

Miscellaneous *Memo*

July 2004

News

The Division for Bar Services has a new home for technology articles, research materials and other related tools for bar association staff. Making its debut on the Web is a brand new white paper on the basics of electronic discussion groups and an informative technology update from the 2004 edition of *Issues Update*. The area also has an archive of *Bar Leader* articles related to technology! Make sure to visit this site and bookmark it!

www.abanet.org/barserv/tech/

State Court Funding Recommendations to Be Discussed at Annual Meeting

The report and recommendations of the ABA Commission on State Court Funding will be considered by the House of Delegates at the 2004 Annual Meeting. The report urges states and territories to adopt procedures that ensure effective use of public funds and enable the courts to fulfill their constitutionally prescribed role. The principles identified in the recommendations include:

- A predictable general funding stream that is not tied to fee generation.
- Direct submission of the judicial branch budget to the funding authority.
- Greater flexibility in the expenditure of funds to encourage efficiency in the administration of justice.

The recommendations call on courts to demonstrate their fiscal responsibility by providing clear and detailed documentation for budget requests that takes into account the impact of costs beyond the control of courts. In order to build better relationships with the other branches of government and with the public served by the courts, the recommendations also encourage courts to engage in ongoing communication with their partners in government and with the public at large through regular meetings and the establishment of broad-based advisory bodies to help courts secure the funding necessary for the delivery of judicial services.

The full report and recommendations are available online at www.abanet.org/jd/courtfunding/funding_comm.html.

In addition, the Summer 2004 issue of *Judges Journal* focuses on state court funding. Copies of the issue will be available at the Annual Meeting, or you may order copies by contacting the ABA Judicial Division. Please contact Seth Andersen at 312/988-5124 or anderses@staff.abanet.org for more information.

Annual Meeting Points of Interest for Bar Association Staff and Presidents

If you are planning to attend the NABE/NCBP/NCBF Annual Meeting in Atlanta, here a few highlights:

Harvard Law School professor Charles Ogletree Jr. a noted legal theorist and prominent civil rights attorney, will be the keynote speaker at the NCBP/NABE/NCBF meeting on Friday, August 6 at 8:45 a.m.

The Legislative and Governmental Advocacy Update on Thursday, August 5 will be a great chance to get updates on national legislative issues. The event, which will take place from 4:00 p.m. – 5:30 p.m., will feature several prominent panelists. Scheduled to appear on the panel are Helaine Barnett, president of the Legal Services Corporation, and ABA President Dennis Archer.

NCBP and NCBF members are invited to attend the NABE track session “Managing Divisive Issues – Entering the Fray and Living to Tell About It” on Thursday, August 5 from 1:45 p.m. – 2:45 p.m. The discussion will focus on hot topic issues for lawyers – gay marriage, the John Edwards nomination, and other issues – and how bar associations should respond.

ABA Urging Appeal of FCC “Do Not Fax” Rules

Starting in January 2005, the Federal Communications Commission will eliminate the so-called “established business relationship” exception to the general prohibition against unsolicited facsimile advertisements to members of associations. The ABA, along with other associations, has been monitoring and urging Congress to override the rule.

Currently the House of Representatives and the Senate Committee on Commerce, Science and Transportation have approved similar bills that preserve the exception. Consumer advocates had been looking to “water down” the exception by imposing time limits on solicitations, but a compromise emerged that would enable the FCC to issue time limits three years after the bill’s passage if there are significant complaints about junk faxing. The Congress is currently in recess and the bill should be voted on once Congress is back in session.

Several state bars, including those in New Jersey, Illinois, Missouri, Arkansas, Texas, and New York, have voiced their support for the legislation with the full exception.

For more information, please contact Larson Frisby at 202/662-1098 or frisbyr@staff.abanet.org.

ABA Book Examines America's Lawyer-Presidents, Traveling Exhibit Planned

With the announcement of John Edwards selection as the vice presidential candidate on the Democratic ticket, there has been a surge of interest around lawyers serving in the White House. The American Bar Association's Museum of Law has been working on a history of lawyers serving in the White House titled *America's Lawyer-Presidents: From Law Office to Oval Office*, which will be published in August.

