M E M O R A N D U M

TO: Section and Committee Chairs
    Presidents and Executive Directors of State and Local Bar
    Associations
    State and Section Delegates in the House of Delegates
    ABA Directors and Department Heads

FROM: Marina B. Jacks

SUBJECT: Summary of Action of the June 2011 Board of Governors Meeting

DATE: June 21, 2011

Attached is the Summary of Action of the June 10 -11, 2011, meeting of the
Board of Governors held at The Grand Del Mar in San Diego, California. This
Summary does not constitute official Minutes of the meeting. Minutes will be
presented to the Board for approval at the next meeting, in August 2011.

If you have any questions with respect to the action taken, please let me know.

CC: Board of Governors

Attachment
1. REPORTS OF OFFICERS AND THE EXECUTIVE DIRECTOR

The Board received the reports of the President, President-elect, Chair of the House of Delegates, Immediate Past President, Secretary-elect on behalf of the Secretary, Treasurer, and Executive Director. The minutes of the Board's February 11, 2011, meeting in Atlanta, Georgia, and April 18, 2011 e-mail ballot, were approved as presented. The minutes of the Executive Committee’s meetings of March 16 (e-mail ballot), March 24 (e-mail ballot), April 5 (e-mail ballot), April 15 (conference call), and May 11, 2011 (conference call), were received.

2. MATTERS FOR DIRECT BOARD ACTION

2.1 Request to Rescind Previous Board Action Approving the Tagline "For Justice and its Champions" and Reinstate the Tagline "Defending Liberty, Pursuing Justice"

The Board rescinded its August 6, 2010, action which changed the ABA tagline to "For Justice and its Champions" and reinstated the tagline "Defending Liberty, Pursuing Justice."

2.2 Status Report Regarding 2011 ABA Day in Washington

William C. Hubbard, Chair of the ABA Day in Washington Planning Committee, presented a report regarding 2011 ABA Day in Washington, held April 14-15 at the Hyatt Regency Washington on Capitol Hill. Approximately 300 bar leaders attended. Discussions with members of Congress focused on Legal Services Corporation reauthorization and funding, the Civil Rights Tax Relief Act, and the Paycheck Fairness Act. In addition, at a welcome dinner at the Canadian Embassy, the Association presented awards to four members of Congress in appreciation for their significant efforts to improve the justice system. Mr. Hubbard advised that ABA Communications and Media Relations developed a strategic plan for 2011 ABA Day, which contributed notably to its success. Talking points regarding key ABA issues were tailored to individual states and in meetings with members of Congress ABA participants emphasized that "access to justice is in the Constitution." Mr. Hubbard also thanked Director Thomas Susman, Legislative Counsel Kenneth Goldsmith, and the entire staff of the ABA Governmental Affairs Office (GAO) for their excellent work in coordinating this event. Mr. Hubbard informed the Board that he will have the privilege of serving as Chair of the Planning Committee for 2012 ABA Day in Washington, which will be held April 17-19, 2012, and he encouraged all Board members to attend. President Zack
commended Mr. Hubbard, and the staff of the GAO and Communications and Media Relations for their excellent work regarding 2011 ABA Day in Washington.

2.3 Requests for Adoption of Memorial Resolutions

The Board passed memorial resolutions recognizing the accomplishments, standards and achievements of a) former ABA Secretary Armando Lasa-Ferrer of Puerto Rico, who passed away May 3, 2011; and b) former Board member Honorable Resa L. Harris of North Carolina, who passed away May 2, 2011. The Board was also informed that Dean Norman Redlich of New York, a former Chair of the Section of Legal Education and Admissions to the Bar and former member of the House of Delegates, passed away June 10, 2011.

2.4 National Judicial College

a. Nominations

The Board, sitting as the Members of the National Judicial College (NJC), i) elected Honorable Paul J. DeMunitz of Oregon; and ii) re-elected Patricia Glaser of Los Angeles, California, and Lydia I. Bebee of San Ramon, California, as NJC representatives to the NJC Board of Trustees, all for three-year terms to commence at the conclusion of the summer 2011 meeting of the NJC Board and conclude at the end of the NJC Board meeting in summer 2014.

b. National Judicial College Presentation

The Board, sitting as the members of the NJC, heard a brief presentation from William F. Dressel, President of the National Judicial College (NJC). On behalf of the NJC Board of Trustees, President Dressel thanked the Board for its continued support of the NJC and discussed several of NJC’s current initiatives and courses including the NJC’s focus on the Twenty-First Century Juror. Mr. Dressel also thanked President Zack for highlighting the under funding of the justice system during his year as ABA President.

