<table>
<thead>
<tr>
<th>RPT NO.</th>
<th>PROPOSED BY</th>
<th>SHORT TITLE</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>10A</td>
<td>NEW YORK STATE BAR ASSOCIATION, NEW YORK COUNTY LAWYERS ASSOCIATION STANDING COMMITTEE ON THE DELIVERY OF LEGAL SERVICES CENTER FOR INNOVATION INTERNATIONAL LAW SECTION</td>
<td>Encourages online providers of legal documents to adopt the ABA Best Practice Guidelines for Online Legal Document Providers.</td>
<td>Approved</td>
</tr>
<tr>
<td>10B</td>
<td>COLORADO BAR ASSOCIATION, STATE BAR OF MONTANA TORT TRIAL &amp; INSURANCE PRACTICE SECTION SOLO, SMALL FIRM AND GENERAL PRACTICE DIVISION STANDING COMMITTEE ON THE DELIVERY OF LEGAL SERVICES</td>
<td>Urges Congress, state, local, territorial, and tribal legislatures to enact legislation and appropriate adequate funding to ensure equal access to justice for Americans living in rural communities by assuring proper broadband access is provided throughout the United States.</td>
<td>Approved</td>
</tr>
<tr>
<td>10C</td>
<td>MARICOPA COUNTY BAR ASSOCIATION</td>
<td>Urges all private and public universities and colleges to uphold the principles of free expression on university and college campuses to promote freedom of debate and thought, and to protect that freedom when others attempt to restrict it.</td>
<td>Approved as Revised*</td>
</tr>
</tbody>
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* See Attached
<table>
<thead>
<tr>
<th>Amendment</th>
<th>Type</th>
<th>Description</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>11-4</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 §6.2(a)(1) to provide the U.S. Virgin Islands with a State Delegate, who pursuant to the existing language of §9.2 would automatically serve as a member of the Nominating Committee.</td>
<td>Not Approved</td>
</tr>
<tr>
<td>11-3</td>
<td>CONSTITUTIONAL AMENDMENT</td>
<td>Amends §6.4(a) to allow individuals who meet a state’s definition of young lawyer to serve as a young lawyer member of the House of Delegates for that state.</td>
<td>Approved</td>
</tr>
<tr>
<td>11-4</td>
<td>CONSTITUTIONAL AMENDMENT</td>
<td>Amends §6.7(b) to allow the Law Student Division to increase their number of delegates in the House of Delegates from 3 to 6 delegates.</td>
<td>Approved</td>
</tr>
<tr>
<td>11-5</td>
<td>CONSTITUTIONAL AMENDMENT</td>
<td>Amends §6.8 to include the Electric Cooperative Bar Association (ECBA) as an affiliated organization of the American Bar Association (ABA) and be represented in the ABA House of Delegates accordingly.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>11-6</td>
<td>BYLAWS AMENDMENT</td>
<td>Amends §31.7 to sunset the Standing Committee on Governmental Affairs.</td>
<td>Approved</td>
</tr>
<tr>
<td>11-7</td>
<td>BYLAWS AMENDMENT</td>
<td>Amends §31.7 to sunset the Standing Committee on the American Judicial System.</td>
<td>Approved</td>
</tr>
<tr>
<td><strong>11-8</strong></td>
<td>BYLAWS AMENDMENT</td>
<td>Amends §31.7 to change the number of members from 15 to 12 for the Standing Committee on Public Education and from 12 to 8 for the Advisory Commission to the Standing Committee on Public Education.</td>
<td>Approved</td>
</tr>
<tr>
<td><strong>11-9</strong></td>
<td>BYLAWS AMENDMENT</td>
<td>Amends §§33.1 and 33.2 to change the language in order to normalize the work of the Board of Editors, and the appointed volunteer members to be able to provide their perspectives and guidance regarding the Journal.</td>
<td>Approved</td>
</tr>
<tr>
<td><strong>100A</strong></td>
<td>NATIONAL CONFERENCE OF THE ADMINISTRATIVE LAW JUDICIARY GOVERNMENT AND PUBLIC SECTOR LAWYERS DIVISION</td>
<td>Encourages state, local and territorial jurisdictions that do not presently have a central panel system to consider establishing this model of state administrative law adjudications in appropriate cases.</td>
<td>Approved as Revised*</td>
</tr>
<tr>
<td><strong>100B</strong></td>
<td>NATIONAL CONFERENCE OF THE ADMINISTRATIVE LAW JUDICIARY GOVERNMENT AND PUBLIC SECTOR LAWYERS DIVISION</td>
<td>Encourages federal, state, and local governments to consider taking measures to maximize the ability of all Administrative Adjudicators to render decisions, freely, fairly, and independent of agency interference.</td>
<td>Approved as Revised*</td>
</tr>
<tr>
<td><strong>101</strong></td>
<td>NATIONAL ASSOCIATION OF CRIMINAL DEFENSE LAWYERS CRIMINAL JUSTICE SECTION</td>
<td>Urges Congress to make the ameliorative provisions of the First Step Act retroactive and urges the President and Attorney General to take action to implement the provisions of the Act.</td>
<td>Approved as Revised*</td>
</tr>
</tbody>
</table>

