



Luncheon
Marriott Muehlebach Hotel
Thursday, December 6, 2007
11:30 a.m. - 1:30 p.m.

Holiday Reception
KCMBA Bar Center
Friday, December 7
4:30 - 6:30 p.m.

123rd
Annual
Meeting

president's message

By Charles W. German



The Future KCMBA

"Groups of guitars are on the way out."

-Decca Records turning down The Beatles, 1962

"No matter what happens, the U.S. Navy is not going to be caught napping."

-U.S. Secretary of Navy, December 4, 1941

"We always overestimate the change that will occur in the next two years and underestimate the change that will occur in the next ten."

-Bill Gates

Predicting the future is definitely risky business. And trying to predict what the practice of law in our metropolitan area and KCMBA will look like in ten years is no easier than any other attempt at fortune telling. According to Peter Drucker, the future cannot be predicted at all; we can only study the implications of the trends occurring today. But it also seems to me that we can envision what we want for the future, and act today and tomorrow to try and get there.

One thing seems plain enough—the practice of law in our metropolitan area and KCMBA will mirror each other as they do today. The big issue is relevance. For the law practice, this means adapting to changes in the world market for legal services and continuing to be able to meet and exceed client expectations. For KCMBA, it means meeting the challenge of providing the programs, services and opportunities that lawyers across a wide demographic, and with many different kinds and styles of law practice, need and want, and continuing to be a relevant public voice and face for the profession.

Many people have thought about these issues. One gloomy view was expressed by William Cobb, chair of the ABA Futurist Committee. At the ABA Seize the Future Conference in 2005, Mr. Cobb predicted that what the printing press did to end the monopoly by priests and rabbis over the interpretation of the Bible, the Internet will do to lawyers who resell information on the law—consumers will go to the Internet for

answers and the availability of this information will eliminate the need for lawyers who research cases and resell their research to clients. As a point of comparison, when did anyone last buy the hard copy, multi-volume Encyclopedia Britannica? In similar vein, Dr. Peter Bishop of the University of Houston provides this view of the "Law Office of the Future: A computer, a dog and a lawyer. The computer will practice law. The dog is there to keep the lawyer away from the computer. The lawyer is there to feed the dog." And from www.legalfuturist.com, a blog and Web site from Stuart Forsyth, we see a scenario for 2020 where computer-based artificial intelligence is used to replicate the thought and decision processes of lawyers and judges to enable people to resolve problems themselves: "A recent boundary dispute between neighbors was resolved by fixing the location of a wall by 1-inch resolution GPS transponders, downloading property title records and surveys from the country records office, analyzing the problem and possible solutions with either Quicken Home Lawyer or MicrosoftJustice and arriving at an economic settlement to which both neighbors agreed without ever consulting lawyers." Indeed, continues Mr. Forsyth, by 2020 "litigation is both rare and swift as technology has automated the case preparation and presentation process, the virtual courthouse is

available 7/24/365, and virtual juries deliberate and decide disputed facts from afar."

A 2007 study by the Rhode Island Bar Association identified eight driving forces impacting the future of the legal profession, all of which we are experiencing here as well:

- Governmental forces that affect the legal system through legislation and regulations that alter the law and impact the operations of the judiciary;
- Demographic forces, like the aging population, a larger non-English speaking population, and economic stratification;
- Commercial forces, including multi-jurisdictional and regional practice by lawyers and law firms, the increasing irrelevance of geographic borders in the delivery of legal services, development of the virtual law firm as an alternative to the traditional law firm practice, the growing intrusion of other professions into areas historically considered the practice of law, and global commerce impacts;
- The growth of alternative dispute resolution forums and the diminishing role of trials to resolve disputes;

