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ABA Division for Bar Services

2009 State and Local Bar Dues, Fees & Member Benefits Survey



Division for Bar Services

connecting
communities

2009 State and Local Bar Dues, Fees and Member Benefits Survey

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INTRODUCTION

The *2009 State and Local Bar Membership Benefits, Dues and Fees Survey* was designed to share information on the dues structures and mandatory fees of state and local bar associations. All state bar associations and local bar associations with over 300 members were surveyed. Responses were received from 55 state bar associations (33 unified and 22 voluntary) and 124 local bar associations (58 locals with 2,000 or more members and 66 locals with less than 2,000 members).

In addition to membership dues and fees, we also collected information on membership benefits and services, nondues sources of income, technology and dues collection methods, membership retention, dues increases, and dues check-offs.

The link to the online survey questionnaire was distributed through email in December 2008 to executive directors and membership directors. A list of the full questions asked is included at the end of the results (after Chart 15). We offer a sincere thank you to all bar associations that provided the information to make this report possible. We hope you find it useful and welcome any suggestions for improvements.

Joanne O'Reilly
Editor

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I. Membership Dues and Fees

A. State Bar Dues and Fees

The cost to practice law in each state ranges from a high of \$576 in Hawaii to a low of \$115 in Indiana. We have broken down the costs to practice by top dues levels and mandatory fees for each state (see Chart 2). Please note that in many cases discipline and licensing are administered by agencies other than the state bar. Therefore, the methods of billing members vary and the breakdowns of dues and fees vary. For example, one state may require that members pay one lump sum for dues. Those funds are then dispersed as needed for functions such as discipline, client security fund, etc., but are not earmarked on dues or licensing statements. Other states may assess specific fees for each function. All voluntary states will have a dues level listed as well as any mandatory fees that are required of lawyers to practice in the state.

Unified states may or may not list a dues level depending on the method in which members are billed. To be consistent in reporting, we do not analyze or average the dues levels for unified states, but instead are reporting the total cost to practice in the state.

The range of the top dues level for voluntary state bars ranges from a high of \$320 in Illinois to a low of \$125 in Maryland. The average dues level for voluntary state bars is \$227; up slightly from \$223 in 2007, an increase of 2%. Chart 3 lists the top dues level for each voluntary state bar, ranked by dues level.

B. Local Bar Dues and Fees

The top dues levels for large local bars range from a high of \$500 in New Orleans, Louisiana to a low of \$100 in Multnomah County, Oregon. The top dues levels for small local bars range from a high of \$305 in Westmoreland County, Pennsylvania to lows of \$60 in Sangamon County, Illinois and Hinds County, Mississippi. Chart 4 ranks the large and small local bars by top dues level. Below are the average dues levels and changes since 2007. Please note that the respondents for each group were not uniform in each reporting period, so the actual increases may be variable.

Local Bars with 2,000 or More Members:

2009 average: \$212

2007 average: \$211

Increase: .4%

Local Bars with Less than 2,000 Members:

2009 average: \$164

2007 average: \$152

Increase: 7.9%

C. Special Categories – Discounts and Programs to Attract Specific Segments of Membership

Chart 5 lists all responding bars, their top dues level (total cost to practice in state is listed for unified state bars) and any reduced rates for special categories of membership. The chart below lists the

average cost for each category. Please note that the average top dues level is included at the top of the chart for each category for comparison.

Membership Category	Unified state bars average (Average top dues level is \$282 ¹)	Voluntary state bars average (Average top dues level is \$227)	Local bars 2,000 and more average (Average top dues level is \$212)	Local bars under 2,000 average (Average top dues level is \$164)
Associate members	\$100	\$145	\$97	\$109
Corporate lawyers	\$125	No responses	\$143	No responses
Disabled lawyers	No responses	\$20	\$68	\$45
Government lawyers	\$129	\$156	\$118	\$104
Inactive members	\$109	\$84	\$76	\$64
Judiciary	\$107	\$107	\$58	\$33
Law office administrators	\$100	\$81	\$77	\$68

¹ Some unified states collect one dues amount from members and allocate those dollars among expenses (discipline, client security fund, etc., as necessary). Others collect specific fees for various activities. If the unified bar did not report a dues level, the licensing/registration fee for the state was treated as the dues level for this average.

B. Membership Retention and Market Share

The following data is pulled from Chart 8. Respondents were asked to provide data on the following:

- Percent of eligible lawyers that are members
- Retention rate last year
- Increase or decrease in retention rate
- Programs to bring back lapsed members

The average retention rates among voluntary state bars (93%), large local bars (91%) and small local bars (90%) do not vary significantly and are consistent with averages reported in 2007. The average market share (percent of eligible lawyers that are members) also does not vary greatly among the types of bar associations.

Voluntary state bars have an average market share of 66%; large local bars 57%; and small local bars 66%.

Email reminders, direct mail, and peer contact were the most frequently mentioned programs utilized to bring back members who have not renewed.

C. Dues Increases

Sixty-seven percent of all bars have increased their dues within the last four years; 32% within the last year. Eighteen percent increased their dues 5-7 years ago and 16% over seven years ago. The following lists the average percent of increase for all responding bars:

Bar type	Average percent of last increase
Unified state bars	22%
Voluntary state bars	12%
Locals with 2,000 or more members	8%
Locals with less than 2,000 members	14%

The average percent of increase decreased slightly for all bar types since 2007. No state bars indicated they increased dues based on any cost of living increases and only one voluntary state bar (North Carolina) indicated they had a regularly scheduled dues increase.

Six percent of large local bars and 2% of small local bars indicated they increased dues based on any cost of living increases. Twelve percent of large local bars and seven percent of small local bars indicated they had a regularly scheduled dues increase.

C. Dues Increases (cont.)

Dues Increase Approval:

The majority of unified state bars must have their dues increase approved either by the board of governors or the regulatory agency (usually Supreme Court) in the state. The majority of voluntary state bars must have their dues increase approved by only their board of governors (63%). Eighty-four percent of large local bars require only

the approval of their board of governors to increase dues. The majority of small local bars only require either the approval of their board of governors or their bar officers to increase dues (a total of 82%).

Entities that must approve dues increases

Unified state bars:	Percent
Supreme court (11)	35%
Board of governors only (9)	29%
Membership vote (2)	6%
Supreme court and legislature (2)	6%
Legislature (1)	3%
House of delegates or representative assembly (1)	3%
Other methods (see chart 9 for specifics) (5)	16%

Voluntary state bars:	Percent
Board of governors only (12)	63%
House of delegates (3)	16%
General membership (2)	11%
Membership voting at annual meeting (1)	5%
Bar officers (1)	5%

Large local bars:	Percent
Board of governors only (41)	84%
Bar officers (4)	8%
General membership (2)	4%
Finance/budget committee (1)	2%
Board for under 10%, membership for over 10% (1)	2%

Small local bars:	Percent
Board of governors only (35)	57%
Bar officers only (15)	25%
General membership (9)	15%
Bar officers and board of governors (1)	2%
Finance/budget committee (1)	2%

D. Dues Discounts for Groups

Twenty-four percent of unified state bars and 55% of voluntary state bars offer some type of group billing program. Fifty-six percent of large local bars and 28% of small local bars offer group billing.

Eleven percent of voluntary state bars, 43% of large local bars and 13% of small local bars have a 100% club or other incentive for full-firm membership.

VI. DUES CHECK-OFFS

Sixty-one percent of unified state bars; 60% of voluntary state bars; 73% of large local bars; and 52% of small local bars indicated that they had a dues check-off. Chart 15 lists the bars who have a dues

check-off and the type of check-off. Below is a list of programs funded and the percentages of bars that have dues check-offs for those programs:

Dues Check-off	Unified states	Voluntary states	Large locals	Small locals
Bar foundation	68%	66%	92%	78%
Bar sponsored volunteer lawyer projects	5%	8%	9%	3%
Lawyers helping lawyers program/lawyers assistance program	10%	0%	2%	0%
Legal services program	36%	16%	19%	12%
Political action committee	0%	58%	2%	3%
Funding for bar building (new or renovation of existing)	0%	8%	4%	0%

CHART 1 – RANKINGS BY COST TO PRACTICE IN EACH STATE¹

STATE	TOTAL COST TO PRACTICE IN STATE
1. Hawaii	\$576
2. Arizona	\$570
3. Connecticut	\$560
4. New Hampshire	\$540
5. Nevada	\$490
6. Oregon	\$482
7. Alaska	\$460
8. Wisconsin	\$440
9. Texas	\$435
10. Washington	\$430
11. South Dakota	\$415
12. California	\$410
13. Louisiana	\$400
14. North Dakota	\$380
15. Rhode Island	\$375
16. New Mexico	\$365
17. Idaho	\$360
Utah	\$360
18. Nebraska	\$355
19. Montana	\$335
Delaware	\$335
South Carolina	\$335
20. Alabama	\$325
21. Michigan	\$315
22. Wyoming	\$310
23. Missouri	\$305
24. Massachusetts	\$300
25. Mississippi	\$295
26. North Carolina	\$290

STATE	TOTAL COST TO PRACTICE IN STATE
27. Illinois	\$289
28. Georgia	\$286
29. Oklahoma	\$275
Virginia	\$275
30. Kentucky	\$270
31. Florida	\$265
32. West Virginia	\$250
33. Colorado	\$225
34. Minnesota	\$217
35. Vermont	\$210
36. Arkansas	\$200
New Jersey	\$200
37. Iowa	\$195
38. Maine	\$192
39. District of Columbia	\$180
Tennessee	\$180
40. New York	\$175
Pennsylvania	\$175
41. Kansas	\$150
42. Maryland	\$145
43. Ohio	\$138
44. Indiana	\$115

¹The total cost to practice includes dues for unified state bars and mandatory fees for each state. The figures do not include the dues of voluntary state bars, as membership in those bars is not required to practice law in the state.

CHART 2 - TOTAL COST TO PRACTICE IN EACH STATE - UNIFIED¹

UNIFIED STATES	TOTAL COST TO PRACTICE IN STATE	TOP DUES LEVEL	AFF. ACTION	CLIENT SECURITY FUND	LEG./REG. FEE	DISCIPLINE	PROF. RESP.	BLDG. FUND	OCC. TAX	MAND. CLE FEE	ATTY. ASST. PROG.	OTHER
Alabama	\$325			\$25	\$300	.	.	.	.	.	.	.
Alaska	\$460	\$450		\$10		.	.	.	.	.	.	.
Arizona	\$570	\$430		\$30	\$110	.	.	.	.	.	.	.
California	\$410			\$40	\$315	\$25	.	\$10	.	.	\$10	\$10 ²
District of Columbia	\$195	\$195		.	.	.	.	.	.	.	.	.
Florida	\$265	\$265		.	.	.	.	.	.	.	.	.
Georgia	\$286	\$216		\$20	.	.	.	\$50	.	.	.	.
Hawaii	\$576	\$210				\$250	.	\$85	.	.	\$31	.
Idaho	\$360			\$20	\$340	.	.	.	.	.	.	.
Kentucky	\$270 ³	\$270		\$7	.	.	.	\$20	.	\$48	\$10	\$2 ⁴
Louisiana	\$400	\$200		.	.	\$200	.	.	.	.	.	.
Michigan	\$315	\$180		\$15	.	\$120	.	.	.	.	.	.
Mississippi	\$295			.	\$295	.	.	.	.	.	.	.
Missouri	\$305	\$184		.	.	\$101	.	.	.	.	.	\$20 ⁵
Montana	\$335	\$150		\$20	\$25	\$125	.	.	.	\$15	.	.
Nebraska	\$355	\$275		.	.	\$80	.	.	.	.	.	.

¹ Some state bars collect one dues amount from members and allocate those dollars among expenses (discipline, client security fund, etc.) as necessary. Others collect specific fees for various activities. Therefore, some bars may not list a dues level, but list specific amounts of fees collected.

² California – IT assessment

³ Kentucky – All fees listed are included in dues.

⁴ Kentucky – Pro bono development

⁵ Missouri – Legal aid

CHART 2 - TOTAL COST TO PRACTICE IN EACH STATE – UNIFIED (cont.)

UNIFIED STATES	TOTAL COST TO PRACTICE IN STATE	TOP DUES LEVEL	AFF. ACTION	CLIENT SECURITY FUND	LEG./REG. FEE	DISCIPLINE	PROF. RESP.	BLDG. FUND	OCC. TAX	MAND. CLE FEE	ATTY. ASST. PROG.	OTHER
Nevada	\$490	\$490		.	.	.	.	.	.	\$40	.	.
New Hampshire	\$540	\$300		\$15	.	\$195	.	.	.	\$10	\$20	.
New Mexico	\$365			.	\$215	\$150	.	.	.	.	.	.
North Carolina	\$290	\$265		\$25	.	.	.	.	.	.	.	.
North Dakota	\$380	\$380 ⁶		\$16	\$61	\$75	.	.	.	\$8	.	.
Oklahoma	\$275	\$275		.	.	.	.	.	.	.	.	.
Oregon ⁷	\$482	\$447	\$30	\$5	.	.	.	.	.	.	.	.
Rhode Island	\$375	\$200		\$25	\$150	.	.	.	.	.	.	.
South Carolina	\$335	\$245		\$20	.	\$50	.	.	.	\$20	.	.
South Dakota	\$415	\$415		.	.	.	.	.	.	.	.	.
Texas	\$435	\$235		.	.	.	.	.	\$200	.	.	\$65 ⁸
Utah	\$360	\$350		\$10	.	.	.	.	.	.	.	.
Virginia	\$275	\$250		\$25	.	.	.	.	.	.	.	.
Washington	\$430	\$415		\$15	.	.	.	.	.	.	.	.
West Virginia	\$250	\$250		.	.	.	.	.	.	.	.	.
Wisconsin	\$440	\$224		.	.	\$148	.	.	.	\$18	.	\$50 ⁹
Wyoming	\$310	\$305		.	.	.	.	.	.	\$5	.	.

⁶ North Dakota - Client security, discipline and licensing are included in the \$380.

⁷ Oregon – Each member must pay \$3,200 for mandatory professional liability insurance (not included in total cost).

⁸ Texas – Legal services fee.

⁹ Wisconsin - \$50 IOLTA fee.

CHART 9 - DUES INCREASES

UNIFIED STATE BARS	Last dues increase	% of increase	Annual dues increase based on cost of living	Regularly scheduled dues increase?	Final approval over dues increases
Alabama State Bar	2-4 years ago	20%	No	No	State legislature
Alaska Bar Association	2-4 years ago	18%	No	No	Board of governors
State Bar of Arizona	2-4 years ago		No	No	Board of governors
The State Bar of California	2-4 years ago	5%	No	No	Legislature/governor
The District of Columbia Bar	Last year	4%	No	No	Court
The Florida Bar	2-4 years ago	40%	No	No	Board of governors
State Bar of Georgia	2-4 years ago	6%	No	No	Board of governors
Hawaii State Bar Association	Last year	9%	No	No	Board of governors
Idaho State Bar	Over 7 years ago		No	No	Supreme Court, legislature
Kentucky Bar Association	5-7 years ago		No	No	Supreme Court of Kentucky
Louisiana State Bar Association	Last year	100%	No	No	House of Delegates
State Bar of Michigan	5-7 years ago		No	No	Supreme Court
The Mississippi Bar	2-4 years ago		No	No	Board of governors
The Missouri Bar	Last year	36%	No	No	Board of governors
State Bar of Montana	5-7 years ago		No	No	Montana Supreme Court
Nebraska State Bar Association	Last year	24%	No	No	Nebraska Supreme Court
State Bar of Nevada	2-4 years ago	28%	No	No	Supreme Court
New Hampshire Bar Association	Last year	10%	No	No	3/5 of BOG if 15% increase or below; otherwise general membership vote
State Bar of New Mexico	Over 7 years ago		No	No	Supreme Court
North Carolina State Bar	Last year	12%	No	No	Finance recommends and total counsel approves increases
State Bar Association of North Dakota	5-7 years ago		No	No	General membership
Oklahoma Bar Association		40%	No	No	Oklahoma Supreme Court
Oregon State Bar	2-4 years ago	12%	No	No	General membership
Rhode Island Bar Association	Over 7 years ago		No	No	
South Carolina Bar	2-4 years ago	25%	No	No	Supreme Court
State Bar of South Dakota	2-4 years ago	24%	No	No	General membership

CHART 9 - DUES INCREASES (cont.)

UNIFIED STATE BARS	Last dues increase	% of increase	Annual dues increase based on cost of living	Regularly scheduled dues increase?	Final approval over dues increases
State Bar of Texas	Over 7 years ago		No	No	The Supreme Court of Texas sets the membership fees usually via a referendum of the eligible voting membership.
Utah State Bar	Over 7 years ago		No	No	Utah Supreme Court
Virginia State Bar	Over 7 years ago		No	No	State legislature & Supreme Court
Washington State Bar Association	Last year	2%	No	No	State Supreme Court
The West Virginia State Bar	2-4 years ago		No	No	Supreme Court of Appeals
State Bar of Wisconsin	Over 7 years ago		No	No	Board of governors
Wyoming State Bar	2-4 years ago	1%	No	No	Bar officers
Unified State Bar Average		22%	0%	0%	

Article 1. Integration and Management.

