

STRATEGIC PLAN OF THE OKLAHOMA BAR ASSOCIATION

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. (As approved by HOD 11/4/05.)*

Objectives/Strategies:

- i. Develop a plan to coordinate with the law schools of the state joint educational programs on professionalism, civility, and ethics. *(As approved by HOD 11/4/05.)*
- ii. Study and implement a transition to practice program. *(As approved by HOD 11/4/05.)*
- iii. Study and implement, as needed, emerging client protection rules and programs. *(As approved by HOD 11/4/05.)*
- 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. *(As approved by HOD 11/4/05.)*
- v. Adequately fund, support and evaluate the discipline process. *(As approved by HOD 11/4/05.)*
- vi. Develop coordinated support for judicial efforts concerning civility and competence of lawyers and judges. *(As amended by 2010 Strategic Planning Task Force.)*
- vii. Provide opportunities for members to enhance professionalism. *(As approved by HOD 11/4/05.)*
- viii. Study and make recommendations for voluntary standards for lawyer advertising. *(As approved by HOD 11/4/05.)*
- ix. Utilize appropriate technology to provide the best systems to deliver CLE to our members. *(As approved by HOD 11/4/05.)*

COMMENTARY -- (As approved by HOD 11-4-05):

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 video conferencing 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.

Commentary Goal I, i through iii -- (As submitted by 2010 Strategic Planning Task Force.):

The committee recommends strengthening the involvement of law schools in "practical" hands on lawyer training in areas such as trust accounting, client neglect/communications, and law office management. Curriculum for this training could be easily formulated from existing educational programs provided by the OBA or current Diversion classes. Also, there are examples of this curriculum in other states that require the training. Mr. Crosthwait has previously proposed a mandatory program, which idea received strong support from those in our group. Possible programming could be tailored to various areas for respective young lawyers, such as small firm, governmental, corporate, large firm, etc. Such "Beginning Lawyer MCLE" would be required to be completed sometime in the first 3-5 years of practice, unless waived or an exemption existed (for example, government lawyers would have no immediate need for a class in trust accounting). Funding for the programs would be funded, partially or fully, by joint sponsorships with the law schools, and also potentially involving the malpractice insurers so that all or part of the financial burden, if any, on the new lawyer would be mitigated. Of course, many or most new lawyers would simply take some of these classes as part of their annual CLE requirement of 12 hours. Of note, many states already require such a program post-admission.

Involving the judiciary in post-admission activities emphasizing professionalism, civility and ethics should be a primary focus. The possibility of a symposium of attorneys, law school professors, judges, and other prominent practitioners is being explored by Mr. Pickens. Possibility of seeking out decreased malpractice insurance premiums for attendance in this program and others is also suggested.

The implementation of some of these suggestions would require an MCLE rule change.

Overall it seemed as though this area should be very high focus.

Commentary Goal I, iii -- (As submitted by 2010 Strategic Planning Task Force.):

Focus in this area should be on trust account issues. As mentioned above, trust account and billing workshops should be tied into the post-admission MCLE programs. Automatic notification of IOLTA overdrafts is already in place with the General Counsel following up - if warranted – with further investigation and/or a record audit.

This seems to be an area of moderate concern.

Commentary Goal I, iv -- (As submitted by 2010 Strategic Planning Task Force.):

With respect to the Management Assistance Program, the committee proposes an on-line FAQ and video tutorial section for common management issues. In addition, any rule changes with respect to the practicing bar would be addressed in the same manner via the OBA website.

Regarding online CLE, the Technology Taskforce is handling this in a more than satisfactory manner at this point, but should continue to be a point of emphasis.

Commentary Goal I, v -- (As submitted by 2010 Strategic Planning Task Force.):

There should be an increase in drug and alcohol abuse and depression programs, including mandatory classes as a disciplinary requirement. The OBA should increase both the breadth of the programs, as well as the overall emphasis. Suggestions regarding the initial MCLE for new lawyers discussed above and increased referrals to the diversion program should be emphasized. The committee would support any necessary additional funding required to enhance the entire disciplinary projects, including the suggestions herein.

