TO: Michael Franck Selection Committee
American Bar Association
Center For Professional Responsibility

FROM: The Wyoming State Bar
P.O. Box 109
Cheyenne, Wyoming 82003

IN RE: THE NOMINATION OF PROFESSOR JOHN MORTENSEN BURMAN FOR THE 2013 MICHAEL FRANCK PROFESSIONAL RESPONSIBILITY AWARD

December, 2012
December 21, 2012

Michael Franck Selection Committee
American Bar Association
Center for Professional Responsibility
3231 Clark Street
Chicago, IL 60654-7598

Re: Professor John Mortensen Burman
2013 Michael Franck Professional Responsibility Award Nomination:

Dear Members of the Selection Committee:

On behalf of the Officers, Commissioners, and members of the Wyoming State Bar, it is indeed my honor and privilege to place in nomination Professor John M. Burman for the 2013 Michael Franck Professional Responsibility Award. From both personal observation, interaction, and reputation, along with the varied group of Wyom Ingites as demonstrated by the enclosed letters of support and acclamation, can assure you that in the annals of professional responsibility in Wyoming, no one, and I repeat, no one, rises to the level or has advocated for the highest standards of professional responsibility. As is noted in the accompanying articles, Professor Burman has expanded his reach and message of ethics and professionalism beyond the borders of both Wyoming, and the United States during teaching experiences abroad.

As the current President of the Wyoming State Bar, I have found it even more compelling that we advance this nomination. He has established a legacy among the legal community in our state that, without a doubt, will surely stand the test of time. As a recurring contributor of ethics and professionalism articles to The Wyoming Lawyer magazine, he has made an indelible mark upon the entire legal constituency, and with the publication of his seminal book "Professional Responsibility in Wyoming," he has cemented his extraordinary standing in our legal community.

Professor Burman's entire career epitomizes the spirit and commitment required of any person who chooses the legal profession. Furthermore, he has embodied that spirit in his students and within the entire membership of the Wyoming State Bar. It is a great honor and a true pleasure to nominate and recommend Professor John M. Burman for the 2013 Michael Franck Professional Responsibility Award.

Sincerely,

[Signature]

C. John Cotton
President

cc: File
December 17, 2012

Michael Franck Selection Committee
American Bar Association
Center for Professional Responsibility
3231 Clark Street
Chicago, IL 60654-7598

RE: Michael Franck Nomination of Professor John Mortensen Burman
University of Wyoming College of Law

To the Selection Committee:

It is my great pleasure to advance the nomination of Professor John Mortensen Burman of the University of Wyoming College of Law for the Michael Franck Award. If the standard you seek is professionalism, then there can be no more deserving candidate than Professor Burman. Professor Burman is the Carl M. Williams Professor of Law & Ethics at the University of Wyoming College of Law, and since 1989 has taught and written extensively about torts and legal ethics.

Professor Burman is considered the “gold standard” of Wyoming legal ethics and accountability. No Wyoming effort regarding review or revision of professional rules of conduct can conceivably begin without the assistance and guidance of Professor Burman. When definitive answers for complex and vexing ethical dilemmas are needed, Professor Burman is the first reference point for students and the practicing bar alike. By both advice and deed, he has inspired Wyoming attorneys to rise above and beyond our baser nature and to act professionally with our colleagues and associates even during the most contentious and difficult of circumstances.

I take note of your reference to giving consideration to scholarly contributions made in academic settings, creative judicial or legislative initiatives undertaken to advance the professionalism of lawyers and other related accomplishments will also be given consideration. I cannot imagine any other lawyer or jurist whose life’s work better exemplify such criteria than Professor Burman. It is one thing for someone to become an honored and remembered faculty member, but in this instance we are sincerely referencing a man who has become a truly beloved figure on a statewide basis. I dare say that purveyors of legal ethics in most instances never come close to achieving such stature.

I respectfully join all other expressions of support by the many distinguished friends, colleagues, and admirers of Professor Burman, and enthusiastically echo their kind and gracious words of praise.

Your kind and affirmative consideration of this worthy candidate is greatly appreciated.

Respectfully,

Sleeter C. Dover, Esq.
Executive Director

Enclosures:

cc: File
December 20, 2012

Michael Franck Selection Committee
American Bar Association
Center for Professional Responsibility
321 N. Clark Street
Chicago, IL 60654-7598

RE: Letter of Support for Professor John M. Burman

Dear Frank Selection Committee:

Please consider this letter my enthusiastic second of the nomination by Wyoming State Bar President John Cotton of Professor John M. Burman for the Michael Franck Professional Responsibility Award.

As I noted last year in a similar letter, I do not make this recommendation lightly. Because I have devoted a substantial portion of my own career to researching, writing, teaching, and (hopefully) practicing Professional Responsibility, I realize that this award is reserved for those few at the very top of this critical field. John Burman, whom I am proud to call my colleague, my friend, and my hero and inspiration, is in this elite category. In every way possible, he has devoted himself to improving the professional responsibility of the bench and bar.

**Practice** Unlike many who work as law professors, John had a distinguished career at the bar before he entered teaching. After his graduation from the University of Minnesota School of Law in 1981, John spent a decade practicing law in Laramie. To this day, he continues to practice part-time, despite his heavy teaching, research, writing, and service loads.

John knows his way to the courthouse and he treasures every chance he gets to take that path. He is well-respected by judges and attorneys, including those he has tried cases against, as a member of the trial bar.

As I will note in further detail below, John is now a well-respected member of the professional responsibility professoriate. Unlike a few members of our subset of legal academics, who,
sadly, seem to have disdain for the practicing bar, John loves lawyers. He counts himself fortunate to be a lawyer who has practiced, and still practices, law. On more than one occasion, I have heard him say that, among all of the honors he has received, the single designation he most cherishes is his status as a Wyoming lawyer.

**Teaching** Since 1989, John has been a professor at the University of Wyoming College of Law. Almost every year during almost a quarter century of teaching, he has taught both Professional Responsibility and Torts. Because ours is a small law school with only one section per class, almost every UW College of Law graduate for that quarter century has received his or her education in these two foundational courses from Professor John Burman. As the person who reads every student evaluation in every course taught at our law school, I can report that, among a faculty of excellent teachers, John is the students’ favorite instructor. [The students have voted him as their Outstanding Faculty Member a seven times. This is a record. And it is also stunning, as we have several strong teachers on our faculty.] John’s skill at, and devotion to, educating the future members of the bar in Wyoming and other states about Professional Responsibility, standing alone, might qualify him for the Franck Award.

What sets John apart from other outstanding Professional Responsibility teachers, though, is what he does beyond teaching that important course. For more than two decades, he has served as the Faculty Supervisor of the Legal Services Clinic, which provides civil legal services to those who could otherwise not afford them. Every semester, John supervises approximately eight clinic students who provide these legal services. He does this even in the summer months, when most law professors take time away from teaching. Hundreds, if not thousands, of Wyomingites have had access to the courts due to the efforts of John and his students. Hundreds of our law students have learned the nuts and bolts of the practice of law from John Burman, as they worked for those clients.

Lest this extraordinary two decades of service in the trenches of providing legal services to the poor go underappreciated, please allow me to point out how rare this is. At most law schools, the clinic faculty is separate from the doctrinal faculty that teaches traditional courses. John is a clinical faculty member and a doctrinal faculty member (and one whale of a scholar, but we will get to that later). As one who taught Professional Responsibility for over a decade, I know that pretty much every Professional Responsibility instructor emphasizes the importance of pro bono service. Sadly, many of us do little actual pro bono service ourselves, while some of us struggle to find ways to contribute our fifty hours of service every year. John “talks the talk,” like the rest of us, by emphasizing the importance of providing legal services to those who cannot afford them in his Professional Responsibility class. But he also “walks the walk,” by personally providing hundreds of hours of direct service, with his students, every year.
Yes, this is part of his teaching load. But John could have abandoned his Legal Services Clinic teaching long ago, if he had desired. Frankly, his customary teaching load of two doctrinal classes that he teaches to over seventy students, plus supervision of the Legal Services Clinic every semester (including the summer) is the toughest teaching load I have ever heard of, at this or any other law school. Three quarters of that teaching load (Professional Responsibility once a year, plus the Legal Services Clinic every semester) is devoted directly to Professional Responsibility. Therefore, it is difficult for me to imagine that anyone else has devoted so much of his or her career to the field honored by the Franck Award as John Burman.

In addition to six College of Law Outstanding Faculty Awards, John has received several other honors for his teaching. In 2004, the University of Wyoming awarded him its highest teaching honor, the John P. Elbogen Meritorious Classroom Teaching Award. The University has also awarded him both the Alumni Association and the Student Alumni Association teaching awards. At the College of Law, he has received the highest honor available to a faculty member, the Carl M. Williams Professorship of Law & Ethics. Our College of Law Alumni Association just selected him as only the second person in our law school's history to win its Thurman Arnold Award, as an outstanding non-alum who has provided extraordinary service to the law school and the justice system in Wyoming. In short, he is our star faculty member.

Service Even with his crushing teaching load, Professor Burman provides amazing service to the law school, the university, the profession, and the people of Wyoming. Again, I will only be able to skim the surface, given time and space constraints.

In the traditional areas of law school faculty service, John’s work is above and beyond the call of duty. Because he is so highly respected at the College of Law and the University of Wyoming, he is frequently called upon to provide counsel to assorted law school, university, bar, and court committees.

Also, the service John provides to the poor in Wyoming via his teaching and supervision of the Legal Services Clinic is above (if that is possible) the category of "above and beyond the call of duty." That service, which frequently involves John appearing in court with his students, is described above.

In another way, John provides unique service to the bench and bar in Wyoming. Wyoming is the smallest state in the nation, with perhaps the smallest bar. As a result, our state bar does not have a sufficient budget to provide our membership with an office where lawyers and judges can seek to have their professional responsibility questions answered. [Many bars in larger states provide such service, and it is quite valuable. As a member of The Missouri Bar, I am well aware of the Office of the Legal Ethics Counsel in that state, which is available for consultation by Missouri bar members.]
In the absence of such an office, who does a Wyoming lawyer or judge call when he or she is facing an ethical dilemma? John Burman. Professor Burman answers dozens of calls from lawyers and judges in Wyoming every month. In addition, he answers quite a few calls from lawyers and judges outside of Wyoming who are aware of his Professional Responsibility expertise, sometimes because they learned Professional Responsibility from him as a student. Although he occasionally enters into a fee arrangement for matters that require a longer commitment from him, he answers the phone calls from lawyers and judges without any compensation.

It is probably impossible for someone outside of Wyoming to fully understand the magnitude of service to the Wyoming bench and bar that John provides via his informal consultations on Professional Responsibility matters, because this service is probably not duplicated in any other state. To put it simply, John is the primary ethics advisor to over a thousand lawyers and judges. As the dean of the state’s only law school, I have had the pleasure to meet many of these lawyers and judges. It is stunning for me to hear hundreds of them tell me how they called John at the toughest moment of their careers, to get the Professional Responsibility guidance they needed to help them pursue the correct path.

Scholarship. It is not surprising that John is the person Wyoming (and other) lawyers and judges turn to for ethical guidance. He is, after all, universally viewed as the guru of Professional Responsibility in Wyoming. This reputation stems in large part from John’s columns in the bimonthly bar publication, WYOMING LAWYER. In each issue, John contributes a column about a specific Professional Responsibility issue called “Ethically Speaking.” These columns are the “must read” feature of each WYOMING LAWYER, similar to Professor Jim McElhaney’s “must read” litigation columns that graced the ABA JOURNAL for so many years.

John has now written about a hundred different “Ethically Speaking” columns. A few years ago, the Wyoming Bar convinced him to gather these columns into a full treatise on Wyoming ethics law. The resulting book, PROFESSIONAL RESPONSIBILITY IN WYOMING, can be found in pretty much every lawyer’s office and every judge’s chambers in Wyoming. It is the “go to” reference for Wyoming ethics issues. Thus, John has reinforced his status as the primary source of information for Wyoming attorneys and judges facing ethical dilemmas, as we now have two options—consult his book or call him.

John has also published numerous influential law review articles on Professional Responsibility issues. Thus, he is a first rate Professional Responsibility scholar who has significantly advanced the field, both inside Wyoming and beyond.

International Promotion of the Rule of Law. Amazingly, John has also found time to advance one of the ABA’s most important missions, promotion of the rule of law in the international
arena, especially in areas that formerly had governmental systems that did not respect the rule of law. John has made half a dozen trips to Russia, has established a program where Russian law students study in the United States, and has worked extensively on rule of law efforts in Jordan. His international efforts have resulted in substantial recognition and awards. Most recently, he received the prestigious (and very unusual) honor of being named a professor of law in Russia.

Conclusion

There is so much more to say about John’s remarkable career, as I have truly only scratched the surface. But you have already displayed remarkable patience and dedication by reading this still lengthy letter, so I will force myself to stop my review of John’s achievements well short of full and fair treatment.

