

Advancement & Improvement Committee

State Bar of Arizona
4201 N. 24th Street, Suite 100
Phoenix, Arizona 85016

October 29, 2024
3:00 p.m.
State Bar of Arizona Office

Minutes

MEMBER ATTENDANCE:

P = present in person; T = present telephonically; Z= present via Zoom A= absent.

Barry Wong, Chair = P	Nicholis Faussette = P
Benjamin Taylor, Co-Chair = Z	David Keys-Nunes = P
Lina Alavarez = P	Kristin Larish = Z
Hon Geoffrey Balon = Z	Aaron Moskowitz = P
Nicholas Boca = A	Jim O’Sullivan = P
Joan Bundy = Z	Bijal Patel-Weintraub = Z
David Cantor = P	Benjamin Reeves = Z
Sandra Etherton = P	Jobi Teague = Z
Jacob Faussette = A	Chuck Thomson = P
Christine Whalin = A	

OTHER ATTENDEES:

Guests: Joel F. England, CEO and Executive Director of the State Bar of Arizona

State Bar Staff: Taylor Tasler & Fabiola Perez

Minutes taken by: Taylor Tasler

Call to order

Called to Order by Barry Wong, Chair

Time: 3:01 p.m.

1. Roll Call

Staff liaison Taylor Tasler took attendance.

2. Approval of September, Meeting Minutes

Motion to approve: Lina Alvarez

Second: Chuck Thomson

Motion passes

3. Informational (No Action)

- CEO and Executive Director of the State Bar of Arizona, Joel F. England, presented an update on the State Bar disciplinary process member perception survey and Goldwater Institute Proposal status.
- The results from the discipline perception survey will be published in the December 2024 edition of Arizona Attorney Magazine. The Discipline Oversight Committee is currently working on an action plan based on survey results. Listening sessions are an action item being considered. State Bar partnered with Arizona State University's Watts College of Public Service to conduct the survey.
- Mr. England offered to have a Discipline Oversight Committee member or Lawyer Regulation staff speak with the Advancement and Improvement Committee about the survey and give feedback once it is published in December.
- Questions regarding data collection on Bar Members were asked. Mr. England informed the group that providing demographic information is primarily voluntary.
- Mr. England gave an overview of the proposed Supreme Court Rule Change by the Goldwater Institute. The petition asked the Court to change Rule 32, which governs the State Bar, and edit it to say annual fees can only be used for regulatory activities. The State Bar Board of Governors opposed the change. The Court took the matter up at the rules agenda in August. The Court continued the matter and made its own edit to Rule 32. It didn't accept what the Goldwater Institute proposed but made a change to the rule. The Court proposed that the Bar cannot engage in any activities in violation of Keller. State Bar submitted a response agreeing with the change the Court proposed. The Goldwater Institute reemphasized why their original petition should be granted and proposed an alternative that would provide a definition of germane. The Court will take the matter back up in December.

•

4. State Bar Operations/ Programs: Discussion and Action

- Staff liaison Taylor Tasler gave a brief overview of the published article summarizing the 2023 Member Satisfaction Survey. Third-party company Research USA conducted the survey. The survey is done every three years and sent to the entire membership. Data was collected in 2023, and the results were published in the Arizona Attorney Magazine in 2024. The survey mainly focuses on whether members are satisfied with their membership, the services that come along with it, and career satisfaction.

- Members of the Committee expressed concerns about using the survey to guide its course of action due to the low response rate (nearly 11%) and its inability to represent the views of the entire Bar membership.
- Chair Wong recommends identifying actionable items from the Membership survey. Please see the Action Items submitted by committee members before the meeting below.
- Chair Wong moves to discuss the top issues/concerns members would like to accomplish as a part of this Committee, which were submitted to Ms. Tasler via email. Mr. Cantor and Wong brought up concerns over the slow admissions process. The Arizona Supreme Court handles this. Chair proposes bringing someone from the court to explain the admissions process and any delays they may be experiencing.
- Mr. Moskowitz proposes focusing on the website. Ms. Etherton expresses the need to know more about how the website functions before the group decides if it is something it should take on. Mr. Faussette recommends brainstorming big-picture ideas of what the website could look like before the group gets into the technical side. Chair suggests that the group send concrete items regarding website improvement to Ms. Tasler.

