

Miscellaneous *Memo*

July 2002

News

MJP, Immigration, Terrorism and Judicial Independence Top Annual Meeting Issues

Multijurisdictional reform will take center stage at the ABA Annual Meeting which will be held in Washington, D.C. from August 8 to August 13, 2002. The ABA MJP Committee issued its Final Report in early May that recommends the ABA re-write its Model Rules of Professional Conduct to allow limited practice of law in jurisdictions where a lawyer is licensed. The report also recommended changes to pro-hac vice rules, practice of law by foreign lawyers and other MJP-related issues.

Debate in the ABA House of Delegates, composed of 539 delegates representing ABA entities, state and local bar associations, and affiliate organizations, will take place at the Marriott Wardman Park, Marriott Ballroom, Lobby Level, from 10 a.m. to 5 p.m. on Monday, August 12th, and from 9 a.m. to noon on Tuesday, August 13th.

Other recommendations currently on the agenda for the debate include:

- Supporting legislation providing non-citizens who reside in and demonstrate significant ties to the United States with an opportunity to acquire lawful permanent residence
- Urging protections of the rights of immigration detainees
- Urging legislation to curb abusive, deceptive or fraudulent lending practices
- Supporting the freedom to pursue scientific knowledge for the maintenance and improvement of human health and oppose governmental actions that would prohibit scientific research conducted for therapeutic purposes or penalize individuals or research entities that participate in such research
- Encouraging the study of judicial campaigns and the dissemination of information and conduct in campaigns that addresses the need to enhance the public's knowledge about and confidence in the justice system
- Calling upon the President to continue making prompt nominations for the federal bench and urge the Senate Judiciary Committee to clear nominees for full Senate confirmation within two months, except in extraordinary circumstances
- Amending the Model Rules of Professional Conduct to provide guidance for lawyers' participation in referral arrangements with other lawyers and non-lawyers.

Copies of reports over with recommendations on these issues are available online at www.abanet.org/leadership/recommendations02/summary.html or by contacting Beth Akins at 312/988-6142 or akinsb@staff.abanet.org.

NABE, NCBF, NCBP Annual Meeting Program Available Online

The programs for NABE, NCBF and NCBP programming at the ABA Annual Meeting are online. To view the program, please visit <http://www.abanet.org/barserv/annualprogram2002.pdf>.

Also, the CLE listing for the Annual Meeting is located at <http://www.abanet.org/annual/2002/cle.html>.

For more information regarding NABE, NCBF, NCBP please visit the Meetings section of this newsletter.

Dialogue on Freedom Gains Momentum

The ABA's new Dialogue on Freedom program, conceived by U.S. Supreme Court Associate Justice Anthony Kennedy, has created a national forum in which young people can discuss American society and democratic values in the wake of the September 11 attacks. Since its public launch in late January, more than 200 dialogues have been held from coast to coast, the majority in conjunction with local and state bar association Law Day activities.

In addition to Justice Kennedy, local judicial and legal leaders as well as nationally known government dignitaries participated in events, including: first lady Laura Bush, Sen. Joseph Biden, Sen. Carl Levin, Sen. Edward Kennedy, Rep. Tom Allen, Maine Chief Justice Leigh Saufley, Minnesota Chief Justice Kathleen Blatz, and Harvard Law School Prof. Arthur Miller.

ABA leadership have participated in dialogues in the classrooms of Washington, D.C., New York, Detroit, Portland, Minneapolis, and Catawba County, N.C. More information about those programs can be found online at www.abanet.org/media/dialog_on_freedom.html. For more information about the program and find out how to host one, please visit www.dialogueonfreedom.com.

At the ABA Annual Meeting at the Omni Shoreham, Empire Room Level 2B, on Sunday, August 11 from 3:00 p.m. - 4:30 p.m. The Hon. Anthony Kennedy and Harvard Law School Pro. Arthur Miller will conduct a special "Dialogue" with local Washington, D.C. high school students.

Rule of Law Campaign Kicks Off

On July 1, the ABA launched a new initiative highlighting the importance of our rule of law and democratic principles in the aftermath of September 11th. The campaign is designed to engage all Americans in serious discussions about democracy, freedom, and the values that underlie our system of government.

The initiative is composed of three elements:

- 1) Showcasing a series of advertisements celebrating the Constitution and encouraging debate and dialogue on important issues facing the nation during this critical time.
- 2) Continuing and expanding upon an initiative developed by Supreme Court Associate Justice Anthony Kennedy called "Dialogue on Freedom," where lawyers and judges have been going into high schools around the country to talk about democracy, freedom and the value of our constitutional system of government
- 3) Engaging the American public in conversations about important issues and challenges that demand thoughtful discussion and dialogue, creating opportunities at community town meetings and interactive World Wide Web conversations.