Commentary Goal I, vi -- (As submitted by 2010 Strategic Planning Task Force.):

The proposals regarding the judiciary involvement under sections i and ii are of particular emphasis. The committee would also recommend that "and competence" be added after civility in this sub-goal.

Commentary Goal I, vii -- (As submitted by 2010 Strategic Planning Task Force.):

Focus on continuing to provide online CLE availability as discussed in Section iv above. The programs under sections i and ii would also tie-in with this target.

The OBA should also consider and monitor the proposals of Ethics 2020 in this area.

Commentary Goal I, viii -- (As submitted by 2010 Strategic Planning Task Force.):

This is an area of concern now and will be a growing area of concern in the future. Mr. Pickens is following up in this area to determine current efforts occurring and possible proposals.

The OBA should also consider and monitor national standards for lawyer advertising as well as the proposals of Ethics 2020.

Commentary Goal I, ix -- (As submitted by 2010 Strategic Planning Task Force.):

Ms. Douglas is doing an excellent job with this, but should be an area of continued emphasis as we have discussed in other subparts. OBA should continue to emphasize providing the best systems available to deliver CLE and other member services, as well as increasing the visibility and relevancy of the OBA among the bar.

GOAL II: *To improve the public understanding of the law, the legal system and the lawyer's role within the system. (As approved by HOD 11-4-05)*

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. *(As approved by HOD 11/4/05.)*

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. *(As approved by HOD 11/4/05.)*

iii. Encourage and assist county bars to provide (lunch-time) talks to service and other organizations with regular meetings, by encouraging their members to be available -- suggesting to them possible talk topics, talk outlines and notes, and methods of communication with such organizations advising them of lawyers and talk-topics available. *(As submitted by 2010 Strategic Planning Task Force.)*

iv. 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. *(As approved by HOD 11/4/05.)*

v. Expand our members' and the public's use of OKBAR.ORG. *(As approved by HOD 11/4/05.)*

vi. Continue to develop and expand programs of Web-based dissemination of legal information. *(As approved by HOD 11/4/05.)*

COMMENTARY -- (As approved by HOD 11-4-05):

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.

Commentary Goal II, i -- (As submitted by 2010 Strategic Planning Task Force.):

The OBA and in particular the Communications Department has done an excellent job in implementing this part of Goal II. This is a process of many tasks that are ongoing. The addition of social media (especially Twitter) as a new communications tool has been important in meeting this objective. The quality of the Ask A Lawyer TV program has greatly improved. There is a potential in expanding the show's impact by increasing viewers of the show (or segments of it) if it was repackaged for use in high schools, colleges and other adult education venues. Obviously, the program could be better if more resources were available. The sub-committee suggests applying for an OBF Grant specifically for Law Day and the Ask a Lawyer TV program. It is important to maintain the printed brochures on basic legal topics to be placed in libraries and courthouses. Despite increased utilization of the internet, the printed brochures reach a segment of people who do not use the internet or do not have access.

Commentary Goal II, ii -- (As submitted by 2010 Strategic Planning Task Force.):

The Law-related Education Department has built strong relationships with teachers in Oklahoma. This is a very good relationship for the OBA in general. There is not presently a statewide speakers' bureau. Past President Gary Clark implemented a statewide speakers' bureau during his year as OBA President. There are a number of prepared speeches on the OBA website for use by a statewide speakers' bureau.

Commentary Goal II, iii -- (As submitted by 2010 Strategic Planning Task Force.):

This objective has not been fully met or implemented, with the exception of the Law School for Legislators program, which is offered every two years to all newly elected state legislators.

The sub-committee believes the LRE committee or some other OBA oversight task force or committee should immediately do the following:

- 1. Analyze each individual program in which the LRE department participates, including, but not limited to, analyzing all grant money received by LRE, funds contributed by the OBA and OBF, the number of schools involved in each program, the expenses necessary for each school or student to attend, and all LRE related expenditures;*
- 2. After gathering all the facts, this oversight body should determine if that program should continue and if this is a program for which OBA resources are warranted;*
- 3. This analysis should be completed within five months, so the OBA can determine if each program is cost effective, a good use of OBA resources and if participation is sufficient for the program to continue. It is very possible certain programs should be eliminated and new programs should be adopted; and*
- 4. The sub-committee believes Craig Combs should be involved in the financial analysis of these programs.*

Commentary Goal II, iv -- (As submitted by 2010 Strategic Planning Task Force.):

The website has been greatly improved. A Web Editorial Board has been established and meets weekly to solicit ideas and stories from staff and members for publishing on the website. Weekday

website usage has increased by roughly 120%. In addition, a Web Development Services Team has been established. This team has reviewed the purpose of the okbar.org and has determined that it should be foremost a tool for our members, but also provide a clear source of information to the public.