* See Attached
<table>
<thead>
<tr>
<th>Number</th>
<th>Section/Division</th>
<th>Text</th>
<th>Status</th>
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<tbody>
<tr>
<td>102</td>
<td>LAW STUDENT DIVISION</td>
<td>Urges state, territorial, tribal courts and law schools to adopt a “Pro Bono Scholars”-style program in their respective jurisdictions to allow law students, in the final semester of their third year of law school, to obtain a full-time, externship placement providing supervised pro bono services and to allow these scholars to take the February Bar examination (if offered) during their final semester of law school.</td>
<td>Approved</td>
</tr>
<tr>
<td>103A</td>
<td>COMMISSION ON LAW AND AGING SENIOR LAWYERS DIVISION</td>
<td>Urges Congress to repeal the statutory exclusion of dental care and dentures from Medicare and expressly add coverage of comprehensive dental and oral health services to the Medicare program.</td>
<td>Approved</td>
</tr>
<tr>
<td>103B</td>
<td>COMMISSION ON LAW AND AGING SENIOR LAWYERS DIVISION REAL PROPERTY, TRUST AND ESTATE LAW SECTION</td>
<td>Urges all lawyers who provide advance care planning as part of their estate planning services to take into account the eight principles that were developed through the John A. Hartford Foundation funded project.</td>
<td>Approved as Revised*</td>
</tr>
<tr>
<td>104</td>
<td>CRIMINAL JUSTICE SECTION</td>
<td>Urges Congress to enact legislation to resolve the conflict between some state and federal law over marijuana regulation and to update federal marijuana policy.</td>
<td>Approved</td>
</tr>
<tr>
<td>105</td>
<td>STANDING COMMITTEE ON GUN VIOLENCE CRIMINAL JUSTICE SECTION CIVIL RIGHTS AND SOCIAL JUSTICE SECTION COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE JUDICIAL DIVISION</td>
<td>Urges state, local, territorial, and tribal governments to enact statutes, rules or regulations and judges to promulgate policies to limit the possession of firearms in courthouses and judicial centers to only those persons necessary to ensure security.</td>
<td>Approved</td>
</tr>
</tbody>
</table>

* See Attached
| 106  | COMMISSION ON WOMEN IN THE PROFESSION | Urges all legal employers of lawyers to implement and maintain policies and practices to close the compensation gap between similarly situated male and female lawyers. | Approved as Amended* |
| 107  | STANDING COMMITTEE ON PROFESSIONAL REGULATION YOUNG LAWYERS DIVISION SECTION OF LITIGATION STANDING COMMITTEE ON PUBLIC PROTECTION IN THE PROVISION OF LEGAL SERVICES STANDING COMMITTEE ON ETHICS AND PROFESSIONAL RESPONSIBILITY STANDING COMMITTEE ON PROFESSIONALISM GOVERNMENT AND PUBLIC SECTOR LAWYERS DIVISION NATIONAL ORGANIZATION OF BAR COUNSEL | Urges each state’s highest court, and those of each territory and tribe, to study and adopt jurisdictionally appropriate proactive management-based regulatory (PMBR) programs to enhance compliance with applicable rules of professional conduct and supplement existing disciplinary enforcement mechanisms. | Approved |
| 108  | STANDING COMMITTEE ON SPECIALIZATION | Grants reaccreditation to the Child Welfare Law program of the National Association of Counsel for Children, and the Family Trial Law and Criminal Trial Law programs of the National Board of Trial Advocacy. | Approved |
| 109  | YOUNG LAWYERS DIVISION | Seeks to ensure that children who live in poverty, high crime communities, or experience race based trauma, or related stress, receive the in-school service support needed to maintain or restore good health. | Withdrawn |
110A  INTELLECTUAL PROPERTY LAW SECTION
SECTION OF LITIGATION

Supports legislation creating the establishment of a Copyright Small Claims Program, with authority to adjudicate copyright small claims as a lower-cost, less-time-consuming alternative to federal court litigation of copyright claims.

