AMERICAN BAR ASSOCIATION

REPORT OF THE BOARD OF GOVERNORS
TO THE HOUSE OF DElegates

INFORMATIONAL REPORT

2019 Midyear Meeting
Las Vegas, Nevada

January 28, 2019
**Table of Contents**

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABA Journal</td>
<td>3</td>
</tr>
<tr>
<td>ABA Logo</td>
<td>3</td>
</tr>
<tr>
<td>Awards</td>
<td>3</td>
</tr>
<tr>
<td>Bylaw Amendments</td>
<td>3</td>
</tr>
<tr>
<td>Committees, Commissions, Task Forces, and Outside Organizations</td>
<td>4</td>
</tr>
<tr>
<td>Co-sponsorships</td>
<td>4</td>
</tr>
<tr>
<td>Dues Matters</td>
<td>8</td>
</tr>
<tr>
<td>Elections, Appointments and Nominations</td>
<td>8</td>
</tr>
<tr>
<td>Financial Matters</td>
<td>9</td>
</tr>
<tr>
<td>International Matters</td>
<td>9</td>
</tr>
<tr>
<td>Legislative Priorities</td>
<td>10</td>
</tr>
<tr>
<td>Meetings and Meeting Matters</td>
<td>10</td>
</tr>
<tr>
<td>Memoranda of Understanding/Agreements</td>
<td>10</td>
</tr>
<tr>
<td>Memorial Resolution</td>
<td>11</td>
</tr>
<tr>
<td>Membership/Member Benefits</td>
<td>11</td>
</tr>
<tr>
<td>Policy Matters</td>
<td>11</td>
</tr>
<tr>
<td>Programmatic Matters</td>
<td>11</td>
</tr>
<tr>
<td>Publishing</td>
<td>12</td>
</tr>
</tbody>
</table>
The Board of Governors (Board) is directed by §48.2 of the House Rules of Procedure to report to the House of Delegates on actions taken by the Board. This report sets forth actions taken by the Board since the 2018 Annual Meeting. During that period, the Board met on November 9, 2018. The Board's Executive Committee met by conference call in executive session on November 28, 2018 to discuss the progress of the working group on the 501c3 entity and met by conference call on December 6, 2018.

**ABA Journal**

The Board approved the request of President Robert M. Carlson to amend the jurisdictional statement of the ABA Journal as revised.  
January 2019

**ABA Logo**

The Board approved the new ABA logo.  
January 2019

**Awards**

The Board approved the request of the Forum on Construction Law to continue its law student writing competition for 2019, 2020, and 2021.  
January 2019

The Board approved the request of the Judicial Division to create a “Civility Award” in the name of the late Hon. William D. Missouri.  
January 2019

The Board approved the request of the Solo, Small Firm and General Practice Division to establish a sweepstakes, “Passport to Prizes,” which will be conducted at its Fall and Spring Meetings, subject to review by the Office of General Counsel and clarification of prizes to be awarded.  
January 2019

The Board approved the request of the Section of Litigation to establish a sweepstakes, “Passport to Prizes,” which will be conducted at the Section’s Annual Conference, subject to review by the Office of General Counsel.  
January 2019

**Bylaw Amendments**

The Board approved the requests to amend bylaws from the Young Lawyers Division and the Section of Labor and Employment Law.  
November 2018

The Board approved the requests from the Tort Trial and Insurance Practice Section and the Law Student Division to amend their bylaws and deferred approval of the request from the Section of Intellectual Property Law (Section) to amend its bylaws in order to obtain additional information from the Section.  
January 2019
The Board approved the request of the Standing Committee on Audit to amend its charter.

January 2019

Committees, Commissions, Task Forces, and Outside Organizations

The Board approved the request of the Commission on Disability Rights to participate in a Diversity Task Force (2018-2019)—organized and managed by Diversity Lab—that examines the feasibility of broadening the scope of a law firm diversity pilot program, which measures diversity in leadership, to include lawyers with disabilities.

November 2018

The Board approved the request of the ABA Representatives and Observers to the United Nations Committee to amend its mission statement.

November 2018

The Board approved the request of the Fund for Justice and Education to create a Program Support Fund for the ABA Media Relations and Strategic Communications Division.

