

## **Highlights of Proposed Revisions are -**

**Constitution** - Archaic provisions are eliminated and changes to membership article in accordance with modern practice

**Definition of the Practice of Law** -Archaic provisions eliminated

### **Bylaws**

High-level governance with most administrative detail moved to rules

Provides greater flexibility to the Bar

Clearer definition of membership classes

Greater detail on suspended members

Greater detail on resigned members

Grants Board the authority to set fees (other than annual dues)

Clarifies that Immediate Past President is Board member

Expands Board term to four years beginning 2019, thereby fostering a continuation of expertise; election cycle expanded to four years, thereby evening out number of new Board members coming onboard each year

State Bar Districts remain unchanged

Clarifies election of Vice-President

Unlawful Practice Committee revised in accordance with recent case law

Sets authority for State Bar Administrative Rules

New article on communication with Bar

New article on legal practice entities

New article on JLAP

New article on Young Lawyer Section

### **State Bar Administrative Rules**

Clarifies membership register and obligation to maintain current information

Defines how membership information may be used and member opt-out options

Provides detail on firm administrators

Provides flexibility in the methods for payment of membership fees

Provides a ceiling for meaningful late fees

Clarifies how sanctions for nonpayment affect membership classes

Updates paper ballot election process in accordance with modern practice

Integrates and reconciles three different MCLE governance documents

Updates Bridge-the-Gap program in accordance with recent YLS proposal

Allows CLE credit for certified pro bono service for specified entities

Sets forth a new procedure for Unlawful Practice Committee proceedings in accordance with recent case law in order to preserve the State Bar's antitrust immunity

Updates the Emeritus Attorneys' Pro Bono Participation Program

Incorporates the existing stand-alone rule for the WVJLAP

Sets forth a new IOLTA distribution protocol as recommended by the IOLTA Advisory Committee

Provides a method in two new rules for the State Bar to pre-certify legal practice entities

Sets forth a new rule detailing the Young Lawyer Section

Sets forth a new rule related to succession planning for sole practitioners