MEMORANDUM

TO:

FROM:

SUBJECT: 2010 Annual Meeting of the American Bar Association and Meeting of the House of Delegates

DATE: September 24, 2010

REPORT ON THE ABA ANNUAL MEETING

The 132nd Annual Meeting of the American Bar Association (the “ABA”) was held August 5-10, 2010, at the Moscone Convention Center in San Francisco, California. A wide variety of programs were sponsored by committees, sections, divisions, and affiliated organizations. The House of Delegates met for a day and a half session. The Nominating Committee also met.

The Nominating Committee sponsored a “Meet the Candidates” Forum on Sunday, August 8, 2010. Laurel G. Bellows of Illinois, candidate for President-Elect, seeking nomination at the 2011 Midyear Meeting gave a speech to the Nominating Committee and to the members of the Association present.

THE HOUSE OF DELEGATES

The House of Delegates of the American Bar Association (the “House”) met on Monday, August 9, and Tuesday, August 10, 2010. William C. Hubbard of South Carolina presided as Chair of the House.

The Travis Air Force Base Honor Guard presented the colors. The invocation for the House was delivered by The Honorable J. Michelle Childs of South Carolina. The Chair of the House Committee on Credentials and Admissions, C. Elisia Frazier of Georgia, welcomed the new members of the House and moved that the signed roster be approved as the permanent roster for this meeting of the House. The motion was approved.

Chair Hubbard recognized all House members serving in the House longer than 25 years.

Judy Perry Martinez of Louisiana, Chair of the Committee on Rules and Calendar, provided a report on the Final Calendar for the House, including recently filed reports. She moved to consider the late-filed reports, adopt the final calendar and approve the list of individuals who sought privileges of the floor. All three motions were approved. Ms. Martinez noted that the deadline for submission of Reports with Recommendations for the 2011 Midyear Meeting is November 17, 2010, while the deadline for Informational Reports
is December 3, 2010. She also referred to the consent calendar, noting the deadline for removing an item from the consent calendar or from the list of resolutions to be archived.

Later in the day, Judy Perry Martinez moved the items remaining on the consent calendar. The motion was approved.

For more details of the House meeting, see the following two-part report of the House session. The first part of the report provides a synopsis of the speeches and reports made to the House. The second part provides a summary of the action on the recommendations presented to the House.

I. SPEECHES AND REPORTS MADE TO THE HOUSE OF DELEGATES

Welcome by the Mayor of San Francisco

Chair Hubbard recognized the Mayor of San Francisco, Gavin Newsom, who was escorted to the well of the House by the California delegation. Mayor Newsom welcomed the delegates to San Francisco. He described its history and heritage. He told the delegates that San Francisco is a city that celebrates diversity and excels because of it, and therefore, is an example for others.

Statement by the Chair of the House

William C. Hubbard of South Carolina, Chair of the House of Delegates, reviewed procedural matters. He announced that while the proceedings of the House would not be webcast in real time, the House Committee on Technology and Communications had arranged for the proceedings to be summarized on Twitter at ABAEsq. Daniel Schwartz of Connecticut would be providing the summaries. In addition, the ABA Communication Division had developed a strategic plan to keep for incoming ABA members, the legal community and the general public apprised about developments in the House of Delegates, which would include real time updates of House action on the ABAnow website.

He recognized the Committee on Rules and Calendar and the staff members who support the committee. Chair Hubbard introduced the Tellers Committee and reviewed procedures for speaking. He recognized and thanked all the members who serve on House committees.

He discussed the obligations and responsibilities of House members to take legislative priorities to lawmakers in Washington, D.C. He asked each delegate to be part of the Grassroots Action Team and attend ABA Day on April 12-14, 2011 in Washington, D.C. He also asked members to make a difference by talking to the legislators from their communities regarding justice issues.

He highlighted the work of the Legal Opportunity Scholarship Fund which was started in 1999. It funds scholarships to minority law students and over the last 10 years has provided over $3 million in 200 minority scholarships. He urged the delegates to support it financially.
Chair Hubbard addressed the importance and need for the work of the Fund for Justice and Education ("FJE") and urged every House member to support it financially. Chair Hubbard urged delegates to make a contribution and ensure 100% participation by the House.

Statement by the Secretary

Hon. Bernice B. Donald of Tennessee, Secretary of the Association, moved approval of the House of Delegates Summary of Action from the 2010 Midyear Meeting, which was approved by the House.

On behalf of the Board of Governors, Secretary Donald presented and referred the House to Report Nos. 177 and 177A, the Board’s Informational and Transmittal Reports to the House. She moved the approval of the continuation of the list of special committees and commissions as contained in Report 177A. The motion was approved.

Deceased members of the House were named by the Secretary of the Association, Hon. Bernice B. Donald of Tennessee, and were remembered by a moment of silence. Chair Hubbard also asked for recognition of those who had given their lives in Iraq and Afghanistan.

