MEMORANDUM

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 2012 Board of
         Governors Meeting

DATE: June 7, 2012

Attached is the Summary of Action of the June 1-2, 2012, meeting of the Board of Governors
held at The Greenbrier in White Sulphur Springs, West Virginia. 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 2012.

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

cc: Board of Governors

Attachment
SUMMARY OF ACTION
AMERICAN BAR ASSOCIATION
BOARD OF GOVERNORS

The Greenbrier
White Sulphur Springs, West Virginia
June 1-2, 2012

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, Treasurer and Executive Director. The minutes of the Board's February 3, 2012, meeting in New Orleans, Louisiana, and April 19, 2012, meeting in Washington, DC, were approved as presented. The minutes of the Executive Committee’s February 28, March 19, and May 23, 2012, meetings (by conference call), and March 20 and April 23, 2012 meetings (by E-mail Ballot) were received.

2. MATTERS FOR DIRECT BOARD ACTION

2.1 Report of Board Procedures and Operations Committee

Alan Goolsby, Chair of the Committee on Board Procedures and Operations (Committee), presented a status report regarding the Committee's work. The Committee's May 17, 2012, draft report, ABA Board of Governors Operational Procedures and Controls (Draft Report), was discussed by the Operations and Communications and Finance committees at their June 1, 2012, meetings and the comments of the committees will be incorporated into the Draft Report. The revised Draft Report will then be circulated to the Board for comment and a final version will be submitted to the Board for its consideration in August 2012. In addition, Mr. Goolsby announced that the Committee will conduct an evaluation of the Board's current operations and procedures. Board members will be contacted by members of the Committee and asked a series of questions, which were distributed to the Board.

Request to Approve Board of Governors Liaison Policy

The Board referred the Committee's proposed Board of Governors Liaison Policy to the Operations and Communications Committee for consideration by the Operations Committee, which will make a recommendation to the Board in August 2012.

2.2 Report of Non-Dues Revenue Committee

Board member Mary L. Smith, Chair of the Non-Dues Revenue (NDR) Committee, presented an informational report to the Board. Her presentation referenced materials in the Board's June 2012 agenda book, including the following five proposed NDR pilot
projects recommended for funding by the NDR Committee and preliminarily approved for funding by the Finance Committee at its April 2012 meeting, in the total amount of $211,000: a) ABA-Branded Clouded Computing, b) Professional Responsibility Online Subscription Service, c) Professional Responsibility Coordinating Council Pricing Strategy Review, d) Demand “Grid” of CLE Topics, and d) Directory of Ancillary Service for Criminal Cases.

2.3 Report Regarding ABA CLE

Robert Rothman, Board Liaison to the Standing Committee on Continuing Legal Education (CLE); David W. Hilgers, Chair of the Standing Committee on CLE; Robert Rupp, Senior Director, Publishing Services Group; and Jill Eckert McCall, Director, Center for CLE presented a report regarding ABA CLE. The presentation focused on the following areas: a) the ability of ABA CLE to remain competitive in continuing legal education post ALI-ABA; b) the direction of ABA CLE and the ability of ABA CLE to ensure that the Association remains relevant by becoming the leader in legal professional development, in the same way that the Association is considered the leader in lawyer professional conduct; and c) ABA CLE’s roles as a caretaker, facilitator, producer, and leader in professional development.

2.4 Request for Adoption of Memorial Resolutions for Former Board Members


2.5 National Judicial College

a. Nominations

The Board, sitting as the Members of the National Judicial College (NJC) re-elected Mark G. Tratos of Las Vegas, Nevada; and elected Ann Thornton Field of Philadelphia, Pennsylvania, Tony F. Sanchez III of Las Vegas, Nevada, and Alan R. Brayton of Novato, California, as NJC representatives on the NJC Board of Trustees, all for three-year terms, to begin at the at the conclusion of the 2012 NJC Annual Meeting and end at the conclusion of the 2015 NJC Annual Meeting. In addition, the Board, sitting as the Members of the NJC, elected Peter J. Neeson of Philadelphia, Pennsylvania, to a second three-year term as an ABA Board of Governors representative on the NJC Board of Trustees, to begin at the conclusion of the 2012 NJC Annual Meeting and end at the conclusion of the 2015 NJC Annual Meeting.

