



Designing Today the Legal Profession of Tomorrow: *Preparing Your Bar to be an Architect of Law's Future*

*We are called to be architects of the future, not its victims.
Buckminster Fuller*

Western States Bar Conference 2022
March 30-April 2, 2022 | Westin Hapuna Beach, Hawaii

More conference details are available at www.westernstatesbarconference.com

Welcome Attendees of the Western States Bar Conference



Frank E. Stevenson
WSBC President 2021-2022

WSBC Members and Guests,

After a COVID-compelled two-year hiatus, we are all finally back together at the wonderful Westin Hapuna on the Big Island. Oregon State Bar's Chief Executive Officer Helen Hierschbiel, her Executive Assistant Cassandra Dyke, 2019-21 WSBC President Alex Vakula, and I hope you enjoy the programming and activities planned for our three days together. Most importantly, we hope you are ready to share ideas and insights with fellow bar leaders.

One purpose of these "welcome letters" is to comprehensively acquaint you with all the specific opportunities and activities available during your free time. So here you go:

Howdy folks, we're in Hawaii!!!

Done. Now, let me share what guided us in selecting the Conference's programming.

An "inflection point" is an event along the life span or trajectory of something resulting in profound change. Virtually anything can experience an inflection point — companies and countries; institutions and individuals. And the change that follows can be for the better — if the subject is prepared and adapts — or for the worse — if it's not and doesn't.

Could we find a sentient lawyer in America who'd dispute our profession is experiencing an inflection point? Doubtful. And if our profession is at an inflection point, then also our bars.

No single agent brought us here. Instead, they are numerous and varied, ranging from the massive to the microscopic: seismic challenges to our democracy and the Rule of Law; the pressing imperative for greater diversity, equity, and inclusion; woefully deficient access to justice; potentially far-reaching regulatory change; technology's burgeoning and consequential role; and COVID's fundamental and irreversible alterations.

Every one of these agents will be addressed during our Conference. We intend for these presentations, together with the even more critical exchange of ideas among our member bars, to help prepare and adapt us for the changes ahead. And by doing so, we hope these three days better ensure our bars are the architects of their future, not its victims.

Aloha, y'all.

Frank Stevenson
2021-2022 WSBC President
Past President, State Bar of Texas



Alex Vakula
2019-2021 WSBC President

We all owe a great debt of gratitude to 2019-2021 WSBC President Alex Vakula who planned a superb Conference for us in Scottsdale, Arizona, that was canceled in 2020 and again in 2021 due to COVID. As mentioned above, Alex also graciously participated in planning this Conference — his third! Thank you, Alex.

Conference Activities & Events

Please check the Westin Hapuna Beach Resort website for on-site amenities, restaurants, and other resort activities: www.marriott.com/en-us/hotels/koawi-the-westin-hapuna-beach-resort/overview/

Pau Hana Sunset Cruise with the Whales

Thursday, March 31 | 4:00-6:30 p.m.

The biggest sunset party on the water, join us on a Pau Hana Sunset Cruise with the Whales! Enjoy the excitement of watching the whales while you sip on soft drinks, tropical juices, beer and wine, and munch on a variety of individually wrapped bar snacks.

Please meet in the lobby no later than 3:15 for your ride to Kawaihae Harbor. We plan to be back at Westin Hapuna at 7 p.m.



Westin Hapuna Beach (photo courtesy of Westin Hapuna)

Mountain Thunder Coffee Plantation

Friday, April 1 | 2:00-3:15 p.m.

Mountain Thunder Coffee Plantation is a grower, processor, and roaster of 100% Kona Coffee. This means that we only sell coffee that has been grown in the Kona region of Hawaii Island. That is, our coffee is pure Kona Coffee and not mixed with beans from outside of Kona. Kona, Hawaii is a magical place where the perfect conditions—volcanic soil, high elevations, gentle climate and ideal rainfall—make for some of the world’s best gourmet coffee. There are few places on earth that have such ideal conditions for coffee growing.

