

THE ATTRACTIVE NUISANCE

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The President's Message

By Brian Joos, Esq.

Neeb Karori Baba once said that Lincoln made a great President because he realized he was only acting president. While I do not pretend to have the virtue and wisdom of Lincoln, or his high-pitched voice, I will strive to keep this “acting president” concept close in mind as I serve our membership for this short, one-year term.

There has already been one event in my brief tenure as President that reinforced a central idea I have about what we do as a local bar association: the retirement reception for retiring Judges Stadler and Curtis. There, a good number of attorneys from a wide range of practice areas enjoyed not only honoring the services of the two Judges, but also a very respectable snack and some “professional socializing.” These kinds of events, along with our local bar’s CLE luncheons, Christmas Party, and Summer Social, provide valuable and undervalued opportunities for our



members to interact with one another in a non-adversarial environment. They make us remember that we are all decent people, not the devilish schemers with unscrupulous motives who act as New York City’s defense attorneys on Law & Order. While the benefits of such a reminder of decency are somewhat intangible, I believe that they are also of great importance not only to our professional quality of life, but to the improvement of our profession’s notoriously poor reputation. Building and maintaining mutual respect and collegiality among lawyers is step one toward repairing our reputation among the public at large. And without step one, step two is far less likely to happen.

For instance, a client of mine recently started ranting hard about the opposing attorney who had just deposed him. He called the attorney all manner of insulting names, made fairly offensive

Upcoming:

March, 2013:

Mediation CLE

by *Michael Viscomi*

implications about the attorney's personal life, and asked how someone like me could stand dealing with lawyers on a daily basis. As I sat back to consider how to respond, step one came to the rescue. I had met this opposing attorney at a few local bar events, where we had discussed, for example, the virtues of curling as a spectator sport. This attorney had not been rude while deposing my client, nor had he asked any inappropriate questions. Snapping back to the present, I paused, and asked my client if he knew the difference between me and the attorney who had deposed him. No, he said, and leaned forward in expectation of a vulgar punch line. I said, you walked in through my door, while your old business partner walked in through his. That's it.

While the line sounds corny as I write it now, it worked in the moment; the client sat back, and after a second of thought, I could see that he understood. Since then, he has given the opposing counsel the benefit of the doubt, and has told me that he has more respect for what lawyers do as a result of litigating his case. But for me, without the curling flashback inspired by a local bar event as step one, I would have been far less likely to take step two by offering the response I did instead of simply letting my client's rant go unaddressed. To be sure, improving the public's perception of lawyers one client at a time is a long-term solution, but every individual person helps.

In the end, this is perhaps a long-winded way of saying these few things: please join me in my effort this year to continue attending and promoting our social events and luncheons. You can start today by asking the other attorneys with whom you speak or correspond to join you at our next luncheon meeting: February 4 at noon at the Red Lion in Kalispell. Not only will you have some fun, get a CLE credit, and perhaps even see me wearing a sweater vest, you will be doing the service of promoting collegiality and mutual respect among lawyers. This is step one in our ongoing effort to remind the public that we lawyers are not such rabid sharks after all, and to remind ourselves that our public reputation begins with us. We need to represent our clients zealously, but also decently and honorably. If more of us get to know one another well, and become more willing to stick up for other attorneys and give them the benefit of the doubt, we will be better equipped as a local bar to work together toward prompt, fair, and professional resolution of our clients' disputes instead of falling prey to the temptation of making those disputes into our own.



Have a suggestions for a MYSTERY PROFILE in an upcoming newsletter? If so, please contact Kim Christopherson at 752-1100 or at ktc@talktomylawyer.biz

Suggest a CLE Topic

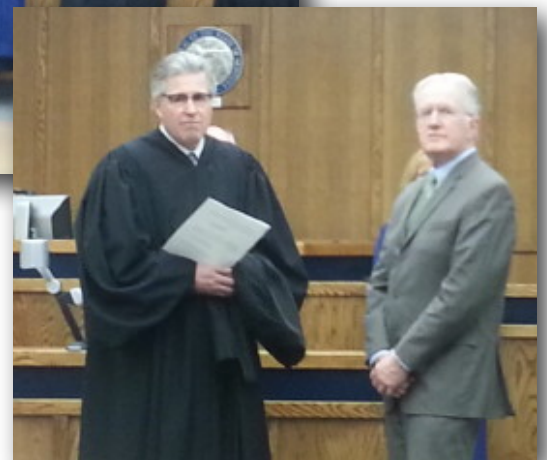
One aspect of the local bar association that we're most proud of is the monthly meeting with a CLE presentation. Each month, our CLE committee works hard to find a new and interesting topic to bring to the membership. And we're always interested in suggestions. If you've recently attended a CLE you think the NWMT Bar Association would benefit from, let us know. Or, if you'd like to present in your area of expertise, we're always open to that as well.

Email suggestions to John Wagner at: johnmwagner@hotmail.com

Swearing In Ceremony

Thanks to everyone who attended the swearing in ceremony of District Court Judges Allison and Ulbricht. Judge Ortley had this to say about the event:

I wish to extend my sincere thanks to the bar for making this morning's ceremony memorable for Bob and Heidi. I received many compliments on the ceremony and the fact that we had refreshments afterwards which created an environment for casual conversation and an opportunity to congratulate the new judges. As you may be aware, the ceremony did not reflect past practice in this district. The involvement of the bar made it possible to commemorate an important event in the history of the district in an appropriate and meaningful way.



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From the Court Administrator

Marcy M. Hall has been appointed "Acting Court Administrator" following Bonnie Olson's retirement on 1/31/13. The position has been reopened following the withdrawal of the selected applicant and is being advertised through the State of Montana Judicial Branch's website. Marcy may be contacted at 758-5669 or 758-5665. Kathy Froystad will be providing judicial support to Judges Lympus and Ulbricht during this period and she may be contacted at Froystad@flathead.mt.gov or 758-5667.

On another note, I want to extend my heartfelt thanks to the Northwest Bar Association for the retirement reception that was hosted on January 30. It was a wonderful event and I truly feel blessed to have worked with so many talented attorneys and the amazing staff that make each of you better. Thanks for some wonderful memories

- Bonnie Olson

Dues Statement Mailed March 1

The State Bar of Montana will mail annual dues statements to attorneys on March 1st. Payments for all fees are due April 1st and can be made by check or online with a credit card. CLE affidavits will be mailed separately in April with a filing deadline of May 15th.

This is for your state bar membership and separate from our local bar association dues.

**NORTHWEST MONTANA BAR ASSOCIATION
P.O. Box 2272
Kalispell, MT 59903-2272**

2013 MEMBERSHIP FORM

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**Please remit \$50.00 along with your completed Membership Form
to the address above by April 1, 2013. Checks should be
made payable to "NWMBA."**