b. National Judicial College Presentation

The Board, sitting as the members of the National Judicial College (NJC), heard a presentation from Honorable William F. Dressel, President of the NJC. On behalf of the NJC Board of Trustees, President Dressel thanked the Board for its continued support of the NJC. Judge Dressel described new courses to be offered by the NJC, including a
course regarding pre-trial release that is being developed with the ABA Criminal Justice Section. In celebration of the NJC's 50th anniversary in 2013, the NJC will conduct symposia at various locations across the country on the topics "Court Culture/Civility-Impact of Public Trust and Confidence," "How Courts Resolve Disputes and the Role of the Jury Trial in the 21st Century," and "Judicial Competency, Committed Retention and Leadership: Critical Challenges Facing the Judiciary."

2.6 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 3, 2012, meeting of the ABA/FJE Board as presented and b) accepted the ABA/FJE restricted grants and contributions received or awarded through March 31, 2012, and not previously reported, as requested by the Association’s Financial Services Division.

2.7 Consent Calendar: Report of Board Committee Chairs

The Board adopted the Consent Calendar as presented by the Secretary. 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.

ADDITIONAL ITEM: Status Report Regarding Young Lawyers Division (YLD) Activities

Michael G. Bergmann, Chair of the YLD, presented a status report regarding the current activities of the YLD, including a) "Project Salute: Young Lawyers Serving Veterans," the YLD’s national public service project that educates former service members regarding available federal veterans’ benefits and assists them in completing the required forms, b) the "Next Steps Challenge," made possible through support from the Center for Racial and Ethnic Diversity and Wal Mart, which is designed to increase diversity in the educational pipeline to the legal profession, c) the "Career Development Initiative," co-sponsored by the ABA Career Center, which provides career resources and programming, and d) "Touch 10,000," an outreach program to welcome new bar admittees to the practice of law and the ABA.

2.25 INFORMATIONAL REPORTS

The Board received written informational reports from the Center for Racial and Ethnic Diversity, the Commission on Women in the Profession. In addition, the Board received a written informational report regarding 2012 ABA Day.
3. OPERATIONS AND COMMUNICATIONS COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

3.1 Requests for Bylaw Amendments

a. Health Law Section

The Board approved the request of the Health Law Section to amend its bylaws to provide that in making appointments to the Nominating Committee, the Chair shall take into account considerations of gender, ethnicity, geography, sexual orientation, practice setting and disabilities in order to ensure that the membership of the Nominating Committee is of a diverse nature. The proposed amendment was approved by the Section Council on February 26, 2012. Approval by the Board is subject to the approval of the Health Law Section Membership at its annual business meeting during the 2012 Annual Meeting.

b. Law Student Division

The Board approved the request of the Law Student Division to amend its bylaws to i) provide a more efficient and transparent removal process of an officer, and ii) reorganize the geographic circuits of the Division. The proposed amendments were approved by the Law Student Division Board of Governors at its March 17, 2012 meeting. Approval by the Board is subject to approval by the Law Student Division Assembly at the ABA Annual Meeting on Saturday, August 4, 2012.

c. Section of Environment, Energy, and Resources

The Board approved the request of the Section of Environment, Energy, and Resources to amend its bylaws, in pertinent part, to i) clarify the role of the Nominating Committee when an officer or council member vacancy occurs, ii) clarify the composition of the Nominating Committee and its deadlines, iii) describe parameters for approval of non-budgeted expenditures, and iv) correct some terms and titles, including changing the name of the Membership Officer to Membership and Diversity Officer. The Section Council approved the proposed amendments on January 21, 2012, subject to approval by the Board and ratification by Section.

d. Senior Lawyers Division

The Board approved the request of the Senior Lawyers Division to amend its bylaws to provide that an individual appointed to fill a vacancy on the Council for up to two years will remain eligible for reelection at the end of that term without having to wait for a year. The proposed amendment was approved by the Division Council April 21, 2012, subject to approval by the Board and by the Division membership at its Annual Meeting in August 2012.
3.2 Nominations


The Board elected Francine Ward of California to the Board of Trustees of AIPLEF, for a three-year term to begin July 1, 2012 and conclude June 30, 2015, as recommended by the Section of Intellectual Property Law.

