<table>
<thead>
<tr>
<th>RPT NO.</th>
<th>PROPOSED BY</th>
<th>SHORT TITLE</th>
<th>ACTION</th>
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</thead>
<tbody>
<tr>
<td>10A</td>
<td>NEW YORK STATE BAR ASSOCIATION</td>
<td>Adopts the <em>Standards of Representation of Clients in Immigration Cases</em>, dated August 2015, to serve as a practical guide for attorneys and accredited representatives handling immigration cases.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>11-1</td>
<td>CONSTITUTIONAL AMENDMENT</td>
<td>Amends §1.2 of the Association’s Constitution to include the following language as one of the purposes of the Association: “to defend the right to life of all innocent human beings, including all those conceived but not yet born.”</td>
<td>Postponed Indefinitely</td>
</tr>
<tr>
<td>11-2</td>
<td>CONSTITUTIONAL AMENDMENT</td>
<td>Amends §10.1 of the Association’s Constitution to change the Section of Individual Rights and Responsibilities to the Section of Civil Rights and Social Justice.</td>
<td>Approved</td>
</tr>
<tr>
<td>11-3</td>
<td>AMENDMENT TO BYLAWS</td>
<td>Amends §28.4 of the Association’s Bylaws to permit an Association member who is neither a staff member nor a law student member to be reimbursed from Association funds for travel expenses to attend the Annual Meeting within the budgetary constraints of that reimbursing entity.</td>
<td>Approved as Revised and Amended*</td>
</tr>
<tr>
<td>11-4</td>
<td>AMENDMENT TO BYLAWS</td>
<td>Amends §30.5 of the Association’s Bylaws to allow associate members to serve on the Council and in the leadership of the Section of Dispute Resolution in accordance with its bylaws.</td>
<td>Approved</td>
</tr>
<tr>
<td>11-5</td>
<td>AMENDMENT TO BYLAWS</td>
<td>Amends §31.7 of the Association’s Bylaws to change the jurisdictional statement of the Standing Committee on Legal Assistance for Military Personnel to clarify the scope of legal matters within the jurisdiction.</td>
<td>Approved</td>
</tr>
</tbody>
</table>

* See Attached
Amends various sections of the Association’s Constitution and Bylaws regarding the House of Delegates, Nominating Committee, Board of Governors (including redistricting), and Officers.

A(2) Reduce the threshold for additional delegates for state and local bar associations and ABA sections based on ABA membership.

Approved

A(3) Provide an additional delegate to those delegations without a young lawyer, subject to the additional delegate being less than 36 years old or admitted to his or her first bar within the past five years at the beginning of the term.

Approved

B(1) Provide that the ABA President shall appoint Goal III members-at-large from broadly solicited nominations; and increase the number of Goal III members-at-large to eight (8) to add one (1) self-identified LGBT member-at-large and one (1) member-at-large self-identified as having a disability.

Approved

A(1) Provide that Goal III members become members of the House of Delegates while serving on the Nominating Committee if they are not already in the House of Delegates.

Approved

B(2) Provide that petitions for election to the Nominating Committee include an acknowledgment that the candidates will abide by the Statement of Expectations.

Approved

B(3) Eliminate the sunset provisions for at-large seats and clarify that districting is based on lawyer population.

Motion to Divide Approved

a. Eliminate the sunset provisions for at-large seats.

Approved

b. Clarify that districting is based on lawyer population.

Not Approved (253; 195)
<p>| | | | |</p>
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<tr>
<td>C(1)</td>
<td>Clarify that the Board of Governors operates as a board of directors; has a fiduciary responsibility to the Association; and that its members will abide by the Overview of the Role of Members of the Board of Governors.</td>
<td>Approved</td>
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<tr>
<td>C(3)</td>
<td>Increase the number of section members-at-large on the Board of Governors from six (6) to nine (9).</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>C(4)</td>
<td>Revise the composition of the Board to include a Goal III member-at-large who self identifies as either LGBT or as having a disability.</td>
<td>Approved</td>
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<tr>
<td>C(2)</td>
<td>Clarify the definition of young lawyer and Goal III members-at-large.</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>C(5)</td>
<td>Eliminate the sunset provision of at-large seats on the Board of Governors.</td>
<td>Approved</td>
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<tr>
<td>C(6)</td>
<td>Realign districts.</td>
<td>Withdrawn</td>
<td></td>
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<tr>
<td>D(1)</td>
<td>Eliminate the position of Secretary-elect.</td>
<td>Approved</td>
<td></td>
</tr>
<tr>
<td>D(2)</td>
<td>Eliminate the position of Treasurer-elect.</td>
<td>Not Approved</td>
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</table>

**STANDING COMMITTEE ON PARALEGALS**

Grants approval and reapproval to several paralegal education programs, withdraws the approval of two programs at the request of the institutions, and extends the term of approval to several paralegal education programs. | Approved |

