**Vermont Bar Association**

**Board of Managers Meeting**

**Friday, November 12, 2021 1PM**

**Via Zoom**

Present: Jessica Bullock, Richard Cassidy, Josh Diamond, Judith Dillon, Pam Eaton, Robert Fletcher, Elizabeth Kruska, Kate Lamson, Jordana Levine, Kevin Lumpkin, Andrew Manitsky, James Rodgers, James Valente, Matt Valerio, Alfonso Villegas

Staff: Teri Corsones, Jennifer Emens-Butler, Lisa Maxfield, Laura Welcome

**1. Call to Order**: The meeting was called to order by President Bob Fletcher at 1:06PM.

**2. Emerging Issues**: None

**3. Acceptance of Consent Agenda**:

A. Minutes: The minutes of the October 7, 2021 Board of Managers Meeting were approved unanimously.

B. Treasurer’s Report: Lisa Maxfield reported that a third reminder for VBA membership dues payments has been sent to those members who have not yet renewed. There are approximately 387 outstanding renewals with 265 in-state and 122 out-of-state. Also included in the total are 33 associate members. Lisa will advise the Board of renewal numbers at the next meeting, to see if Board outreach to non-renewing members is needed. Lisa reported that the Annual Meeting netted just under $5,000 and noted that the goal was to at least break even, given that it was the first in-person meeting since the start of the pandemic.

C. Report of Executive Committee: Did not meet.

D. Board Committee Reports

i. Operations: Did not meet

ii. Membership: Andrew Manitsky stated the committee met and has finalized most of the materials for the new mentoring program. The materials were included in the Board packet for Board comment. He stated that they are at the stage of soliciting mentors with 10 or more years of practice experience and asked Board members to consider volunteering as a mentor or to recommend potential mentors. Elizabeth Kruska asked if information about this program would be going out to the membership. Teri responded that the mentor solicitation piece would be posted on the website after today's Board meeting.

iii. Program and Planning: Jim Rodgers stated the committee met this morning. They discussed the Annual Meeting to gain feedback and suggestions. It was determined that requiring masks contributed to the success of the meeting. Jennifer Emens-Butler is looking into live streaming future events. She stated that facility costs for this service are high, but our local videographer now has the equipment so we should be able to offer a live stream component in the Spring. Jim noted that for upcoming meetings the committee is discussing possible keynote speakers and will continue to look into this option. Jennifer stated that feedback regarding the Annual Meeting has been pretty good, but she will report back after our attendees have had more time to complete the survey. Jim indicated that one of the programs on diversity had an attendee who challenged the panelists in a disruptive manner and stated that Beth Novotny as program moderator handled the situation well.

iv. Pro Bono Committee: Teri Corsones reported on behalf of Mary Ashcroft, who was not in attendance. Teri stated the committee appointed a small working group at Mary’s request to draw up a transition plan for Mary’s planned retirement in the next couple of years.

v. Governance Committee: Did not meet.

vi. Workforce Development Committee: Judith Dillon stated the committee met and are ready to move forward with the action items in the committee’s recent report. The committee will be meeting monthly going forward.

vii. COVID-19 Committee: Andrew Manitsky stated the committee had a visit by a state senator about the court backlog and access, as Vermont courts are behind other states in reopening. It was stated that one judge in criminal court dismissed a large number of misdemeanor cases due to the backlog. Matt Valerio stated that at the NEBA meeting they discussed other states that have opened up completely, including New Hampshire which opened up back in May. Alfonso Villegas stated that a Washington County criminal court judge has been proactive in moving cases along and therefore they are not dealing with the backlog that some courts are. Andrew Manitsky stated there will likely come a time when the VBA will be asked to weigh in on the situation. Josh Diamond expressed the importance of supporting those working in the court system, and Kate Lamson agreed stating that her local court has had several staff positions open for a very long time.

E. President’s Report: Bob Fletcher stated it's been a busy month. In addition to the monthly Section and Division Chair/County Bar Presidents call and call with the Chief and Court, he attended the NEBA meeting with Matt Valerio and Teri Corsones. He stated the meeting was very interesting and gave him the opportunity to meet many of his counterparts in the other New England states.

F. Executive Director’s Report: Teri Corsones thanked the staff and everyone involved with making the Annual Meeting such a success. She spoke of the interest that a number of law clerks in the state and federal courts expressed about the Thaw during a recent judges/law clerks’ hike. They were also grateful for the Workforce Development Committee efforts to assist new lawyers in general. She referenced the VT Roll Call Report that was prepared for the NEBA meeting, and the information included in the Board packets to update the Board binders, including new committee assignments. She spoke of her and Judith’s meeting with Sarah Buxton, Director of Workforce Development in the Department of Labor, and Sarah’s helpful support for WDC efforts in the legal field.