Rule 14-101. Definitions.

As used in this article:

- (a) "Bar" means the Utah State Bar;
- (b) "Board" means Board of Commissioners of the Utah State Bar;
- (c) "discipline" means disbarment, suspension, probation, reprimand or admonition;
- (d) "member" means a lawyer who has been admitted to the Bar, and who holds a current license, the classifications of which are to be set forth hereinafter; and
- (e) "Supreme Court" means the Utah Supreme Court.

Rule 14-102. Regulation of the practice of law.

(a) Vesting of authority.

(a)(1) Under the power vested to it by the Constitution of Utah, the Supreme Court hereby authorizes and designates the Bar to administer rules and regulations which govern the practice of law in Utah. All persons authorized to practice law in Utah shall be licensed by the Bar in accordance with this chapter.

(a)(2) The Supreme Court recognizes a compelling state interest in its use of the Bar to assist the Court in governing admission to the practice of law, the conduct and discipline of persons admitted to practice law, and to improve the quality of legal services in the state. The Court also finds that the requirements imposed, the delegations made and the authority granted to the Bar provide the best ways to promote these compelling state interests and that there are no less restrictive alternatives available to achieve those results.

(b) Responsibilities of the Bar. Purposes, duties and responsibilities of the Bar include, but are not limited to, the following:

- (b)(1) to advance the administration of justice according to law;
- (b)(2) to aid the courts in carrying on the administration of justice;
- (b)(3) to regulate the admission of persons seeking to practice law;
- (b)(4) to provide for the regulation and discipline of persons practicing law;
- (b)(5) to foster and to maintain integrity, learning competence, public service and high standards of conduct among those practicing law;
- (b)(6) to represent the Bar before legislative, administrative and judicial bodies;
- (b)(7) to prevent the unauthorized practice of law;
- (b)(8) to promote professionalism, competence and excellence in those practicing law through continuing legal education and by other means;
- (b)(9) to provide service to the public, to the judicial system and to members of the Bar;

(b)(10) to educate the public about the rule of law and their responsibilities under the law; and

(b)(11) to assist members of the Bar in improving the quality and efficiency of their practice.

(c) Qualifications. The qualifications of lawyers and foreign legal consultants for admission to practice law in Utah, the duties, obligations and the grounds for discipline of members, and the method of establishing such grounds, subject to the right of this Supreme Court to discipline a member admitted to the Bar, shall be as prescribed in this chapter.

(d) Licensure required. No person shall practice law in Utah or hold himself or herself out as one who may practice law in Utah unless he or she has been admitted and is an active member of the Bar in good standing or is an inactive member in good standing providing pro bono legal services for or on behalf of a legal services organization approved by the Bar upon meeting certification and performance standards, conditions, and rules established by the Board, or has been licensed by the Bar as a foreign legal consultant. No suspended or disbarred lawyer or foreign legal consultant shall practice law in Utah or hold himself or herself out as one who may practice law in Utah while suspended or disbarred.

Rule 14-103. Organization and management of the Bar.

(a) Qualification for admission. All persons who have been heretofore and all persons who shall hereafter be duly admitted to practice as an attorney at law in Utah, and who are not the subject of an order of the Supreme Court prior to July 1, 1993, or a district court thereafter which terminates, suspends or restricts the right to practice law in Utah, are qualified to be members of the Bar subject to the provisions of these rules.

(b) Board of Commissioners, number, term and vacancies, powers and duties.

(b)(1) There shall be a Board of Commissioners of the Bar consisting of no fewer than 13 but no more than 15 voting members, including 11 elected lawyers and two non-lawyers appointed by the Supreme Court. The initial term of office of one of the non-lawyer commissioners shall be for two years. Except as otherwise provided, the term of office of each commissioner shall be three years and until a successor is elected and qualified. If a lawyer vacancy on the Board occurs prior to the expiration of the completed term of office, the remaining commissioners shall:

(b)(1)(A) conduct a special election;

(b)(1)(B) appoint a successor from among the active members of the Bar whose business mailing addresses on the records of the Bar are in the division from which the commissioner was elected, who shall serve until the following annual election; or

(b)(1)(C) fill the vacancy through the next regular annual election.

(b)(2) If a lawyer vacancy on the Board is filled by either a special or regular election, the Board may establish the term of the successor to be either a one, two or full three-year term, provided that there would be not more than three but not fewer than two commissioners from the Third Division whose terms expire in any one year and not more than five but not fewer than four commissioners on the Board whose terms expire in any one year.

(b)(3) A President's unexpired Commission term shall be filled in the regular election cycle immediately preceding the time he or she succeeds to the office of President.

(c) The Board is granted and may exercise all powers necessary and proper to carry out the duties and responsibilities of the Bar and the purposes of these rules and shall have all authority which is not specifically reserved to the Supreme Court. The Court specifically reserves the authority to:

(c)(1) approve Bar admission and licensure fees;

(c)(2) approve all rules and regulations formulated by the Board for admission, professional conduct, client security fund, fee arbitration, procedures of discipline and disability, legislative activities, unauthorized practice of law, and Bar Examination review and appeals; and

(c)(3) establish appropriate rules and regulations governing mandatory continuing legal education.

(d) Territorial divisions. The First Judicial District shall be known as the First Division; the Second Judicial District shall be known as the Second Division; the Third Judicial District shall be known as the Third Division; the Fourth Judicial District shall be known as the Fourth Division; and the Fifth, Sixth, Seventh and Eighth Judicial Districts shall be known as the Fifth Division.

(e) Number of lawyer commissioners from each division. There shall be one lawyer member of the Board from each of the divisions, except the Third Division from which there shall be seven lawyer commissioners. No more than one lawyer commissioner from any division except from the Third Division, and no more than seven lawyer commissioners from the Third Division, shall serve on the Board at the same time.

(f) Nomination and eligibility of lawyer commissioners. Lawyers whose business mailing addresses on the records of the Bar are in a particular division shall alone have the right to nominate persons for the office of commissioner from that division. To be eligible for the office of commissioner in a division, the nominee's business mailing address must be in that division as shown by the records of the Bar. Nomination to the office of commissioner shall be by written petition of ten or more members of the Bar in good standing. Any number of candidates may be nominated on a single petition. Nominating petitions shall be mailed to the executive director within a period to be fixed by the rules made by the Board.

(g) Election of commissioners.

(g)(1) The lawyers on the Board shall be elected by the vote of the resident active members of the Bar as follows:

(g)(1)(A) in the year 1983 and every third year thereafter, one member from the Second Division and two members from the Third Division, except that in the year 1983 only, there shall be four members elected from the Third Division;

(g)(1)(B) in the year 1984 and every third year thereafter, one member from the First Division and three members from the Third Division; and

(g)(1)(C) in the year 1985 and every third year thereafter, two members from the Third Division and one each from the Fourth and Fifth Divisions.

(g)(2) The candidate from any division, and the three or two candidates from the Third Division, receiving the greatest number of votes of that division shall be the commissioner from such division. For the year 1983, the candidate from the Third Division receiving the fourth greatest number of votes shall be the commissioner for a two-year term. A member is limited to voting for candidates for commissioner from the division in which his or her business mailing address is located as shown by the records of the Bar. The ballots shall be deposited in person with or by mail to the executive director. There shall be an annual election by the resident active members of the Bar for the purpose of filling vacancies. The Board shall fix the time for holding the annual election and prescribe rules and regulations in regard thereto not in conflict with this chapter. The Board shall, in accordance with its rules, give notice of the annual election by mail at least 90 days prior to the date on which ballots will be counted.

(g)(3) Those persons holding office as commissioners at the time of the adoption of these rules or who were elected under the existing statute will continue in office for the period of time elected to serve.

(h) Nomination and election of president-elect. The Board shall nominate two lawyers in good standing on active status to run for the office of president-elect to be elected by the vote of the active members of the Bar. The president and the president-elect shall hold office until their successors are elected and seated. A secretary and such other assistants as the Board may require, may be selected from within or without the Board to hold office at the pleasure of the Board and to be paid such compensation as the Board shall determine.

(i) Officers and organization of Board. The Board shall be organized and authorized to conduct business by the seating of elected commissioners, and a president and president-elect of the Bar. The president-elect for the previous year shall automatically succeed to the office of president. A president and a president-elect who are not elected commissioners have the authority to vote on matters brought before the Board. In the event of a tie vote, the matter at hand shall fail to pass.

(j) Annual and special meetings notice. There shall be an annual meeting of the Bar, presided over by the president of the Bar, open to all members in good standing, and held at such time and place as the Board may designate, for the discussion of the affairs of the

Bar and the administration of justice. Special meetings of the Bar may be held at such times and places as the Board may designate. Notice of all meetings shall be given by mail to all members of the Bar not fewer than 15 days prior to the date of such meeting.

(k) Bylaws. The Board shall have power to adopt Bylaws, not in conflict with any of the terms of

these rules, concerning the selection and tenure of its officers, the creation of sections and committees and their powers and duties, and generally for the control and regulation of the business of the Board and of the Bar.

Rule 14-104. Admission to practice law; qualifications, enrollment, oath, and fees.

(a) The Board, by delegation from the Supreme Court, shall have the power to determine the qualifications and requirements for admission to the practice of law and to conduct examinations of applicants; and it shall from time to time certify to the Court those applicants found to be qualified. Qualifications and requirements for admission to the practice of law shall be as set forth in Article 7, Admissions.

(b) The approval by the Supreme Court of any person certified for licensure to practice law shall entitle him or her to be enrolled in the Bar upon his or her taking an oath to support the Constitution of the United States and of Utah and to discharge faithfully the duties of an attorney at law or foreign legal consultant to the best of his or her knowledge and ability, and payment of the fee fixed by the Board with the approval of the Court, and thereafter, to practice law upon payment of annual or special license fees herein provided, subject to the provisions of this chapter.

(c) Upon receiving certification by the Board and approval from the Supreme Court, the applicant shall pay \$50 to the clerk of the Court for a certificate of admission, \$30 of which shall be retained by the state treasurer as a special fund for the benefit of the Utah State Law Library, to be expended by the Utah Judicial Council.

(d) Roll of licensed lawyers. The clerk of the Court shall keep a roll of the attorneys at law admitted to practice in Utah, which must be signed by each person admitted before he or she is enrolled and receives his or her certificate of admission to the Bar or license as a foreign legal consultant.

Rule 14-105 Conduct of licensed lawyers and judicial officers; complaints, investigations, and discipline.

(a) The Board shall formulate rules governing the conduct of all persons admitted to practice in Utah, including foreign legal consultants, and shall investigate unethical, questionable or improper conduct of persons admitted to the practice of the law, including members of the Bar holding judicial office. The Board shall also formulate rules governing procedures in cases involving alleged misconduct of members of the Bar, including those holding judicial office.

(b) Court to approve rules and regulations. All rules and regulations formulated by the Board shall be submitted to and approved by the Supreme Court.

Rule 14-106. Authority to engage in legislative activities.

Pursuant to Article VIII, Section 4 of the Utah Constitution, the Supreme Court hereby authorizes and directs the Board to engage in legislative activities.

(a) The Board is authorized and directed to study and provide assistance on public policy issues and to adopt positions on behalf of the Board on public policy issues. The Board is authorized to review and analyze pending legislation, to provide technical assistance to the Utah Legislature, the Governor of Utah, the Utah Judicial Council and other public bodies upon request, and to adopt a position in support of or in opposition to a policy initiative, to adopt no position on a policy initiative, or to remain silent on a policy initiative. The position of the Board shall not be construed as the position of the Court or binding on the Court in any way.

(a)(1) The Board's consideration of public policy issues shall be limited to those issues concerning the courts of Utah, procedure and evidence in the courts, the administration of justice, the practice of law, and matters of substantive law on which the collective expertise of lawyers has special relevance and/or which may affect an individual's ability to access legal services or the legal system.

(a)(2) Public policy issues may be submitted to the Board for consideration in accordance with written procedures established by the Board.

(a)(3) The adoption of a Board position shall be in accordance with written procedures established by the Board.

(a)(4) The Board shall prepare and maintain a written record of the Board's positions on public policy issues and shall ensure reasonable notice and distribution to the members of the Bar.

(b) Governmental Relations Committee. The Board may establish a Governmental Relations Committee to assist in carrying out its responsibilities as set forth above. The committee's membership and procedures shall encourage broad participation and input and compliance with this policy.

(c) Legislative budget, rebates. The Board shall establish, as part of its annual budget, a legislative budget which shall include all reasonable administrative expenses attributable to the Bar's legislative activities. The Board shall identify each member's pro rata portion of the amount budgeted for legislative activities and establish a fair and equitable rebate procedure of that amount for Bar members who object to any legislative position taken by the Board.

Rule 14-107. Annual license, fees; disbursements of funds.

Every person practicing, or holding himself or herself out as practicing law or as an attorney at law in Utah including foreign legal consultants, shall, prior to so doing and prior to the first day of July of each year, pay to the Bar a license fee in an amount to be fixed by the Board with the approval of the Supreme Court to effectuate the purposes of this chapter. These funds shall be administered by the Bar.

Rule 14-108. Issuance of license; form.

The executive director shall issue to each person paying said license fee, if such person shall have theretofore been admitted to practice law in Utah or licensed as a foreign legal consultant by the Supreme Court and not disbarred or then under suspension, a license in such form as the Board may prescribe, for the licensure year for which fees were paid, and shall deliver such license to the person entitled thereto.

Rule 14-109. Powers of the Board respecting funds.

For the purpose of carrying out the objects of this chapter, and in the exercise of the powers herein granted, the Board shall have power to make orders concerning the disbursement of said license funds.

Rule 14-110. Active and inactive members of the Bar.

(a) Any member of the Bar, who has retired from the practice of law, or who is not engaged in the practice of law, except for foreign legal consultants, may upon request be enrolled as an inactive member. There shall be no rebate of any license fee upon transfer from active to inactive membership. An inactive member may attend the annual and special meetings, and participate in any debates or discussions at such meetings, but shall not be entitled to vote in any election or upon any question. An inactive member may provide pro bono legal services for or on behalf of a legal services organization approved by the Bar, upon meeting certification and performance standards, conditions and rules established by the Board.

(b) An inactive member may be appointed by the Board to special committees, other than committees for examination or qualification for admission to practice and disciplinary committees. The annual fee for an inactive member shall be payable before the first day of July of each year, in an amount fixed by the Board, with the approval of the Supreme Court to effectuate the purpose of this chapter. An inactive member, if in good standing, may be enrolled as an active member. Upon such request and the payment of the full annual license fee for the current fiscal year and any other fees authorized by the Court, less any fee paid as an inactive member for such fiscal year, the applicant shall be immediately transferred from the inactive roll to the active roll.

Rule 14-111. Practicing without a license prohibited.

(a) Action or proceedings to enforce. Exception. Pursuant to Rule 14-506(a), no person who is not duly admitted and licensed to practice law in Utah as an attorney at law or as a foreign legal consultant nor any person whose right or license to so practice has terminated either by disbarment, suspension, failure to pay his or her license and other fees or otherwise, shall practice or assume to act or hold himself or herself out to the public as a person qualified to practice law or to carry on the calling of an attorney at law in Utah. Such practice, or assumption to act or holding out, by any such unlicensed or disbarred or suspended person shall not constitute a crime, but this prohibition against the practice of law by any such person shall be enforced by such civil action or proceedings, including writ, contempt or injunctive proceedings, as may be necessary and appropriate, which action or which proceedings shall be instituted by the Bar after approval by the Board.

(b) Nothing in this article shall prohibit a person who is unlicensed as an attorney at law or a foreign legal consultant from personally representing that person's own interests in a cause to which the person is a party in his or her own right and not as assignee.

14-112. Duties of attorneys and counselors at law.

It is the duty of an attorney to comply with the Rules of Professional Conduct and all other duly approved rules and regulations prescribed by the Board or by the Supreme Court and to pay all required fees.

Rule 14-113. Creation of paralegal division.

(a) Paralegal defined. A paralegal is a person qualified through education, training, or work experience, who is employed or retained by a lawyer, law office, governmental agency, or the entity in the capacity of function which involves the performance, under the ultimate direction and supervision of an attorney, of specifically delegated substantive legal work, which work, for the most part, requires a sufficient knowledge of legal concepts that absent such assistance, the attorney would perform. A paralegal includes a paralegal on a contract or free-lance basis who works under the supervision of a lawyer or who produces work directly for a lawyer for which a lawyer is accountable.

(b) Membership and structure of paralegal division. Qualified individuals can become "paralegal affiliates" of the Bar upon submitting an application to the paralegal division of the Bar and fulfilling the following:

(b)(1) an initial and annual certification of continuous sponsorship of a paralegal affiliate by an employer who is a member of the Bar;

(b)(2) a certification by the attorney and paralegal affiliate that the paralegal undertakes no legal work outside the attorney's supervision or supervision of attorney members of the firm, wherein joint sponsorship by joint employers would be permitted;

(b)(3) an assumption of responsibility by the attorney for the compliance of the paralegal with all applicable rules of the Bar;

(b)(4) the paralegal affiliate's parallel commitment that the attorney and paralegal affiliate will notify the Bar of any change of employment of the paralegal affiliate; The paralegal affiliate's authority to function as a paralegal affiliate will terminate concurrent with employment by the sponsor unless sponsorship is accepted by another employer-member of the Bar; and

(b)(5) an appropriate fee.