Tighter integration of www.okbar.org (our public site) and my.okbar.org (member site) would make it easier to find information that our members are seeking on a regular basis such as committee/section members, member information, court documents, etc.

The strategic plan states: Web-based information about all OBA members in good standing should be made available to the public. As of now, that has only been partially attempted through the opt-in service Oklahoma Find a Lawyer. We don't provide a referral service to the public, but this service closely mimics one. However, this service has proven troublesome in that people search for their attorney on FLA and assume they are not a licensed attorney, or are not in good standing, based solely on whether or not the lawyer is listed on the site, even though the site does state that not all members participate in this service. Either removing this item from the strategic plan, or adding an option to search for all attorneys on the role who are in good standing would help alleviate some of the confusion and perhaps save an attorney/client relationship that could be severed because of faulty assumptions we have helped create.

Commentary Goal II, v -- (As submitted by 2010 Strategic Planning Task Force.):

The OBA has hired a web services professional to improve our online content. As a result of that, the bar web page is now updated daily and traffic to the page has increased substantially. The sub-committee believes additional efforts should be made to keep the information on the website current.

- *The OBA citizen information brochures have been revised and are now online. It would be a good idea to provide a downloadable version in PDF format.*
- *OklahomaFindaLawyer.com provides our members with a free way to get new client referrals online for those seeking a lawyer.*
- *A new online resource is OKNewsBar, which uses a technology called RSS Newsfeeds to incorporate material from several sources into the okbar.org web page automatically. This provides updated content, including new Oklahoma appellate court opinions, legal news and the PMA Pipe, an RSS feed which combines the blog posts from many of the PMA programs across North America.*
- *OBA CLE provides webinars and webcasts to better serve our members online.*
- *We provide information to members online through posts on the OBA-NET and the Law Practice Tips Blog.*
- *The sky is the limit for this objective/strategy. The objective is, by its nature, an aspirational goal that should never fully be completed.*
- *We need to do a better job of marketing OklahomaFindaLawyer.com, both to our members to get them to sign up and to members of the public who might use the service.*
- *An OBA Facebook page should be created and we should explore other social networking tools as these are the most rapidly expanding areas of online content. This will serve both the public and our members.*

Goal III: To identify needs of all members of the OBA and provide engaging programs and services to meet those needs. (As approved by HOD 11-4-05)

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. (As approved by HOD 11-4-05)**
- ii. **Ensure the Strategic Planning Committee (or subcommittee thereof) reviews the activities of all OBA committees and the objectives/strategies of the Strategic Plan annually, and provides a status report to the OBA Board of Governors. (As submitted by 2010 Strategic Planning Task Force.)**
- 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. (As approved by HOD 11-4-05)**
- iv. **Maintain a strong Solo & Small Firm Conference. (As approved by HOD 11-4-05)**
- 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. (As approved by HOD 11-4-05)**
- vi. **Maintain a strong Member Services Committee to improve benefits and services available to OBA members. (As submitted by 2010 Strategic Planning Task Force.)**

COMMENTARY -- (As approved by HOD 11-4-05):

The OBA should be responsive to the needs of all of 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.

Commentary Goal III, i -- (As submitted by 2010 Strategic Planning Task Force.):

As a subcommittee, we agreed that this objective should remain in the plan. We discussed the 2012 member survey and agreed that it should ask individuals to voluntarily identify racial and ethnic status. We discussed other “less traditional” underrepresented and less engaged groups including non-practicing, dues paying attorneys and certain discrete practice groups, like district attorneys. We suggest letting people self-identify ethnic, racial and gender diversity as well as asking an open-ended question such as “People like me aren’t included/don’t feel included in OBA activities because...”

