

THE ECBA EDGE

BAR ASSOCIATION OFFERS UNIQUE ADVANTAGES FOR CO-OP LAWYERS

BY REED KARAIM

As electric cooperatives find themselves confronted by an ever-expanding set of legal issues, even the best co-op attorneys can find themselves up against something they've never seen before. It can be challenging facing a new or thorny legal situation as the sole counsel for a cooperative.

But a nationwide network of attorneys who work with co-ops is waiting to provide assistance.

The Electric Cooperative Bar Association (ECBA), with more than 750 members, was formed to help co-op attorneys learn together and share their knowledge.

"The thing it does, particularly for attorneys who are located out in the country near their clients, it gives them access to all the members of ECBA," says ECBA Chair Robert Schwentker.

He places access to the ECBA email listserv at the top of the benefits of membership.

"The listserv provides attorneys an opportunity to communicate, ask questions, respond to questions," he says. "It really develops the network of co-op attorneys."

Steve Minor, a lawyer who works with several Georgia distribution cooperatives, says the listserv helped him with a sticky issue involving "sovereign citizens," adherents to a far-right ideology that says they are not answerable to government laws or proceedings.

"The first time I saw one of those sovereign citizen letters, I had no idea what to make of it," Minor says. "I posted a question on the listserv to see if other people had come across it, and it was very helpful."

ECBA also maintains an online document library, hosts free webinars on important issues, and helps NRECA with its annual legal seminars. The association also maintains an online archive of past legal seminars.

'THE DEMANDS HAVE EVOLVED'

Schwentker, who recently retired as senior vice president of legal services for North Carolina Electric



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Cooperatives (statewide), has represented cooperatives legally for nearly 40 years. He has watched the responsibilities of the co-op lawyer grow significantly more complex over that time.

"There's a level of sophistication in the business that did not exist. It's evolved. You can see that simply by attending the annual meetings of cooperatives," he says. "It's no longer simply a business of providing electricity. The relationship with members has evolved. The demands have evolved. The rules and regulations are substantially different from when I started."

All these changes, he notes, make the ability to access expert advice and legal materials essential.

Membership in ECBA costs \$190 annually, or less if you sign up for two or three years. Cooperatives often pay the dues, Schwentker says, recognizing that the resources and expertise ECBA provides their attorneys makes it well worth the expense.

The online materials, web conferences, and sharing of experience are all important parts of ECBA, he says, but its biggest value may go beyond the law.

"To me, it's the opportunity to let folks know they're not alone," he says, "that there are others out there who are just as committed to serving their clients and may have run across some of the same issues you have."

Visit ecba.coop to learn more.