(c) Officers of paralegal division and ex officio membership on the Board. The paralegal division may appoint officers (president, vice-president, treasurer, secretary) on an annual basis. The division may also appoint an ex officio, non-voting member of the Board who shall report regularly to the division's membership regarding the overall activities of the Bar.

(c)(1) Paralegal affiliates are eligible to receive the Utah Bar Journal, notices of Bar functions and bar-member rates at seminars and meetings. Paralegal affiliates are not eligible for office within the Bar.

(c)(2) Paralegal affiliates shall not be directly subject to discipline by the Bar. However, supervising or responsible attorneys are responsible for all work undertaken by paralegal affiliates for or on their behalf.

Rule 14-114. Conflicts with statutes.

Any existing statutory provisions enacted which conflict with these rules are hereby ordered ineffective due to the constitutional grant of authority to the Court.

Summary of Utah State Bar Operations 2007-2008

Vision of the Utah State Bar

To lead society in the creation of a justice system that is understood, valued, respected, and accessible to all.

Mission of the Utah State Bar

To represent lawyers in the State of Utah and to serve the public and the legal profession by promoting justice, professional excellence, civility, ethics, respect for and understanding of the law.

Introduction and Grants of Authority

In 1981, the Utah Supreme Court promulgated Rules for Integration and Management of the Utah State Bar, restating its inherent authority under the Utah Constitution to regulate the practice of law, acting to "perpetuate, create and continue" the Utah State Bar under its "direction and control" and delegating specific responsibilities to the Bar. In 1993, "the purposes, duties and responsibilities of the Utah State Bar" were stated to include, but not be limited to:

1. Advance the administration of justice according to law;

2. Aid the courts in carrying on the administration of justice;

3. Regulate the admission of persons seeking to practice law;

4. Regulate and discipline persons practicing law;

6. Represent the Bar before legislative, administrative and judicial bodies;

7. Prevent the unauthorized practice of law;

8. Promote professionalism, competence and excellence in those practicing law through continuing legal education and by other means;

10. Educate the public about the rule of law and their responsibilities under the law; and,

The Court acknowledged in the 1993 order that it was exercising "its authority to govern the practice of law without engaging in the daily management and operations of the Bar" and granted the Board "all powers necessary and proper to carry out the duties and responsibilities of the Bar and the purposes of the Rules and that they should have all authority not specifically reserved to the Court." The Court reserved the authority to:

1. Approve Bar admission and licensure fees;
2. Approve all rules and regulations formulated by the Board for admissions, professional conduct, client security fund, fee arbitration, procedures of discipline, legislative activities, unauthorized practice of law, and bar examination review on appeals;
3. Review all appeals from the findings of the Bar Commission on formal disciplinary matters (which need has since been obviated as a result of changes in the Rules of Lawyer Discipline and Disability); and
4. Establish appropriate rules and regulations governing mandatory continuing legal education.

In addition to the Rules for Integration, the Bar's internal operations are governed by By-laws adopted pursuant to authority granted from the Court, and through the establishment of a variety of administrative policies and procedures. Other rules necessary to regulate and manage the practice of law have been promulgated by the Bar and approved by the Court and have been amended from time to time as needs have changed and demands have increased. These other rules include the Rules Governing Admission, Rules of Lawyer Discipline and Disability, Rules of Professional Conduct, Rules for Lawyers' Fund for Client Protection, the Law Student Assistance Rule and the Rules of the Utah State Bar Dispute Resolution Committee.

Bar Leadership

The Bar is a 501 (c)(6) non-profit Utah corporation governed by a fifteen-member Board of Bar Commissioners, which includes eleven elected lawyer representatives, two elected officers and two court-appointed public members. The Commission also includes nine non-voting *ex officio* members. The Commission hires an executive director to carry out the operations and policies of the Commission and who employs and supervises the activities of operations staff, which numbers twenty-five full-time and five part-time employees.

During the 2007-2008 year, the Bar Commission consisted of the following:



Elected Officers:

V. Lowry Snow, President
Snow, Jensen & Reece, St. George

Nathan D. Alder, President-Elect, 3rd Division
Christensen & Jensen, Salt Lake City

Public Members Appointed by the Supreme Court:

Steven R. Burt, AIA, Public Member
Entelen Design-Build, Salt Lake City

Mary Kay Griffin, CPA, Public Member
Mayer, Hoffman, McCann, Salt Lake City

Elected Lawyers and Geographic Area:

Herm Olsen, 1st Division
Hillyard, Anderson & Olsen, Bogan

Felshaw King, 2nd Division
King & King, Farmington

Christian W. Clinger, 3rd Division
Clinger-Lee Clinger, Salt Lake City

Yvette Donosso, 3rd Division
Jones, Waldo, Holbrook & McDonough, Salt Lake City

Lori W. Nelson, 3rd Division
Jones, Waldo, Holbrook & McDonough, Salt Lake City

Stephen W. Owens, 3rd Division
Epperson & Rencher, Salt Lake City

Scott R. Sabey, 3rd Division
Fabian & Clendenin, Salt Lake City

Rodney G. Snow, 3rd Division
Clyde, Snow, Sessions & Swenson, Salt Lake City

Rob Jeffs, 4th Division
Jeffs & Jeffs, Provo

Curtis M. Jensen, 5th Division
Snow, Jensen & Reece, St. George

Ex Officio Members, Appointed by the Commission for One Year Terms:

Augustus G. Chin, Immediate Past Bar President
Summit County Attorney's Office, Criminal Division

Hiram E. Chodosh, Dean, S. J. Quinney College of Law

Stephanie W. Pugsley, Young Lawyers Division President
Rooker Rawlins, LLP

Charlotte L. Miller, Utah State Bar's Delegate to the ABA
Unishippers Association, Inc.

Karthik Nadesan, Minority Bar Association Representative
Nadesan Beck, PC

Paul T. Moxley, State ABA Members' Delegate
Parsons, Kinghorn & Harris

Laurie D. Gilliland, Women Lawyers of Utah Representative
U.S. District Court

Sharon M. Andersen, Paralegal Division Representative
Strong & Hanni

Kevin Worthen, Dean, J. Reuben Clark School of Law

Other Representatives:

Marilyn Branch, Utah Supreme Court Liaison

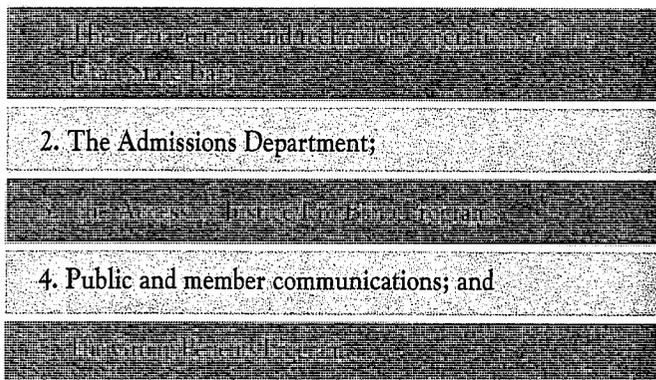
2007-2008 Commission Priorities

The Bar Commission annually reviews its long range planning objectives and sets specific goals for the upcoming year within the plan. For the 2007-2008 year, those goals included the following:

Long Range Plan & Operations Review

On January 26, 2007, the international accounting firm of Grant Thornton concluded its year-long evaluation of the governance and the organizational structure of the Utah State Bar and presented their conclusions and recommendations for improved oversight and management practices. Among the recommendations adopted by the Bar Commission on March 8, 2007 was to more "regularly format and document a long-term strategy for the Bar." Within the recommendation to document a long-term strategy was a proposal that the Bar perform regular operations reviews of its programs and services.

On September 21, 2007 the Commission adopted a Strategic Plan of Long Range Goals and Values and set into place a system by which during the 2007-2008 year it reviewed:



Reports and recommendations of the committees were reviewed and adopted by the Commission.

Mentoring Program Development

In the summer of 2006, the Bar Commission committed to develop a mentoring program through which new lawyers would be trained during their first year of practice in professionalism, ethics and civility, and to be assisted in acquiring the practical skills and judgment necessary to practice in a highly competent manner and to be provided a means to learn the importance of organizational mentoring, building developmental networks and long-term, multiple mentoring relationships. Through a subcommittee co-chaired by Rod Snow and Margaret Plane, the Bar Commission has studied various other state bar mentoring programs, received input from law firms and lawyers on implementation and recruiting, and has drafted a Utah Supreme Court petition to authorize a new lawyer training program ("NLTP"). The petition was filed with the Supreme Court on September 30, 2008.

Public Education, Public Relations, Surveys

Through the Communications Program operational review, the Bar Commission recommitted to increasing positive exposure and media coverage of Bar activities and lawyers, to increase civics education proposals and double the number of surveys sent to lawyers on issues regarding the practice of law, the profession, individual practice needs, continuing education and Bar conventions. The Bar has seen an increase in the number of articles in newspapers and television media about its activities, officers, and awards, and has received greater input on how it can better meet the needs of lawyers in providing insurance, medical help, and lifestyle issues.

Lawyer Referral Service Improvement

The Bar has created a new online service by which members of the public may more easily find a Utah lawyer and by which Utah lawyers might become more available to clients looking for assistance.

Access to Justice / Pro Bono / "Low" Bono

The Bar Commission authorized the establishment of a new position at the Bar to reenergize recruitment of attorneys to provide *pro bono* services and to facilitate referrals and communications among groups in the state. That position has been filled. The Commission has continued to work with local providers of legal services for the poor and indigent in creating a more comprehensive network of referrals and a better understanding of services provided.

Professionalism

The Commission continues to work with the Supreme Court's Advisory Committee on Professionalism and its own CLE Department and convention planners in promoting educational opportunities. The goal is to encourage lawyers to understand their obligations to interact with one another and members of the public in a professional and efficient manner, which will more effectively promote the administration of justice and encourage the decorum necessary for client's rights to be protected and public confidence to be maintained.

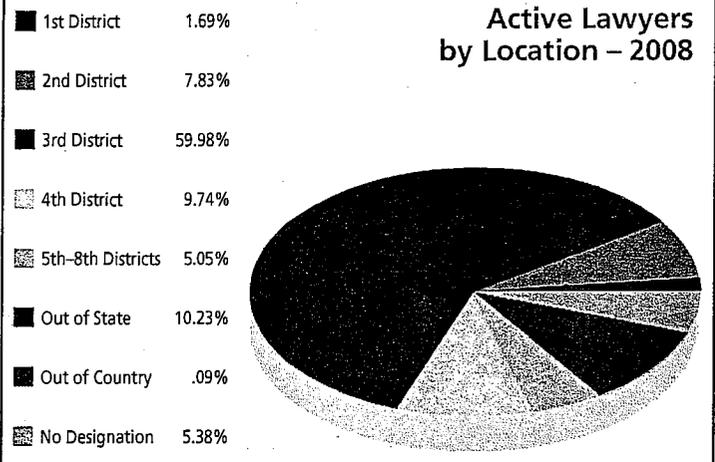
Licensing Statistics

	2006-2007	2007-2008	Change
Active Status	7,060	7,399	339
Active Lawyers	6,050	6,320	290
Active Under 3 Years	887	922	35
Emeritus	139	135	(4)
In House Counsel	4	22	18

	2006-2007	2007-2008	Change
Inactive Lawyers	2,129	2,119	(10)
Inactive, Full Service	757	752	(5)
Inactive, No Service	1,192	1,165	(27)
Inactive, Emeritus	180	202	22
Total Active & Inactive	9,189	9,518	329

By Location

	2006-2007	2007-2008	Change
1st Judicial District	127	125	(2)
2nd Judicial District	1,000	1,000	0
3rd Judicial District	4,188	4,438	250
4th Judicial District	1,200	1,200	0
5th - 8th Judicial Districts	363	374	11
Other States	0	0	0
Out of Country	5	7	2
No Designation	0	0	0
Total	7,060	7,399	339



Bar Programs and Services

Regulatory Services

Special Admissions

Special admissions include reviewing and processing Military Lawyers, House Counsel, Admission on Motion and *Pro Hac Vice* applications. During the Fiscal 2007 year, we had the following special admissions applications:

	Applications	Admitted	Pending	Denied	Withdrawn
Military	0	0	0	0	0
House Counsel	21	18	3	0	0
Motion	48	31	14	1	2
Pro Hac Vice	265	185	80	0	0

Admissions

Admissions includes the application process, character and fitness file reviews and hearings, Bar exam question drafting and selection, preparation and administration, grading essay exams, the Admissions Ceremonies and all reciprocal admissions. Committees include the *Admissions Committee*, *Character and Fitness Committee*, *Bar Examiner Committee*, and the *Bar Exam Administration Committee*.

July 2007 Bar Examination Statistics

305 Took the July Bar Exam.

252 Passed the July Bar Exam.

Pass Rate for the July 2006 Bar Exam: 83%

February 2008 Bar Examination Statistics

176 Took the February Bar Exam.

134 Passed the February Bar Exam.

Pass Rate for the February 2007 Bar Exam: 76%

Essay Scores	Multistate Scores	Combined Scores
60 Points Possible	200 Points Possible	Utah Median Score: 290
Average Score: 35	Utah Average: 145	Passing Score: 270
	National Average: 144	
	(50,181 tested)	

Essay Scores	Multistate Scores	Combined Scores
60 Points Possible	200 Points Possible	Utah Median Score: 286
Average Score: 35	Utah Average: 143	Passing Score: 270
	National Average: 138	
	(20,822 tested)	

Professional Conduct Enforcement

The Office of Professional Conduct investigates complaints of unethical conduct; provides ethics education seminars; formal and informal advisory opinions; makes presentation to hearing panels; and either resolves or prosecutes cases. Committees include the *Ethics and Discipline Committee (Hearing Panels)*, *Ethics Advisory Opinion Committee*, and involvement with *Supreme Court Rules of Professional Conduct Committee*, *Supreme Court Advisory Committee on Professionalism*. The office has prepared a separate report on its operations.

Continuing Legal Education Seminars

In the past year, the CLE Department coordinated or presented 166 seminars in 35 general practice areas, for a total of 342 total credit hours at a charge to lawyers of about \$30 per credit hour. The CLE Department coordinates with and assists the *New Lawyer CLE Committee*.

General Bar Management and Operations

General Bar management includes annual licensing, maintenance of databases, personnel, financial controls, inventory, equipment, governance organization and support, long range and planning. Bar staff manages policy implementation and operations through various voluntary leadership committees, including: *Bar Commission*, *Bar Commission Executive Committee*, and the *Bar Commission Budget & Finance Committee* of Ray O. Westergard, CPA, Nathan D. Alder, Marilyn M. Branch, Jonathan K. Butler, Cynthia J. Crass, Peter K. Ellison, Robert M. Graham, CPA, Mary Kay Griffin, CPA, Louise T. Knauer, V. Lowry Snow, Jeff Einfeldt, CPA, and John C. Baldwin.

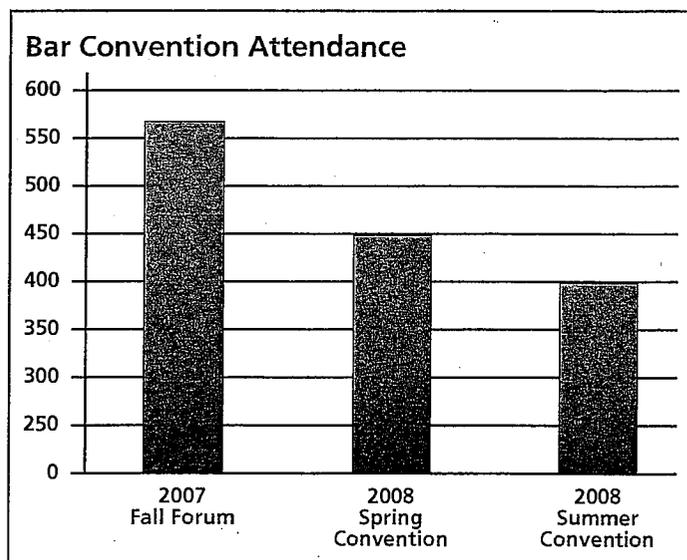
Other *Ad Hoc* committees appointed this year include the *Mentoring Program Study Committee*.

"Group " Services

Fall Forum, Summer & Spring Conventions

The goals of the conventions include providing opportunities for lawyers to network in congenial, social, and informal settings to renew friendships; to learn and to facilitate the administration of justice, foster professionalism, and engender a collective identity through familiarity with fellow professionals. These events provide unique seminars and speakers, educate lawyers about issues facing the Bar, the profession and the judiciary, permit interaction with judges, and are budgeted to break even.