Approved

110B  INTELLECTUAL PROPERTY LAW SECTION

Urges federal courts to interpret the clause “where the defendant has committed acts of infringement and has a regular and established place of business,” in the special venue statute, 28 U.S.C. § 1400(b) when applied to Abbreviated New Drug Application (ANDA) litigation under 35 U.S.C. § 271(e)(2) to mean a district in which the defendant who filed an ANDA application is anticipated to commit acts of infringement.

Approved

110C  INTELLECTUAL PROPERTY LAW SECTION


Approved as Revised*

111  ENVIRONMENT, ENERGY, AND RESOURCES SECTION
LAW STUDENT DIVISION
INTERNATIONAL LAW SECTION
SCIENCE & TECHNOLOGY LAW SECTION

Urges the United States Government, state, territorial, and tribal governments to take a leadership role in addressing the issue of climate change and urges Congress to enact and the President to sign appropriate climate change legislation.

Approved

112  SCIENCE & TECHNOLOGY LAW SECTION

Urges courts and lawyers to address the emerging ethical and legal issues related to the usage of artificial intelligence in the practice of law.

Approved as Revised*
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<tr>
<th>Reference</th>
<th>Organization</th>
<th>Issue</th>
<th>Status</th>
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<tbody>
<tr>
<td>113B</td>
<td>CENTER FOR HUMAN RIGHTS CIVIL RIGHTS AND SOCIAL JUSTICE SECTION</td>
<td>Urges all governments to prioritize dignity rights in crafting, implementing, and enforcing laws, policies, regulations, and procedures.</td>
<td>Approved</td>
</tr>
<tr>
<td>113C</td>
<td>CENTER FOR HUMAN RIGHTS CIVIL RIGHTS AND SOCIAL JUSTICE SECTION</td>
<td>Urges the United States Government to enforce fully and consistently the Arms Export Control Act and the Foreign Assistance Act, particularly the Human rights provisions thereof.</td>
<td>Approved as Revised*</td>
</tr>
<tr>
<td>114</td>
<td>COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE CIVIL RIGHTS AND SOCIAL JUSTICE SECTION</td>
<td>Urges legislatures and courts to define consent in sexual assault cases as the consent of a person who is competent to give consent to engage in a specific act of sexual penetration, oral sex, or sexual contact and, to provide that consent is expressed by words or action in the context of all the circumstances, provided that nothing changes the Constitutionally guaranteed presumption of innocence or the burden of proof.</td>
<td>Postponed Indefinitely 256-165</td>
</tr>
<tr>
<td>115A</td>
<td>CIVIL RIGHTS AND SOCIAL JUSTICE SECTION NATIONAL NATIVE AMERICAN BAR ASSOCIATION COMMISSION ON HOMELESSNESS AND POVERTY</td>
<td>Urges Congress to ensure that the health care delivered by the Indian Health Service (IHS) is exempt from government shutdowns and federal budget sequestrations on par with the exemptions provided to the Veterans Health Administration.</td>
<td>Approved</td>
</tr>
</tbody>
</table>
115B CIVIL RIGHTS AND SOCIAL JUSTICE SECTION

Urges Congress, states, and territories to enact legislation that would provide stronger remedies and protections against pay discrimination on the basis of sex (including gender and gender identity), race and ethnicity and for employees with disabilities to help overcome the persistent barriers that continue to impede the achievement of pay equity.

Approved as Amended*

115C CIVIL RIGHTS AND SOCIAL JUSTICE SECTION
NATIONAL NATIVE AMERICAN BAR ASSOCIATION
COMMISSION ON YOUTH AT RISK
COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE

Supports the constitutionality of the Indian Child Welfare Act (ICWA) in the effort to strengthen tribal jurisdiction over their child welfare system, uphold tribal kinship and set standards specific for American Indians/Alaska Natives child and youth placement.