**SECTION OF TAXATION**

Urges Congress to amend 31 U.S.C. §330(a) and (b) to include within the scope of those provisions non-attorney “tax return preparers,” as that term is defined by 26 U.S.C. §7701(a)(36) and Treasury Department regulations promulgated thereunder. | Withdrawn |
<table>
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<tr>
<th>Page</th>
<th>Committee</th>
<th>Urges</th>
<th>Source</th>
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<tbody>
<tr>
<td>102</td>
<td>Commission on Disability Rights</td>
<td>urges state and territorial bar licensing entities to eliminate any questions that ask about mental health history, diagnoses or treatment when determining character and fitness for the purpose of bar admission. The questions should focus instead on conduct or behavior that impairs an applicant's ability to practice law in a competent, ethical and professional manner.</td>
<td>Approved as Revised and Amended*</td>
</tr>
<tr>
<td>103A</td>
<td>Section of Litigation Criminal Justice Section</td>
<td>adopts the Model Act Governing the Confidentiality and Expungement of Juvenile Delinquency Records, dated August 2015, which mandates that courts, probation offices and law enforcement agencies keep juvenile court and law enforcement records confidential.</td>
<td>Approved</td>
</tr>
<tr>
<td>103B</td>
<td>Section of Litigation Standing Committee on the American Judicial System</td>
<td>urges Congress to amend 28 U.S.C. §1332, to provide that any unincorporated business entities shall, for diversity jurisdiction purposes, be deemed a citizen of its state or organization and the state where the entity maintains its principal places of business.</td>
<td>Approved as Revised*</td>
</tr>
<tr>
<td>104</td>
<td>Standing Committee on Election Law</td>
<td>urges election administrators, officials and legislators at the federal, state, local, territorial and tribal levels to adopt and implement policies designed to achieve a thirty-minute maximum per voter wait time at the polls.</td>
<td>Approved</td>
</tr>
<tr>
<td>105</td>
<td>Standing Committee on Medical Professional Liability</td>
<td>urges the federal government to adopt laws that protect patients and promote patient safety from defective medical products and opposes legislation that limits and/or bans punitive damages for claims of patient harm allegedly caused by manufacturers of FDA-approved medical products or devices.</td>
<td>Withdrawn</td>
</tr>
</tbody>
</table>

* See Attached
| 106 | COMMISSION ON YOUTH AT RISK  
COMMISSION ON HOMELESSNESS AND POVERTY  
SECTION OF HEALTH LAW | Urges child welfare and juvenile justice agencies to develop comprehensive policies that ensure children in the custody of child welfare and juvenile justice systems are prescribed psychotropic medications only to treat mental health conditions and not to control behavior. | Withdrawn |
| 107 | SECTION OF LEGAL EDUCATION AND ADMISSIONS TO THE BAR | Concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2015 to the *ABA Standards and Rules of Procedure for Approval of Law Schools*. | Motion to Divide Approved; #8 Concurred; Revised 107 Concurred* |
| 108A | CRIMINAL JUSTICE SECTION | Adopts the black letter of the *ABA Standards for Criminal Justice: Monitors*, dated August 2015, which outline best practices for the appointment and retention of monitors. | Approved |
| 108B | CRIMINAL JUSTICE SECTION | Urges Congress to restore Pell Grant eligibility for prisoners who qualify under existing need-based criteria in order to facilitate re-entry and reduce recidivism. | Approved |
| 109A | COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE | Urges the federal government to adopt legislation and appropriate full funding to support the U.S. Department of Education Office for Civil Rights, in support of its efforts to enforce Title IX of the Education Amendments of 1972 and other activities designed to promote access to education free from gender-based violence. | Approved as Revised* |
| 109B | COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE | Urges governments to enact civil protection order statutes regarding domestic, intimate partner, sexual, dating, and stalking violence that extend protection to lesbian, gay, bisexual, and transgender individuals. | Approved |
| 109C | COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE | Recognizes freedom from domestic, dating and sexual violence and stalking and all other forms of gender-based violence as a fundamental human right and urges governments to recognize, enact and adopt resolutions affirming the right of all women, men and children to | Approved |

* See Attached
live free from domestic, dating and sexual violence and stalking.

