



ABA DIVISION FOR BAR SERVICES

# Miscellaneous *Memo*

Memo #90

-News You Can Use-  
From the ABA Division for Bar Services

January/February 2001



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Shelley Joksimovic, Editor  
[joksimos@staff.abanet.org](mailto:joksimos@staff.abanet.org)

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## People

### On the Move:

- **Donna Michaliga** is the new executive director of the **Prince George's County Bar Association (MD)**.
- On November 1, **Heather M. Bendit** became the new director of the **Philadelphia Bar Foundation**. Ms. Bendit is a lawyer and the former director of development of the Public Interest Law Center of Philadelphia.
- **Sandi Tabor** has resigned as executive director of the **State Bar Association of North Dakota** to become chief of staff for the North Dakota Attorney General.
- The executive director of the **Alameda County Bar Association (CA)**, **Bari Robinson**, has resigned. The executive search committee is in the process of seeking her replacement.
- On January 2, **Rae Jean McCall** became the new executive director of the **Kansas City Metropolitan Bar Association**, replacing **Bobbie Lou Nailling-Files**. Ms. Nailling-Files immediately began work as the executive director of the Kansas City Bar Foundation.
- New Year's also meant retirement for the following people: **Kathy Sirovey**, executive director of the **Oakland County Bar Association (MI)** and **Nancy Underwood**, associate executive director of the **Indiana State Bar Association**.
- **Jim Sajevic**, most recently the deputy executive director of the **Kansas City**

**Metropolitan Bar Association**, has accepted a position as a program manager of The Star in Education program at *The Kansas City Star*.

- **Jennifer Davis** left her position as the director of communications for the **State Bar of Georgia** on December 15. She has joined an Atlanta law firm, Hunton & Williams, as a practice development specialist. **Joe Conte**, Communication Director at the **State Bar of New Mexico** replaces Ms. Davis.

### **Bar Association Hero of the Month:**

This month's award goes to **Roger Parris**, director of communications for the **Bar Association of Erie County (NY)**.

Roger redefined the term "all-nighter" when he and executive director **Kathy Bifaro** and one other staff member spent the night at the bar after the city of Buffalo was hit with a major snowstorm on November 20. Less than a week later, Roger suffered a mild heart attack while visiting his sister in Massachusetts. We are happy to report Roger has recovered and is back at work.

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## *Issues*

### **Ninth Circuit Issues IOLTA Ruling**

On January 10, 2001, the Ninth Circuit Court of Appeals rendered its decision in *Washington Legal Foundation v. Legal Foundation of Washington*. The case raises First and Fifth Amendment challenges to the application of IOLTA to limited practice offers (individuals licensed to practice law for the limited purpose of conducting real estate closings) in the state of Washington.

The Ninth Circuit, addressing only the Fifth Amendment claim, reversed the district court decision, holding that the interest generated from IOLTA accounts in Washington is client property and that a taking of that property by the IOLTA program has occurred. The Court remanded the case to the district court on the issue of whether any just compensation is due. The Court did not find the IOLTA program to be unconstitutional or enjoin it from operating.

For more information or to obtain a copy of the decision, contact Bev Groudine, Counsel, ABA Commission on IOLTA, at 312/988-5771 or [bgroudine@staff.abanet.org](mailto:bgroudine@staff.abanet.org).

### **Legal Services Corporation to Receive Almost \$330 Million for FY 2001**

On December 21, 2000, President Clinton signed into law the bill funding the Departments of Commerce, Justice, State, the Judiciary and Related Agencies (CJS). This bill provides \$330 million for the Legal Services Corporation in 2001. However, to offset funding increases in other areas, Congress imposed an across-the-board funding cut of .22%. Therefore, LSC's total funding will be \$329,300,000. This amount exceeds the FY 2000 funding level of \$303,800,000 by more than \$25 million.

### **Get the Scoop from Media Relations**

Click on the ABA Division for Media Relations and Communication Services Web page (<http://www.abanet.org/media/home.html>) to learn more about noteworthy legal topics and decisions made by the American Bar Association.

## What's Going on in Washington, D.C.?

Keep track of the latest news in legislative and governmental advocacy by logging on to the ABA Governmental Affairs Office's home page (<http://www.abanet.org/poladv/home.html>).