Events are coordinated by staff with assistance from the *Fall Forum*, *Summer Convention*, and *Spring Convention Committees*.



The 2007 Fall Forum in Salt Lake: 588 lawyers; 7 CLE hours.

The 2008 Spring Convention in St. George: 460 lawyers; 9.0 CLE hours.

The 2008 Summer in Sun Valley, Idaho: 414 lawyers; 15 CLE hours.

Group Benefit Programs

The Bar has negotiated group benefit discounts with 33 different partners, including free legal research through Casemaker and free professional counseling through Blomquist Hale Consulting and peer-to-peer assistance through Lawyers Helping Lawyers. The *Lawyer Benefits Committee* meets to review and promote benefits.

Committee Support – Unrelated to Other Programs

Stand-alone committees charged to provide professional leadership and study of issues include the *Courts and Judges*, *Law and Technology*, and *Law and Aging Committees*. All other committees support specific Bar operations and activities.

Section & Division Support

Staff provides support services to 34 *Sections* and 2 *Divisions* which are independent and financially self-sustaining. Activities include section meetings and CLE luncheons, dues collection, general administrative and financial services, member communications, and the maintenance of web sites and blogs.

Communications Programs

The Bar provides information on professional issues, law office management, legal education and law related opportunities. The *Utah Bar Journal*, which was published six times this past year by the *Bar Journal Committee*, was provided to members. In addition a current and interactive web site, monthly E-bulletins, regular mailings, posters, banners, convention and seminars, and surveys kept members and public informed.

Access to Justice Programs

Bar staff matches approximately one hundred members of the public with *pro bono* services and volunteers, and coordinates weekly presentations at Senior Citizen Centers. The Bar also participates in the activities of the statewide Access to Justice Commission.

Client Security Fund

The *Client Security Fund Committee* conducted hearings during Fiscal 2007, resulting in Commission awards of \$60,592 to clients harmed by the inappropriate activities of their lawyers.

Tuesday Night Bar

Each Tuesday night, lawyers organized by the Young Lawyers Division provide free legal advice to over two dozen members of the public at the Law & Justice Center. Other Tuesday Night Bar activities occur each week in various other locations around the state. Utah State Bar staff makes Tuesday Night Bar appointments and staffs the desk.

Young Lawyers Division

The Young Lawyers have produced video mentoring on their web site; promote Law Day Activities, and provide numerous service projects, including Wills for Heroes.

Unauthorized Practice of Law Committee

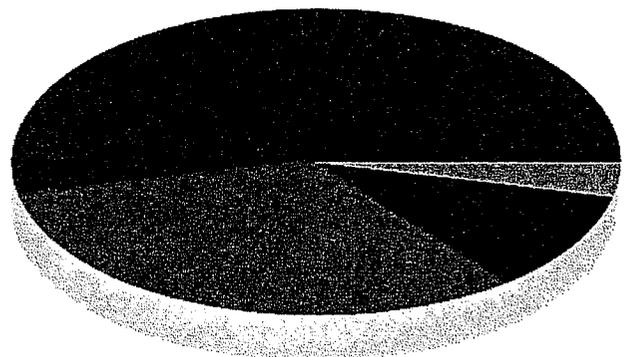
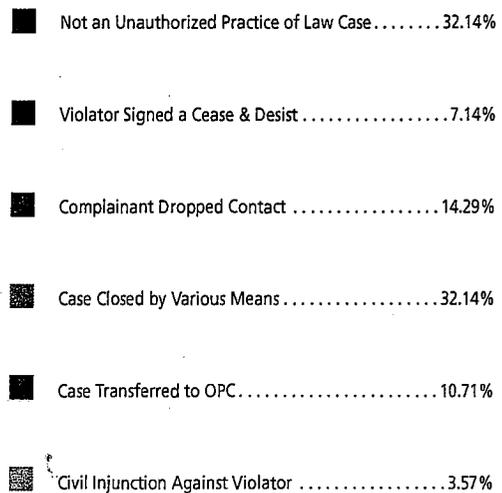
During the fiscal year 2007-08, the *Unauthorized Practice of Law Committee* and staff received 28 complaints about the unauthorized practice of law. The Committee is actively investigating 6 cases; 2 of which are formal complaints. Every complaint was thoroughly investigated by the Committee and of the 28 closed complaints (6 of which were carried over from previous years for further investigation and hence closed during the 2007-08 fiscal year):

2 alleged UPL violator(s) signed a Cease & Desist Agreement

9 cases were closed by various means (e.g., letter of admonishment, violator moved out of state, etc)

1 case was transferred to OPC because this violator was disbarred/suspended for professional misconduct

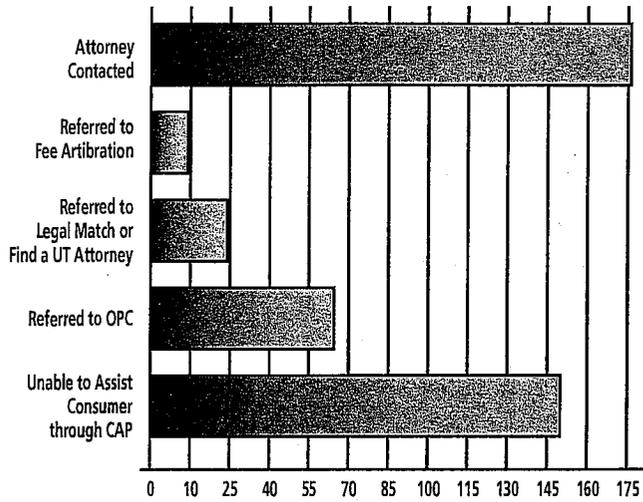
1 case the Bar received a civil injunction against the violator.



Consumer Assistance Program

The program offers support to both consumers and attorneys who need assistance in their communication with each other. Work performed eases the load for the OPC by dealing with minor complaints submitted by consumers, whose main concerns usually include not getting return telephone calls from their attorneys; not receiving regular billing statements; and not receiving regular updates about their cases. Complaints which rise to the level of ethical concerns are handled exclusively by OPC, which has more time and resources to spend attending to more serious problems. At times, CAP has also assisted attorneys who have needed help communicating with other attorneys.

CAP Case Resolution



During the last fiscal year, the part-time staff lawyer handled 1104 telephone conferences with consumers who had questions about the management of their legal matters and concerns about their lawyers. The CAP attorney opened 531 files, and contacted lawyers about their clients' concerns in 176 (30%) of those matters. Of the remaining files, 9 were referred to the Fee Arbitration Program, 25 were referred to Legal Match or the new Find a Utah Attorney online listing, and 66 were referred to the Office of Professional Conduct. In 150 matters, the CAP attorney was not able to assist the consumers. In those cases, the CAP attorney tried to clarify for the consumers how their concerns are best addressed through means other than those offered by the Utah State Bar's various programs.

Fee Dispute Resolution Program

In the last fiscal year the *Fee Dispute Resolution Committee* and staff prepared and conducted hearings with a volunteer lawyer or panels of volunteer lawyers, judges and lay people to resolve disputes about legal fees in a process through which parties voluntarily agree to be bound. Last year, the committee opened 54 cases; settled 6; arbitrated 19 and mediated 8. The committee and staff were unable to resolve 14 cases because parties refused to participate. Ten cases are still pending and 3 cases have been deemed ineligible.

Law & Justice Center Operations

The Utah State Bar owns and operates the 33,000 square foot building known as The Utah Law & Justice Center. The Center provides low cost meeting room space and services for mediations, arbitrations, continuing education seminars and other charitable, non-profit, educational and public purposes. Services by the Center staff include audio-visual rental, catering, low cost leases, tenant support, interior and exterior grounds maintenance and security. There were 623 meetings in the building during the year. Bar-related sections, committees, divisions, seminars, and associated meetings constituted 412 of that total and 211 meetings were non-Bar related charitable, educational, public and commercial groups.



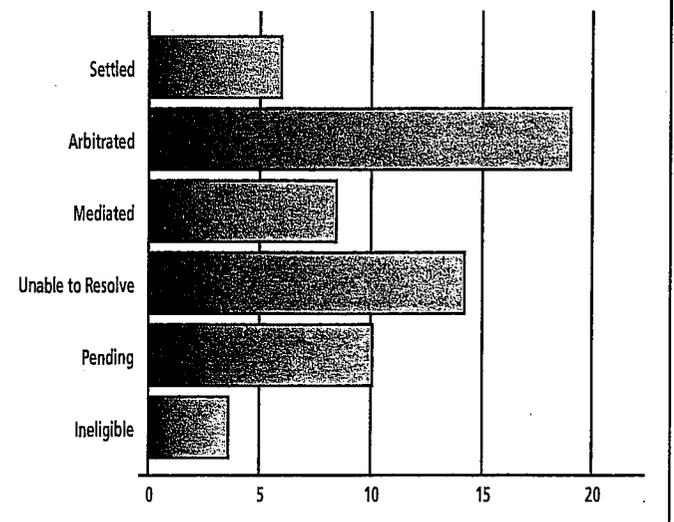
Public Education, Services and Special Projects

The Bar Commission regularly provides public education projects including participation with the American Bar Association; makes appointments to Utah State Boards and Committees; helps to fund the Law Related Education Project; and sponsors the Law Day Celebration with the *Law Day Committee*; among other things.

Governmental Relations

The Bar hires a legislative representative and supports the activities of its *Governmental Relations Committee* which makes recommendations for action on bills and provides assistance to legislators with specific questions on legislation. This was also mentioned as one of the priorities listed and outlined above.

Fee Dispute Resolution Cases



Utah Law and Justice Center Usage As of June 30, 2009

Fiscal Year 2008-09

Type of Event	Number of Events	Number of Hours
Regulatory	121	447
Administrative	73	118
Educational	247	1017
Charitable	103	328.5
Other	43	152.5
Total	587	2063

Fiscal Year 2007-08

Type of Event	Number of Events	Number of Hours
Regulatory	147	520.5
Administrative	79	119.5
Educational	265	1069.5
Charitable	147	601
Other	41	141
Total	679	2451.5

Fiscal Year 2006-07

Type of Event	Number of Events	Number of Hours
Regulatory	156	566.5
Administrative	78	113
Educational	279	982.5
Charitable	125	347
Other	38	126
Total	676	2135

Fiscal Year 2005-06

Type of Event	Number of Events	Number of Hours
Regulatory	142	570
Administrative	85	127.5
Educational	261	967
Charitable	134	492.5
Other	44	157
Total	666	2314

Fiscal Year 2004-05

Type of Event	Number of Events	Number of Hours
Regulatory	133	531.5
Administrative	69	96.5
Educational	252	929
Charitable	139	378
Other	43	174
Total	636	2109

UTAH STATE BAR
Licensing Statistics
November 3, 2009

<u>STATUS</u>	<u>05/31/09</u>	<u>11/03/09</u>	<u>Change</u>
Active	6,659	6,515	(144)
Active under 3 years	862	1,111	249
Active Emeritus	143	139	(4)
In House Counsel	29	29	0
Subtotal - Active	7,693	7,794	101
Inactive - Full Service	731	653	(78)
Inactive - No Service	1,247	1,356	109
Inactive Emeritus	210	211	1
Subtotal - Inactive	2,188	2,220	32
Total Active and Inactive	9,881	10,014	133
<u>Supplemental Information</u>			
Paralegals	135	116	(19)
Associate Section Members	69	69	0
Journal Subscribers	94	94	0
<u>Active Attorneys by Region</u>			
Logan - Brigham	126	140	14
Davis - Weber	611	636	25
Salt Lake	4,604	4,763	159
Provo	764	816	52
Southern Utah	385	401	16
Out of State	746	722	(24)
Out of Country	4	3	(1)
No region designated	453	313	(140)
Total Active Attorneys	7,693	7,794	101

2009 – 2010 Utah State Bar Sections

Administrative Law Section

Chair: Gary R. Thorup
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299 South Main, Suite 1800
Salt Lake City, Utah 84111-2263
Telephone: 801-521-5800
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Commission Liaison: Steven R. Burt

Antitrust & Unfair Competition Section

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Email Address: cory.talbot@hro.com
Commission Liaison: Yvette Donosso

Appellate Practice Section

Chair: Erin Riley
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Email Address: eriley@utah.gov
Commission Liaison: Rod Snow

Banking & Finance Section

Chair: Brian D. Cunningham
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Commission Liaison: Mary Kay Griffin

Bankruptcy Section

Chair: Troy J. Aramburu
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Commission Liaison: Herm Olsen

Business Law Section

Chair: E. Troy Blanchard
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Commission Liaison: Christian W. Clinger

Collection Law Section

Chair: Derek J. Barclay
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Sandy, Utah 84070
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Email Address: derek@cullimore.net
Commission Liaison: Thomas W. Seiler

Communications Section

Chair: Jake Redd
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170 S. Main Street, Suite 1500
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Telephone: 801-534-7423
Email Address: jredd@joneswaldo.com
Commission Liaison: Curtis Jensen

Constitutional Law Section

Chair: Ryan D. Tenney
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Commission Liaison: Christian Clinger

Construction Law Section

Chair: Bryan H. Booth
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Telephone: 801-328-0266
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Commission Liaison: Steven R. Burt

Corporate Counsel Section

Chair: David E. Stice
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Legal Department
550 East South Temple
Salt Lake City, Utah 84102
Telephone: 801-524-2753
Email Address: dstice@sinclairoil.com
Commission Liaison: Rusty Vetter

Criminal Law Section

Chair: Chad L. Platt
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Email Address: cplatt@slco.org
Commission Liaison: James D. Gilson

Cyber Law Section

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Commission Liaison: Lori W. Nelson

Dispute Resolution Section

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Commission Liaison: Christian W. Clinger

Education Law Section

Chair: Kelly De Hill
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Commission Liaison: Felshaw King

Energy, Natural Resources Law Section

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Estate Planning Law Section

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Family Law Section

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Franchise Law Section

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Commission Liaison: Scott Sabey

Government Law Section

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Email Address: dlmortensen@stoel.com
Commission Liaison: Scott Sabey

Intellectual Property Section

Chair: S. Brandon Owen
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International Law Section

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Juvenile Law Section

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Commission Liaison: Lori W. Nelson

Labor & Employment Law Section

Chair: Chris P. Wangsgard
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Law & Aging Section

Chair: RobRoy Platt
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Litigation Section

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Military Law Section

Chair: Lance D. Thaxton
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00-ALC/JAC
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Non-Profit/Charitable Law Section

Chair: Charles Livsey
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Paralegal Division

Chair: Aaron Thompson
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Real Property Law Section

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Securities Law Section

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Commission Liaison: James D. Gilson

Senior Lawyers Section

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Commission Liaison: Felshaw King

Solo, Small Firm & Rural Law Practice Section

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Tax Law Section

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Young Lawyers Division

Chair: Michelle Allred
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Email Address: allredm@ballardspahr.com
Commission Liaison: Rod G. Snow

2009-2010 Utah State Bar Committees

Admissions Committee

Co-chair: Steven T. Waterman
Address: Dorsey & Whitney, LLP
136 S. Main Street, Suite 1000
Salt Lake City, UT 84101
Telephone: 801-933-7365
Email Address: waterman.steven@dorsey.com
Commission Liaison: Rob L. Jeffs
Felshaw King

Co-chair: Hon. James Z. Davis
Address: Utah Court of Appeals
450 S. State Street
P.O. Box 140230
Salt Lake City, UT 84111-0230
Telephone: 801-578-3900
Email Address: Private

Bar Examiner Committee

Co-chair: M. David Eckersley
Address: Prince, Yeates, & Geldzahler
175 E. 400 S., Suite 900
Salt Lake City, UT 84111
Telephone: 801-524-1000
Email Address: Private
Commission Liaison: Rob L. Jeffs
Felshaw King

Co-chair: Russell C. Fericks
Address: Richards, Brandt, Miller & Nelson
299 S. Main Street, 15th Floor
Salt Lake City, UT 84111
Telephone: 801-531-2000
Email Address: russell-fericks@rbmn.com

Bar Examination Administration Committee

Chair: Michele Ballantyne
Address: University Of Utah, Office of General Counsel
201 S. Presidents Circle, Room 309
Salt Lake City, UT 84112-9018
Telephone: 801-585-7002
Email Address: Private
Commission Liaison: Rob L. Jeffs
Felshaw King

Bar Journal Committee

Co-chair: William D. Holyoak
Address: Parsons, Behle & Latimer
201 S. Main Street, Suite 1800
P.O. Box 45898
Salt Lake City, UT 84145-0898
Telephone: 801-532-1234
Email Address: Private
Commission Liaison: Rob L. Jeffs

Co-chair: John T. Zagorec
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Budget & Finance Committee

Chair: Ray Westergard
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Telephone: 801-292-2569
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Commission Liaison: Rob L. Jeffs
Stephen W. Owens

Character & Fitness Committee

Co-chair: Bryon Benevento
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Salt Lake City, UT 84101
Telephone: 801-257-1902
Email Address: bbenevento@swlaw.com
Commission Liaison: Rob L. Jeffs
Felshaw King

Co-chair: Frank J. Carney
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CLE Advisory Committee

