

# MSBA Future: Opportunities realized and awaiting

Last July, in my first president's column, I foreshadowed the strategic planning process that the MSBA would carry out this year. I viewed my role as your president to shepherd us through a process to navigate change; engage in hard discussions; collaborate better with our MSBA partners, district bars, and affinity bars; eliminate duplicative efforts; and rethink our current bar association model.

Calling upon open minds, creativity, and courage, I asked for adoption of the "opportunity to succeed/permission to fail" mentality that required four things:

- input and participation in the strategic planning;
- patience;
- trust; and
- tolerance for risk.

I urged that, although a plan with unknown variables may not be capable of perfection, the status quo is a dangerous route for the organization. And I predicted that our organization—with its talented, committed, intelligent, and resourceful membership—would have the ability to tackle change and make courageous yet calculated decisions.

## Experimenting throughout the year

Demonstrating this mindset, MSBA members and staff explored various opportunities this past year. For example, the MSBA and the district bars in the 11th Judicial District worked together to develop a pilot one-day program called One Profession. This program brought together a cross-section of public and private lawyers and judges in the district to focus on challenges facing the legal profession. In conjunction with this program, the MSBA Council held its monthly meeting in Duluth, and area district bar leaders convened with the Council for dinner and networking. The attendance at the One

Profession event was extraordinary, and the effort resulted in a worthwhile event and a connection between MSBA and those district bars that has not occurred in some time.

In an effort to improve communications with members, the MSBA staff worked with the New Lawyers Section to pilot customized communications in which AI technology helped identify member-specific preferences for information. The benefits of exploring this technology and changing how MSBA communicates with members are that: (1) members can receive fewer communications, but more relevant information tailored to them; and (2) conserving staff resources frees up time for other member services. In addition, a significant website overhaul was undertaken to make more and better information accessible to members. (Testing of the website will occur over the next few months, and it will be launched by fall.)



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The MSBA is also tackling the perennial issue of making dues payments easier for members. Recognizing that different pricing options and structures may be desirable to members, MSBA has been experimenting with different dues structures within a few sections to evaluate impact.

And based on diversity-and-inclusion training the preceding year, the MSBA Council employed experimental meeting protocols this year. This framework, departing from the meeting norm, resulted in (i) every Council member having an equal opportunity (and limits) to voice questions and comments, (ii) contrary views being affirmatively and intentionally considered as part of the decision-making process, and (iii) a collective mindset that each Council member had a responsibility to engage in discussion if the Council was to operate at its best.

Each of these efforts and departures from the status quo required patience, trust, and degrees of risk-taking. And in turn, new and different ways of operating and providing member services were discovered.

## Planning for the future: What and how

Significant input was gathered to develop the association's next three-year strategic plan. The Futures Summit last fall involved a cross-section of Minnesota attorneys offering insights on the challenges and needs they see. The Presidential Summit, Innovation in the Law, provided expert review of trends and forecasts. The Strategic Planning Oversight Committee, the MSBA Council, section leadership, and staff all participated in strategic planning sessions that analyzed where the MSBA can leverage its unique characteristics to have the most impact.

We approached the strategic planning process by asking, "If the MSBA did not exist tomorrow, what if anything would be missed?" Vetting the distinctive features and roles that MSBA has in comparison with other legal associations vying for the same members, three critical and unique roles of the MSBA rose to the top:

- (i) providing a statewide network and connections for members;
- (ii) serving as the voice and spokesperson for the profession and legal system; and
- (iii) providing reliable practice tools and resources for members that they cannot otherwise easily and economically access.

These priorities served as the foundation on which the strategic plan was premised. Some of the identified strategic goals include:

- expanding the One Profession program to eight locations throughout the state each year to support member-to-member, member-to-judiciary, and MSBA-to-district bar interactions and relationships;
- expanding the job network project to connect law school students and new lawyers with senior practitioners and employment opportunities throughout the state;

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- increasing the efforts of MSBA sections to engage law students, new lawyers, diverse attorneys, and attorneys in greater Minnesota to build sections' membership, vitality, and impact;
- developing and piloting a signature MSBA event that convenes and engages members of the statewide judiciary and MSBA members;
- analyzing and recommending an effective PR campaign/strategy on behalf of the profession to speak to the value of lawyers and to combat the DIY mentality affecting members' practices;
- implementing a communication plan to better inform members and the public of the important policy work and lobbying efforts that the MSBA is instrumental in advancing on behalf of the profession both at the courts and in the Legislature;
- analyzing usage data regarding the various online resources MSBA provides to members to identify the most and least useful tools offered, explore potential resources not currently offered, and make corresponding adjustments to budgets and resources; and
- developing and expanding online communities and compatible mobile apps to facilitate accessibility of information and events to members.

In addition to considering what the MSBA should be doing, the strategic planning process also took a hard look at *how* MSBA should go about this work. In that regard, two significant objectives were identified:

(i) make operational and administrative changes that create greater efficiencies in services, more cost-effectiveness, and better coordination with other bar associations and partners; and

(ii) incorporate diversity-and-inclusion best practices into the way MSBA operates, provides services, and develops leaders.

Talking about creating greater efficiencies, better coordination, and cost-effectiveness is easy; taking specific steps to do so is hard. But this process led to one specific way in which greater operational efficiencies can be achieved: by sharing staff resources with other bar associations (e.g., RCBA and HCBA). Where there are skilled staff, including executive directors, across different organizations performing similar functions, there is an opportunity to reallocate resources, share responsibilities, and free up staff to work on other member services. This shared staff model not only allows MSBA (and participating district bars) to provide better services in their areas of focus and priority, but also al-

lows greater coordination for members who belong to several bar organizations.

Importantly, the proposed operational model is premised on the following absolutes: (i) the shared staff model relates to operations only; (ii) each participating bar association shall maintain its own identity, mission, programming, and governance; and (iii) the new operations structure will allow for more dedicated time and resources to district bars in greater Minnesota. The model further relies on an understanding that there will necessarily be tweaking of the model during the first couple of years, but these uncertainties and eventualities are outweighed by administrative leadership of the MSBA, HCBA, and RCBA all supporting such change and believing it will inure to the benefit of all MSBA members and their district bars.

The MSBA is not the first bar association to consider a collaborative operation model seeking to maximize resources; the state bar of Colorado has done so successfully for several years. But it is fair to say that our intended model change, which coalesces with the impending retirement of our current executive director, is a non-traditional model that will likely be a guiding example for other bar associations across the country facing similar challenges and market dynamics.

As to the second 'how' objective, with the assistance of the MSBA's D&I director and the Diversity and Inclusion Council lead, the strategic plan sets forth specific strategies to allow the MSBA to carry out its work in a way that encompasses diversity considerations—not as initiatives but as everyday practice. A few examples include using appointment/committee composition matrices to ensure diversity in committees and appointed positions, expanding D&I liaisons to the various sections, facilitating quarterly affinity bar president meetings to better coordinate efforts, and increasing members' demographic self-identification to the Supreme Court to better understand the makeup of membership.

### In the end

As I sign off as MSBA president, I am very proud of the hard work the MSBA Council, the sections, the district bars, the D&I Council, and the staff demonstrated to make so many things happen, to take leaps of faith, and to innovate together to come up with an exciting path forward for the 'what' and the 'how' of the MSBA. It has been my honor to be part of this chapter of MSBA's history and to serve the great attorneys of Minnesota. ▲



Regular Bench & Bar columnist

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