Please allow me, though, to mention a sad reality that, while not directly relevant to Professor Burman’s superb credentials for the Franck Award, is relevant to the timing of the Wyoming State Bar’s nomination. John’s health is deteriorating. So as to not reveal any non-public information, I will quote from his column in the August, 2009 edition of THE WYOMING LAWYER, where John noted that he suffers from “a rare neurological disorder known as SCA (spinocerebellar atrophy or ataxia), type 7.” In the two years of increasing health difficulties since this column, John (a former college basketball player and an accomplished long distance runner) has been forced to use canes to walk, then to use a wheelchair. His physical limitations have forced him to announce his retirement at the end of the current school year, even though he loves his work and it pained him deeply to reach this decision.

John has suffered from this very serious medical condition for the entire four years that I have known him. Nonetheless, throughout that entire time, up to and past today, he continues to teach, to help his clinic students to provide legal services to the poor, to appear in court, to research and write about professional responsibility, and to answer the many calls he receives from Wyoming lawyers and judges about ethical issues.

Quite frankly, I do not know what the Wyoming bench and bar and the University of Wyoming College of Law will do after that dreaded day this May when nature will force him to retire from his full-time teaching and practice despite his dogged determination to delay that sadly inevitable fate. All of us depend on John and his dedication to Professional Responsibility.

To borrow from our most treasured lawyer, Abraham Lincoln, in the Gettysburg Address, “[i]t is altogether fitting and proper that we should” honor John Burman’s tremendous service to the bar with the Michael Franck Award, even though we recognize that his long and tireless devotion to the cause of promoting professionalism and ethics is its own honor. We should do this. And we should do it now!
Thank you for your consideration of my views of this amazing nominee. Please contact me if I can provide any additional information.

Sincerely,

[Signature]

Stephen D. Easton
Dean and Professor of Law
December 18, 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

Re: ABA Michael Franck Professional Responsibility Award

Dear Mr. Cotton:

I am so pleased to learn that the Wyoming State Bar intends to nominate Professor John Burman for the ABA Michael Franck Professional Responsibility Award. I announced this nomination at the last meeting of all federal judges for the United States District Court for the District of Wyoming, and all federal judges unanimously voted to support the Bar’s nomination. As Chief, I am pleased to write this letter on behalf of Professor Burman’s nomination.

We are all too familiar with the low public perception of attorneys and the legal system. Lawyer jokes abound, reflecting widely-held public views questioning lawyers’ ethics, professionalism and civility. In the midst of this troubling environment, John Burman stands as a model for humility, grace and intellectual honesty. His civility is unquestioned, as Professor Burman is a gentleman in every aspect of his life, both personal and professional. He is a valued resource for the State Bar and lawyers generally, as Professor Burman regularly writes articles on ethics and consults with firms and lawyers facing difficult ethical issues. He is uncompromising on ethical issues, and is passionate in promoting the best among students and lawyers. When considering potential new hires, Professor Burman is a solid point of reference. He is candid about his students, and is a tremendous judge of character and abilities. I have never been disappointed by his recommendations.

Speaking for all the judges in this district, we cannot identify a better candidate for this particular ABA Award. Professor Burman’s work on ethics, his trustworthy character, his intelligence, and his compassion toward students and the Bar all demonstrate the best
accomplishments of lawyers. Indeed, John is a truly gracious human being who gives all lawyers a good name.

Thank you for this opportunity to support the nomination of Professor Burman for the ABA Michael Franck Professional Responsibility Award. Please feel free to contact me if you believe I could provide any additional information in support of the nomination.

Yours very truly,

NANCY D. FREUDENTHAL
Chief United States District Judge
December 18, 2012

John Cotton, President
Wyoming State Bar
Cheyenne, WY 82003

RE: Nomination of Professor John Burman for ABA Michael Franck Award

Dear Mr. Cotton:

On behalf of all five magistrate judges in the District of Wyoming, I am very pleased to write this letter in support of the Wyoming State Bar’s nomination of Professor John Burman for the ABA Michael Franck Award.

As you know, Professor Burman is a pillar in the Wyoming legal community. His tireless dedication to the law is second to none. Whether you are a law student, lawyer, or judge, Professor Burman is fully committed to ensuring that we all do what is right. In that regard, he not only avails himself to legal professionals all over the state, but also goes well beyond and continually provides his expertise through his numerous writings and talks about legal ethics and professionalism. You can always count on his well researched and thoughtful articles in the Wyoming Lawyer. He is undoubtedly one of the nation’s foremost experts on the subject of legal ethics.

What sets him further apart, however, is his willingness, and in fact his eagerness, to assist every person who has a question or concern regarding ethics, disciplinary enforcement or lawyer professionalism. From his teachings at the College of Law to his encounters with lawyers everywhere, he passionately assists anyone who inquires. There is hardly a student or lawyer in Wyoming that has not relied on Professor Burman for his expertise. Moreover, his insight and expertise are not limited to just legal ethics. His academic and legal experiences provide keen and accurate insights into whatever topic is at hand.

Professor Burman is also an excellent resource when it comes to providing recommendations about students for prospective employment. I know that lawyers and judges everywhere rely on his thoughtful recommendations in this regard. He is candid and knowledgeable about the character and
abilities of the students he teaches. I have relied upon his recommendations many times and have always believed he was spot on.

More important than Professor Burman’s career commitments or his commitment to excellence is that Professor Burman is a terrific person. Anyone that knows Professor Burman, even just a little, knows that he is tremendously kind, patient and a true gentleman. He represents both the College of Law and our profession with complete grace and respect. Quite simply, as a person, he is outstanding. For this honor, it is hard to imagine a person more deserving.

Thank you for the opportunity to provide support to Professor Burman for this most prestigious award. Please do not hesitate to contact myself or any of the other magistrate judges to provide any additional information in support of this nomination.

Kind regards,

Kelly H. Rankin
Chief United States Magistrate Judge
John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

Dear President Cotton,

I have known Professor John Burman for many years and consider him to be the Dean of Legal Ethics in the State of Wyoming.

John’s life work has been devoted to improving, expanding and teaching legal professional ethics and responsibility in Wyoming as well as in the legal profession nationally.

I can think of no one who is more deserving of the ABA Michael Franck Professional Responsibility Award than Professor John Burman.

Sincerely,

Peter J. McNiff
December 19, 2012

Michael Franck Selection Committee
American Bar Association
Center for Professional Responsibility
321 N. Clark Street
Chicago, IL  60654-7598

Re: Letter of Support for Professor John M. Burman

Dear Michael Frank Selection Committee:

We are writing to urge nomination by Wyoming State Bar Executive Director Sleeter Dover of Professor John M. Burman for the Michael Franck Professional Responsibility Award. We are sure we join many others who have been inspired, instructed, advised and led by John Burman to practice law in a manner that not only complies with the Code of Professional Responsibility at all times, but exceeds them.

While John has devoted most of his time in the later portion of his career teaching law at the University of Wyoming College of Law, he began his career in the trenches practicing law. Certainly, one of the reasons he has become such a respected and beloved professor of law is that he has lived the principles that he teaches. It isn’t just theory with John. He has earned the respect of judges and lawyers throughout our state by his behavior in the courtroom and his steadfast representation of his clients, most of them underprivileged and in need.

Since 1989, John has taught torts and professional responsibility at our law school. The best measure of his effectiveness as a teacher is the adoration of his students. I know he is often selected by them as their outstanding professor and the alumnae of his classes
and clinics have continued to honor and celebrate him long after their graduation. From our perspective, John’s most significant contribution to legal professionalism is his development and growth of the college’s clinical programs. Under his leadership, students have been able to gain invaluable practical experience trying cases and managing clients in the Legal Aid and Domestic Violence clinics. While some may question whether law schools are adequately preparing students for the “real world” of the practice of law, all recognize that the clinics do just that. It is difficult to estimate not only the number of students he has mentored through the clinics, but the number of Wyoming citizens who have had their day in court that they otherwise would have been unable to do without John’s tireless instruction, management and guidance of willing students.

From the point of view of each of us serving on Wyoming’s Supreme Court, John’s greatest service has been as the ethical advisor to the bench and bar of this state. When we as individuals or the Court as an institution face difficult ethical challenges, our first call is to John. Without fail, he is responsive, helpful, and, in fact, crucial in advising us and all of the other judges and attorneys in Wyoming when they call. He played a leadership role in the revision of our Code of Judicial Conduct spending countless hours on conference calls and drafting and today we have a workable and current code of conduct to guide our judges. Recognizing the need for judges to have a more formal method to obtain advice on ethical issues, he was instrumental in creating the Judicial Ethics Advisory Committee and together with other judges and attorneys provides guidance to judges in the form of advisory opinions which they can use to govern their affairs. Whenever the bench and bar has undertaken new initiatives, such as the formation of an Access to Justice Commission, John is immediately identified as a crucial member, and he always steps forward and agrees to serve.

His scholarship is beyond question. The latest example is the publication of his book, “Professional Responsibility in Wyoming”, which is the one comprehensive source of authority on legal ethics in Wyoming. It is quickly becoming the one book every judge and lawyer in our state must have on their desks. His articles and other publications are too numerous to list and demonstrate his generosity of spirit in sharing his profound and crucial knowledge of ethical laws with students, practicing lawyers and judges.

John appears frequently in our court with students arguing on behalf of indigent clients and we always look forward to those occasions. His devotion to his students and clients, his patience, and his expertise are palpable and inspiring. His impact on our profession in this state is immeasurable.
We urge you to consider John’s nomination for this most prestigious award which we believe wholeheartedly he has earned. Thank you for your consideration.

Sincerely,

Marilyn S. Kite, Chief Justice
Barton R. Voigt, Justice
Michael K. Davis, Justice

William U. Hill, Justice
E. James Burke, Justice

MSK:kmj
December 17, 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Support for the Nomination of Professor John Burman for the ABA’s Michael Franck Award

Dear Mr. Cotton:

Dean Easton has informed us that the Wyoming State Bar is nominating Professor John Burman for the ABA’s Michael Franck Professional Responsibility Award. We are thrilled to hear about it and write to express our support for that nomination.

We write on behalf of the Wyoming Access to Justice Commission (WAJC) and the Wyoming Center for Legal Aid (WCLA), Wyoming’s first state-funded legal services entity. Professor Burman has been a strong and vocal supporter of our Access to Justice initiative and has also helped create new legal service providers for the income eligible. Through our work with the WACJ and WCLA, we have learned from, relied upon, and been enormously benefited by, Professor Burman’s legal services and professional responsibility expertise. For example, his work in developing Wyoming’s Professional Rule authorizing limited scope representation is serving as the platform for our current major initiative to develop a statewide limited scope representation program to assist income eligible citizens in obtaining legal help.

For decades, Professor Burman has also supervised the Legal Services Program clinical program at the University of Wyoming’s College of Law. Not only does Professor Burman’s Program provide clinical education for Wyoming’s law students, but the clinic has provided substantial and much-needed legal services representation to Wyoming’s citizens. Professor Burman has also led the effort to expand pro bono service by Wyoming lawyers.
Rules 6.1 and 6.3 of the ABA's Model Rules of Professional Conduct and Wyoming's Rules of Professional Conduct recognize the important link between professional responsibility and legal services/pro bono work for those unable to pay. Professor Burman has long been the leader at the center of these issues in Wyoming. We wholeheartedly support the nomination of Professor John Burman for the Michael Franck Award. No one is more deserving.

Sincerely,

[E. James Burke]
Hon. E. James Burke
Justice, Wyoming Supreme Court
Chairman, Wyoming Access to Justice Commission

[Patrick R. Day]
President of Board of Directors, Wyoming Center for Legal Aid
December 18, 2012

John Cotton
Wyoming State Bar Association, President
P.O. Box 109
Cheyenne, WY 82003

Re: Professor John Burman
Nomination for the ABA Michael Franck Award

Dear John:

I am very pleased to write a letter supporting the Wyoming Bar Association’s nomination of Professor John Burman for the prestigious ABA Michael Franck Professional Responsibility Award.

I first met Professor Burman in 1984 when his wife Marilyn, the librarian at the law school, befriended Matt Mead and me and fed us dinner. I consider myself very lucky to have known them for almost 30 years.

As you know, Professor Burman literally wrote the book on professional ethics in Wyoming. His book is the primary research tool for me and other
Wyoming lawyers needing guidance on any number of ethical questions that confront us daily. I saved his monthly articles on professional ethics from The Wyoming Lawyer for years until he wrote his book. I was happy to have all the information in one place.

Professor Burman is highly respected at the University of Wyoming law school, throughout the Wyoming bar, and among attorneys and legal scholars nationally. As I have worked with recent graduates over the past 20 years, I regularly ask them what professors and courses had made the most impact in their lives. Routinely, they put Professor Burman at the top of their lists. The students know that he is genuinely concerned about their welfare not only in law school but in all the years they practice law.

