

**Resolution No. Five:
STRATEGIC PLAN OF THE
OKLAHOMA BAR ASSOCIATION**

BE IT RESOLVED by the House of Delegates of the Oklahoma Bar Association the Strategic Plan, as approved by the Oklahoma Bar Association House of Delegates November 1999, be modified and amended, as published in the *Oklahoma Bar Journal* and posted to the Web site www.okbar.org. (Submitted by the Oklahoma Bar Association Strategic Planning Committee. Adoption recommended by the OBA Board of Governors.)

VISION: *All people shall have access to and full benefit of the rule of law and the system of justice in Oklahoma through our innovative and responsive service to our members and the community.*

Mission: The mission of the Oklahoma Bar Association is to enable all OBA members to provide excellent legal services to the community in an ethical, professional and civil manner.

GOAL I: *To foster the highest ideals of integrity and competence and to maintain the highest standards of conduct and civility.*

Objectives/Strategies:

- i. Develop a plan to coordinate with the law schools of the state joint educational programs on professionalism, civility and ethics.
- ii. Study and implement a transition to practice program.
- iii. Study and implement, as needed, emerging client protection rules and programs.
- iv. Expand the Management Assistance Program ("MAP"), utilizing technology to bring CLE and practice management programs to lawyers across the state, and expand Internet services.
- v. Adequately fund, support and evaluate the discipline process.
- vi. Develop coordinated support for judicial efforts concerning civility of lawyers and judges.
- vii. Provide opportunities for members to enhance professionalism.

viii. Study and make recommendations for voluntary standards for lawyer advertising.

ix. Utilize appropriate technology to provide the best systems to deliver CLE to our members.

Commentary

The highest ideals of integrity can be fostered by the OBA assuming a role in communicating to lawyers and the general public the standards of integrity required and expected of lawyers. Oklahoma lawyers can provide quality legal services only through integrity and competence. Likewise, the effective and efficient administration of justice requires the highest standards of conduct and civility from lawyers. The concepts of integrity, competence, conduct and civility can be taught, promoted and encouraged, through the objectives/strategies set forth above. These efforts primarily focus on the expansion of the successful MAP program, the videoconferencing capability now in existence, the disciplinary functions of the office of the General Counsel and judicial efforts to further civility among lawyers. New challenges should also be addressed. We should study and implement emerging client protection rules and programs, develop transition to practice programs and continue to adequately fund, support and evaluate the disciplinary process so that preventative action can be taken before complaints arise. We are all troubled by the inconsistency that exists between what our profession is and how it seems to be perceived by the public. OBA members with surprisingly few exceptions are professionals of integrity and high competence who go about practicing their profession with the highest standards of conduct and civility. Yet the public perception seems to be the opposite. Lawyer advertising has greatly diminished the public perception of the legal profession. Perhaps the most notable step toward changing this perception would be to establish standards for lawyer advertising within the bounds of current legal precedent. Strengthening the OBA programs as set forth above will substantially enhance the profession's public image as well as promote the ideals and standards of Goal I.

GOAL II: *To improve the public understanding of the law, the legal system and the lawyer's role within the system.*

Objectives/Strategies

i. Increase media relations with existing projects/programs such as Law Day/Week activities, Mock Trial program for high school students and pamphlets on various subjects of the law; and expand informational activities to include awareness of the importance of the legal system.

- ii. Continue the Law-related Education program with teachers and students, using modern media, such as television and the Internet, and increase the use of a statewide speakers' bureau.
- iii. Create an Adult Public Education Program in coordination with the law schools to better educate our citizens through public forums and Web-based programs about the rule of law in their daily affairs.
- iv. Expand our members' and the public's use of OKBAR.ORG.
- v. Continue to develop and expand programs of Web-based dissemination of legal information.

Commentary

The objectives and strategies for Goal II overlap other goals, but as proposed here are intended to be directed to the public at large. The OBA has a number of very effective programs intended to educate the public, but a still greater effort is needed. In particular, we need to increase our activities with respect to adults and those individuals with language barriers to programs advanced by the legal profession. Another objective would be to assist the public in seeking the services of a lawyer, expand and better advertise OKBAR.ORG, which helps members of the public locate lawyers who are substantively and geographically situated to assist them. In addition, Web-based information about all OBA members in good standing should be made available to the public. As a means of making legal information more readily available, the OBA should continue to incorporate the information now contained in its pamphlets on its free Web site and expand it to include other legal matters that could be useful to the public. Many lawyers long for the day when the legal profession was held in high regard by the public. The profession has suffered greatly over the past generation from a number of causes, and it is not enough to lament our situation. We must take every reasonable action to educate the public about the importance of the legal system to our democracy. If we are successful, the by-product of our success will be the respect our profession justly deserves.