2.5 Fund for Justice and Education

The Board, sitting as the members of the Board of the American Bar Association Fund for Justice and Education (ABA/FJE) a) approved the minutes of the February 11, 2011, meeting of the ABA/FJE Board as presented and b) accepted the ABA/FJE restricted grants and contributions received or awarded through May 20, 2011, and not previously reported, as requested by the Association’s Financial Services Division.

3.14 Report and Recommendation From the ABA Washington DC and Chicago Office Space Committee

In executive session, the Board authorized the sale of the ABA Washington Office at 740 15th Street, NW, Washington, DC, subject to certain understandings.
2.6 Presentation and Discussion Regarding Diversity

At President Zack's request, the Board heard a comprehensive presentation regarding Diversity at the American Bar Association. Harold D. Pope, Board Liaison to the Center for Racial and Ethnic Diversity, moderated the discussion. The presentation included the following panels: a) The Legacy of Diversity at the ABA, presented by former ABA President Dennis W. Archer and ABA President-elect Nominee Laurel G. Bellows, which provided historical perspective; b) Individual ABA Diversity Entities, which consisted of presentations on the work of ABA diversity entities by Roberta D. Liebenberg, Chair, Commission on Women in the Profession; James J.S. Holmes, Member, Commission on Sexual Orientation and Gender Identity; Katherine H. O'Neil, Chair, Commission on Mental and Physical Disability Law; and I. S. Leevy Johnson, Chair, Center for Racial and Ethnic Diversity; c) The State of the Profession, which consisted of individual presentations on the standing of diversity in key segments of the legal profession (e.g., law schools, judiciary) by Kent Lollis, Vice President, Law School Admissions Council; Alberto Gonzales Pita, President, Association of Corporate Counsel; Honorable Ramona G. See, Chair, Judicial Division Judicial Clerkship Program; and Robert J. Grey, Jr., Executive Director, Leadership Council on Legal Diversity and former ABA President.

Mr. Pope also discussed the development of the ABA Diversity Plan which is intended to lead the ABA to achievement of Association Goal III (Eliminate Bias and Enhance Diversity). The Diversity Plan was submitted to the Board for approval at the June 2011 Board meeting. (See Exhibit 3.4 below.)

Thereafter, the Board heard a presentation from Thomas Saenz, President and General Counsel of the Mexican American Legal Defense and Educational Fund and a member of the Commission on Hispanic Legal Rights and Responsibilities. Mr. Saenz discussed key demographic statistics that demonstrate the increasing impact Hispanics will have in U.S. society in the future as well as an overview of the significant testimony presented at the hearings the Commission has held to date.

2.7 Consent Calendar: Report of Board Committee Chairs

The Board adopted the Consent Calendar as presented by the Secretary-elect. Action on all items contained on the Consent Calendar is set forth in items 3 through 5 of this Summary of Action relating to the reports of the Board Committees.

2.8 Additional Item: Letter to Secretary Gates

The Board authorized the ABA to send a letter to Secretary of Defense Robert Gates regarding the logistical challenges experienced by trial observers at Guantanamo Bay. The letter outlines the specific impediments which hinder the observers' ability to comment promptly and meaningfully on the proceedings and offers proposed solutions.
2.25 INFORMATIONAL REPORTS
& 2.26

The Board received written informational reports from the Commission on Women in the Profession and the Special Committee on Disaster Response and Preparedness.

3. OPERATIONS AND COMMUNICATIONS COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

3.1 Requests for Bylaw Amendments

a. Criminal Justice Section

The Board approved the request of the Criminal Justice Section to amend its bylaws to permit the First Vice Chair and Chair-elect to continue to advance through the Section's leadership track even if they change jobs and, as a result, switch from the position of prosecutor to the position of defense lawyer or vice-versa.

The Board deferred to the August 2011 meeting of the Board the proposed bylaw revision that would permit former Criminal Justice Section chairs to serve as Section Council members for the five years following the end of their term as Last Retiring Chair to give the Operations Committee time to assess the ABA-wide policy on longevity of service on entity governing bodies and to permit further consultation with representatives of the Criminal Justice Section.

b. Forum Committee on the Construction Industry

In February 2011, the Board declined to approve the request of the Forum Committee on the Construction Industry to amend its bylaws. The Forum revised and resubmitted the proposed bylaw amendments for the June 2011 meeting of the Board.

