



# **BLANKET AUTHORITY**

## **Handbook**

**2018 - 2019**

**DIRECTOR**  
Janae LeFlore  
(312) 988-5157  
Janae.LeFlore@americanbar.org

**ASSISTANT DIRECTOR**  
Carri L. Kerber  
(312) 988-5161  
Carri.Kerber@americanbar.org

**COMMITTEE & ELECTIONS  
MANAGER**  
Leticia Spencer  
(312) 988-5160  
Leticia.Spencer@americanbar.org

**DIVISION  
ADMINISTRATOR**  
Shirley S. Myles  
(312) 988-5169  
Shirley.Myles@americanbar.org

**HOUSE OF DELEGATES  
ADMINISTRATOR**  
Adrienne Barney  
(312) 988-5230  
Adrienne.Barney@americanbar.org

**ADMINISTRATIVE  
ASSISTANT**  
Kathryn R. Jones  
(312) 988-5216  
Kathryn.Jones@americanbar.org

**LIBRARIAN RECORDS  
SUPERVISOR**  
Richard Collins  
(312) 988-5162  
Richard.Collins@americanbar.org

## AMERICAN BAR ASSOCIATION

### MEMORANDUM

## POLICY AND PLANNING DIVISION

321 North Clark Street, 21st Floor  
Chicago, Illinois 60654-7598  
Phone: (312) 988-5169  
Fax: (312) 988-5153

**TO:** Section and Division Officers  
**FROM:** Janae Leflore  
**SUBJECT:** Blanket Authority Handbook  
**DATE:** September 12, 2018

The Blanket Authority Handbook is designed to assist you in initiating and reviewing Blanket Authority requests.

Under §25.1 of the Association Bylaws, only the president or the president's designee is permitted to express ABA policy to government bodies and agencies unless the House specifically authorizes Association representation. At the 1981 Midyear Meeting, the House of Delegates adopted the Blanket Authority Policy. The policy was amended in August 1986, August 1991, August 2004, August 2005, and February 2016. The most recent amendment requires that copies of the transmitted letter and technical comments must be sent to (i) the Secretary of the Association in care of the Policy and Planning Division at the American Bar Center, Chicago, Illinois; and (ii) the Director of the Governmental Affairs Office, Washington, D.C., at least one business day prior to submission to the government agency. Please send to Carri L. Kerber in the Policy and Planning Division and R. Larson Frisby in the Governmental Affairs Office.

The Blanket Authority process is designed to allow entities of the Association to present statements within their particular expertise and jurisdiction to appropriate government agencies while providing prior notice to other sections, divisions, and officers. If your section or division seeks blanket authority approval, or if it objects to a proposed request, please pay special attention to the timing and distribution requirements.

The Policy and Planning Division coordinates the distribution of blanket authority requests to the Chair of the House of Delegates in St. Louis, MO; the Secretary in Lansing, IL; the Director of the Policy and Planning Division in Chicago, IL; the Director of Governmental Affairs in Washington, D.C.; and the Legislative Counsel in Washington, D.C. Objections must be received by the Policy and Planning Division prior to the deadline date.

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Please note that blanket authority requests will not be processed between the Wednesday before and the Wednesday after ABA Midyear and Annual Meetings. In addition, ABA holidays are not considered business days.

The Policy and Planning Division coordinates and assists with all blanket authority requests. If you have any questions regarding the blanket authority process or if I can be of any assistance in preparing a request, please do not hesitate to contact me at 312/988-5157.

cc: Section and Division Staff Directors

JL/ssm  
attachment

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## **EXPLANATION OF BLANKET AUTHORITY**

Blanket Authority is a process whereby ABA sections and divisions seek authority to present their views to government bodies. During your tenure as a section officer, the section or division that you chair may seek authority to express its views. You also will be asked on occasion to review blanket authority requests of other ABA sections.

Pursuant to the Association's Constitution and Bylaws only the president or the president's designee may express the policy of the Association as determined by the House of Delegates, or by the Board of Governors acting between meetings of the House. No other member of the Association may represent the Association, or a section or committee, before a legislative body, court or government agency, unless specifically authorized by the House or the Board, §7.1 and §25.1.