Goal III: *To identify needs of all members of the OBA and provide engaging programs and services to meet those needs.*

Objectives/Strategies

- i. Identify and survey discrete groups of OBA members, including members of historically underrepresented racial and ethnic minorities, to determine their program and service needs and interests.
- ii. Create a Program Review Committee to establish and review criteria for all OBA programs.

iii. Promote timely and effective communication to the OBA membership concerning programs and services, including through such vehicles as the Oklahoma Bar Journal and OBA-NET, and ensure the availability of readily-accessible and effective means for the OBA membership to provide feedback on OBA programs and services.

iv. Maintain a strong Solo & Small Firm Conference.

v. Create five (5) year financial forecasts, which will be annually reviewed by the Budget Committee, to ensure continuity and effectiveness of OBA programs and services.

vi. Implement the recommendations of the OBA Finances Commission to amend the bylaws to insure a periodic, comprehensive review of the financial condition and needs of the OBA.

Commentary

The OBA should be responsive to the needs of all its members through the provision of programs and services. The OBA membership is diverse along several fronts, including types of practice, race and ethnicity, disability and gender. To meet the program and service needs of its diverse membership, the OBA should more precisely identify the discrete groups that make up its membership and their respective numbers within the membership. Among other things, the OBA should collect data through voluntary means from its membership concerning their affiliation with certain groups, including historically underrepresented racial and ethnic minorities. The OBA should survey the distinct groups that it has identified concerning their program and service needs. Much of the substantive work of the OBA occurs at the section and committee level. Accordingly, to ensure that programs and services are responsive to the needs of discrete groups of the OBA membership, including historically underrepresented racial and ethnic minorities and lawyers employed by government and business entities, it is important to promote the participation of these groups in OBA sections and committees. Through the establishment and review of program quality standards, the Program Review Committee will help to ensure that programs, not only respond to the needs of discrete groups of the OBA, but do so in an engaging way. Establishing effective, two-way channels of communication between the OBA leadership and its members is critical to the achievement of this goal. The OBA must be able to disseminate in first-rate and timely fashion information to its membership concerning programs and services, and the membership must have readily accessible and effective means to offer feedback concerning those programs and services. The Solo & Small Firm Conference is an important vehicle for providing services to a very significant and sizable group within the OBA. Appropriate steps should be taken to ensure that this conference continues to offer engaging content and succeed. In order to consistently produce programs of high quality, program planners must have a reasonably accurate picture of the availability of funds for programs. In this regard, they would be assisted by the creation of five-year

financial forecasts, which will be annually reviewed by the Budget Committee. The five-year time frame is likely to generate realistic numbers concerning the availability of funds for various program initiatives.

Goal IV: *To provide a continuous forum for the advancement of ideas and concepts pertaining to the legal profession and improvements in the law.*

Objectives/Strategies

- i. Continue to improve and increase the services provided through OBA-NET and promote their availability.
- ii. Continue expansion of the OBA Web site.
- iii. Continue to expand the availability of videoconferencing as an option for member participation in OBA events.

Commentary

The Oklahoma Bar Association should provide a dynamic forum for the exchange of ideas and concepts pertaining to the legal profession and improvements in the legal system. The more lawyers communicate with one another to solve their mutual problems, build personal relationships and develop skills for the representation of clients, the more we build the professional respect that will improve the administration of justice and raise the public's perception of our profession. To accomplish the objective of providing a dynamic forum, however, the OBA must continue to expand its Web site and improve and increase services provided through OBA-NET. This course is dictated by the information age in which we live. Frequently, the exchange of legal ideas and concepts will occur through Internet communications. The OBA-NET is a wonderful resource for all lawyers. It is particularly beneficial to the newer members of the profession, because it permits them to receive mentoring. They can log on at any time and ask simple questions and get responses from other OBA members. The OBA-NET, however, appears to be underutilized, and it is therefore important to actively promote the services it offers. Because of the need to expend time traveling to the Oklahoma Bar Center in Oklahoma City, a significant number of OBA members make considerable sacrifices to attend and participate in OBA programs and the work of the OBA's committees and sections. Consequently, it is important to continue to expand the availability of videoconferencing as an option for member participation in OBA events. The role of information technology has greatly advanced the methods of providing member services. It is vital that the OBA adequately fund and continually update its equipment, systems and programs to meet the membership needs in accordance with the OBA Information Technology Strategic Plan.

GOAL V: *To encourage member participation in activities and programs that serve the public.*

Objectives/Strategies

- i. Establish an OBA committee to identify, create and support public service projects that meet the needs of disadvantaged citizens in conjunction with other public services currently provided.
- ii. Increase awareness of the need to provide pro bono services and training for not-for-profit organizations.
- iii. Support the goals and activities of the Oklahoma Access to Justice Commission and provide assistance to its programs, activities and goals.
- v. Support initiatives and programs to protect the public from the unauthorized practice of law.
- vi. Make assessments and recommendations to assure the safety and accessibility of public facilities wherein legal matters are being conducted.

