

Western States Bar Conference 2023

March 29 – April 1, 2023 | Hyatt Regency Mission Bay, San Diego, CA

Waves *of* Change

Bar Leadership, Lawyering and Governance

It is not the strongest of the species that survive, nor the most intelligent, but the one most responsive to change.

— Unknown





Bryan K. Scott

Past President
State Bar of Nevada

Past President
Clark County Law Foundation

Past President
Clark County Bar Association

Past President
Las Vegas Chapter of the
National Bar Association

WELCOME to the Hyatt Mission Bay, San Diego and the 2023 Western States Bar Conference – “*Waves of Change: Bar Leadership, Lawyering and Governance.*” My name is Bryan Scott and I’m honored to be your 2023 WSBC President. I have been involved in state and local bar activities in Nevada, in one form or another, for most of my 31-year legal career. During those years, I have seen and experienced many changes in our profession and I continue to see changes constantly being made for the betterment of our profession, for the benefit of our bar members and for the protection of the public.

I have enjoyed a career in public service for nearly 27 years. Currently, I am the City Attorney for the City of Las Vegas. I became the first African American City Attorney in the City’s 119-year history in July 2020. During my time at the Las Vegas City Attorney’s Office, I have been the President of the Las Vegas Chapter of the National Bar Association (1996-1999), the first African American President of the Clark County Bar Association (2005), the first African American President of the Clark County Law Foundation (2006) and the First African American President of the State Bar of Nevada (2016-2017). Without “change” I could not, and would not have been able to hold those offices.

It is said: “Change is inevitable, growth is optional;” “People are resistant to change;” “Change is difficult;” and “Change takes time.” I agree with all of those sentiments. Like me, I’m sure you have all seen changes to the membership of your states’ mandatory and local bars, the bar examination, the concern for attorney wellness, the recognition and appreciation of diversity, equity and inclusion (DEI), the call for more civility and the way leaders effectively communicate with bar members. During our next three days together, we will talk about all of those topics and more.

My many THANKS to the sponsors of this year’s WSBC – without you, this conference could not be a success. Additional THANKS to our participating speakers, panelists and special guests. Your time and attention to these topics and to the WSBC is very much appreciated. Special THANKS to the Oregon State Bar’s Chief Executive Officer (and my Lewis and Clark Law School classmate) Helen Hierschbiel and her Executive Assistant Cassandra Dyke for all their help and hard work in planning this year’s conference. It’s been a fun process. We hope you enjoy all of the programming and activities planned. More importantly, we hope that you are ready to share your ideas and insights to collaborate on change with your fellow bar leaders. Enjoy the conference!

Bryan K. Scott

2022-2023 WSBC President

Thursday Afternoon Excursion:

Dolphin & Whale Sunset Tour Cruise

Join us as we observe part of the longest migration of any mammal on earth! Reaching up to 45 ft. in length and weighing up to 40 tons, Gray Whales depart from their summer feeding grounds in Alaska and migrate south along the west coast to the isolated lagoons of Baja California, Mexico to mate and give birth. We are lucky enough to see both the south and northbound migraters up until the end of April. Although we are just one passing point along their route, Gray Whales travel up to 12,000 miles, roundtrip, on an annual basis! Because they hug the coast during their migration, we can spot these gentle giants within only a few miles from the coast!



At the Hotel

Water slides and pools, wellness lounge, salon services and Mission Bay Golf Course



Close to the Hotel:

Sea World

Explore indoor and outdoor animal attractions, rides, and roller coasters. 1.6 Miles from the Hotel

San Diego Zoo

Located in Balboa Park, the world famous San Diego Zoo is home to over 12,000 animals or more than 650 species on 100 acres of beautifully landscaped park land. 15 minutes from the hotel.



— Conference Agenda —

Wednesday, March 29

4:30 – 5:30 p.m. **Registration**
Mission Terrace

6:00 – 7:30 p.m. **Welcome Reception**
Banyan Lawn

Thursday, March 30

6:30 – 7:30 a.m. **Walkabout with Bryan**
Meet in Lobby
Take a sunrise brisk stroll around the bay with this year's WSBC President before the start of the morning session.