Subject to approval of the amendment of Section 32.1 of the ABA Bylaws by the House of Delegates at the 2011 Annual Meeting, the Board approved the Forum Committee on the Construction Industry's revised request to amend its bylaws to i) clarify the definitions of Forum Members, Law Student Members and Associates, ii) include Non-US Lawyer Associates and Student Associates in the Membership of the Forum, and iii) permit Non-US Lawyers to serve on the Forum’s Governing Committee.

c. Health Law Section

Subject to approval of the Section membership at the 2011 Annual Meeting in Toronto, the Board approved the request of the Health Law Section to amend its bylaws to i) provide that the Budget Officer’s term will be a single term of three years beginning with the close of the Annual Meeting in 2012, ii) create the position of a non-voting Budget Officer-Elect, whose term will be one year coinciding with the last year of the three-year term of the Budget Officer, effective at the conclusion of the 2011 Annual Meeting, and iii) enlarge the nominating committee to seven members and stipulate that not more than one person from the same firm or entity shall be a member of the
committee. The proposed amendments were approved by the Section Council on February 26, 2011.

d. **Law Student Division**

Subject to approval by the Division Assembly at the Annual Meeting on August 6, 2011, the Board approved the request of the Law Student Division to amend its bylaws to i) allow the appointed Executive Lieutenant Governor to become Circuit Governor in the event of a vacancy, and ii) create a Law Student Division Advisory Committee of 13 lawyer members from various ABA entities to strengthen relationships between the Division and other Association groups, and to expand opportunities for student involvement in the Association. The proposed amendments were approved by the Law Student Division Board of Governors on March 19, 2011.

e. **Section of Labor and Employment Law**

Subject to approval by the Section membership at the ABA Annual Meeting on August 6, 2011, the Board approved the request of the Section of Labor and Employment Law to amend its bylaws to i) increase the Section membership dues ceiling from $50.00 to $75.00, ii) change Section Council terms for employer/management and at-large members from four years to three years. (Terms for union and employee members will not change), and iii) change the term of the Young Lawyer Division liaison from one year to two years, to make the language of the bylaws consistent with Section practice. The proposed amendments were approved by the Section Council on April 30, 2011.

f. **Section of Science and Technology Law**

With one exception, the Board approved the request of the Section of Science and Technology Law to amend its bylaws to update them and make them consistent with current policy and practice. In pertinent part, the amendments i) update the Section mission, ii) raise the dues ceiling for law students to $15.00, iii) decrease the potential number of Section vice-chairs from four to two, iv) designate the liaisons from the Law Student Division and the Young Lawyers Division as *ex officio*, non-voting Council members, v) update duties of several of the Officer positions to better reflect their actual responsibilities, and vi) remove the provision that states the scope of the Section shall not extend to intellectual property matters. (The Section of Intellectual Property Law supports the removal of this restriction.) The proposed amendments were approved by the Section Council on February 11, 2011.

The Board declined to approve the Section of Science and Technology Law's request to increase the Section's dues ceiling for lawyers and associates from $50.00 to $100.00. Rather, the Board increased the Section's dues ceiling for lawyers and associates from $50.00 to $75.00, the current ceiling for Section/Division/Forum dues, and directed the Section to coordinate with the Standing Committee on Membership regarding any further increase in the ceiling.
3.2 **Nominations**

a. **A-E-F-C Pension Plan Administration Committee**

i. **American Bar Association Representative**

The Board i) elected John A. Krsul, Jr. of Michigan as Chair of the A-E-F-C Pension Plan Administration Committee (Pension Committee) for a second one-year term, to begin at the conclusion of the 2011 ABA Annual Meeting and end at the conclusion of the 2012 ABA Annual Meeting; and ii) re-elected Bernard T. King of New York to a second three-year term on the Pension Committee, to begin at the conclusion of the 2011 ABA Annual Meeting and end at the conclusion of the 2014 ABA Annual Meeting, as recommended by President-elect Robinson.

ii. **American Bar Endowment (ABE) Representative**

The Board elected Carolyn B. Lamm of Washington, DC, to a three-year term as the American Bar Endowment's (ABE) representative to the Pension Committee, to begin at the conclusion of the 2011 ABA Annual Meeting and end at the conclusion of the 2014 ABA Annual Meeting, as recommended by the ABE Board of Directors.

b. **American Intellectual Property Law Education Foundation (Section of Intellectual Property Law)**