Chair Hubbard recognized Stephen Younger of New York on a point of personal privilege to speak in honor of Stephen C. Krane of New York, former member of the ABA Board of Governors. Mr. Younger described Mr. Krane as a friend, lawyer's lawyer and internationally known legal ethics scholar. He lamented his untimely death at 53. He recalled that Steve would note you make a life by what you give. By that standard, what a life Steve had lived. He noted his instant recall, bigger than life personality, his wit and his love of the law, particularly ethics. He was the youngest New York State bar president in history and was a champion for volunteerism. He pushed for loan assistance to public service attorneys. He spearheaded efforts to help people affected by the 9/11 tragedy. He was a pioneer in legal ethics. He served the House for seven years, served on the ABA Board of Governors and chaired the ABA Standing Committee Ethics and Professional Responsibility. He noted that Mr. Krane had challenged each of us to do one thing to improve the law or improve society. Mr. Younger closed by asking delegates to imagine the difference that could be made if that challenge was accepted by all delegates.

Statement by the ABA President

ABA President Carolyn B. Lamm of the District of Columbia reminded the House of Delegates that American lawyers face many challenges and our Association’s role is to make sure they do not face them alone. She noted the responsibility of the Association to lead the way, not to be ahead of the curve or behind the curve, but to set the curve. She reviewed our history and the key roles of American lawyers: Thomas Jefferson at the beginning of the American Revolution, Abraham Lincoln in the Civil War and Thurgood Marshall in the landmark case of Brown v. Board of Education. She called on delegates to follow in the footsteps of these American lawyers.
She said we must be deliberate, reassured and thoughtful, but we must respond faster and so must our Association. To survive and prosper, the ABA must set the curve for service to the public and service to our members. She noted this will require difficult choices and great effort. She acknowledged the officers and members of the Board of Governors and thanked them for their work.

She noted that change is not easy, but that the Association must change as our world changes. As she leaves, she described the ABA as stronger and better situated for the future.

She recounted the many internal changes during the year. These included the work of Chair William Hubbard as he led the search committee for our new Executive Director. She recognized the ABA staff and the House expressed its appreciation.

President Lamm emphasized the renewed membership focus of all ABA entities. She acknowledged Patricia Refo and her work as chair of the Standing Committee on Membership, as well as the work of Laurel Bellows and Maury Poscover on the Segment Value Initiative.

She thanked the House for taking action on reducing dues for solo practitioners, judges, government lawyers and legal services lawyers. She recognized the work of Bob Clifford, Steve Weiss and Ogilvy & Mather on web site initiatives. She noted further membership outreach efforts such as the Young Lawyers Division’s Touch 10,000 Campaign, the President’s Council for managing partners and general counsel of ABA group membership law firms and companies, and the work with national bars of color.

She also described external changes. She reviewed the issues of globalization and the role of lawyers. She highlighted the ABA’s Commission on Ethics 20/20, which is reviewing the Model Rules of Professional Conduct in light of globalization and technology use. She informed the House that the commission is investigating issues this year, and next year they will be dealing with solutions. She encouraged members to communicate their views to the Commission.

She spoke of the impact of the global economic crisis and reviewed the efforts and contributions of the Commission on the Impact of the Economic Crisis on the Profession and Legal Needs including the policy on debt relief for law school graduates.

President Lamm discussed her focus on diversity and thanked Ellen Rosenblum and others for the report of the ABA Presidential Diversity Commission, whose "Next Steps" report describes what the profession can do to advance diversity.

She highlighted increased advocacy efforts of the Association and the importance of our collective voice in Washington as our strongest value to members. She thanked Bill Robinson, chair of the Standing Committee on Governmental Affairs, and Tom Susman, director of the Governmental Affairs Office, for their fine work. She noted the Association’s work for legal services funding, on the "Red Flags" identity-theft rule and in the consumer financial protection area where lawyers were threatened with unnecessary federal
regulation. She discussed the Association’s support of the Gulf state bars in responding to the oil spill crisis.

She applauded chair Kim Askew and the members of the Standing Committee on the Federal Judiciary for their work in reviewing two United States Supreme Court nominees and 74 judicial candidates. She urged action on all nominees. She reviewed the work of the Association promoting adequate pay for the judiciary.

President Lamm stressed the importance of lawyers because of the subtle threats to the rule of the law. These threats take the form of attacks on the attorney-client privilege, independence of the judiciary and law school legal clinics. As an Association, she called on us to defend the self-regulation of the profession, the independence of the judiciary and the academic freedom of law schools because these are linked to the freedom of the society we serve. She noted that it is essential and fundamental that the first thing we must do is to defend the rule of law. She also emphasized that the American Bar Association must be the first to do it.

She concluded by stating we have begun a transformation of the ABA. She reiterated her thanks to the board, the officers and staff. She acknowledged her firm, White & Case, and thanked them for their outstanding support. She thanked her husband and sons for their support and sacrifice. She thanked the House for the opportunity to serve as our president.

Chair Hubbard thanked her for her Herculean efforts this year as she led our Association.

**ABA Medal Presentation**

ABA President Carolyn Lamm of the District of Columbia introduced Justice Ruth Bader Ginsburg as an esteemed lawyer, teacher, academic, judge and justice who has made vast and lasting contributions to the law and to the profession in her lifetime of service in the pursuit of justice. She announced that the American Bar Association conferred upon Justice Ruth Bader Ginsburg its highest honor, the American Bar Association Medal.