In February, 2002, the 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.

b. Intellectual Property Constituency (IPC) (Section of Intellectual Property Law)

The Board elected James R. Davis, II of Washington, DC, as an institutional representative to the IPC, for a three year term to begin in July 2012 and end in July 2015, as recommended by the Section of Intellectual Property Law.

In July 2000 the Board approved membership in the IPC and the election of an ABA representative to a three-year term. The IPC is an international organization formed under the Domain Name Supporting Organization (DNSO) of the Internet Corporation for Assigned Names and Numbers (ICANN) to represent the views and interests of users of intellectual property worldwide with particular emphasis on trademark, copyright and related intellectual property rights and their effect and interaction with the Domain Name System on the Internet.

c. Council for Agricultural Science and Technology (CAST) (Section of Environment, Energy, and Resources)

The Board approved the request of the Section of Environment, Energy, and Resources and i) elected Shawna M. Bligh of Missouri to the Board of Directors of CAST for a three-year term, effective fall 2012 through fall 2015, and ii) authorized the payment of CAST dues of up to $3,000 annually from Section funds for membership years 2011-2012, 2012-2013, and 2013-2014.

The Board approved institutional membership in CAST in August 2008. CAST is a nonprofit 501(c) (3) organization comprised of 38 scientific societies and many individual, student, company, nonprofit, and associate society members. Each member society designates one representative to serve a three-year term on the CAST Board of Directors.

d. Industry Trade Advisory Committee on Services and Financial Industries (ITAC 10) (Section of International Law)

The Board elected Timothy C. Brightbill of Virginia to a third three-year term as the ABA representative to ITAC 10, effective immediately through February 2014, as recommended by the Section of International Law.
The Board approved ABA representation to ITAC 10 in October 2005. The ITACs serve as private industry trade advisors to the U.S. government and assist U.S. trade negotiators in developing U.S. policies and strategies to promote U.S. interests in bilateral, regional and multilateral trade negotiations.

e. **International Criminal Bar (ICB) (Section of International Law and Criminal Justice Section)**

The Board elected Thomas C. Viles of Washington, DC, to a second four-year term as the ABA representative to the ICB, effective immediately through March 2015, as recommended by the Section of International Law and the Criminal Justice Section.

The Board approved ABA membership in the ICB in June 2003. The ICB is a global association of bar associations and lawyers that represent and advance the interests of counsel for defendants, accused, victims and witnesses before the International Criminal Court.

f. **Standing Committee on Audit (President-elect Bellows)**

The Board elected Board Nominee Kenneth Gideon of Washington, DC, to the Standing Committee on Audit for a three-year term to begin at the conclusion of the 2012 Annual Meeting and end at the conclusion of the 2015 Annual Meeting, as recommended by President-elect Bellows. The President-elect also advised the Board that she will re-appoint Marshall Doke as Chair of the Audit Committee for the 2012-2013 Association Year.

g. **National College of District Attorneys (NCDA) (Criminal Justice Section):**

The Board elected i) Stephen A. Saltzburg of Washington, DC, to a second three-year term on the NCDA Board of Regents, effective immediately through December 2014, and ii) Anne J. Swern of New York to a second three-year term on the NCDA Board, to begin in December 2012 and conclude in December 2015, both as recommended by the Criminal Justice Section.

h. **American Correctional Association Commission on Accreditation for Corrections (ACA-CAC) (Criminal Justice Section)**

The Criminal Justice Section recommends the election of Professor Lynn S. Branham of Missouri to a three-year term as the ABA representative to ACA-CAC, to begin in August 2012 and conclude in August 2015.

i. **National Judicial College (NJC) Board of Trustees (Board of Governors Representative) (Nomination from Peter J. Neeson)**

See Exhibit 2.5a. above.
j. **UIA International Association of Lawyers (UIA) (Sections of International Law, Labor and Employment Law, Tort Trial and Insurance Practice, and Litigation)**

The Board re-elected i) Ellen G. Yost of New York (re-nominated by the Section of International Law), ii) Jacqueline Scott of Washington, DC (re-nominated by the Section of Labor and Employment Law), iii) Randy J. Ailment of Washington State (re-nominated by the Tort Trial and Insurance Practice Section), and iv) Louis F. Burke of New York (re-nominated by the Section of Litigation) to three-year terms as ABA representatives to the UIA, all terms to take effect immediately and conclude in fall 2014.

k. **Permanent Editorial Board of the Uniform Commercial Code (Business Law Section)**

The Board re-elected Teresa W. Harmon of Illinois to a three-year term as the ABA's Liaison-Advisor to the Permanent Editorial Board of the Uniform Commercial Code, effective immediately through August 2014, as recommended by the Business Law Section.

l. **International Aircraft Registry Advisory Board (Registry) (Business Law Section)**

The Board re-elected James D. Tussing of New York to a three-year term as the ABA's representative to the Registry effective immediately through August 2015, as recommended by the Business Law Section.

