You're 18 Now-It's Your Responsibility", now commonly referred to as the Young Adult Guide. The booklet targets high-school juniors and seniors and is a brief overview of some of the rights, and corresponding responsibilities, that face these new young adults. The Guide offers practical information about being a grown up, introducing young men and women to many areas of the law they may encounter upon turning 18. Topics range from social media, to buying a car, registering to vote, and executing a lease, just to name a few. In 2011, the Young Lawyers Division of the

OBA took on the monumental task of updating and revising the Guide, and the newest version went to print in April 2012.

Since its debut, the Young Adult Guide has been in high demand, and this year was no exception. As of September 2012, LRE had printed and distributed 18,000 hard copies of the Guide and has made it available online through a link on the LRE website. In comparison, our distribution of the Guide in 2011 fell just short of 4000. LRE attributes this increase in distribution to several factors, including our Lawyers in the Classroom program, and the tireless efforts of our Young Lawyers Division of the OBA in getting the word out. Several Oklahoma colleges and universities also require their incoming freshman to use the Guide as part of their student life orientation classes. LRE has exhausted its publication budget for 2012, and still we are still receiving requests for the Guide.

Our requests for Guides are often accompanied by stories of students using the publication during the entire school year, making reference to it, dog-earring particular sections and making notations for future use. LRE hopes that the Guides make it home to be used as a learning tool for the entire family. LRE's goal is to educate the public at large, and we think this Guide is just one way to accomplish that goal. A grant request was made to the Oklahoma Bar Foundation to fund further printing of the Guide to cover requests for the remainder of 2012.

LRE also provides FREE Pocket Constitutions for distribution to our schools. From January 1 through June 30, 2012, 9,220 pocket Constitutions were distributed to our Oklahoma students.

Lawyers in the Classroom

LRE currently has in place a growing Lawyers in the Classroom program, designed to assist educators in explaining how our legal system works and why that system is so important for our citizenry as a whole. Upon the request of an educator, a volunteer attorney will serve as a guest presenter on a law related topic. Lawyers in our various communities are available to teach civics lessons and assist with citizenship activities. With the inclusion of citizenship and civics in the newly adopted Oklahoma C³ standard, LRE has a great opportunity to develop an ongoing working relationship with our schools to provide assistance in civics education. LRE has a link to the program on its website, which allows volunteers to sign up online and encourages educators to request a classroom speaker.

LRE's long range goal is to provide every school with its own attorney contact, available to assist schools with law-related activities.

Suzanne Heggy
LRE Chairperson

LAW SCHOOLS COMMITTEE REPORT- 2012

Members of the OBA Law School Committee visited all three State law schools during the past year. The visits were structured so as to provide the Committee members with an opportunity to meet and hold candid discussions with members of the administration, faculty and students.

Due to limited space in the Bar Journal, this report will be a condensed version of the reports as to each law school. Those complete reports are filed with the Oklahoma Bar Association as the minutes of each law school visit.

(1) The Law Schools Committee visited the OCU School of Law on February 24, 2012. Interim Dean Eric Laity and President Robert Henry welcomed the Committee.

The committee received reports from Dean Bernard Jones, Shanna Pope, and Professor Laurie Jones. 593 persons were admitted to the Law School on a full time basis and 35 admitted on a part time basis. The class had an average LSAT score of 154 and the class was 58.5 % male and 41.5% female..

The Committee next viewed a “highlighted” program, presented by Professor Laurie Jones and students of the Law Pro Bono and Public Interest Law Program. It was an interesting and different way of presenting the materials.

The Committee visited with law students who believe the law school experience is positive and the school is providing them a quality legal education.

The Committee met with thirteen faculty members who recommended OCU as a place to work with a positive environment resulting in so many of the faculty staying for lengthy terms of service.

Based upon both the visits with students and faculty, the Committee believes that OCU is doing an excellent job in preparing its students for futures in the legal profession. The law school is to once again be congratulated on its excellent annual report.

(2) The Committee made its annual visit to the University of Tulsa College of Law on April 13, 2012.

Dean Janet K. Levit provided a comprehensive overview of the accomplishments and goals of the law school. Due to the volume of information received and the size restrictions of this report, only a summary of the highlights will be presented herein.

Reports were presented by Director of Admissions April Fox, University Provost Roger Blais, Assistant Dean Kristine Bridges, Associate Director Christy Caves, Professor Elizabeth McCormick and Vice Dean Gary Allison. Faculty members answered questions of the committee, and the committee members had lunch with law students in the newly renovated "Pit" area.

A major objective achieved by the law school this year was being named in the top 100 law schools in America by U.S. News and World Report on March 12, 2012. This goal was achieved by implementing a deliberate strategy to reduce the size of the school and the number of incoming students admitted, increased median LSAT score and undergraduate GPA of the incoming students to focus on the quality of the applicant over the past five years.

The next goal of the school is to maintain the size and quality of the students, and focus on the practical training and preparation for practice upon graduation. Several steps have already been taken towards this goal including enhanced legal writing

classes, clinics, externships, practicums, and robust mentorships for students with attorneys. Also, the school is strengthening their energy studies available in LLM programs for JD and non-JD students, and will house the world's largest collection of information on energy.

The median LSAT score for first year students remained at 155, the same as 2010. The goal is to maintain this standard of quality and size of the incoming class even though the national trend is in decline. Applications surged following the release of the U.S. News & World Report list was released in March. For the incoming class of 2011, 43% of the 108 1L's enrolled were women, and 24% were self-reported minorities, and the average 1L age was 26 years.

The law school has successfully reached their goal of improving its national ranking, and raising the quality of the students and facilities. With a new focus of practical training and preparation for the practice of law, the quality of education will certainly help graduates in the increasingly competitive job market.

(3) The committee visited Oklahoma University Law School on September 7, 2012.

Dean Joe Harroz presented a pictorial pamphlet highlighting OU's law school that was distributed to Committee members and discussed some of the "macrofactors" affecting legal education which include the following:

Nationwide applications to law schools have dropped by 25% over the past two years.

Nationwide tuition at public law schools has increased from \$10,819 per year to \$23,590 per year. Tuition at private law schools nationwide has increased from \$25,574

per year to \$40,585 per year.

The average debt load for a public law school graduate is \$75,728.00 and for a private law school graduate the average debt load is \$124,950.00. In the past two years OU Law School has increased by 40% the amount of funding available to students as scholarships.