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## Events

### **27th National Conference on Professional Responsibility**

The ABA National Conference on Professional Responsibility addresses recent trends and developments in legal ethics, professional discipline for lawyers, professionalism and practice issues. The 27th annual conference will be held May 31 - June 2, 2001, at the Loews Miami Beach Hotel in Florida. Topics will include ethics issues related to trial, law and ethics in the dot-com world, ethics guidelines for settlement negotiations, Ethics 2000 proposals and multijurisdictional practice. For more information, contact Brad Hoffman at 312/988-5305 or [bradhoffman@staff.abanet.org](mailto:bradhoffman@staff.abanet.org) or go to <http://www.abanet.org/cpr/prconf.html>.

### **ABA Health Law Section to Meet with State and Local Bar Leaders**

The ABA Health Law Section will once again convene a meeting of state and local bar leaders interested in health law at the annual Emerging Issues Conference in Orlando, FL. The summit will be held on Wednesday, February 7, 2001, and will focus on Florida's experience with health law specialization. For more information, contact Jill Peña at 312/988-5548 or [jillpena@staff.abanet.org](mailto:jillpena@staff.abanet.org).

### **"What You Really Need to Know to Get Business: Nitty Gritty Tips from the Client" Seminar Slated for Midyear Meeting**

The ABA Commission on Racial and Ethnic Diversity in the Profession, the Conference of Minority Partners in Majority Firms and the Minority Counsel Program in cooperation with the ABA Section of Business Law and the California Minority Counsel Program will sponsor this seminar from 3:00 - 5:00 p.m. at the San Diego Convention Center.

Naoko Fujii, senior corporate counsel for Pfizer, Inc., and Lance Gotthoffer, a senior partner with Oppenheimer, Wolff & Donnelly in New York, will provide insight into what you really need to know to get business. Space is limited, so reserve your seat now. There will also be a reception immediately following the seminar. For more information or to register, contact Candace Smith at 312/988-5643 or [smithc@staff.abanet.org](mailto:smithc@staff.abanet.org).

### **2001 ABA/NLADA Equal Justice Conference: Pro Bono, Innovations and Partnerships**

The ABA Standing Committee on Pro Bono and Public Service and the National Legal Aid and Defender Association announce their cosponsorship of the third annual Equal Justice Conference. The conference will be held March 29-31, 2001, at the Town & Country Resort Hotel in San Diego, CA. ABA President Martha Barnett is scheduled to speak at the conference. For more information, contact Dorothy Jackson at 312/988-5766 or [jacksond@staff.abanet.org](mailto:jacksond@staff.abanet.org) or go to <http://www.abanet.org/legalservices/probono.html>.

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## Projects

### **Ethics 2000 Update**

The Ethics 2000 Commission has released its report on recommended changes to the Model Rules of Professional Conduct. A copy of the report will be sent to the executive director of each bar represented in the House of Delegates. The Commission welcomes comments from state and local bars on its work. The report is available on the Commission's website, <http://www.abanet.org/cpr/ethics2k.html>, and may be reproduced for educational purposes. For more information, contact Sue Campbell at 312/988-5328 or [suecampbell@staff.abanet.org](mailto:suecampbell@staff.abanet.org).

### **Breast Cancer Advocacy Training Session at ABA Midyear Meeting**

The ABA Commission on Women in the Profession has launched "Project 2001," in conjunction with its Breast Cancer Legal Advocacy Initiative. "Project 2001" is a campaign designed to promote pro bono services among ABA members and educate attorneys on the legal issues facing women breast cancer survivors. As part of "Project 2001," the Commission is conducting a "Train the Trainers" session during the ABA Midyear Meeting in San Diego. The meeting will take place at the San Diego Hotel & Marina on Saturday, February 17, 2001, from 2:30 - 4:30 p.m. and is open to all ABA members interested in teaching other lawyers about these much needed legal services. For additional information, go to [http://www.abanet.org/women/cle\\_session.html](http://www.abanet.org/women/cle_session.html) or contact Gabi Kupfer at 312/988-5692 or [kupferg@staff.abanet.org](mailto:kupferg@staff.abanet.org).

### **Information on New Legal Access Standards for INS Detainees Available from ABA Immigration Pro Bono Project**

The Immigration and Naturalization Service (INS) recently promulgated the first-ever set of standards governing the treatment of 200,000 detainees held annually in detention centers, jails, and prisons around the country for immigration removal proceedings. The ABA began working with the INS and the Department of Justice five years ago to establish uniform rules regarding access to lawyer visits, telephones, group legal rights presentations and legal materials.

The ABA's Immigration Pro Bono Development and Bar Activation Project, which helped spearhead this effort, has now developed a manual for advocates on the INS Detention Standards. The manual includes detailed fact sheets on the specific legal access standards. For ordering information, contact Robert Lang at 202/662-1679 or [langr@staff.abanet.org](mailto:langr@staff.abanet.org).