The one exception to this policy is blanket authority which allows an ABA section or division to present a statement on matters within its primary or special expertise and jurisdiction rather than an Association position to a federal, state, or municipal government body or agency. Blanket authority to issue such statements is subject to specific conditions and procedures which are set forth in this handbook.

The procedure requires a section that has developed a position in accordance with its bylaws to provide notice of the proposed position to all entities required by the blanket authority policy. If none of the reviewers raises objection, the section communication is cleared by the Policy and Planning Division and may be sent to the designated government officials. If an objection is raised and cannot be resolved among the entities, the matter may be appealed to the Board of Governors.

This handbook is designed to help you process these requests. All subsequent references to sections herein include ABA divisions. If, after reviewing the Handbook, you have any remaining questions, please contact Janae Leflore in the Policy and Planning Division at 312/988-5157.

## USE OF BLANKET AUTHORITY

Generally, the views of individual sections are given greater importance when they have been adopted as Association policy by the House of Delegates or by the Board of Governors acting between meetings of the House. Consideration should first be given to the traditional methods for approval and presentation of section views. There are a number of situations, however, in which the use of blanket authority may be more appropriate.

1. Technicality. Blanket authority may be used when the subject matter of the position is so technical or so clearly within the special expertise of the section that review by the House of Delegates or Board of Governors would be merely pro forma and other Association entities would have little interest or concern.
2. Supplemental Views. Blanket authority may be used when the House of Delegates has acted generally on a matter and the section wishes to supplement the previous position to update or accommodate changing circumstances. Such views should be consistent with the previously adopted position.
3. Timing. Blanket authority may be used when time is truly of the essence. In most situations, however, the Board of Governors meets frequently enough to consider the section's position in time for presentation to a legislature, a government agency, or a court.

Enumerated below are situations in which blanket authority is inappropriate and should not be used.

1. Conflict with Association Policy. If the views seek to change or are inconsistent with existing Association policy, the traditional method for development of policy must be used.
2. Broad Association Concern. If the views are beyond the primary or special expertise and jurisdiction of the section and are of general interest to the Association or the legal profession, the Chair of the House or the Secretary will probably raise objection to the use of blanket authority in order that such matters may be considered by the House of Delegates or by the Board of Governors.
3. Substantive Judicial Matters. Views on the substance of pending litigation may be expressed in an *amicus curiae* brief. The use of blanket authority is not appropriate. The procedures for authorization of an *amicus curiae* brief are addressed in the ABA Policy & Procedures Handbook.

4. Individual Views. The blanket authority process is designed to permit sections, not individuals to represent their views. It is not a vehicle for the expression of individual opinion that has not been adopted as section policy in accordance with section bylaws. In addition, Association policy requires individual members to disclose any material interest in subject matter that has been recommended for Board or House action.\* In 1980 the Board interpreted this policy to preclude members of the Association from receiving a fee from a client for services rendered as a member of the Association or any of its constituent entities.

\*... That in the report accompanying any recommendation to the Board of Governors or House of Delegates, there shall be disclosed any material interest in the subject matter of the recommendation on the part of any member of any group within the Association which has approved of the recommendation and report prior to its submission to the Board or House by reason of specific employment or representation of clients;...", *Conflict of Interest Policy, adopted October, 1973*

## **SUBMISSION PROCEDURES FOR BLANKET AUTHORITY REQUESTS**

### 1. TIMING

An application for blanket authority should be filed at the earliest possible time. The list of distributees is the same for either procedure.

- a. Normal Procedure. Distribution to other required entities should be not less than ten working days before the proposed submission date.
- b. Expedited Procedure. The expedited procedure allows a section to deliver a copy of the application not less than two working days prior to the proposed submission date. A statement explaining why the usual ten-day procedure was not followed is required. Otherwise, the contents of the transmission and list of recipients are the same as those required for the normal procedure. The section shall use personal delivery, facsimile transmission, email or other electronic communication, or express mail which is available.