The Board elected Susan M. McGahan of New Jersey as an ABA representative on the Board of Trustees of the American Intellectual Property Law Education Foundation (AIPLEF) for a three-year term commencing July 1, 2011 and concluding June 30, 2014, as recommended by the Section of Intellectual Property Law. In February 2002, the ABA Board approved ABA membership in AIPLEF, an organization formed by the Section and the American Intellectual Property Law Association to grant scholarships to encourage racial and ethnic minority law school students to study the field of intellectual property law and select it as a field of practice.

c. **Standing Committee on Audit**

The Board i) re-elected Marshall J. Doke of Texas, and ii) elected Catherine Richardson of New York, and incoming Board member Robert L. Rothman of Georgia, to the Standing Committee on Audit, all for three-year terms to begin at the conclusion of the 2011 ABA Annual Meeting and end at the conclusion of the 2014 ABA Annual Meeting, as recommended by President-elect Robinson.

The Board was also informed that President-elect Robinson will appoint Mr. Doke as Chair of the Standing Committee on Audit for the 2011-2012 Association year.

d. **Board of Elections**

The Board i) elected Honorable John D. Minton, Jr., Chief Justice of the Supreme Court of Kentucky, to serve as the Chair of the Board of Elections, and ii) re-elected Louise Michaux Gonzales of Maryland, and elected Harry Hathaway of California, as members on the Board of Elections, all to serve one-year terms beginning at the conclusion of the
2011 ABA Annual Meeting and ending at the conclusion of the 2012 ABA Annual
Meeting, as recommended by President-elect Robinson.

e. **Consortium for Citizens with Disabilities (Commission on Mental and Physical
Disability Law)**

The Board approved the request of the Commission on Mental and Physical Disability
Law for *ABA membership in the Consortium for Citizens with Disabilities* (CCD), a
coalition of national consumer, advocacy, provider and professional organizations
headquartered in Washington, DC. Since 1973, the CCD has advocated on behalf of
people of all ages with physical and mental disabilities and their families and also
provides research, reports, education and advocacy for individuals with disabilities on
topics ranging from employment and education to technology and transportation.

The Board also elected *Mildred Rivera-Rau* of Maryland as the ABA’s representative to
CCD for a three-year term.

f. **International Legal Assistance Consortium**

The Board elected *Salli Swartz* of Paris, France, as the ABA representative to the
International Legal Assistance Consortium (ILAC), for a three-year term beginning at the
conclusion of the 2011 ABA Annual Meeting and ending at the conclusion of the 2014
ABA Annual Meeting, as recommended by President-elect Robinson. A non-profit
organization formed under Swedish law and located in Stockholm, ILAC was founded
through the leadership of the International Bar Association, the International Commission
on Jurists, the Union Internationale des Avocats, and the Swedish Bar Association.
ILAC’s primary goal is to improve the international community’s approach to post-conflict
justice and judicial rehabilitation during post-conflict periods. The Board approved ABA
representation in ILAC in August 2002.

### 3.3 ABA Medal

In executive session, the Board selected David Boies of New York and Theodore B.
Olson of Washington, DC, as joint recipients of the 2011 ABA Medal.

### 3.4 Request for Approval of ABA Diversity Plan

The Board approved the request of the Center for Racial and Ethnic Diversity, the
Commission on Sexual Orientation and Gender Identity, the Commission on Women in
the Profession, and the Commission on Mental and Physical Disability Law for adoption
of a Diversity Plan for the Association, which is intended to lead the ABA to achievement
of Goal III (Eliminate Bias and Enhance Diversity) as it applies to the Association itself,
and thereby to ensure the full and equal participation of all eligible persons (including
attorneys and law students) and the elimination of bias in the ABA.

### 3.5 Requests to Establish or Make Changes to Existing Awards

(Note: No additional ABA general revenue is requested or required for these awards.)

a. The Board deferred to the August 2011 meeting of the Board the request of the

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Center for Children and the Law to establish the annual Mark Hardin Award for Child Welfare Legal Scholarship and Systems Change and requested that the Center submit additional information to demonstrate “extraordinary circumstances” that justify naming the award after a living individual, as required by the ABA “Guidelines for the Establishment of Awards.”

b. The Board approved the request of the Commission on Sexual Orientation and Gender Identity to establish the annual Stonewall Award to be presented at the ABA Midyear Meeting to a maximum of three attorneys, members of the judiciary, or academics for their contributions to the advancement of lesbian, gay, bisexual, and transgender (LGBT) individuals in the legal profession, and/or to LGBT legal issues. The actual award will be a glass art sculpture with an approximate value of $200.00.