Approved

115D CIVIL RIGHTS AND SOCIAL JUSTICE SECTION

Urges the Department of Justice to retain—as a minimum threshold—existing policy protections, as codified at 28 C.F.R. § 50.10 (2016), that limit federal law enforcement in obtaining information from, or records of, members of the news media, and that limit federal law enforcement in questioning, arresting, or indicting members of the news media.

Approved

115E CIVIL RIGHTS AND SOCIAL JUSTICE SECTION
COMMISSION ON SEXUAL ORIENTATION AND GENDER IDENTITY

Advocates the requirement of all law enforcement agencies to adopt regulations similar to the standards set by the Commission on Police Officer and Standard Training (POST).

Approved

* See Attached.
115F  CIVIL RIGHTS AND SOCIAL JUSTICE SECTION
COMMISSION ON WOMEN IN THE PROFESSION

Urges federal, state, local, territorial, and tribal governments to refrain from imposing upon medical facilities or healthcare providers requirements that are not medically necessary or have the purpose or effect of burdening patients’ access to healthcare services.

Approved as Revised*

115G  CIVIL RIGHTS AND SOCIAL JUSTICE SECTION
STATE AND LOCAL GOVERNMENT LAW SECTION
COMMISSION ON HOMELESSNESS AND POVERTY

Urges Congress to amend the Equal Credit Opportunity Act to require documentation and collection of the applicant’s race, gender or national origin for non-mortgage credit transactions specifically for vehicle transactions and urges Congress and all state, local, territorial, and tribal legislative bodies and governmental agencies to adopt laws and policies that require an enhanced nondiscrimination compliance system for a vehicle loan.

Withdrawn

115H  CIVIL RIGHTS AND SOCIAL JUSTICE SECTION
COMMISSION ON DOMESTIC AND SEXUAL VIOLENCE
COMMISSION ON HOMELESSNESS AND POVERTY

Urges the United States Government, and Governments around the world to promote the human right to a basic income by increasing the funding, development and implementation of basic income strategies to prevent infringement of this right.

Approved

116  SECTION OF LITIGATION

Urges courts, as well as their respective bar associations, to carefully review their policies on use and admittance of cellphones in courthouses, to ensure meaningful access to our judicial system, balancing the security risks posed by cellphone use with the needs of litigants, and in particular, those who are self-represented or of lower income.