Chair:: Nanci S. Bockelie
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Ethics Advisory Opinion Committee

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Commission Liaison: Curtis M. Jensen

Fee Dispute Resolution Committee

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Commission Liaison: Herm Olsen

Fund for Client Protection Committee

Chair: David R. Hamilton
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Commission Liaison: Yvette Donosso

Governmental Relations Committee

Chair: Scott R. Sabey
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Email Address: Private

Vice Chair: Michelle Allred
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Salt Lake City, UT 84111-2221
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Email Address: allredm@ballardspahr.com

Lawyers Helping Lawyers

Chair: S. Brook Millard
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Salt Lake City, Utah 84101
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Email: bmillard@mortonmillard.com

Member Resource Committee

Chair: Matthew L. Anderson
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Salt Lake City, UT 84111
Telephone: 801-531-8900
Email Address: Private

Mentor Training and Resource Committee

Co-chair: Annette W. Jarvis
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Salt Lake City, UT 84101
Telephone: 801-933-8933
Email Address: jarvis.annette@dorsey.com
Commission Liaison:

Co-chair: Jeffrey J. Hunt
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Salt Lake City, UT 84111
Telephone: 801-532-7840
Email Address: jhunt@parrbrown.com

New Lawyer Training Program Committee

Co-chair: Rod G. Snow
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Commission Liaison: Rod G. Snow

Co-chair: Margaret Plane
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Telephone: 801-535-7788
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Co-chair: James Backman
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Telephone: 801-422-2221
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Co-chair: Matty Branch
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Unauthorized Practice of Law Committee

Chair: Dan Larsen
Address: Snell & Wilmer, LLP
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Commission Liaison: Yvette Donosso

2010 Spring Convention Committee

Chair: LaMar J. Winward
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2010 Summer Convention Committee

Co-chair: Scott K. Mayeda
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Commission Liaison: Stephen W. Owens

Co-chair: Sammi V. Anderson
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2009-2010 Local and Specialty Bar Associations

Box Elder Bar Association

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Commission Liaison: Herm Olsen

Cache County Bar Association

President: Angela F. Fonnesebeck
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Central Utah Bar Association

President: Morgan T. Fife
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Provo UT 84603
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Commission Liaison: Thomas W. Seiler

Davis County Bar Association

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Commission Liaison: Felshaw King

Eastern Utah Bar Association

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Commission Liaison: Curtis M. Jensen

Federal Bar Association

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Commission Liaison: James D. Gilson

Garfield County Bar Association

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Hellenic Bar Association

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Commission Liaison: Steve W. Owens

Minority Bar Association

President: Chrystal Mancuso-Smith
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Email Address: cmancuso@dunndunn.com
Commission Liaison: Christian W. Clinger

Park City Bar Association

President: Edward J. Stone
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Commission Liaison: Rod G. Snow

Salt Lake County Bar Association

President: Diana Hagen
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Commission Liaison: Lori W. Nelson

Sixth District Bar Association

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Southern Utah Bar Association

President: Mike Leavitt
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Commission Liaison: Curtis M. Jensen

Tooele County Bar Association

President: Frank Mohlman
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Commission Liaison: Rod G. Snow

Uintah Basin Bar Association

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Utah Association of Criminal Defense Lawyers

President: Richard P. Gale
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Email Address: Private
Commission Liaison: Herm Olsen

Utah Employment Lawyers Association

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Commission Liaison: Charlotte Miller

Utah Association of Criminal Defense Lawyers

President: Tawni Hanseen
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Commission Liaison: Nathan D. Alder

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Utah Association for Justice

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Commission Liaison: Thomas W. Seiler

Wasatch County Bar

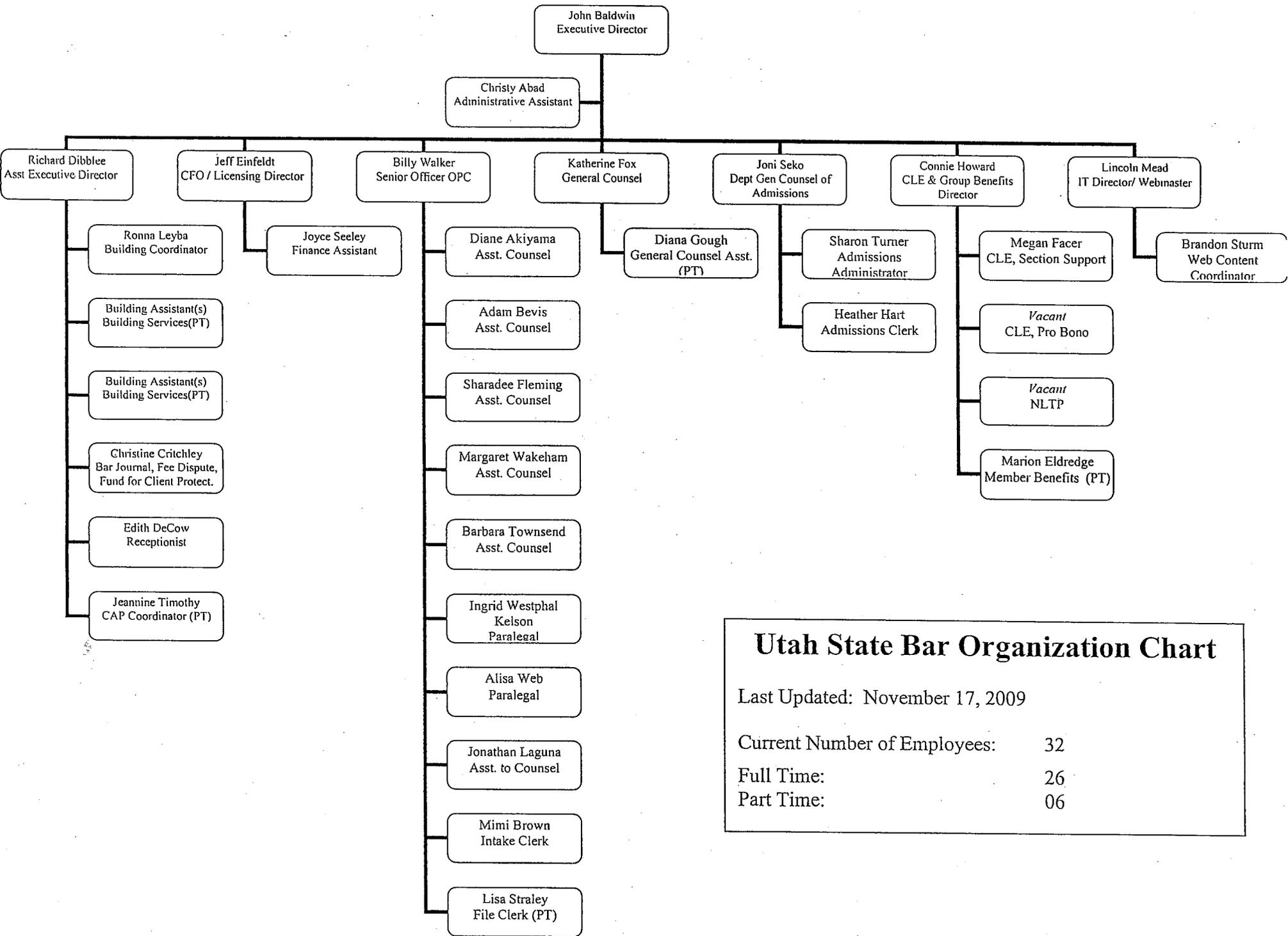
President: Corbin B. Gordon
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Commission Liaison: Thomas W. Seiler

Weber County Bar Association

President: Laura Rasmussen
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Olds & Nichols, LLC
205 26th Street, Suite 34
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Telephone: 801-476-0303
Email Address: webercba@yahoo.com
Commission Liaison: Felshaw King

Women Lawyers of Utah

President: Lisa Yerkovich
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Commission Liaison: Mary Kay Griffin



Utah State Bar Organization Chart

Last Updated: November 17, 2009

Current Number of Employees: 32

Full Time: 26

Part Time: 06

UTAH STATE BAR
Summary of Overhead Costs for the year ending 6/30/2009

Janitorial Expense	\$ 34,384.85
Heat	11,395.00
Electricity	31,893.74
Water/Sewer	2,940.59
Outside Maintenance	26,758.94
Building Repairs	7,771.91
Bldg Mtncē Contracts	32,706.98
Bldg Mtncē Supplies	3,614.04
Real Property Taxes	63,382.24
Personal Property Taxes	1,600.00
Bldg Insurance/Fees	10,658.04
Bldg Depreciation	116,619.63
Furn/Fixtures Depreciation	29,317.05
Equip Depreciation	48,865.55
Total Building Overhead	<u>\$ 421,908.56</u>

Supreme Court of Utah

450 South State Street
P.O. Box 140210
Salt Lake City, Utah 84114-0210

Marilyn M. Branch
Appellate Court Administrator

Pat H. Bartholomew
Clerk

Appellate Clerks' Office
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Supreme Court Reception 238-7967

Christine M. Durham
Chief Justice

Michael J. Wilkins
Associate Chief Justice

Matthew B. Durrant
Justice

Jill N. Parrish
Justice

Ronald E. Nehring
Justice

June 22, 2005

N. George Daines
President
Utah State Bar
645 South 200 East
Salt Lake City, UT 84111

Re: Bar's Petition as to Consumer Price Indexing of Bar Licensing Fees

Dear George:

I am writing as a follow-up to our discussion of the CPI petition when we met on April 22, 2005. As we discussed, while the Court is not opposed in principle to the Bar's use of the CPI as a benchmark for calculating proposed dues increases, we believe such increases should be specifically requested and approved, and not automatic. There are numerous factors affecting the amount of increases and their timing, and we are not comfortable with any form of automatic "escalator." Based upon the foregoing, the court will deem the Bar's petition to be withdrawn.

It is our understanding that the Bar Commission has determined that no fee increase is necessary for the upcoming year. However, Bar leadership should feel free in the future to submit a proposed increase based on the CPI or any other factors to the Court when they believe it is warranted.

Sincerely,



Christine M. Durham
Chief Justice

Summary of Some Bar Cost Savings Measures

Staff

- The Bar has instituted a hiring freeze. As a result of staff attrition, several unfilled positions include the Bar's Pro Bono Coordinator and the New Lawyer Training Program Administrator (NLTP). The work associated with these positions has been currently re-distributed among other staff members. While the NLTP Administrator position will need to be filled in order to meet the objectives of the new program, most other positions, including the Pro Bono Coordinator job, will remain unfilled until the Bar's budget improves. Commensurate with this policy, we are not making up for lost hours during the Web Site Coordinator's military and academic related absences. We have also postponed hiring of additional part-time staff in finance/licensing area to handle increased workload, particularly during renewal time from June through September, and instead, have distributed it among existing staff members. Finally, staff raises, where given, were minimal this past year.
- Meeting and travel costs among Bar attorneys has been drastically reduced. OPC now splits their attorney staff attendance between the Bar's Spring and Annual Conventions. No attorneys in that office have attended the past few ABA affiliated National Office of Bar Counsel (NOBC) Mid Year meetings and only one attorney in that office attended the last annual ABA NOBC meeting. The Bar's Executive Director, Assistant Executive Director and General Counsel have also reduced the number of meetings they attend. We further have reduced the number of Bar staff assigned to help out at the Bar's Spring and Annual Conventions.
- Staff has also worked on reducing costs associated with volunteer committee meetings. As one example, periodic training sessions for admissions related committees (such as Character and Fitness) have all been moved on-site.

Computer and Office Equipment

- Rather than a rolling replacement of computer equipment, we are now replacing equipment at failure or, in the case of servers, after support for replacement hardware has been withdrawn.
- We have not added any new technology services or major equipment since last January.
- Last year we replaced a camera in OPC with one that no longer requires tapes which saves money. We will be doing the same with the audio recorder later this year.
- We replaced two leased printers with purchased printers and will realize savings of \$7,000 to \$10,000 over what would have been the lease period.

- We will be terminating the leases on existing copiers early next year. The plan is to replace these with purchased copiers by accessing Utah government purchase rates through either OCE or Xerox. We should be collecting bids in January/February.

Bar Processes

- We changed accounting software which:
 - reduced annual software maintenance/licensing costs;
 - made more accounting information more readily available;
 - reduced outside consultant support costs;
 - reduced paper usage by more than half; and
 - helped reduce audit fees by \$10,000 this year.
- We switched from ADP payroll processing to Quickbooks payroll processing which:
 - reduced monthly fees by more than half (several thousand per year); and
 - reduced staff processing time for payroll by half (partly due to other process retooling).
- We reorganized the Bar's various bank accounts to eliminate several thousand dollars per year in analysis fees.
- We are moving to electronic ballots for Bar elections to reduce impact on staff time and largely eliminate printing and mailing costs.
- We have eliminated use of credit cards with most paper forms at the current time. We have restricted credit card use to online licensing renewals rather than accepting paper licensing forms with credit card information. We are now in the process of doing the same for CLE. When the budget improves, we will move back to more credit card use.
- We have migrated to a new merchant processor for credit cards which has reduced our exchange rate costs from 4.5% to 2.5%. We will be consolidating the merchant processing accounts throughout the rest of the year. We are looking at improving our PCI compliance program to see if we can reduce those rates any further.
- We have reduced our usage of Iron Mountain paper shredding services in part by buying several paper shredders.
- We are emphasizing electronic transmissions of forms (such as fee arbitration, client security fund, etc.) in lieu of routinely mailing forms where feasible (which is in most cases).

Building, Grounds and Services

- Ordering our disposable service ware (such as plastic plates, cups, napkins, etc.) from Sysco has saved us quite a bit of money rather than using a former provider that the Bar had used for years;
- Going to biodegradable instead of “fancy” heavy duty black plastic service ware;
- Installing a water dispenser in the main level kitchen instead of relying on 25 gallon water bottles;
- Going to a different brand of small bottled water for meetings has saved the Bar more than half of what it formerly cost for larger size bottled water;
- Purchasing carpet tape (to cover electrical cords in meeting rooms) directly rather than through a supplier;
- Changed janitorial services and provider to cut the cleaning bill nearly in half;
- We have lowered costs by changing miscellaneous service providers (such as locksmith, special event providers, ice machine, drinking fountains, refrigerator, cement and building contractors, plumbing, and electrical repair).
- Changed window cleaning companies in order to save significantly on the cleaning of the building’s windows and glass surfaces; and
- Cleaning of the carpets is no longer routinely done on an annual basis and repainting has been postponed for years.

**UTAH STATE BAR
LICENSING FEE HISTORY**

YEAR	ACTIVE	ACTIVE UNDER 3 YEARS	INACTIVE	INACTIVE WITH SERVICES ¹	CLIENT SECURITY FUND ⁵	LATE FEE	REINSTATE. AFTER NON-PAYMENT ²	REINSTATE. AFTER RESIGNATION ³	<i>PRO HAC VICE</i> ⁴
1939	15.00		2.50						
1940	15.00		2.50						
1941	15.00		2.50						
1942	15.00		2.50						
1943	15.00		2.50						
1944	15.00		2.50						
1945	15.00		2.50						
1946	15.00		2.50						
1947	15.00		2.50						
1948	15.00		2.50						
1949	15.00		2.50						
1950	15.00		2.50						
1951	15.00		2.50						
1952	25.00		5.00						
1953	25.00		5.00						
1954	25.00		5.00						
1955	25.00		5.00						

YEAR	ACTIVE	ACTIVE UNDER 3 YEARS	INACTIVE	INACTIVE WITH SERVICES	CLIENT SECURITY FUND	LATE FEE	REINSTATE. AFTER NON-PAYMENT	REINSTATE. AFTER RESIGNATION	PRO HACE VICE
1956	25.00		5.00						
1957	25.00		5.00						
1958	25.00		5.00						
1959	25.00		5.00						
1960	25.00		5.00						
1961	25.00		5.00						
1962	25.00		5.00						
1963	25.00		5.00						
1964	25.00		10.00						
1965	25.00		10.00						
1966	40.00		10.00						
1967	40.00		10.00						
1968	40.00		10.00						
1969	50.00		10.00						
1970	50.00		10.00						
1971	50.00		10.00						
1972	65.00		10.00						
1973	65.00		10.00						
1974	65.00		10.00						
1975	65.00		10.00						