The Class of 2015 has 155 1 L's with an average LSAT of 158 and an average PA of 3.41. The John B. Turner LL.M. program has 13 full-time and 3 part-time LL.M. students.

Dean Harroz reported that National Jurist magazine ranked OU's law school #15 out of 200 law schools nationwide as providing value to students.

The law school has begun a curriculum initiative which will entail a curricular review; the first in 18 years. Dean Scaperlanda estimated that this project may take up to two years and will include polls of alumni, students, and faculty as OU Law School seeks to become the "innovative flagship state law school."

Professor Wattley report that so far this year OU Law School has placed 133 students in externships. .

Professor Bangs reported on the newly created Summer Fellowship Program which provides funds to students performing unpaid legal work. Within three years the program has already awarded \$20,000 to students.

Professor Bangs reported on competitions. OU Law School will be sending 30 teams to 17 competitions this year. 83 upper classmen, roughly $\frac{1}{4}$ of the upper classes, will compete. OU Law School is hosting two national competitions this year.

Director Fox discussed an ongoing project to scan all Congressional documents

related to Oklahoma's American Indian Tribes. These documents will be made freely accessible online to the public by the law school.

The students reported that they welcome and appreciate the opportunity afforded them to serve on the new faculty selection / hiring committee.

The students, faculty and administration of OU Law School presented a positive report to the Committee. We extend our best wishes to the law school as it begins the two year process of reviewing curriculum to become the state's flagship innovative law school!

The committee thanks committee members Ryan Owens and Ann Keele for their preparation of the minutes and reports.

Judge Michael DeBerry
Chairperson

Kenneth L. Delashaw
Co-Chair

Julie A. Evans
Vice-Chair

James Alexander Drummond
JIM DRUMMOND LAW FIRM, PLC
OKLA. BAR # 2504; ARIZ. BAR # 9671
220 ½ East Main Street, Suite 2
Norman, Oklahoma 73069-1353
405.310.4040; Fax 405.310.4041; Cell 405.818.3851
jim@jimdrummondlaw.com

Cathy Christensen, Esq., President
John Morris Williams, Esq., Executive Director
Oklahoma Bar Association
P.O. Box 53036
Oklahoma City, Oklahoma 73152-3036

October 4, 2012

Dear Ms. Reheard and Mr. Williams:

This letter is designed to constitute the Annual Report of the Oklahoma Bar Association Legal Ethics Advisory Panel. The Panel's mission and function may be found at: www.okbar.org/members/ethicscounsel/articles/100706.htm, or in Vol. 77, No. 27, Oct. 7, 2006 Oklahoma Bar Journal. Its current membership of 18 attorneys may be found at <http://www.okbar.org/members/committees/legalethics.htm>.

1. Earlier in 2012 The Board of Governors voted to sustain the appeal and to withdraw 2011- OK LEG ETH 01 after the Oklahoma City Panel had published a majority and minority opinion in the 9/17/11 and 11/5/11 editions of the Oklahoma Bar Journal.

2. A. Two requests for a panel opinion have been submitted since the last annual report. Because of the seriousness of the first inquiry, I assigned the query to the full 18-member panel. Subsequently the full Panel voted to answer that query. After months of debate and careful consideration, the Panel has encountered two obstacles to issuing the opinion. The first obstacle is that I thought the issue was so important that I asked all 18 members to consider it, rather than assign to only one of the two panels. That is not explicitly authorized; although the Panel has some rule making power, I did not propose such a rule but acted perhaps out of the scope of my authority.

The second obstacle is that the issue in controversy received nine votes for the majority opinion, with seven dissenters and two abstainers. Rule 2(b) of the Panel Rules requires at least 6 votes concurring in any opinion. This assumes nine voters,

and so now the issue is whether, if it is at all permissible for the full 18-member Panel to consider the issue, there must in that case be 12 concurring members for the opinion to issue. That would seem logical since the will of the Board seemed to require a 6-member concurrence rather than a simple majority. Needless to say this is the first time this problem has arisen. For these reasons, we must further consider this opinion and whether it may or should even issue, which indeed has been debated intensely for 8 months.

My own opinion, un-vetted by the Panel, is that the Panel should be allowed to consider an issue as a whole, and that if at less than 6 or 12 concur in either the one-panel or full-panel scenario, there should be a referral to the Board without published opinion for direction on the issue. The Board should have authority to override that minimum voter requirement and direct that there be a majority and minority opinion, or even that both arguments be presented of there is a tie due to abstentions or other factors. Otherwise an issue submitted, which is unanimously deemed worthy of an opinion, will not be addressed at all.

2. B. The next query was received on August 10, 2010, and concerns cloud computing. I hope that we may address that query before the end of the calendar year.

3. Travis Pickens advises me great progress has been made to make ethics opinions more accessible, cross-referenced and indexed. I have seen the draft and I am delighted that this will soon be available to the membership online.

4. The Panel will be meeting in person at the Annual Meeting, on November 15, 2012 at 2:00 p.m. in the Frontier Room at the Sheraton. We are pleased to continue to offer the Oklahoma Bar an additional resource, in addition to Mr. Pickens, to obtain guidance on ethical issues through confidential inquiry and through the discretionary issuance of opinions, which are published in the Bar Journal and appealable to the Board of Governors.

Respectfully submitted,

James Drummond
Panel Coordinator/Chairman

2012 LEGAL INTERN COMMITTEE REPORT

The following is an account of all of the files in the office of the Licensed Legal Intern Coordinator: During the year from October 1, 2011 through September 30, 2012, 169 applicants applied to be Licensed Legal Interns. There were 15 swearing in ceremonies at the Judicial Center in Oklahoma City, and 8 swearing in ceremonies were held in Tulsa. Of the 169 applicants, 121 were sworn in as Licensed Legal Interns, 6 were sworn in as “Academic” interns, 5 were after graduates 0 were from accredited law schools out of state. 10 applicants did not complete the process and 38 are holding, i.e. waiting BBE approval, law school certification letter and/or Form #2.

The following is a report for the past (4) four years showing the number of applicants each year and the law school they were attending.

| <u>YEAR</u> | <u>TOTAL</u> | <u>OU</u> | <u>OCU</u> | <u>TU</u> | <u>OTHERS</u> |
|-------------|--------------|-----------|------------|-----------|---------------|
| 2012 | 169 | 74* | 73 | 22 | 0 |
| 2011 | 161 | 73* | 56 | 28 | 4 |
| 2010 | 150 | 72 | 55 | 21 | 2 |
| 2009 | 158 | 67 | 63 | 28 | 0 |

*Of the 74 OU applicants, 11 were “Academic” and of that 6, were actually sworn in. There are currently 104 Licensed Legal Interns on file. 83 of those are active, 19 are inactive and 2 have requested to be reinstated after failure of the Oklahoma Bar Examination.