Approved
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</thead>
<tbody>
<tr>
<td>117A</td>
<td>HEALTH LAW SECTION</td>
<td>Urges states, counties, tribal and local governments to enact legislation to ensure that any proceeds they receive from the current opioid litigation be used for remedying the harm resulting from the opioid epidemic.</td>
<td>Approved</td>
</tr>
<tr>
<td>117B</td>
<td>HEALTH LAW SECTION</td>
<td>Urges Congress to enact legislation to amend the Ethics in Patient Referrals Act of 1989 (commonly known as the Stark Law) to modernize the law and encourage the adoption of value-based payment arrangements and other coordinated care arrangements that will lower costs to the Medicare program and improve the quality of services to its beneficiaries.</td>
<td>Approved</td>
</tr>
<tr>
<td>118</td>
<td>COMMISSION ON YOUTH AT RISK COMMISSION ON HOMELESSNESS AND POVERTY SECTION OF LITIGATION</td>
<td>Emphasizes the right of parents and children to family integrity and family unity and the maintenance of family connectedness if a child does need to enter foster care.</td>
<td>Approved</td>
</tr>
<tr>
<td>119</td>
<td>TASK FORCE ON GATEKEEPER REGULATION AND THE PROFESSION BUSINESS LAW SECTION REAL PROPERTY, TRUST &amp; ESTATE LAW SECTION CRIMINAL JUSTICE SECTION</td>
<td>Provides that any legislation and related regulations to detect and combat money laundering and terrorist financing must be consistent with eight fundamental principles.</td>
<td>Withdrawn</td>
</tr>
<tr>
<td>120</td>
<td>INTERNATIONAL LAW SECTION</td>
<td>Urges the United States and other countries to take measures in response to the crimes committed against the Rohingya by the Burmese/Myanmar military.</td>
<td>Approved as Amended*</td>
</tr>
<tr>
<td>121A</td>
<td>COMMISSION ON IMMIGRATION</td>
<td>Recommends that the Executive Office for Immigration Review amend 8 C.F.R. §1003.1(h) and establish, through rulemaking, standards and procedures for the Attorney General certification process.</td>
<td>Approved</td>
</tr>
<tr>
<td>121B</td>
<td>COMMISSION ON IMMIGRATION</td>
<td>Recommends that the Executive Office for Immigration Review create a presumption to extend the filing of an appeal to the Board of Immigration Appeals (BIA) for <em>pro se</em> applicants.</td>
<td>Approved</td>
</tr>
<tr>
<td>121C</td>
<td>COMMISSION ON IMMIGRATION</td>
<td>Recommends that the Executive Office for Immigration Review continue the implementation of an integrated, system-wide electronic filing and case management system nationwide, with adequate funding from Congress.</td>
<td>Approved</td>
</tr>
<tr>
<td>121D</td>
<td>COMMISSION ON IMMIGRATION</td>
<td>Recommends that the Department of Homeland Security (DHS) codify the core requirements of the 2009 Parole Directive into regulation.</td>
<td>Approved</td>
</tr>
<tr>
<td>121E</td>
<td>COMMISSION ON IMMIGRATION</td>
<td>Recommends that the Circuit Court of Appeals establish or expand pro bono programs to provide pro bono representation to <em>pro se</em> appellants to help efficiently resolve immigration cases.</td>
<td>Approved</td>
</tr>
<tr>
<td></td>
<td>Committee/Resolution</td>
<td>Description</td>
<td>Approval</td>
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<tr>
<td>121F</td>
<td>COMMISSION ON IMMIGRATION</td>
<td>Recommends that the Executive Office for Immigration Review amend regulations to eliminate the automatic termination of voluntary departure when an applicant petitions for judicial review under 8 C.F.R. §1240.26(i) and also to implement an automatic stay of removal or deportation pending judicial review by the U.S. Circuit Court of Appeals or the pendency of the appeal period.</td>
<td>Approved</td>
</tr>
<tr>
<td>122</td>
<td>STANDING COMMITTEE ON PARALEGALS</td>
<td>Grants approval to 3 programs, grants reapproval to 17 paralegal education programs, withdraws the approval of 8 programs at the request of the institutions, and extends the term of approval for 42 paralegal education programs.</td>
<td>Approved</td>
</tr>
<tr>
<td>200</td>
<td>STEERING COMMITTEE OF THE NOMINATING COMMITTEE</td>
<td>Revises the <em>Principles and Guidelines on the Election Process for Officers of the Association.</em></td>
<td>Approved as Revised*</td>
</tr>
<tr>
<td>400A</td>
<td>RESOLUTION WITH REPORT ON ARCHIVING</td>
<td>Recommends that certain Association policies that pertain to public issues and are 10 years old or older be archived.</td>
<td>Approved as Revised**</td>
</tr>
<tr>
<td>400B</td>
<td>RESOLUTION WITH REPORT ON ARCHIVING</td>
<td>Recommends that certain Association policies that pertain to public issues that were adopted in 1999 which were previously considered for archiving but retained be archived.</td>
<td>Approved as Revised**</td>
</tr>
</tbody>
</table>

* See Attached.
** Item Nos. 23, 24, 34, 35, 36 and 37 were removed from the 400A archival list; Item No. 32 was removed from the 400B archival list.
RESOLUTION

RESOLVED, That the American Bar Association urges all private and public universities and colleges to adopt the following principles in furtherance of free expression on university and college campuses:

1. Universities and colleges have a responsibility to promote freedom of debate and thought, and to protect that freedom when others attempt to restrict it;

2. Except as necessary to comply with reasonable administrative rules applied on a content-neutral basis, universities and colleges should not restrict freedom of speech and debate protected by the First Amendment; and

3. Universities and colleges should protect all members of their communities and all speakers on their campuses and other locations from censorship, intimidation or retaliation on the basis of their opinions or beliefs.

Deletions struck through; additions underlined
RESOLUTION

RESOLVED, That the American Bar Association urges encourages state, local and territorial jurisdictions to consider using a central panel system for state administrative law adjudications; and in appropriate cases.

FURTHER RESOLVED, That the American Bar Association encourages state legislatures to implement several recommendations to increase central panel fairness and efficiency, including (1) independent funding allocated directly by the legislature; (2) the creation of an advisory council to review, analyze, and advise on current and proposed central panel practices; (3) a more balanced system of generalist/specialist ALJs within the central panels; (4) a complaint process for parties to voice their concerns; and (5) more training for adjudicating cases involving pro se litigants, addressing implicit bias, and increasing ALJ diversity.