President Lamm described Justice Ginsburg’s early years of academic success. She became the first woman to be on two major law reviews – the Harvard Law Review and the Columbia Law Review, graduating first in her class. She described her early struggles to find work at a time when society openly discouraged women with professional ambitions. She noted her work at Rutgers University School of Law and Columbia University School of Law. She described her work for individual rights, especially women’s rights and her steadfast belief that the law must give equal rights to all.

She noted that in 1980, President Jimmy Carter appointed her to the U.S. Court of Appeals for the District of Columbia Circuit and thirteen years later, when nominated by President Bill Clinton, she became only the second woman to sit on the U.S. Supreme Court.
While no other member of the bench or bar has made a more significant impact on the interpretation of the Equal Protection Clause, she told us that Justice Ginsburg had also drafted groundbreaking decisions in the areas of employment and race discrimination, affirmative action, habeas corpus and abortion.

She recited some of her many prestigious awards, including the ABA’s Margaret Brent Women Lawyers of Achievement Award and the ABA’s Thurgood Marshall Award. She highlighted her profound impact on the law and described her as one of the most elegant role models for women lawyers around the country. She recounted a quote from her confirmation hearings to capture Justice Ginsburg’s essence: "I would like to be thought of as a person who cares about people and does the best she can with the talent she has to make a contribution to a better world."

President Lamm concluded by remarking that the presentation of the ABA Medal to Justice Ruth Bader Ginsburg represents our deep admiration for her personal courage, incomparable intellect and vast contributions to our profession, our society and the pursuit of justice. The House welcomed Justice Ginsburg with a standing ovation.

Remarks of Justice Ruth Bader Ginsburg

In her remarks before the House, Associate Justice Ginsburg said, “As you have just heard, I have lived long enough to see great changes in our profession. The news of my receiving the award was surprising, spirit-lifting and appreciated beyond reckoning.”

She told delegates of her first involvement with the ABA in the 1960s with the Section of International Law. She told of being offered a tenure post at Columbia Law School and was on the Board of the ABA Journal through 1978. She went to China after the ABA was invited and was part of a group that arrived just after the end of the Cultural Revolution. She recounted her ABA involvement and acknowledged she had received more than she had given.

Without the ABA support, she said she did not believe she would hold the position she does today. She noted her appointment to the federal bench by President Carter in 1980 and to the Supreme Court in 1993 and the work of the ABA Committee on the Federal Judiciary on both occasions. She hoped that the U.S. Senate would, with ABA encouragement, return to the collegial bipartisan spirit that she and Justice Breyer experienced.

Justice Ginsburg spoke to the evolving role of woman, specifically in the profession. She noted the creation of the Commission on Women and its good work over the years and the swearing in of new Justice Kagan. Justice Ginsburg referenced Susan B. Anthony as hoping for a world where women will be the peer of man … “equal though not identical with him.” Justice Ginsburg encouraged the ABA to continue its efforts of full realization of Anthony’s vision.

She applauded President Lamm for her work as ABA president. “May the association thrive, aided by everyone here in the pursuit of justice,” making it equal and accessible to all, concluded Ginsburg.
The House gave her a standing ovation and Chair Hubbard thanked her and indicated that she had honored us by her service and her presence.

**Statement by the Treasurer**

Treasurer Alice Richmond of Massachusetts was introduced and reminded us of her promise of more transparency in our financial system and more reliability in our financial reports. She reported that we are on the path to fulfillment of that promise but it is still a work in progress. She referred the House to her written report and illustrated her presentation with a number of charts depicting the Association's financial position.

She informed the House that the general revenue budget represents approximately 54% of total anticipated ABA revenue or $107 million while the consolidated budget with all of the ABA's financial operations is nearly double that amount at about $200 million.

For FY 2009-2010, the ABA's projected consolidated revenues (money received from all sources) is likely to be about $198.9 million, a projected reduction of $7.1 million from audited FY 2009 revenues of $206 million. This projected 3.5% consolidated revenue decline is only $200,000 less than $199.1 million consolidated revenue amount included in the FY 2009-2010 consolidated budget.

She highlighted that consolidated projected revenue for FY 2009-2010 includes a $7.6 million transfer from net assets in the general revenue portion. She informed the House that this represents funds which were transferred from "the dues warehouse" in order to balance the FY2009-2010 budget and to provide a cushion if operating revenues did not equal operating expenses. Without this $7.6 million "dues warehouse" transfer, the Association might be projecting as much as a $2.7 million net operating loss. Instead, she told us that she expects that consolidated revenue will exceed consolidated expenses by about $5 million.

She reported that dues continue to be the Association's largest revenue source and currently exceed the FY 2009-2010 budget projection by approximately $500,000. Based on dues payments received through July 31, 2010, dues revenue is anticipated to be $79.1 million which is about a $6.9 million decline from two years ago. She also reported that non-dues revenue appears to be down on a consolidated basis from $122.1 million in FY 2008-2009 to $119.8.

