

THE ATTRACTIVE NUISANCE

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2013 Officers:

President:

Brian Joos

President Elect:

Jeff Greenwell

Secretary:

Paul Sullivan

Treasurer:

Valori Vidulich

Members at Large:

Kim Christopherson
Kai Groenke
Joyce Funda

State Bar Trustee:

Marybeth Sampsel

The President's Message

By Brian Joos, Esq.

I've heard it many times: oh, we don't really do that, so it doesn't affect us. Some practitioners think that simply because they don't actively update their websites, maintain a facebook page, or use twitter, that social media and the internet don't affect their law practices. Unfortunately, this is usually not the case, and even in the rare instances where it is, it won't stay that way for long.

A recent LexisNexis study found that by more than three-quarters of adults who have looked to hire an attorney in the past year—76 percent—used online resources at some point in the process. Take a look at the study here: https://docs.google.com/file/d/0B010fqDaxXj8RDl0clp4dzd5bXM/edit?usp=drive_web. What this means is that our online presence as attorneys is more important now than it has ever been, and all indications are that this importance will only grow.

The first thing to consider is that Martindale's virtual monopoly in online lawyer reviews and ratings will

not last. Up until this point, sites like Angie's List, on which customers and clients can post reviews and ratings of contractors, dentists, florists, and all kinds of others, have avoided attorney reviews and ratings. Martindale's peer

review system (and its monopoly) exist because of the notion that clients are not capable of evaluating attorneys, that only other attorneys can truly gauge an attorney's skill level and performance. This notion, or at least the public's tolerance for it, is fading rapidly, and the word through the grapevine is that attorney review and rating sites where clients (or anyone) can

publish what they think of particular attorneys, are coming within the next year or two.

But even now, with no such sites that are widely available, your law firm still has an online presence even if you have not created one. Online versions of the yellow pages, sites like manta and skillpages, etc., likely list your name and other information, like your practice areas and your phone number and address, that may or may not be



accurate. For instance, though I recently switched law firms, a Google search for me still yields the contact information for my previous firm. On one site, I am listed with my old contact information as a “Coram Landlord and Tenant Attorney” even though I have never had an office in Coram, have never represented anyone in a landlord tenant dispute in or around Coram, have never even had a client from in or around Coram, and very rarely take any landlord and tenant cases any longer.

Even if you have a website that has all the accurate information, it may not be among the top search results when people search for your firm or for the individual attorneys who practice at your firm. With more and more people turning to the internet for information, we all need to know what people see when they search for us, and to take steps to correct it if it is not accurate. We should also be prepared for clients who search the internet for legal information to compare with the advice they receive from their attorney. While this information can be inaccurate or from a different jurisdiction, clients do not always understand this, and it is helpful to do general searches in your practice area from time to time in order to be prepared for clients’ questions. Our online presence as attorneys, and what information the internet offers about our practice areas, are no longer things we can ignore.

Upcoming Bar Elections

Three positions within the Northwest Montana Bar Association are open for nominations:

- **Treasurer** (3 year term);
- **President-Elect** (3 year term, 1 as President-Elect, 1 as President, and 1 as Immediate Past President); and
- **Member-at-Large** (2 year term)

Nominations may be sent via email to Brian Joos at joos@bigskyattorneys.com - Please send all nominations in advance of our monthly meeting on Monday.

Save the Date

The Northwest Montana Bar Association's annual Christmas Party will be held on Friday, December 6, 2013 at the Lodge at Whitefish Lake. More details will follow, but for now, save the date and plan to join us for some good food, flowing drink, and scintillating conversation!