We have closed 129 legal intern files. Of those 86 passed the July, 2012 bar exam, 13 failed that exam. 13 are eligible for possible “reinstatement” with 0 having failed the exam for a second time and 17 who failed to sit for Oklahoma Bar Exam after graduating.

The Committee recognizes that the Legal Intern program makes important contributions to the delivery of skilled legal services to Oklahoma. With this in mind, the Committee revised

Interpretation 2002-1 and implemented a New Interpretation as follows:

Interpretation 2002-1: Under Rule 2.1 (a), successfully completed half of the number of academic hours in a law school program leading to a Juris Doctor Degree means that the hours must count toward the Juris Doctor Degree independent of any joint degree program in which the student may be enrolled. Any course approved by the law school faculty through its normal procedures for inclusion in the student's Juris Doctor Degree requirements shall count toward the **one-half** requirement. (Adopted September 23, 2002; Amended January 10, 2012)

As well as adopted **New Interpretation 2012-1: For the purpose of Rule 2.2 Law Graduate Applicant.** If a Licensed Legal Intern misses the application deadline to sit for the first available bar examination after graduation and has been denied an exception by the Board of Bar Examiners, then the Licensed Legal Intern may petition for reinstatement by showing good cause and filing an appropriate Law Graduate application with the Executive Director of the OBA. This petition will be heard by the Licensed Legal Intern Supreme Court Reviewing Panel and its decision will be final. *Adopted July 10, 2012*

It is our continued belief that the practical experience gained by law students is valuable to the Bar at large, to the members of the Bar who employ those interns, to the public that receives their services, and to the Interns who will have gained highly valuable experience while practicing with a "safety net."

Therefore, we will continue to review the rules governing the practice of the interns for opportunities to expand the scope of tasks that may be addressed by an Intern.

We invite your input as often as you have ideas or concerns that relate to the task appointed to our Committee and should the Court, the Board of Governors, or the Bar have any questions about the work of the Committee, or its proposed activities, please contact me.

Judge Candace Blalock (Ret.), Chair

2012 Legislative Monitoring Committee Annual Report

The Legislative Monitoring Committee continues to make progress regarding involvement of members of the Oklahoma Bar Association with the review and analysis of pending legislation,.

After the last day for introduction of legislation in both houses, a Saturday all day meeting was held at the Bar Center to review the legislation introduced for the 2012 Session. This was the second year the Bar Leadership worked with the LMC to add this Pre-Session Legislative Review Meeting to the legislative review process. This meeting had participants from the LMC, the Bar leadership, and members from other Bar Committees and Sections. Participants expressed their appreciation for the opportunity to review the legislation prior to the beginning of the Session and the opportunity to gain additional information from other interested members of the Bar.

The 2013 Session will be the First Regular Session of the 54th Oklahoma Legislature and will convene on Tuesday, January 8, 2013 at 12:00 Noon. Prior to that date, and after the deadline for the introduction of legislation in both houses has passed, the LMC and Bar Leadership will conduct a Pre-Session Legislative Review Meeting again this year. Participant from past years will be invited to participate again for the 2013 Session. Efforts will be made to solicit more participants from other committees and sections of the Bar Association.

As always, throughout the Session, the LMC will continue in its efforts to encourage members of the Legislature to contact the Committee for legal and technical assistance. The primary mission of the LMC remains to provide assistance to members of the Legislature to produce clear, constitutional, technically accurate, and void of unintended consequences laws for the State of Oklahoma.

Duchess Bartmess, *Chairperson*

**ANNUAL REPORT
OF THE
MANDATORY CONTINUING LEGAL EDUCATION COMMISSION
FOR SEPTEMBER 30, 2011 - SEPTEMBER 30, 2012**

The following is the Annual Report of the Mandatory Continuing Legal Education Commission as required by Rule 1(b)(3) of the Rules of the Supreme Court for Mandatory Continuing Legal Education for September 30, 2011 through September 30, 2012. Attached hereto and made a part of the Annual Report is selected financial data related to the administration of Mandatory Continuing Legal Education as prepared by the staff of the Association for the year ended December 31, 2011 with comparative numbers for the year ended December 31, 2010.

Due in large part to the assistance of the OBA Information Technology Department, the MCLE Department continues to move forward in the processing of applications for approval of seminars and attendance record keeping. As a result, fewer members are required to file the Annual Report of Compliance and more information is available to members.

COMPLIANCE

In October 2011, interim reports were sent by email to about 12,000 members. The MCLE department mailed about 1,200 hard copy interim reports to members who did not have a current email address. The interim report assists members in making their CLE plans for the remainder of the year and reminds exempt members of their annual exemption.

On January 18, 2012, the MCLE department mailed about 1,000 Final Annual Reports of Compliance to members whose OBA/MCLE records indicated that they had an insufficient number of CLE credits or to those members who needed to report an exemption. MCLE records indicate that about 1,120 members filed a 2011 Final Annual Report of Compliance. About 300 of those reports were filed online and about 850 reports were filed using the hard

copy version of the Annual Report. Online reports were submitted by members who need to report exemptions and by many members who may not be required to file a report but who like the comfort of continuing to file online. On-line filing requires members to log in to my.okbar.org with their bar number and PIN in order to access the online Final Annual Report of Compliance.

On March 30, 2012, there were 230 members who were not in compliance and were served by certified mail an Order to Show Cause allowing an additional 60 days to comply before suspension. Orders to Show cause were mailed out two weeks earlier than in 2011 to about 100 fewer members. In early May, the MCLE staff attempted to contact all remaining noncompliant members by phone or by email. Many complied, reducing the number of members who were suspended to the lowest number in MCLE history.

There remained 18 members who were required to file but did not file the 2011 Final Annual Report of Compliance or were otherwise not in compliance and were suspended by Order of the Supreme Court S.C.B.D. No. 5893 on June 25, 2012. Six of those members who were suspended have since complied and are now reinstated.

Also on June 25, 2012, eight members who did not file the 2010 Final Annual Report or were otherwise not in compliance were stricken from the membership rolls by Order of the Supreme Court S.C.B.D. No. 5762.