The blanket authority policy approved by the House of Delegates in February, 1981, established the following requirements for sections that desire to use blanket authority either under the regular or expedited procedure:

### 2. STATEMENT OF POSITION

The position developed shall not conflict with Association policy or with an existing blanket authority statement. Most section bylaws require the position to be adopted by the section council. The section must state that the position is a presentation only on behalf of the section. The following disclaimer is required in the first paragraph of each blanket authority statement:

**"The views expressed herein are presented on behalf of the Section of \_\_\_\_\_ . They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the position of the Association."**

### 3. CONTENTS OF BLANKET AUTHORITY REQUESTS

Each request for blanket authority must contain the information stated below:

- a. A clear statement of the proposed policy position to be taken;
- b. All communications to be addressed including but not limited to reports or resolutions, prepared testimony, exhibits, and a letter of transmittal;
- c. The proposed date of presentation and the name of the government body to which the statement will be presented;
- d. The deadline date by which objections must be received;
- e. The date of the council meeting at which the statement was adopted if the bylaws of the proposing sections require all statements or views to be so authorized;
- f. An explanation of the section's reason for requesting blanket authority;
- g. Any material interest in the subject matter of the blanket authority request on the part of any member of a section committee which initiated the request and of the section council which approved the request;
- h. The names and addresses of all recipients of the proposed statement; and
- i. Executive Summary if the submission is ten pages or longer.

### 4. DISTRIBUTION OF THE BLANKET AUTHORITY REQUEST

Blanket Authority Policy requires the circulation of all requests to the following:

- a. The Chair of the House of Delegates, William R. Bay at his office in St. Louis, Missouri;
- b. The Secretary of the Association, Mary L Smith in her office in Lansing, Illinois;
- c. The Director of the Policy and Planning Division, Janae Leflore;
- d. The Director, Governmental Affairs Office, Thomas M. Susman;
- e. The Associate Governmental Affairs Director, R. Larson Frisby;
- f. The Senior Director, Washington, DC, Holly Cook;
- g. The chairs and staff directors of all sections;

- h. The chairs and staff directors of all potentially interested committees; and
- i. If the statement is to be presented to a state agency, each statewide bar association in that state and to any local bar association in that state represented in the House of Delegates.

Because the Government and Public Sector Lawyers Division does not have authority to object to requests for blanket authority, it is not necessary to distribute the request to this Division, *House of Delegates, February 1991*.

## 5. TECHNICAL COMMENT SUBMISSIONS

Each technical comment submission must contain the following information:

- a. A certification signed by the section chair that the comments have been reviewed and approved by the leadership of the sections as technical comments within the section's primary or special expertise or jurisdiction.
- b. A disclaimer that specifically states the comments do not represent the policy of the Association or, when appropriate, the views of the section.

Blanket Authority Policy requires the distribution of all technical comment submissions to each reviewing entity promptly upon the preparation of the technical comments, in accordance with the following time frames:

- a. Comment periods of 30 days or fewer: Two business days in advance of proposed submission date.
- b. Comment periods of more than 30 days: Five business days in advance of proposed submission.
- c. If submission five business days in advance of proposed submission date is not possible, as confirmed by the Director of the ABA Governmental Affairs Office, then submission may be submitted not less than two days.

### Objection Procedure

- a. A reviewing entity may object to the filing by sending an e-mail or fax to the Chair of the submitting entity, the Secretary of the Association in care of the Policy and Planning Division, and ABA Governmental Affairs Office.
- b. If the entities cannot resolve their differences, the President of the Association or the President's designee will decide before the due date of the comments whether the technical comments may be submitted.

Distribution of Final Version of Technical Comments

Blanket Authority Policy requires circulation of the transmittal letter and technical comments to the Secretary of the Association in care of the Policy and Planning Division, and ABA Governmental Affairs Office.

**OBJECTION AND CLEARANCE PROCEDURES FOR  
BLANKET AUTHORITY REQUESTS**

1. Objections. Objections to a proposed blanket authority request must be directed to the Policy and Planning Division, the Chair of the House of Delegates, the Secretary of the Association, and officers of the section submitting the request prior to the deadline date. If no objections are received by the deadline date, clearance will be given for the blanket authority request.