Ms. Richmond also reported a concerted and successful effort to control Association operating expenses. Through the first 10 months of FY 2009-2010, expenses are down about $7.4 million or 3.7%. Compensation and benefits, which represent approximately 45.4% of total operating expenses, increased slightly when compared to 2009. She pointed out that ABA employees have not had any salary increases in two years except through normal promotions and noted that the budget for FY 2010-2011 does not provide for increased salaries.

She reviewed the investment portfolio and pointed out that long-term investments have recovered to some extent, increasing from $156.3 million to $163.2 million as of the end of June, 2010. She reported the hiring of a new Association investment advisor. She
described the retirement programs presently available to ABA employees and reported that
the Board was still reviewing the program and had requested further information to be
discussed at its Fall, 2010 Board meeting in Miami.

Treasurer Richmond told the House she has reviewed the Association's cash flow
management this year. She reported that two events, a reduction in dues revenue and a
large cash payment to the ABA retirement plan, had combined to create a decline in
available cash. Between August 31, 2009 and December 31, 2009, the Association's
available cash and cash equivalents dropped from $28.8 million to $20.0 million. She
anticipated that cash on hand was expected to rise to around $28 million by August 31,
2010.

She closed by describing the Association's year end financial projections. While
dues revenue has decline for the past two years, we are doing better than our 2009-2010
budget projections and better than many had predicted based on general economic
conditions. The even better news was that the ABA's projected consolidated balance
sheet as of FY 2009-2010 year end showed only a $1.7 million decrease in the ABA's net
assets from the previous year. She expressed her appreciation to many people including
the financial services staff for their hard work.
Chair Hubbard thanked her for her report.

Presentation by the President of the American Bar Endowment

Chair Hubbard recognized Roderick Mathews, President of the American Bar
Endowment. Mr. Mathews described the American Bar Endowment, its activities and its
unique role in the ABA. Mr. Mathews presented two checks totalling $7,155,311. One
check was presented to Richard Pena, president of the American Bar Foundation in the
amount of approximately $3.5 million. Another check in the same amount was presented
to Alice Richmond, Treasurer of the ABA and Alan Kopit, chair of the Fund for Justice and
Education.

Chair Hubbard commended the ABE for its fine work.

Statement by the Executive Director

Chair Hubbard welcomed ABA Executive Director Jack L. Rives of Illinois. Mr. Rives
told delegates it was a great honor and responsibility to serve in his position. He noted he
began his new duties on Law Day this year. He has had a tremendous welcome and has
received a lot of information on the current situation and challenges. He noted this is an
exciting time to be in leadership and told us we are at a critical point in time. The legal
profession and the Association are at inflection points, where the future will look different
than the recent past. He told the House he is optimistic about the future, and that we can
do the right things to shape it.

Mr. Rives listed three particular areas of focus for the staff: to increase
membership, increase non-dues revenues, and lower operating expenses. He wants
attorneys to want to join the ABA, for altruistic reasons and also because membership
provides real value. He told us we need to do a better job of showing value, including those things we do to help lawyers become more effective.

He emphasized that our volunteer leaders set values, goals and vision. His commitment is for staff to do all they can to execute our vision and direction. He explained that the staff is passionate about the Association and its mission.

He concluded by reminding us that we are the world’s largest professional service organization. He expressed his total confidence that, working together, we have great days ahead.

Chair Hubbard thanked Mr. Rives for his remarks and his strong leadership.

**Passing of the President’s Gavel**

Chair Hubbard recognized President Carolyn Lamm of the District of Columbia for the passing of the gavel. Ms. Lamm told us it was her great honor and privilege to introduce Stephen Zack of Florida and pass the gavel to him. She told us of his background, including his law degree from the University of Florida. He is the administrative partner at the Miami office of Boies, Schiller & Flexner and practices complex commercial litigation. She recalled his most well known client was Al Gore and his perfect cross-examination on the hanging chad. He has represented the Florida governor and Florida senator Bob Graham. He was the youngest and the first Hispanic president of The Florida Bar. He has been president of the National Conference of Bar Presidents and member of the ABA Board of Governors. He was a founding member of the Cuban-American Bar Association. He has been Chair of the House of Delegates. He is the first Hispanic-American to be ABA President.

She also told us of his personal qualities. His smile and charisma precede him. He “lights it up” with energy and vigor. He has great judgment and is a clear thinker with a pragmatic approach. He is a great friend and is incredibly persuasive. She valued his wise counsel.

She noted that Steve truly has only the best interests of the profession, the Association and the public at heart. She told us she was delighted to turn over the gavel to the new president.

**Remarks of Stephen N. Zack**

Mr. Zack told the delegates it was a great privilege to address the House. He commended Chair Hubbard for a fabulous job. He thanked President Carolyn Lamm for an incredible year. Because of her leadership, he said the Association is poised for greatness. He told us she had guided us with a strong hand and an open heart. He told the House he was looking forward to Bill Robinson’s leadership. He thanked his wife and introduced and thanked his family. He recognized his law partners. He noted the many friends he met when he came to the United States who have made him the person he is today.
He told us of the time when he was 14 years old and leaving Cuba and he was detained in a cell, not knowing what would happen to him. The last thing on Earth that he could ever have imagined then was a day like this, and he thanked the House for this privilege.

