

ABA DIVISION FOR BAR SERVICES

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Campaign to Save the State Justice Institute Needs State and Local Bar Help

For the last year, the State Justice Institute (SJI), has been in budgetary and program limbo as the U.S. Congress voted to end budgetary support for the program in fiscal year 2003. As part of its wind-down budget for 2002, the Institute was allotted about \$3 million for fiscal year 2002. In response to Congress' action, the Institute's Board of Directors cancelled all fiscal year 2002 grant programs - Project Grants, Technical Assistance Grants, Judicial Branch Education Grants and scholarships.

The ABA teamed up with many partners within the justice system, and thanks to these lobbying efforts, Congress has decided to allocate another \$3 million for fiscal year 2003. But the SJI, along with the ABA and its partners, believe that level of funding is not enough for the Institute to conduct any significant programming.

To help keep SJI afloat, the ABA is recommending that state and local bar leaders take the following steps:

1. Immediately contact members of the House Appropriations Committee.
2. Contact your Congressional members who are on the CJS subcommittees or the full Appropriations Committees. If you have a personal relationship with one of the committee members, please call them directly. Members care about the views of their constituents and one-to-one contact is the most effective form of persuasion.
3. Contact members of your Congressional delegation to educate them about how SJI grants and projects have helped their state courts. Ask them to urge their colleagues on the Appropriations Committees to provide fiscal year 2003 funds.

The Governmental Affairs Office of the ABA has prepared several informational documents to assist in advocacy efforts on behalf of the SJI. They are available as an email attachment to this notice by contacting Denise Cardman at cardmand@staff.abanet.org or by calling 202/662-1761. Any of the documents may be used or distributed by your bar association. Additional resources are available on the SJI Web site (www.statejustice.org), including a list of SJI grants and projects that either have been awarded to courts or bar associations in your state or have benefited your state.

ABA Sues FTC over Gramm-Leach-Bliley

On September 25, 2002, the ABA filed suit seeking to establish that attorneys should not be subjected to the Title V, Subtitle A regulations of the [Gramm-Leach-Bliley Act](#). The same day, Congresswomen Judy Biggert of Illinois and Carolyn Maloney of New York introduced a bill to make clear that the duty to protect client privacy is properly that of the states.

The ABA believes that the Title V requirements of the Gramm-Leach-Bliley Act do not protect client confidentiality and is seeking legislative and judicial remedies. For more information on this issue, visit the [Gramm-Leach Bliley Act Fact Sheet](#). The suit filed by the ABA can be viewed [here](#).

For more information about the suit and the ABA's efforts regarding

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Gramm-Leach-Bliley, please visit the [Governmental Affairs Office](#) of the ABA or contact Ken Goldsmith at Goldsmithk@staff.abanet.org 202/662-1780.

Task Force Examining "Practice of Law" Definition

The ABA Task Force on the Model Definition of the Practice of Law has issued a draft definition of the "practice of law," designed to stimulate discussion and input on the subject. The definition can be viewed at the task force's Web site, which is located at www.abanet.org/cpr/model_def_home.html. The task force is accepting written opinions on the definition and will be holding a half day public hearing on the matter during the ABA Midyear Meeting in Seattle in February 2003. The deadline for written submissions is December 20,2002. For more information on the task force, as well as the proposed definition of "practice of law," please contact Art Garwin at 312/988-5294 or agarwin@staff.abanet.org

Freedom's Answer Campaign Announced, Lawyers and High School Students Team Up to Increase Voter Turnout

American Bar Association President Alfred P. Carlton Jr. is calling on lawyers around the country to join "Freedom's Answer," a nationwide campaign being led by high school students this fall to maximize voter turnout in federal elections. The project will send students into their communities to ask voters to pledge to vote in November as a way to thank our servicemen and women overseas and to demonstrate the strength of American democracy and freedom. It will remind us all that voting is both a hallmark of democracy and a blessing of freedom.

Carlton is urging lawyers to contact their local high school principals, to encourage their involvement in 'Freedom's Answer' by signing up on the Freedom's Answer Web site at www.freedomanswer.net and by bringing the project into classrooms and signing up students to solicit voter pledges. The students will also distribute ABA 'Voter Rights and Responsibilities' cards that outline what voters should know before going to their polling places to vote. Lawyers will be assisting in ongoing 'Freedom's Answer' programs, as well as starting programs in new schools wherever possible. In addition to organizing students, lawyers are being asked to teach classes on voting and to participate in award and incentive programs for student involvement.

More information about the project and a downloadable copy of the 'Voter Rights and Responsibilities' card is available www.abanet.org/vote. Information is also available at www.freedomanswer.net or by contacting Mike McGrath in the ABA President's Office at 312/988-5137.