(a) Objections raised by Association officers

The Chair of the House or the Secretary may raise an objection to a blanket authority request on any of the following grounds:

- (1) The proposed statement is in conflict with current Association policy;
- (2) The proposed statement is not within the special or primary expertise or jurisdiction of the section requesting blanket authority;
- (3) The matter is of such significance to the legal profession and the Association as a whole that no presentation should be made without specific authorization from the Board or the House; or
- (4) The statement merely reaffirms existing Association policy approved within the preceding six years.

In addition, either officer also may raise objections if he or she is of the opinion that the request is, for some other reason, not in accord with the Blanket Authority Policy.

(b) Objections raised by representatives of other Association entities

A representative of another Association entity, a state bar association, or local bar association may raise objection to a request for blanket authority within the required period of time by communicating the objection and the reasons for the objection by telephone and electronically to the Policy and Planning Division, the Secretary of the Association, or the Chair of the House of Delegates, and to the Chair of the Section requesting blanket authority.

2. Treatment of Objections. When an objection is raised, the Secretary or his or her designee will notify the proposing section. The chair of the proposing section may attempt to resolve the differences. If this is not possible, the chair may appeal the objection to the Board of Governors. Such action will be coordinated by the Policy and Planning Division.
3. Appeal of an Objection. If a section wishes, it may appeal an objection of an Association entity or a state or local bar association to the Board of Governors. When a section appeals an objection to the Board it will be placed on the agenda for the Board's next meeting.
4. Clearance. If no objection is raised during the review period, the Policy and Planning Division will so advise the chair of the proposing section by telephone, fax or e-mail.

The Policy and Planning Division coordinates the review of blanket authority requests. The Division logs all requests and reviews distribution. All questions regarding status of requests should be directed to Janae Leflore in the Policy and Planning Division at 312/988-5157.

## **PRESENTATION OF THE STATEMENT**

### 1. Disclaimer Statement

The Blanket Authority Policy provides that each section statement must make clear that the statement is a presentation on behalf of the section only. The following disclaimer must be included in the first paragraph of each blanket authority statement:

**"The views expressed herein are being presented on behalf of the Section of \_\_\_\_\_. They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the position of the Association."**

### 2. Expiration Date of Blanket Authority Requests

Blanket authority requests granted under the normal procedure continue for a period of two years. Expedited authorities continue for 90 days and may be renewed for successive two year periods upon application under the normal procedure.

### 3. Copies

Copies of the final statements or testimony as submitted must be sent to the Policy and Planning Division and the Governmental Affairs Office.

**Representation by Sections**  
(Blanket Authority)  
(February 2016)

At the 1981 Midyear Meeting, the House of Delegates adopted the following “blanket authority” policy, and amended it at the 1991 Annual Meeting. The House of Delegates further amended the policy in August 2004 and August 2005 and the Board of Governors amended it in February 2016.

*Resolved*, That the House of Delegates rescinds the “blanket authority” statement presently in effect and adopts instead the following blanket authority resolution:

*Be it Resolved*, That in order to implement the specific authority required by §25.1 of the Bylaws of the Association, as interpreted by the House of Delegates in this resolution, any section of the Association may present a policy statement on matters within its primary of special expertise and jurisdiction to a federal, state, or municipal legislative body, governmental agency, court (with respect to procedural rules only), interstate governmental body, or international governmental body, subject to the following conditions:

- A. *Requirements of the Application for Blanket Authority*
1. There shall be a clear statement of the policy position to be taken by the section.
  2. The section shall submit within the times provided in Part B, below, all communications to be addressed to the federal, state, or municipal legislative body, governmental agency, court, interstate governmental body, or international governmental body, including, without limitation, the following:
    - a. Any report or resolution;
    - b. Prepared testimony;
    - c. Exhibits;
    - d. Letter of transmittal;
    - e. Executive Summary.
  3. The position to be taken by the section must:
    - a. Not be in conflict with current Association policy;
    - b. Not be in conflict with an existing blanket authority statement; and
    - c. Have been authorized by the section in accordance with its Bylaws.
  4. The documents to be submitted on behalf of the section must make clear that they are being presented only on behalf of the section and not on behalf of the Association.
  5. The application must disclose any material interest in the subject matter of the policy on the part of any member of a section committee which initiated the proposal and of the section council which approved

the submission of the request by reason of specific employment or representation of clients.