We discussed our desire for the survey to be electronic and multi-layered. We suggest it contain questions that can be skipped or further explored based on the preference of the individual completing the survey. We would recommend this Task Force continue to be on-going even after the survey (as is or through another OBA committee/subcommittee) due to the critical nature of this objective. The Chair of our Subcommittee will ensure all of these recommendations are communicated to the Task Force.

Commentary Goal III, ii -- (As submitted by 2010 Strategic Planning Task Force.):

We agreed this objective should remain in the plan in modified form (Please see recommendation below). We would like to see the review of the Strategic Plan be on-going, not just every 5 years, because we feel it is important to track our progress. Rather than create a new committee, we propose the Strategic Planning Committee (or a Subcommittee thereof) meet annually to review the plan and provide a report to the BOG of each year’s progress. They would also be charged with reviewing the Annual Reports of each OBA Committee and providing feedback to the BOG with specific committee recommendations. This would be a two-way open communication, as committee chairpersons would also have the opportunity to let the Strategic Planning Committee (or Subcommittee) know of any needs/challenges they were facing with which they could use assistance from Bar leadership.

Therefore, this objective would read: “Ensure the Strategic Planning Committee (or subcommittee thereof) reviews the activities of all OBA committees and the objectives/strategies of the Strategic Plan annually, and provides a status report to the OBA Board of Governors” or something of that nature.

Commentary Goal III, iii -- (As submitted by 2010 Strategic Planning Task Force.):

This objective should remain in the plan. The subcommittee discussed the communication methods currently being used at the OBA. We felt communication to the membership through the Bar Journal, e-news, OBA-Net, website and other means was being done pretty well. The deficiency is in the availability for OBA members to be able to provide feedback on OBA programs and services. According to Bar staff, the ability is available on the website (and a staff member is assigned to respond to all inquiries/feedback) but is not as apparent or user friendly as desired by the subcommittee. The staff is working on a conversion of the website software and working on a better integration. This should improve two-way communication between the OBA staff/leadership and its members. We also discussed the limited number of Oklahoma Bar Circle users and suggested that Facebook be used instead. We discussed privacy concerns and suggested the OBA look into establishing a Facebook page with specific privacy controls, including the inability to post non-approved materials and pictures on the “wall.”

Commentary Goal III, iv -- (As submitted by 2010 Strategic Planning Task Force.):

We agree this objective should remain in the plan. We discussed the success of moving the conference this year (it was the 2nd largest ever), and recommend it move every few years (as facilities are available) to avoid becoming stale. We discussed the need to better survey the membership related to what topics/tracks of CLE should be included in the conference. A few members of the subcommittee recommended a survey to all recent and past attendees of the conference to determine why people have not returned and/or needs that are not being met, to ensure the conference remains strong. Over the years there appears to be a decline in some of the distinct practice groups, such as criminal lawyers and estate planning attorneys, who ordinarily fit the Solo & Small Firm practitioner profile. The Chair of our Subcommittee will ensure all of these recommendations are communicated to the Solo & Small Firm Conference Committee.

Commentary Goal III, v -- (As submitted by 2010 Strategic Planning Task Force.):

The Subcommittee felt we were already doing this well, and it should remain in the plan.

Commentary Goal III, vi -- (As submitted by 2010 Strategic Planning Task Force.):

The subcommittee determined that this objective is no longer appropriate/needed because the intent and purpose of this objective/strategy has been fully implemented through other means. The Financial Subcommittee of the Strategic Planning Committee established in June 2006 is working well to review finances and project funding needs in the future.

In its place, the Subcommittee would recommend adding the following Objective/Strategy:

vi. Maintain a strong Member Services Committee to improve benefits and services available to OBA members

We suggest adding this objective/strategy to reflect the development of the Member Services Committee and its accomplishments. The Member Services Committee was established to meet with potential vendors, and review and recommend benefits for OBA members. Since its creation, it has provided membership benefits including FastCase, Core Vault and vendor

discounts. The subcommittee believes it is a good idea to continue to have a committee, or related process, providing this service.

Goal IV: To provide a continuous forum for the advancement of ideas and concepts pertaining to the legal profession and improvements in the law. (As approved by HOD 11-4-05.)