### **New Commission on Public Financing of Judicial Campaigns**

Under the generous funding of The Joyce Foundation, the Standing Committee on Judicial Independence has established an eleven-person commission to study and develop standards for public financing of judicial campaigns. The two-year project will hold hearings to garner testimony from experts in the areas of public financing, election law, and judicial campaign finance reform. The product will be model standards to guide states interested in reforming judicial campaign financing by providing access to public funds. For more information, contact Debra Murphy at 312/988-5147 or [murphyd@staff.abanet.org](mailto:murphyd@staff.abanet.org) or go to <http://www.abanet.org/judind/home.html>.

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## Resources

### SERVICES

#### **Management Assistance Available for Lawyer Referral Programs**

The Standing Committee on Lawyer Referral and Information Service offers a free consulting service for not-for-profit lawyer referral and information services. The Program of Assistance and Review (PAR) is designed to:

- Help lawyer referral programs improve management and operations by providing on-site visits and advice from a team of experts
- Offers support through telephone consultations and follow-up on on-site visits
- Provides information about innovative procedures and services that have been used successfully around the country

For more information or to schedule a visit, contact Sheree Swetin, staff director for the Standing Committee, at 312/988-5755 or [sswetin@staff.abanet.org](mailto:sswetin@staff.abanet.org)

### PUBLICATIONS & VIDEOS

#### ***How to order:***

All new and existing American Bar Association publications can be obtained by contacting the ABA Service Center at 800/285-2221 or [service@abanet.org](mailto:service@abanet.org).

To view all publication listings or order online, go to <http://www.abanet.org/abapubs/home.html>.

Please refer to the product code noted for each resource when ordering.

#### **New Publication Available from the ABA Division for Bar Services**

Need new ideas to retain the members you've recruited? Sell a dues increase? Evaluate a potential new benefit? Generate more non-dues income? This new publication from the ABA Division for Bar Services, *Membership Development: A Guide to Obtaining and Retaining Members*, provides resources to assist your bar association to succeed in these areas and further develop your membership. The publication was developed using the expertise of bar association membership professionals and other association management experts.

Topics covered include: recruitment and retention; dues; benefits and services; non-dues revenue; and technology. For more information, contact Joanne O'Reilly at 312/988-5348 or [oreillyj@staff.abanet.org](mailto:oreillyj@staff.abanet.org).

The book sells for \$34.95. To order, contact the ABA Service Center at 800/285-2221 (Reference product code: 171-0105).

#### **Save 40% on Select ABA Publications by Participating in the ABA Book Publishing Discount Program**

You can save 40% on select ABA publications by participating in the ABA Book Publishing Discount Program. The program is targeted exclusively to bar associations and gives you the opportunity to generate additional revenue, enhance CLE programming or increase the value of your association membership.

For a complete listing of titles available through this program, go to <http://www.ababooks.org>. For detailed information on the program or to place an order, contact Cathy Flanagan at 312/988-6112 or [flanagac@staff.abanet.org](mailto:flanagac@staff.abanet.org).

### **New Resource for Media Training**

*Lawyers and Reporters: Understanding and Working with the Media*, published by the ABA Section of Litigation, will help you and your members develop an effective media training program - or strengthen the one you have in place. Lawyers and journalists share their own experiences and advise on how to avoid critical errors when responding to questions or seeking media attention for a client's case. The book includes interview techniques, how-to information, checklists, and key do's and don'ts. It is available to bar associations for educational purposes and for distribution at significant discounts. For more information, contact Cathy Flanagan at 312/988-6112 or [flanagac@staff.abanet.org](mailto:flanagac@staff.abanet.org).

### **ABA Division for Public Education Launches *Insights***

Do Americans really understand the way Congress works? How constitutional amendments are made? How Supreme Court decisions affect their daily lives?

To answer these questions and many more, turn to *Insights on Law & Society*, a new quarterly print and on-line magazine created by the ABA Division for Public Education to provide educators with information on U.S. government, history, law and civics.

The Web-based version of *Insights* is available by subscription at <http://www.insightsmagazine.org>. For more information, contact Jane Moisant at 312/988-5729 or [moisantj@staff.abanet.org](mailto:moisantj@staff.abanet.org).