Deletions struck through; additions underlined.
RESOLUTION

RESOLVED, That the American Bar Association urges Congress to ensure that all Administrative Adjudicators, whether designated as Administrative Law Judges, Administrative Judges, Immigration Judges, Administrative Appeals Judges, Hearing Officers, Presiding Officers, or any other Administrative Adjudicator who decides matters of statute, regulation, or any equivalent thereto federal, state, local, county, territorial, and tribal lawmakers to ensure that their respective administrative adjudicators shall be protected in their decisional independence and shall be free from improper influence in decision-making, including decisional quotas or that are unreasonably high or not reasonably determined. It also includes other inappropriate agency pressure to decide a case on any basis other than on the evidence and in accordance with applicable statutes, duly adopted agency rules and regulations, precedents, and official and that their decisional independence shall be protected. authoritative agency guidance of general applicability.

FURTHER RESOLVED, That the American Bar Association urges all state, local, county, territorial and tribal lawmakers to ensure that their respective Administrative Adjudicators, whether designated as Administrative Law Judges, Administrative Judges, Administrative Appeals Judges, Hearing Officers, Presiding Officers, or any other Administrative Adjudicator who decides matters of statute, regulation, or any equivalent thereto shall be free from improper influence in decision-making, including decisional quotas or agency pressure to decide a case on any basis other than on the evidence and in accordance with duly adopted agency rules and regulations, and that their decisional independence shall be protected.

For purposes of this resolution, the term “administrative adjudicators” includes administrative law judges, administrative judges, administrative appeals judges, hearing officers, presiding officers, and any other administrative adjudicator whose exclusive role is to decide matters that entail applying a statute, regulation, or any equivalent thereto.

Deletions struck through; additions underlined
RESOLUTION

RESOLVED, That the American Bar Association urges the federal government to immediately implement the First Step Act of 2018 by providing all necessary funding for its full implementation;

FURTHER RESOLVED, the federal government should engage the National Institute of Justice to choose a nonpartisan, nonprofit organization, with expertise in risk and needs assessment, to host an Independent Review Committee to develop a risk-and-needs-assessment system necessary to implement the “earned time credits” provided for in the Act, so that certain federal prisoners can earn good-time credits by completing rehabilitative programming and engaging in productive activities that can be applied to pre-release custody or supervised release;

FURTHER RESOLVED, That the American Bar Association urges Congress to enact legislation to apply retroactively all of the sentencing amelioration provisions of the Act;

FURTHER RESOLVED, That the American Bar Association urges Congress to enact legislation to make effective immediately the increase in “good time credits” for federal prisoners from 47 days credit per year to 54 days per year; and

FURTHER RESOLVED, That the American Bar Association urges that, until legislation is adopted to make all of the sentencing amelioration provisions of the Act retroactive, the President and the Department of Justice should immediately implement a systemic program to consider commutation of the sentences of federal prisoners whose sentences would be lower if all of the ameliorative sentencing provisions of the Act were retroactive.

Deletions struck through; additions underlined
RESOLVED, That the American Bar Association encourages all lawyers who provide advance care planning as part of their estate planning services to include counseling for advance care planning that comports with take into account the following principles:

(1) The most important legal component of advance care planning is careful selection and appointment of a health care agent/proxy in a valid power of attorney for health care document. Persons who cannot or do not want to identify a proxy should delineate their wishes in an advance directive.

(2) Advance care planning takes place over a lifetime. It changes as one’s goals and priorities in life change through different stages of life and health conditions. Reflection, discussion, and communication with one’s proxy and clinical professionals, along with family, friends, and advisors is essential to having one’s wishes understood and honored.

(3) Reflection and discussion should focus primarily on one’s values, goals, and priorities in the event of worsening health rather than on specific treatments or clinical interventions for distant hypothetical situations.

(4) Advance care planning decision tools and guides can provide structure and guidance to the process of reflection and discussion and help individuals identify their values, goals, and priorities, and ensure more authentic and useful conversations and advance directives.

(5) Instructions and guidance documented in an advance directive should result from the process of information sharing, reflection, discussion, and communication and provide enough flexibility in application to allow surrogate decision-makers to respond to new circumstances and complexities.