6. The application shall state the date of proposed submission to the federal, state, or municipal legislative body, governmental agency, court, interstate governmental body, or international governmental body.
7. Two or more sections may request to file a statement jointly.

*B. Procedure to Be Followed by Section in Filing Application for Blanket Authority*

1. Normal Procedure

- a. At the earliest possible time, but not less than ten (10) days before the proposed submission date, the section shall send an application meeting the requirements of Part A, above, to (i) the Chair of the House of Delegates; (ii) the Secretary of the Association at the American Bar Center, Chicago, Illinois; (iii) the Governmental Affairs Office, Washington, D.C.; (iv) the chair and staff liaison of each section; and (v) the chair and staff liaison of each committee or affiliated organization which appears to have an interest in the matter.
- b. At the same time, the section shall send to the Chair of the House, the Secretary of the Association and the Governmental Affairs Office (at the place indicated in Part B, section 1a, above) a list of all distributees to whom the application has been sent.
- c. In the case of a policy statement to be presented to a municipal or state agency or legislature, the section shall at the same time also send an application meeting the requirements of Part A, above, to all statewide bar associations in that state and to local bar associations in that state which are represented in the House of Delegates.
- d. In transmitting its applications under this procedure, the section shall utilize personal delivery, facsimile transmission, e-mail or other electronic communication, or express mail which is available to the recipients designated herein.
- e. Lengthy submission, e.g. 10 pages, shall be accompanied by an Executive Summary.

2. Expedited Procedure

In situations where submission of the application ten (10) working days before the proposed submission date is not possible:

- a. The section shall cause a copy of the application meeting the requirements of Part A, above, to be received by, or delivered to (i) the Chair of the House of Delegates; (ii) the Secretary of the Association at the American Bar Center, Chicago, Illinois; (iii) the Governmental Affairs Office, Washington D.C.; (iv) the chair and staff liaison of each section; and (v) the chair and staff liaison of each committee or affiliated organization which appears to have an

interest in the matter, not less than two (2) working days prior to the proposed submission date.

- b. In the case of a statement to be presented to a municipal or state agency or legislature, the section shall also cause a copy of said application to be received by all statewide bar associations in that state and local bar associations in that state which are represented in the House of Delegates not less than at least two (2) working days prior to the proposed submission date.
- c. To its application the section also shall append a statement explaining why the 10-day procedure outlined above has not been followed.
- d. In transmitting its application under this expedited procedure, the section shall utilize personal delivery, facsimile transmission, e-mail or other electronic communications, or express mail which is available to the recipients designated herein.
- e. Lengthy submission shall be accomplished by an Executive Summary.

*C. Procedure to Be Followed in Considering Applications for Blanket Authority*

1. The Office of the Secretary will determine whether proper distribution of the application has been made.
2. The Chair of the House of Delegates or the Secretary of the Association may object to the section presentation if;
  - a. It is in conflict with current Association policy; or
  - b. The proposed statement is not within the primary or special expertise and jurisdiction of the section submitting it; or
  - c. The matter is of such significance to the legal profession and the Association as a whole that no presentation should be made without specific authorization from the Board of Governors or the House of Delegates; or
  - d. The statement merely reaffirms existing Association policy approved within preceding six years.
3. If a section or committee desires to object to the presentation of a section policy position under blanket authority, it shall immediately communicate its objection and reasons therefore by telephone, and electronically, to (i) the Chair of the House of Delegates; (ii) the Secretary of the Association; and (iii) the section desiring to submit the position under blanket authority.
4. If no objection to the section representation is received, the section may present its statement to the federal, state, or municipal legislative body, governmental agency, court, interstate governmental body, or international governmental body, on or after the proposed submission date.
5. When an objection has been made, the Office of the Secretary will immediately notify the section seeking blanket authority, and if that

- section so requests, will transmit the application together with any objection thereto to the Board of Governors for its considerations.
6. If an objection is made, the section shall not present its statement of policy unless approval is obtained from the Board of Governors or the House of Delegates.
  7. Blanket authority when granted under the normal procedure shall continue for a period of two years; when granted under the expedited procedure, for ninety (90) days. Upon application under the normal procedure it may be renewed for successive two-year periods.
  8. Copies of the transmitted letter and comments must be contemporaneously sent to (i) the Secretary of the Association in care of the Policy and Planning Division at the American Bar Center, Chicago, Illinois; and (ii) the Governmental Affairs Office, Washington, D.C.