G. Staff Reports: Jennifer Emens-Butler stated the Journal is done and at the printers. There were a couple of articles submitted from law students for the next issue. Jennifer noted the Annual Meeting has had some good feedback and she will look into live streaming in the future. She stated there are some winter webinars coming up including wellness, cybersecurity and Fastcase.

H. VBF Report: Teri stated that VBF Executive Director Deb Bailey is retiring effective December 1, which has prompted preliminary discussion about the possibility of collaboration with the VBF regarding different tasks. Matt Valerio noted that the VBA has been past recipients of VBF grant monies, and the importance of keeping the two boards separate. Teri agreed that the discussion shouldn’t include any changes to the two boards’ separate and independent structures. More information will be available after the VBF Board meets to discuss future direction.

I. Access to Justice Coalition Report: The Coalition has not met given Chair Beth Robinson’s recent nomination and appointment to the Second Circuit.

**4. Action**

A. VBF Board Appointments: Elizabeth Kruska gave a brief overview of the two VBA seats on the VBF Board. Andrew Manitsky was appointed to the one-year seat and Rich Carroll was appointed to the two-year seat. Andrew also confirmed his willingness to assume the seat that Bob Fletcher held on the NEBA Board.

B. YLD ABA Delegate: James Valente volunteered to be the Vermont YLD Delegate to the ABA House of Delegates. The YLD Board was in agreement and the VBA Board approved unanimously.

C. YLD Funding Request - Thaw Expense: Kevin Lumpkin stated the YLD received encouraging results from the survey about the 2022 Mid-Winter Thaw. They are moving forward with an in-person meeting in Montreal. The YLD Board would like to have a diversity program to provide a cohesiveness with Martin Luther King Day, which is traditionally the weekend of the Thaw. He located a speakers’ group that will develop a custom program for Vermont attorneys. The YLD budget isn't designed to cover a professional speaking group and is asking for up to $10,000. Details about the request are in the Request for Support Memo that was in the Board packet. Matt Valerio stated this amount for a speaker’s fee has never been asked of the VBA before. He noted that the YLD has their own bank account which could conceivably cover the amount requested. Kevin stated they do have their own funding, but it's designed to cover "bad" Thaw years. Judith Dillon stated she thought this was a good idea. She noted that the Women's Division asked for a couple thousand dollars a few years ago and the VBA approved it. Josh Diamond commented that the program was an interesting and intriguing idea but asked if this was the best venue due to the possibility of low attendance numbers. He suggested perhaps the March Mid-Year Meeting would have more in attendance. Kevin commented that to his recollection the Thaw generally has more in attendance than the VBA Annual or Mid-Year Meetings but acknowledged that it’s hard to predict numbers this year. Kevin also stated that the speakers being considered prefer a smaller group. Jessica Bullock asked about recording the session, which Kevin stated is not allowed by these speakers. Jordana Levine asked about other entities who do this type of programming and stated she knew of one group and would pass on their information to Kevin. Matt Valerio stated he has no issue with the quality of the program, but as VBA Treasurer, he does have concerns about the large amount requested, which is not included in the budgeting process. Teri stated the budget includes $3,000 for all the sections and divisions, together, and asked how much the YLD might be contributing. Pam Eaton stated they have funding to cover speakers' rooms and travel to Montreal, but the cost is in-flux, which is why the request to the VBA is stated as "up to $10,000." Additional discussion ensued.   
Matt Valerio made a motion to give the YLD $1,500 of the $3,000 section/division budget towards this initiative. Jim Rodgers seconded the motion. Additional discussion ensued.   
Matt Valerio withdrew the motion, and Jim Rodgers withdrew his second of the motion. Additional discussion ensued.   
Kevin Lumpkin stated he would look into other speakers and report back to the Board.

D. Enrollments: Upon motion made, seconded and unanimously approved, the enrollments were accepted. Enrollments approved: Legal Members: Susan Garcia Nofi, Duffy Jamieson, Shannon Merrill, Adam Minsky, Ainslie Neubert, Scott Peterson, Eric Springfield, Nancy Tomasko, Daniel A. Zahn. Associate Members: Margaret Ferron, Esq., Mary Hickey, Esq., Benjamin Huizenga, Tonya Kendall

**5. Discussion:** None.

**6. Executive Session**: None needed.

**7. New Business**: The Nominating Committee will be via Zoom next month, beginning at 10:30 on December 10th, with the Board meeting following at 1pm.

**8. Old Business**: None.

9. **Adjournment**: On motion made, seconded and unanimously approved, the meeting was adjourned at 3:04pm.

Respectfully submitted:

VBA Staff