

BY MICHAEL J. FORD

Tipping Points & Tugs of War

Last fall, early in my sojourn from July 1 to June 30 as your president, Chief Justice Magnuson described Minnesota's courts as being at a "tipping point." Recently, one of my better-read partners suggested that the chief justice may have been referring to Malcolm Gladwell's book, *The Tipping Point: How Little Things Can Make a Big Difference* (Little, Brown & Company 2000). My even better-read spouse, a librarian by training and a book seller by vocation, explained to me that I may be one of the few people who has not read, noted, and taken to heart *The Tipping Point* and its explanation of how dramatic change can occur in society.

Expecting that there may be a few more like me who missed the possible literary allusion in the chief justice's remarks last fall, I borrowed a copy of this remarkable book and have to admit that there may be something to the notion that "tipping points" herald dramatic changes in society.

While I will leave it to the few of you reading these words who have not gotten into the concept to read the book, suffice it to say for the purposes of this column that the seminal idea outlined by the author is that "the best way to understand ... any number of the ... mysterious changes that mark everyday life is to think of them as epidemics. Ideas and products and messages and behaviors spread just like viruses do."

Much at Stake

The "tipping point" to which the chief justice referred may, in keeping

with this concept, have applied not just to the justice system but to Minnesota society as a whole. In other words, if we don't figure out the correct solution to any number of problems facing the courts and those who work within the legal system, that failure may and most likely will spill over into and affect society as a whole.

Consider the issues that the MSBA has addressed just this year, such as:

- Should a sales tax on legal services and increased fees for use of the court system be instituted to adequately fund the legal system, including the courts, public defense, legal services and city and county prosecutors?
- Which will be more of a hindrance to those seeking equal access to the court system, a sales tax on legal services or the imposition of increased fees?
- Should attorneys be expected to fund the public defense function by paying an additional fee as part of the attorney registration fee?
- How should judges in Minnesota be selected, elected and retained?
- Should graduates of online law schools be allowed to sit and take the Minnesota bar exam?
- Should graduates of Minnesota law schools be exempted from the requirement of taking the Minnesota bar exam in order to practice law in Minnesota?
- Should deputy sheriffs be allowed to simultaneously practice law and serve in their official capacity?

How any one of these questions is answered has significant implications for us all and the ripple effects extend outward to all corners of society.

Keep on Tugging

As I write these words, the political class is not yet done with this year's budget. Any number of unfortunate events may yet play out as the legislature

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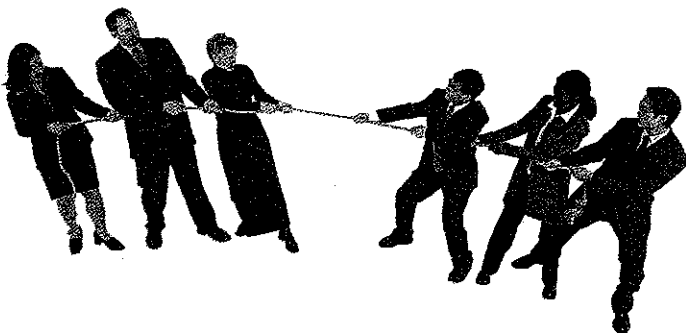
and the governor struggle with how to fund that which needs funding without wrecking society in the process.

In times like these I am reminded of something my mother once told me was the secret to a well-spent life. She described life as a tug-of-war in which each of us has a place on the rope of life. The secret, she said, is to simply keep tugging on your part of the rope.