He recalled the time when Richard Nixon resigned as president of the United States and noted that the most powerful person in the world left office, not by force of an army, but by a greater force, the Constitution of the United States. It reaffirmed that in the United States when we have the most serious problems, we turn to our lawyers and not to our generals. He said it was one of the finest moments for this Association when President Chesterfield Smith said, “We must always speak truth to power, and no man is above the law.” President Zack told us that continues to be the responsibility of our association today. He mentioned four specific responsibilities -- the preservation of the justice system, civic education, human rights and protecting and preparing for disaster.

**Preservation of the Justice System**

He described the fight to establish the rule of law around the world; yet, expressed concern we are in danger of losing that at home. He noted the financial crisis in America and its devastating impact on our court system. He told us we have a justice gap in this country and we also have a funding problem in our justice system. He noted we're not just talking about judges' salaries, but also public defenders, state attorneys, prosecutors, and closing the doors of our courthouses to all Americans. President Zack stated this is a question of access for all Americans because access begins with access to our courts. He told us over half of our courts are under a freeze for judicial compensation and one-third of them are actually considering user fees. He told the delegates he will set up a task force that will look at the preservation of our justice system and it will be chaired by David Boies and Ted Olson, and 20 of the most distinguished lawyers in our country to bring recommendations for solutions. He told us that is our responsibility and we will fulfill it.

**Civic Education**

He said it is equally important to respond to Justice Souter’s challenge to become involved in teaching civics to all Americans. He noted the very troublesome fact that 75 percent of all Americans don’t know that the Bill of Rights protects religious freedom and that school children don’t know the three branches of government. For that reason, he is establishing the American Bar Academy. It will be chaired by two long-standing members of this House, Marna Tucker and Paulette Brown, who will work with Justice Souter and Justice O’Connor to address the challenge of civic education. He told us it is our responsibility and our obligation to teach civics to all Americans and we will honor that responsibility.

**Human Rights**

President Zack voiced his concern that the nation becomes more divided when it comes to human rights and cited immigration as one of the issues that divides us. He stated we must and can be united. He reminded us that President Kennedy told us 50 years ago that we are a nation of immigrants and our freedoms are based on the principle that the law protects the minority from tyranny of the majority. He noted the ABA’s work,
under President’s Lamm’s leadership, to create the most comprehensive report on immigration reform in the last 50 years. He noted that it is our responsibility, and we will honor that responsibility.

He also called our attention to diversity as one of the four principal missions of our Association. Because of that, he will establish a new advisory committee on Hispanic Legal Rights and Responsibilities to be chaired by Cesar Alvarez with Emilio Estefan as one of the honorary chairs. He noted that Hispanics are underrepresented in our Association, in our profession, in our law schools and in our courts. He called on us to fully integrate Hispanics into our profession and our society because that is our responsibility, and that is our obligation and we will do it.

Protecting and Preparing for Disaster

He told us we have a fiduciary obligation to prepare for disasters. He reminded us that we passed the Katrina Rule that has now been adopted in 18 states. It assists us, as a profession, to be prepared for a natural disaster. He also told us there is the possibility of a man-made disaster. For example, if the President of the United States suspended habeas corpus, what would the response of our Association be? He told us now is the time to consider what our response should be.

He concluded by saying that history has taught us that we can have liberty and justice or neither, for there is nothing in between. He reminded us that in America we know that no man is above the law and we have the responsibility to ensure that no one is beneath its protection. He stated that when people ask today who will speak for justice, we will answer, “We will.”

Chair Hubbard thanked President Zack and indicated he looked forward to his leadership.

Election of Officers and Members of the Board of Governors

On behalf of the Nominating Committee, Thomas R. Curtin of New Jersey, Chair of the Steering Committee of the Nominating Committee, reported on the nominations for officers of the Association and members of the Board of Governors. The House of Delegates elected the following persons for the terms noted:

**Officers of the Association**

**President-Elect (2010-2011)**  
Wm. T. (Bill) Robinson III of Kentucky

**Chair of the House of Delegates (2010-2012 Term)**  
Linda A. Klein of Georgia
Secretary (2011-2014 Term; to serve as Secretary-Elect in 2010-2011)
Honorable Cara Lee Neville of Minnesota

Treasurer (2011-2014 Term; to serve as Treasurer-Elect in 2010-2011)
Lucian T. Pera of Tennessee

Members of the Board of Governors (2010-2013)

District Members
District 7: Cheryl I. Niro of Illinois
District 8: Edith G. Osman of Florida
District 10: James S. Hill of North Dakota
District 11: James F. Carr of Colorado
District 13: Carlos A. Rodriguez-Vidal of Puerto Rico
District 18: James Dimos of Indiana

Section Members-At-Large
Section of Legal Education and Admissions to the Bar
Peter A. Winograd of New Mexico

Section of Public Contract Law
Mary Ellen Coster Williams of Maryland

Woman Member-At-Large
Michelle A. Behnke of Wisconsin

Law Student Member-At-Large (2010-2011)
Tommy Preston, Jr., of South Carolina

It was noted that the Association’s Constitution provides that the President-Elect automatically becomes the President at the conclusion of the Annual Meeting and Stephen N. Zack of Florida will assume that office.