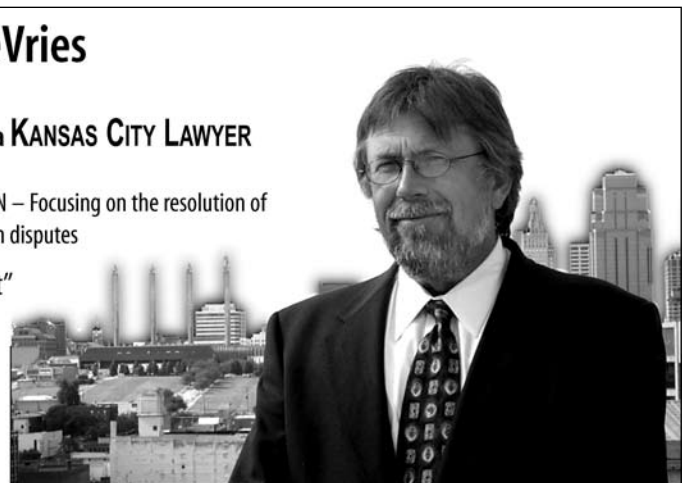
F. Coulter deVries

27 Years Practice as a KANSAS CITY LAWYER

MEDIATION / ARBITRATION – Focusing on the resolution of Real Estate & Construction disputes

"It pays to work it out"

deVries & Associates, P.C.
3145 Broadway
Kansas City, MO 64111
P: 816.561.2555
F: 816.561.3939



- Work-Life forces, including the strong desire of many lawyers to have a meaningful, healthy balance between professional and personal demands;

- The increase in pro se representation;

- Economic forces, including the increasing fact that the cost of legal services is beyond the working and middle class;

- Technology forces, including the invention and introduction of new technologies affecting the delivery of legal services, the impact of the media on the public perception of lawyers, the challenging need for the judiciary to remain technologically current, and the use of technology by clients to communicate with lawyers and to gather and understand information about the legal system.

Other thoughts on how the legal profession can and must adapt to these kinds of forces affecting the practice of law are offered by the ABA Committee on Research about the Future of the Legal Profession. This committee suggests that lawyers and bar associations must find ways to:

- Foster national and international valuing of the Rule of Law (even in terrorist times), achieve diversity in the profession, have legal education that teaches law students how to be lawyers, programs that allow law students to obtain training in other fields relevant to law practice, and development of technology to assist in the delivery of legal services, including self-help programs, artificial intelligence and expert systems;

- Promote communications with clients, the multi-jurisdictional practice of law, unbundling of legal services, and the availability and effectiveness of alternative dispute resolution;

- Facilitate the ability of citizens to engage in pro se representation and do-it-yourself solutions (certainly a controversial topic in Missouri at the moment);

- Work with non-lawyers to provide clients an appropriate mix of relevant services;

- Encourage a significant number of lawyers to be elected to the legislatures at all levels of government;

- Increase public funding to enable legal services providers and public defenders to meet caseload and quality standards;

- Create programs to allow law students to pay off their law school debts by working in a public interest setting;

- Provide a civil Gideon standard so that a party in a civil case will always have legal counsel;

- Cause business expenses for employee prepaid legal services plans to be tax deductible.

We can see through the work already being done by KCMBA, the state bars, and other bar groups around our region that many of these ideas and trends are works in progress right now. These works in progress, the other trends identified across the country, and our own experience give us a platform to think strategically about the future of law practice in our region and how KCMBA can remain vital and relevant to our present and future members. So here are some ideas for the next several years, as we create the future KCMBA:

1. Find new, creative ways to educate the public on our judicial system and the value our lawyers bring to the resolution of legal issues. Help our members find new ways to listen to clients and “be ahead of the

curve” in meeting client expectations with innovative methods for delivering sound advice and counsel. Expand and enhance our ability to “turn up the volume” on the many ways in which the legal profession contributes positively to our clients’ cause, our community, and the quality of life in our region. Advocate on behalf of the legal profession’s fundamental values, champion the Rule of Law, and defend the integrity and independence of the judiciary. Create new ways for KCMBA members to participate and give ideas on how we fulfill this part of our mission.

2. Work proactively with the courts and legislatures to increase accessibility and efficiency in the judicial system for the resolution of civil and criminal disputes involving citizens at all levels of the economy.