Prepared by the ABA Museum of Law, the 362-page volume includes articles by presidential scholars and historians as well as a foreword by U.S. Supreme Court Justice Sandra Day O'Connor. It is the first book ever published on the topic.

In mid-September, a companion exhibit will premiere at the ABA Museum of Law's new facilities at 321 North Clark Street in Chicago. In 2006, the exhibit will begin a tour of cities around the country.

State and local bars interested in receiving review copies of the book, hosting programs and events (perhaps focusing on local lawyer-presidents), or learning more about the traveling exhibit should contact Norman Gross at 312/988-5730 or grossn@staff.abanet.org.

New Survey Reveals Lawyer's Technology Habits

Did you know that despite the pervasiveness of the Web, 58 percent of lawyers get their technology information from print publications? This fact and many more can be found in the ABA Legal Technology Resource Center's just released *2003 Legal Technology Survey Report*. The survey report discloses lawyers' use - or abuse - of today's technology. The five volume survey covers law office technology, litigation/courtroom technology, online research, mobile lawyers, and Web/communication technology.

Over 1,500 U.S. lawyers in private practice responded to this year's survey. The survey was sponsored by LexisNexis, a division of Reed Elsevier, Inc., and Thompson Legal & Regulatory. More information, including instructions on how to order copies or download the executive summary, may be found at <http://www.lawtechnology.org/surveys>.

The ABA's Legal Technology Resource Center has been the starting point for attorneys seeking information about implementing and understanding technology since 1985. The center offers bar associations and foundations several services to help better serve their members through technology, including Web site audits, presentations, articles and more.

For more information, please contact Catherine Sanders Reach at 312/988-5053 or sandersc@staff.abanet.org.

Mini-Grants to Bars Available for National Health Care Decisions Week

National Health Care Decisions Week is designed to educate the public about planning for end-of-life health care decisions. Funded by the U.S. Department of Health and Human Services, National Health Care Decisions Week is a collaboration of the ABA Section of Real Property, Probate and Trust Law, the American Medical Association, the National Bar Association, the National Medical Association and numerous other ABA Sections. To date, over 80 bar associations have partnered with local medical organizations to provide community education to thousands of people.

The program asks bar associations to partner with the medical community to conduct public programs on health care advance directives and organ and tissue donation, and to provide pro bono aid in preparation of advance directives and donation declarations.

October 17-23, 2004, is the week officially designated as National Health Care Decisions Week, but bar associations can participate by hosting programs anytime until the end of October. Once again, participating bar associations will qualify to receive up to \$500 in reimbursement for materials and advertising costs for each community program they host, provided that requests for reimbursement are postmarked no later than November 19, 2004.

For more information about National Health Care Decisions Week, please contact Anne Hoenig at 312/988-5590 or ahoenig@staff.abanet.org.

To register or to print National Health Care Decisions Week materials, please visit www.abanet.org/rppt/committees/pt/e3/hcdw/home.html.

Awards

Richter Award Nominations Due August 20

The National Association of Bar Executives' Communications Section is seeking nominations for the E.A. "Wally" Richter Leadership Award. Members of the National Association of Bar Executives have the opportunity to honor a Communications Section member for his or her leadership to the section, active participation in professional communications and public relations activities and commitment to the professional growth of bar communicators.

This Richter Award recognizes a section member for "outstanding achievement in the field of communications, for extraordinary services to colleagues in the National Association of Bar Executives, and for distinguished leadership of the Communications Section." The award is named for Wally Richter, its first recipient and a preeminent bar communicator who served as director of public information for the Missouri Bar for 28 years. The award will be given out at the Communication Section Workshop, which is being held from October 6-9, 2004, in Minneapolis, MN.

The deadline for all entries is August 20, 2004. Please direct questions to Gary Toohey, Richter Awards Committee chair, 573/635-4128, garyt@mobar.org; or to Elizabeth Derrico, 312/988-5346 or derricoe@staff.abanet.org.

The nomination forms can be found online at www.abanet.org/nabe/awards/richternomform04.pdf.

Award criteria can be viewed at www.abanet.org/nabe/awards/richtercriteria04.pdf. Previous winners can be found at www.abanet.org/nabe/corichter.html.