We have many treasures in our state—natural wonders and wonderful people—and Professor Burman is one of them. I consider myself lucky to know him and am grateful for his wise counsel, both from his book and in person. He is a person of good spirit and cheer. In my judgment, no one could be more deserving of this award.

Sincerely,

[Signature]

Gregory A. Phillips
John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Wyoming State Bar’s Nomination of Professor John Burman for
ABA Michael Franck Professional Responsibility Award

Dear John:

I recently learned that the Wyoming State Bar has decided to nominate Professor John Burman for the ABA’s Michael Franck Professional Responsibility Award. As one of Professor Burman’s many admiring former students, I wholeheartedly support this nomination.

Professor Burman is the embodiment of lawyer professionalism. Even in the face of serious, debilitating health challenges, Professor Burman has for years dedicated himself to researching, writing and educating Wyoming’s attorneys in the areas of legal ethics, disciplinary enforcement and lawyer professionalism. He is the “go-to guy” in Wyoming - but that moniker alone does not do justice to the contributions Professor Burman has made to Wyoming’s legal community. Professor Burman is thoughtful, gracious, kind and unfailingly generous with his time and energy - he is a valuable resource for any Wyoming attorney and, as such, is an inspiration to all. He is one of those rare souls who give frequently and generously, but who take rarely.

Thank you for allowing me the opportunity to express my support for Professor Burman’s nomination for this award. His intellect, dedication and passion make him a perfect fit.

Sincerely,

DENISE NAU
Circuit Court Judge

Catherine R. Rogers
Circuit Court Judge

By: 
Catherine R. Rogers
Circuit Court Judge

LARIMIE COUNTY CIRCUIT COURT
December 18, 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

Dear John:

I understand that John Burman will be nominated by the Wyoming State Bar for the ABA’s prestigious Michael Franck Professional Responsibility Award. Interestingly the day before I learned of the Bar’s intentions, I saw a printed solicitation for the Award and Professor Burman’s name immediately entered my mind – with the thought could anyone be more deserving of such recognition. I am pleased to write this letter to provide my support for his nomination.

All of us who have known and watched John’s career, even though some of us may be a bit old to have benefitted from his teaching, have marveled at his dedication, passion and commitment to the law, integrity and civility in the profession and the professionalism of all lawyers. John has evidenced that passion in the classroom, his general interaction with the Bar and, most importantly for those of us in Wyoming, his prolific writing on the subject of ethics and his willingness to provide his advice individually at our request.

His continuing effort to maintain his commitment despite, and in the face of, battling health issues that would discourage the best of us have made him in my mind a modern day legal hero. While a mentor of long standing to so many, he has through his courage become in my mind a beacon of professionalism without peer.

It is a great honor for me to support and to congratulate the Bar for the nomination of John Burman.

With all good wishes, I am

Very truly yours,

Rothgerber Johnson & Lyons LLP

Michael J. Sullivan
December 14, 2012
[Via U.S. Mail]

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Nomination of Professor Burman for ABA Michael Franck Award.

Dear Mr. Cotton:

I understand the Bar is nominating John Burman for the ABA Michael Franck award. It is hard to imagine there is a lawyer anywhere in the country more deserving of this award than Professor Burman, and I therefore write to express my strong support of his nomination.

It can hardly be questioned that Professor Burman has done more than anyone in the history of Wyoming to impart an understanding of legal ethics and professionalism. Besides teaching generations of Wyoming lawyers what it means to be an ethical lawyer, Professor Burman continues to be a resource for every lawyer in the state. Despite dealing with a dread disease that would have long ago retired most men, John continues to always be available and happy to help any lawyer, no matter how thorny the issues might be.

It is my great hope that the ABA will look favorably upon Professor Burman’s nomination.

Sincerely,

Brett L. Johnson
County and Prosecuting Attorney
December 17, 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Wyoming State Bar’s Nomination of Professor John Burman for ABA Michael Franck Award

John,

On behalf of the Wyoming Young Lawyers, we understand that the Wyoming State Bar will be nominating Professor John Burman for the ABA’s Michael Franck Professional Responsibility Award. We are very much in support of this nomination and would like to express this support to you.

As an organization of young lawyers there is perhaps no other attorney that has had such a profound effect on the young attorneys in the State of Wyoming for the past 23 years. Any attorney who has attended the University of Wyoming College of law in that time has come to know Professor Burman, whether it be through Torts class, Professional Responsibility class or through working in the Legal Services Clinic. He can always be seen standing at the front of the class, teaching with no materials or notes in front of him and calling on each student by name.

The unique thing about Professor Burman is that if you have the opportunity to work with him in the Legal Services Clinic then you have the opportunity to see the things that he teaches in practice. His impeccable professionalism shines as an example in every step of the legal process. Not only does he make sure that you understand the ethics necessary to practice law, but he makes sure that you understand why those ethics are necessary in the profession. When you have a question regarding professional responsibility not only does he have the answer but he can also quote the section and rule from memory (even when they are new updates!). Professor Burman never simply answers your question; he helps you to figure out the answer on your own because he knows that you have the tools to do it. When you emerge from that experience you are equipped to maintain the ethics and responsibilities required in the practice of law by “real world” experiences, not just from something that you learned from a book or lecture.

If there was ever anyone who has dedicated himself to the advancement of legal ethics, disciplinary enforcement and lawyer professionalism, it is John Burman. The lessons that I personally learned from John are still being used in my personal practice today. I feel that most if not all young attorneys in the State of
Wyoming can cite Professor Burman's influence on their professional life. He is truly a symbol of professionalism and ethics not only in the State of Wyoming but to the profession in general.

With that, we would like to submit our support to the nomination of Professor John Burman for the ABA's Michael Franck Professional Responsibility Award.

Thank you,

Glen M. Asay
Deputy County and Prosecuting Attorney
Campbell County Attorney's office
On behalf of Wyoming Young Lawyers
Wednesday
19 December 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Wyoming State Bar’s Nomination of Professor John Burman for ABA Michael Franck Award

In my capacity as the Wyoming State Bar Delegate to the American Bar Association, it is my honor and privilege to nominate Professor John Burman for the ABA Michael Franck Professional Responsibility Award. Professor Burman’s passion for law and his commitment to teaching have remained shining examples to students who become the future of the profession. Professor Burman always reaches above and beyond what is required of a professor, lawyer, mentor, and fellow citizen. The legal profession could not ask for a more caring, thoughtful, and dedicated leader. Anyone who has studied under or worked alongside Professor Burman has come away enlightened and encouraged in at least some way. This award is particularly fitting for him because of his commitment to the Model Code and the Model Rules, and their importance in the everyday practice of law by all of us. Indeed, his advice and opinions have been the longstanding benchmark for Wyoming lawyers struggling with ethical issues.

Please feel free to contact me directly if I can be of further assistance. Thank you for your consideration of Professor Burman for this prestigious award.

Yours very truly,

HIRST APPLEGATE, LLP

[Signature]

BY: DALE W. COTTAM

DWC/pdy
December 19, 2012

C. John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003-0109

Hand Delivered

Re: Nomination of Professor John Burman for ABA Michael Franck Award

Dear President Cotton:

As you know, I was an avid supporter of the nomination of John Burman last year by the Wyoming State Bar for the Michael Franck award. My support for Professor Burman’s nomination continues and has only grown as the year has passed.

Through your involvement of the American Bar Association and progression in the leadership of the Wyoming State Bar I am confident you understand why I enthusiastically support Professor Burman for this award. Through my involvement in the Standing Committee of Professional Discipline I have had an opportunity to work with other professors and professionals in the area of professional responsibility. That interaction has shown me what a gem and rare resource Professor Burman has been to Wyoming, the United States, and parts of the world. His selfless work in the area of professional responsibility is evident not only through his teaching and writing at the University of Wyoming College of Law but in the following ways: He has always been readily accessible willing to consult with attorneys and share his vast knowledge and insight. He gives direction to the many lawyers who call him for his professional advise in the small town and unassuming manner of a friend. He has selflessly donated his writings to the Wyoming State Bar for publication and sale by the Bar, who receives all the proceeds from the sales, in an effort to improve professionalism of the Wyoming Bar. On a global level, he has played a key role in the development of the Russian legal system and many young lawyers on the exchange program he developed during Russia’s legal evolution from behind the Iron Curtain.

Personally I have very fond memories of Professor Burman. Those range from when I was a law student at the University of Wyoming in the 1980s and he was the supervising Professor of a legal clinic where law students, such as myself, were able to gain critical skills by providing services through the Student’s Attorney Office. Professor Burman mentored us and assured the law students
Mr. Cotton

December 19, 2012

who worked under his supervision understood the fundamentals of Professional Responsibility and followed them in real life, not just the classroom. Those lessons have stayed with me to this day. Most recently, Professor Burman has provided quality expert testimony in matters before the Board of Professional Responsibility, which I am a member of.

I cannot overstate my support of Professor Burman for the Michael Franck Award and lend any assistance I may give to making the good works of Professor Burman known to the Committee who determines the recipient of this meritorious award. Should you or anyone who is reviewing the nomination for Professor Burman have any questions that I may answer please contact me directly.

Sincerely,

[Signature]

JOSEPH B. BLUEMEL

JBB/dah
December 14, 2012

John Cotton, President  
Wyoming State Bar  
P.O. Box 109  
Cheyenne, WY 82003  

RE: Wyoming State Bar's Nomination of Professor John Burman for  
ABA Michael Franck Award  

Dear John:

I was very happy to learn that the Wyoming State Bar is nominating Professor John Burman for the ABA's Michael Franck Professional Responsibility Award. On behalf of the University of Wyoming College of Law Advisory Board and Alumni Association, I am delighted to add my heartfelt support of his nomination for such a prestigious award. Professor Burman has become one of the most well-respected law professors in the Nation and I can't think of anyone who is more deserving.

I have known and greatly admired Professor Burman for many years. His advice on ethical issues in the practice of law is far and away the most valued and respected of any lawyer in the State or region. Professor Burman, in my opinion, has significantly improved the practice of law in Wyoming because of his book Professional Responsibility In Wyoming and his regular article "Ethically Speaking" published quarterly in the Wyoming Lawyer.

Professor Burman has devoted his professional life to educating students and practitioners on the ethical standards that govern the practice of law. Because of him, a commitment to professionalism is part of the culture of the legal community of Wyoming. His influence of the practice of law within Wyoming and the Rocky
Mountain region cannot be overstated. He would be an outstanding choice for the ABA’s Michael Franck Professional Responsibility Award.

As a Fellow of the American Bar Foundation and a member of the ABA, I applaud you for nominating Professor Burman for this prestigious award.

Best regards,

Paul J. Hickey

PJH/Ihh
December 17, 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

Re: 2013 Michael Franck Professional Responsibility Award

Dear Mr. Dover:

It has come to my attention that the American Bar Association is seeking nominations for the 2013 Michael Franck Professional Responsibility Award. After inquiry, I learned that the Wyoming State Bar proposes to nominate University of Wyoming Law School Professor, John M. Burman, for the award. Both personally and on behalf of the members of the Wyoming State Bar whom are Fellows of the American College of Trust and Estate Counsel (ACTEC), as well as estate and trust practitioners, I am honored and proud to nominate John M. Burman.

Practicing law in the City of Laramie, Wyoming, where the University of Wyoming Law School is located, as well as having had the privilege of being a law partner with Professor Burman prior to him joining the faculty, I have had numerous occasions to interact with him on multiple subjects inherent to the practice of law. As our careers developed over the last thirty (30) plus years, Professor Burman’s passion became legal ethics and professional responsibility. This path has led him to become the source of insight and counsel to innumerable practitioners, including myself, as we address the many facets of legal ethics in our everyday practices.

Not only has Professor Burman taught Professional Responsibility at the law school, but he has presented many continuing legal education seminars and written extensively on the subject. For more than ten years, John has written articles published in our Bar Association quarterly publication, Wyoming Lawyer. These articles have been included in each quarter’s publication and addressed every aspect of legal ethics which one can imagine, ranging from defining the practice of law to the retirement therefrom. In the world of Trusts and Estates, Professor Burman’s helpful analyses of the duties and responsibilities associated with representing fiduciaries and beneficiaries have been
particularly helpful in addressing the complex interrelationships brought about life and death situations impacting testators, fiduciaries, beneficiaries, families and others.

A more complete appreciation for Professor Burman’s work can be gleaned from his 2008 publication of *Professional Responsibility in Wyoming*. This work is a staple in every law office in this state and one of the best publications I have seen on the subject. John Burman not only has enjoyed an exemplary career in academics, but has practiced law as an Assistant Attorney General in Minnesota, as a partner and of counsel in a Wyoming law firm and faculty director of the legal services clinic at the University of Wyoming Law School. With this background, Professor Burman has been successful in addressing the particular ethical issues applicable to attorneys practicing law in all settings, whether in private government or corporate practice.

I cannot imagine a more deserving recipient of the 2013 Michael Franck Award. His dedication and commitment to the advancement legal ethics and lawyer professionalism are completely consistent with the principles underlying the purposes of this Award.