CALL TO THE PUBLIC

Chair Barry Wong made call to the public. No public members in attendance.

Meeting adjourned by: Chair Barry Wong at 4:19 p.m.

Member Ideas:

Consistent comments:

- Improvements to the website
- More clarity and consistency from lawyer regulation on discipline.
- Increased promotion/communication of Bar programs to ensure members are benefiting from the services offered through their membership. Need more clarity on the exact programs.

Website Improvements:

- Overhauling the azbar.org website for better navigation, modern design, and faster updates.
- Enhancing access to information for both the public and attorneys.
- Increasing transparency and making resources easier to locate.

Bar Programs and Communication:

- Improving promotion and clarity of Bar services and programs.
- Providing clear distinctions between filing fee disputes and ethics complaints.
- Enhancing communication with members about Bar services.

Regulation and Discipline:

- Concerns about inconsistencies in lawyer discipline and the need for transparency.
- Building confidence in lawyer regulation processes.
- Creating consistency in attorney regulation across sectors.

Support for Attorneys:

- Expanding access to mental health resources for attorneys dealing with stress, addiction, and other challenges.
- Developing re-entry programs for attorneys returning to practice after a break.
- Training lawyers in trial advocacy.

Additional Suggestions:

- Addressing civility and professionalism within the Bar.
- Ensuring transparency in legal consultations, particularly identifying non-attorneys conducting initial consultations.
- Promoting access to justice for marginalized communities.
- Reviewing attorney feedback and perceptions of the Bar.

Sandra L Etherton:

Two of my ideas for improving the function of the Bar, in order of priority are:

- Overhaul the azbar.org website to provide information the public needs using a 21st century schema and an easily-navigable user interface. Once that's done, promote the new website to the public and bar members.
- Increase the transparency of the Bar to public and lawyers by making more information publicly available on the azbar.org website and posting the info more quickly than any is posted now. This may require creating a dedicated, full-time, real-time website team.

Nicholas Boca on behalf of himself, Christine Whalin and David Cantor:

1. Board of Legal Specialization
 - a. Timeline for approval of sitting for the exam
 - b. Lack of Big Board meetings during the summer resulting in months long delay of certification
 - c. Lack of timely communication
 - d. Lack of transparency
2. Concerns about inconsistent discipline from lawyer regulation
3. Bar confidence in lawyer regulation
4. Training lawyers into trial attorneys
5. Digital AZ Bar Cards
6. State Bar Website updates
7. Improving communication with the bar regarding State Bar services.

Lina Alvarez:

- technology/update of State Bar website
- access to justice for marginalized/low income communities/individuals
- re-entry program for lawyers who took time off/access to training & reintegration
- publicizing overview of what State Bar offers to attorneys statewide.
- access to mental health resources for attorneys struggling with addiction/overwhelm/lack of support.
- reviewing data/understanding perception of attorneys now & what they would like to see from the State Bar.
- making the State Bar an everyday resource & support for attorneys rather than just an enforcement arm for ethical violations.

I have put a great deal of thought into a re-entry program if that is something the committee as a whole decides is a priority.

Nick Faussette:

As I indicated at the meeting, my reasoning for wanting to be a part of this committee is to bring forth modernization within the State Bar and make it an effective membership. Although obligatory, this membership should provide value to its members. Additionally, I am seeking to make attorney regulation more consistent across the private and public sectors.

Joan Bundy:

- (1) Ensuring that law firms do not have non-attorneys conducting the initial consultation without identifying in advance that the person doing so is not a licensed attorney in Arizona.
 - (2) Improving the civility and professionalism of the bench and bar (Mostly the bar! I have seen such a decrease in civility in the past 15 years in private practice that it makes me want to cry! The personal attacks and uber-aggressiveness are uncalled-for and counterproductive for their clients. There needs to be a clear route to reporting the worst offenders within their firm and then to the Court and/or bar if need be.).
 - (3) Vastly improved website include much quicker page loading times, much improved navigation and more robust attorney search engine. Also it needs to be made uber clear (with a link on the home page) how to file a fee-dispute claim against an attorney versus an ethics complaint and the difference between the two.
- Address lawyer advertising and truthfulness within it.