(6) Documentation of one’s values, goals, and wishes in the form of an advance directive or other record should be shared with one’s proxy, loved ones, significant others, and primary/key health care providers, and be included in the medical record, so that they are adequately informed before a crisis arises.

(7) If when it is known that individuals are facing a serious diagnoses, such as cancer, or have been told they have a limited prognosis, the focus may then move to specific treatment preferences. In these cases, the client should be advised to confer with their health care provider to create a care plan that aligns with the client’s goals, values and preferences. For advanced illness, clients should be advised to inquire about palliative care options and the appropriateness of state recognized portable medical orders such as Physician’s Orders for Life Sustaining Treatment (POLST) to ensure that the individual's wishes are translated by medical professionals into actionable medical orders; and
FURTHER RESOLVED, That the American Bar Association encourages lawyers who provide advance care planning as part of their estate planning services to consider seeking greater cross-disciplinary collaboration and coordination of advance care planning efforts with the healthcare system and medical providers through congruent advice and practices, greater willingness to reach out to one another, and greater collaboration in joint continuing education.

Deletions struck through; additions underlined
RESOLUTION

RESOLVED, That the American Bar Association urges all employers in the legal profession of lawyers to implement and maintain policies and practices to address and close the compensation gap between similarly situated men and women lawyers. Such policies and practices for achieving that goal may, depending on the circumstances, include the following:

1. Commit to a policy where leadership and governance committees are comprised of a critical mass of women including diverse women;

2. Commit to include a critical mass of women including diverse women in the pool of candidates for leadership roles;

3. Not rely solely on prior salary history when setting compensation for new hires;

4. Implement training for the elimination of gender bias for all involved in hiring and compensation setting processes;

5. Ensure that in the performance review process implicit bias does not go unchecked and does not lead to an unwarranted compensation gap;

6. Have a transparent compensation system to allow leaders and executives to identify compensation gaps with attorneys who are similarly situated to them;

7. Identify, in writing, key elements that determine compensation and which may help the attorneys succeed and increase their compensation;

8. Provide an appeal process for compensation decisions;

9. Analyze on an individual basis the causes for any compensation gap between similarly situated attorneys of different genders, whether in base, bonus, or other compensation;

10. Have a written protocol for allocation of credit for business generation, including an appeal process;

11. Remove barriers to business generation, including gendered exclusion from business generation teams, inordinate legacy credit for existing clients and implement a transparent system for business origination opportunities;
12. Provide equal access to mentoring and sponsoring relationships and marketing opportunities across genders, and implement a transparent system for succession of leadership opportunities;

13. Analyze gaps in promotion rates between similarly qualified attorneys of different genders and addressing the cause of such gaps;

14. Review the assignment system to ensure that attorneys of different genders have equal access to high-impact and high-visibility assignments that may lead to higher compensation; and

15. Consider the impact of non-legal task assignments on attorneys of different genders and their compensation.
RESOLUTION

RESOLVED, That the American Bar Association supports the principle that a patentee may recover **compensatory damages lost profits** under 35 U.S.C. § 284 **for acts abroad that arise from resulting from foreign activity incidental to** domestic infringement of a patent pursuant to 35 U.S.C. § 271(f).

Deletions struck through; additions underlined
RESOLUTION

RESOLVED, That the American Bar Association urges courts and lawyers to address the emerging ethical and legal issues related to the usage of artificial intelligence ("AI") in the practice of law including: (1) bias, explainability, and transparency of automated decisions made by AI; (2) ethical and beneficial usage of AI; and (3) controls and oversight of AI and the vendors that provide AI.

Deletions struck through; additions underlined
RESOLUTION

RESOLVED, That the American Bar Association urges the United States Government to enforce fully and consistently the Arms Export Control Act and the Foreign Assistance Act, particularly the human rights provisions thereof;

FURTHER RESOLVED, That the American Bar Association urges the United States Government to impose sanctions and other appropriate punitive measures against every person directly or indirectly responsible for the murder of journalist Jamal Khashoggi, and to seek their prosecution in proceedings that are consistent with international law;

FURTHER RESOLVED, That the American Bar Association urges the Financial Action Task Force (FATF) to require that the Kingdom of Saudi Arabia address and resolve fully FATF’s concerns regarding the Kingdom’s failure to end terrorist financing emanating therefrom and the misuse of its anti-terrorism laws against non-terrorists, including lawyers, and that the Kingdom release all persons it has wrongfully detained, prior to granting the Kingdom membership in FATF within the next three years in order to retain membership in the Task Force.