Established under the Cape Town convention, an international air agreement which the United States was instrumental in creating, the Registry is intended to provide a centralized means of filing and perfecting interests in aircraft that will supplement or replace the current system of filings at national registries established after World War II.

3.3 **ABA Medal**

In executive session, the Board selected the recipient of the 2012 ABA Medal.

3.4 **Requests to Establish or Make Changes to Existing Awards**

a. **Forum on Franchising**

The Board approved the request of the Forum on Franchising to establish the Forum on Franchising Rising Scholar Award, a writing competition for members of the Forum who have been out of law school for less than four years. The winner will receive several prizes, including i) a plaque (approximate value $250) to be presented at the Annual Forum on Franchising, ii) a financial award ($2,000) to reimburse the author’s expenses for traveling to the Annual Forum on Franchising for the award presentation, and iii) a waiver of the registration fee for attending the Annual Forum on Franchising (value approximately $875).
b. **Section of Environment, Energy, and Resources (Two Requests)**

The Board approved the requests of the Section of Environment, Energy, and Resources to establish the following awards. No ABA general revenue is requested or required for the awards.

i. **Environment, Energy, and Resources Dedication to Diversity and Justice Award**: presented to individuals or entities that have made significant accomplishments or demonstrated recognized leadership in the areas of environmental justice and/or a commitment to gender, racial, and ethnic diversity in the environment, energy, and natural resources field of law. The actual award, a plaque valued at $150, will be given following the Annual Business Meeting of the Section, which occurs during the ABA Annual Meeting. The Board also approved the Section’s request for an exception to the policy prohibiting reimbursement of ABA Annual Meeting expenses to permit the Section to pay the costs of the recipient to travel to the Annual Meeting to receive the award. The reimbursement will come from Section funds.

ii. One-time Energy and Public Lands Student Writing Competition: in conjunction with the Energy and Public Lands Symposium to be held in Montana April 18, 2013. Students currently enrolled in law school (in the U.S. or abroad) (J.D. or LL.M. programs) are eligible, including students who will graduate in the spring or summer of 2013. The winner a) will receive a prize of $1,000 (co-authors would share the $1,000 prize) and b) will be published in a special issue of the Public Land and Resources Law Review. First, second, and third place papers would be published on the Section website. The Competition will award a second prize of $500 and a third prize of $250.

c. **Section of Public Contract Law (Two Requests)**

The Board approved the requests of the Section of Public Contract Law to establish the following awards. No ABA general revenue is requested or required for the awards.

i. **Allan J. Joseph Excellence in Leadership Award**: in recognition of an individual’s exceptional effort and accomplishments and extraordinary contributions to the Section. The actual award, a certificate mounted on a wooden plaque with a maximum cost of $150, will be presented at the ABA Annual Meeting during the Annual Section Business Meeting.

ii. **Committee of the Year Award**: to honor a Public Contract Law Section Committee in recognition of its outstanding contributions during the year to the Section membership and the practice of Public Contract Law. The actual award, a certificate mounted on a wooden plaque with a maximum cost of $150, will be presented at the ABA Annual Meeting during the Annual Section Business Meeting. If the Committee is chaired by more than one individual, each Co-Chair will receive his or her own mounted certificate.
3.5 President Robinson's Request for the Creation of a Special Advisory Committee to the Magna Carta 2015 Committee

The Board approved President Robinson's request to create a Special Advisory Committee to the Magna Carta 2015 Committee (Committee), comprised of a maximum of ten members. The Special Advisory Committee will assist the Committee in providing support for the celebration of the 800th Anniversary of the signing of the Magna Carta, including suggesting speakers and venues for events. The Board's approval was with the understanding that no additional ABA general revenue funds will be used in connection with the Special Advisory Committee.