THE COMMISSION

(a) Members:

2012 MCLE COMMISSION

Daniel T. Sprouse, Pauls Valley

Molly A. Aspan, Tulsa

2011 MCLE COMMISSION

Daniel T. Sprouse, Pauls Valley

Amber Peckio Garrett, Tulsa

| | |
|-----------------------------------|----------------------------------|
| M. Courtney Briggs, Oklahoma City | Theodore P. Gibson, Tulsa |
| Amber Peckio Garrett, Tulsa | Wade D. Gungoll, Oklahoma City |
| Theodore P. Gibson, Tulsa | Richard C. Ogden, Oklahoma City |
| Richard C. Ogden, Oklahoma City | D. Faith Orłowski, Tulsa |
| W. Mark Hixson, Yukon | Richard C. Ogden, Oklahoma City |
| Richard J. Phillips, Clinton | Richard J. Phillips, Clinton |
| Debra Schwartz, Laguna Woods, CA | Debra Schwartz, Laguna Woods, CA |

(b) Ex-officio:

John Morris Williams, Executive Director
 Donita Bourns Douglas, OBA CLE Director (2011 - May 2012)
 Susan Damron Krug, OBA CLE Director (May 2012 - present)

(c) Staff

Beverly Petry Lewis is the Administrator of the MCLE Commission with Johnny Floyd and Brenda Card assisting. Brenda Card retired in August 2012 after serving the Oklahoma Bar Association for more than twenty years as a full time employee and for several more years as a part time employee. She will be greatly missed. Jan Thompson is the newest MCLE assistant.

MEETINGS

The MCLE Commission held nine meetings from October 2011 through September 2012. Two meetings were held in a traditional face to face meeting and the remaining meetings conducted by conference call. When possible, conducting meetings by telephone conference call and voting on some requests by email allows for greater participation and reduces the cost to the Association.

The MCLE Commission approved twelve requests for a full or partial waiver of the educational requirements for 2011 and 2012. They denied one such request. As in previous years, members submitted these requests for various reasons including health/medical complications, when members were deployed or for other hardships. They also considered eight other requests for exceptions to the MCLE Rules, approving four requests. They approved two requests for presumptive approval.

ACCREDITATION

The MCLE department also devotes a large portion of time to the review of seminars for accreditation. During 2011 - 2012, the MCLE staff approved 5,159 continuing legal education activities. Applications for approval of seminars were submitted by OBA members and CLE providers located in Oklahoma and across the country. Approximately 261 applications were submitted by members requesting credit for teaching at approved continuing legal education activities or for teaching at ABA accredited law schools or paralegal schools.

The MCLE department also responded to approximately 3,544 telephone calls and 2,690 email inquiries. The MCLE department also processed 6,188 attendance reports.

The work of the MCLE department and the MCLE Commission continues to be aided by advances in technology and the hard work of the OBA Information Technology Department. Of course, the MCLE department could not function properly without the dedication, hard work and great attitude displayed by MCLE staff members, Johnny Floyd, Brenda Card and newcomer Jan Thompson.

**ANNUAL REPORT OF THE MCLE COMMISSION
FINANCIAL REPORT SUMMARY
FOR THE YEARS ENDED DECEMBER 31, 2011 AND 2010**

MCLE revenue is recognized on a cash basis. Revenues are derived from fees assessed for: 1) late compliance with educational requirements; 2) late filing of the compliance form; 3) reinstatement following suspension for noncompliance; 4) course approval application fees; and 5) annual fees assessed to presumptively approved providers.

Direct expenditures for MCLE include salary and fringe benefits for three full-time employees. Direct expenditures also include printing and postage related to annual compliance forms, Commission travel and meeting expenses, office supplies and other miscellaneous items. General administrative overhead expenditures of the Association are allocated to the MCLE department based upon relative usage.

The following information for the years ended December 31, 2011 and 2010 is excerpted from the audited financial statements of the Oklahoma Bar Association and is presented in a departmental format for purposes of this report only. For monthly and annual reporting purposes, MCLE revenues and expenditures are accounted for in the general funds of the Oklahoma Bar Association.

**EXCERPTED FINANCIAL DATA
YEARS ENDED DECEMBER 31, 2011 AND 2010**

| | <u>2011</u> | <u>2010</u> |
|------------------------------|-------------------|-------------------|
| MCLE Penalty Revenue | \$174,510.00 | \$183,130.00 |
| MCLE Expenditures | <u>254,717.88</u> | <u>251,207.15</u> |
| Net Revenues /(Expenditures) | (\$80,207.88) | (\$68,077.75) |

Daniel Sprouse, Chairperson

MEMBER SERVICES COMMITTEE

The Member Services Committee met twice this year. The committee approved two additional services for Oklahoma Bar Association members. The first approved benefit is a transcription service called Mobile Assistant. Members can use the code “OKBAR” for a 25% discount with Mobile Assistant. The second benefit which the committee approved is Ruby Receptionists. Ruby Receptionist is a service providing virtual receptionists for your law office. Ruby offers multiple plans to meet the needs of each office and OBA members will receive a 6% discount on all plans, as well as a waived set-up fee.

OBA members should watch for the January issue of the Bar Journal for a complete list of Member Services. In 2013, the committee will make a decision on whether or not to ask the OBA Board of Governors to approve Clio or Rocket Matter as an OBA endorsed benefit.

Sarah J. Schumacher
Roe Simmons
Co-Chairs

MILITARY ASSISTANCE COMMITTEE ANNUAL REPORT

The Military Assistance Committee was created in 2012 by President Cathy Christensen to continue the good work the Military Assistance Task Force started in 2010. The main objective for 2012 was to oversee the Oklahoma Lawyers for America's Heroes program.

Committee members, with the assistance of the Cleveland County Bar Association, attended Department of Defense Yellow Ribbon post-deployment events in Norman nearly every weekend in June and July. At these events, volunteer lawyers were on hand to discuss with the soldiers who returned from a year-long deployment in Afghanistan their legal issues. Many of the returning soldiers needed assistance with family law and financial matters. Lawyers were on hand to answer their questions and, if further legal assistance was needed, gathered the necessary information for the soldier to request free legal representation through the Heroes Program.

Also, committee members, with the help of the Cleveland and Tulsa County Bar Associations, staffed pre-deployment Yellow Ribbon events for several hundred soldiers who deployed in 2012 to Afghanistan. While these smaller groups did not receive the publicity like the deployment of 3200 soldiers with the Oklahoma National Guard 45th Infantry, their mission is no less important and no less challenging. Volunteer lawyers assisted them in making sure their legal affairs were in order before deployment.