c. The Board approved the request of the Forum on Communications Law to establish the following annual scholarships to permit three law students to attend the Forum annual conference and Media Advocacy Workshop held in February of each year: i) the Forum on Communications Law Annual Scholarship, awarded to an international student (a student who is a permanent resident of a country other than the U.S.) and to a minority student; and ii) the Dick Goehler Annual Scholarship, a general scholarship for which any law student is eligible, named in memory of Mr. Goehler, a past Forum Chair who passed away March 15, 2011. Each scholarship provides payment of expenses (hotel lodging, airfare and ground transportation, meals, and registration fees) for both the Forum annual conference and Media Advocacy Workshop.

d. The Board approved the request of the Justice Center Coordinating Council to modify the 2001 Board action approving the John Marshall Award to permit the Coordinating Council to name two recipients of the award in 2011 only. In 2011 the Coordinating Council wishes to present the award to retired Justice Sandra Day O'Connor and former ABA President William Neukom.

e. The Board approved the request of the Section of Administrative Law and Regulatory Practice to make changes to the Gellhorn-Sargentich Law Student Essay Award Competition, approved by the Board in 2008, to increase the number of submissions for the award, and enhance the depth of papers recognized as winners of the award:

f. The Board approved the request of the Section of Family Law to change the name of the Section of Family Law Lifetime Achievement Award, approved by the Board in 2002, to the “Section of Family Law Louise B. Raggio Legal Legacy Award” to honor the memory of Past Chair Louise B. Raggio (1975-76), who passed away in January 2011.

g. The Board approved the request of the Standing Committee on Pro Bono and Public Service to present a one-time special award to Kathleen Hopkins in recognition of her longstanding service to the Pro Bono Committee and her efforts to expand pro bono within the ABA and the legal profession. The actual award, a statuette with a maximum value of $250.00, will be presented to Ms. Hopkins at the Pro Bono Publico Awards Assembly Luncheon, August 9, 2011, at the ABA Annual Meeting in Toronto.
3.6 President Zack's Request to Amend the Jurisdictional Statement of the Magna Carta 2015 Committee

The Board approved President Zack's request to amend the jurisdictional statement of the Magna Carta 2015 Committee to increase the membership from seven to eight. The Committee was created by the Board in February 2010 to work with the Magna Carta Trust's 2015 committee to plan the commemoration of the Magna Carta's 800th anniversary in 2015. In approving the request, the Board understood that no additional ABA general revenue is requested or required.

3.7 President-elect Robinson's Request for Special Advisors

The Board approved President-elect Robinson's request for the a) the creation of four special advisor positions to the Africa Law Initiative Council (1), the Standing Committee on Client Protection (1), the Task Force on Preservation of the Justice System (2), and the Strategic Planning and Action Committee (1), and b) the continuation of a total of 32 special advisor positions for 24 ABA entities. In approving the request, the Board understood that no additional ABA general revenue is requested or required.

3.8 Request to Dissolve ABA Museum of Law

The Board approved the dissolution of the Illinois not-for-profit corporation “ABA Museum of Law” and authorized the ABA General Counsel's Office to take such other necessary and appropriate actions to discontinue the existence of the museum, including the submission of all required documentation.

3.9 Standing Committee on Membership Request to Discontinue Dues Billing for Law School Graduates Who Are ABA Members

The Board approved the request of the Standing Committee on Membership to discontinue the practice of billing Law Student Division members who have graduated from law school but not yet received notice of bar admission and to continue to recruit non-member graduates. Members of the Law Student Division will be offered free membership upon graduation, concluding one year after they are designated as New Bar Admittees. If the Law Student Division member does not become a New Bar Admittee, the member would be dropped from ABA membership after 18 months.

3.10 Consideration of Requests for Renewal of Technical Commenting Authority Expiring in June 2011 and Notifications to Serve as Reviewing Entities for These Technical Comments

a. Requests for Renewal of Technical Commenting Authority Expiring in June 2011

The Board took the following actions regarding the requests of certain Sections to renew their technical commenting authority under the Association’s Blanket Authority Procedure for a three-year period, to begin June 2011 and expire June 2014:

i. Section of Administrative Law and Regulatory Practice: Approved request as submitted.
ii. Section of Antitrust Law: Declined to approve request and asked that the Section of Antitrust Law submit at the August 2011 meeting of the Board a revised request for renewal of technical commenting authority that is more narrowly tailored to the Section’s jurisdiction.

iii. Section of Business Law: Approved request as submitted.

iv. Health Law Section: Approved request as submitted.