I would like to thank the officers, the Council, the Assembly, and all the other members of the Association who this year kept on tugging. ▲



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PRESIDENT'S PAGE

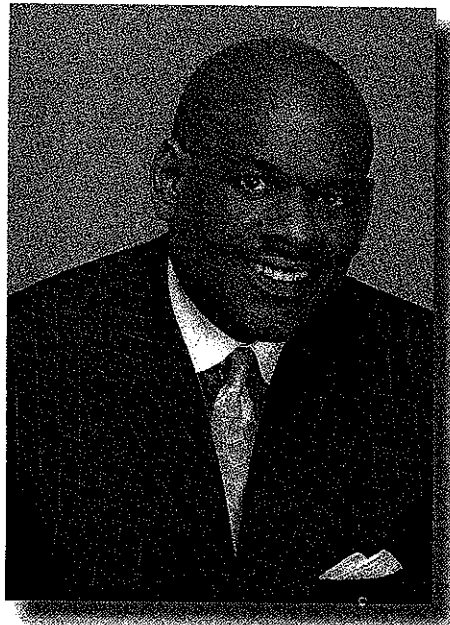
BY VICTOR P. HENDERSON

The Don Hubert Scholars— Future Lawyers Who Look Like Me

Just about a year ago, I received the tragic news that Don Hubert had died suddenly while vacationing in Mexico with his daughter Jessica. Chicago's legal community was stunned and saddened by the loss of a dear and treasured friend who meant so much to so many. Don was an inspirational mentor to me as he was to so many other lawyers in our community – both black and white. I credit Don with encouraging me to become active in the CBA and for suggesting that I pursue a leadership position in our Association.

During his term as CBA President, Don created a program called "Tickets for Kids" and asked law firms to donate excess tickets to sporting and cultural events to children from our town. Many of the kids who benefited from this program had never attended a Bulls, Bears, White Sox, Cubs, or Black Hawks game. In addition to athletic events, firms would donate extra tickets to the circus, the Ice Capades, or to a concert. Whenever extra tickets were donated, Don made sure that the tickets were distributed to Chicago schools and to other community organizations that help our youth. CBA Executive Director Terry Murphy even told me that Don would often buy tickets with his own money, while attending the events with his wife Melanie.

Don was forever grateful to his high school alma mater, Hales Franciscan, for helping shape his career. Once, when the school was in danger of closing for lack of money, Don donated a six figure settlement



check to keep the doors open. At the time of his death, Don was chairing a major capital campaign for Hales Franciscan – with a goal of raising 7 million dollars. In this effort, Don received a major commitment from Michael Jordan and his former wife Juanita. It was especially important to Don to help kids aspire to be the best that they could be. Don often mentioned how truly fortunate he was to have become a lawyer and how grateful he was for the guidance and help he received from others.

Don's Commitment to Young People

In an effort to memorialize Don's lifelong commitment to young people in our city, I want to establish a program that will carry on the work that Don and others in our community have started. In a recent meeting with Nathalina Hudson, the immedi-

ate past President of the Black Women's Lawyers Association, Lindsey Dates, an associate and rising star at Jones Day, and Terry Murphy, we came up with a program that Don would love. Patterned after a traditional moot court competition, the Don Hubert Scholars program will involve 100 or more black male high school students in a moot court competition to be held at law firms and law schools in and near the Loop. Lindsey, Nathalina and Terry will be working closely with Rory Smith, Assistant Dean of Outreach and Planning at The John Marshall Law School, in finalizing the details for the program that we intend to host in April of this year.

As part of the Hubert Scholars program, we will be asking our leading law firms to host a lunch for 10-20 kids before the moot court competition takes place. The lunches will serve to introduce the young men to lawyers, especially lawyers of color, who will speak with them about the importance of setting goals and establishing career objectives. A reception for the young men and program participants will be held at the CBA following the moot court competition. We will also be asking the firms to employ one of the Don Hubert Scholars for four weeks during the summer.

My hope is that some of the Hubert Scholars will develop an interest in pursuing law as a career. I'll be inviting our leading law firms to participate in the Hubert Scholars program in the near future. In the meantime, please do not hesitate to let me know if your firm would like to participate in this special program in memory of Don's commitment to our youth.

My best wishes to you and your family for the holidays and New Year. ■

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