As of September 11, 2012, 1,484 veterans, enlisted, Guard and Reserves have been assisted by the Heroes Program. Volunteer lawyers have donated approximately \$1.9 million in free legal services since the program started in November 2010.

Future plans for MAC include a free training CLE for volunteer lawyers in 2013 and the continued promotion of legal assistance for our military members past and present.

Just as no one is left behind on the battlefield, no one who has honorably served this country should be left behind in the legal system. Those same rights and liberties that we as lawyers fight for in the courtroom and the boardroom were earned by the blood, sweat, tears and too often the lives of everyone who ever fought for this country. Their sacrifices should not be in vain – saying "Thank You" is not enough.

To volunteer to be a Heroes lawyer, go to www.okbar.org/heroes and complete the form. Or call the Oklahoma Bar Center at 405-416-7000 and tell them you want to volunteer for the program. There are few things that you will do with your law license that will be more rewarding or more appreciated.

Deborah Reheard
MAC Chair
2011 OBA President

2012 ANNUAL REPORT OF THE PARALEGAL COMMITTEE
OF THE OKLAHOMA BAR ASSOCIATION

An ongoing goal of the Committee is to offer valuable information about paralegals through our OBA web site. That service continued to be available throughout the year. We have decided that the most time effective way to get members current information are through links to updated paralegal sites.

In the process of our efforts over the last five years, it became clear to most Committee members that a standing OBA Committee alone was not enough and that more structure that recognized the much greater role of paralegals in providing legal services. In 2006 a task force was convened to study in detail the experience of five leading states that have created a "Paralegal Division". The exact needs for a "Division" approach were also studied and redefined from the efforts of previous years. Using the work of the task force, the Committee prepared and submitted a twenty page revised report dated July 6, 2008, for review by our Board of Governors. That report was also presented to the Board of Governors on July 25, 2008, for its review and study but was not adopted by the Board for a variety of reasons that sent the Committee in search of a plan to either continue the support of the division concept or create a more active and revised role for the Committee.

The consensus of the Committee has been to continue the support of the division concept for the reasons outlined in this report but to actively study and develop the details to suggest the implementation of a workable program for voluntary certification by the OBA of paralegals in Oklahoma. Our state bar association and our Supreme Court are not the only groups that have puzzled over implementation of some program that allows both lawyers and the public to know which paralegals have the experience and ethics to be the most trusted.

One solution in other states has been the creation of a paralegal division. Qualifications for membership in such a division and the support of the division to the paralegal community have been successful in other states.

OTHER KEY STATES' EXPERIENCES WITH THEIR PARALEGAL DIVISIONS

In 2008, the Committee's submitted detailed questions to bar association members in the five key states of Texas, Utah, New Mexico, Nevada, and North Carolina concerning their experience with a paralegal division. Many other states have different kinds of affiliation with bar associations but our extensive 2004 survey garnering 208 responses from 275 inquiries suggested Division membership would be widely accepted and sought by paralegals as opposed to other more loose affiliations. The five "division" states have had the best results. Below is a summary of responses from these states:

*Cost Effective. The responses reported that the divisions are cost effective for the bar associations. Generally, the divisions have their own budget, supported by dues and CLE admission payments, and occasionally share costs with the bar association, for example, CLEs.

*No Major Discipline Changes. Supervising lawyers are always responsible for the actions of their paralegals and are subject to discipline as a result of any misconduct by the paralegal whether a division or affiliation with the bar exists or not. No states reported changes in this area as a result of the creation of a division.

*Benefits to the Public and Practitioners. Those benefits of division membership include: improved access of cost-effective legal representation to the public; increased communication between lawyers and paralegals; credibility to those who are division members and the

profession as a whole; opportunity for the legal profession to address any concerns that might surround the paralegal profession, i.e., the unauthorized practice of law; the ability to provide a uniform, state-wide policy on paralegals; providing affordable legal services and greater access to the legal system to the public; assuring paralegals can better assist through their participation in CLEs; volunteer and public service activities through committees; assistance to lawyers in pro bono matters.

THE STRUCTUE OF VOLUNTARY CERTIFICATION AS A FIRST STEP

In prior years a majority of the members of House of Delegates choose to support the creation of a Paralegal Division but because the creation of such a division would require a change to the By-Laws of the OBA it failed for want of a two-thirds majority. Subsequent efforts to reactivate the division concept have not been successful for one reason or another.

The Committee hopes it is only a matter of time before Oklahoma lawyers will take the step forward to realize the benefits of a paralegal division. However, whether a special division happens or not, some form of voluntary certification by the OBA or the Supreme Court can serve many of the same goals.

Last year the Board of Governors in the state of Kansas approved the concept of voluntary certification and sent the matter to the Supreme Court for further action. The Supreme Court appointed a liaison Justice who requested a substantial body of additional information concerning how other states have been able to implement certification programs. After a year that information was gathered through the efforts of a Paralegal Certification Task Force. The Board of Governors of the Kansas Bar Association has been reviewing this material for the last several months before it is submitted to the Supreme Court. Sadly those materials have not yet been submitted to the Supreme Court. The Committee has been interfacing with its Kansas

counterparts in anticipation of following a similar path and has been promised the content of the task force's submission to the Kansas Supreme Court once those materials are approved and provided. The Kansas experience is proving that the Supreme Court of a state may not be the starting point for some form of certification. Everyone seems in favor of voluntary or mandatory certification but finding who will administer that program in states without the financial strength of the bar associations in states like Florida, Texas or California is a puzzle still unsolved.

The trend toward mandatory or voluntary certification in Kansas and in other states (e.g. Florida and Texas) has proven to be a meaningful way to advise the public and practicing lawyers which paralegals have state certification by the Bar Association. The Committee suggests that the voluntary certification program will **not be open** to any paralegal who is a disbarred lawyer, whose license has been suspended, whose license has been surrendered or who is the subject of a pending disciplinary investigation. Unless and until the volume of applicants could justify the cost of an Oklahoma specific examination, as has been done in states like Florida and Texas, a voluntary state certification could initially be based on passage of one of several hurdles. First passage of the difficult testing system in place by the National Association of Legal Assistants ("NALA") should be a way to secure the OBA certification. In the alternative an OBA certification should also be available to highly trained paralegals who are graduates of ABA approved paralegal programs. Finally, certification could be allowed for those who have experience as a paralegal for at least ten years and make appropriate applications with required recommendations. The certification should require annual renewal in the division supported each year by a sponsoring supervising attorney.