January 2019

Co-sponsorships

Section of Dispute Resolution to co-sponsor China Arbitration Week and the China Arbitration Summit in September 2018 in Beijing, China and the China Mediation Summit 2018 to be held September 11-13, 2018 in Changsha, China, organized by the China Council on the Promotion of International Trade Mediation Center.

August 2018

Section of Environment, Energy, and Resources to co-Sponsor and make a financial contribution from section funds to a public service project, “The Water Conservation Garden” during its 26th Fall Conference on October 17, 2018 in the San Diego area.

September 2018

Center on Children and the Law to be listed as a co-creator of a resource for juvenile defenders on trauma-informed legal advocacy, entitled Trauma-Informed Legal Advocacy: A Resource for Juvenile Defense Attorneys.

September 2018

Young Lawyers Division to co-sponsor the International Association of Young Lawyers (AIJA) Symposium on Entrepreneurship and Innovation, to be held November 8 – 10, 2018, in San Diego, California, at the Westin San Diego Gaslight Quarter.

September 2018
Standing Committee on Legal Aid and Indigent Defendants to co-sponsor a briefing/public education event on Public Defense Fees in the Juvenile Justice system in Washington, DC in October 2018.

September 2018

Standing Committee on the American Judicial System to co-sponsor *Contemporary Threats to Judicial Independence and Freedom of the Press*, a course for judges presented by the National Judicial College, which will be held at the National Press Club and JW Marriott in Washington, D.C. on December 10-13, 2018.

September 2018

Criminal Justice section to co-sponsor a webinar with the Judges’ and Psychiatrists’ Leadership Initiative, an initiative developed by the Council of State Governments Justice Center and the American Psychiatric Association Foundation. The program is designed to increase cultural competency of judges and trial lawyers around issues of mental illness and substance abuse.

October 2018

Commission on Women in the Profession to co-sponsor Ms. JD’s *LaddHer Up* retreat at the Silverado Resort & Spa in Napa, California on October 18-19, 2018 and a presentation of its Grit Project and a panel discussion about the career paths of women leaders in the field of law, to be held at the New York City Bar Association in New York, New York on October 25, 2018.

October 2018

Standing Committee on Legal Assistance to Military Personnel to list the American Bar Association as a co-sponsor of the Veterans Legal Career Fair on September 21, 2018, in Washington DC.

October 2018

Section of Environment, Energy, and Resources to co-sponsor, with specific non-ABA entities, non-CLE Section programs that may be held in the 2018-2019 and 2019-2020 association years.

November 2018

Section of Science & Technology Law to co-sponsor the Task Force on Climate-Related Financial Disclosures, which develops voluntary, consistent climate-related financial risk disclosures for use by companies in providing information to investors, lenders, insurers, and other stakeholders.

November 2018

Section of Intellectual Property Law (i) to co-sponsor the 12th Annual USPTO *Design Day 2019* tentatively scheduled for Tuesday, April 16, 2019, in the Madison Auditorium at USPTO Headquarters in Alexandria, Virginia, and to contribute approximately $3,000 derived from Section funds; and (ii) to co-sponsor World IP Day, an annual event promoted by the World Intellectual Property Organization of the United Nations at the Rayburn House Office Building (tentatively) in Washington, DC on April 26, 2019, and contribute no more than $5,000 derived from Section funds.

November 2018
Section of Litigation (i) to co-sponsor a Duke University School of Law Survey to gain additional insights on the Federal Civil Rules Amendments that took effect in 2015. This survey would be distributed to the section’s members in January or February 2019; and (i) to co-sponsor the National Judicial College’s symposium for judges and journalists titled, “‘So-Called Judges’ and the ‘Enemy of the People’: Judges, Journalists, and the Prospects for Democracy in a Time of Presidential Scorn” to be held at the National Press Club on December 13, 2018 and contribute $1,500 derived from Section funds.

November 2018

Center for Innovation to co-sponsor the Prototyping for Policy: Law + Design Summit being held at Stanford Law School on November 8-9, 2018.

November 2018

Judicial Division to co-sponsor a reception on Tuesday, December 11, 2018 at the Indiana State Bar Association’s office, honoring former AJC Chair and retired Indiana State Supreme Court Justice Frank Sullivan, Jr.