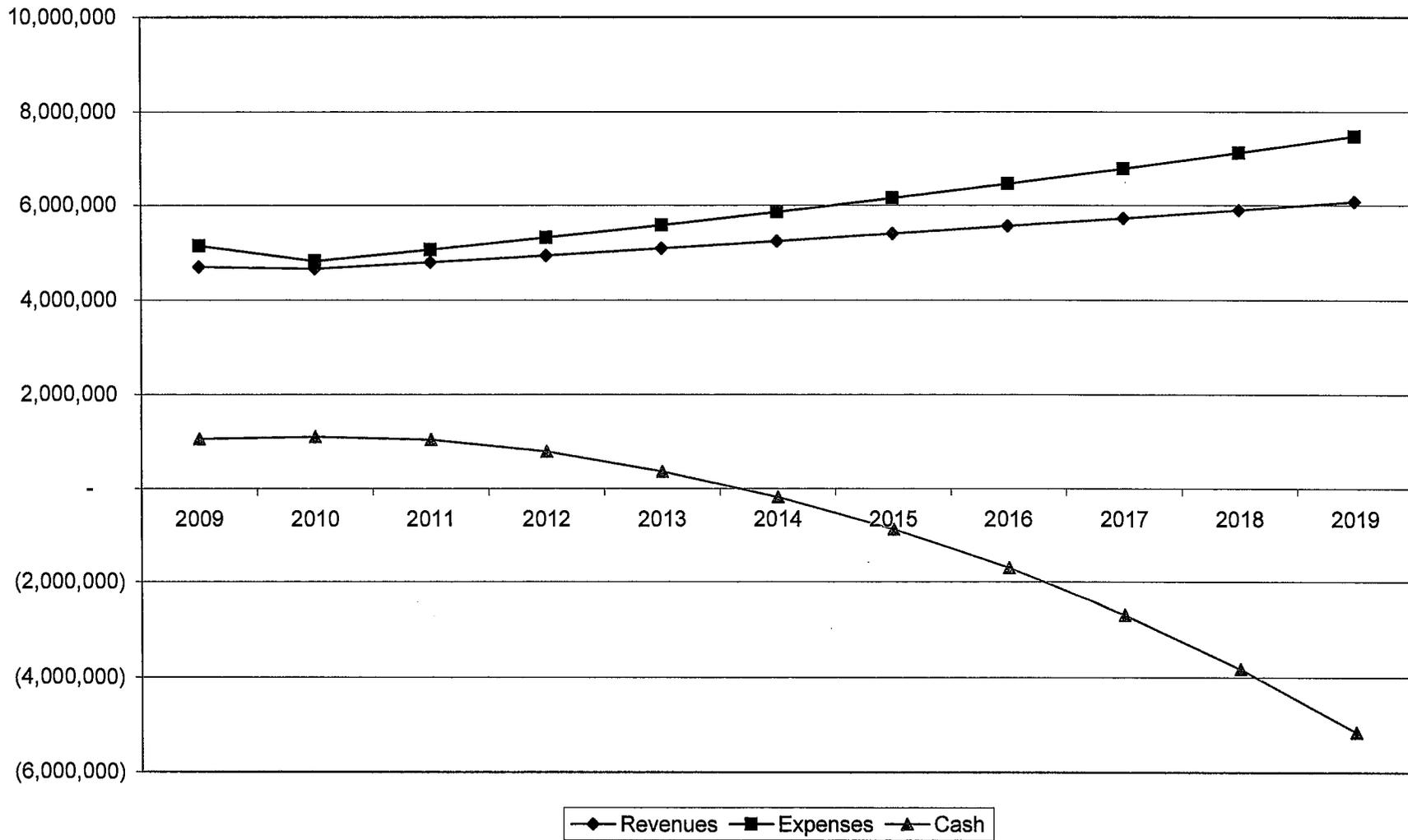
YEAR	ACTIVE	ACTIVE UNDER 3 YEARS	INACTIVE	INACTIVE WITH SERVICES	CLIENT SECURITY FUND	LATE FEE	REINSTATE. AFTER NON-PAYMENT	REINSTATE AFTER RESIGNATION	PRO HAC VICE
1976	65.00		10.00						
1977	125.00	55.00	10.00						
1978	125.00	55.00	10.00						
1979	125.00	55.00	10.00						
1980	125.00	55.00	10.00						
1981	145.00	75.00	10.00						
1982	155.00	85.00	40.00						
1983	165.00	95.00	40.00						
1984	170.00	100.00	40.00		10.00				
1985	175.00	105.00	40.00		10.00		UK	UK	
1986	180.00	110.00	40.00		10.00		10.00	200.00	
1987 ⁶	195.00	120.00	50.00		Unavailable	50.00	100.00	200.00	
1988 ⁷	210.00	130.00	50.00	60.00	Unavailable	50.00	100.00	200.00	
1989	225.00	140.00	50.00	70.00	Unavailable	50.00	100.00	200.00	
1990	225.00	140.00	50.00	70.00	Unavailable	50.00	100.00	200.00	
1990-91 ⁸	350.00	190.00	80.00	90.00	1.00	50.00	100.00	200.00	
1991-92	350.00	190.00	80.00	90.00	5.50	50.00	100.00	200.00	
1992-93 ⁶	350.00	190.00	80.00	90.00	2.75	50.00	100.00	200.00	
1993-94	350.00	190.00	80.00	90.00	9.80	50.00	100.00	200.00	

YEAR	ACTIVE	ACTIVE UNDER 3 YEARS	INACTIVE	INACTIVE WITH SERVICES	CLIENT SECURITY FUND	LATE FEE	REINSTATE. AFTER NON-PAYMENT	REINSTATE. AFTER RESIGNATION	<i>PRO HAC VICE</i>
1994-95	350.00	190.00	80.00	90.00	7.00	50.00	100.00	200.00	
1995-96	350.00	190.00	80.00	90.00	10.00	50.00	100.00	200.00	
1996-97	350.00	190.00	80.00	90.00	0.00	50.00	100.00	200.00	
1997-98	350.00	190.00	80.00	90.00	10.00	50.00	100.00	200.00	75.00
1998-99	350.00	190.00	80.00	90.00	10.00	50.00	100.00	200.00	75.00
1999-00	350.00	190.00	80.00	90.00	5.00	50.00	100.00	200.00	75.00
2000-01	350.00	190.00	80.00	90.00	0.00	50.00	100.00	200.00	75.00
2001-02 ⁹	350.00	190.00	80.00	90.00	10.00	50.00	100.00	200.00	175.00
2002-03 ¹⁰	350.00	190.00	80.00	90.00	10.00	50.00	100.00	200.00	175.00
2003-04	350.00	190.00	80.00	90.00	10.00	50.00	100.00	550.00	175.00
2004-05	350.00	190.00	80.00	90.00	10.00	50.00	100.00	550.00	175.00
2005-06	350.00	190.00	80.00	90.00	10.00	50.00	100.00	550.00	175.00
2006-07	350.00	190.00	80.00	90.00	20.00	50.00	100.00	550.00	175.00
2007-08	350.00	150.00	80.00	120.00	20.00	50.00	100.00	550.00	175.00
2008-09	350.00	190.00	80.00	120.00	20.00	50.00	100.00	550.00	175.00
2009-10	350.00	190.00	80.00	120.00	20.00	50.00	100.00	550.00	175.00

Notes:

1. "Services" to "Inactive" members over the years has meant Bar communications generally and most recently includes receipt of the *Bar Journal*.
2. "Reinstatement after Non-Payment" also includes the payment of inactive fees for all years lapsed plus the current year's licensing fee. (Rule 8(b) RLDD)
3. "Reinstatement after Resignation" also includes the payment of the current year's licensing fees.
4. The *Pro Hac Vice* fee was established in 1997.
5. The Client Security Fund ("CSF") was established in 1984. CSF rules require an annual assessment of active members in an amount not to exceed \$20.00 to restore the fund balance to \$200,000 each fiscal year. (The fund amount was increased from \$100,000 in 2001.)
6. In 1987 an "Exempt" status was created which provided that there is no licensing fee for those 75 years of age if admitted to the Bar for 50 years before July 1. This category was changed from "Exempt" to "Emeritus" in 1992-93 within the "Active" and "Inactive" classifications.
7. In 1988 the "Inactive" status was expanded to provide services. These originally included the *Bar Journal* and other mailings including the monthly E-bulletins.
8. The licensing year changed from a calendar to a fiscal year during 1990 and included a six months overlap that year.
9. "Suspension for Non-payment" became : "Administrative Suspension - Failure to Renew" in 2002.
10. "Reinstatement after Resignation" remains \$200 for those who resigned prior to September 15, 2003 and is effective upon petition. Those who resign after September 15, 2003 and petition for reinstatement must go through the entire Admissions process.

Utah State Bar
Projected Cash Balances - No Fee Increase
Assumes increases in revenue of 3% and expenses of 5% annually



UTAH STATE BAR

Historical and Projected Data without Increase

	<u>Revenues</u>	<u>Expenses</u>	<u>Income/ (Loss)</u>	<u>Deprec</u>	<u>Adjusted Income/ Loss</u>	<u>Estimated Capital Expenditures</u>	<u>Cash Reserve Balance</u>
6/30/1998	\$ 3,316,406	\$ 3,586,330	\$ (269,924)				
6/30/1999	3,222,886	3,222,537	349				
6/30/2000	3,352,164	3,249,881	102,283				
6/30/2001	3,590,848	3,363,670	227,178				
6/30/2002	3,578,334	3,516,130	62,204				
6/30/2003	3,570,956	3,726,995	(156,039)				
6/30/2004	4,050,829	4,080,727	(29,898)				
6/30/2005	4,057,392	4,066,636	(9,244)				
6/30/2006	4,388,182	4,447,572	(59,390)				
6/30/2007	4,443,390	4,564,972	(121,582)				
6/30/2008	4,885,656	4,840,849	44,807				
6/30/2009	4,691,938	5,132,755	(440,817)				1,057,437
6/30/2010	4,653,696	4,818,527	(164,831)	166,560	1,729	45,000	1,104,166
6/30/2011	4,793,307	5,059,453	(266,146)	153,336	(112,810)	47,700	1,039,056
6/30/2012	4,937,106	5,312,426	(375,320)	72,698	(302,622)	50,562	786,996
6/30/2013	5,085,219	5,578,047	(492,828)	14,433	(478,395)	53,596	362,196
6/30/2014	5,237,776	5,856,950	(619,174)	11,564	(607,610)	56,811	(188,602)
6/30/2015	5,394,909	6,149,797	(754,888)	11,121	(743,767)	60,220	(872,149)
6/30/2016	5,556,756	6,457,287	(900,531)	6,309	(894,222)	63,833	(1,702,537)
6/30/2017	5,723,459	6,780,151	(1,056,692)	6,124	(1,050,568)	67,663	(2,685,442)
6/30/2018	5,895,163	7,119,159	(1,223,996)	6,124	(1,217,872)	71,723	(3,831,591)
6/30/2019	6,072,018	7,475,117	(1,403,099)	6,124	(1,396,975)	76,027	(5,152,540)

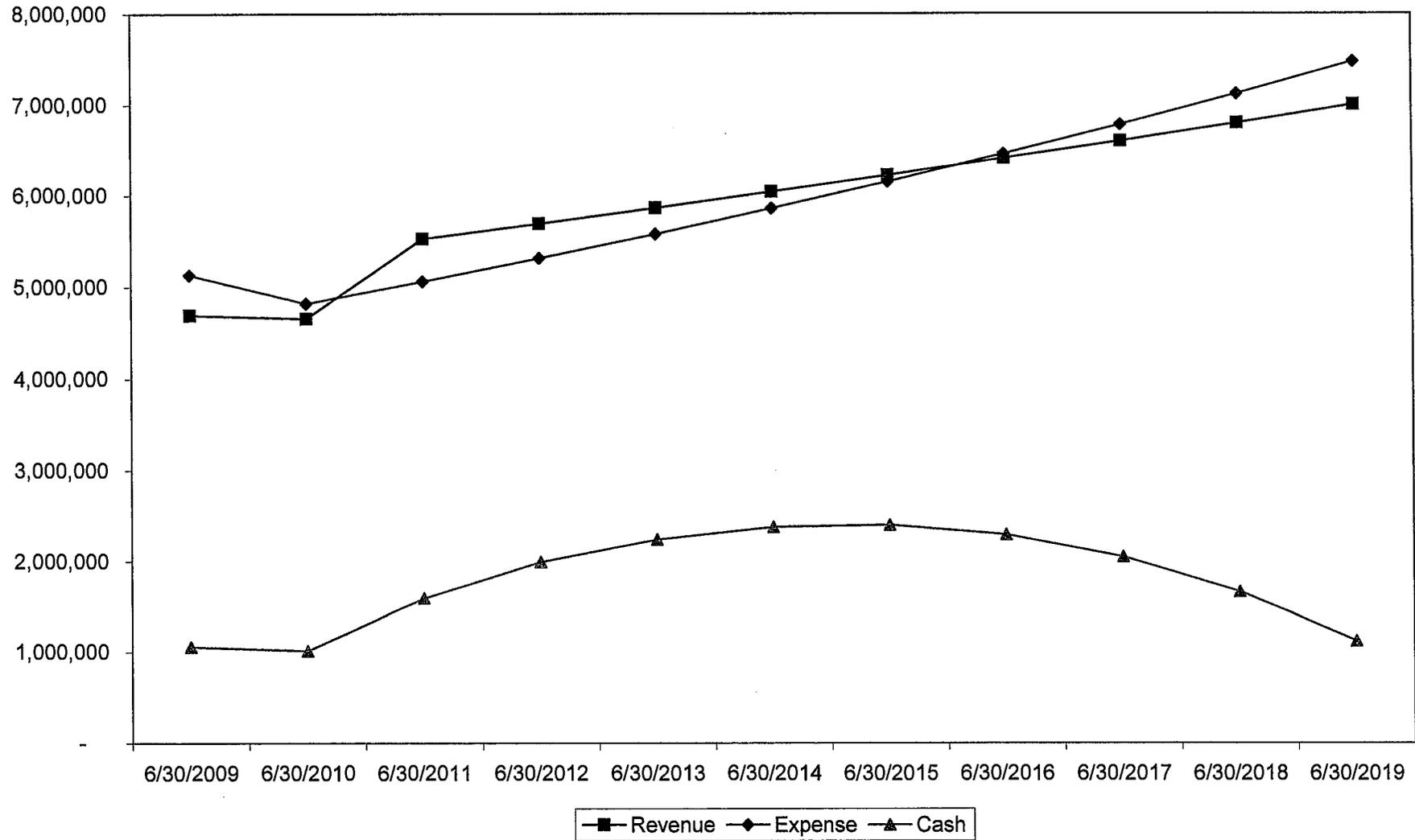
Notes: 1. Information for 1998 through 2009 was obtained from the annual financial audit.

2. The information for 6/30/2010 is based on the final 2009/10 budget.

3. The information after 2010 is based on the average annual trends through 2008.
Revenue is assumed to increase 3% per year, expenses 5% per year

4. Capital expenditures are assumed to increase 6 percent annually.

Utah State Bar
Revenues & Expenses Adjusted for Proposed Licensing Fee Increases Only



UTAH STATE BAR

Historical and Projected Data with Licensing Increase Only

	<u>Revenues</u>	<u>Expenses</u>	<u>Income/ (Loss)</u>	<u>Deprec</u>	<u>Adjusted Income/ Loss</u>	<u>Estimated Capital Expenditures</u>	<u>Operations Cash Reserves</u>	<u>Building Cash Reserves</u>
6/30/1998	\$ 3,316,406	\$ 3,586,330	\$ (269,924)					
6/30/1999	3,222,886	3,222,537	349					
6/30/2000	3,352,164	3,249,881	102,283					
6/30/2001	3,590,848	3,363,670	227,178					
6/30/2002	3,578,334	3,516,130	62,204					
6/30/2003	3,570,956	3,726,995	(156,039)					
6/30/2004	4,050,829	4,080,727	(29,898)					
6/30/2005	4,057,392	4,066,636	(9,244)					
6/30/2006	4,388,182	4,447,572	(59,390)					
6/30/2007	4,443,390	4,564,972	(121,582)					
6/30/2008	4,885,656	4,840,849	44,807					
6/30/2009	4,691,938	5,132,755	(440,817)				1,057,437	-
6/30/2010	4,653,696	4,818,527	(164,831)	166,560	1,729	45,000	1,014,166	-
6/30/2011	5,527,382	5,059,453	467,929	153,336	621,265	47,700	1,587,731	-
6/30/2012	5,693,203	5,312,426	380,777	72,698	453,475	50,562	1,770,809	219,835
6/30/2013	5,863,999	5,578,047	285,952	14,433	300,385	53,596	1,859,349	378,084
6/30/2014	6,039,919	5,856,950	182,970	11,564	194,534	56,811	1,952,317	422,839
6/30/2015	6,221,117	6,149,797	71,320	11,121	82,441	60,220	2,049,932	347,444
6/30/2016	6,407,751	6,457,287	(49,537)	6,309	(43,228)	63,833	2,152,429	137,886
6/30/2017	6,599,983	6,780,151	(180,168)	6,124	(174,044)	67,663	2,048,608	-
6/30/2018	6,797,983	7,119,159	(321,176)	6,124	(315,052)	71,723	1,661,832	-
6/30/2019	7,001,922	7,475,117	(473,195)	6,124	(467,071)	76,027	1,118,735	-

Notes: 1. Information for 1998 through 2009 was obtained from the annual financial audits.