Sincerely,

PREHODA, LEONARD & EDWARDS, LLC

By: [Signature]
Donald P. Prehoda, Jr.
Wednesday
19 December 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

Dear Mr. Cotton:

RE: Wyoming State Bar’s Nomination of Professor John Burman for ABA Michael Franck Award

The Young Lawyers Section of the Wyoming State Bar would like to offer its support to the Wyoming State Bar’s nomination of Professor John Burman for the ABA Michael Frank Professional Responsibility Award. When the Young Lawyer Section learned that Professor Burman would be nominated for this award, we enthusiastically agreed with the choice and thought that no one could be more deserving of this award.

Through his teaching and devotion to Professional Responsibility, Professor Burman has had a profound impact on the Young Lawyers in this state. Even though many Young Lawyers offered to help show our Section’s support for this award, we thought it best to allow Glen Asay, member of the Young Lawyers Section, to explain how Professor Burman has impacted not only his life, but also the lives of the Young Lawyers practicing throughout the state of Wyoming. Enclosed you will find Glen’s letter on behalf of the Young Lawyers Section of the Wyoming State Bar.

Yours very truly,

Wyoming State Bar, Young Lawyers Section

By: Ronald J. Lopez, President
December 16, 2012

John Cotton, President  
Wyoming State Bar  
P.O. Box 109  
Cheyenne, WY 82003

Re: Wyoming State Bar’s Nomination of Professor John Burman for the ABA Michael Frank Professional Responsibility Award

Dear Mr. Cotton:

It is my understanding that the Wyoming State Bar plans to nominate Professor John Burman for the ABA Michael Frank Professional Responsibility Award that honors exceptional individuals who have dedicated their careers and made outstanding contributions to the advancement of legal ethics and lawyer professionalism. No individual could be more deserving of this award than Professor John Burman who has not only devoted his life to the study and advancement of legal ethics and lawyer professionalism, but has lived a life which exemplifies these values.

As a lawyer, scholar, and teacher, Professor Burman has not only dedicated his life to teaching and writing about professional responsibility, but has served as an example of what constitutes professionalism to his peers, colleagues, students, and the public both in the State of Wyoming and internationally. Throughout his legal career, Professor Burman has served as an enduring model of what constitutes professionalism and as a result has been a guiding force for lawyers and the judiciary in the State of Wyoming, for the students in his classes and clinics, and internationally through his work with clinic programs and the judiciary of other countries in many different parts of the world. His dedication goes well beyond lectures or words on a page. Professor Burman is a living example of what it means to be a lawyer respected for his professionalism, acknowledged for his understanding of the rules and case law relating to professional responsibility, and recognized as a force responsible for the advancement of the law in this area.

I view myself as extremely fortunate to have been a faculty colleague of Professor Burman. He has served as my mentor and role model for almost 20 years now. What sets Professor Burman apart from others is his intellectual honesty, his compassion, and
his uncompromising adherence to a code of legal ethics. While many other professors across the nation teach professional responsibility every day, Professor Burman lives it and exemplifies it daily through his lectures in class, his work with students and the public in the Legal Services Clinic, his interactions with students, lawyers, and the judiciary, and the advice he generously provides daily in response to numerous inquiries from the judiciary, members of the bar, and former students. From his book on professional responsibility in Wyoming, the chapters on professional responsibility he contributed to the books of others, his columns on professional responsibility that have appeared regularly in the bar’s Wyoming Lawyer publication for close to a decade, the innumerable CLE programs he has presented on the topic of professional responsibility, and his service on committees dealing with professional responsibility, Professor Burman has not only contributed to the scholarship and the advancement of the law in this area, but the education of generations of attorneys.

Professor Burman’s writings, efforts, public service, and leadership on the law and issues relating to guardian ad litem alone is worthy of a nomination and recognition. Professor Burman’s work, however, extends beyond our national borders. He also has tirelessly worked to advance lawyer professionalism and forge relationships with lawyers in other countries through his involvement in programs sponsored by ABA/CEELI, the United Nations, the Ford Foundation, the United States Information Agency, the United States Agency for International Development, the Fulbright Foundation, and other organizations. Due to his commitment to the study and advancement of legal ethics both here and abroad, Professor Burman was awarded the Carl M. Williams Professor of Law and Ethics chair at the University of Wyoming College of Law.

Professor Burman’s intellectual honesty and adherence to a code of legal ethics is extraordinary. He not only advocates, but lives it. Time and time again, I have witnessed Professor Burman act both ethically and courageously by willingly and openly taking positions that would be considered political suicide or, at a minimum, uncomfortable and unpopular. Professor Burman willingly takes positions he sees as right and ethical. Despite any possible fallout, Professor Burman can be counted on to stand for what is right, just, and ethical. So, while others may have written or lectured to advance legal ethics and professionalism, John Burman is exemplary in that he has not only dedicated his life to advancement of the law in this area, but lived his life as an example of what it means to be a lawyer respected for his integrity, uncompromising adherence to the code of ethics, and professionalism. In my humble opinion, Professor Burman is more than deserving of the ABA Michael Frank Professional Responsibility Award by dedicating his career and living a life that personifies the values for which the award was created.

Very truly yours,

[Signature]

Elaine A. Welle
Centennial Distinguished Professor of Law
December 19, 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Wyoming State Bar’s Nomination of Professor John M. Burman for ABA Michael Franck Award

Dear Mr. Cotton:

It is with the utmost admiration and respect that I write to support Professor Burman’s nomination for the Franck Award.

I have known Professor Burman for over twenty years. First as a student and now as a colleague. I have shared each step of my professional journey with, and primarily as a result of, Professor Burman. As a law student, I had the great fortune to work with Professor Burman as his student director in the legal services clinic. While that position offered a vast range of opportunities, none was more important than the ethical lessons gained under the mentorship of John.

I have experienced, first hand, Professor Burman’s dedication to providing the highest standard of ethical, pro bono legal assistance to indigent people throughout Wyoming. In addition to his work as Director of the Legal Services Program and his dedication to teaching Professional Responsibility and Torts, he has managed to publish more than any other person on our faculty. As you are no doubt aware, he is a regular contributor to our State Bar’s publication, The Wyoming Lawyer, featuring articles on current ethical issues in the legal profession. In addition, he has published a book on Professional Responsibility in Wyoming as well as several others, including in the juvenile justice arena.
The legal services clinics at the law school are often referred to as advanced professional responsibility courses as ethical conduct issues arise every day for students working in the clinics and interacting with indigent clients, opposing counsel, judges and pro se parties. John is well-known, not only in Wyoming but in the region as well, as somewhat of a guru on professional responsibility issues. He is called upon for advice by members of our state bar and judiciary on a consistently frequent basis. Sometimes he serves as an expert witness but much more often he acts as a respected and trusted advisor to other attorneys throughout our state answering their ethical dilemmas and “hypotheticals” with nothing expected in return.

Perhaps more than the impact Professor Burman has on practicing attorneys and judges is his mentorship to hundreds of law students with the enthusiasm and determination which drive his career. John has spent the vast majority of his legal career promoting, encouraging and often demanding equal access to the civil legal system for poor people not only in the U.S. but also abroad. In addition to his remarkable legal education outreach, he also extensively lectures, writes and consults on the ethical practice of law.

Ask any lawyer in Wyoming about John M. Burman and I’ll bet every one of the responses is in line with the content of this nomination. Because of John M. Burman, I am proud to be a lawyer and to do my part to teach law students and low income people new avenues for achieving and helping others achieve self-sufficiency and personal dignity under the laws of our state and country.

Please consider this fine man for the honor of receiving the ABA Michael Franck Award.

Sincerely,

Dona Playton
Assistant Lecturer
University of Wyoming College of Law
Faculty Advisor
UW DV Legal Assistance Project
December 19, 2012

John Cotton
President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Wyoming State Bar’s Nomination of Professor John Burman for the ABA Michael Franck Award

Dear Mr. Cotton,

On behalf of the Potter Law Club, I would like to add our support to Professor Burman’s nomination for the ABA Michael Franck award. It has been the College of Law’s pleasure to experience John Burman as a professor, mentor, and willing friend.

As a professor, John Burman’s preeminence in Professional Responsibility commands the respect of his students. Pupils arrive to class prepared to discuss the day’s material not in fear of a Kingsley-like humiliation, but because of the fear of disappointing a professor who invests so much effort into the success of his students. Professor Burman’s tutelage has enriched over twenty years of Wyoming lawyers, and I consider myself lucky to have experienced one of his last years of instruction.

The influence extends beyond the classroom. Professor Burman’s example as a practitioner, the founder of the Legal Services Clinic, and a staunch supporter of the College of Law guides young lawyers. As a practitioner, Professor Burman maintains a burgeoning practice as the state and region’s Professional Responsibility expert. In a legal world dominated by billable hours, Professor Burman selflessly donates his time to the indigent through the demanding Legal Services Clinic. Finally, Professor Burman generously donates his time to recommend students and attend student run events. Although Professor Burman may attend many of the events because he is perennially selected as the student body’s distinguished professor, he is always quick with words of thanks to his pupils, praise for their endeavors, and encouragement for the future.

The College of Law is lucky to have experienced John Burman as a preeminent Professional Responsibility expert, a stalwart mentor, and a much needed friend. The Potter Law Club wishes to fully endorse Professor John Burman for the ABA Michael Franck award.

Sincerely,

[Signature]

Alexander K. Obrecht
President
POTTER LAW CLUB
STUDENT BAR ASSOCIATION

[Signature]

Catherine A. Allsup-Armstrong
Vice-President
POTTER LAW CLUB
STUDENT BAR ASSOCIATION
December 20, 2012

Leah C. Schwartz
3401 Dey Ave.
Cheyenne, WY 82001

John Cotton, President
Wyoming State Bar P.O. Box 109
Cheyenne, WY 82003

RE: Nomination of Professor John Burman for Michael Franck Award

Mr. Cotton,

I am writing in support of the Wyoming State Bar’s nomination of Professor John M. Burman for the American Bar Association’s Michael Franck Professional Responsibility Award. I had the opportunity of working with Professor Burman while serving as the 2L Intern and then Student Director of the University of Wyoming Legal Services Clinic for the 2010-2012 academic years. (In addition to his writing, research, consulting, volunteerism, and full-time teaching responsibilities, Professor Burman has served as the faculty supervisor of the law school’s clinical program for over twenty years). I am just one of many former students, and student directors, who consider John (as he insists all clinic students call him) to be the consummate mentor and role model. In case the committee is unaware, Professor Burman has received the “Outstanding Professor” award a record seven times during his tenure, an honor chosen each year by the graduating law school class—mine included.

During my time in the clinic, John always had his door open to students to discuss any issue that might come up in a case. As inexperienced students, these issues were most often of the ethical variety: At what point did our representation of this client begin? Is it important that we disclose an apparent misstatement by our client to the Judge? Who should be present in the room during this client interview? Our client can’t be located—what should we do? WHAT SHOULD WE DO, JOHN? The questions were nearly constant, but John’s patience never faltered. He was always excited to speak with his students and to help them reach the right decision, not just one that complied with the rules of professional responsibility, but also with a broader calculus of what it means to be a good lawyer and person. In this regard, John imparted to all of his students a deep commitment to access to justice and uniform respect for others. (The clinic’s clients live at or below the national poverty line. For all practical purposes, the UW clinic is the sole provider of direct civil legal services to indigent persons across the state of Wyoming.)

As a result of these conversations in the clinic as well as thoughtful in-class lectures, there is no question John has become the authority on professional responsibility in the State of Wyoming. John has helped countless attorneys to set professional standards for themselves and to hold those standards dear throughout their practice. Now, as a member of the Bar, I regularly find myself asking, “What would John do?” I know I’m not alone in this regard; as Student Director, I fielded countless calls for John from practitioners (both new and highly experienced) seeking his ongoing advice and counsel.
In my second year of law school, I was awarded a scholarship that called for the submission of an essay. The prompt was “What does excellence mean to you?” I wrote about John:

On our first day of law school in Professional Responsibility, Professor Burman reminded our class to not worry too much about grades. “Keep in mind,” he cautioned, “The top ten aren’t usually the best lawyers, or even the best friends.” He encouraged us to hold sight of what “really matters” during the next three years—but of course, he didn’t explain what that was. So I found myself applying for a job in the Legal Services Clinic where Professor Burman supervises, hoping to discover what “really matters” to him.

Since last summer, I have observed Professor Burman strategizing with students, sharing advice with judges and practitioners, celebrating and grieving with clients, joking with opposing counsel, and greeting his wife at the end of the day. Despite his busy schedule and health struggles, he always makes everyone around him feel respected and valued (myself included). My recent decision to accept the Student Director position at the clinic was largely based on the conclusion that my boss is an excellent teacher, lawyer and person.