Objectives/Strategies

- i. Continue to improve and increase services like those provided through OBA-NET and promote their availability. (As submitted by 2010 Strategic Planning Task Force.)**
- ii. Continue expansion of the OBA Web site. (As approved by HOD 11-4-05)**
- iii. Continue to expand the availability of videoconferencing as an option for member participation in OBA events. (As approved by HOD 11-4-05)**

COMMENTARY -- (As approved by HOD 11-4-05):

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.

Commentary Goal IV, i -- (As submitted by 2010 Strategic Planning Task Force.):

The subcommittee discussed the service the OBA-NET provides to its 300+ members. It provides them with a forum to learn of changes in law and obtain advice/recommendations from their peers. We think this is a good thing. However, because the OBA-NET is an old technology and

needs replacement, the subcommittee recommends this objective/strategy be changed to read: "Continue to improve and increase services like those provided through OBA-NET and promote their availability."

Commentary Goal IV, ii -- (As submitted by 2010 Strategic Planning Task Force.):

The subcommittee agrees this is vital, key and most important to communications within the Bar. We believe this objective/strategy should remain and the website should continue to be expanded.

Commentary Goal IV, iii -- (As submitted by 2010 Strategic Planning Task Force.):

The subcommittee discussed efforts by the OBA toward providing multi-point video conferencing. We believe both multi-point video conferencing options and additional locations for remote video conferencing, like the TCBA and OSU-Tulsa, should be explored in the future. This objective/strategy should remain.

GOAL V: To encourage member participation in activities and programs that serve the public. (As approved by HOD 11-4-05)

Objectives/Strategies

- i. Coordinate with the Young Lawyers' Division to identify, create, and support community service projects, including providing service and monetary support. (As submitted by 2010 Strategic Planning Task Force.)**
- ii. Increase awareness of the need to provide professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations. (As submitted by 2010 Strategic Planning Task Force.)**
- iii. Support goals, programs, and initiatives, in principle and with monetary support, calculated to continue and enhance the availability of legal services and effective participation in the justice system by all persons regardless of economic condition, circumstance, or condition. (As submitted by 2010 Strategic Planning Task Force.)**
- iv. Support the Professional Responsibility Commission and the Office of the General Counsel in the identification and investigation of allegations of the unauthorized practice of law. (As submitted by 2010 Strategic Planning Task Force.)**
- v. Deleted. (As submitted by 2010 Strategic Planning Task Force.)**

COMMENTARY -- (As approved by HOD 11-4-05):

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.

Commentary Goal V, i -- (As submitted by 2010 Strategic Planning Task Force.):

According to the Staff Report, a committee was created, but never met and was discontinued. In its explanation as to the reason that the objective/strategy was not met, the Staff noted that there was some perception that the YLD was the “service arm” of the Bar. In the past few years, the YLD has focused on the “public service” aspect and has created an active and successful Community Service Committee. Thus, we propose changing this objective/strategy to reflect support of the YLD’s community service projects.

Proposed Objective/Strategy i: Coordinate with the Young Lawyers’ Division to identify, create, and support community service projects, including providing service and monetary support.

Commentary Goal V, ii -- (As submitted by 2010 Strategic Planning Task Force.):

We discussed the role of the OBA with respect to training for not-for-profit organizations. While we all agreed about the importance of not-for-profit organization, we concluded that training was not the responsibility of the OBA. However, we did feel that it was important for the OBA to continue to increase awareness about the need for providing pro bono services in general.

Proposed Objective/Strategy ii: Increase awareness of the need to provide professional services at no fee or a reduced fee to persons of limited means or to public service or charitable groups or organizations.

Commentary Goal V, iii -- (As submitted by 2010 Strategic Planning Task Force.):

We discussed that this objective/strategy was very specific to the Oklahoma Access to Justice Commission, and we wanted to retain the objective and goals of the ideal without directly linking it to “access to justice.”

Proposed Objective/Strategy iii: Support goals, programs, and initiatives, in principle and with monetary support, calculated to continue and enhance the availability of legal services and effective participation in the justice system by all persons regardless of economic condition, circumstance, or condition.

Commentary Goal V, iv -- (As submitted by 2010 Strategic Planning Task Force.):

We felt this was a very timely issue as the OBA has recently become more involved in this area. Thus, we revised the objective/strategy to provide more specific language.

