

# What does the State Bar do for me?

The West Virginia State Bar serves its members, the bench and the public in myriad ways.



By Anita R. Casey  
Photos by Rick Lee



WWSB staff includes, from left, Patricia Schoolcraft, ACP, paralegal; Kathy Henning, executive assistant; Anita R. Casey, executive director; Mike Mellace, information technology director; Sarah R. Hall, CPA, finance director; and Angie Volk, compliance coordinator.



The West Virginia State Bar (WWSB) is headquartered on Deitrick Blvd. in Charleston, West Virginia.

**E**very week I hear from one of our members regarding a penalty assessed for late payment of fees, a late reporting of FRD or IOLTA or failing to get their 24 credits of CLE completed and reported within the 24-month reporting period. “What does The State Bar do for me, and why do I have to pay to be a member?” members ask.

*Well, I’ll tell you...*

The West Virginia State Bar was established in 1947 as an agency of the Supreme Court of Appeals. As such, The Bar was charged in its Constitution to “protect the interests of the public; to advance the administration of justice and the science of jurisprudence; to improve the relations between the public and the bench and the bar; to uphold and elevate the standards of honor, integrity, competency and courtesy in the legal profession; and to encourage cordial relations among its members.”

It generally comes as a surprise to most State Bar members that The Bar does not “represent” them. The



# A West Virginia State Bar Primer

## **SARAH R. HALL, CPA | Finance Director**



- Assists in the planning and review of budgets for each department
- Contracts auditing services to ensure financial monitoring is up-to-date and prepares financial statements
- Facilitates day-to-day operations, including tracking financial data, invoicing, deposits, payroll, etc.
- Assists members with membership payments and reporting
- Reconciles IOLTA deposits and bank remittance information

## **KATHY HENNING | Executive Assistant**



- Assists State Bar Executive Director with transcription of correspondence and documents
- Provides Boards and Committees with meeting information
- Processes Professional Limited Liability Company applications
- Processes Certificates of Good Standing
- Assists with name change requests and deceased members on database

## **MIKE MELLACE | Information Technology Director**



- Assists staff with technology systems and devices
- Educates members about IT services and security
- Assists members with access to WVSB online services
- Coordinates IT services for committee sponsored programs
- Reviews IT security policies and procedures to ensure all data is secure

## Who's who and does what.

### **PATRICIA SCHOOLCRAFT, ACP |**



#### **Paralegal**

- Assists State Bar Executive Director, Unlawful Practice of Law Committee, IOLTA Advisory Committee and other committees as needed
- Assists with updates and/or revisions to State Bar Bylaws and Administrative Rules
- Receives and investigates complaints of unlawful practice of law
- Provides information regarding the requirements of State Bar Rule 10.09
- Prepares weekly Bar Blast and posts State Bar related information to Bar social media accounts

### **ANGIE VOLK | Compliance Coordinator**



- Assists members with inquiries regarding CLE requirements and reporting
- Reviews courses submitted for CLE approval by attorneys and CLE providers
- Processes teaching and publication credit requests
- Provides guidance on State Bar membership issues
- Handles status and name change requests

State Bar is not a union, nor anything close to a union. Rather, it is an agency charged by the Supreme Court with helping the Court regulate the practice of law in West Virginia. Our staff, officers, Board of Governors and Young Lawyer Board understand that helping lawyers be “the best they can be” inures, both directly and indirectly, to the benefit of the public, the bench and other members of The Bar.

One of the primary responsibilities of The State Bar is to maintain a database of information on each licensed member of The Bar, whether active, inactive or admitted pro hac vice. That responsibility includes maintaining such information as date of admission, Bar number, post office and email addresses, phone and fax numbers, attorney employers, information on whether malpractice insurance is maintained, where IOLTA accounts are located, if a succession plan is in place and whether or not CLE reporting requirements have been completed. Peripherally, accomplishing these responsibilities requires The State Bar’s staff to work collaboratively with insurance carriers, financial institutions, CLE sponsors, multiple law schools and, of course, courts and administrative agencies throughout the State of West Virginia and across the country. The State Bar’s staff also work with the Governor’s office, the Legislature, the Secretary of State’s office and other government agencies. Certain database information is shared daily with the Supreme Court’s E-Filing system. Use of The State Bar’s database helps the Court’s system confirm the status of both licensed members of The State Bar and those attorneys who have been admitted, on a limited basis, as pro hac vice attorneys. If an attorney’s information is not correct or updated in The State Bar’s database, it directly impacts that attorney’s ability to receive E-Filing notices and information.