... I think I know now what Professor Burman meant by encouraging us to look beyond class rankings as we experience law school. My own opinion of my favorite professor does not rest on a knowledge of his tangible achievements, but on the set of characteristics he brings to his every day work and interactions. I have realized that a personal commitment to honing those same qualities will likely set me up for excellence one day too, no matter the direction I choose.

As law schools face certain criticism nationwide, it is professors like John who make it clear that a legal education (and clinical programs especially) can in fact prepare lawyers for meaningful practice. To me, this means not only understanding the fundamentals of legal analysis, writing, and research, but the prioritization of empathy, honesty and ethical standards. John is the teacher who has provided me—and many others—with this particular education, through both instruction and example. Like Michael Franck himself, Professor Burman has been called upon to “articulate the conscience of the profession,” and he has done just that for all his students and practitioners in the State of Wyoming.

Thank you very much for your nomination of John M. Burman for the Michael Franck award. I know all of John’s former Student Directors join me in this letter. Please let me know if I can be of further assistance.

Sincerely,

Leah C. Schwartz
J.D., University of Wyoming College of Law
Class of 2012
December 17, 2012

John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Wyoming State Bar’s Nomination of Professor John Burman for the ABA Michael Franck Professional Responsibility Award

Dear Nomination Committee:

I would like to submit this recommendation on behalf of Professor John Burman for the ABA Michael Franck Professional Responsibility Award. My letter may not have as much influence on your decision as an attorney or Judge might—but I can attest to John’s work ethic from first hand experience. I was John’s legal assistant for 18 years at the University of Wyoming College of Law in the Legal Services Program. Aside from his clinical teaching and guidance of law students, I also worked with John to set up meetings, and phone calls from Prosecutors, Defense counsel, private practice attorneys, and judges throughout the state of Wyoming and other states all needing John’s expert advice. There were not many days that John did not receive one to two calls all needing his expertise on a case. Over the years he became very well known as the person to call. There were more and more requests from attorneys wanting to meet with John to talk about his being an expert on a case involving Professional Responsibility issues. If he agreed to testify he would prepare for days or weeks if need be to review court documents and issues on each case.

When the Wyoming State Bar asked him to write a book on Professional Responsibility in Wyoming he knew it would be a great undertaking but he also knew it was one he wanted to accomplish. To have a book available as a guide was not only very important to him but allowed him to teach professionalism to attorneys throughout the state. The book took him well over a year to write and two years to get published.

He not only practiced professional responsibility but taught students not only in the classroom but in the courtroom. Students were so fortunate to have had John as a professor in law school, to be able to take away with them the knowledge and the professionalism as their guide through their legal careers.

John Burman is the most ethical attorney I have met and dealt with in the legal field. I
don't think you would find another attorney more deserving of the ABA Michael Franck Professional Responsibility Award than John Burman.

Sincerely,

Patricia O. Thompson
Legal Assistant (Retired)
December 19, 2012

Mr. John Cotton, President
Wyoming State Bar
P.O. Box 109
Cheyenne, WY 82003

RE: Wyoming State Bar’s Nomination of Professor John Burman for ABA Michael Franck Award

Dear Mr. Cotton and State Bar members,

I am excited when I was informed that the Wyoming State Bar may be nominating Professor John Burman for the ABA’s Michael Franck Professional Responsibility Award. It is important to me that you have input outside of the judicial world in support of his selection.

Background:
My professional career has spanned 35 years owning and operating an environmental firm with over 40 employees. Based in Casper, WY, I have been directly involved with clients and projects across this Nation as well as several international locations. I feel that I have a very good working knowledge judging a person’s professional and human qualities. I am a long time member of the Five Trails Rotary Club in Casper and have been the committee chair for the Russian law student program in its infancy through last year’s student. I also worked as the committee chair and volunteer “bus driver/trip manager” for the visiting Russian judges who came to Wyoming for week long justice and societal education for three separate years. I enjoyed every minute of the projects, but even more, being introduced to a man who will always be on the top tier of integrity, honor, and dedication, such as Professor John Burman.

I did not know Professor Burman prior to my involvement with these projects. My relation soon grew to admiration of John professionally and in his own private life. John was the originator of the idea, working with Judge Bill Downes, to initiate the law student project. Prof. Burman was the very enthusiastic stimulus and planner for the project. He quickly and very convincingly, involved the Laramie, Cheyenne and Casper Rotary Clubs, the UW faculty, and his friends in support of the project. He found ways to provide 12 months of annual housing for the student at his own home and that of his friends. He found ways to provide financial, educational, and as always, moral support for the students as they came through Laramie. I believe last year was the 13th student to come through the program. (It has only been delayed this year due to Judge Downes’ retirement from the bench. Once Judge Scott Skavdahl gets comfortable in his new position, we hope to resume this internationally worthwhile project.)

John was always the first to contact the Russian law schools every year. He interviewed and directed the selection of the law student who would make the journey and spend a year in Wyoming, learning our judicial system. His selections were always the best. Many, if not all, of those students today have reached high positions in private industry or governmental agencies
as they returned to their respective home towns of Russia. John was the primary conduit in mentoring these students in Rule of Law, as well as professional and individual ethics and integrity. It is my opinion that the results of his influence on a young generation of Russian attorneys cannot be surpassed by any other man. We will profit from his efforts instilling high moral character in these men and women.

I have been impressed with John’s ability to educate himself in the Russian language in order to better communicate with the students. He took each and every student “under his wing”, becoming a father figure for each of them. Even after all these years of the project, those students maintain a respect and love for him. They periodically contact him with questions regarding law, as well as life.

I, too, learned from John, not only the bit of law education as I sat in on his talks with some of the students, but listening as he discussed the importance of character, the highest morals, integrity, and honor necessary in a person’s life. He is very well respected by his faculty peers at UW, as well as every attorney and judge we met during each of the students’ terms.

I could continue with accolades to John’s life. Those of us who know him hold him in the highest esteem. I certainly hope that The Wyoming Bar Association will make the correct decision in representing the ABA Michael Franck Award, by their choice of Professor John Burman.

If you have any questions or comments regarding my choice of Professor Burman, please contact me at the following.

Sincerely,

James(Jim) Meador  
Board Member and Russian Law Student Project Committee Chair  
Five Trails Rotary  
PO Box 50430  
Casper, WY 82605  
Cell: 307-262-8166
When Abigail Adams said that "we have too many high sounding words, and too few actions that correspond with them," she could have been addressing the misconception and bad rap that often accompanies the legal profession. Fortunately for the University of Wyoming College of Law, Professor John Burman has proactively taught law student-and practitioners across the state—the stand-up actions that help them meet the "lofty words" of those who love the law.

The College of Law is proud to honor Professor Burman's 21-year career with the University at our Legal Symposium on April 16, 2010. The free-of-charge event, "Small Towns, Big Values: Professional Responsibility for Practitioners in Wyoming," will provide a forum for distinguished speakers to address ethical issues specific to practicing attorneys. Professor Burman will join Justice Marilyn Kite, Kim Connolly, Rodger McDaniel, and others in this one-day event at Laramie’s Hilton Garden Inn, approved for five ethics CLE credits. Professor Connolly will speak to potential issues that may arise when giving moral and economic advice in a natural resource context, while Mr. McDaniel will address ethical concerns arising from clients suffering from substance abuse and mental health issues. Professor Burman will address the issues faced by attorneys who serve both public and private clients. He will also sign copies of his book, Professional Responsibility in Wyoming.

Most readers of the Wyoming Lawyer are well aware of Professor Burman’s distinguished career, so I will only hit a few of the many highlights here. In addition to serving as the Carl M. Williams Professor of Law & Ethics, Professor Burman acts as the Faculty Supervisor of the Legal Services Program. He often notes that legal clinics are where real professional responsibility is taught.

The Legal Services Program that Professor Burman supervises is a live-client clinic in which third-year students represent low-income persons in civil matters which will not generate a fee. Most cases involve: (1) domestic matters (often disputes over child custody); (2) juvenile cases (abuse and neglect); or (3) appeals from the denial of government benefits, such as Social Security Disability Benefits. Under supervision, students in the clinic perform all the roles of a lawyer, including making any necessary court appearances.

In the summer of 2002, the Legal Services Program opened a Domestic Violence project in which students represent victims of domestic violence in civil matters. The Legal Services Program and the Domestic Violence Legal Assistance Project received the Wyoming State Bar’s 2007 Pro Bono Award for legal service work for indigent clients.

Although we treasure Professor Burman as a Wyoming lawyer, he has also had a distinguished international career. He was a Fulbright Teaching Fellow at Petrozavodsk State University in Karelia, Russia, in 1998. He served as a Clinical Legal Education Specialist in Moscow, Russia, for the American Bar Association’s Central and East European Legal Initiative in the summer of 2000. In the summer of 2002, he worked for the United Nations Development Program in Minsk, Belarus, as a clinical evaluator and consultant. Professor Burman also consulted and taught in Jordan in 2004, 2005 and 2006. In 2006, Professor Burman received the University of Wyoming’s Outstanding Faculty Commitment to Internationalization award (given by the university’s International Board of Advisers).

In addition to his consulting and expert witness work, Professor Burman is actively involved in pro bono representation. In 2002, he was the recipient of the Wyoming State Bar’s Pro Bono Award for legal service work for indigent clients. Professor Burman also received the Gideon Award from the Wyoming Public Defender’s Office in 2005 “For Outstanding Contributions to the Ideals of Equal Justice and ‘Gideon’s Promise’ That Any Person Accused of a Crime Is Entitled to the Benefit of Counsel.”

We hope to see you at the Hilton Garden Inn in Laramie for what will be both a worthwhile and fun event. For more information and to register for “Small Towns, Big Values: Professional Responsibility for Practitioners in Wyoming,” please visit www.uwyo.edu/law. Lunch at the seminar will serve as our chance to pay tribute to Professor Burman and to thank him for all he has done for the bench and bar in Wyoming. It will also serve as the formal kickoff event for our new Burman Fund for Clinical and Professional Education, which will support and boost our already strong clinical programs.
Jordan. The name meant virtually nothing to me. I knew it was a country in the Middle East and I thought it was located near Israel and Iraq (it is, it turns out, between them). But would I go there? That, I would have to consider.

It was the fall of 2004. A representative of ABA/CEELI (the American Bar Association’s Central and Eurasian Law Initiative) asked if I would go to Jordan to, with others, conduct an assessment of legal education in that country. The concept was appealing. I love to travel, and I especially love to travel and teach or consult about legal education. But why Jordan? And why me?

A friend of mine (Chris Scott), who had formerly been the Country Director for ABA/CEELI in Russia, and with whom I had worked in Russia during the summer of 2000, had moved to Jordan to work for the United States Agency for International Development (USAID). USAID is the primary funder for ABA/CEELI, and that organization was looking for some folks to conduct an assessment of legal education in Jordan, and my friend had mentioned my name.

I contacted Chris by e-mail in Jordan. “Was it safe?” I asked. “Sure,” he replied, “probably safer than Russia.” So I agreed to go, particularly as one of the other two team members¹ was to be another friend, Professor Marcia Levy (then at Denver University School of Law, and now at Hofstra), who had replaced me in Russia as the Clinical Education Specialist for ABA/CEELI. She and I had met in Moscow, and I was eager to see and work with her again.

The Assessment
In December of 2004, I walked out of the last Torts class of the semester and onto an airplane, bound, ultimately, for Amman, Jordan. I met Marcia at DIA and Patrick Vovan (the third member of the assessment team—a French lawyer) in Amman. Over the next several days we met with dozens of Jordanians: lawyers, law students, judges, and two cabinet Ministers² (the Ministers of Higher Education and the Minister of Justice) in an attempt to learn about the Jordanian legal system, in general, and the legal education system, in particular. We also visited three law schools where we had the pleasure of meeting with students, and we met with most of the deans of Jordan’s 22 law schools.

We learned a lot, though not nearly enough. We prepared a report, “Assessment of Legal Education in Jordan.” That report was part of an attempt to upgrade Jordan’s judicial system (ABA/CEELI had been invited to Jordan by the then Minister of Justice to assist in trying to improve its judiciary). While assessing the judiciary and considering how to improve it, it quickly became apparent that legal education was an integral link in the system, and it too should be addressed.

During our visit, we learned that law is an undergraduate program in Jordan,
as it is in most of the world. It is “taught” almost exclusively by the lecture method, a method that really doesn’t teach much of anything, and which has been aptly described as the process by which the professor’s notes become the students’ without passing through the minds of either. As one young Jordanian lawyer said to us, the lecture method he experienced at a Jordanian law school “kills your brain.” And while changing from lectures to other methods of instruction is, in my view, a critical step in changing that perception, which is widespread in Jordan, and improving legal education, it is both a long-term and difficult goal.

After only a couple days in Jordan, I called my wife and told her I had made a major mistake in not having her accompany me to Jordan. “You would not like it,” I said, “you would love it.” There were, I said, three things that already stood out. First, the history and culture are fascinating (we had visited the ancient city of Petra, which is the most remarkable manmade creation I have ever seen—those of you who saw “Indiana Jones and the Last Crusade” got a glimpse of Petra when Indiana Jones entered a temple carved into the rocks in search of the Holy Grail—that “temple” is a small part of Petra). Second, the food is astonishingly good. Third, the people are wonderful. Next time, I said, I would not come alone.