For more information about the campaign, please visit www.aba-dialogue.org.

2003 Law Day Theme Announced

The 2003 Law Day theme will be **Celebrate Your Freedom: Independent Courts Protect Our Liberties**. Law Day will be held, as customary, on May 1, 2003

This theme focuses on courts and their centrality to the rule of law that protects our freedoms. Law Day can help people understand that “independent” courts are fair, impartial, and dedicated to the rule of law. The theme gives us the opportunity to stress the importance of a judiciary free from political interference.

For more information and a schedule of Law Day activities, please visit www.abanet.org/publiced/lawday/theme2003.html.

Two Opportunities to Help with Legal Assistance to Military Personnel

The ABA Standing Committee on Legal Assistance for Military Personnel will be offering a special CLE class for lawyers interested in practicing before the Court of Appeals for the Armed Forces. On August 15, 2002, the Honorable Judge James Baker of the United States Court of Appeals for the Armed Forces will hold a CLE class in Quantico, Virginia at the U.S. Marine barracks. Lawyers interested into the program should contact Glen Fischer of the ABA, at 312/988-5755 or fischer@staff.abanet.org and also visit www.armfor.uscourts.gov/BarApp.htm.

Also available from the ABA is a guide for those who give pro bono civilian legal assistance to members of the military. The 90-minute CLE program titled "Advanced Soldiers' and Sailors' Civil Relief Act (SSCRA)" should be available early August. The panel discussion-format program, now in post production, will be available as a Web cast and on CD-ROM. SSCRA is one of the key laws that protects the rights of active duty servicemembers and reservists. For details contact Glen Fischer of the ABA, at 312/988-5755 or fischer@staff.abanet.org.

Awards

Silver Gavel Award Given Out to Seven Media Properties

The American Bar Association has announced seven recipients of the 45th annual ABA Silver Gavel Awards in several media categories including books, magazines, new media, newspapers, television drama, television news, and radio. Three entrants also received honorable mentions. The ABA Silver Gavel Awards, first given in 1958, recognize excellence in media and the arts for fostering public understanding of law and the legal system.

The seven Silver Gavel Award winners for 2002 are being recognized for work originally published, produced or presented during 2001. They are:

Books

An American Insurrection: The Battle of Oxford, Mississippi, an account of the dramatic series of events in fall 1962 precipitated by the decision of black veteran James Meredith to enroll at the segregated University of Mississippi.

Magazines

“Series on Liberty and Justice” from *Congressional Quarterly Researcher*, a collection of nine periodical reports on potential threats to liberty and justice facing Americans today.

New Media

www.360degrees.com, an innovative educational tool produced by Picture Projects that uses a host of interactive Web technologies to engage users in an exploration of the American criminal justice system, with particular emphasis on prisons.

Newspapers

“A Duty to Protect,” an investigative series by *The News Tribune*, which found that parole officers in the state of Washington routinely failed to meet minimum standards for supervising dangerous felons and that their supervisors did not hold them accountable.

Radio

Minnesota Public Radio’s project “Color of Justice” spotlights the issue of racial disparities in the state’s criminal-justice system.

Television Drama

The Killing Yard, a Showtime cable television motion picture that dramatizes the trial of Bernard Strobe (aka “Shango”), a black Attica inmate charged with killing two fellow white inmates during the New York state prison uprising in 1971.

Television News

“*Frontline: Juvenile Justice*” follows the stories of four young offenders in the juvenile justice system of Santa Clara County, Calif.

Winning entries will be incorporated into the permanent archives for the Silver Gavel Awards maintained for the ABA by the Jamail Center for Legal Research, Tarlton Law Library, University of Texas School of Law, Austin, Texas. For more information on the award, please visit www.abanet.org/publiced/gavel/

Contributions to Environmental Law Recognized

Bar association staff and leaders are invited to attend a ceremony and reception honoring the recipients of the 2002 ABA Award for Distinguished Achievement in Environmental Law and Policy. Daniel C. Esty, Director, Yale Center for Environmental Law and Policy (individual honoree) and the Vermont Law School Environmental Law Center (organizational honoree) will be honored for their signal contributions to the field of environmental law and policy. Brief presentations will be followed by a reception. This event takes place on August 12, 2002, 5:00 - 7:00 p.m. in Washington, D.C. at the Willard Inter-continental, Lower Level, Buchanan Room. For more information, please contact Elissa C. Lichtenstein at 202/662-1695 or elissa@staff.abanet.org

Gambrell Awards Recipients Named

The ABA Standing Committee on Professionalism recently announced the winners of the 2002 E. Smythe Gambrell Professionalism Awards. The awards will be presented at the upcoming ABA Annual Meeting in Washington, D.C. This year's winners are the East Bay Community Law Center/Boalt Hall School of Law, University of California, Berkeley for its Ethics and Professionalism Clinical Education Project and Yale Law School for its Lawyering Ethics Clinic. Award criteria include overall quality, replicability, likelihood of continuation, innovation, success, substantive strength in the area of professionalism, and other distinguishing features of the applicant programs. 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.