Substance Abuse Committee Looking for Nominations for Grants, Awards

The ABA Standing Committee on Substance Abuse is looking to honor bar associations, lawyers and courts that host programs that deal with truancy prevention and literacy service programs. The committee will be giving grants and awards to further promote excellent programs. The grants come from a partnership with the ABA and the Scripps Howard Foundation. In addition, the committee annually presents the American Bar Association-Scripps Howard Foundation Distinguished Service to Literacy Award. The award honors an outstanding program, bar association, or lawyer for exceptional efforts in addressing literacy, truancy, and substance abuse in a given community.

Any bar association member is eligible to submit a nomination for the award, which includes a \$5,000 stipend for a literacy program chosen by the recipient. Members of the committee will review all nominations and ultimately choose the award recipient. The deadline for letters of nomination is September 1, 2004. For more information and further guidelines, please contact Valerie Adelson at 202/662-1784 or adelsonv@staff.abanet.org.

Gambrell Winner Announced

The ABA Standing Committee on Professionalism is pleased to announce the winners of the 2004 E. Smythe Gambrell Professionalism Awards. This year's awards, in the amount of \$3,500 each, will be presented to Southern Illinois University School of Law for its Professionalism Development Workshop Series for First-Year Law and to Wake Forest University School of Law for its Professionalism Program. Award criteria include overall quality, replicability, likelihood of continuation, established history, proactive nature, effectiveness, and other distinguishing features of the applicant programs. The ultimate objective of the award is to encourage groups to establish or replicate effective programs to heighten the awareness of lawyers and law students to the importance of professional responsibility and to ensure maintenance of the highest principles of integrity and dedication to the legal profession and to the public. Law schools, bar associations, law firms and not-for-profit law related organizations are eligible for the award. The awards will be presented at the upcoming NCBP/NABE/NCBF joint luncheon at the annual meeting in Atlanta, Georgia.

The award is named for E. Smythe Gambrell, who served simultaneously as president of the ABA and the American Bar Foundation in 1955-56. Gambrell founded the Legal Aid Society in Atlanta, where he practiced law from 1922 until his death in 1986. For more information about the awards, visit www.abanet.org/cpr/gambrell.html or contact Kathleen Maher at 312/988-5307 or maherk@staff.abanet.org.

Resources

ABA, National Bar Association Establish Free Hotline to Help African-American Lawyers

The National Bar Association and the ABA Commission on Lawyer Assistance Programs (CoLAP) have established a hotline number for members of the NBA struggling with quality of life issues such as stress, depression and addictions. Lawyers may call 866/LAW-LAPS (866/529-5277) to receive confidential advice and resources.

For more information on the hotline, please contact Donna Spilis at 312/988-5359 or spilisd@staff.abanet.org.

ABA Book Publishing Discount Program

Are you looking for innovative and easy ways to generate additional revenue for your association? ABA Book Publishing Discount Program is here to help. By purchasing books at a 40% discount, and re-selling them to your members, you can create a consistent non-dues revenue stream.

The process is fairly straightforward. First you advertise the books in your newsletter, Web site, mailings, or any other member correspondence. Then take the orders and email or fax them to us. We'll ship the books to you or directly to your customer and invoice your organization at a 40% discount. You then bill your customer and make a profit for your association!

There are no minimum quantities, or hidden charges. Discover what many state, local and specialty bar associations have already discovered - selling ABA books is a profitable way to deliver valuable information to your members. For more information on becoming a distributor, please contact Catherine Kruse at 312/988-6112 or krusec@staff.abanet.org.

Meetings

National Conference on Homeless Courts to be Held October 8, 2004

The ABA Commission on Homelessness and Poverty will be hosting a national conference on homeless courts. This conference should be of interest to bar leaders and staff (pro bono coordinators and staff directors for public interest law committees in particular) interested in innovative programming to address the special legal problems of homeless people.

The conference will be held on October 8, 2004, in San Diego, CA. Advance registration is available through August 20, 2004. To view a complete program and registration form, please visit http://w3.abanet.org/homeless/National_Conference_on_Homeless_Courts.pdf. Online registration is available at <http://w3.abanet.org/homeless/homelesscourtconference.html>.

For more information, please contact Amy E. Horton-Newell at 202/662-1693 or hortona@staff.abanet.org.