7:00 – 9:00 a.m. **Breakfast**
Mission Terrace

7:30 – 11:30 a.m. **Registrations/Sponsors**
Bayview

8:15 – 8:30 a.m. **Welcome to the Conference**
Mission Ballroom
Bryan Scott, WSBC President 2022-2023
Helen Hirschbiel, WSBC Secretary

8:30 – 9:00 a.m. **Opening Remarks and Welcome to San Diego, California**
Mission Ballroom
Bill Lawrence, President and CEO, San Diego History Center

9:00 – 10:10 a.m. **Lawyers as Leaders: Here, Now, and in the Future**
Mission Ballroom
The rule of law is the backbone of our country and lawyers bring the rule of law to life through their actions as advocates, their involvement in policymaking, and their service as community leaders. This session will highlight the roles lawyers can play to strengthen the rule of law and the democracy that sets our country apart.
Hon. Johnnie Rawlinson, Circuit Judge, Ninth Circuit Court of Appeals

10:10 – 10:30 a.m. **Sponsor Break**
Bayview

10:30 – 11:30 a.m. **Bar Leaders as Ambassadors**
Mission Ballroom
As leaders of bar organizations that serve an increasingly diverse group of stakeholders, fulfilling our role as ambassadors is no easy task. Mandatory bars with regulatory functions serve the public, in all of its diversity. We also all serve members with a wide range of practice areas, in a variety of firm sizes (both in-house and outside), in urban and remote locations, from different generations, and from underrepresented and marginalized communities, as well as those from the dominant culture. We need to understand our audience and adjust

accordingly. This session will explore strategies for developing the message itself as well as the range of methods used to communicate. It will also ask how we know when we are effective in our communications.

Liani Reeves, 2020 Oregon State Bar President

Bryan Scott, 2016-2017 State Bar of Nevada President, 2022-2023 WSBC President

Shannon Sheldon, 2022 Hawaii State Bar Association President

Facilitator:

Julie Sobowale, Director of Communications for Law Society of Saskatchewan

11:30 – Noon

Mission Ballroom

Roll Call of States

Alaska, Arizona, California, Hawaii

Noon – 12:15 p.m.

Mission Ballroom

Update from the ABA

Mary Smith, 2022-2023 ABA President-Elect

LUNCH ON YOUR OWN

3:00 – 6:00 p.m.

Cruise San Diego Whale & Dolphin Watching Tour

Meet at the dock at 2:30 p.m.

DINNER ON YOUR OWN

Friday, March 31

6:30 – 7:30 a.m.

Meet in Lobby

Walkabout with Bryan

Take a sunrise brisk stroll around the Bay with this year's WSBC President before the start of the morning session.

7:00 – 9:00 a.m.

Mission Terrace

Breakfast

8:15 – 8:35 a.m.

Mission Ballroom

Sponsors Welcome to the Conference

ALPS, Destination CLEs, Unmind, and Law Clerk

8:35 – 9:05 a.m.

Mission Ballroom

Roll Call of States

Idaho, Montana, Nevada, New Mexico

9:05 – 10:10 a.m.

Mission Ballroom

Strategic Governance – What Is It and How Do We Achieve It?

Embracing and managing change requires a board focused on issues of strategic importance to the bar that stands ready to make clear and timely decisions. It also requires a strong relationship between the board and executive director, with clear and open lines of communication about the respective roles of each. This session will explore tools and processes for keeping strategic issues at the center of board decision-making. It will also share best practices for allocating different types of decisions between the board and executive director.

John Phelps, Pathfinder Executive Consulting

10:10 – 10:30 a.m.

Bayview

Sponsor Break

10:30 – 11:45 a.m.