*D. Authority of Section to Submit Technical Comments.*

1. The blanket authority procedure described above in parts A, B, and C, is not applicable when a section submits technical comments to a government executive branch agency and/or government independent agency (hereinafter “governmental agency”) pursuant to this Part D. “Technical comments” are defined as comments that are narrowly-focused within a particular section’s primary or special expertise and jurisdiction, and are being submitted in response to a time limited solicitation for comments by a governmental agency.
2. Technical Comments
  - a. May not be in conflict with current Association policy;
  - b. May not conflict with other comments authorized to be submitted pursuant to the blanket authority procedure as provided for in Section B.
3. The Board may grant to a section the authority to submit “technical comments” as defined herein on an ongoing basis to a specified governmental agency on specified subject matters. The grant of such authority will generally be for three years but subject to rescission by the Board at any time. The grant of authority may be renewed for additional three-year terms by this same application procedure. The section may be granted such authority with respect to a specified governmental agency on a specified subject matter, and two or more sections may jointly seek such authority.
  - a. A section desiring such authority shall submit to the Board an application, which shall state the governmental agency or agencies to which it desires to submit technical comments and the subject matter areas on which it intends to comment.
  - b. The applying section shall at the time of application circulate its applications to the chair and ABA staff liaison of each section. In addition it shall be circulated to the chair and staff liaison of each committee or affiliated organization, which may have an interest in

the agencies and/or subject matter areas indicated in the application. Each of these entities, upon demonstrating their expertise in the area, will be invited to notify the applying section and the Board whether it opposes the request or whether it would like to be a “reviewing entity” for any or all technical comments submitted pursuant to a grant of authority to the applying section. An entity with expertise may state a reasoned objection or request to be a reviewing entity within thirty (30) days of notice of the application, which period may be waived as necessary by the Member Services Committee or the Board. The Board may determine whether and with respect to what matters an entity will be a reviewing entity.

- c. The Board may approve, deny, or modify the application and may specify one or more other entities as a “reviewing entity.”
4. Technical comments may be submitted to a government agency on behalf of the section or an entity of a section which has been granted such authority under Section 3 as the views of the section or the section entity, in accordance with the following procedure:
  - a. The comments must be reviewed and approved for submission by section leadership and must be accompanied by a certification, signed by the section chair, that the comments have been reviewed and approved by the section leadership as technical comments within the section’s primary or special expertise and jurisdiction.
  - b. The section must submit the proposed technical comments to each reviewing entity promptly upon preparation of such technical comments but in any event at least two (2) business days in advance of the proposed submission date when the comment period is thirty (30) days or fewer and at least five (5) business days in advance of the proposed submission date when the comment period is more than thirty (30) days: provided, however, in situations where submission of the application five (5) business days before the proposed submission date is not possible as confirmed by the Director of the ABA Governmental Affairs Office in Washington, D.C., then not less than two (2) business days in advance of the proposed submission date. A reviewing entity may object to the filing on the basis that the technical comment conflicts with the provisions in D.2.a. or b, or that the filing is not a technical comment, but not on the basis that it disagrees with the technical comment, by sending an e-mail or fax to the Chair of the submitting entity, to the Secretary of the Association in care of the Policy and Planning Division at the American Bar Center, Chicago, Illinois, and to the Director of the ABA Governmental Affairs Office in Washington, D.C. If the entities cannot resolve their differences, the President of the Association or the President’s designee will promptly decide, before the due date for the technical comments, whether or not the technical comments may be submitted and may also give the reviewing entity that objected to the technical comment, permission to

file its own technical comment, as long as it conforms to the provisions in D. 2. a. and b. Another section having authority with respect to the same governmental entity and specified subject matter may submit its own technical comments, subject to the “technical comments” procedures of this Section.