November 2018

The ABA Observers and Representatives to the United Nations to co-sponsor a City Bar of New York program being held on December 10, 2018.

December 2018

Judicial Division to co-sponsor Contemporary Threats to Judicial Independence and Freedom of the Press, a course for judges presented by the National Judicial College which will be held at the National Press Club and JW Marriott in Washington on December 10-13, 2018.

December 2018

Commission on Women in the Profession to co-sponsor the National Conference of Bar Presidents presentation “Good Guys (Guys Overcoming Obstacles to Diversity): The Next Generation of Leaders” at the ABA Midyear Meeting on January 25, 2019.

December 2018

Section of Civil Rights and Social Justice to co-sponsor the University of Pennsylvania Journal of Constitutional Law’s 2019 Symposium on Friday, January 25, 2019.

December 2018

Commission on Women in the Profession to co-sponsor a presentation of the Grit Project and roundtable discussions about using a grit and growth mindset to advance in the legal profession at Western Michigan University Thomas M. Cooley Law School in Lansing, Michigan on January 25, 2019.

December 2018

Section of Public Contract Law to co-sponsor the “Grit in Government Contracts” program with The George Washington University Law School on February 27, 2019.

December 2018
Approved the request from the Section of Environment, Energy, and Resources to co-sponsor and make financial contributions from Section funds to *The Urban Farm at Stapleton*, a community service project taking place during its 48th Spring Conference on March 27, 2019 in Denver.

December 2018

Approved the request from the Young Lawyers Division to co-sponsor an event with the National Bar Association’s YLD and the Hispanic Bar Association’s YLD on February 21, 2019, from 6 – 8 PM ET at The Park on 14th in Washington, D.C.

January 2019

Approved the request from the Center for Human Rights and Lawyers Without Rights to co-sponsor a reception and panel discussion with the German Federal Bar titled: “Legal Lessons from the Holocaust: When Lawyers Remain Silent” on Thursday, February 7, 2019, at the NY City Bar.

January 2019

Approved the request from the Division for Public Education to co-sponsor an annual Summer Teacher’s Institute with the Justice Anthony M. Kennedy Library and Learning Center, beginning in 2019.

January 2019

Approved the request from the Division for Public Education to co-sponsor an innovative online (web and mobile) platform called Gell, whose mission is to “bring people together through civil discourse on issues that matter.”

January 2019

Approved the request from the Division for Public Education to co-sponsor with the Harvard Kennedy School a Forum to mark the centennial of the 19th Amendment.

January 2019

Approved the request of the Section of Environment, Energy, and Resources to co-sponsor and make financial contributions from Section funds to the District of Columbia Bar Association’s Environment, Energy and Natural Resources Community Annual Summer Reception in 2019, 2020, and 2021.

January 2019

Approved the request of the Section of Environment, Energy, and Resources to co-sponsor, with several outside entities, non-CLE Section programs that may be held in the 2018-2019 and 2019-2020 association years.

January 2019

Approved the request of the Section of International Law to co-sponsor Section programming with certain outside entities for the remainder of the 2019 Association year.

January 2019

Approved the request of the Judicial Division National Conference of State Trial Judges to co-sponsor a program with the New York State Office of Court Administration Gender Fairness Committee on March 25, 2019, at Albany Law School.

January 2019
Approved the request of the Section of Science & Technology Law to co-sponsor the International Conference on Unmanned Aircraft Systems from June 11-14, 2019 in Atlanta.

January 2019

Approved the request of the Standing Committee on Public Education to co-sponsor with Public Square Media, a video to mark the centennial of the 19th Amendment.

January 2019

Approved the request of the Center for Human Rights to cosponsor a briefing on Capitol Hill on Wednesday, January 30, 2019 with the Center for Strategic and International Studies regarding the threats to the rule of law and the future of the International Commission Against Impunity in Guatemala.

January 2019

Dues Matters

The Board deferred the requests to increase dues from the Section of Real Property, Trust and Estate Law, the Government and Public Sector Lawyers Division, and the Section of International Law to allow for consultations with these Sections, the Standing Committee on Membership and ABA Marketing and to determine if empirical research has been done.