Mission Ballroom

Changes in Lawyer Admissions

The traditional pathway to becoming a lawyer requires graduation from an ABA-accredited law school and taking a bar exam. The National Conference of Bar Examiners (NCBE) provides the Uniform Bar Exam (UBE) for most jurisdictions in the United States. To ensure a continued high-quality and relevant exam—and in response to calls for its reform—the NCBE is in the process of re-building the UBE into the NextGen Bar Exam. Given long-standing equity concerns around standardized testing, however, some jurisdictions are exploring pathways to licensure that would not require the UBE, or even passing a bar exam at all. This panel will provide the latest updates on changes in lawyer admission requirements. What problems are these changes trying to solve and how do we know if they are effective at solving them?

Joan Howarth, Distinguished Visiting Professor, William S. Boyd School of Law

Danette McKinley, Director of Diversity, Fairness, and Inclusion Research for the National Conference of Bar Examiners

Joanna Perini-Abbott, License Pathways Development Committee Chair

Richard Trachok, Nevada Board of Bar Examiners, Chair

Facilitator:

Leah Wilson, Executive Director, State Bar of California

11:45 – 12:15 p.m.

Mission Ballroom

Roll Call of States

North Dakota, Oregon, South Dakota, Texas

LUNCH ON YOUR OWN

Afternoon Free

6:00 – 9:00 p.m.

Banyan Lawn

Reception/Dinner

Sponsored by Fastcase

Saturday, April 1

7:00 – 9:00 a.m.

Mission Terrace

Breakfast

8:00 – 9:00 a.m.

Palm I Room

Breakout Sessions for Bar Leaders

Large Bar (AZ, CA, NV, OR, TX, UT, WA)

Facilitator: *Elizabeth A. Wright*, Executive Director, Utah State Bar

Palm II Room

Small Bar (AK, HI, ID, MT, ND, NM, SD, WY)

Facilitator: *John Mudd*, Executive Director, State Bar of Montana

9:05 – 10:20 a.m.

Mission Ballroom

Inroads on Lawyer Well-Being

The findings of the 2016 ABA CoLAP and Hazelden Betty Ford Foundation studies of mental health and substance use disorders among lawyers and law students were stark—lawyers and law students experience high rates of depression, substance abuse and chronic stress. And we know that lawyer well-being is critical to good client service and public trust in the legal system. In 2017, the National Task Force on Lawyer Well-Being issued its seminal report, with a comprehensive list of recommendations for stakeholders in the legal profession to address these issues. Have we made any progress in the last five years? What more can or should we be doing?

Raul Ayala, Hispanic National Bar Association Attorney Wellness Committee Co-Chair

Julie Cavanaugh-Bill, 2023 President-Elect, State Bar of Nevada

Jodi Cleesattle, co-author of *Losing our [Best] Minds: Addressing the Attrition Crisis of Women Lawyers in a Post-Pandemic World*, California Lawyers Association and California Women Lawyers

Andrew Morse, Utah State Bar Well-Being Committee Co-Chair

Facilitator:

Chris Newbold, Executive Vice President of ALPS Corporation and ALPS Property and Casualty Insurance Company

10:20 – 10:40 a.m.

Sponsor Break

10:40 – 11:00 a.m.

Mission Ballroom

Roll Call of States

Utah, Washington, Wyoming

11:00 – Noon

Mission Ballroom

Legal Service Innovations Increasing Access to Justice

The buzzword “innovation” has been used in the legal profession and justice system for several years now. But what exactly does it mean in these contexts? The goal of this session to show attendees what some of these innovations look like and the impact they can and are having on access to justice. We will hear from several innovators in the access to justice space, including what they do, who they serve, and the impact they are having. We will also ask the question, should bar associations be encouraging these innovations? If so, how?

Tyler Brown, CEO of Nuttall, Brown and Coutts

Sonja Ebron, CEO and Co-Founder of Courtroom 5

Jazz Hampton, CEO and General Counsel at TurnSignl

Facilitator:

Julie Sobowale, Director of Communications, Law Society of Saskatchewan

Noon – 12:15 p.m.

Mission Ballroom

Raffle of Roll-Call Gifts (Must Be Present to Win)

Announcement of New Leadership

Shannon Sheldon, 2023-2024 WSBC President

12:15 – 12:30 p.m.