Stateside News

UPCOMING CLE

The State Bar is sponsoring the following live, one-day CLEs:

CLE and Ski – Big Sky, January 17-19
Real Estate CLE – Fairmont, February 14
Paralegal CLE – Helena, March 7
St. Patrick's Day Ethics CLE – Fairmont, March 21
General Practice/Commercial Law – Great Falls, April 4
Annual Bench-Bar Conference – Missoula, April 11
General Practice/Consumer Law – Kalispell, April 25
Oil, Gas & Water Law – Billings, May 2
Employment Law – Helena, May 9
Family Law Update (sponsored by Family Law Section) – Whitefish, June 20

ETHICS CLE CREDITS

The CLE Commission recently issued a memo clarifying the rule changes on ethics changes. The rule change eliminates the need for SAMI credits. But we're now required to obtain two full hours of ethics credits each year, rather than the three credits in five years. Contrary to earlier announcement, ethics credits from a live CLE will carry over. Ethics credits from videos or webinars will not.

BAR-SPONSORED LEGAL RESEARCH

A legal research task force recommended, and the Board of Trustees approved Fast Case for a State Bar sponsored legal research provider. Negotiations are underway for the Bar to purchase a package and make that available to members at little or no cost. Stay tuned!

2014 ANNUAL MEETING AT BIG SKY

Randy and the Annual Meeting Committee are planning a big splash for the State Convention next year which will be at Big Sky Resort. Early discounts will be offered, package registrations will be offered and there will be a reduced rate for paralegals to attend Friday only. There will be the usual hot topics discussion, Supreme Court arguments and lots of recreational opportunities outside the classroom.

NO MANDATORY PRO BONO

The Access to Justice Commission/Mandatory Pre-admission Pro Bono Committee will shortly issue a report and recommendation to the Supreme Court NOT TO REQUIRE that law students perform mandatory pro bono hours as a condition of obtaining a license to practice. Alternatively, the Committee recommends that the students continue current pro bono and volunteer activities and that this be reported with their application to practice upon graduation. Pro bono service will be encouraged, but not required. Following the issuance of this report, this subcommittee of the Access to Justice Commission will dissolve and there will be no further work or proposals to mandate pro bono activity or service in Montana.

ONLINE CLE REPORTING NEXT YEAR

This was our last year for “paper reporting.” This winter the State Bar will activate its next new website. It’ll be cleaner, simpler and more functional. We’ll also be required to set up user names and passwords, if you haven’t already. Once done, we’ll all report our CLE credits on line. No more affidavits and scribbling out which CLE’s you attended. Most will already be noted if you pre-register. The State Bar will keep track of all your credits including ethics and carryovers. You’ll just check online for your own status.

Randy Snyder



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Mystery Profile



After having served as moderator for Eleanor Roosevelt in public appearances, this Flathead Valley attorney worked as counsel on a lawsuit that resulted in the Blackfoot language being taught in Browning's public schools. Our colleague also served as President of both the Montana Trial Lawyers Association and the Western US Trial Lawyers Association, and wrote a law review article on Native American Water Rights that has served around the United States as a teaching text on that area of law. Who is our mystery person?

News About Members

Scott Anderson formerly of ANDERSON & BLIVEN PC would like to announce the opening of his new law firm:

ANDERSON LAW ASSOCIATES PLLC
Meridian Office Complex
690 N. Meridian Suite 108
Kalispell Montana 59901
P: 406.407.7828
F: 406.407.7829
Email:
scott@andersonmtlaw.com
donna@andersonmtlaw.com
kayla@andersonmtlaw.com

We will continue to focus our practice on personal injury and also include insurance bad faith, serious food borne illnesses, civil litigation and estate planning.



Referrals and Joint Counsel Associations representation greatly appreciated.

NOVEMBER 2013

MEDIATE!



Michael A. Viscomi, Esq.

Attorney • Mediator • Arbitrator

121 Wisconsin Avenue

Whitefish, Montana 59937

406.862.7800 • Viscomi@BigSkyAttorneys.com

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Location: 22 2nd Avenue West, STE 2100
Kalispell, MT 59901

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

2013 MEMBERSHIP FORM

Attorney Name: _____

Firm Name: _____

Street/P.O. Box: _____

City, State ZIP: _____

Phone: _____

Fax: _____

Email: _____

Check Amount: _____

Check Number: _____

**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.”**