3.6 President-elect Bellows' Requests

a. Requests for Special Advisors

The Board approved President-elect Bellows' request to i) create a special advisor position and appoint a special advisor to the Death Penalty Moratorium Implementation Project, the Commission on Homelessness and Poverty, and the Standing Committee on Strategic Communications, and ii) continue a total of 38 special advisors to 26 separate entities.

b. Request for Creation of Entities to Oversee 2012-2013 Initiatives and to Seek Outside Funding

The Board approved President-elect Bellows' requests to create the following entities to oversee her Initiatives, and to seek outside funding for each of the entities. No additional general revenue funds are requested or required for the entities.

i. Task Force on Human Trafficking in the United States: comprised of up to 18 members including two Co-Chairs. Will a) coordinate implementation of a range of anti-trafficking projects identified by a planning committee in 2012 and b) focus on the sex and labor trafficking and enslavement of adults and children in the United States.

ii. Task Force on Gender Equality: comprised of up to 20 members, including a Chair. May include non-lawyer members. Will a) identify the current gaps in legislation and civil remedies that adversely affect women and identify potential legislative and administrative solutions, and b) also develop a social media campaign to raise public awareness of these important gender equality issues.

iii. Task Force on National Cybersecurity: will be carried out by a task force of the Standing Committee on Law and National Security that includes lawyer and non-lawyer experts from the public and private sectors involved in addressing cybersecurity issues as well as representatives from the ABA Section of Science and Technology Law and other ABA entities with an interest in cybersecurity and privacy. Will a) examine the legal issues pertaining to public safety, national security and individual rights during events involving cyber attacks, including cyber conflict, and b) consider where gaps in law and policy exist and what expertise the ABA can contribute to fill the gaps.
3.7  Request for Approval of Guidelines for ABA Delegate Participation in Multinational Intergovernmental Bodies, Including the United Nations

The Board approved Guidelines for ABA Delegate Participation in Multinational Intergovernmental Bodies, Including the United Nations. The Guidelines will monitor and coordinate participation in these meetings.

3.8  Request to Amend ABA Policy Regarding E-Mail Options

The Board amended the current policy regarding e-mail options, adopted in July 2000 and revised in November 2003 to a) permit ABA members and customers to manage communications restrictions in accordance with established federal and state regulations and b) provide that the operational manner in which the Association manages or changes communications restrictions will be established by the Executive Director in consultation with the Standing Committee on Membership and the Standing Committee on Technology and Information Systems.

The Board's approval of the amendments was with the understanding that a) the Operations and Communications Committee will continue to have oversight regarding all changes in communications restrictions that are established by the Executive Director in consultation with the Standing Committee on Membership and the Standing Committee on Technology and Information Systems, and b) the Executive Director will report periodically to the Board regarding such changes.

3.9  Requests Regarding Memoranda of Understanding (MOU) with Outside Organizations

a.  Criminal Justice Section Request to Enter into MOU with International Society for the Reform of Criminal Law

Subject to review and approval of the MOU by the ABA General Counsel's Office, the Board approved the request of the Criminal Justice Section to enter into an MOU with the International Society for the Reform of Criminal Law, effective for a period of three years from the date of signing or until terminated in writing by either party, whichever is earlier. The MOU provides for mutual promotion of certain conferences and member discounts at five conferences, participation in planning for certain conferences, exchanging attendees at council or governance meetings and exchanging non-voting attendees on publications boards to enhance coverage of domestic and international issues. In addition, the MOU specifies that ABA approval would be requested for any co-sponsored programs.

b.  Tort Trial and Insurance Practice Section Request to Extend MOU with Union International des Avocats (UIA)

The Board approved the request of the Tort Trial and Insurance Practice Section for a three-year extension of the MOU between the Section and the UIA, effective September 1, 2012 through August 31, 2015. The terms of the original MOU will remain the same. The MOU was first approved by the Board in October 2010. Under the auspices of the
MOU, the Section will continue to coordinate efforts and activities with the UIA to increase member awareness and promote professional cooperation. The activities include meeting attendance and participation, program development at meetings and exchange of publications. In approving the request, the Board understood that the extension of the MOU has been reviewed and approved by the ABA General Counsel’s Office. In addition, the Board directed that TIPS request approval for any programs that are co-sponsored pursuant to the terms of the MOU.