Please meet in the lobby no later than 1:15 p.m. for your 48 minute ride to the plantation. We plan to be back at Westin Hapuna at 4:15 p.m.

Hapuna Golf Course

Organized by Tony Weiler

Friday, April 1 | 2:00-3:15 p.m.

The course, designed by Arnold Palmer, is within walking distance; please meet at the course.

Conference Agenda

Wednesday, March 30

7:00 a.m.-8:30 a.m.

Ikena Landing

Bar Executives Breakfast

Enjoy breakfast before the retreat (refreshments only in the meeting room)

9:00 a.m.-Noon

Milo Room

Western States Bar Executives Retreat

Facilitator: Elizabeth Wright, Executive Director, Utah State Bar

4:30-5:30 p.m.

Breezeway

Registration

6:00-7:30 p.m.

Breezeway

Welcome Reception

Check the WSBC website for more details: www.westernstatesbarconference.com

Thursday, March 31

7:00-9:00 a.m.
Mauka Ballroom

Breakfast

7:30-11:30 a.m.
Breezeway

Registrations/Exhibitors

8:15-8:30 a.m.
Makai Ballroom

Welcome to the Conference

Frank E. Stevenson, Locke Lord LLP, WSBC President 2021-2022
Alex Vakula, Vakula Law Firm PLC, WSBC President 2019-2021

8:30-9:00 a.m.
Makai Ballroom

Opening Remarks and Welcome to Hapuna Beach, Hawaii

Daniel Akaka Jr., Kahu Hānai, Living Culture Department, Mauna Lani Auberge Resort Collections, Hawaii

9:00-9:10 a.m.
Makai Ballroom

Sponsor Welcome to Conference

ALPS, **Chris Newbold**
LawPay, **Jordan Turk**

9:10-10:15 a.m.
Makai Ballroom

BLUEPRINT Defending the Rule of Law: American Democracy in Peril

In January 2021, the United States came closer to losing its democracy than at any time in its history. Although the guardrails of democracy held, the underlying threats to democracy remain. Why is American democracy in danger and what can we do to protect it?

Erwin Chemerinsky, Dean and Jesse H. Choper Distinguished Professor of Law, University of California, Berkeley School of Law

10:15-10:30 a.m.

Transition Break

10:30 -11:45 a.m.
Makai Ballroom

BLUEPRINT Addressing the Access to Justice Imperative:
The Role of Regulatory Reform

The exploration of regulatory reform as a method to improve access to justice is gaining traction across the country and continent, especially in states like California, Utah, and Arizona, as well as among prominent research institutions like the Institute for the Advancement of the American Legal System (IAALS) and the Stanford Center on the Legal Profession. It will also explore the role of national organizations in driving regulatory change through means such as the American Bar Association (ABA) Resolution 115 (Encouraging Regulatory Innovation) and the National Conference of Chief Justices Resolution 2 (Urging Consideration of Regulatory Innovations Regarding the Delivery of Legal Services). This program will discuss regulatory changes occurring in the western states and beyond and give participants an opportunity to discuss how state bars might work together to advance these innovations.

Zachariah DeMeola, Director of Strategic Initiatives, Law School Admission Council
Ellyn Rosen, Regulation and Global Initiatives Counsel, American Bar Association (ABA)
Moderator: Leah Wilson, Executive Director, State Bar of California

11:45 a.m.-12:15 p.m.
Makai Ballroom

Roll Call of States: **Idaho, South Dakota, Alaska, Hawaii**

LUNCH ON OWN

Optional Afternoon Event: Whale Watching

DINNER ON OWN

Friday, April 1

7:00-9:00 a.m.
Mauka Ballroom

Breakfast

8:15-8:30 a.m.
Makai Ballroom

Update from the ABA

Deborah Enix-Ross, Debevoise & Plimpton, ABA President-Elect

8:30-9:00 a.m.
Makai Ballroom

Roll Call of States: **Arizona, Oregon, Texas**

9:00-9:15 a.m.