Written Testimony Being Sought Regarding Role of the Judiciary in 21st Century

Established to evaluate the extent to which state judiciaries have become politicized, ABA President A.P. Carlton, Jr. recently established the Commission on the 21st Century Judiciary. The commission is holding four public hearings in fall of 2002 to solicit testimony from a variety of experts. In addition to testimony at the public hearings, the commission is soliciting written testimony from interested parties and organizations.

Please submit your written testimony, not to exceed fifteen pages, by November 30, 2002. The written testimony should be sent to Katy Englehart, American Bar Association, Office of the President, 750 N. Lake Shore Drive, Chicago, Illinois 60611. A cover page should be attached that provides a one-paragraph summary of the testimony, the name of the person and/or organization submitting the testimony, and contact information, including an e-mail address.

Questions about the scope of the Commission's inquiry should be directed to Eileen

Gallagher at gallaghE@staff.abanet.org or Seth Andersen at anderses@staff.abanet.org.

Public Hearings Now Underway on Corporate Responsibility

The ABA Task Force on Corporate Responsibility is convening three public hearings on its preliminary report, which is posted at www.abanet.org/buslaw/corporateresponsibility. The report examines systemic issues relating to corporate responsibility arising out of the unexpected and traumatic bankruptcies of Enron and other corporations. The report also recommends several revisions of rules relating to internal corporate governance and lawyer responsibilities and conduct, including amendments to the Model Rules of Professional Responsibility.

The task force is seeking specific, detailed comments on the preliminary recommendations. The task force welcomes oral and written testimony from interested groups or persons. Open hearings will be held in New York City on October 25, 2002; and San Francisco on November 11, 2002. For more information, please contact Sue Daly at 312/988-6244 or suedaly@staff.abanet.org.

ABA President A.P. Carlton, Jr. Addresses Legal Profession in Relation to Post September 11 Challenges

ABA President A.P. Carlton, Jr. has written an open letter to the legal profession addressing the September 11th, 2001 terrorist attacks and the role of lawyers in preserving American ideals. "Our law protects us from tyranny, rewards our creativity, punishes our corruptness. Our law facilitates that which is the greatest moral concept our species has ever had the temerity to develop; the concept of justice," he writes.

Bar associations are welcome to reprint the letter in their various publications. The letter can be viewed at www.abanet.org/leadership/ap_profession.html.

ABA President-elect Dennis Archer Outlines Vision

ABA President-elect Dennis Archer outlined his vision for the legal profession and presented a look at his tenure as president-elect of the ABA in remarks before the House of Delegates at the ABA Annual Meeting in August. To view the text of his speech, please visit www.abanet.org/media/dennisarcher8-13-02.doc

House of Delegates Approves MJP Reform at ABA Meeting

All nine of the proposed changes to ABA Model Rules of Professional Conduct related to multijurisdictional practice rules passed the House of Delegates at the ABA Annual Meeting which was held in early August in Washington, D.C. The recommendations approved were part of the Commission on Multijurisdictional Practice's final report. The new rules, if adopted by the states, would allow lawyers to practice law in states outside of where they are licensed if the lawyer:

- Performs nonlitigation work that arises out of, or is reasonably related to, the lawyer's home-state practice.
- Represents clients in, or is participating in, an arbitration or mediation proceeding.
- Provides litigation-related services in a state where he or she is or expects to be admitted.
- Works in association with a lawyer licensed in the host state.

In addition, rules allowing admission by motion were made simpler. For more information on the MJP reforms, please visit www.abanet.org/cpr/mjp-home.html or contact John Holtaway at 312/988-5298 or jholtaway@staff.abanet.org

National Health Care Decisions Week Offering Grants for Bar

Associations

National Health Care Decisions Week, geared to educate the public about decisions regarding end-of-life care is scheduled for October 20 - 26, 2002. Sponsored by the ABA Health Care Decisions Committee and co-sponsored by the American Medical Association and other ABA sections, the program is geared around providing information about end-of-life medical decisions as well as providing pro bono legal work and distribution of surveys.

In order to help bar associations conduct the program, the committee is reimbursing bars up to \$500 in material and advertising costs. For more information and to download forms, please visit www.abanet.org/rppt/committees/pt/e3/hcdw/2002-program-guidelines.pdf or contact Robin Roy at 312/988-5670 or robinroy@staff.abanet.org.