Implementation of a voluntary certification program must overcome the many potential differences of opinion about how it should be administered. For example, requesting that the

Supreme Court structure such a program is problematic and may be well beyond their perceived duties of lawyer supervision. The Kansas Supreme Court may or may not accept that roll. The OBA 's Board of Governors should probably shoulder the role of developing guidelines and procedures but the Kansas experience should be instructive in developing a plan of action for next year in Oklahoma.. Many states administer examinations and structure certification in a much more sophisticated way than relying on other testing systems but it appears those more elaborate systems are not yet a good fit for the OBA.

One way or the other the OBA has an obligation to better protect the public and serve the profession by greater involvement in the training and certification of paralegals.

Respectfully submitted,

Joseph H. Bocock, Chairperson
joseph.bocock@mcafeetaft.com

CROWE & DUNLEVY
ATTORNEYS AND COUNSELORS AT LAW

M E M O R A N D U M

TO: Debbie Brink

FROM: Judy Hamilton Morse, Chairperson

DATE: October 21, 2012

RE: Annual Report of Professionalism Committee for 2012

The Professionalism Committee launched a major initiative to hold a Professionalism Symposium during 2012. The Symposium is scheduled for December 13, 2012 and will be held at the new Judicial Center. The day will begin with Breakfast with the Deans where the Deans of each of the three law schools in Oklahoma will share their views on professionalism and the training of young lawyers in that subject. The Committee was fortunate to engage Egil "Bud" Krough to present a fascinating program on professionalism during the general morning session. Mr. Krough, author of the book "Integrity – Good People, Bad Choices and Life Lessons from the White House" was a 32 year old bright White House lawyer with a promising future when he became embroiled in the Watergate scandal. Having lived through that scandal and after serving time in prison for it, Mr. Krough now spends his time sharing this moral tale and is a well regarded speaker on the topic of professionalism in the practice of law. The Symposium will end with Lunch with the Justices where several members of the Oklahoma Supreme Court will join participants for lunch and Justices Taylor and Kauger will share their views about the role of Professionalism in the practice of law in Oklahoma.

In addition to this new project, the Committee has refined its draft of various fact scenarios demonstrating when issues requiring professionalism may arise and those are available to any member of the bar that might need them for use at a seminar or for other training purposes. In addition, the Committee has refined a survey on professionalism that we hope to distribute to members of the Oklahoma Bar Association in the future.

cc: Travis Pickens

TULSA
500 KENNEDY BUILDING
321 SOUTH BOSTON AVENUE
TULSA, OK 74103-3313
TEL: 918.592.9800 • FAX: 918.592.9801

OKLAHOMA CITY
20 NORTH BROADWAY, SUITE 1800
OKLAHOMA CITY, OK 73102-8273
TEL: 405.235.7700 • FAX: 405.239.6651

NORMAN
THE HIPOINT OFFICE BUILDING
2500 SOUTH MCGEE, SUITE 140
NORMAN, OK 73072-6705
TEL: 405.321.7317 • FAX: 405.360.4002

Rules of Professional Conduct Committee 2012 Annual Report

The Rules of Professional Conduct Committee held meetings on February 24, 2012, April 20, 2012, June 15, 2012, and September 21, 2012. Additional meetings will be held at the Bar Convention in November and in December.

Currently the Committee is studying and discussing proposed rules that would impact or prohibit members of the Board of Governors from representing attorneys before the Professional Responsibility Tribunal. Also under consideration are similar rules pertaining to members of the Professional Responsibility Tribunal and the Professional Responsibility Commission.

The Committee is also studying the ABA's Model Rules 3.8(g) and 3.8(h). A subcommittee has been formed and is chaired by Lee Cohlma. The subcommittee will consider Rules 3.8(g) and 3.8(h) as well as other alternatives to these rules adopted in other states. The Committee will also consider drafting language that would be unique to Oklahoma. Rule 3.8 deals with special duties of Prosecutors. The proposed changes to the rule deal with the duties of prosecutors to consider and/or disclose new evidence discovered after a conviction.

A subcommittee chaired by Professor Judith Maute continues its work on Rule 1.2(c) regarding "limited scope representation." The purpose of the subcommittee is to help prepare the main committee to address the issue once it has been dealt with by other committees, the legislature, and/or the Supreme Court. The Committee will work with the Access to Justice Committee and will coordinate its efforts with that Committee.

In June the Committee also discussed the ABA "Major Disaster Rule." The Committee voted not to adopt the rule at this time.

Paul B. Middleton
Chair
Rules of Professional Conduct Committee

2012 Report of the Section Leaders Council

I. Introduction: The Section Leaders Council (“SLC”) was established by an act of the Board of Governors in 2011 as a cooperative body of leaders of OBA Sections as a means of self-governance to provide institutional oversight for all Sections of the OBA.

In particular, the SLC has as its mission to enhance the value of sections within the administrative and governing structure of the OBA and to assist the sections in promoting the mission of the OBA, including: a) advocating for the common institutional interests of the sections to the OBA President and Board of Governors; b) advising the OBA President and Board of Governors on matters of interest, policies, and procedures that affect the sections generally, including the creation, consolidation and dissolution of sections; c) coordinating information and activities among the sections; d) working with OBA staff to develop, promote and implement cost-effective procedures for supporting the activities of the sections; e) providing training to section leaders; and f) generally assisting the sections in providing services to their members.

II. Membership: Each OBA Section is entitled to provide a voting representative to the SLC. For 2012, current members are:

Deborah Reheard, Chair (Immediate Past President OBA);

Roy Tucker, Vice-Chair (Immediate Past Chair YLD);

Michael O’Neil, ADR;

Greg Eddington, Appellate Practice;

Kim Hayes, Family Law;

John Starr, Insurance;

Christine Cave, Labor and Employment;

Mike Wofford, Environmental;

Bobby Don Gifford, Military and Veterans;

Renee DeMoss, Litigation;

Charles Rogers, Criminal Law;

Donna Jackson, Estate Planning;

Gary Dean, Solo/GP;

Layla Dougherty, Bankruptcy;

Mark Schell, Business and Corporate;

Scott Byrd, Real Property;

Vance Brown, Energy and Natural Resources;

Mark Lovelace, Financial Institutions and Commercial;

Brent Mills, House Counsel;

Chrissi Nimmo, Indian Law;

Julianna Deligans, Intellectual Property;

Phil Tucker, Law Office Management;

Todd Holman, Taxation;
Jennifer Jackson, Workers Compensation
John Morris Williams, ex officio

III. Meetings: The SLC has had four meetings in 2012 with its annual meeting for election of officers scheduled to be held in conjunction with the OBA Annual Meeting. They were held on the dates and locations specified below.