- c. Two or more sections may request to file technical comments jointly.
  - d. The comments must contain a disclaimer that specifically states the comments do not represent the policy of the Association or, when appropriate, the views of the section.
  - e. Comments of individual members of sections shall not be submitted to a governmental agency using the letterhead of an ABA entity or referencing an ABA entity’s involvement.
  - f. Copies of the transmitted letter and comments must be sent to (i) the Secretary of the Association in care of the Policy and Planning Division at the American Bar Center, Chicago, Illinois; and (ii) the Director of the Governmental Affairs Office, Washington, D.C., prior to submission to the government agency.
5. The Office of the Secretary and the Governmental Affairs Office will make periodic reports to the Member Services Committee regarding the implementation of the grant of authority.

Detailed guidelines for the submission of blanket authority requests are available upon request to the Policy and Planning Division.

**CONFLICT OF INTEREST POLICY**

In October, 1973, the Board of Governors revised a conflict of interest policy first adopted a decade earlier, stating that in discharging its public responsibility, the American Bar Association must provide an opportunity for the expression of as many diverse views as possible. In professional undertakings and no less in bar association work, lawyers must avoid the appearance as well as the fact of conflict of interest. The October 1973, resolution follows:

Therefore, Be It Resolved, That every member who has the responsibility of making appointments to any committee of the Association or any of its constituent parts shall make an affirmative effort to appoint persons who will represent as many points of view as are relevant considering the assignment of the committee; and

Be It Further Resolved, That in the report accompanying any recommendation to the Board of Governors or House of Delegates, there shall be disclosed any material interest in the subject matter of the recommendation on the part of any member of any group within the Association which has approved of the recommendation and report prior to its submission to the Board or House by reason of specific employment or representation of clients; and

Be It Further Resolved, That the Secretary of the Association shall have the responsibility of reporting to the House of Delegates from time to time on the implementation of this resolution and shall report to the Board of Governors specific instances in which the provisions of this resolution have not been observed as soon as he shall discover them.

In June 1980, the Board interpreted this policy concerning conflict of interest as precluding an Association member from receiving a fee from a client for services rendered as a member of the Association or any of its constituent entities.

**BLANKET AUTHORITY REQUEST**  
**CHECK LIST**

**COVER MEMORANDUM**

The cover memorandum which transmits your blanket authority request must contain the following information:

1. The deadline date by which objections must be received.
2. The proposed date of presentation and name of governmental body to which the statement will be presented.
3. In the case of expedited requests, a full explanation of the need for utilizing expedited process.
4. The date of the council meeting at which the statement was adopted.
5. An explanation of the section's reason for requesting blanket authority.
6. A statement concerning whether there is any material interest in the subject matter of the request on the part of any member of the section committee which initiated the request and of the section council which approved the request by reason of specific employment or representation of clients.
7. An executive summary, if the comments are more than ten pages in length.
8. The names and addresses of all recipients of the proposed statement. This list must include:
  - A. William R. Bay, Chair of the House of Delegates
  - B. Mary L. Smith, Secretary
  - C. Janae Leflore, Director, Policy and Planning Division
  - D. Thomas M. Susman, Director, Governmental Affairs Office
  - E. R. Larson Frisby, Associate Governmental Affairs Director
  - F. All Section and Division Chairs and Staff Directors
9. A copy of the relevant legislation.

## **STATEMENT/TESTIMONY**

1. A copy of the statement to be made or testimony to be given must be attached to each Blanket Authority request.
2. The disclaimer must be displayed in the first paragraph of the statement or testimony:

**The views expressed herein are presented on behalf of the Section of \_\_\_\_\_. They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the position of the Association.**

3. A copy of the letter to be sent transmitting written comments must be included with the Blanket Authority request.

September 2018

**BLANKET AUTHORITY DELIVERY**

The Policy and Planning Division is equipped to blast email Blanket Authority requests. If you would like assistance with distribution, please provide an electronic copy of the request by contacting Shirley Myles with the Division at 312/988-5169.

The mailing list includes the individuals listed below:

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Director of the Policy and Planning Division in Chicago  
Director of Governmental Affairs in Washington, D.C.  
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    Antitrust Law  
    Business Law  
    Civil Rights and Social Justice  
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Some Section Chairs have requested to have Blanket Authority information delivered to specific designated members of their sections. If you would like to change your entity's recipient, please advise the Policy and Planning Division