vi. Section of International Law: Approved of request as submitted.

vii. Section of Public Contract Law: Approved request as submitted.

viii. Section of Real Property, Trust and Estate Law: Declined to approve request and asked that the Section of Real Property, Trust and Estate Law submit at the August 2011 meeting of the Board a revised request for renewal of technical commenting authority that is more narrowly tailored to the Section’s jurisdiction.

ix. Section of Taxation: Approved request as submitted.

b. Notifications to Serve as Reviewing Entities for Technical Comments

In accordance with the Blanket Authority Procedure, the Board also received, for informational purposes, notifications that the sections of Administrative Law and Regulatory Practice; Antitrust Law; Business Law; Intellectual Property Law; International Law; Labor and Employment Law; Public Utility, Communications and Transportation Law; and Science and Technology Law wish to serve as reviewing entities for some or all of the technical comments referenced in Exhibit 3.10 a. above.

3.11 Section of International Law Requests

a. Request to Create Section International City Chapters

The Board deferred to the August 2011 meeting of the Board the request of the Section of International Law to create City Chapters, which are designed as a membership outreach effort, and requested that the Section consult with the Standing Committee on Membership (SCOM), as SCOM has a similar initiative.

b. Request to Create London Presence by Entering into Agreement with Global Legal Market Consulting Limited

This item was withdrawn.
3.12 Law Student Division Request for Partial Reimbursement of Annual Meeting Expenses of Members of the Law Student Division Board of Governors

The Board approved the request of the Law Student Division and authorized partial reimbursement of expenses incurred by members of the Law Student Division Board of Governors for attendance at Division meetings to be held in conjunction with the 2011 ABA Annual Meeting in Toronto, Ontario, Canada.

3.13 Special Committee on Death Penalty Representation Request to Amend Jurisdictional Statement

The Board approved the request of the Special Committee on Death Penalty Representation to amend its jurisdictional statement to a) remove the requirement that designated members be appointed to the Special Committee from the Section of Business Law, Senior Lawyers Division, Section of International Law, and General Practice, Solo and Small Firm Division; and b) create four additional member-at-large positions in place of the designated positions. In approving the request, the Board understood that no additional ABA general revenue is requested or required.

3.14 Report and Recommendation From the ABA Washington DC and Chicago Office Space Committee

See Exhibit 3.14 above.

3.15 Coalition on Racial and Ethnic Justice Requests to Co-sponsor and Seek Outside Funding for Two Projects

a. United for Haiti Initiative

The Board approved the request of the Coalition on Racial and Ethnic Justice (COREJ) to co-sponsor and to seek outside funding for the “United for Haiti Initiative.” The Initiative is an on-going project designed to benefit the South Florida Haitian community, involving state and local bar associations and bar associations of color, community-based organizations, local businesses, corporations, local law schools, law firms and ABA entities. The primary target city is Miami, Florida. The Initiative features two community forums in May and October 2011 in the heart of the “Little Haiti” Community.

b. Combating Foreclosures and Mortgage Crisis in Communities of Color (10CORE Project)

The Board also approved the request of COREJ to co-sponsor the 10CORE Project (10CORE) and to seek outside funding to implement jointly sponsored programs. The 10CORE Project, titled the Ten Commandments of Real Estate Law Society Student Organization, is a nonprofit entity located at Thomas Cooley Law School in Michigan. 10CORE’s major goal is to educate the public about real estate issues and provide communities with practical and comprehensive information by training law students to work under the supervision of attorneys to render pro bono services to communities and individuals that have real estate challenges. 10CORE’s long term goal is to develop the Project as a national initiative. As a first step, COREJ, as a partner/co-sponsor would
assist 10CORE with the program “The War Against Foreclosures: Combating Foreclosures and Mortgage Crisis in Communities of Color” in Baltimore, Detroit and Los Angeles in 2011 and 2012.

3.16 Commission on Youth at Risk Request to Co-sponsor National Foster Care Coalition and Designate a Representative to the Coalition

The Board approved the request of the Commission on Youth at Risk to co-sponsor the National Foster Care Coalition (NFCC), a national, nonpartisan partnership of individuals and organizations dedicated to preserving the lives of the more than half a million children currently in the foster care system and the many more who have been, or will be, involved in the system. Annual NFCC dues will be paid from the Commission’s approved budget, and no additional ABA general revenue is requested or required.

The Board also designated the Commission's acting staff director Howard Davidson, in his individual capacity, as the ABA’s representative to the NFCC, to serve on the governing Board of the NFCC.