Annual Business Meeting (for WSBC Leadership)

thank you

Sponsors

Platinum Sponsor



Silver Sponsors



Bronze Sponsors



Supporting Sponsors



WSBC History

WSBC Presidents

Harry J. McClean, California.....	1949–1951	Thomas S. Smith, Wyoming.....	1985–1986
Alfred Pence, Wyoming.....	1951–1952	Charles W. Deaner, Nevada.....	1986–1987
Robert A. Leedy, Oregon.....	1952–1953	John J. Haugh, Oregon.....	1987–1988
Thomas M. Robertson, Idaho.....	1953–1954	O. Wood Moyle III, Utah.....	1988–1989
John Shaw Field, Nevada.....	1954–1955	John J. Bouma, Arizona.....	1989–1990
H. Cleveland Hall, Montana.....	1955–1956	Richard C. Fields, Idaho.....	1990–1991
Walter E. Craig, Arizona.....	1956–1957	Robert R. Redman, Washington.....	1991–1992
William H. Robinson, Colorado.....	1957–1958	Burke M. Critchfield, California.....	1992–1993
A. H. Nebeker, Utah.....	1958–1959	Damon Gannett, Montana.....	1993–1994
H. B. Kidwell, Hawaii.....	1959–1960	Richard F. Rowley II, New Mexico.....	1994–1995
Glenn R. Jack, Oregon.....	1960–1961	Kermit Edward Bye, North Dakota.....	1995–1996
Joseph H. Gordon, Washington.....	1961–1962	Wiley Y. Daniel, Colorado.....	1996–1997
William Gaunt, Colorado.....	1962–1963	Daniel E. Winfree, Alaska.....	1997–1998
Jess R. Nelson, New Mexico.....	1963–1964	Timothy J. Kirven, Wyoming.....	1998–1999
Roy A. Bronson, California.....	1964–1965	Steven T. Walther, Nevada.....	1999–2000
Gilbert B. St. Clair, Idaho.....	1965–1966	Dennis C. Karnopp, Oregon.....	2000–2001
Herbert H. Anderson, Oregon.....	1966–1967	Reed L. Martineau, Utah.....	2001–2002
Elmer J. Scott, Wyoming.....	1967–1968	Hod Greeley, Hawaii.....	2002–2003
John Gavin, Washington.....	1968–1969	Don Bivens, Arizona.....	2003–2004
Ray R. Christensen, Utah.....	1969–1970	Carl E. Olsson, Idaho.....	2004–2005
Edward L. Benoit, Idaho.....	1970–1971	Dale Carlisle, Washington.....	2005–2006
John Joe Wilkinson, Colorado.....	1971–1972	Andrew Suenram, Montana.....	2006–2007
John Huneke, Washington.....	1972–1973	Thomas Fritz, South Dakota.....	2007–2008
John U. Yerkovich, Oregon.....	1973–1974	Daniel J. O'Brien, New Mexico.....	2008–2009
David K. Robinson, California.....	1974–1975	Eduardo Rodriguez, Texas.....	2009–2010
Jerry V. Smith, Idaho.....	1975–1976	John J. Tiemessen, Alaska.....	2010–2011
Henry Loble, Montana.....	1976–1977	David S. Maring, North Dakota.....	2011–2012
Joseph Novak, Utah.....	1977–1978	Nathan D. Alder, Utah.....	2012–2013
Mark I Harrison, Arizona.....	1978–1979	Salvador A. Mungia, Washington.....	2013–2014
Leo J. Puccinelli, Nevada.....	1979–1980	Mitzi M. Naudler, Oregon.....	2014–2015
James R. Crouch, New Mexico.....	1980–1981	Molly O'Leary, Idaho.....	2015–2016
David D. Hoff, Washington.....	1981–1982	Eric E. Jones, Wyoming.....	2016–2017
Jon R. Kerian, North Dakota.....	1982–1983	Andrew J. (Drew) Cloutier, New Mexico.....	2017–2018
Donna C. Willard, Alaska.....	1983–1984	Pamela Reiter, South Dakota.....	2018–2019
Dwight M. Rush, Hawaii.....	1984–1985	Alex Vakula, Arizona.....	2019–2021
		Frank Stevenson, Texas.....	2021–2022
		Bryan K. Scott, Nevada.....	2022–2023