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## *Awards*

### **CALL FOR NOMINATIONS:**

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|------------------------------|--|
| <b>Entity:</b>               | ABA Standing Committee on Legal Aid and Indigent Defendants and the National Legal Aid and Defender Association  |
| <b>Name of Award:</b>        | 2001 Harrison Tweed Award  |
| <b>Criteria:</b>             | Any state or local bar association that has developed or significantly expanded a project or program for providing access to legal services for the poor may apply or be nominated. The awards will be presented at the 2001 ABA Annual Meeting in Chicago in recognition of work done during the year beginning April 1, 2000. Projects that began prior to that date will be considered if substantial services have been provided during the period from April 1, 2000, through March 31, 2001. |
| <b>Deadline:</b>             | Nominations must be postmarked by March 31, 2001   |
| <b>Contact:</b>              | Patricia Wagner, 312/988-5757 or <a href="mailto:wagnerp@staff.abanet.org">wagnerp@staff.abanet.org</a>  |
| <b>For more information:</b> | <a href="http://www.abanet.org/legalservices">http://www.abanet.org/legalservices</a>  |

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**Entity:** ABA Section of State and Local Government Law  
**Name of Award:** Fourth Annual Jefferson Fordham Awards  
**Criteria:** 4 awards given for outstanding achievement in:  
A) Law Office Accomplishment Award  
B) Lifetime Achievement Award  
C) Advocacy Award  
D) Up & Comers Award  
**Deadline:** Nominations must be received by April 15, 2001  
**Contact:** Arthur Garwin, 312/988-5294 or [agarwin@staff.abanet.org](mailto:agarwin@staff.abanet.org)  
**For more information:** <http://www.abanet.org/cpr>

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**Entity:** ABA Standing Committee on Professionalism and the Center for Professional Responsibility  
**Name of Award:** Gambrell Professionalism Awards  
**Criteria:** Up to three awards, in the amount of \$3,500.00 each will be awarded for projects aimed at enhancing professionalism among lawyers.  
**Deadline:** Entries must be received on or before March 30, 2001  
**Contact:** Arthur Garwin, 312/988-5294 or [agarwin@staff.abanet.org](mailto:agarwin@staff.abanet.org)  
**For more information:** <http://www.abanet.org/cpr>

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**Entity:** ABA Section of Business Law's Pro Bono Committee  
**Name of Award:** 2001 National Public Service Award  
**Criteria:** The award recognizes significant pro bono services rendered to the poor in a business context and the achievements resulting from the public service work for the clients and the client groups represented (Nominees may not include either individuals who provide legal services to the poor for a fee or organizations predominantly serving the poor).  
**Deadline:** Nominations must be received by February 1, 2001  
**Contact:** Joanne Travis, 312/988-5680 or [travisj@staff.abanet.org](mailto:travisj@staff.abanet.org)  
**For more information:** <http://www.abanet.org/buslaw/probono>

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**Entity:** ABA Juvenile Justice Center  
**Name of Award:** Livingston Hall Juvenile Justice Award

**Criteria:** Nominees should be active members of the bar of the highest court of any state, should devote a significant portion of their professional activity to advocacy on behalf of children, and should demonstrate commitment to representing juvenile clients with the highest degree of skill and professionalism.

**Deadline:** Nominations must be received by March 31, 2001

**Contact:** Sadie Rosenthal, 202/662-1506 or [rosenths@staff.abanet.org](mailto:rosenths@staff.abanet.org)

**For more information:** <http://www.abanet.org/crimjust>

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**Entity:** ABA Standing Committee on Pro Bono and Public Service

**Name of Award:** 2001 ABA Pro Bono Publico Awards

**Criteria:** Individual attorneys who do not obtain their income delivering legal services to the poor are eligible. Large and small firms, corporate law departments, government attorney offices and other institutions in the legal profession whose members have collectively made an outstanding contribution toward one of the award's criteria are also eligible.

**Deadline:** Nominations must be received by March 1, 2001 (Award recipients will be notified no later than April 13, 2001)

**Contact:** Dorothy Jackson, 312/988-5766 or [jacksond@staff.abanet.org](mailto:jacksond@staff.abanet.org)

**For more information:** <http://www.abanet.org/legalservices>

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**Entity:** ABA Standing Committee on Environmental Law

**Name of Award:** ABA Award for Distinguished Achievement in Environmental Law

**Criteria:** Individuals or organizations that have distinguished themselves in the field of environmental law and policy, contributing significant leadership in improving the substance, process or understanding of environmental protection and sustainable development. Eligible individual nominees must be lawyers and may include academics, policymakers, legislators, practitioners, members of the judiciary or journalists. To be eligible for nomination, practitioners must be duly licensed members of a bar association in good standing.