3.17 Council of the Fund for Justice and Education and Legal Opportunity Scholarship Fundraising Committee Request to Name One of the Legal Opportunity Fund Scholarships in Memory of Former ABA Secretary Armando Lasa-Ferrer

The Board approved the request of the Council of the Fund for Justice and Education and the Legal Opportunity Scholarship Fundraising Committee to name one of the Legal Opportunity Fund Scholarships in memory of former ABA Secretary Armando Lasa-Ferrer, who passed away May 3, 2011, in San Juan, Puerto Rico. The scholarships were created by former ABA President William Paul to encourage racially and ethnically diverse law students to apply to and attend law school.

3.18 Request for the ABA to Become a Member of the American Civil Trial Bar Roundtable

The Board approved ABA membership in the American Civil Trial Bar Roundtable, formed as the result of a 1997 initiative by the American Board of Trial Advocates to bring together a group of respected trial practitioners representing diverse viewpoints in the civil trial bar to assess the state of the civil trial system and make recommendations. The Roundtable is presently comprised of 12 civil trial bar organizations. Although the ABA has participated informally in the Roundtable since its inception, the Board had not officially approved membership in the Roundtable. Membership does not require any financial commitment and the Roundtable takes positions only when all members unanimously agree.

3.19 Requests to Approve Memoranda of Understanding

a. Korean Bar Association

Subject to discussion and agreement with the Koren Bar Association (KBA), the Board approved the terms, or substantially similar terms, of a proposed memorandum of understanding between the American Bar Association and the KBA, to be proffered by
President Zack to the President of the KBA, for anticipated execution by the parties during or before August 2011. The proposed “Memorandum of Mutual Cooperation” calls for general cooperation on bar activities with an emphasis on two mission priorities of the KBA – human rights and the rule of law.

b. **Association of Lawyers of Russia**

The Board approved the terms of a proposed “Agreement on Cooperation (Memorandum of Understanding)” between the American Bar Association and the Association of Lawyers of Russia, which fosters cooperation between the associations and furthers common interests.

**B. MATTERS OF INDEPENDENT JURISDICTION**

3.21 **Requests for Co-Sponsorships**

The Operations and Communications Committee approved co-sponsorship requests from the following entities. No additional ABA general revenue is requested or required for these co-sponsorships.

a. **Commission on Immigration (2 Requests)**

i. to collaborate with Physicians for Human Rights to monitor compliance with the National Detention Standards addressing Medical Care in 2011, 2012, and 2013.


b. **Commission on Mental and Physical Disability Law**: to partner with Prudential Financial, Inc. of Newark, New Jersey, for its summer internship program in 2012, 2013, and 2014, and provide Prudential with a first year law student with a disability for its summer program.

c. **Commission on Women in the Profession**: to co-sponsor with entities listed in the request the ABA Annual Meeting program “Road to Independence,” Friday, August 5, 2011, in Toronto.


e. **Forum on Air and Space Law**: to co-sponsor the Forum's Annual Conference, September 23-25, 2011, in Montreal with McGill University Institute of Air & Space Law. The Forum has co-sponsored the event three times in the past with McGill University.
f. General Practice, Solo and Small Firm Division: to partner with Kids in Need of Defense (KIND) and the Catholic Legal Immigration Network Inc.’s, Center for Immigrant Initiatives and Project’s National Pro Bono Project for Children (CLINIC), effective for the 2011-2014 Association years.

g. Section of Antitrust Law: to co-sponsor with the Law & Economics Center of George Mason University School of Law, the program "Antitrust Law & Economics Institute for Judges," October 2-6, 2011.

h. Section of International Law: to co-sponsor programs of the United Nations Association of the National Capital Area (UNA/NCA) in 2011 and 2012.

i. Section of Labor and Employment Law: to co-sponsor, on behalf of its International Labor and Employment Law Committee, a one-day conference on U.S. and English employment law with the English Employment Lawyers Association, October 3, 2011, in London, England.

3.22 Membership and Marketing Request to Include Item in Registration Packet for 2011 Annual Meeting

The Operations and Communications Committee approved the request of the Membership and Marketing Division to include a form in the registration packet for the 2011 Annual Meeting that attendees can complete to receive a lapel pin with the ABA logo. The Operations Committee’s approval was with the understanding that the Membership and Marketing Division will work with the Meetings and Travel Department regarding logistics pertaining to Annual Meeting registration.