3.10 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 2012 ABA Annual Meeting in Chicago, Illinois.

3.11 Standing Committee on Legal Aid and Indigent Defendants Request to Charge Registration Fee for Indigent Defense Summit at 2013 Midyear Meeting

The Board approved the request of the Standing Committee on Legal Aid and Indigent Defendants to charge a registration fee of not more than $100 for its one-day CLE-accredited Summit on Indigent Defense Improvement, to be presented during the 2013 ABA Midyear Meeting in Dallas, Texas. The fee will help defray the costs of conducting the program, including printing and shipping materials, CLE accreditation, A/V charges and a modest lunch.

3.12 Standing Committee on Meetings and Travel Request to Approve Dates and Locations of 2019 Annual Meeting and 2020 Midyear Meeting

The Board approved the following dates and locations for the 2019 ABA Annual Meeting and the 2020 ABA Midyear Meeting, as requested by the Standing Committee on Meetings and Travel:

<table>
<thead>
<tr>
<th>2019 Annual Meeting</th>
<th>2020 Midyear Meeting</th>
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<tbody>
<tr>
<td>August 8-13, 2019</td>
<td>February 12-18, 2020</td>
</tr>
<tr>
<td>San Francisco, California</td>
<td>Austin, Texas</td>
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3.13 ABA Rule of Law Initiative (ROLI) Request to Revise Jurisdictional Statements of ABA ROLI and ROLI Councils

The Board approved, with amendments, revisions to the jurisdictional statements for the ABA Rule of Law Initiative and the ROLI Councils. The revisions, in pertinent part, establish specific criteria for persons appointed to the ROLI Board of Directors and each of the ROLI Councils and establish terms for the members of the ROLI Board.
3.14 General Practice, Solo & Small Firm Division Request for Approval of Alliance Dollars Membership Program with West Publishing Corporation

Subject to resolution of any potential issues regarding endorsement, unrelated business income, and privacy and other concerns as identified by the ABA General Counsel’s Office, the Board approved the request of the General Practice, Solo & Small Firm Division (GPSolo) for an alliance dollars membership program with West Publishing Corporation, a GPSolo corporate sponsor. Under the proposed program, eligible GPSolo members who sign up for a free 14-day Westlaw Next trial password and complete a 30 minute telephone/web demonstration, will be eligible for a coupon worth $45 that may be redeemed toward GPSolo membership dues only. The program will be offered from July 15-September 15, 2012, unless the parties mutually agree in writing to extend it.

3.15 Standing Committee on Membership (SCOM) Requests for Member Benefits

a. Agility Recovery

The Board approved SCOM’s request to develop a member benefit program with Agility Recovery for disaster planning and recovery services. ABA members will receive discounts of 20% on Agility service subscription fees, and Agility will pay the ABA a royalty of 4% per year on net sales. The annual royalties will continue for as long as the ABA member service accounts remain open, and the ABA will receive 4% per year on both new and renewal accounts. In addition, Agility will pay an annual marketing fee of $20,000.

b. Mercedes-Benz USA

The Board approved SCOM’s request to develop a member benefit program with Mercedes-Benz USA. The program will provide ABA members discounts of $1,000 to $4,000 on the purchase or lease of new Mercedes-Benz vehicles. The exact amount of the discount will depend on the model selected; however all discounts will be in addition to the best agreements members can negotiate with their authorized Mercedes-Benz dealers. In addition, the ABA will receive royalties of $100 per vehicle sold or leased to ABA members, and Mercedes-Benz will pay a $20,000 annual marketing fee.

The Board also suggested that SCOM and the Membership and Marketing Department seek out affinity relationships with other car manufacturers.

3.18 Health Law Section Request to Hold Annual Officers’ Retreat During 2012 Annual Meeting and for Exception to Annual Meeting Reimbursement Policy

The Board approved the request of the Health Law Section a) to use its 2012 Annual Meeting headquarter hotel, the Hyatt Regency, for its 2012 Officers’ Retreat on August 5-6, 2012, in Chicago, Illinois, which overlaps with one day of the Annual Meeting; and b) for an exception to the policy that prohibits reimbursement of Annual Meeting expenses to permit the Section to reimburse, at the ABA negotiated rate, the August 5 hotel expenses of the Section Officers who attend the Officers Retreat. In
approving the request, the Board understood that all Health Law Section Officers who
attend the 2012 Officers Retreat will be registered for the 2012 Annual Meeting.