110 TASK FORCE ON THE FINANCING OF LEGAL EDUCATION
Encourages the Council of the Section of Legal Education and Admissions to the Bar to mandate through the ABA Standards for the Approval of Law Schools enhanced financial counseling for students on student loans and repayment programs, and urges all participants in the student loan business and process to develop and publish easily understood versions of the terms of various loan and repayment programs. Approved

111 STANDING COMMITTEE ON LAWYER REFERRAL AND INFORMATION SERVICE
URGES COURTS AND LEGISLATIVE BODIES TO ADOPT RULES OR ENACT LEGISLATION TO ESTABLISH A PRIVILEGE FOR ENSURING THAT A CLIENT CONSULTING A LAWYER REFERRAL SERVICE FOR THE PURPOSE OF RETAINING A LAWYER OR OBTAINING LEGAL ADVICE FROM A LAWYER MAY REFUSE TO DISCLOSE, OR PREVENT THE LAWYER REFERRAL SERVICE FROM DISCLOSING, THOSE CONFIDENTIAL COMMUNICATIONS. Withdrawn

112 COMMISSION ON SEXUAL ORIENTATION AND GENDER IDENTITY
Recognizes that lesbian, gay, bisexual, transgender, and queer (LGBTQ) people have the right to be free from attempts to change their sexual orientation and gender identity and urges governments to enact laws that prohibit state-licensed professionals from using conversion therapy on minors. Approved
Adopts and urges prompt implementation by the Administration, Congress, and state and tribal governments of specific recommendations contained in the November 2014 report of the U.S. Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence, entitled Ending Violence So Children Can Thrive.

Approved

Supports observation of elections in the United States by observers duly selected by the Organization for Security and Cooperation in Europe (OSCE), and other international organizations of which the United States is a member, and urges legislative bodies and governmental agencies to enact laws and adopt rules, regulations and policies that expressly permit the direct observation of the election process by OSCE observers.

Approved

Urges the National Commission on Forensic Science to develop a model curriculum in the law and forensic science, and to provide training in that curriculum for federal, state, local, territorial and tribal judges.

Approved
<table>
<thead>
<tr>
<th>Resolution</th>
<th>Description</th>
<th>Status</th>
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<tbody>
<tr>
<td>400A</td>
<td>RESOLUTION WITH REPORT ON ARCHIVING</td>
<td>Approved as Revised*</td>
</tr>
<tr>
<td>400B</td>
<td>RESOLUTION WITH REPORT ON ARCHIVING</td>
<td>Approved as Revised**</td>
</tr>
</tbody>
</table>

* Approved as Revised
** Approved as Revised

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** Item Nos. 12 and 41 were removed from the 400A archival list. Item Nos. 3, 23, 56 and 73 were removed from the 400B archival list.
SPONSORS: Barbara J. Howard (Principal Sponsor), Suzanne E. Gilbert, Gretchen C. Bellamy, Dennis J. Drasco, Andrew Demetriou and Paul W. Lee

PROPOSAL: Amends §28.4 of the Association’s Bylaws to permit an Association member who is neither a staff member nor a law student member to be reimbursed from Association funds for travel expenses to attend the Annual Meeting within the budgetary constraints of that reimbursing entity.

Amends §28.4 of the Association’s Bylaws to read as follows:

§28.4 Expenses at Annual Meeting. A member of the Association who is not a staff member or a law student member may be reimbursed from non-General Operations Association funds for travel expenses incurred in attending an annual meeting with the same per diem as is allowed for other Association meetings within the budgetary constraints and policies of the reimbursing entity, provided the reimbursing entity holds governance meetings at the Annual Meeting. This authorization extends to those travel expenses incurred in attending a meeting held at the site or in the geographical area of an Annual Meeting within seven days immediately before and after the Annual Meeting. A staff member, law student member or a member of the Board of Governors may be reimbursed for other expenses incurred in attending an annual meeting, or a meeting held at the site or in the area of an annual meeting.

A per diem will be administered in a manner prescribed by the Board of Governors. However, a per diem allowance may be provided for attending a meeting of:

(a) a committee of the House of Delegates;
(b) a committee of the Association; or
(c) a section council or committee, including the equivalent component of the Law Student Division,

held at any time before or after the annual meeting. Payment of travel expenses and per diem allowances to special guests or speakers who would not otherwise attend the meeting, whether or not members of the Association, may be authorized under conditions prescribed by the Board.

(Legislative Draft – Deletions struck through; additions underlined)

§28.4 Expenses at Annual Meeting. A member of the Association who is not a staff member or a law student member may not be reimbursed from non-General Operations Association funds for travel expenses incurred in attending an annual meeting, with the same per diem as is allowed for other Association meetings within the budgetary constraints and policies of the reimbursing entity, provided the reimbursing entity holds governance meetings and substantive programming at the Annual Meeting. This authorization extends to those travel expenses incurred in attending a meeting held at the site or in the geographical area of an Annual Meeting within seven days immediately before and after the Annual Meeting. A staff member, law student member or a member of the Board of Governors may be reimbursed for other expenses incurred in attending an annual meeting, or a
meeting held at the site or in the area of an annual meeting. A per diem will be administered in a manner prescribed by the Board of Governors. However, a per diem allowance may be provided for attending a meeting of:

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held at any time before or after the annual meeting. Payment of travel expenses and per diem allowances to special guests or speakers who would not otherwise attend the meeting, whether or not members of the Association, may be authorized under conditions prescribed by the Board.
RESOLUTION

RESOLVED, That the American Bar Association urges state and territorial bar licensing entities to eliminate any questions that ask about mental health history, diagnoses, or treatment when determining character and fitness for the purpose of bar admission. The questions should and instead use questions that focus instead on conduct or behavior that impairs an applicant’s ability to practice law in a competent, ethical, and professional manner.