Proposed Objective/Strategy iv: Support the Professional Responsibility Commission and the Office of the General Counsel in the identification and investigation of allegations of the unauthorized practice of law.

Commentary Goal V, v -- (As submitted by 2010 Strategic Planning Task Force.):

After reviewing this objective/strategy and coordinating with the OBA staff, we determined that it seems to be geared toward the courthouse security and physical accessibility issues - issues that have been addressed in recent years and are no longer concerns. Additionally, the OBA has a Lawyers with Physical Challenges Committee that addresses these issues. Thus, we propose deleting this objective/strategy.

Goal VI: To promote the independence of the judiciary and the efficient administration of justice. (As approved by HOD 11-4-05)

Objectives/Strategies

- i. Continue to review and evaluate the judicial selection/election process and to make appropriate action recommendations thereon. (As approved by HOD 11-4-05)**
- ii. Create a rapid response to proactively counter unfair criticism of the judiciary, the jury system and the rule of law. (As approved by HOD 11-4-05)**
- iii. Participate in the development and implementation of a fair and impartial judicial evaluation process for public dissemination. (As approved by HOD 11-4-05)**
- iv. Continue the Bench and Bar Committee's activities to ensure ongoing implementation of the existing programs. (As approved by HOD 11-4-05)**
- v. Support and encourage legislation, the object of which would be adequate funding for the judiciary. (As approved by HOD 11-4-05)**
- vi. Continue law-related education programs for adults and students. (As approved by HOD 11-4-05)**

COMMENTARY -- (As approved by HOD 11-4-05):

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.

Commentary Goal VI, i through vi -- (As submitted by 2010 Strategic Planning Task Force.):

The Goal VI Sub-Committee recommends that Goal VI of the Strategic Plan be retained in its entirety, with particular emphasis on the following specific initiatives identified by members of the Oklahoma judiciary as having priority:

1. *Continue to provide support for the judiciary by seeking:*
 - a. *increased funding by the Oklahoma Legislature of our state's courts system (with prospective budget cuts likely to result in eliminating judicial positions and support staff, thereby impairing the administration of justice in our state trial and appellate courts);*
 - b. *adequate support staff (including court reporters with efficient recording equipment); and*
 - c. *enhanced, up-to-date technological hardware and software for our judges and their staff.*

2. *Continued advocacy with the Oklahoma Legislature by the OBA's leadership and membership for full implementation of the Missouri Plan in the appointment and retention of urban judges.*

Goal VII: To make appropriate policy and legislative recommendations concerning the law. (As approved by HOD 11-4-05)

Objectives/Strategies

- i. **Study the judicial process and make appropriate legislative recommendations to improve that process; OBA sponsorship of appropriate legislation. (As approved by HOD 11-4-05)**
- ii. **Continue to monitor legislation and report the status to members via electronic means. (As approved by HOD 11-4-05)**
- iii. **Educate members and appropriate staff in the legislative process and encourage their participation therein. (As amended by 2010 Strategic Planning Task Force.)**

COMMENTARY -- (As approved by HOD 11-4-05):

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.

Commentary Goal VII, i -- (As submitted by 2010 Strategic Planning Task Force.):

We concur with the staff report. This objective remains relevant, and is an ongoing objective, so it should not be removed.

Commentary Goal VII, ii -- (As submitted by 2010 Strategic Planning Task Force.):

We concur with the staff report. This objective remains relevant, and is an ongoing objective, so it should not be removed.

Commentary Goal VII, iii -- (As submitted by 2010 Strategic Planning Task Force.):

We concur with the staff report. This objective remains relevant, and is an ongoing objective, so it should not be removed. However, we recommend that the word “appropriate” be inserted between “Educate members and” and “staff”. The purpose of the change is to clarify that education and participation efforts should not be directed to all OBA staff (e.g., staff members who have little or no involvement in the legislative process).

Our subcommittee concluded that little or no mission drift has occurred in regard to Goal VII, and that except as noted in regard to Objective/strategy iii, no changes are recommended. Except for that change, we are of the view that the staff report accurately reflects our conclusions, and have consequently not created a separate report.