B. MATTERS OF INDEPENDENT JURISDICTION

3.16 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 the co-sponsorships.

a. Commission on Women in the Profession: to solicit and, if approved, co-sponsor
   with the 16 entities listed in the request the Commission's program "Visible Invisibility:
   Women of Color in Fortune 500 Legal Departments" at the 2012 ABA Annual Meeting in
   Chicago.

b. Judicial Division National Conference of the Administrative Law Judiciary: to co-
   sponsor with the Illinois Association of Administrative Law Judges and the National
   Association of Women Judges the program “Finding Representation for the
   Unrepresented in Administrative Hearings,” August 3, 2012, at the John Marshall Law
   School Fair Housing Legal Clinic in Chicago.

c. Section of Antitrust Law (Two Requests):
   i. to co-sponsor with the International Bar Association and the Competition
      Commission of India a program on various antitrust themes and topics in late November
      or early December 2012 (specific date to be arranged), in New Delhi, India.
   ii. to cosponsor a conference with the Brazilian Institute of Studies on Competition,
       Consumer Affairs and International Trade in late June 2013 in Sao Paulo, Brazil.

d. Section of Individual Rights and Responsibilities: to co-sponsor the Lawyers' Committee
   for Civil Rights Under Law's voting rights project, "The Election Protection
   Program." The Operations Committee approved the Section's co-sponsorship of this

e. Section of Intellectual Property Law (on behalf of its Diversity in the Profession
   Action Group) (Two Requests):
   i. to co-sponsor a networking luncheon with the law firm Sughrue Mion PLLC
      in Washington, DC in June 2012.
   ii. to co-sponsor a networking luncheon with the law firm Kaye Scholer in New York
       in June 2012.
f. Section of International Law (Six Requests):

i. to co-sponsor with the American Association of Jewish Lawyers and Jurists the Section's Annual Meeting program "Comparative Constitutional Law: North America and the Middle East," August 3, 2012, in the ABA CLE Centre.

ii. to co-sponsor with the American Association of Jewish Lawyers and Jurists the Section's Annual Meeting program "Nuremberg Revisited," August 2, 2012, in the ABA CLE Centre.

iii. to co-sponsor the German American Lawyers' Association Annual Conference on German and American Law, October 4-6, 2012, in cooperation with Columbia University School of Law and Fordham Law School.

iv. to solicit the Adwokatura Polska (Polish Advocates), Association Internationale des Jeunes Avocats, District Bar Association (Warsaw), German Bar Association International Committee, Polish Bar Association, and Vienna Bar Association as co-sponsors of the Section's 2013 ILEX Delegation to Warsaw and Vienna.

v. to co-sponsor a capital markets program with the Law Society of England and Wales, November 29, 2012, in London.


g. Standing Committee on Legal Aid and Indigent Defendants (SCLAID): to co-sponsor with the National Legal Aid & Defender Association and the National Association of Criminal Defense Lawyers a "National Indigent Defense Training Consortium" to conduct regional trainings for indigent defense counsel. SCLAID intends to coordinate with the Criminal Justice Section's Defense Function Committee regarding this program.

h. Standing Committee on Professionalism: to co-sponsor from the 2012 through the 2014 Association Years professionalism education conferences of the National Institute for Teaching Ethics (NIFTEP). Established in 2005, NIFTEP is a consortium of seven nationally-recognized centers on ethics and professionalism. In October 2008, the Operations Committee approved the Standing Committee's co-sponsorship of NIFTEP conferences for the 2009-2011 Association years.

i. Section of State and Local Government Law (Two Requests):

i. to co-sponsor the International Municipal Lawyers Association North East Regional Land Use Seminar, June 21-22, 2012, in New Hampshire.

ii to formalize its support of the National Emergency Management Association's National Hazard Mitigation Collaborative Alliance (Alliance) by permitting the Section's logo to be used with the logos of all other supporters (listed in the request) of the
recommendations for an "Effective National Mitigation Effort," a White Paper on national mitigation prepared by the Association of the Directors of Emergency Management of the U.S. States and Territories and the District of Columbia. Membership in the Alliance is open to all organizations that support the principles contained in the White Paper. In 2011, the ABA House of Delegates adopted Resolution 114, which endorsed the recommendations contained in the White Paper.