Remarks by President-Elect Nominee

Chair Hubbard introduced and congratulated President-Elect Nominee Wm. T. (Bill) Robinson III of Kentucky.

Mr. Robinson recognized and expressed appreciation to William Hubbard for the great job he has done as Chair of the House. He told us of his profound sense of gratitude as he enthusiastically accepted the responsibilities of serving as our next President-Elect.

First and foremost, he recognized his family beginning with his best friend, his wife, Joan. He talked about his grandson who told him he wanted to be a lawyer. He paid tribute to his parents and to the parents of his wife. He thanked his law firm, Frost Brown Todd, for their support and the fact that his firm and Steve Zack’s firm are 100% members of the Association.
He thanked the delegates for giving him the opportunity to work closely with them and other leaders of the ABA to help successfully guide this association through these troubled financial times. He told us he was determined to deliver continued effective leadership to this great association with commitment, calm and continuity.

President-Elect Robinson told us our fundamental obligation is to serve as stewards of this Association and of our profession. This requires discipline and focus. He informed us that the test has to be: what is in the best interest of the American Bar Association, what is in the best interest of the rule of law and what is in the best interest of our profession.

He said he sees the current challenging situation as an opportunity and a chance to move forward in a way that will make the ABA stronger and more relevant than ever. His concept is to leverage the existing organization to harvest the best ideas from everyone and support coordinated efforts to make sure that what we achieve has the support of everyone.

He acknowledged the fact that the profession has been hit hard by the economic crisis and noted the profound, adverse consequences for every bar association represented in the House. He called for continued long-term, fiscal stability. Without that, he stated we cannot accomplish anything of lasting value or impact.

He told us we face a very challenging dilemma. We know we cannot stand still, but asked how do we adapt to this ever-changing, financial environment without losing or compromising our identity and without losing the essence of what the American Bar Association does and should stand for. He did not pretend to have all the answers, but he did share basic concepts with the House:

First, he noted we should be very skeptical of any notion that there is a “silver bullet solution” for our financial problems and challenges. We need to recognize that change is complex and will require flexibility and compromise.

Second, he counseled us to be thoughtful and committed to long-term, consistent, well-reasoned approaches year after year.

Third, he called for an integrated approach, combining the creative intelligence and energy of our volunteer leadership with the experience and expertise of our dedicated staff, led by Jack Rives. He asked for the best ideas from all corners of the organized bar including our sections, state and local bars and the specialty and ethnic bars.

He noted that such an integrated approach, building on past work and leadership, is one of the best things we can do to enhance ABA membership. He urged us to convince lawyers in our home towns that the ABA is important to their practices and to the rule of law. There are certain things that really matter – like providing effective support for our courts and for fair and equal access to justice, while assuring fair and impartial diversity in our Association and in our profession. He told us that these require the leadership and support at the national level that only can be provided by the American Bar Association.
He also called on us to make the best use of our existing resources. He noted that lawyers will continue to sacrifice personal and family time to provide volunteer services and leadership. We will continue to set the standard for volunteer service, not only in our profession, but in this country.

He closed by asking for our help and continued support. Working together, he told us we can and will make a positive difference. He challenged us to achieve meaningful, lasting, needed change so that, in the years to come, we can say – we did our best work in difficult times, and we did it together.

Chair Hubbard thanked President-Elect Robinson and expressed his appreciation for his vision for the future of the Association.

Remarks by Professor David B. Wilkins

Chair Hubbard introduced Professor David B. Wilkins, the Lester Kissel Professor of Law and Director, Program on the Legal Profession at Harvard Law School, to address the House regarding the impact of globalization and technology on the legal profession.

He told the House it was a privilege and honor to be present at the request of President Lamm. He began by asking what he called the big question – are the changes we are seeing in the profession a paradigm shift or is it just a temporary thing? He said it’s too early to tell, but unlikely to be either. Instead he sees large scale trends that began after the last market crash and will affect all lawyers. These large scale trends are the globalization of economic activity, rise of informational technology, and the disintegration of 19th century categories of knowledge and organizational forms.

He discussed five shifts within the legal profession: (1) from solos to professional organizations; (2) from homogeneity to diversity; (3) from oligopoly to competitive market; (4) from artisanal craft norms to profit driven business; and (5) from local control to global ambition. He described and detailed each of these for the House.

He noted we live in a world where globalization dominates while local concerns are important. He termed it glocalization. He identified several trends for the future: governments are investing heavily in innovation including legal innovation; legal education reform is underway around the world using the American model, but creating global law schools; new organizational forms are being created for legal services; and global, technology and free trade issues will affect all US attorneys.

He told us the implications for legal practice are profound. There will be increasing cross border practices for anything from M&A to family law. There will be increased competition. Technology will reduce the need for traditional legal services, but open up other opportunities. Successful lawyers must understand and manage these global trends.

He discussed the significance of these trends in the profession both in the corporate law sector and individual lawyer sector, as well as the impact on our society. He told us he believed we are moving toward a new partnership that will require new leadership skills and new collaboration to produce them. We will need academics. The organized bar will need
to coordinate action and be the voice in the United States and around the world. But the profession will need to support the organized bar.