You may ask, “What is that \$250 fee I am required to pay every year to The State Bar used for?” In states that do not have a mandatory or integrated bar like West Virginia, some agency of that state’s Supreme Court is charged with collecting a registration or licensing fee. In West Virginia, the Supreme Court has tasked The State Bar with collecting that fee. The fee paid annually to The West Virginia State Bar covers all costs of operating the State Bar office, as well as all costs of operating two other agencies of the Supreme Court: the Office of Disciplinary Counsel and the Judicial & Lawyer Assistance Program.

The State Bar’s Finance Director handles all payroll, payroll tax, health benefit, retirement and leave record information for the 10 employees of the Office of

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Disciplinary Counsel and the three employees of the Judicial & Lawyer Assistance Program, as well as the six employees of The State Bar itself. Invoice payments, deposits, financial statement preparations, audit support services, reconciliations and fixed asset calculations for all three entities fall to The State Bar's Finance Director.

As noted above, in addition to tracking Financial Responsibility disclosures, IOLTA trust account information, succession planning information and continuing legal education credits, The Bar's staff also take the lead on the work of many of The State Bar's practice and standing committees. These committees, which vary in number from year to year — but usually are in the range of 25-30 — include some extremely active and significant committees. Most notable among the committees are the Unlawful Practice of Law Committee, the Lawyers Fund for Client Protection Committee and the IOLTA Advisory Committee. State Bar staff work directly with these committees doing investigative work, preparing agendas and minutes and handling all communications on behalf of the committees and committee chairs.

In addition, the work of the Mandatory Continuing Legal Education Commission falls under The State Bar. The work assigned to the Commission requires extensive time and effort. All CLE programs proposed must be reviewed to ensure quality, then calendared on a master calendar. Every other year, in what has been identified as a "reporting year," the workload expands exponentially. In addition to regular duties, the CLE coordinator is required to track and notify (on multiple occasions) State Bar members who have not met the 24-credit-hour requirement set by the Supreme Court.

Totally unrelated to any duties or responsibilities imposed by their jobs, The State Bar's staff members, for more than three years now, have solicited presenters, gathered training materials, provided registration links, advertised and trained speakers on The Bar's technology capabilities to provide free, three-credit-hour CLE webinars every other month. In 2020, spurred by the tenacity of State Bar President Monica Haddad, The State Bar presented nine COVID-related CLE programs between April 17 and June 12. During that same time, the bimonthly CLE programs continued.

In early 2020 the State Bar staff, with the assistance of JLAP staff and some committee chairs, scoured hundreds of sources for information on how to deal with

the repercussions of the COVID-19 pandemic. That information was provided on The State Bar's website for the use of Bar members. Much of that information was also of interest to members of the public. Around mid-year, as the initial shock of the pandemic passed, the same staff searched for and posted additional information. The new information was designed to assist members in changing their practice models to be able to continue to operate their offices while respecting pandemic restrictions. Online fraud took a dramatic upturn with the pandemic. To help members recognize signs of online fraud, in January of 2021 The Bar presented a webinar on the topic.

Although it may seem like a minor service, the State Bar staff assemble and send a weekly Bar Blast to all members. The Bar Blast is replete with pertinent and important information for attorneys, including Supreme Court announcements, upcoming CLE information, volunteer opportunities, job postings, information on proposed rule changes and the ability to provide public comment and notice of training events and meetings. The Bar Blast is designed to be easily skimmed and should take no more than 60 seconds to review. If an attorney has an interest in a particular item or event, more information is available through links or through contact information.

Of most recent significance is The State Bar's collaborative work with the West Virginia Joint Interagency Task Force (JIATF) on COVID-19 vaccines. The State Bar worked with Task Force members to identify attorney demographics by age, practice areas and other factors. While The State Bar could not advocate for attorney vaccines, Bar staff and officers were able to provide sufficient information to the Task Force members to help them prioritize potential recipients of the vaccine as it became available. The State Bar then distributed information to the groups identified and prioritized by the Task Force.

If you have any questions and concerns, or if you would like The State Bar to do something else, feel free to ask. I'm easy to reach at [caseya@wvbar.org](mailto:caseya@wvbar.org). **WVL**

**Anita R. Casey** is Executive Director of The West Virginia State Bar. She has served in that capacity since January of 2008. Prior to 2008, Casey was a defense litigator, did a significant amount of appellate work and served as one of the early attorneys doing mediation work in West Virginia.