Transition Break

9:15-10:30 a.m.
Makai Ballroom

BLUEPRINT Leadership Development: How Bar Leaders Today Build Diversity, Equity, and Inclusion to Create Better Outcomes Tomorrow

It's not enough to just affirm the singular importance of diversity, equity, and inclusion; we must equip ourselves to effectively lead our bar associations as they grow increasingly diverse in the broadest sense. While this session will discuss the challenges that bar associations face as they work to create more inclusive environments, the focus will primarily be on practical ideas about what bar associations can do to move beyond superficial diversity to become more inclusive. The session will include interactive exercises, measures that bar associations have already implemented, and some concrete actions that can be taken going forward to increase membership and prepare future leaders

Stephen Rispoli, Assistant Dean of Student Affairs and Strategic Initiatives/
Director of Innovation and Scholarship, Baylor University School of Law

Patricia Wilson, Associate Dean and Professor of Law, Baylor University School of Law

10:30-10:45 a.m.

Transition Break

10:45-11:45 a.m.
Makai Ballroom

BLUEPRINT Thriving After COVID-19: The Silver Lining of Change

COVID-19 has changed so much. The legal environment is no exception. For the unwary or those who resisted change, the crisis may have come as a devastating blow. But this pandemic has also bred new strategies, shifted the playing field to open doors, and created previously unseen opportunities for success across our profession. Some of these changes now serve as the blueprint for our future. In this session we will address both the changes and the opportunities that COVID has brought to the court system, to the way we communicate to our clients and our staff and how it has redefined our culture at our law offices and our bar offices.

Eric Farber, Creators Legal CEO; Pacific Workers CEO

Hon. Robert D.S. Kim, Chief Judge, Circuit Court of the Third Circuit (Kona)

Patrick Palace, Palace Law Owner, Palace Personal Injury Law Group Owner

Moderator: Ann Morgan, Director, Fennemore Craig PC

11:45 a.m.-12:15 p.m.
Makai Ballroom

Roll Call of States: **Utah, Nevada, Washington, New Mexico**

LUNCH ON OWN

Optional Afternoon Events: Golf/Kona Coffee Tour

6:00-9:00 p.m.
Breezeway

Reception/Dinner

Dinner starts at 7:00 p.m.

Saturday, April 2

7:00-9:00 a.m.
Mauka Ballroom

Breakfast

8:15-9:15 a.m.
Milo Room
Hau/Lehua

Breakout Sessions for Bar Leaders

Large Bar Moderator: Joel England, CEO/Executive Director, State Bar of Arizona

Small Bar Moderator: Tony Weiler, Executive Director, State Bar of North Dakota

9:15-9:45 a.m.
Makai Ballroom

Roll Call of States: **Wyoming, North Dakota, Montana, California**

9:45-10:00 a.m.

Transition Break

10:00-11:00 a.m.
Makai Ballroom

BLUEPRINT A View Behind the Curtain: Increasing Technology Competency by Learning How to Code

Technology permeates nearly every aspect of law practice and the justice system. With so much technology offering so many solutions to help lawyers, self-represented parties, and the courts, it is tempting to just trust the algorithms. But the rules of professional conduct require competence when it comes to using technology in the practice of law. Computers are fallible and in order to maintain technological competency, lawyers need to know when to trust the results and when to ask questions. During the first part of this session, we will build our own algorithm using real code. In the second half, we will discuss the limitations of our new software and the ethical considerations around its use by attorneys and clients. Please bring your laptop so you can code along with the speaker. No prior knowledge of coding or computer skills are necessary

Matthew Stubenberg, Associate Director of Legal Technology – A2J Lab, Harvard Law School; Adjunct Professor, University of Hawaii at Manoa, William S. Richardson School of Law

11:00-Noon
Milo Room

Deeper Dive into **BLUEPRINTS**

1. Leadership Skills Today to Build More Inclusive Bars Tomorrow

Culture within an organization is built upon leaders who are intentionally inclusive. These leaders seek to create an atmosphere that encourages relationship and collaboration, and they implement inclusive policies and the procedures necessary to support them. Building upon the first session's discussion, this highly-interactive session will include exercises to get participants thinking, a detailed discussion of the steps that can be taken to implement an inclusive culture, and facilitated breakout groups to help participants share information and brainstorm implementation ideas that participants can add to their leadership toolkit.