Report on Professionalism is Now Online

In an effort to better guide chief justices of state supreme courts and other members of the legal community including bar associations, the ABA Center for Professional Responsibility and the Conference of Chief Justices have recently posted the Implementation Plan for the Conference of Chief Justices' National Action Plan on Lawyer Conduct and Professionalism. The report outlines several steps courts and other members of the legal community can take to improve lawyer conduct and increase professionalism. The report, published last August with support from the Open Society Institute, is an outgrowth of discussions dating back to 1996.

The report can be viewed at <http://ccj.ncsc.dni.us/reports.html>. For more information about the report and the surrounding activities, please contact Ellyn Rosen at 312/988-5311 or rosen@staff.abanet.org

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Information Clearinghouse is Now Online

State and local bars are invited to take advantage of the ABA's Division for Bar Services' Clearinghouse, which is now online. The clearinghouse collects materials relating to state and local bar association administration, programming and activities. This material -- numbering some 15,000 documents in all - is now searchable by bar leaders and staff interested in administrative and policy issues. The catalog can be found at www.abanet.org/barserv/search.html. For more information or help with your questions, please contact Brian Myers at myersbw@staff.abanet.org or 312/988-5362

Market Research Now Available Online

The ABA Market Research recently launched their Web presence. Bar associations looking for statistics regarding the legal profession, whether it be state-by-state breakdowns or national data can find the information at www.abanet.org/marketresearch/resource.html. Special requests for information from the ABA can also be made at the site. For more information, please contact Tracie Moxley at 312/988-5543 or moxleyt@staff.abanet.org

Bar Services Consulting Offering Special Rate for Facilitation

Plan to plan -- and save!

If your board is interested in engaging in strategic planning in 2003, call now to reserve a retreat date and take \$50 off the facilitation fee. Visit the Bar Services [Web site](#), for more information about our Consulting Services Program, or contact Jennifer Lewin, Consultative & Research Services Coordinator, at 312/988-5361 or lewinj@staff.abanet.org.

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Award for Outstanding Young Lawyer and Law Student Essay Now Open

The Levit Essay Contest is now accepting entries for outstanding published pieces by young lawyers and law students. The winner of the award will receive a \$5,000 prize and an all-expense paid trip to the ABA Spring National Legal Malpractice Conference, to be held in New Orleans, LA on April 23-25, 2003. Complete details, including topics, format and deadlines for the 2003 contest are available at www.abanet.org/legalservices/lpl/levit.html. The contest is co-sponsored by the ABA Standing Committee on Lawyers' Professional Liability and the San Francisco law firm of Long & Levit, LLP.

For additional information, contact Glenn Fischer, Assistant Staff Counsel, at 312/988-5755 or by email at fischerg@staff.abanet.org.

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2003 Equal Justice Conference Set for Portland in April 2003

The 2003 Equal Justice Conference is scheduled for April 9 - April 12, 2003 in Portland, OR. The conference is a collaboration between the ABA Standing Committee on Pro Bono and Public Service and the National Legal Aid and Defender Association. The Equal Justice Conference brings together all components of the legal community to discuss equal justice issues. Client-based service and strengthening partnerships among the key players in the civil justice system are key components of this event. Through plenary sessions, workshops, networking opportunities and special programming, the conference provides a wide range of learning and sharing experiences for all attendees.

For more information, please contact Dorothy Jackson at 312/988-5766 or JacksonD@staff.abanet.org

National Lawyer Referral Workshop To Focus on Daily Operation of Referral Services

The ABA Standing Committee on Lawyer Referral and Information Service is now accepting registrations for its 2002 National Lawyer Referral Workshop, which will be held at the Loews Philadelphia Hotel, Philadelphia, PA on October 23 -26, 2002. This annual workshop provides leadership and training on issues relevant to the daily operation of a lawyer referral service. The workshop also addresses current issues and developments impacting state and local services. It is the country's only national conference for lawyer referral staff, committees and interested bar leaders. For complete details and registration, visit www.abanet.org/legalservices/lris/workshop.html. Or, for more information, contact Marsha Boone at 312/988-5786 or boonem@staff.abanet.org

ABA Day In Washington Set for April 2003

ABA Day in Washington, a chance for bar leaders to lobby members of Congress and other members of the government on issues related to the legal profession, has been set for April 29 - 30, 2003. ABA President A.P. Carlton, Jr. will lead the delegation of bar leaders, executives and ABA staff members. The event is co-sponsored by the National Association of Bar Executives, the National Conference of Bar Presidents, the ABA Section Officers Conference and the ABA Young Lawyers Division. More information can be found online at www.abanet.org/poladv/abadaysavethedate.html or by contacting Julie Strandlie at 202/662-1764 or jstrandlie@staff.abanet.org.

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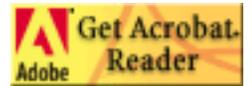
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