FURTHER RESOLVED, That state and territorial bar licensing entities are not precluded from making reasonable and narrowly-tailored follow-up inquiries concerning an applicant’s mental health history if the applicant has engaged in conduct or behavior that may otherwise warrant a denial of admission, and a mental health condition either has been raised by the applicant as, or is shown by other information to be, an explanation for such conduct or behavior.

FURTHER RESOLVED, That this resolution replaces the 1994 policy, ABA Resolution No. 110, Aug. 1994 (94A110).

DELETIONS STRUCK THROUGH; ADDITIONS UNDERLINED
RESOLVED, That the American Bar Association urges Congress to amend 28 U.S.C. §1332, to provide that any unincorporated business entity association shall, for diversity jurisdiction purposes, be deemed a citizen of its state of organization and the state where the entity maintains its principal place of business.

Deletions Struck Through; Additions Underlined
RESOLUTION

RESOLVED, That the American Bar Association House of Delegates concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2015 to the following *ABA Standards and Rules of Procedure for Approval of Law Schools:

1. Definition (17) and Standard 106 [Separate Locations and Branch Campuses]
2. Standard 105 [Acquiescence for Major Change in Program or Structure] and Rule 29(a) [Application for Acquiescence in Major Change]
4. Standard 304 [Simulation Courses and Law Clinics]
5. Standard 305(e)(6) and Interpretation 305-3 [Field Placements and Other Study Outside the Classroom]
6. Interpretation 305-2 [Field Placements and Other Study Outside the Classroom]*
7. Standard 311(a) and Interpretation 311-1 [Academic Program and Academic Calendar]
8. Standard 311(f) [Academic Program and Academic Calendar] and Standard 308(a) [Academic Standards]
9. Interpretation 311-4 [Academic Program and Academic Calendar]
10. Standard 502(b)(2) [Educational Requirements]
11. Interpretation 503-3 [Admission Test]*
12. Standard 505(b) [Granting of J.D. Degree Credit for Prior Law Study]
13. Rule 27 [Application for Provisional or Full Approval] and Rule 28 [Reapplication for Provisional or Full Approval]
14. Rule 29(b-g) [Application for Acquiescence in Major Change]
15. Rule 30 [Major Changes Requiring a Reliable Plan]

(*withdrawn from consideration at August 2015 Annual Meeting)
RESOLVED, That the American Bar Association urges colleges and universities:

(1) To recognize the right of students to receive an education free from sexual harassment, sexual assault, stalking, gender-based violence, and intimate partner violence;

(2) To adopt and enforce policies and procedures that protect and respond to the needs of students and employees who allege that they are victims of sexual harassment, sexual assault, stalking, gender-based violence, or intimate partner violence;

(3) To train students and employees about the harms caused by sexual harassment, sexual assault, stalking, gender-based violence, and intimate partner violence, and about the schools’ policies and procedures to address them;

(4) To develop and maintain collaborative relationships with community-based victim resources (such as rape crisis centers, domestic violence support groups, crime victim services, independent counseling services, or others), so that they can be readily accessed by the victims who choose to use them;

(5) To develop and maintain collaborative relationships with state and local civil and criminal justice systems, to assist in creating a prompt and appropriate response to the complaints of victims who choose to file them; and

(6) To maintain the privacy, confidentiality, and autonomy of victims and those accused to the fullest extent allowed by law, and to reject the designation of all students or campus employees as mandated reporters;

FURTHER RESOLVED, That the American Bar Association urges Congress to increase funding for the Office for Civil Rights of the United States Department of Education and the Office on Violence Against Women of the Department of Justice so that they can effectively educate schools about their obligations to keep campuses safe from sexual harassment, sexual assault, stalking, gender-based violence, and intimate partner violence; investigate complaints; and vigorously enforce Title IX, the Clery Act, the Violence Against Women Act, and other relevant laws, and assure that fair procedures are utilized in the hearing and disposition of complaints; and

FURTHER RESOLVED, That the American Bar Association urges federal, state, local, tribal, and territorial governments to adopt meaningful remedies and vigorous enforcement mechanisms, including civil remedies, for sexual harassment, sexual assault, stalking, gender-based violence, and intimate partner violence, while assuring that the rights of those accused of such acts are recognized, respected and protected; and to fully fund implementation of such remedies and enforcement.