Commentary

The Oklahoma Supreme Court recently created the Oklahoma Access to Justice Commission to address the burgeoning need for legal services to disadvantaged citizens who would otherwise lack access to the legal system. The OBA is committed to supporting the efforts, programs and activities necessary to assure the success of this newly formed commission. As lawyers, we share certain common educational backgrounds, organizational and analytical capabilities, investigative and writing skills, and experience with day-to-day business and financial matters. These attributes, coupled with our commitment to rigorous ethical standards, uniquely equip us to serve our neighbors and communities. Consequently, we have a moral obligation to contribute to society. Although the practice of law enables us to earn a living, we lawyers are ever-mindful that we serve, not just as advocates for our clients, but as officers of the judicial systems of our nation, state and hometowns, and as citizens dedicated to promoting justice for all members of our society (particularly those who are disadvantaged). To those of whom much is given, much is required.

Goal VI: *To promote the independence of the judiciary and the efficient administration of justice.*

Objectives/Strategies

- i. Continue to review and evaluate the judicial selection/election process and to make appropriate action recommendations thereon.

- ii. Create a rapid response to proactively counter unfair criticism of the judiciary, the jury system and the rule of law.
- iii. Participate in the development and implementation of a fair and impartial judicial evaluation process for public dissemination.
- iv. Continue the Bench and Bar Committee's activities to ensure ongoing implementation of the existing programs.
- v. Support and encourage legislation, the object of which would be adequate funding for the judiciary.
- vi. Continue law-related education programs for adults and students.

Commentary

Goal VI focuses on the desire of the association to assist in the improvement of the judicial selection/election process in order to ensure judicial independence for the citizens of Oklahoma. The purpose of Goal VI is to provide the citizens, bench and bar of the State of Oklahoma with a judicial system that is independent of outside influences, adequately funded and technologically advanced to ensure that the administration of justice produces fair and just results. In furtherance of this goal, the administration of justice is best served when members of the judiciary are free from outside influences contained in the election/selection process and have the necessary tools to expedite the judicial system.

Goal VII: *To make appropriate policy and legislative recommendations concerning the law.*

Objectives/Strategies

- i. Study the judicial process and make appropriate legislative recommendations to improve that process; OBA sponsorship of appropriate legislation.
- ii. Continue to monitor legislation and report the status to members via electronic means.
- iii. Educate members and staff in the legislative process and encourage their participation therein.

Commentary

All members of the legal profession need to be on the forefront of bringing about change in the judicial selection process. It is imperative that we learn to conduct the selection of judges in a manner that is above reproach to ensure the highest ideals of integrity. Since 1999, improvements in the process for the election and appointment of judges have been studied, recommended and implemented by the Bench and Bar and Access to Justice Committees of the OBA, as well as the judiciary. The committees continue to pursue this objective in their ongoing work. Currently under consideration is the question of whether the power and authority of the Court on the Judiciary can be modified or expanded to allow for remedial measures less severe than total removal from the bench (e.g., suspension, censure, sanctions, etc.).

As an integrated (mandatory) bar association, we are cognizant of our obligation to use mandatory bar dues for the purpose of regulating the legal profession or improving the quality of legal services and not the pursuit of political or ideological aims or objectives in violation of a particular member's rights under the 1st and 14th amendments. Precisely where the line falls between permissible and impermissible dues-financed activities will not always be easy to discern. Rather than simply soliciting members to become more engaged in public service, we believe the better method may be for the OBA to consider providing CLE or other training to its members in the areas of campaign organization and finance, legislative processes, governmental affairs or other areas that might be attractive to those interested in running for office, assisting others in doing so, and those currently working in the political process, as well as members simply desiring to know more about public service alternatives, regardless of party affiliation. Through such a mechanism, increased emphasis on this objective would be demonstrated to the membership, thereby raising awareness while providing practical and useful help. In addition, providing education that is relevant to the area of public service generally, regardless of party affiliation, steers clear of any impermissible issues.

During each legislative session, the OBA Executive Director is charged with monitoring the status of legislation in which the OBA has a direct interest as well as other legislation with which the membership may be concerned. In recent years the size and complexity of the legislative process has become more politicized as it has experienced dramatic growth. At the same time, the reported status of pending legislation has become more available to the public at large (see www.lsb.state.ok.us/index.html).

The OBA should consider whether it is appropriate to incorporate a Director of Government Affairs among those reporting to the Executive Director. This step deserves consideration if the OBA intends to demonstrate a commitment to public service and to insure that legislation is proposed and pursued in good faith for the benefit of all the citizens of Oklahoma. At the same time, such a position would better serve to insulate against attempts to politicize the membership and give focus to this increasingly important area of activity. The OBA has a number of standing committees and sections whose aims and objectives touch upon "the need for legislation to improve the administration of justice." These committees include Access to Justice, Bench and Bar, Civil Procedure, Evidence Code, Legislative Monitoring and Uniform Laws. In addition, *all* of the OBA's 21 sections (each devoted to a specific area of practice) individually engage in the ongoing process of monitoring current and pending legislation, as well as drafting and submitting proposed

laws. In considering whether it may be appropriate to incorporate a Director of Government Affairs within the organization of the bar, we should examine how such a position might assist the committees and sections with a coordinated approach that would more effectively assist the OBA in achieving this objective.

The OBA should strive toward a more centrally coordinated effort between and among these groups to improve the OBA's effectiveness in the legislative arena.

Submitted to the Oklahoma Bar Association House of Delegates on Nov. 4, 2005.