2. The information for 6/30/2010 is based on the 2009/10 budget.

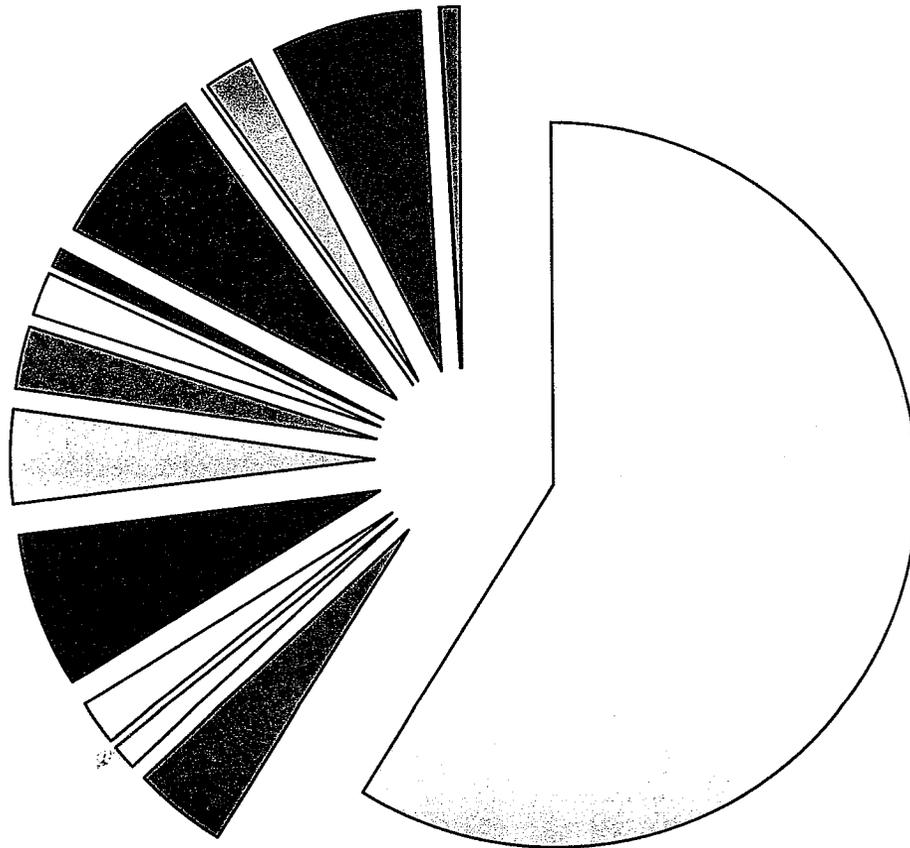
3. The information after 2010 is based on the average annual trends through 2008.
Revenue is assumed to increase 3% per year, expenses 5% per year

4. Capital expenditures are assumed to increase 6 percent annually.

5. Assumes fee increase for Licensing only of \$734,075 for the year beginning 7/1/2010

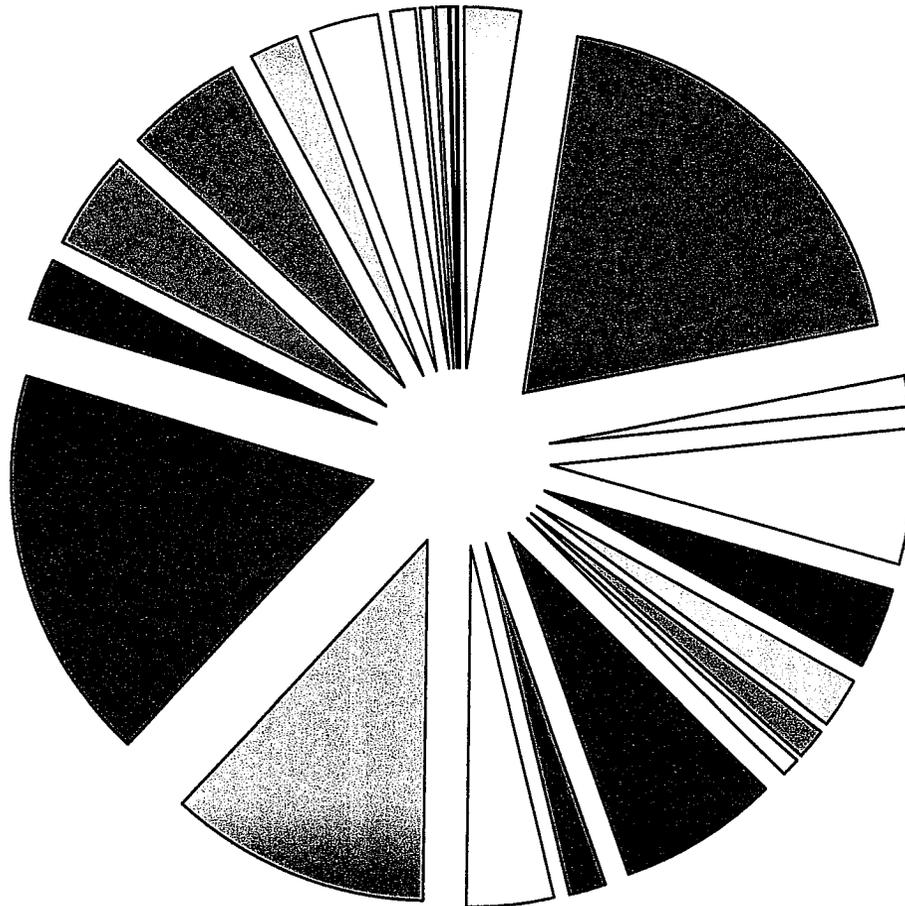
6. Operating cash reserves target is 1/3 of annual expense budget. Funds accumulated in excess of the operating reserves is held as a building fund reserve.

**Utah State Bar
Revenues 2008/09**



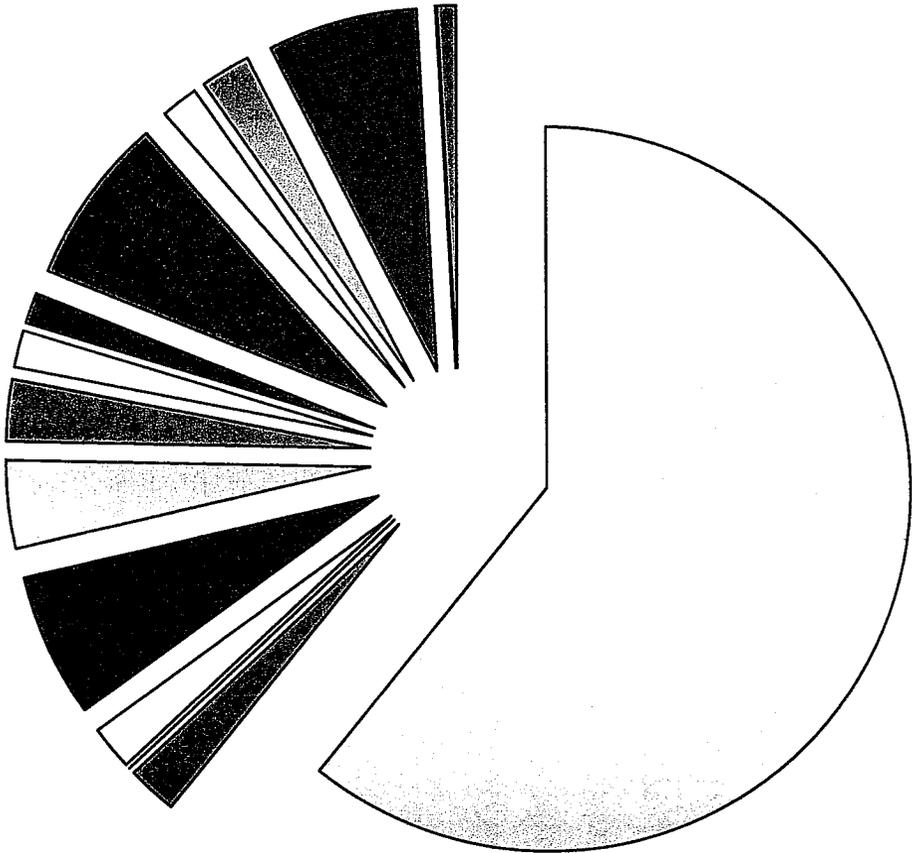
- Licensing
- Mgt - Service
- Mgt - Interest & Gain
- Mgt - BA In kind
- CLE
- Summer Convention
- Spring Convention
- Fall Forum
- Section Support
- Admissions
- Mentoring
- Bar Journal
- Property Mgt
- OPC
- CMIS/Internet
- Member Benefits

**Utah State Bar
Expenses 2008/09**



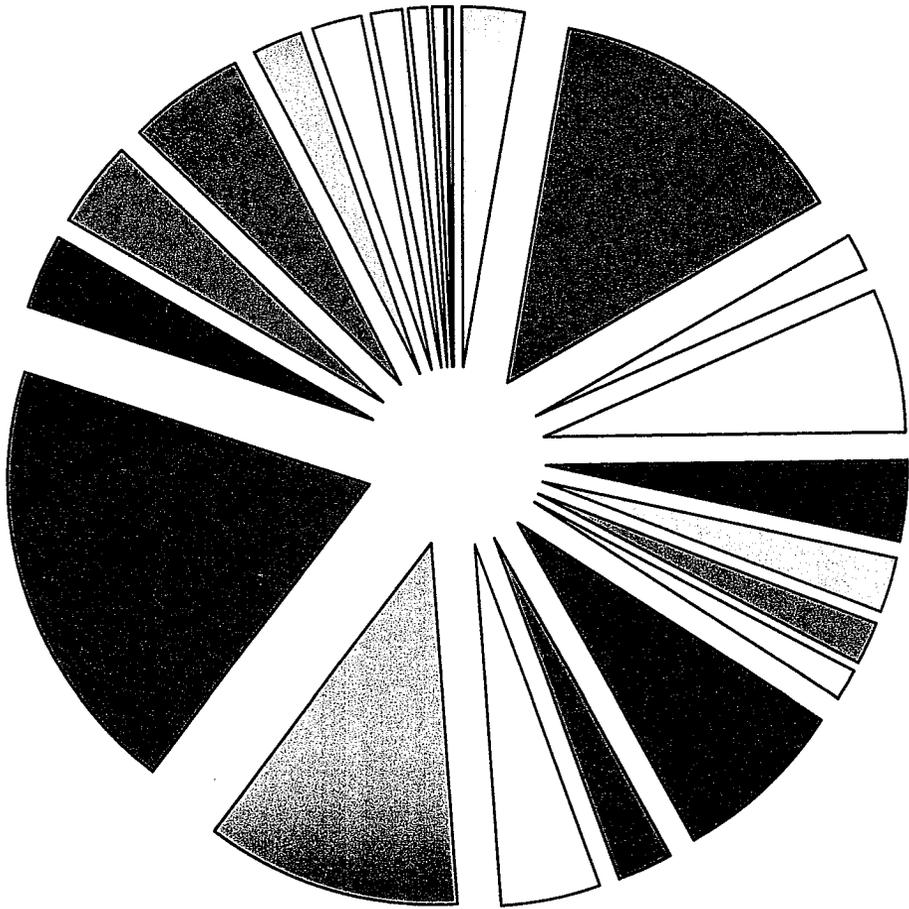
- Licensing
- Bar Mgt
- Bar Mgt - BA In Kind
- CLE
- Summer Convention
- Spring Convention
- Fall Forum
- Section Support
- Admissions
- Mentoring
- Bar Journal
- Property Mgt
- OPC
- Computer/MIS/Internet
- Member Benefits
- General Counsel
- Committees
- Commission/Sp. Proj
- Public Education
- Legislative
- Access to Justice
- Tuesday Night Bar
- ABA Delegates

**Utah State Bar
Projected Revenue 2009/10**



- Licensing
- Mgt - Service
- Mgt - Interest & Gain
- Mgt - BA In kind
- CLE
- Summer Convention
- Spring Convention
- Fall Forum
- Section Support
- Admissions
- Mentoring
- Bar Journal
- Property Mgt
- OPC
- CMIS/Internet
- Member Benefits

**Utah State Bar
Projected Expenses 2009/10**



- Licensing
- Bar Mgt
- Bar Mgt - BA In Kind
- CLE
- Summer Convention
- Spring Convention
- Fall Forum
- Section Support
- Admissions
- Mentoring
- Bar Journal
- Property Mgt
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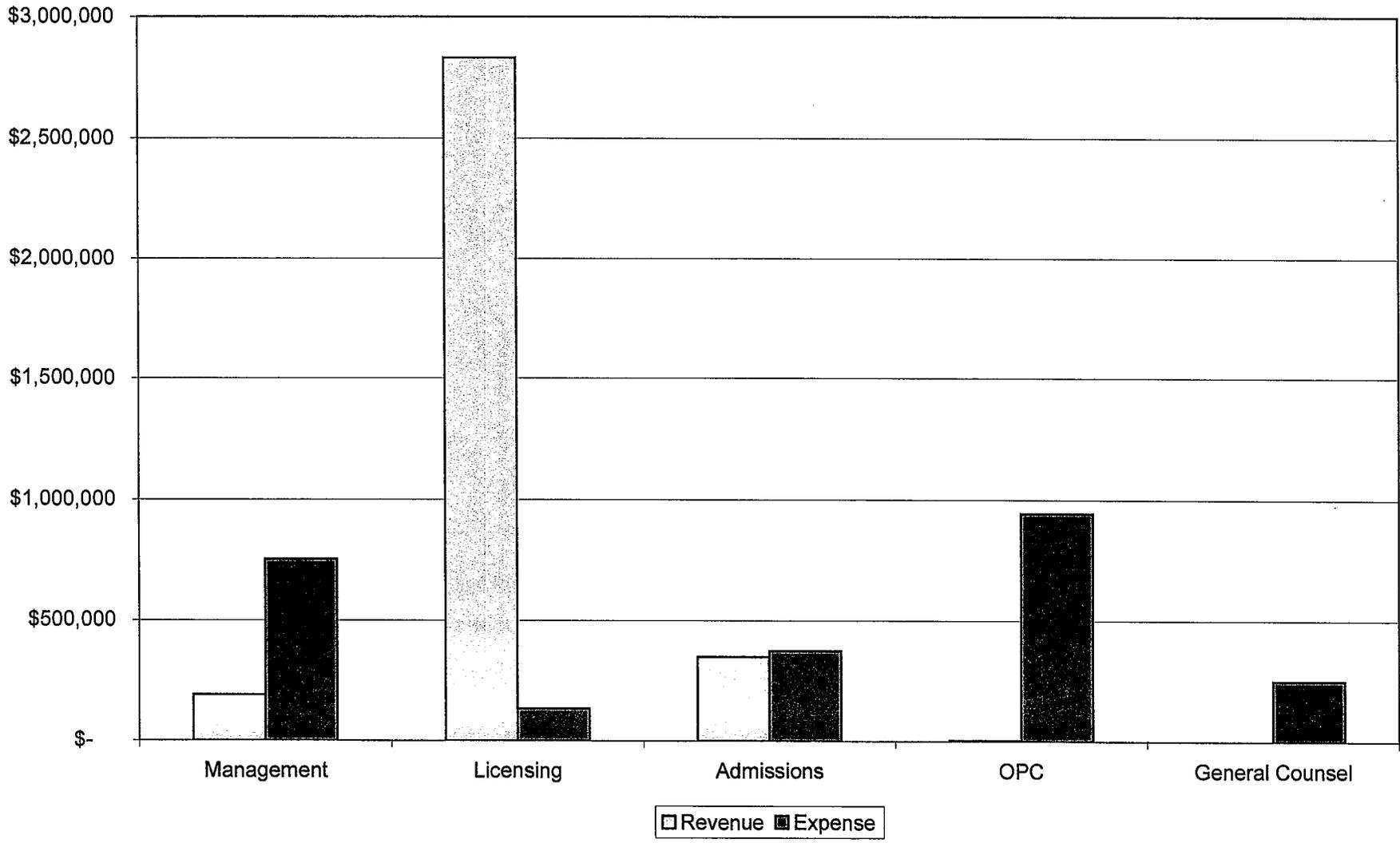
UTAH STATE BAR
2009/10 Budget

	FY 08/09 Budget	6/30/2009	FY 09/10 Budget	% Chg 09/10 to 08/09 Bgt	% Chg 09/10 Bgt to 08/09 Proj
Revenue					
Licensing	\$2,742,000	\$2,764,773	\$2,831,300	3.3%	2.4%
Mgt - Service	103,000	196,720	103,000	0.0%	-47.6%
Mgt - Interest & Gain	125,000	56,578	4,996	-96.0%	-91.2%
Mgt - BA In Kind	81,576	82,008	82,000	0.5%	0.0%
CLE	275,000	331,074	300,000	9.1%	-9.4%
Summer Convention	180,000	198,045	180,000	0.0%	-9.1%
Spring Convention	125,000	123,413	125,000	0.0%	1.3%
Fall Forum	60,000	89,843	90,000	50.0%	0.2%
Section Support	45,000	38,885	60,000	33.3%	54.3%
Admissions	350,000	357,473	350,000	0.0%	-2.1%
Mentoring	-	(2,156)	70,000	-	-
Bar Journal	114,000	100,910	114,000	0.0%	13.0%
Property Mgt	250,000	309,555	299,900	20.0%	-3.1%
OPC	3,500	2,386	3,500	0.0%	46.7%
CMIS/Internet	5,500	4,948	5,000	-9.1%	1.1%
Member Benefits	35,000	37,483	35,000	0.0%	-6.6%
Total Revenue	4,494,576	4,691,938	4,653,696	3.5%	-0.8%