- a. January 27, 2012, Faculty House Oklahoma City
- b. March 30, 2012, videoconferenced from Oklahoma and Tulsa County Bar Centers
- c. June 18, 2012, videoconferenced from Oklahoma and Tulsa County Bar Centers
- d. September 10, 2012, videoconferenced from Oklahoma and Tulsa County Bar Centers
- e. November 15, 2012 (future), in conjunction with Annual Meeting.

IV. Projects: Since the SLC is a new council, our projects in 2012 have related to housekeeping matters necessary to establish the Council's authority, mission, bylaws and to review the needs of the Sections. The SLC worked to update and revise the OBA Guide for Committees and Sections. Major changes approved by the SLC and ultimately by the Board of Governors were as follows:

- requires sections prepare bylaws and to have the same approved by the Board of Governors;
- expands the use of section funds to include OBA activities;
- expands the scheduling of allowable meeting times of the sections to any times within the normal operating hours of the OBA;
- alters the requirement that minutes be provided after each meeting, instead allowing minutes to be submitted once, with the annual report.

SOLO AND SMALL FIRM CONFERENCE PLANNING COMMITTEE

By all accounts the 15th Annual Solo and Small Firm Conference was a major success, with the largest attendance in the Conference's history! This year's conference was held June 21-23, 2012, at the Choctaw Casino and Resort in Durant, Oklahoma. This was the first time that the Conference was hosted at the Choctaw Casino and Resort, and we believe that the facilities were phenomenal for our participants.

Prior to the Conference, in conjunction with Oklahoma Attorneys Mutual Insurance Company, the OBA hosted a trial college titled "The Will of Fortune: From Probate to Malpractice - OBA Solo and Small Firm Trial College." The trial college offered six (6) hours of MCLE credit and was well attended. The program allowed attorneys of all practice levels and fields an opportunity to watch some of the best attorneys in the state put on a legal malpractice case. College trial presenters included: Michael Hogan, Joe Farris, Alison Cave, Aletia Timmons, Betty Outhier Williams, Bill Bandi, George Corbyn, Doug Jackson, Gil Steidley and Charles Alden. Thanks to OAMIC for this unique opportunity!

The Solo and Small Firm Conference offered twelve (12) hours of MCLE credit to Oklahoma attorneys, including one (1) hour of ethics. During the first day's plenary sessions, Jim Calloway, Catherine Sanders Reach and Brett Burney presented "50 Tips in 50 Minutes." Catherine Sanders Reach also presented "Using Technology to Improve Client Services." A special presentation was made by National Football League Referee Walt Coleman titled "Turning Boos into Cheers: How Effective Are You?" The first day's breakout sessions consisted of: "Macs in the Law Office," by Brett Burney, "The Checklist Manifesto for Lawyers," by Tim Green, "Potential Pitfalls in Private Practice - Avoiding Professional Liability," by Phil Fraim, Bill Bandi and Allison Cave, "Recent Developments in Family Law," by Noel and Phil Tucker, "Best Practices for Running Your Small Firm," by Melissa DeLacerda," and "Business Entity Choices: Why the Conventional Wisdom May not Always Be the Best Choice for Your Clients," by Kendra Robben and Chris Pappin.

The second day's plenary sessions consisted of: "Professionalism and the Lawyer: An Ethics Discussion," by Justice John F. Reif and Gina Hendryx, "Time Management for Solo & Small Firm Attorneys - How to Decrease Stress, Eliminate Interruptions and Get Home on Time," by Mark Powers, "The Future of Law Practice: Dark Clouds or Silver Linings?" and "What's Hot & What's Not in Running Your Law Practice," by Jim Calloway, Catherine Sanders Reach, and Brett Burney. The breakout sessions for the second day consisted of: "The Life of a Trial Lawyer," by Garvin Isaacs, "Collecting Your Fee in Family Law Cases," by Kim Hayes, "iPractice on an iPad," by Brett Burney and Jim Calloway, "Defending the Falsely Accused: The Power of Accusation in Domestic Violence Cases," by Jacqui Ford, "Is it time to Practice Bankruptcy Law Again?," by O. Clifton Gooding, and "What's Out There in Practice Management Software Today," by Catherine Sanders Reach.

The Solo and Small Firm Conference is a family-friendly event. Thursday night offered dinner and a social event to watch the Oklahoma City Thunder play during the NBA finals. Friday night offered dinner and the ever popular Bar & Grill Singers, as well as hospitality suites. On Friday, the children attending the Conference went to the Chickasaw

Cultural Center and Travertine Nature Center. During these events the children were educated on Chickasaw history and introduced to Chickasaw dancing, singing, crafting, planting and weaving. On Saturday, the children learned about Choctaw literature, made dream catchers and were entertained by movies and guest speakers.

Obviously such a phenomenal event could not be planned without significant effort by many people. Many thanks are owed to the OBA Continuing Legal Education Department and OAMIC that provided so many A-list speakers and presenters. While the focus of the conference is to provide quality continuing legal education to the solo and small firm practitioner, we believe that this year's Conference provided a fun and exciting atmosphere that also promoted great opportunities for social networking. The conference was held in conjunction with the OBA-YLD Midyear Meeting. We are grateful to the OBA divisions/sections and sponsors who assisted the committee in bringing the conference to our membership. The success of the conference is owed in no small part to President Christensen who scouted out the new location for this year's conference and provided the inspiration for many of the events. Also, this Conference could not have been a success without OBA staff and the committee who created an enjoyable and educational opportunity for all the attendees.

The Conference co-sponsor was Oklahoma Attorneys Mutual Insurance Company. Other sponsors included Legal Directories Publishing Company, Inc., Beale Professional Services, Chickasaw Bar Association, Oklahoma Bar Association Family Law Section, OBA Law Office Management & Technology Section, CoreVault, LawPay, LexisNexis, Tabs3/PracticeMaster and West, a Thomson Reuters Business.