3.23 Senior Lawyers Division Request for a) New Travel Provider and b) Four travel Programs in 2012

The Operations and Communications Committee approved the request of the Senior Lawyers Division a) to enter into an agreement with travel provider Thomas P. Gohagan, Inc. and b) for the following four trips for Division members in 2012: i) April 15-23: European Coastal Civilizations; ii) May 10-18: Village Life – Dordogne; iii) June 2-10: Village Life – Italian Lakes; and iv) June 21-28: Alaska’s Inside Passage.

In approving the request, the Operations Committee understood that the letter of agreement with Gohagan has been reviewed and approved by the ABA General Counsel’s Office and ABA senior management.

4. PROGRAM, EVALUATION AND PLANNING COMMITTEE WOLFE

A. MATTERS FOR REVIEW BY THE BOARD

4.1 Program, Evaluation and Planning Committee Subcommittee on the Enterprise Fund Recommendations Regarding FY2010-2011 Second Quarter Reports

The Board approved the Program, Evaluation and Planning Committee’s recommendation for no-cost extensions for the following four Enterprise Fund programs:
a. Aiding Substance Abusing Youth and Their Families: From 4/30/11 to 8/31/11

b. Building Community Trust: Improving Cross-Cultural Communication in the Criminal Justice System: From 5/31/11 to 7/31/11

c. Helping Ensure That Immigration Detainees Know Their Rights Project: From 6/30/11 to 8/31/11


4.2 Requests for Creation of Program Support Funds

a. Commission on Interest on Lawyer Trust Accounts

The Board approved the request of the Commission on Interest on Lawyer Trust Accounts (IOLTA) to create a Program Support Fund to support the Commission’s programmatic and meeting activities that are unable to be funded through general revenues, including educating the bar, the public and IOLTA staff (IOLTA directors, associate directors, communications directors and others) and IOLTA trustees regarding the history of IOLTA and other issues.

b. Standing Committee on Legal Assistance for Military Personnel

The Board approved the request of the Standing Committee on Legal Assistance for Military Personnel to create a Program Support Fund to support the Committee’s legal education activities, including development of publications and printed materials to educate attorneys, judges, and the public on legal issues specific to active-duty service members and military families.

B. MATTERS OF INDEPENDENT JURISDICTION

None for consideration.

5. FINANCE COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

5.1 Section of Taxation Request to Contribute Funds to Outside Organization

The Board approved the request of the Section of Taxation to contribute Section funds, not derived from member dues, to the American Tax Policy Institute, a 501(c)(3) organization formed in 1990 by the American College of Tax Counsel to promote and facilitate scholarly research, analysis, and discussion of tax policy issues. The Institute’s current bylaws provide for substantial Section representation on the Institute’s Board of Trustees, its Executive Committee, and its Finance Committee. The Board has approved Section contributions to the Institute each year since 2001.
5.2 Request to Approve Grant Thornton Engagement Letter

This item was withdrawn.

B. MATTERS OF INDEPENDENT JURISDICTION

5.24 Request Regarding New Banking Relationship

The Finance Committee authorized the Deputy Executive Director and Chief Financial Officer to execute the appropriate resolutions to establish a new banking relationship with Harris Bank if the Bank is selected as the preferred bank of the Association. The authorization is contingent upon the approval of the Chair of the Finance Committee and the Treasurer.

ADDITIONAL ITEM: INFORMATIONAL ONLY
(No Board action required at the June 2011 Board of Governors meeting.)

The Finance Committee considered the request of the Center for Professional Responsibility to correct a mathematical error to the Center's FY2012 Budget request and recommends that an amount be added to the FY2012 budget for the Center for Professional Responsibility to correct this mathematical error. The Finance Committee considered this request to be a request for a correction rather than an appeal.

The Finance Committee considered the request of the Section of Litigation to correct a mathematical error from the Section's FY2011 budget submission which was perpetuated in the FY2012 budget request. The Committee recommends that an additional amount be added to the FY2012 budget for the Section of Litigation to correct this mathematical error. The Finance Committee considered this request to be a request for a correction rather than an appeal.

The Finance Committee recommended that appeals to the FY2012 Budget from the following entities be approved:

- Commission on Law and Aging
- StC on Armed Forces Law
- GP Solo and Small Firm Division

The Finance Committee recommended that appeals to the FY2012 Budget from the following entities be denied:

- Center for Racial and Ethnic Diversity
- Diversity Center Coalition on Racial & Ethnic Justice (COREJ)
- Bar Services
- Center for Human Rights

The Board will act on the FY2012 Budget at its August 2011 meeting.