Secretaries/Treasurers

Leland M. Cummings, Utah.....	1946–1954	Celene Greene, Oregon.....	1985–1986
John H. Holloway, Oregon.....	1954–1961	Bruce Hamilton, Arizona.....	1986–1991
Alice Ralls, Washington.....	1961–1966	Linda L. McDonald, New Mexico and Texas.....	1991–1996
Dean W. Sheffield, Utah.....	1966–1971	Charles C. Turner, Colorado.....	1996–2000
Eldon L. Husted, Arizona.....	1971–1973	Diane K. Minnich, Idaho.....	2001–2005
G. Edward Friar, Washington.....	1973–1974	Allen Kimbrough, Nevada.....	2005–2006
Ronald L. Kull, Idaho.....	1974–1978	Diane K. Minnich, Idaho.....	2006–2007
Eldon L. Husted, Arizona.....	1978–1979	Kimberly Farmer, Nevada.....	2007–2010
Celene Greene, New Mexico and Minnesota.....	1979–1983	Joe Conte, New Mexico.....	2011–2015
Robert J. Elfers, Oregon.....	1983–1985	Paula C. Littlewood, Washington.....	2016–2019
		Helen Hirschbiel, Oregon.....	2020–2023

WSBC Sites

San Francisco.....	1949	Guadalajara, Mexic.....	1967	Waikoloa.....	1986	Maui.....	2005
Salt Lake City.....	1950	Coronado.....	1968	San Antonio.....	1987	San Diego.....	2006
Denver.....	1951	Maui.....	1969	Kaua'i.....	1988	Kohala Coast.....	2007
Portland.....	1952	Colorado Springs.....	1970	Monterey.....	1989	Tucson.....	2008
Reno.....	953	Scottsdale.....	1971	Waikoloa.....	1990	Turtle Bay, Oahu.....	2009
Sun Valley.....	1954	Albuquerque.....	1972	Santa Barbara.....	1991	San Antonio.....	2010
Phoenix.....	1955	Vancouver, BC.....	1973	Maui.....	1992	Maui.....	2011
Cheyenne.....	1956	Guadalajara, Mexico.....	1974	Carmel.....	1993	Las Vegas.....	2012
Santa Fe.....	1957	Monterey.....	1975	Maui.....	1994	Kaua'i.....	2013
San Francisco.....	1958	Palm Spring.....	1976	San Diego.....	1995	Palm Desert.....	2014
Salt Lake City.....	1959	Maui.....	1977	Kaua'i.....	1996	Kohala Coast.....	2015
Honolulu.....	1960	Scottsdale.....	1978	Scottsdale.....	1997	San Diego.....	2016
Seattle.....	1961	San Diego.....	1979	Waikoloa.....	1998	Maui.....	2017
Denver.....	1962	San Diego.....	1979	San Diego.....	1999	Santa Barbara.....	2018
Phoenix.....	1963	Acapulco, Mexico.....	1980	Maui.....	2000	Kaua'i.....	2019
Reno.....	1964	Tucson.....	1981	Waikoloa.....	2001	Arizona (Cancelled).....	2020
Monterey.....	1965	Maui.....	1982	Las Vegas.....	2002	Arizona (Cancelled).....	2021
Las Vegas.....	1966	St. Thomas, Virgin Islands.....	1983	Kaua'i.....	2003	Kohala Coast.....	2022
		Kaua'i.....	1984	Scottsdale.....	2004	San Diego.....	2023
		San Diego.....	1985				



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



WSBC 2024

**Royal Sonesta Kaua'i Resort, Lihue, HI
April 3-6, 2024**

The State Bar of Arizona is the new facilitator starting in 2024