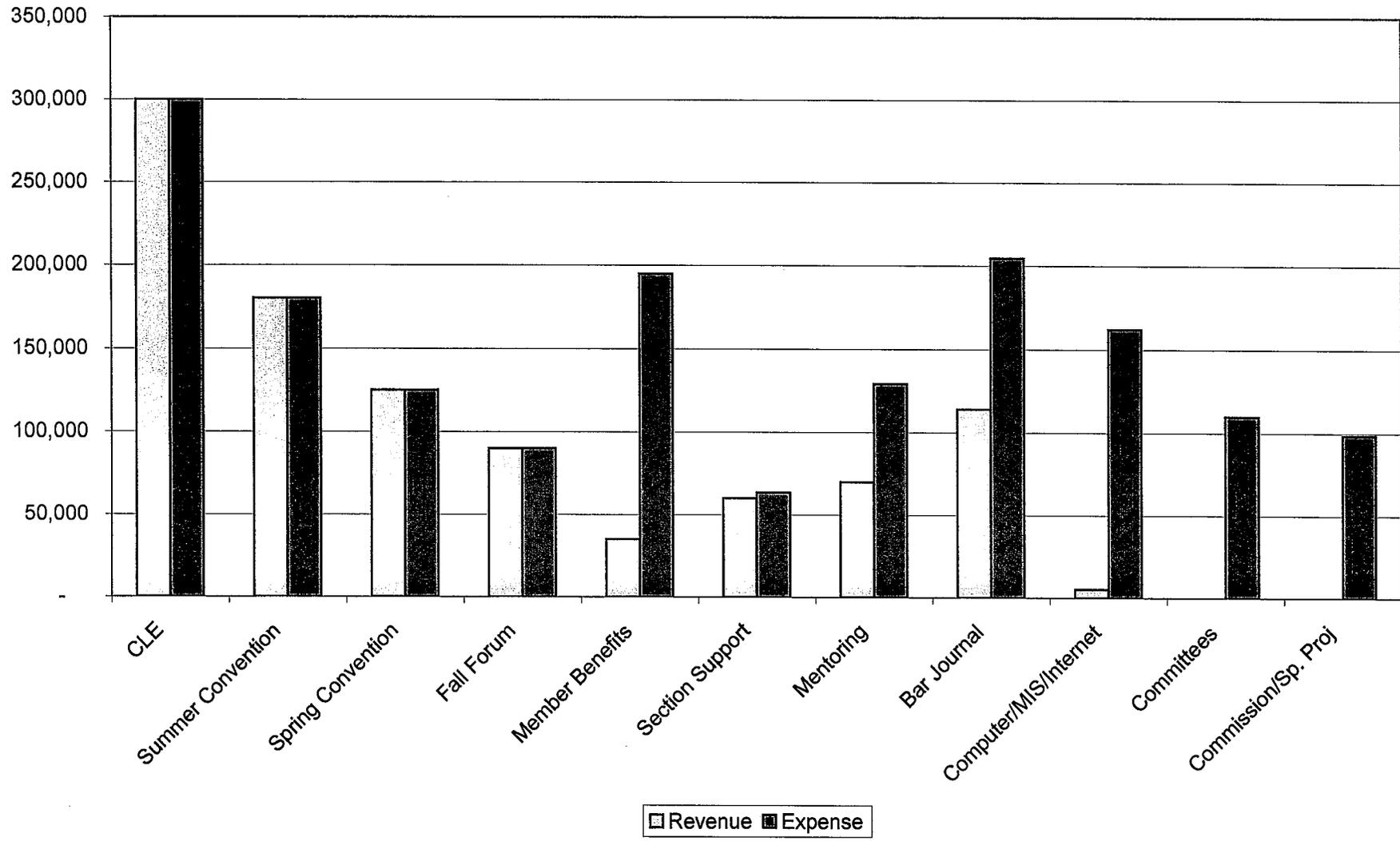
Expenses					
Licensing	131,025	132,025	133,232	1.7%	0.9%
Bar Mgt	740,162	989,929	671,397	-9.3%	-32.2%
Bar Mgt - BA In Kind	81,576	82,000	82,000	0.5%	0.0%
CLE	275,000	310,088	300,000	9.1%	-3.3%
Summer Convention	180,000	187,948	180,000	0.0%	-4.2%
Spring Convention	125,000	104,389	125,000	0.0%	19.7%
Fall Forum	60,000	74,013	90,000	50.0%	21.6%
Section Support	51,451	50,965	63,546	23.5%	24.7%
Admissions	350,000	371,226	373,474	6.7%	0.6%
Mentoring	-	81,239	129,243	-	59.1%
Bar Journal	179,227	191,052	204,461	14.1%	7.0%
Property Mgt	510,171	602,010	555,649	8.9%	-7.7%
OPC	954,421	909,602	943,232	-1.2%	3.7%
Computer/MIS/Internet	160,228	151,802	162,046	1.1%	6.7%
Member Benefits	253,324	220,832	194,839	-23.1%	-11.8%
General Counsel	217,691	273,301	248,841	14.3%	-8.9%
Committees	160,288	122,240	109,901	-31.4%	-10.1%
Commission/Sp. Proj	85,400	142,957	98,701	15.6%	-31.0%
Public Education	75,565	62,528	70,641	-6.5%	13.0%
Legislative	33,736	34,924	37,734	11.9%	8.0%
Access to Justice	41,383	25,665	25,915	-37.4%	1.0%
Tuesday Night Bar	9,413	8,860	9,675	2.8%	9.2%
ABA Delegates	9,000	3,160	9,000	0.0%	184.8%
Total Expenses	4,684,061	5,132,755	4,818,527	2.9%	-6.1%

Net Revenue/(Expense)	(189,485)	(440,817)	(164,831)	-13.0%	-62.6%
Add: Depreciation	208,920	188,656	166,560	-20.3%	-11.7%
Less: Capital expenditures	(13,167)	(17,000)	(45,000)	241.8%	164.7%
Net cash revenue	\$ 6,268	\$ (269,161)	\$ (43,271)	-790.3%	-83.9%

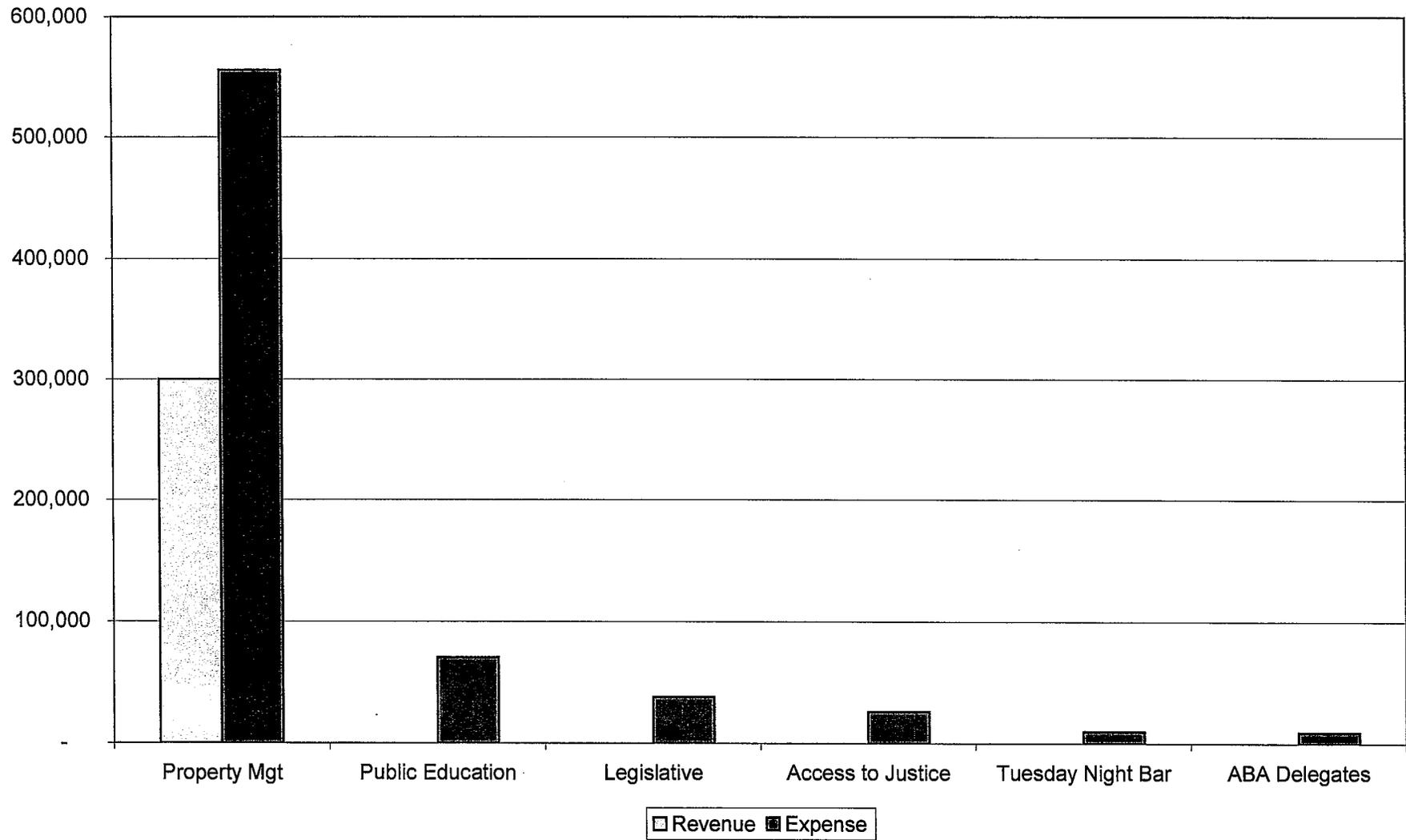
**Utah State Bar
Regulatory Services 2009/10**



Utah State Bar
Member/Group Services 2009/10



Utah State Bar
Joint & Public Services 2009/10



UTAH STATE BAR
2009/10 Budget

	<u>Revenue</u>	<u>Expense</u>	<u>Net</u>
<u>Regulatory Services</u>			
1 A	\$ 189,996	\$ 753,397	\$ (563,401)
2 A	2,831,300	133,232	2,698,068
3 A	350,000	373,474	(23,474)
4 A	3,500	943,232	(939,732)
5 A		248,841	(248,841)
	Total Regulatory Services	3,374,796	2,452,176
		922,620	
<u>Member Services</u>			
1 B	300,000	300,000	-
2 B	180,000	180,000	-
3 B	125,000	125,000	-
4 B	90,000	90,000	-
5 B	35,000	194,839	(159,839)
6 B	60,000	63,546	(3,546)
7 B	70,000	129,243	(59,243)
8 B	114,000	204,461	(90,461)
9 B	5,000	162,046	(157,046)
1 C		109,901	(109,901)
2 C		98,701	(98,701)
	Total Member Services	979,000	1,657,737
			(678,737)
<u>Public Services</u>			
1 D	299,900	555,649	(255,749)
2 D		70,641	(70,641)
3 D		37,734	(37,734)
4 D		25,915	(25,915)
5 D		9,675	(9,675)
6 D		9,000	(9,000)
	Total Public Services	299,900	708,614
			(408,714)
	Grand Total	\$ 4,653,696	\$ 4,818,527
			\$ (164,831)

Utah State Bar
Summary Income Statement
October 31, 2009

	Month End 10/31/2009			Year to Date			YTD % of Ttl Bdgt	2009/10 Total Budget	Budget Remaining
	Actual	Budget	Variance Fav/(Unfav)	Actual	Budget	Variance Fav/(Unfav)			
Revenue									
Summer Convention	\$ -	\$ -	\$ -	\$ 216,260	\$ 175,820	\$ 40,440	120.1	\$ 180,000	\$ (36,260)
NLTP	32,600	-	32,600	39,250	42,000	(2,750)	-	70,000	30,750
Member Benefits	3,485	3,042	443	14,235	9,567	4,668	40.7	35,000	20,765
OPC	-	-	-	-	2,215	(2,215)	-	3,500	3,500
CLE	53,742	10,540	43,202	119,380	58,399	60,981	39.8	300,000	180,620
Admissions	55,430	38,756	16,674	64,225	59,836	4,389	18.4	350,000	285,775
Mgt - Service	7,007	9,581	(2,574)	28,066	34,442	(6,376)	27.2	103,000	74,934
Mgt - Interest & Gain	2,288	588	1,700	8,387	2,778	5,609	167.9	4,996	(3,391)
Mgt - BA In kind	6,870	6,833	37	27,369	27,333	36	33.4	82,000	54,631
CMIS/Internet	200	635	(435)	1,000	2,635	(1,635)	20.0	5,000	4,000
Bar Journal	7,380	2,727	4,653	19,448	46,629	(27,181)	17.1	114,000	94,552
Licensing	114,785	73,671	41,114	2,760,009	2,746,201	13,808	97.5	2,831,300	71,291
Spring Convention	200	438	(238)	200	438	(238)	0.2	125,000	124,800
Property Mgt	14,297	23,901	(9,604)	82,467	77,901	4,566	27.5	299,900	217,433
Section Support	-	60,000	(60,000)	39,055	60,000	(20,945)	65.1	60,000	20,945
Fall Forum	38,440	22,866	15,574	43,940	37,980	5,960	48.8	90,000	46,060
Total Revenue	\$ 336,724	\$ 253,578	\$ 83,146	\$ 3,463,291	\$ 3,384,174	\$ 79,117	74.4	\$ 4,653,696	\$ 1,190,405
Expenses									
Summer Convention	1,121	87,170	(86,049)	171,967	163,550	8,417	96	180,000	8,033
NLTP	10,908	10,770	138	49,131	43,081	6,050	-	129,243	80,112
Member Benefits	11,774	20,357	(8,583)	81,375	79,920	1,455	42	194,839	113,464
Public Education	4,676	4,169	507	19,061	21,970	(2,909)	27	70,641	51,580
Tuesday Night Bar	657	999	(342)	2,833	3,743	(910)	29	9,675	6,842
Legislative	245	637	(392)	1,238	2,622	(1,384)	3	37,734	36,496
OPC	75,665	84,569	(8,904)	341,263	331,124	10,139	36	943,232	601,969
Committees	1,722	3,137	(1,415)	66,659	69,375	(2,716)	61	109,901	43,242
CLE	29,399	15,377	14,022	68,336	66,364	1,972	23	300,000	231,664
Admissions	24,527	24,030	497	159,208	153,641	5,567	43	373,474	214,266
Bar Mgt	53,105	76,921	(23,816)	257,408	317,197	(59,789)	34	753,397	495,989
Computer/MIS/Internet	15,974	14,210	1,764	46,887	54,176	(7,289)	-	162,046	115,159
General Counsel	62,843	25,515	37,328	140,934	87,336	53,598	57	248,841	107,907
Bar Journal	21,514	24,772	(3,258)	53,464	69,832	(16,368)	26	204,461	150,997
Licensing	5,390	9,950	(4,560)	54,805	80,529	(25,724)	41	133,232	78,427
Spring Convention	1,453	1,833	(380)	4,080	7,501	(3,421)	3	125,000	120,920
Access to Justice	419	632	(213)	4,477	4,766	(289)	17	25,915	21,438
Property Mgt	49,707	34,214	15,493	177,359	160,911	16,448	32	555,649	378,290
Section Support	5,285	7,078	(1,793)	18,048	21,329	(3,281)	28	63,546	45,498
Commission/Sp. Proj	4,697	22,957	(18,260)	45,365	48,191	(2,826)	46	98,701	53,336
Fall Forum	6,466	6,728	(262)	16,692	15,311	1,381	19	90,000	73,308
ABA Delegate	-	-	-	1,802	5,178	(3,376)	20	9,000	7,198
Total Expenses	\$ 387,547	\$ 476,025	\$ (88,478)	\$ 1,782,392	\$ 1,807,647	\$ (25,255)	37.0	\$ 4,818,527	\$ 3,036,135
Net Revenue/(Expense)	\$ (50,823)	\$ (222,447)	\$ 171,624	\$ 1,680,899	\$ 1,576,527	\$ 104,372		\$ (164,831)	\$ (1,845,730)
Add: Depreciation	13,880	13,852	(28)	55,522	55,408	(114)		166,560	
Cash Increase/(Decrease) from Operations	\$ (36,943)	\$ (208,595)	\$ 171,596	\$ 1,736,421	\$ 1,631,935	\$ 104,258		\$ 1,729	
Other Uses of Cash									
Change in Assets/Liabilities	(150,100)	-	-	(1,466,637)	(1,466,637)	-			
Capital Expenditures	-	3,750	3,750	1,866	3,750	1,884		45,000	\$ 43,134
Net Change in Cash	\$ (187,043)	\$ (212,345)	\$ 25,302	\$ 267,918	\$ 161,548	\$ 106,370		\$ (43,271)	