**Deadline:** Completed packets must be received by April 6, 2001

**Contact:** Eileen Zorc, 202/662-1694 or [zorce@staff.abanet.org](mailto:zorce@staff.abanet.org)

**For more information:** <http://www.abanet.org/publicserv>

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<b>Entity:</b>	ABA Center for Professional Responsibility
<b>Name of Award:</b>	Michael Franck Award for Professional Responsibility
<b>Criteria:</b>	The award honors individuals whose career commitments in areas such as legal ethics, disciplinary enforcement, and lawyer professionalism demonstrate the best accomplishments of lawyers in modern society. Although a nominee's significant contributions to the work of the organized bar merit strong consideration, noteworthy scholarly contributions made in academic settings, creative judicial or legislative initiatives taken to advance the professionalism of lawyers justify nomination as well.
<b>Deadline:</b>	Nominations and supporting documents must be received no later than May 4, 2001
<b>Contact:</b>	George Kuhlman, 312/988-5305 or <a href="mailto:gkuhlman@staff.abanet.org">gkuhlman@staff.abanet.org</a>
<b>For more information:</b>	<a href="http://www.abanet.org/cpr">http://www.abanet.org/cpr</a>

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## **ABA Immigration Pro Bono Development Announces Competition for Mini-Grants**

The ABA Immigration Pro Bono Development and Bar Activation Project invites bar association-sponsored pro bono programs to apply for mini-grants of up to \$5,000 to provide legal assistance to immigrants, refugees and newcomers to the United States. Funded projects will demonstrate a concrete plan to involve the private bar in pro bono representation of the foreign-born and will show collaboration with local community-based organizations currently providing direct legal services to newcomers. Proposals must be postmarked by March 15, 2001. For a copy of the request for proposals and applications form, please e-mail Bob Lang at [langr@staff.abanet.org](mailto:langr@staff.abanet.org). For more information, contact Christopher Nugent at 202/662-1008 or [nugentc@staff.abanet.org](mailto:nugentc@staff.abanet.org).

## **ABA Awards for Outstanding Law Day Activities Announced**

The ABA Standing Committee on Public Education will present the following bar foundation and association awards for 2000 Outstanding Law Day Activities at the Midyear Meeting in San Diego next month:

### **Baton Rouge Bar Foundation**

In the weeks leading up to Law Day 2000, students of all ages celebrated their freedom by participating in a poster contest, an essay contest, and an elementary school play. The play, "Father Chief Justice," depicted the life of E.D. White, the only U.S. Supreme Court Justice from Louisiana.

### **Houston Bar Association**

The Houston Bar Association's Law Day 2000 activities focused on public education, with an emphasis on introducing culturally diverse groups of young children to Law Day and the importance of law in a democratic society. The programs were the result of cooperative efforts among the public library system, the courts, city government and Houston Bar Association volunteers.

### **Genesee County Bar Association (MI)**

Law Day 2000 in Genesee County, MI, focused on the increasing concern of under-representation of minorities and others in jury pools. The theme, "Jury Duty: It Isn't

Fair If You're Not There," heralded the first Juror Appreciation Day at the Circuit Court, which featured complimentary refreshments, T-shirts, legal brochures and free legal advice.

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## *Share the Wealth*

As part of our "Share the Wealth" program, we publish brief program/project descriptions from state and local bars with every other issue of *Miscellaneous Memo*. If you have an exciting new program or a successful ongoing program that you'd like to share with your peers, here's your chance to shine. Just provide a brief description of your program including the information requested below. Submissions can be faxed to Shelley Joksimovic at 312/988-5492, mailed to the address below, or sent to Shelley via e-mail at [joksimos@staff.abanet.org](mailto:joksimos@staff.abanet.org). We reserve the right to edit all submissions.

**The deadline to be included in the next edition is February 26, 2001.**



*Note: This form is compatible with Netscape and IE 4.0+ browsers only. If you are using an older version of Internet Explorer, either send your news via e-mail or else fill in and fax the printable form available on the left.*

Association Name:

Completed By:

Name of  
Program/Publication:

Description:

Contact Person:

Phone:

E-mail:

**Mailing Address:**

**Shelley Joksimovic  
ABA Division for Bar Services  
541 N. Fairbanks Court  
Chicago, IL 60611-3314**

**Phone: 312/988-5354 Fax: 312/988-5492**

**E-mail: [joksimos@staff.abanet.org](mailto:joksimos@staff.abanet.org)**

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