Talking to judges in Jordan was not unlike talking to judges in Wyoming. We heard similar complaints about the lack of professionalism among lawyers and a general need to improve the ethical standards of the profession.

We learned that legal education in Jordan is more than attending and graduating from law school. After receiving an undergraduate degree in law, graduates who wish to become lawyers must serve a two-year apprenticeship as (unpaid) trainee lawyers working for experienced lawyers (those with more than five years of experience). The theory is good. Before becoming lawyers, trainee lawyers learn the practicalities of law practice. And from what we learned, some of the apprenticeships are very good. The lawyers involved take their responsibilities seriously and provide a good experience for the trainee lawyers. Too often, however, the apprenticeships are not a good experience. Trainee lawyers spend time as unpaid clerical help for lawyers and don’t learn a lot about being lawyers. They learn, instead, how to run errands, how to make copies, and how to make tea or coffee.

After completing the two-year training period, trainee lawyers are allowed to take the bar exam, the final step to becoming a “registered” (licensed) lawyer. The Jordanian Bar Association is responsible for registering (admitting) lawyers, and it is then responsible for regulating the practice of law, including sanctioning lawyers for violating the Code of Ethics, which, as discussed below, seldom happens.

Law schools, of course, generally part of universities. The Bar Association then establishes the requirements for admission to the bar, including the training period. Judges don’t control or have any significant involvement in either, meaning that any systemic change requires the involvement of three different and independent groups (the universities, the Bar Association, and the judiciary). Not surprisingly, the three don’t always, or even often, agree on what should be done or how it should be done.

After our visit, we prepared the Assessment of Legal Education in Jordan, which was published and distributed in Jordan in 2005 by the ABA and USAID as part of our Upgrading Strategy [in Jordan] Assessment Series. The assessment identified a number of challenges that we perceived.

To try and meet the challenges in Jordan, the assessment contained a series of recommendations, both short-term and long-term. One suggestion was to “[o]rganize a workshop to bring together the stakeholders in legal education to discuss proposals for reform, both short-term and long-term, and train the trainers about innovative and interactive teaching and evaluation methodologies.”

The Practicum
After the conference, the ABA signed Memoranda of Understanding (MOUs) with three Jordanian law schools (the University of Jordan, Philadelphia University (Amman used to be called “Philadelphia”), and Yarmouk University). The MOUs are designed to improve teaching and learning at the law schools at the three universities.

The first step in trying to improve teaching and learning was to provide teacher training. The idea was to try and show and persuade Jordanian law professors to adopt more interactive methods of teaching, instead of relying on lectures. The ABA sponsored such a training seminar in December of 2005.

Another step was to develop a practicum for law students from the three law schools. The first two weeks were to be devoted to skills training, and the last two weeks students were to be placed with law firms, NGOs (non-governmental organizations), or government law offices.
The program was entitled the “2006 Tamayyaz Practicum (“Tamayyaz” means “excellence.”)

I had the privilege of being invited to teach during the first two weeks of the practicum during June of 2006. The ABA developed an ambitious program with five areas to be covered: (1) legal ethics; (2) client interviewing; (3) legal research; (4) legal writing; and (5) legal English. Covering any one of those areas in two weeks would have been a tall order. Tackling all five was very ambitious, to say the least. I was asked to and agreed to teach legal ethics, client interviewing, and legal English.

With the miracle of simultaneous translation, we had classes very much like those in the U.S., or anywhere else, where everyone speaks the same language. If you don’t believe that language is power, try teaching in a language that most of the students don’t understand, and have them answer in a language that you do not understand.

Eleven students were selected from each of the three law schools, for a total of 33 students. We generally met from 9:00 to 1:00 or 1:30, with a half-hour break at 11:30. To say we crammed a lot into that time would be an understatement. It worked because we had a group of extremely talented and motivated students.

You may be wondering how an American who does not speak Arabic can teach to a group of Jordanian law students, many of whom are not fluent in English. (Although most Jordanian law students speak some English, and some speak it very well, only a handful of the students spoke and understood English well enough to not need translators. As a general matter, Jordanians speak English better than any non-native English speakers I have ever met. English is truly the second language of Jordan). The answer is “with the assistance of extremely good translators.” Let me explain how it worked.

I wore a wireless microphone and a wireless headset. Each of the students, aside from the three or four who did not need translation, also wore a wireless headset and had a microphone in front of him or her. I spoke in English. Translators in a booth at the back of the room heard me via the microphone, and simultaneously translated what I said into Arabic. The students then heard the Arabic translation, and not me. When I asked questions, which I am wont to do and which I do frequently, I asked them in English. The students, however, heard them in Arabic. They answered in Arabic, but I heard the answers in English.

All the translation was done simultaneously, so there was virtually no delay. The translators had to translate not just the language (English to Arabic or Arabic to English), but legal concepts as well. They were remarkable. I never had to modify what I wanted to say. We had in-depth discussions of complex legal issues, and the translators were always able to facilitate them. (Simultaneous translators work in teams. One will translate for about fifteen minutes, and then switch with the other. It is, I am told, an incredibly demanding job—which I have no trouble believing. Such translators must switch back and forth frequently, sometimes several times per minute).

With the miracle of simultaneous translation, we had classes very much like those in the U.S., or anywhere else, where everyone speaks the same language. If you don’t believe that language is power, try teaching in a language that most of the students don’t understand, and have them answer in a language that you do not understand.

I found that the students were much like students in America, or in Russia, where I have also had the pleasure of teaching extensively. They want to learn to be lawyers. And they don’t want to be bored. Consequently, they leapt at the chance to learn some of the skills that lawyers need and use every day. Interviewing clients, for example, was a foreign concept (foreign in that they had received no training in doing it; not foreign in that lawyers in Jordan need to know as much about interviewing clients as lawyers in the U.S.), something that all the theoretical knowledge in the world will not teach. And yet there may be nothing that lawyers do more than talk to prospective or actual clients.

The only way to learn the skills lawyers need, in my book, is to practice them. To teach client interviewing skills, for example, we had students interviewing each other while they were observed and critiqued by their peers. While that may not sound like a novel concept, it is not a required part of the curriculum at most law schools in this country, or anywhere else. One may, in the U.S., graduate from law school, pass the bar, and receive a license to practice law and have never talked to a client or learned or practiced how to do it. (Maybe that’s why it’s “the practice” of law—we really don’t know what we’re doing, at least for quite a while). One can, of course, participate in client-counseling competitions, clinical programs, and/or courses such as lawyering skills which provide excellent training in how to talk to clients or prospective clients.
In Jordan, students generally do not have the option of learning how to interview clients, even if they want to, and unless they learn how to interview clients during their apprenticeship, they never have the chance to learn such skills. They just start practicing.

Teaching legal ethics in one day (four hours) to students who had had no exposure to the field was an interesting challenge. At the University of Wyoming, as at all ABA accredited law schools, a course in legal ethics, called “Professional Responsibility,” is a required subject. The required class meets three hours per week for 14 weeks, for a total of 42 hours. That amount of time allows for comprehensive coverage of a subject that may be the most important, at least in terms of the time lawyers spend thinking about ethical issues, of any in law school. Compressing that into four hours meant that many topics could not even be mentioned.

I decided to focus on three areas: (1) why worry about legal ethics? (2) the importance of client confidentiality; and (3) the importance of detecting and avoiding conflicts of interest. Even focusing on those three areas was a lot for four hours.

As mentioned earlier, the Jordanian Bar Association is the authority which regulates the admission and conduct of lawyers in Jordan. Pursuant to that authority, it adopted a Code of Ethics in 1979. Although the code is somewhat dated, it covers many of the areas that are traditionally covered by such codes, including confidentiality and conflicts of interest. I had been provided a copy of the Jordanian code in English. It served as the basis for our discussion of legal ethics.

First, the code provided a general framework for discussing the importance of legal ethics. Second, it addresses the issue of confidentiality in some detail, including creating exceptions to the duty, and even a duty to disclose information in certain circumstances. Third, the code emphasizes the importance of ensuring loyalty to a client by avoiding certain conflicts of interest.

The starting point for any discussion of legal ethics is the nature of the relationship between a lawyer and his or her client. And while the specifics of law vary from country to country, the nature of the relationship is essentially the same. A lawyer represents a client, not the lawyer’s own interests. Once students understand that general concept, the specifics make sense. Unless students have discussed the nature of the relationship, however, they haven’t really thought about or figured out what they will be doing during their careers.

Learning of any kind is generally enhanced by examples. To introduce both the concept of confidentiality and the prevalence of conflicts of interest, we used short role plays, which served to highlight the issues. To illustrate the tension between client confidentiality and the safety of others, a client made a threat to a lawyer to harm another person. The question then becomes how far the duty of confidentiality should extend. Conflicts of interest were shown by having two parties to a commercial transaction come to one lawyer with a request to write up their supposed agreement. The conflicts arise when it becomes clear the parties have not thought of “details,” such as when delivery should occur and how payment should be made. The same issues arise here, and in every other country, though the answers may be different given the relevant codes of ethics.

When the issue of client confidentiality clashes with protecting others from possible harm, Jordan takes a much different approach than we do in Wyoming, but one that is taken in a number (eleven) of other U.S. jurisdictions. That is, the need to protect others takes priority over a lawyer’s ethical duty of confidentiality.

In Wyoming, the new rules that became effective on July 1, 2006, continue the principle that lawyers should be given discretion, at least ethically, to determine whether to disclose a client’s intent to cause harm to another: “A lawyer [in Wyoming] may reveal [confidential] information to the extent the lawyer reasonably believes necessary . . . to prevent the client from committing a criminal act.” The commentary to the rule makes it clear that the lawyer need not, however, reveal such information. “The lawyer has professional discretion to reveal information in order to prevent such criminal acts . . .” Whether the lawyer has a legal duty (arising out of the law of torts) is not clear, although there is authority to suggest that such a duty exists, and the author has taken the position that such a duty should exist.
Professor Burman discusses a role play with two Jordanian law students. He is speaking in English, they in Arabic. Their conversation is being heard by the translators through microphones, and simultaneously translated into a language which each can understand, with the translated conversation broadcast through the wireless headsets each is wearing.

Jordan takes a different ethical approach. Instead of giving lawyers discretion to reveal potential harm to another, a Jordanian lawyer must reveal such information.

While the general rule is similar: “The lawyer shall keep the secrets of his client . . . [and] his duty includes those who work in his office . . . ,” disclosure is sometimes required. The rule of confidentiality shall not apply “[i]n case the client has announced his intention to commit a crime, so that the lawyer shall make the disclosure to the limit and scope which prohibits the consequences of the crime, or to the limit that protect the person who might get hurt.” Which approach is “right,” is a question that can be discussed endlessly. Whatever the answer, lawyers must know, however, what the ethical obligation is in the jurisdiction where they practice.

Wyoming lawyers must avoid certain conflicts of interest. “A lawyer shall not represent a client if the representation involves a concurrent conflict of interest.” The rule in Jordan is similar: “The lawyer shall be devoted and dedicated to his duty towards the client . . . The lawyer shall refrain from . . . [r]epresenting conflicting interest.” Although the term “conflicts of interest” is not defined in Jordan, the concept is the same.

Four hours of legal ethics cannot, of course, replace a full course devoted to that subject. It can, however, raise some questions that will cause students to think about what they are doing and what they will be doing, both now and in the future.

Teaching interviewing skills does not vary much. As mentioned above, the heart of teaching skills is practicing them, not listening to someone talk about how to do them. As in Wyoming, students appeared to thoroughly enjoy the chance to practice interviewing, and, as here, they are always surprised at how much they have not learned, and that there is more to interviewing a client or prospective client than just talking to him or her.

After the students had completed interviewing each other, I wanted some exercise to try and pull everything together and involve as many of them as possible in doing so. I could not figure out what to do, so I asked Marilyn, my wife. She suggested a group interview, in which all the students were a firm and I was the prospective client. Each student would be allowed to ask one question or make one statement. So that’s what we did. The idea worked very well. Each of the 33 students either asked me a question or informed me of some important concept, such as client confidentiality. While some of the questions and/or statements were not particularly good (and most of the students wanted to redo theirs as soon as he or she had had a turn), collectively the students did very well. And I hope they started to see the importance of planning and structuring an interview.

After finishing client interviewing, I got to relax for a few days. Professor Paul Brietzke, on leave from Valparaiso University School of Law, taught legal research, and Eric Putzig, the Assistant Director for ABA in Jordan, taught Legal Writing.