Pro Bono Publico Honorees Named

Three lawyers, a law firm and a state attorney general’s office will receive the 2002 American Bar Association Pro Bono Publico Awards during a noon luncheon on Aug. 12, at the Omni Shoreham Hotel in Washington, D.C., during the ABA Annual Meeting.

Receiving awards will be Michael Miller of New York; Luis A. Ochoa of Tuscon, Ariz.; Rebecca Rundgren of Denver; the law firm of Morrison and Foerster; and the Ohio Attorney General's Pro Bono Program. ABA President Hirshon will also acknowledge the outstanding work of a number of legal organizations that made significant contributions in the aftermath of September 11. Former first lady Roslaynn Carter will be the keynote speaker at the luncheon.

The ABA Standing Committee on Pro Bono and Public Service sponsors the awards. For more information, please visit the committee's Web site at www.abanet.org/legalservices/probono/home.html contact Steve Scudder at 312/988-5768 or scudders@staff.abanet.org.

Judicial Excellence Award Winners Announced

Two judges from Illinois and Hawaii, a judicial administrator from Colorado, and the National Highway Traffic Safety Administration National Outreach Division have won the 2002 Judicial Excellence Awards. The recipients will be honored at the ABA Judicial Division's luncheon on August 9 at the ABA Annual Meeting in Washington, D.C. The 2002 winners of the award are:

Judge S. Louis Rathje of Wheaton, Ill., will be receiving the Award of Judicial Excellence, presented by the Judicial Division National Conference of State Trial Judges.

Judge Marcia J. Waldorf of Honolulu will be honored with the Franklin N. Flaschner Judicial Award as the outstanding special court judge in the nation, presented by the Judicial Division National Conference of Special Court Judges.

Doug Somerlot of Denver will receive the Award of Excellence in Judicial Administration, presented by the Judicial Division Lawyers Conference

The National Highway Traffic Safety Administration National Outreach Division will receive the Judicial Education Award, presented by the Judicial Division National Conference of Special Court Judges.

Publications

New Book in ABA Lawyer Biography Series

The ABA Section of Litigation and ABA Publishing recently published *Fighting Injustice* by Michael E. Tigar. The book is the second volume in the **ABA Biography Series: Lawyers Pursuing Justice** that profiles successful lawyers who are visionaries, who inspire, or who are role models -- in short, who work to make a positive contribution to society and the legal system. The first book in the series was *A Lawyer's Journey* by Morris Dees. For more information on *Fighting Injustice* or *A Lawyer's Journey*, visit the ABA Publishing Web site at ababooks.org. If your bar association would like distribution copies or use them in a program, please contact Cathy Flanagan at 312/988-6112 or flanagac@staff.abanet.org.

Your bar association 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 detailed information on the program please visit www.abanet.org/abapubs/discountprogram.html

Meetings and Programs at the Annual Meeting

Legislative and Governmental Advocacy Update

- Congressional staff and ABA experts address several issues of concern to the organized bar, including:
- Legal Services Corporation (FY 2003 funding; confirmation of board nominees; status of Government Accounting Office review)
- Gramm-Leach-Bliley Privacy Act (ABA efforts to secure narrowly drafted legislation to exempt lawyers)
- State Justice Institute (FY 2003 funding)
- Terrorism-related legislation (“gatekeeper” money laundering proposals pertaining to attorneys)

The update will be held on Thursday, August 8 at the Omni Shoreham hotel in Washington, D.C.

National Caucus of State Bar Associations – Delegates Meeting

Features brief presentations on ABA House of Delegates resolutions of particular importance to bar associations

Meeting Place: Omni Shoreham, Congressional A + B Meeting Rooms at 10:00 a.m.

Outreach to State and Local Bar Association Representatives – Informational Meeting

Center for Human Rights Informational Meetings for Bar Leaders and Staff

The ABA Center for Human Rights will be hosting informational meetings for bar leaders and staff during the Annual Meeting.

The center’s focus is on continuing legal and judicial education about human rights and outreach to state, local and international bar associations and other human rights organizations. State and local bar representatives are invited to attend an informational meeting with the Center’s chair to discuss how the Center can assist bars in becoming more effective legal forces in the arena of human rights through local programming and outreach.

For more information, please feel free to contact Mary Ann Peter at 312/988-6155 or mpeter@staff.abanet.org