Deletions struck through; additions underlined
RESOLUTION

RESOLVED, That the American Bar Association urges federal, state, local, territorial, and tribal governments to enact legislation that:

1. Requires equal pay rates for employees of a different sex (which includes sexual orientation, gender identity, and gender expression), race or ethnicity and for employees with disabilities who perform substantially similar work, when viewed as a composite of skill, effort, and responsibility, and performed under similar working conditions;

2. Requires that a "bona fide factor other than sex" relied upon by an employer for pay disparities be job-related and consistent with business necessity;

3. Requires that any reasonable legitimate factor(s) relied upon by an employer for pay disparities account for the entire pay differential;

4. Requires employers to supply pay scales upon the request of an applicant;

5. Prohibits employers from seeking or relying upon an applicant’s salary history information;

6. Ensures the right of employees to discuss or inquire about their own or their co-workers’ wages;

7. Prohibits retaliation against employees who are claimants of, or witnesses to, an equal pay violation.

Deletions struck through; additions underlined
RESOLUTION

RESOLVED, That the American Bar Association urges federal, state, local, territorial, and tribal governments not to impose upon medical facilities and/or healthcare providers that offer reproductive health services to women, licensing or other regulatory requirements that are not medically necessary or that have the purpose or effect of restricting availability or burdening women's patients' access to such healthcare services.

DELETIONS STRUCK THROUGH; ADDITIONS UNDERLINED
RESOLUTION

RESOLVED, That the American Bar Association urges the United States and other countries to take measures in response to any crimes committed against the Rohingya by the Burmese military. Specifically:

1) The U.S. Secretary of State should make a public determination on crimes committed against the Rohingya;
2) The United States should impose targeted sanctions against Burmese/Myanmar military (known as Tatmadaw) officials under the Global Magnitsky Human Rights Accountability Act (“Global Magnitsky Act”) and the Tom Lantos Block Burmese JADE (Junta’s Anti-Democratic Efforts) Act (“JADE Act”), and the U.S. Secretary of State should designate Tatmadaw officials under the Department of State, Foreign Operations, and Related Programs Appropriations Act of 2019 (“Appropriations Act”);
3) The United States should invoke tools of economic pressure to demand access for humanitarian aid in the Rakhine State and an end to serious human rights against the Rohingya and other minority groups;
4) The United Nations Security Council should refer the crimes committed by Burma – including suspected genocide, crimes against humanity, and war crimes – to the International Criminal Court and the United States should signal its support for such a referral;
5) The United States should continue to provide humanitarian aid to support needs on the ground in Bangladesh as well as particular challenges of children and women and girls, and encourage other countries to do the same;
6) The United States and other countries should engage with the Government of Bangladesh to remove barriers and inefficiencies in relation to providing humanitarian assistance; and
7) The United States and other countries should help ensure that repatriation of the Rohingya is safe, voluntary, and dignified; and that repatriation agreements consider views of the Rohingya and human rights protections, including the recommendations of the Rakhine Advisory Commission prior to repatriation.

Deletions struck through; additions underlined
PRINCIPLES AND GUIDELINES ON THE ELECTION PROCESS FOR OFFICERS OF THE ASSOCIATION
(Adopted - August 2008-2019)

With the recognition that seeking office in the Association is a political process, it is the intent of these Rules to minimize the expenditures of a campaign required for office and to ensure that all members of the Association have fair access to the political process without unnecessary financial burdens or sacrifice.

...

5. Each member of the Nominating Committee is encouraged to afford the candidate an opportunity to meet with other members of his or her delegation or constituency. Each State Delegate member is encouraged to consult with all members of his or her delegation before making a commitment, and to seek input from all members of his or her delegation or constituency before making a commitment. A candidate may ask a member of the Nominating Committee to nominate the candidate. Except as provided in paragraph 3, no other commitment shall be requested or made before the Midyear Meeting of the year the candidate announces his/her candidacy.

...

7. After a candidate has filed his or her letter of intent, the candidate may speak at the Forums sponsored by the Nominating Committee at the immediately following Midyear and Annual Meetings. The Forums will be open to any member of the Association who wishes to attend and suitable notice will be given of the time and place of the Forums. At each Midyear and Annual meeting, the Nominating Committee may conduct an executive session to consider the announced candidates.

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Deletions struck through; additions underlined