3. Facilitate a technology-savvy bar. Continue to improve our web presence and interactivity features so that KCMBA substantive law committees can develop programs and opportunities for communication among their members and among other committees and the board. Promote the blog space that we are creating this year to increase interaction among our members and awareness of current issues for the bar leadership. Use the Web presence to enhance the public education component of our mission. Develop pod and web casting opportunities for high quality CLE as well as interdisciplinary studies. Create programs that assist solo and small firms in bringing cutting-edge technology to their practice. And continue the traditional KCMBA programs that feature face-to-face networking—like the Bench-Bar & Boardroom Conference—but add a

continued on page 29

MEMBERSHIP HAS ITS BENEFITS!

KCMBA NOVEMBER SOCIAL HOUR

November 15
5:30 to 7:30 p.m.

This event is for KCMBA Members only.

THE CLASSIC CUP
301 W. 47th Street
Kansas City, MO

Sponsored by Armstrong Teasdale LLP

KCMBA President's Message - The Future KCMBA

simulcast or podcast feature to the programs to increase attendance, participation and revenue.

4. Continue regional collaboration with other local bar groups, our state bars, and national bar groups like the Metropolitan Bar Caucus, the Conference of Metropolitan Bar Associations and the ABA, so that KCMBA remains part of the regional and national dialogue. Issues larger than our metropolitan concerns require that we enhance our connections to what is happening in these other bar groups—things like legislative initiatives, public defender funding, judicial evaluation and transparency, pro se representation, and multi-jurisdictional practice are current examples. Strengthen and expand the networks we have created with other bar groups in Missouri and Kansas to deal with legislative issues affecting the administration of justice. Create a multi-media network across the region to be able to communicate ideas and positions in real time.

5. Expand our diversity initiative to attract, develop and retain legal talent reflecting our global market. We already have the diversity commitment from some law firms—let's get many more. Bring the public sector into the process. Continue to develop our nationally prominent Job Fair, the SLIP program and the summer internship program, and the Choose Law initiative that our YLS is implementing now. Develop programs

to help law firms with retention issues—consider a mentoring program, for example.

6. Make our new KCMBA headquarters—wherever that may turn out to be—a state of the art facility that empowers our staff and members to face the future with confidence, with the ability to provide the resources needed to meet the future challenges in the most efficient manner possible.

7. Continue to improve on KCMBA's accountability and transparency to our members and the public. Institutionalize even more the new standing committee governance structure—use technology to create interactivity among all of these pieces of the organizational leadership and to create opportunities for more members to participate and be heard. Open up the Foundation in a similar manner.

8. Encourage lawyers to run for legislative positions. The Missouri Bar had a similar initiative earlier. KCMBA should waive dues for lawyer-legislators, and further recognize the law firms that help support members who are elected to office.

9. Continue to develop new public service opportunities for members who are interested in particular areas or problems. Create a digital process for KCMBA members to provide ideas and suggestions to the Community/Public Service standing

committee. This is how our homelessness project got started in 2007.

10. Convene an ongoing working group to identify and even create the trends that we envision for our KCMBA future. This could be the existing Strategic Vision Committee or another standing committee of the board. We need to understand and facilitate the needs and desires of our members across the entire demographic—continue collaboration and dialogue with the regional law schools, and consider offering opportunities for older lawyers to remain active and involved (like the current ABA Second Season of Service program). The Future KCMBA working group should have as its mission the creation of resources to help our members practice law in the developing new market environment, resources to foster connectivity and public service, and resources to enable us to shape and affect the future of our professional lives.

Let me close this column with a challenging observation made by Roberta Katz at the 2001 ABA meeting that seems to me as pertinent now as it was six years ago: "In a time of drastic change, it is the learners who inherit the future. The learned find themselves equipped to live in a world that no longer exists."



Do you have a client who needs a criminal defense lawyer North of the River?

As a former Platte County Assistant Prosecutor and former Special Assistant United States Attorney, I have the experience to handle all types of criminal problems north of the river. Whether it is a serious state or federal charge or a municipal charge, you can trust my experience.

Serving Platte, Clay, Clinton, and Buchanan Counties as well as out-state Missouri and Federal Courts.

Miller Leonard

The Miller Leonard Law Firm, PC

351 (A) Main St.

Platte City, MO 64079

816-298-0250 • 816-868-2032 Cell • miller@themillerleonardlawfirm.com