Stephen Rispoli, Assistant Dean of Student Affairs and Strategic Initiatives/Director of Innovation and Scholarship, Baylor University School of Law

Patricia Wilson, Associate Dean and Professor of Law, Baylor University School of Law

Makai Ballroom

2. The Role of Bars in Driving Regulatory Change

Building upon the first session, this session will provide an opportunity for participants to engage in deeper discussion about the role of bar organizations in driving regulatory reform. We will brainstorm different approaches for advancing innovation and explore opportunities for collaboration across jurisdictions.

Leah Wilson, Executive Director, State Bar of California

Lucy Ricca, Director of Policy and Programs, Center on the Legal Profession, Stanford Law School

Noon-12:15 p.m.
Makai Ballroom

Conclusion of Conference (*Announcement of New Leadership*)

12:15-12:30 p.m.

Annual Business Meeting (*for WSBC Leadership*)

WSBC HISTORY

Western States Bar Conference Presidents

Harry J. McClean, California.....1949-1951	David K. Robinson, California1974-1975	Timothy J. Kirven, Wyoming.....1998-1999
Alfred Pence, Wyoming1951-1952	Jerry V. Smith, Idaho1975-1976	Steven T. Walther, Nevada1999-2000
Robert A. Leedy, Oregon1952-1953	Henry Loble, Montana1976-1977	Dennis C. Karnopp, Oregon.....2000-2001
Thomas M. Robertson, Idaho1953-1954	Joseph Novak, Utah1977-1978	Reed L. Martineau, Utah2001-2002
John Shaw Field, Nevada.....1954-1955	Mark I. Harrison, Arizona1978-1979	Hod Greeley, Hawaii2002-2003
H. Cleveland Hall, Montana1955-1956	Leo J. Puccinelli, Nevada.....1979-1980	Don Bivens, Arizona2003-2004
Walter E. Craig, Arizona.....1956-1957	James R. Crouch, New Mexico1980-1981	Carl E. Olsson, Idaho2004-2005
William H. Robinson, Colorado1957-1958	David D. Hoff, Washington.....1981-1982	Dale Carlisle, Washington2005-2006
A.H. Nebeker, Utah1958-1959	Jon R. Kerian, North Dakota.....1982-1983	Andrew Suenram, Montana2006-2007
H.B. Kidwell, Hawaii1959-1960	Donna C. Willard, Alaska1983-1984	Thomas Fritz, South Dakota2007-2008
Glenn R. Jack, Oregon.....1960-1961	Dwight M. Rush, Hawaii1984-1985	Daniel J. O'Brien, New Mexico2008-2009
Joseph H. Gordon, Washington1961-1962	Thomas S. Smith, Wyoming.....1985-1986	Eduardo Rodriguez, Texas2009-2010
William Gaunt, Colorado1962-1963	Charles W. Deaner, Nevada1986-1987	John J. Tiemessen, Alaska2010-2011
Jess R. Nelson, New Mexico.....1963-1964	John J. Haugh, Oregon.....1987-1988	David S. Maring, North Dakota2011-2012
Roy A. Bronson, California1964-1965	O. Wood Moyle III, Utah.....1988-1989	Nathan D. Alder, Utah2012-2013
Gilbert B. St. Clair, Idaho1965-1966	John J. Bouma, Arizona1989-1990	Salvador A. Mungia, Washington....2013-2014
Herbert H. Anderson, Oregon1966-1967	Richard C. Fields, Idaho1990-1991	Mitzi M. Naucler, Oregon.....2014-2015
Elmer J. Scott, Wyoming.....1967-1968	Robert R. Redman, Washington.....1991-1992	Molly O'Leary, Idaho.....2015-2016
John Gavin, Washington.....1968-1969	Burke M. Critchfield, California.....1992-1993	Eric E. Jones, Wyoming.....2016-2017
Ray R. Christensen, Utah1969-1970	Damon Gannett, Montana.....1993-1994	Andrew J. (Drew) Cloutier, New Mexico2017-2018
Edward L. Benoit, Idaho1970-1971	Richard F. Rowley II, New Mexico ..1994-1995	Pamela Reiter, Hawaii.....2018-2019
John Joe Wilkinson, Colorado1971-1972	Kermit Edward Bye, North Dakota..1995-1996	Alex Vakula, Arizona.....2019-2021
John Huneke, Washington1972-1973	Wiley Y. Daniel, Colorado1996-1997	Frank Stevenson, Texas2021-2022
John U. Yerkovich, Oregon.....1973-1974	Daniel E. Winfree, Alaska.....1997-1998	