We face a fundamental challenge. We have to respond to changes, but we must do more than that. We must define a new professionalism that is responsive to changing markets, but true to the profession’s highest ideals. To accomplish this goal, we must work together.

Chair Hubbard thanked Professor Wilkins for his remarks.

**Scope Nominating Committee**

Paula Frederick of Georgia, member of the Committee on Scope and Correlation of work, nominated Estelle H. Rogers of the District of Columbia, to the Committee on Scope for a 5-year term beginning at the conclusion of the 2010 Annual Meeting. J. Anthony Patterson of Texas was nominated to fill a vacancy for a 3-year term and M. Joe Crosthwait, Jr. of Oklahoma was nominated to fill a vacancy for a 2-year term. Chair Hubbard moved that nominations be closed. The motion was approved. Chair Hubbard later moved the election of the three nominees. The motion was approved.

**Delegate-at-Large Election Results**

Hon. Bernice B. Donald, Secretary of the Association, announced the election of the following members to three-year terms as Delegates-at-Large: John J. Bouma of Arizona, Jose C. Feliciano of Ohio, Katherine H. O’Neil of Oregon, Scott F. Partridge of Texas, Carole L. Worthington of Tennessee and Kenneth E. Young of North Carolina.

In addition, Larry McDevitt of North Carolina and Jay E. Ray of Texas were elected to one-year terms to fill two Delegate-at-Large vacancies.

**Resolution and Impact Review Presentation**

Chair Hubbard noted that the resolutions passed in the House begin the ABA’s effort to educate constituents and adopt policy, the impact of which goes far beyond these walls. He recognized L. Jonathan Ross of New Hampshire to present the report of the Committee.

Mr. Ross referred the House to the written report provided to delegates. He introduced two presenters to review the impact of two resolutions adopted in 2008.

Pamela J. Roberts of South Carolina reviewed the 2008 resolution which adopted a Model Rule for Registration of In-House Counsel. She noted that in the last two years, 43 states have adopted Rule 5.5 and 31 states have adopted some part of the registration rules. She described the importance of and reasons for the adoption of the model rule. She also noted another 2008 resolution which urged lawmakers to consider the value of ecosystems and its timely impact in light of current events such as the Gulf oil spill. Chair Hubbard thanked the committee for its good work.
Martin Lybecker of the District of Columbia reviewed the events that led to the financial crisis and the response of the Association. In the wake of the collapse of Lehman, the Business Law Section formed a committee to study the issues. They developed principles that were approved by the House. Armed with those principles, the Association was prepared to act. He described one idea that was put forward by others concerning the creation of a consumer finance protection bureau. He told us that lawyers were to be governed by the bureau, but through the Association’s efforts, they were eventually excluded. The success story here was that the Association spotted an issue, had a policy, and was prepared to lobby effectively.

**Presentation on Membership**

Patricia Lee Refo of Arizona, Chair of the Standing Committee on Membership, addressed the House on membership issues and presented a video and showcased a new “tagline” for the Association.

**II. RECOMMENDATIONS VOTED ON BY THE HOUSE**

A brief summary of the action taken on recommendations brought before the House follows. The recommendations are categorized by topic areas and the number of the recommendation is noted in brackets.

**ABA CONSTITUTION, BYLAWS AND HOUSE RULES OF PROCEDURE**

**[11-1]** Hon. Bernice B. Donald moved and Edward Haskins Jacobs, of the Virgin Islands, presented Report 11-1, amending §1.2 of the 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.” Brian Melendez of Minnesota, Chair of the Standing Committee on Constitution and Bylaws, reported that the standing committee had reviewed Report 11-1 and voted to recommend that it was out of order in that it is inconsistent with the purposes of the Constitution, and that it not be approved. P. Gene Vance, II of Kentucky moved to postpone indefinitely consideration of Report 11-1. Robert Weinberg of the District of Columbia spoke in opposition to the motion to postpone indefinitely. The House approved the motion to postpone indefinitely.

**[11-2]** C. Elisia Frazier of Georgia moved Report 11-2 amending §6.2 and various other sections of the Constitution and House Rules of Procedure, to provide that each territory, as defined, shall have a seat in the House of Delegates. Brian Melendez, Chair of the Standing Committee on Constitution and Bylaws, reported that the proposed constitutional amendment was approved as to form, but noted the Committee took no position on the merits. Gov. Togiola T.A. Tulafono of American Samoa, Chief Justice Robert J. Torres, Jr. of Guam, Tom Bolt of the Virgin Islands, and Dennis W. Archer of Michigan spoke in favor of the constitutional amendment. Anthony R. Palermo of New York, Michael P. Gunn of Missouri, and Philip S. Anderson of Arkansas spoke in opposition to the constitutional amendment. The constitutional amendment was not approved by a vote of 301 to 155 (2/3 vote required). Joaquin Camacho Arriola, Jr. of Guam requested a motion to reconsider. Chair Hubbard indicated only a person who voted against Report 11-2 could motion to reconsider.
At the close of the first day, Marvin S. Lieber of Pennsylvania was recognized. Having voted in opposition to Report 11-2, he moved to reconsider Report 11-2. Anthony R. Palermo of New York spoke in opposition to the motion and raised a point of order which the Chair overruled. President Carolyn B. Lamm of the District of Columbia spoke in favor of the motion to reconsider. The motion to reconsider was approved. Thomas R. Curtin of New Jersey made a point of order which the Chair overruled. Neal R. Sonnett of Florida moved to lay the motion on the table until the following morning. The motion to table until the next morning was approved by a vote of 209 to 185. Donald D. Slesnick II of Florida made a point of order as to the time for the next day's session. Chair Hubbard indicated that delegates would be notified by listserv.

