

APPELLATE PRACTICE SECTION

Jocelyn Drennan, 2009 Chair
P.O. Box 1888
Albuquerque, New Mexico 87102

December 30, 2009

Joe Conte, Executive Director
State Bar of New Mexico
P.O. Box 92860
Albuquerque, New Mexico 87199-2860

Board of Bar Commissioners
State Bar of New Mexico
P.O. Box 92860
Albuquerque, New Mexico 87199-2860

Re: 2009 Annual Report: State Bar Appellate Practice Section

Dear Director Conte and Commissioners:

As this year's chair of the board of directors of the Appellate Practice Section of the State Bar of New Mexico, I am writing on behalf of the board, pursuant to Article IX, Section 3 of the State Bar's bylaws, to provide the Board of Bar Commissioners with the Appellate Practice Section's report for the previous twelve (12) months.

Ongoing and New Appellate Practice Section Services

During 2009, the Appellate Practice Section provided educational services that it initiated in years past and the section's board spearheaded new initiatives, all of which were aimed at enhancing the appellate skills of attorneys who practice in New Mexico. A description of the services follows.

- The annual Appellate Practice Institute (API). This year marked the twentieth anniversary of the API, which consisted of a day-long seminar on appellate topics of interest to the bench and bar. This year a subcommittee of the board developed a program with the goal of attracting both appellate and trial court practitioners. Members of the state and federal judiciaries, judicial staff, and appellate experts taught and answered questions about appellate issues that practitioners face on a day-to-day basis, as well as appellate developments on the horizon. This year's program included presentations from federal and state appellate judges relating to the appellate practice skills they consider essential; a panel discussion about how to craft effective petitions for certiorari, docketing statements, and briefs; and a session on strategy considerations relating to amicus briefing. The board also made scholarship assistance available to members of the section who might not otherwise be able to afford the program tuition.

As in years past, the API also served as the forum for the section's annual meeting. As such, it provided a face-to-face opportunity for the board to report on the health of the section, to answer members' questions, and to seek ideas on how to make section membership even more useful.

- Section newsletter. The section published one eight-page newsletter this year which addressed various appellate developments and legal resources for appellate practitioners. The current edition is available on the section's State Bar webpage.

In recent years the board also has published a second, four-page newsletter, a practice that it plans to resume next year with an eye toward maximizing the tips of the trade the newsletters provide to readers. During a meeting held earlier this month, after voting to approve a four-page newsletter to be published in either February or March 2010, the board settled upon and began developing the content of the newsletter. At the same meeting, the board also approved an eight-page newsletter which will be published later in 2010.

- Section e-alerts. In an attempt to further keep its members informed about noteworthy appellate practice developments, this year the board began sending e-blasts which provide timely alerts about significant appellate procedural developments in New Mexico and related informational links. These e-alerts complement the recent efforts by the New Mexico Supreme Court to solicit input and to alert practitioners about rule and UJI changes.

- State Bar Annual Meetings. This past July two members of the section's board presented a program at the State Bar Annual Meeting with the goal of educating attendees about various aspects of state and federal appeals that practitioners in New Mexico encounter, along with experiential insights.

- University of New Mexico Law School Law student moot court programs. Over the years the section has provided substantial financial and teaching assistance to various moot courts sponsored by the law school. This year the board appointed a subcommittee which met with Dean Kevin Washburn and some of his colleagues to discuss how section members can be of most use in the future. At its meeting earlier this month, the board voted to contribute \$500.00 to the law school's moot court program. In forwarding the contribution, the board asked Dean Washburn to expend the money in the manner that would best fulfill its purpose. In 2010 the subcommittee plans to resume its dialog with Dean Washburn and his colleagues regarding other types of assistance that members of the Appellate Practice Section can provide to the various moot court teams.

Additionally, pursuant to Article IX, Section 4 of the State Bar bylaws, on behalf of the section the board timely petitioned for and was granted permission by this Board to continue the section's existence for an additional five years.

In accordance with the Appellate Practice Section bylaws, the board also held timely elections for board positions which were scheduled to be vacant in 2010. On behalf of the board, I provided a recommendation to Martha Chicoski, the chair of the Young Lawyers Division (YLD), that Tim Atler be reappointed to the YLD position on the section's board. The next


board meeting, which will include the board's newest member, Larry Montano, is scheduled to take place on January 12, 2010.

Appellate Practice Section Financial Report

Pursuant to Article X, Section 1 of the State Bar Bylaws, the Appellate Practice Section discloses the following information relating to its current fund balance in its State Bar account. Presently, the section's fund balance is approximately \$2,090.00 according to an estimate which Chris Morganti, the State Bar Director of Membership and Communications, provided to me on December 8, 2009. As the Revenues category in the attached State Bar Statement of Revenues and Expenditures reflects, \$2,445.00 is the total amount of a year's worth of the dues for the section. Exhibit A. Because the section's current fund balance is less than that amount, the section requests that it be allowed to carry all of the funds currently in its State Bar account forward into 2010. The board anticipates that the funds, among other things, will be spent on section administrative costs (e.g., section board meeting teleconference costs), section newsletters, and the next API which is scheduled to take place at the State Bar Center in September 2010.

Thank you for your consideration of this report. On behalf of the board of the Appellate Practice Section, we look forward to continuing to provide services of benefit to the section's members and other members of the State Bar.

Sincerely,



Jocelyn Drennan, 2009 Chair
Appellate Practice Section

State Bar of New Mexico
Statement of Revenues and Expenditures
5005 - Appellate Practice Section
For the Period Ending November 30, 2009

	<u>Actual</u>		<u>Annual Budget</u>
	<u>Current Month</u>	<u>YTD</u>	
Revenues			
Fund Balance Carry Forward			
Fund Balance	\$0.00	\$1,403.49	\$1,403.49
Revenues			
Section Dues/Fees	\$0.00	\$2,445.00	\$1,905.00
<hr/>			
Total Funds Available	\$0.00	\$3,848.49	\$3,308.49
Expenses			
Board	\$15.16	\$262.67	\$125.00
Administration	\$0.00	\$5.58	\$25.00
Brochures/Manuals	\$0.00	\$0.00	\$25.00
CLE	\$0.00	\$0.00	\$800.00
Donation	\$0.00	\$0.00	\$500.00
Newsletter	\$0.00	\$696.81	\$600.00
Reception	\$0.00	\$0.00	\$100.00
Scholarships	\$0.00	\$100.00	\$400.00
Web Site Fee	\$0.00	\$125.00	\$125.00
<hr/>			
Total for Expenses	\$15.16	\$1,190.06	\$2,700.00
Funds Remaining	(\$15.16)	\$2,658.43	\$608.49