Secretaries / Treasurers

Leland M. Cummings, Utah1946-1954	Celene Greene, New Mexico and Minnesota.....1979-1983	Diane K. Minnich, Idaho2001-2005
John H. Holloway, Oregon1954-1961	Robert J. Elfers,Oregon1983-1985	Allen Kimbrough, Nevada2005-2006
Alice Ralls, Washington.....1961-1966	Celene Greene, Oregon.....1985-1986	Diane K. Minnich, Idaho2006-2007
Dean W. Sheffield, Utah.....1966-1971	Bruce Hamilton, Arizona1986-1991	Kimberly Farmer, Nevada2007-2010
Eldon L. Husted, Arizona.....1971-1973	Linda L. McDonald, New Mexico and Texas1991-1996	Joe Conte, New Mexico2011-2015
G. Edward Friar, Washington.....1973-1974	Charles C. Turner, Colorado.....1996-2000	Paula C. Littlewood, Washington ...2016-2019
Ronald L. Kull, Idaho.....1974-1978		Helen Hierschbiel, Oregon.....2019-2023
Eldon L. Husted, Arizona.....1978-1979		

Western State Bar Conference Meeting Sites

San Francisco1949	Guadalajara, Mexico1967	San Diego1985	Kaua'i.....2003
Salt Lake City1950	Coronado.....1968	Waikoloa.....1986	Scottsdale2004
Denver1951	Maui.....1969	San Antonio.....1987	Maui2005
Portland.....1952	Colorado Springs1970	Kaua'i.....1988	San Diego2006
Reno.....1953	Scottsdale1971	Monterey1989	Kohala Coast2007
Sun Valley1954	Albuquerque1972	Waikoloa.....1990	Tucson2008
Phoenix.....1955	Vancouver, B.C.....1973	Santa Barbara1991	Turtle Bay, Oahu2009
Cheyenne.....1956	Guadalajara, Mexico1974	Maui1992	San Antonio.....2010
Santa Fe1957	Monterey1975	Carmel1993	Maui2011
San Francisco1958	Palm Springs1976	Maui1994	Las Vegas2012
Salt Lake City1959	Maui1977	San Diego1995	Kaua'i.....2013
Honolulu.....1960	Scottsdale1978	Kaua'i.....1996	Palm Desert.....2014
Seattle1961	San Diego1979	Scottsdale1997	Kohala Coast2015
Denver1962	Acapulco, Mexico.....1980	Waikoloa.....1998	San Diego2016
Phoenix.....1963	Tucson1981	San Diego1999	Maui2017
Reno.....1964	Maui1982	Maui2000	Santa Barbara2018
Monterey1965	St. Thomas, Virgin Islands.1983	Waikoloa.....2001	Kaua'i.....2019
Las Vegas1966	Kaua'i.....1984	Las Vegas2002	<i>Event Cancelled</i>2020-2021

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Join us next year at the
Hyatt Mission Bay in San Diego, March 29-April 1, 2023