After Legal Writing, we spent a few days on Legal English, a subject that is not, of course, taught in the U.S. The idea, in a country such as Jordan, is to discuss the importance of English to the practice of law. (As virtually all international transactions are now done in English, it is really not possible for a Jordanian lawyer to have much of a practice unless he or she is fluent in English and can represent English-speaking clients who want to do business in Jordan, or Jordanian clients who want to do business with individuals or entities in other countries.) In addition to discussing the value of English, the students compared some American law with similar laws in Jordan—laws, that is, which appeared similar but upon careful reading lead to dramatically different results.

Since the English language ability of the students varied considerably, I divided them into four firms, each of which contained at least one student who was fluent in English. They then had to work through the American and Jordanian laws and write a memo, in English, for me. Their work was remarkably good.

We finished the classroom component of the practicum by having students participate in a role-play which raises the issue of whether a prosecutor can ethically imitate a defense lawyer, with the objective of saving at least one life. As here, where I have used the same role-play with lawyers and students, the scenario resulted in persons taking completely different sides, and realizing, I hope, that law is difficult. There is generally no easy answer, only arguments for more than one side and different policies to encourage. And somewhere in there, lawyers have to represent their clients, not just themselves.

My reaction to the classroom part of the practicum was to rate it as among the best teaching experience of my life. Asking a teacher to evaluate a class, however, is sort of like asking a fisherman to evaluate fishing. You really need to talk to the fish (or the students). Here is what a few of them had to say, in their own words:

* "[T]hank you about tamayyaz program its very interesting and very important."

* "[I] can say that i was really fortunate for having the chance to get useful information and tips . . ."
The long-term effect of efforts to change legal education, of course, cannot be measured in the short-term. And even assuming the long-term effect is beneficial, only a small fraction of the law students in Jordan took part in or will take part in such practica. Nevertheless, we all know that Rome was not built in a day, and legal educational reform, whether in this country, Russia, or in Jordan, takes time, and happens incrementally, one person at a time.

The biggest mistake we could make is to want or expect dramatic, measurable results in a relatively short time. We need, instead, to believe in and support the process, knowing that the fruits of our labors may be years, or even decades, away.

John M. Burman teaches professional responsibility at the University of Wyoming College of Law. If there are issues you would like to see addressed in this column, Professor Burman may be reached by e-mail at jmburman@uwyo.edu. The views and opinions expressed and included in "Ethically Speaking" are those of the author only and do not constitute an opinion, finding or viewpoint, official or unofficial, of the Wyoming State Bar or the Board of Professional Responsibility.

endnotes

1 The other team member was a lawyer from France. There were two reasons for inviting a lawyer from France. First, the ABA did not want a team of all Americans. Second, Jordan's legal system, including its legal educational system, is similar to the French system (although Jordan was never a French colony, its legal system borrowed heavily from Egypt, which was a French colony).

2 Jordan is a constitutional monarchy. Although it has a King, it also has a parliament, and a member of it becomes the Prime Minister, who then appoints a cabinet to assist in governing the country. The Minister of Justice in Jordan is roughly equivalent to the Attorney General in the United States, although the Minister has a more prominent role in the selection of judges in Jordan that the AG in America does. The Minister recommends judicial appointments to the King, who is ultimately responsible for appointing them.

3 I have been told that Immanuel Kant is the source of this idea and spoke or wrote words similar to these.


5 Jerash is billed as one of "the largest and most well preserved sites of Roman architecture in the World outside Italy." Atlas Tours.Net http://www.atlastours.net/jordan/jerash.html (Last visited on September 14, 2006).

6 LAWYERS' CODE OF ETHICS (1979).


8 John M. Burman, Lawyers and Domestic Violence: Raising the Standard of Practice, 9 MICHIGAN J. LAW & GENDER 207, 247 (2003) ("[L]awyers in eleven jurisdictions have an ethical duty to disclose confidential information to protect third parties in some circumstances.")


10 Id. at Rule 1.6, cmt. [12].


13 Id. at Article (42)D.2.

14 WYOMING RULES OF PROFESSIONAL CONDUCT, R. 1.7(a) (2006).

As the train pulled into Petrozavodsk, Karelia, Russia, last August, I peered anxiously at the knots of people gathered on the platform, hoping to spot Sergey and Illya, the only two persons I knew in a city to which I had never been, in a country where the language barrier was still high for me. Thankfully, they were there and greeted me warmly. Several days later, Marilyn, my wife, joined me. Four months later, we watched from the train through misty eyes while freezing rain drenched a small crowd of friends gathered on the platform to bid us farewell. As the train groaned into motion, it stopped, suddenly and unexpectedly, still in the station. Our friends ran down the platform to our car and motioned for us to get off the train and come back. We were sorely tempted, but then it was too late; the train pulled slowly from the station into the freezing December darkness, and everyone waved a final good-bye. We had arrived as strangers. We left as friends.

Courtesy of a Fulbright Teaching Fellowship, we spent four months in Russia, where I was a Visiting Professor at the Faculty of Law at Petrozavodsk State University in the Republic of Karelia. Teaching and living in Petrozavodsk was a marvelous, unforgettable experience, both professionally and personally.

The City
A city of nearly 300,000, Petrozavodsk was founded in 1703 by Peter the Great. Peter was looking to build a foundry to supply weapons to his armies. The spot where the Salmon River empties into Lake Onega, Europe’s second largest lake, was ideal. The city’s name, "Petrozavodsk," means "Peter’s factory."

Today, Petrozavodsk is the capital of the Republic of Karelia, one of the twenty-one republics, forty-nine oblasts (regions), and six krais (administrative units) which constitute the Russian Federation. Roughly the size of Missouri, Karelia’s neighbor to the west is Finland; the two countries shares a 630-kilometer border. On either side, thousands of lakes and rivers (Karelia claims 60,000 lakes and 27,000 rivers) are the only breaks in the seemingly endless forests which blanket the region. Petrozavodsk is also home to Petrozavodsk State University (PSU). Approximately 6000 students study a wide variety of subjects, including law.

Karelia and Finland are close in other ways, too. Naturally, Karelians and Finns look the same; they are literally cousins. The Finnish language and culture are common in Karelia. Signs in both Russian and Finnish welcome travelers arriving in Petrozavodsk by either train or ship. Some parts of the city even look Finnish. The Scandinavian penchant for order and cleanliness is apparent in the city’s original, central district. Attractive buildings, beautiful parks, graceful fountains, and numerous sculptures adorn the inner-city. Instead of condos and businesses, the Lake Onega embankment, Karelia’s prime real estate, embraces an attractive park with a pedestrian walkway. Strolling along the brick paved waterfront, in good weather or bad, is a popular pastime. Outside the city’s center, however, the Soviet influence is both dominant and deplorable.

Massive, Brezhnev era apartment complexes ring the city, graceless monstrosities which are home to tens of

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Profile, continued

thousands. Uninspired architecture, poor construction, and inadequate maintenance belie their recent origins. And although lifeless from the outside, inside it's a different story. To be welcomed into a Karelian family's apartment is to step through the looking glass, from rigid, soul-less uniformity, one is enveloped by gracious and generous hospitality.

But the differences between Karelians and Finns are as striking as the similarities. While Finns and other Scandinavians enjoy one of the highest standards of living in the world, seventy years of Soviet hegemony have left Karelians, and all Russians, mired in an economic and environmental backwater, decades behind their Scandinavian neighbors.

One arena in which the Soviet Union excelled was education. While that education contained an unhealthy dose of Communist propaganda, education in the Soviet Union was free, universal, and widely admired. Since the collapse of the Soviet Union, education in Russia has fallen on hard times, primarily because of the lack of funding. Nevertheless, and perhaps now more than ever, an education is seen as the path to a better future. A university education, therefore, remains highly prized. And since I was in Karelia to teach, I had the chance to learn much about Russian higher education, especially legal education.

Legal Education in Russia

Legal education in Russia is very different. Law is a five-year, undergraduate program. Accordingly, students enter law school directly from the gymnasium, the Russian equivalent of high school. As an undergraduate program, the law school curriculum is much broader than ours, including courses such as history, philosophy, and foreign languages. Not surprisingly, the lack of undergraduate education before law school is apparent.

First, one is immediately struck by the youth of the students. Entering students are only seventeen or eighteen years old, and non-traditional students are non-existent. The third and fourth year students I taught seemed impossibly young; they were only twenty or twenty-one years old. Even some faculty members are still in their early twenties. In addition to their youth, female Russian law students, as many young women in Europe, seldom dress casually. Even on bitterly cold days, and it can be bitter in northern Russia, they normally dress stylishly. Last fall, stylishly meant mini skirts, black nylon hose, and platform shoes. Style doesn't stop with clothes, of course, and a common sight at the law faculty was a cluster of young women gathered in front of a large mirror, primping for class (many public buildings in Petrozavodsk have such mirrors, usually with several young women fine tuning their appearance in front of them).

Second, student behavior is different. Teenagers, after all, are teenagers. And since many Russian law students are teenagers, they behave as one would expect—often as teenagers, not as students in a professional school.

Not only are the students different, so is everything else. Even before the economic crisis hit Russia last August, a crisis which shows no signs of lessening, Russian universities faced problems which dwarf ours. Inadequate funding was, and is, an enormous hurdle. Many of the things we take for granted are either significantly inferior, unavailable, or available in very limited quantities.

The Law Faculty in Petrozavodsk

The law faculty (“faculty” is the Russian equivalent of “college” or “school”) is the newest academic unit of PSU. It grew out of the history faculty, and began a separate existence in 1992. Eighty students are admitted each year, for a total student body of around 400.

The law faculty occupies the fourth floor of a commercial building in Petrozavodsk. From the outside, it looks quite nice; the building is across the street from the Salmon River, which winds lazily through Petrozavodsk in a tree-filled park. Inside, however, it's a different story.

Although the law faculty is on the fourth floor and the building has a couple of elevators, we never ventured to try them. They were typical Russian elevators: small, dirty, obviously not maintained, and probably not inspected. We preferred to take our chances with the crumbling stairs in
the dim, tobacco smoke clogged stairwell (since smoking was only permitted in the building’s stairwells, and smoking is very popular with young Russians, the stairwell was invariably filled with smoking students).

The entry into the law school looked fairly normal. A large schedule of classes and numerous posters announcing law school related events filled the entry. Just down the hall, a security guard gazed lazily at the passers-by (We never figured out if he was keeping people out or things in).

The classrooms weren’t bad, just rather dirty, poorly lit, and poorly heated. Mine had a bank of fluorescent lights which buzzed annoyingly, so we turned them off. Half-light left the room irritatingly dim, but quiet, in the short winter days of the far north (Petrozavodsk is at approximately the same latitude as Anchorage, Alaska). The real low light, however, was the restrooms. They were unspeakable. Signs were unnecessary—just follow the odor. But just as good facilities do not necessarily mean good education, poor ones do not mean poor education. The teachers and the students are the key.

Russian law professors have to be dedicated. They are underpaid, if they get paid at all; many must moonlight to make ends meet. Office assignments are not a source of debate or dissatisfaction—only the dean gets one. Textbooks are expensive and often out-of-date, if available at all. Photocopies are precious—machines are old, and paper is in short supply. Even chalk-board erasers are a luxury; a dirty rag is the common replacement. But despite these limitations, some excellent education takes place. And for me, teaching was a wonderful challenge with as many, if not more, rewards than teaching in America.

**Teaching in Petrozavodsk**

I had been invited to Petrozavodsk because the law faculty at the university features the first legal clinic in Russia, founded in 1995 with the assistance of Professor James May of the Vermont Law School. I had met a couple of

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persons involved with the clinic on earlier trips to Saratov, Russia. That had resulted in an invitation to come to Petrozavodsk to assist in the continued development of the clinic. I was also asked to teach American Administrative law. Both were immensely enjoyable.

My efforts with the legal clinic had three primary components. First, I was asked to help with the development and implementation of training programs for the students. Second, I consulted with the Director and Deputy Director on clinic procedures, such as the need for developing and using forms and regularizing the clinic’s operations. Third, I assisted in planning for the long-term growth of the clinic, particularly in the area of representing victims of domestic violence.

The major training program I developed was based on role-play exercises to train students in client interviewing and counseling. Using case files from the clinic, I drafted client profiles, instructions for attorney-observers, and delivered lectures on client interviewing. The documents were translated into Russian and the interviewing exercise was used to train all the students in the clinic. Also, the clinic at PSU has been selected by the ABA/CEELI® program in Russia as a model for other clinical programs. In March, the role-playing exercises were video-taped by ABA/CEELI for use in other Russian law schools (CEELI is very active in legal education in Russia, especially clinical legal education).

During the Fall, the clinic developed new forms and improved existing ones. The forms are used to document students’ activities, record students’ communications with clients, schedule clinic activities, etc. The improvements will assist in documenting and professionalizing the clinic’s operation. My involvement consisted of consulting with the Director and Deputy Director about the purposes and importance of developing and improving the clinic’s documentation. While clinical law teachers in America don’t question the need for proper and accurate documentation and procedures, those are novel concepts in Russia, particularly for young clinical instructors who lack significant law practice experience.

