

Report from the MSBA Assembly Meeting, September 11, 2009
Jennifer Wright, Elder Law Section MSBA Assembly Representative

1. President's report

- Meetings with section chairs to discuss section goals and how the MSBA can assist with them have gone well.
- The MSBA proposal to increase the attorney license fee by \$100 to help support indigent defense is still under advisement at the Supreme Court
- The MSBA proposal to amend the unauthorized practice rules to allow attorneys from a neighboring state who have been affected by a natural disaster to operate temporary offices in Minnesota to serve their own clients in their own states, even if not admitted in Minnesota, is under advisement at the Supreme Court.
- LawPAC, the MSBA's new PAC, is now registered as such.
- The Minority Bar Summit went very well.
- The MSBA diversity website is being revamped
- The president described the plans for "Nine Days in June".
- The MSBA is setting 2010 legislative priorities, and funds have allowed the hiring of a full-time in-house lobbyist to work with Lloyd Grimes. The position is now being advertized. October 30 is the deadline for legislative proposals from sections. The legislative website is being upgraded.
- There will be a major gender-equity event on October 27, 2009, in St. Paul.
- There was a loss (suspected theft) of about 400 MSBA dues statements, including confidential personal and law firm data, but not any money. All affected members were contacted, and only four have reported any suspicious activity with regard to possible identity theft, none of which may be due to the MSBA incident. The staff responded very well to this unfortunate event, and the affected members approved of the steps that were taken.

2. Executive director's report

- Tim Groshens is on sabbatical until October 13, 2009.
- The financial prospect is better than expected, with a projected deficit of only \$61,000 for this year, well below the budgeted deficit of \$353,000. The long-term challenge of reducing MSBA reserves, which have persisted for many years at a level well above our target range of 25-30% of annual income, was solved by the economic downturn. Current reserves are 31% of annual income. Yippee!!
- Membership has not declined as feared. A dues waiver program for financially challenged members is being considered.
- Practicelaw.org has been completely revamped. Check out the new website.
- Pro bono week is October 25-31, 2009. Check out the website at www.projusticemn.org/volunteer_week

3. Treasurer's report

- The audit report was discussed. All appears well.

4. Governance committee report

- The committee is working on a policy regarding the filing of amicus briefs by the MSBA or by sections thereof.
- Sections are strongly encouraged to contact the governance committee early on if they are seeking to change by-laws. The committee can provide useful assistance.

5. General policy committee report

- The assembly approved the creation of the MSBA Citizen Lawyer Award.

6. Legislative committee report

- The assembly approved the committee's proposal that the MSBA take a position asking the FTC and Congress to clarify that the Red Flags Rule imposing requirements on creditors relating to identity theft is not applicable to lawyers providing legal services to clients.

7. Operations committee report (I am on the operations committee.)

- The committee will be working on a recommended section reserve policy this year. I will be participating in this work. Some sections have long held reserves which are many times their annual budgets.
- The committee will be working on developing a policy for section banking procedures.
- The committee got an investment report from Bremer Bank, the new MSBA investment manager (replacing U.S. Bank). All investment sectors are beating their benchmarks.
- The committee proposed that the Council pursue a two-year contract with the current publisher of Bench and Bar. They had the second-lowest bid by a few hundred dollars. The lowest bid was from an out-of-state publisher, and additional mailing costs would more than make up for the difference in bids. The committee encourages the staff to look into going digital, and an electronic version of Bench and Bar will be tried out and evaluated this fall.