Collin R. Walke, Chair and Charles W. Chesnut, Vice Chair

UNIFORM LAWS COMMITTEE

The Uniform Laws Committee (the committee) works with the Oklahoma Commissioners to the Uniform Law Conference (ULC) (who traditionally have been appointed to the committee by the OBA President) to determine, in cooperation with other interested sections and committees of the OBA which uniform acts prepared by the ULC would be suitable for enactment in Oklahoma. The committee then works with the members of the Oklahoma Legislature and interested groups in Oklahoma to have the selected acts introduced and passed. This year, after considering several possible uniform acts, the committee has specifically targeted enactments by the Oklahoma Legislature of: (1) The 2010 Amendments to Article 9 of the Uniform Commercial Code, which governs secured transactions in personal property, and (2) Article 4A of the Uniform Commercial Code, which addresses rights and obligations of the parties in connection with fund transfers. Additionally, the committee intends, in the absence of any forthcoming opposition, to seek legislative support for the adoption of four additional uniform acts, to wit: the Uniform Unincorporated Nonprofit Association Act (an act governing all unincorporated nonprofit associations) (the committee is coordinating support through the OBA General Corporation Act Committee), the Uniform Notarial Act (bringing the law governing electronic notarial acts on par with laws governing other forms of electronic transactions), the Uniform Electronic Legal Material Act (an act providing online legal material with the same level of trustworthiness traditionally provided by publication in a law book), and the Uniform Certificate of Title Act (providing rules for the transfer of interests in motor vehicles). Both Sen. Tom Ivester and Rep. John Trebilcock serve as members of the committee and as Oklahoma Commissioners.

The committee meets as needed during the year, to include once in the early fall, to make a final determination of which uniform laws will be recommended and whether any adjustments to the ULC drafts are recommended to accommodate existing Oklahoma law and policy. The fall meeting took place on September 25, 2012. The committee may meet again before the end of the calendar year to find sponsoring members of the legislature for the uniform acts selected by the committee. Generally, the committee is also responsible for work on the Oklahoma Comments for those uniform acts passed and signed into Oklahoma law. Oklahoma Comments were submitted for the Uniform Military and Overseas Voters Act (UMOVA), once the Act had been signed into law. The honorarium payment was directed by the committee's co-chairs to be sent to the Oklahoma Bar Association to further its work.

OBA members from other interested committees or sections of the OBA are invited to attend the committee meetings. The members of the committee also meet with legislators and legislative committees when requested, and make themselves available to answer legislative inquiries and questions from interested constituencies.

The uniform acts selected by the committee for inclusion in Oklahoma law have been studied and well-researched before being finalized. The uniform acts drafted by the ULC have been considered by hundreds of practicing lawyers, with the input of legal scholars and national organizations like the American Law Institute and the American Bar Association. From these uniform acts, the committee carefully selects those acts which it believes will improve existing Oklahoma law or create new statutory law in an area where a need exists.

Don G. Holladay and Ryan T. Leonard, *Co-Chairs*

WOMEN IN LAW COMMITTEE

Annual Report - 2012

At the first meeting of the 2012 Women In Law Committee, committee members reviewed the specific objectives adopted for the committee in 2011 and agreed that those objectives continued to reflect the objectives of the Committee for 2012 and beyond. Three areas are identified as most significant. The first objective was the ability to network with other women lawyers, which would include employment/business opportunities, mentoring opportunities, receptions and lunches, reaching out to recent law school graduates and strengthening support of newer women lawyers. The second objective was to find ways to become involved in service opportunities, in particular as they relate to women's issues and helping women's groups. The final committee objective was to continue to support women's career development, including supporting women as they seek judicial, political and similar positions.

With those objectives as the backdrop, the committee discussed a series of outreach activities. Sub-committees were established to assist in achieving the committee's objectives. The purpose of the Survey Committee is to identify a wide network of women attorneys and a survey mechanism to determine how the committee might best serve them. A similar purpose was established for the Law School Committee. In addition to these to existing sub-committees, a Networking Committee, Service Opportunities Committee and Career Development Committee were formed. All Committees are on-going.

The Women In Law Committee again participated in a forum held by the TU Women's Law Caucus, answering questions from law students ranging from work-life balance, to options following graduation from law school. The Committee is sponsoring a reception on September 27, 2012, honoring the two women law schools deans, Dean Valerie Couch and Dean Janet Levit. Dignitaries and special friends of the Deans, as well as faculty from the three Oklahoma

law schools have been invited. The reception is open to all OBA members and is being underwritten completely by the Women in Law Committee.

The primary work of the committee involved the planning and implementation of the annual Women In Law Conference. Held on September 28, 2012 at the Oklahoma Judicial Center, the conference was entitled: “*Think!* Straight Talk for Women to Stay Smart in a Dumbed-down World.” The day-long conference provided six hours of CLE, including an hour of ethics, and featured presentations by some of the brightest and best women in the legal profession today. The topics included how the past impacts the future, work-life balance, employment law issues, international issues and ethics. During the conference, attendees were able to tour the Judicial Center and attend the luncheon. Featured speaker at the luncheon was Lisa Bloom, attorney, bestselling author and legal analyst for numerous network and cable television shows. She spoke on the importance of women staying informed in today’s world, as outlined in her bestselling book “*Think: Straight Talk for Women to Stay Smart in a Dumbed-Down World.*” The luncheon concluded with presentation of the 2012 Mona Salyer Lambird Spotlight Awards.

Respectfully submitted,

Deirdre Dexter
Committee Chair

Deborah Bruce
Committee Vice-Chair

WORK/LIFE BALANCE COMMITTEE

The Work/Life Balance Committee met monthly this year. The committee decided to focus on two projects in 2012. The first project was assisting the Lawyers Helping Lawyers committee with their kickoff banquet and auction which raised money for the Lawyers Helping Lawyers Foundation. The event was held in late March, so the entire committee worked incredibly hard the first three months of the year. The event was a tremendous success and the committee is honored to have participated in such a worthwhile project. If the Lawyers Helping Lawyers committee decides to make the banquet and auction an annual event, the Work/Life Balance committee would gladly volunteer to assist in the same capacity.

The second project the committee took on in 2012 was updating and revamping its web page on the Oklahoma Bar Association website. The committee successfully found exciting new content which is helpful to all OBA members. Our goal was for the web page to be a resource for members and we believe our goal was accomplished.

Looking forward to 2013, the committee hopes to set up quarterly events where committee members invite and encourage other OBA members to attend and take a break from “work” and have fun with “life.” The committee also hopes to put on a CLE in 2013 focusing on different Work/Life Balance issues that would ultimately help lawyers be better attorneys for his/her clients and have a better law practice.

Sarah J. Schumacher
Co-Chairperson

Other Co-Chairperson:
Cheri Gray