The third major focus of my activities was on expanding the clinic’s operations. Soon after I arrived, I learned that the Director had an interest in representing victims of domestic violence. In November, I learned of and subsequently attended the first conference on domestic violence ever held in Russia. Project Harmony, an American nonprofit organization based in Vermont, sponsored the conference, which was designed to develop a coalition to begin to address the issue of domestic violence. Participants included representatives of law enforcement, the medical profession, social services, and the legal profession. The conference was timely. Domestic violence is a huge problem in Russia. A paternalistic society, a severe economic crisis, and rampant alcoholism form a deadly combination of violence and abuse. During the conference, a Russian judge pointed out another problem which I had never considered. Police are unable to respond to many calls outside the city because they do not have enough gas.

Since the conference, the clinic has submitted a grant proposal to expand to provide representation to victims of domestic violence.

My other teaching assignment was to teach American Administrative Law. The course was a two credit class for third year law students (as noted above, law is an five-year undergraduate program in Russia). Not surprisingly, there is no Russian translation of a textbook on American Administrative law. Teaching without a textbook proved to be a challenging, interesting, and, ultimately, very rewarding experience.

Traditional Russian legal education is lectures, with little or no student interaction with the instructor. After consulting with my translator (a fifth year law student who is a wonderful translator and was a valuable source of information about Russian legal education), I decided to try something very different. 

Mock administrative hearing — Ronda Munder (Program Coordinator for the Wyoming Supreme Court), Ilya Padchen (translator), Denise Burke (Assistant Attorney General), and Yulia Fridt (Russian law student)
I designed and developed a course to show students how the American administrative law system works through a combination of lectures and role plays. Since the two major components of the American administrative law system are rulemaking and administrative contested hearings, it seemed useful to demonstrate how they work, not just lecture about them.

I prepared (and had translated) a problem for government to confront. The problem was America of the 1930s (which bears a striking resemblance to Russia of 1998). The economy is in shambles and people are demanding government action. The problem focused on two aspects: the failure of the banks and the collapse of the stock market. The question for the students was how government could, or should, address those problems, consistent with principles of American administrative law. I assigned students to groups to represent interested parties. Two groups drafted proposed administrative regulations, they presented them to the class, which then was allowed to make comments (other students “represented” interested parties such as bankers, consumers, stock brokers, etc.) The students who drafted the proposed rules met with me and came up with comprehensive regulatory systems to regulate banks and the stock market. Regulation of banks, for example, included minimum capital requirements, annual contributions to a reserve fund to protect depositors, maximum interest rates on loans, and deposit insurance (a combination of voluntary and government-funded). Stock brokers were subject to stringent licensure and disclosure requirements, limits on fees, and sanctions for misrepresentations. The rules were “published” by being read to the class. After they were read, the other students applauded their classmates who read them.

On the date of the public hearing on the proposed rules, students showed up with extensive, written comments. The two class periods set aside for the hearing flew by as the authors of the proposed regulations and the commenters engaged in spirited debates about issues such as appropriate capital requirements for banks, the wisdom of mandatory deposit insurance, disclosure requirements for stock brokers, and whether the proposed rules exceeded the authority of the regulatory agencies.

After receiving and considering the comments, the students who had drafted the rules promulgated final rules. Despite their pride of authorship and their natural defensiveness at critical comments, they even accepted some of the proposals from the commenters. Those final rules then formed the legal basis for an administrative hearing, at which Russian students played the roles of witnesses and/or parties.

The hearing involved a stock broker who had allegedly charged a fee higher than permitted by the rules. Two colleagues from Wyoming, Denise Burke and Ronda Munger, were in Petrozavodsk for a visit and I imposed on them to assist with the hearing. Denise represented the government. Ronda served as the administrative law judge. After hearing the evidence, Ronda made a recommended decision. (When the recommendation was in favor of the complainant, the student who had played the complainant was thrilled; I didn’t have the heart to tell her the whole thing was set up for her to win). The recommendation subsequently served as the foundation for discussions of final agency orders and judicial review.

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Profile, continued

Despite the lack of amenities, there were some features of teaching in Petrozavodsk which I found much to my liking. First, students are not required to attend class. Students do not even register for optional courses. They simply must pass a certain number of optional courses before they can graduate. Accordingly, they must pass the exams in those courses. They attend classes if they think it will help them pass the exams/and or if the class is interesting. As a long-time opponent of mandatory attendance, which I regard as both an insult to adult students and a crutch for assuring class attendance when the class may well not merit it, I liked the system; it puts a premium on good teaching.

Without mandatory attendance, student attendance varies considerably. If the class is perceived as interesting or valuable, students attend. If it is neither, attendance plummets. Attendance at my Administrative Law class varied from twenty to fifty. I was told that twenty was really quite good, and that attendance often dropped to five or fewer students. But attendance picked up after I announced that there would be oral exams, and not the multiple choice exams that students were expecting from an American professor. Suddenly, students perceived it to be in their best interests to attend class, and they did. And at least some of those who did not paid the price. They failed the exam. Russian law school exams, by the way, are significantly different than American ones. Russians favor oral exams (in all fields and at all levels of education). I decided to give them a try.

The procedure for oral exams is unlike anything I had experienced, either as a student or a teacher. It worked like this (the procedure I followed was typical). I prepared questions on slips of paper (translated into Russian) which were then placed face down on a table. At the beginning of the exam period (which lasted nearly six hours), five students came into the room. Each picked a question. After ten minutes, one of the five said he was ready and came to speak with me (and my translator). The student began by answering the written question. I then asked whatever follow-up questions I wanted (a few students took the exam in English; most spoke Russian. I used a translator since my Russian was not equal to the task). Each student’s exam ended when I thought I had heard enough to award a grade to the student (My class was pass-fail, so the exams went somewhat quicker as I did not have to decide which specific grade to award).

After each exam was finished, the student presented his or her grade book, I entered the requisite grade in the book and on a master sheet which is then turned in to the administration. The student then left. As he or she left, another student was allowed in the room, he or she selected a question, and then waited—and prepared—as the others went through the exam process. Students who did not pass the first time were allowed to try again after all other students had been examined. I had two students try again. One passed the second time.

I found the experience of oral exams to be productive, at least from my standpoint, for a couple of reasons. First, when talking individually with a student, it quickly becomes apparent if he or she knew the material. Second, there was a benefit I had not expected. Those students who had misunderstood the question have a chance to redeem themselves, something which is noticeably absent from a written exam. Several students appeared lost, initially, but performed extremely well once they figured out the issue. I found the process so useful that I used it in the Professional Responsibility course I taught at UW this Spring.6

Summary

I hope my activities at the Faculty of Law were even remotely as beneficial to the students at the school as the experience was to me and Marilyn. Aside from professional pursuits, our time was filled with new sights, new sounds, and new friends.

Living and working in a society struggling to survive was an eye-opening experience. The absence of an office, the lack of textbooks, or the difficulty of getting photo copies, brought home to me how much we have and take for granted at an American university. And yet amidst economic distress and privations which most of us cannot imagine, the students at the law faculty were easily as hungry to learn, if not hungrier, than any I’ve encountered here. That desire was, and is, the key to education anywhere and under any conditions.

In some ways, teaching is easier with all the accouterments of an American university. But they can get in the way, too. Frankly, I’m a better teacher for having gone without. It forced me to think about why I teach and what I’m trying to accomplish, and how best to accomplish that. In the final analysis, it’s trite but true. We don’t know what we’ve got till it’s gone. And when it is, sometimes we realize we really don’t need it, after all.
1. John M. Burman teaches at the University of Wyoming College of Law. He spent the Fall, 1998 semester on leave as a Fulbright Teaching Fellow at Petrozavodsk State University in Petrozavodsk, Karelia, Russia. He thanks his wife, Marilyn, for being with him and for reading and commenting on drafts of this article.


4. The linguistic abilities of Russian university students are amazing. All Russian university students are required to take a second language. Since they often begin foreign language study while in elementary school, their foreign language ability is excellent by the time they reach university. Most take English. The rest take German or French.

5. The Central and East European Law Initiative (CEELI) is a public service project of the American Bar Association (ABA). It is designed to advance the rule of law in Central and Eastern Europe, as well as the Newly Independent States of the former Soviet Union. Information about CEELI is available at www.abanet.org/ceeli/home.html

6. The oral exam in Professional Responsibility did not supplant the written final; it will account for only twenty percent of each student’s final grade. Since I haven’t read the students’ evaluations of the course, I’m not sure what they thought. For me, oral exams were useful. They provide another method of evaluating students, just as written assignments do. As I expected, some students who do not perform well on written exams performed very well on the oral exam, and vice versa.
For some, the Wyoming State Bar Annual Meeting & Judicial Conference is a forum at which attorneys earn their required continuing legal education credit. For others, it is a social gathering and a time to network and catch up with old friends and colleagues. This year, the Bar was very fortunate to be able to host its event at the new Hilton Garden Inn/UW Conference Center in Laramie, Wyoming. While the week was marked with unique opportunities, one of the most unique was being one of the first groups to host an event at the Wildcatter Stadium Club at War Memorial Stadium. With a record crowd for the Welcome Reception, over 300 attorneys, judges, and guests had the opportunity to enjoy the brand new facility, including the President’s luxury suite. Another unique opportunity was to host the annual golf tournament at the exclusive Old Baldy Club in Saratoga, Wyoming. Twenty-five golfers took advantage of this once in a lifetime opportunity and enjoyed a beautiful day on the course before heading back to Laramie just in time to attend the UW College of Law tailgate party. This well-attended event was co-sponsored by the Wyoming State Bar’s Young Lawyers’ Section and everyone enjoyed being entertained by The Law North of Crow Creek, among whose members include Hon. William U. Hill, Don Riske, and Tom Kelly, all attorneys from Cheyenne. The Bar would like to thank the UW College of Law and the Young Lawyers Section for their hospitality! The weekend ended on Saturday with numerous attorneys and judges in brown and gold to cheer on the Pokes as they took on nationally-ranked Boise State. The outcome of the game was not too favorably, but a good time was had by all.

Annual Meeting also marks the end of one Bar president’s year and the beginning of another’s. Past President Bill Hiser had much to be proud of as he reflected on the past year. He began his presidency carrying the torch passed to him by Past President Rick Lavery, which allowed for the successful implementation of a health benefit plan for attorneys in Wyoming. Hiser then proudly passed the gavel to your new Bar President, Brian Hultman. The Bar is in very capable hands, and Brian looks forward to serving as your Bar President.

Throughout the Annual Meeting, several Wyoming attorneys were recognized for their efforts not only in their communities, but also around the state and to the legal profession as a whole.

President’s Award

Long time Laramie attorney and Law Professor John Burman received the 2010 Wyoming State Bar’s President’s Award. Bar President William L. Hiser identified John Burman’s commitment to being a lawyer who teaches others how to be lawyers and his devotion to pursuing what is “right” and “ethical”—not just what is legal—as the core of Burman’s outstanding contribution to the legal profession. For more than 20 years Burman has voluntarily and enthusiastically given of his time to assist lawyers with ethical entanglements, while at the same time educating law students on legal ethics. Professor Burman has written a book on legal ethics entitled Professional Responsibility in Wyoming and has generously donated the book and any profits from its sale to the Wyoming State Bar.

The award presented to Burman reads as follows:

With respect, honor and appreciation of your relentless and steadfast espousal of integrity and what is “right,” your commitment to legal education, the legal community, your contributions to the Wyoming State Bar, and the giving of your time, expertise, and your soul to help other lawyers seek and determine what is “right.” For this and so much more, we hold you in the highest esteem.

Professor Burman’s dedication to legal ethics has assisted several generations of Wyoming lawyer’s and the dedication of his book will be a legacy to assist lawyers and law students for generations to come.
MEMORANDUM

TO: Members of the Wyoming Bar Association

FROM: Jack Speight, Bob McCue and Pat Crank

DATE: January 28, 2009

RE: Our Recommendation of John Burman’s Book, Professional Responsibility in Wyoming

We purchased John Burman’s book when we were first notified that this book had been published by the Wyoming State Bar. We placed the book on the shelf with the other resource books that seem to hang around law offices and are rarely used. Approximately a month later, we were presented with one of those perplexing issues that seem to arise in the gray area we all call civil law. With nowhere to turn and the usual sinking feeling that the Wyoming Supreme Court had likely not addressed the specific issue or facts confronting us, we cracked open John’s book. Less than ten minutes later, we found a section of John’s book directly on point which answered the very question regarding attorney-client privilege that we needed to address. While Wyoming courts had not yet answered the question, John had analyzed the issue based on other state precedent and the commentary supporting the Rules of Professional Conduct, the Restatement of the Law Governing Lawyers, and other authorities. Going to court or filing a brief with “Burman on your side” is a wonderful feeling.

We highly recommend that you invest in John’s well done and comprehensive book. His direct and to-the-point writing style is refreshing. John’s incredible intellect, his boundless common sense, and his real world experience gained in the courtrooms of Wyoming can help all of us better serve our clients.