January 2019

The Board approved the request of the Standing Committee on Membership (SCOM) to establish a dues rate for Law Student Graduate members and the creation of a Tiered Section Dues Pilot Program to run until the end of FY2022. The Board approved the request that the Executive Committee and SCOM work together until August 2019 on the modifications of the Full Firm Membership Pilot Program.

January 2019

Elections, Appointments and Nominations

The Board, sitting as members of the ABA CEELI corporation (CEELI), approved the Minutes of the last meeting of the Members of CEELI held August 11, 2017 and elected Robert M. Carlson and re-elected Hilarie Bass and Mary L. Smith members of the Board of Directors of CEELI.

November 2018

The Board approved the request, as amended, from ABA Secretary Mary L. Smith to amend the Delegate-at-Large Campaigning Rules to provide a mechanism for reporting and/or investigation of complaints regarding violations of the rules and to further maintain the integrity of the ABA’s election process, effective immediately.

November 2018

The Board approved the request of the Judicial Division’s National Conference of Administrative Law Judiciary to appoint a liaison to the National Association of Immigration Judges.

January 2019
The Board re-elected Robert A. Armitage as the ABA representative on the Board of Trustees of the American Intellectual Property Law Education Foundation for a second three-year term beginning on July 1, 2019 and expiring on June 30, 2022.

January 2019

The Board elected Keith Matthews of Washington, DC, as the ABA representative to the Council for Agricultural Science and Technology to fill the unexpired term of Brandon Wade Neuschafer of Saint Louis, Missouri, through October 1, 2020.

January 2019

**Financial Matters**

The Board approved the amended FY2019 Section Budget.

November 2018

The Board approved the request to allow the Executive Committee to execute, before the next scheduled Board meeting, a transaction to convert all or a portion of the variable-rate loan to a fixed-rate loan, provided the Finance Committee so recommends.

November 2018

The Board approved the request of the Standing Committee on Paralegals to waive the $100 per day limit on reimbursement of reasonable travel and lodging expenses for Approval Commission members to attend twice yearly meetings at the ABA Headquarters in Chicago, Illinois.

November 2018

The Board accepted an Opportunity Grant from ABE and approved a waiver of the $300,000 (or 4% of the allocation to ABA/ABE, whichever is less) limit on Opportunity Grants.

January 2019

The Board accepted the consolidated financial statement, details of consolidation and other information for the years ended August 31, 2018, and 2017 as prepared by Grant Thornton, the ABA’s independent auditors. In addition, the Board approved the request to retain Grant Thornton as the ABA’s independent auditors for the year ended August 31, 2019, on the same terms and conditions for the year ended August 31, 2018.

January 2019

**International Matters**

The Board approved the request of ROLI to register a ROLI Branch Office in Liberia.

November 2018

The Board deferred the request of ROLI to launch the Global Law Firm Network to obtain further information from ROLI and ABA Membership & Marketing.

January 2019
The Board approved the request of ROLI for an updated list of Approved Countries of Operation, Donors, and Thematic Program Areas to add the Wildlife Conservation Society as a donor.

January 2019

Legislative Priorities

The Board approved the ABA Legislative and Governmental Priorities for 2019-2021.

January 2019

Meetings and Meeting Matters

The Board approved the request of the Government and Public Sector Lawyers Division (Division) to charge a registration fee for Division programs to be presented at the 2019 ABA Midyear Meeting in Las Vegas. The Division will charge a registration fee of no more than $50.00 each for up to four CLE programs that will be offered by the Division for government lawyers.

November 2018

The Board approved the request of President-Elect Judy Perry Martinez to conduct the November 13-15, 2019, Board meeting as a teleconference and the June 10-12, 2020, Board meeting in Chicago, Illinois.

January 2019

Memoranda of Understanding/Agreements

The Board approved the request of the ABA Tort Trial and Insurance Practice Section (Section) to extend a Memorandum of Understanding (MOU) between the Section and the Union Internationale des Avocats through 2021, subject to review and approval of the MOU by the Office of the General Counsel, and a signed copy filed with the Division for Policy and Planning.

November 2018

The Board approved the request of the Section of Litigation to extend its Memorandum of Understanding (MOU) with the Union Internationale des Avocats through 2021, subject to review and approval of the MOU by the Office of the General Counsel, and a signed copy filed with the Division for Policy and Planning.