j. Section of Science and Technology Law (Three Requests):

i. to co-sponsor the program “The Rise of Privacy: How It’s Changing Your Company Perspectives from Corporate Privacy Officers,” June 11, 2012, with the law firm Crowell & Moring LLP in Washington, DC.


iii. to develop programs for the Health Information Management Systems Society Health Summit in December 2012 in Washington, DC.

k. Section of Dispute Resolution: to co-sponsor a one-day conference on the topic “Appropriate Dispute Resolution (ADR): Hybrids and Combining Neutrals – How and When Can Mediators, Conciliators and Arbitrators Work Together to Assist Parties in Reaching Faster, Cheaper and/or Better Outcomes?,” hosted by the International Mediation Interest Group, September 3, 2012, in Geneva, Switzerland.

3.17 Section of Intellectual Property Law Request for Approval of Committee Programs Co-sponsored with Certain Outside Entities in 2012-2013

The Operations and Communications committee approved the request of the Section of Intellectual Property Law to co-sponsor certain Section committee programs with all state and local bar associations and 82 additional outside entities (listed in the request) as potential co-sponsors in 2012-2013.

4. PROGRAM, EVALUATION AND PLANNING COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

4.1 Enterprise Fund - Recommendation Regarding FY2012-2013 Enterprise Fund Proposals

The Board deferred to the August 2012 meeting of the Board consideration of recommendations regarding the funding of Enterprise Fund proposals for Fiscal Year 2012-2013.
B. MATTERS OF INDEPENDENT JURISDICTION

None for consideration.

5. FINANCE COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

5.1 Section of Environment, Energy, and Resources Request to Contribute Funds to Outside Organizations

The Board approved the request of the Section of Environment, Energy, and Resources to contribute Section funds to the Wisconsin International Law Journal’s 2012 spring symposium “Renewable Energy & Climate Change: Opportunities & Challenges.”

5.2 American Bar Foundation (ABF) Request for Adoption of Resolution to Authorize Transfer of Assets from ABA Thrift Plan to ABF’s TIAA-CREF Plan and Amend Thrift Plan documents as Necessary

The Board approved the request of the ABF and adopted a resolution that a) approved the transfer of ABA Thrift Plan assets for eligible American Bar Foundation employees into the Teachers Insurance and Annuity Association/College Retirement Equities Fund (TIAA-CREF) as a direct plan-to-plan transfer and b) authorized the amendment of ABA Thrift Plan documents as necessary to accommodate a plan-to-plan transfer of assets.

5.3 Informational Report Regarding FY2013 Budget and Appeals

The Finance Committee reported regarding the FY2013 budget and appeals. The following points were highlighted: a) the General Operations Budget for FY2013 is not yet balanced; b) preliminary recommendations regarding appeals have been made; c) the Finance Committee appointed a Special Committee to make the necessary recommended budget reductions for presentation of a balanced budget at the 2012 Annual Meeting; d) the Finance Committee recommends that relief regarding the rent increase be given to the Sections and certain others occupying space in Washington, D.C., it being understood that rent expenses will not be adjusted as part of this process, but relief will be granted in other ways; and e) in part, the amount of preliminarily approved appeals will be adjusted to the extent the amount includes rent relief already recommended by the Finance Committee.

Thereafter, the Board approved the following motions:

That the Finance Committee call a special meeting in advance of the August 2012 Board meeting to prepare a balanced budget for presentation to the Board in August 2012. Any appeals not resolved prior to the August 2012 Board meeting can be heard at the August 2012 Board meeting.

That the Board, for FY2013, will adopt a consolidated budget that will include a
balanced general operations budget based on $57,000,000 in general operations
dues revenue (that is, a proposed general operations budget in which budgeted
expenses do not exceed budgeted revenues).

5.4  Ratification of Withdrawal of Funds From the Open Line of Credit that was
Authorized in June 2010.

The Board ratified the withdrawal of funds from the open line of credit with Chase Bank,
dated April 26, 2012 and expiring on July 31, 2012, on behalf of the Association by the
Deputy Executive Director and Chief Financial Officer, pursuant to authorization received
in June 2010.

B.  MATTERS OF INDEPENDENT JURISDICTION

None for consideration.