November 2018

The Board approved the request of ABA Rule of Law Initiative (ROLI) to enter into Memoranda of Understanding with the European Law Foundation, Direction Générale de la Sureté Nationale, and Présidence du Ministère Public, subject to review and approval by the ABA Office of General Counsel and a signed copy on file with the Policy and Planning Division.

November 2018

The Board approved the request of ROLI to enter into a Memorandum of Understanding with the African Union, subject to review and approval by the ABA Office of General Counsel, and a signed copy filed with the Division for Policy and Planning.

November 2018
The Board approved the request of the ABA Rule of Law Initiative to enter into twenty-one Memoranda of Understanding, subject to review and approval by the ABA Office of General Counsel and signed copies filed with the Policy and Planning Division.

January 2019

Memorial Resolution

The Board adopted a memorial resolution for former Board member John J. Bouma of Phoenix, Arizona.

January 2019

Membership/Member Benefits

The Board deferred the request of the Standing Committee on Membership to add Eden Residence Club to the ABA Advantage program until the June 2019 Board meeting to allow for further research.

January 2019

Policy Matters

The Board approved the request of Executive Director Jack L. Rives to amend the Social Media Policy (Policy) and the Business Conduct Standards. Approval was with the understanding that the Policy will immediately apply to staff. The Board will receive a request to amend the Policy to apply to members.

January 2019

The Board approved the request of the Fund for Justice and Education to amend the Member Benefit Policy to allow for contracting with third party vendors that act as agents for companies to create and service affinity program relationships.

January 2019

Programmatic Matters

The Board approved the request of the Commission on Sexual Orientation and Gender Identity (SOGI) to create the ABA SOGI LGBT Public Interest Scholarship Program and to seek outside funding.

November 2018

The Board approved the request of the Standing Committee on Public Education to seek outside funds for ABA activities related to the commemoration of the centennial anniversary of the passage of the 19th Amendment, guaranteeing and protecting women’s constitutional right to vote.

November 2018

The Board approved the request of the Standing Committee on Election Law (Standing Committee) to create a Program Support Fund to allow the Standing Committee to
receive charitable contributions from individuals, law firms, corporations, foundations, civic organizations, law schools, and others.

November 2018

The Board approved the request of the Division for Bar Services (Division) to create a Program Support Fund for the Division to receive charitable contributions from individuals, law firms, corporations, foundations, civic organizations, law schools, and others.

November 2018

The Board approved the request of the Fund for Justice and Education to create a Program Support Fund for the ABA Media Relations and Strategic Communications Division.

January 2019

**Publishing**

The Board approved the request of the Standing Committee on Publishing Oversight to amend certain sections of the Policy and Procedures Handbook.

January 2019
Section 24.1 of the Association’s Bylaws provides the Board of Governors with the option to transmit to the House of Delegates the reports of sections, divisions and committees of the Association, together with any recommendations and comments the Board may have. This report transmits to the House those reports containing resolutions with such comments as the Board has voted to bring to the attention of the House.

The Board did not take action on any Resolutions with Reports which will be considered by the House of Delegates at the 2019 Midyear Meeting.
AMERICAN BAR ASSOCIATION
REPORT OF THE BOARD OF GOVERNORS
TO THE HOUSE OF DELEGATES
ASSOCIATION LEGISLATIVE PRIORITIES
2019 Midyear Meeting
Las Vegas, Nevada
January 28, 2019

At the Midyear Meeting every odd year – that is, at the beginning of each new Congress - the Standing Committee on Governmental Affairs and the Governmental Affairs Office recommend to the Board of Governors a list of proposed Federal Legislative and Governmental Priorities to guide the ABA advocacy during the ensuing Congress. The Board considered and adopted at its January 2019 meeting the following legislative priorities for the 116th Congress:*  

Access to Legal Services
Access to the Civil Justice System
Criminal Justice System Improvements
Elimination of Discrimination
Immigration Reform
Independence of the Judiciary
Independence of the Legal Profession
International Rule of Law
Legal Education
National Security and Civil Liberties

Respectfully submitted,

Mary L. Smith
Secretary

* The full report is available from the Policy and Planning Division.