On the next morning, Michelle A. Behnke of Wisconsin moved to take Report 11-2 off the table. The motion to remove from the table was approved. R. William Ide III of Georgia and H. Thomas Wells, Jr. of Alabama spoke in favor of the constitutional amendment. Daniel W. Van Horn of Tennessee and Hervey Levin of Texas spoke in opposition to the constitutional amendment. Sharon Stern Gerstman of New York moved the previous question. The motion to call the previous question was approved. The constitutional amendment was not approved by a vote of 248 to 149 (2/3 vote required).

[11-3] Loren Kieve of California moved Report 11-3 amending §31.7 of the Bylaws to increase the size of the Standing Committee on Federal Judicial Improvements from nine to eleven members. Brian Melendez, Chair of the Standing Committee on Constitution and Bylaws, indicated the proposed amendment was approved as to form, but noted the Committee took no position on the merits. The bylaws amendment was approved.

[11-4] Hon. Bernice Donald moved Report 11-4 amending various sections of the Association's Constitution, Bylaws and House Rules of Procedure as housekeeping amendments. Brian Melendez of Minnesota presented the Report and spoke in favor of the motion. Saul A. Wolfe of New Jersey moved to amend the proposed constitutional amendment. Brian Melendez of Minnesota spoke in opposition to the amendment. The amendment failed. The proposed housekeeping amendment was approved (2/3 vote required).

[11-5] Pauline A. Schneider of the District of Columbia moved Report 11-5 amending Sections 45.9 (a) and (b) of the House Rules of Procedure regarding the role of the House of Delegates in the law school accreditation process in order to comply with Department of Education regulations. The House Rules of Procedure amendment was approved (2/3 vote required).

ARCHIVING

[400] The House approved by consent Recommendation 400 recommending that certain Association policies that pertain to public issues and are 10 years old or older be archived.
ASSOCIATION DUES STRUCTURE

[118] On behalf of the Standing Committee on Membership, Patricia Lee Refo of Arizona, withdrew Recommendation 118 recommending a new dues structure for lawyer members of the Association effective for dues commencing with the 2011-2012 fiscal year and each year thereafter.

CIVIC EDUCATION

[110] On behalf of the Standing Committee on Public Education, Eduardo R. Rodriguez of Texas, moved Recommendation 110 encouraging all lawyers to consider it part of their fundamental responsibility to ensure that all students experience high quality civic learning, including the study of law, government and history. Michael Fox of New York spoke in favor of the recommendation. The recommendation was approved.

CIVIL RIGHTS

[111] On behalf of the Section of Individual Rights and Responsibilities, Robert J. Grey, Jr. of Virginia, moved Recommendation 111 urging state, territorial and tribal governments to eliminate all of their legal barriers to civil marriage between two persons of the same sex who are otherwise eligible to marry. President Carolyn B. Lamm of the District of Columbia, H. Thomas Wells of Alabama and President-Elect Stephen N. Zack of Florida spoke in favor of the recommendation. Leslie W. Jacobs of Ohio spoke in opposition to the recommendation and moved to table the recommendation. James R. Silkenat of New York, Mark I. Schickman of California, and Robert J. Grey, Jr. of Virginia raised points of order. Chair Hubbard ruled that the motion to table was out of order. The recommendation was approved.

[106A] On behalf of the Commission on Law and Aging, David M. English of Missouri, moved Recommendation 106A supporting the reauthorization, funding and authority of the Protection and Advocacy System and related programs of legally based advocacy services protecting the rights of persons with disabilities and opposing legislation that would place limits on class actions on behalf of persons with disabilities beyond what is required under the Federal Rules of Civil Procedure. The recommendation was approved.

CLIENT PROTECTION

[102] On behalf of the National Conference of Specialized Court Judges, Michael F. Pietruszka of New York, moved Recommendation 102 adopting the black letter Principles and Standards of the *Judicial Excellence in Child Abuse and Neglect Proceedings: Principles and Standards for Court Organization, Judicial Selection and Assignment, Judicial Administration and Judicial Education*, dated August 2010, to improve, at the state and local levels, the quality of judicial practice, and court processes, related to civil child abuse and neglect cases. The recommendation was approved.

**COURTS**

**CRIMINAL JUSTICE**

[100A] On behalf of the Criminal Justice Section, William N. Shepherd of Florida, moved Recommendation 100A urging the United States Department of Justice ("the Department") to continue in its commitment to investigate allegations of professional misconduct on the part of the Department’s lawyers and to release as much information regarding completed investigations as possible, consistent with privacy interests and law enforcement confidentiality concerns. The recommendation was approved.

[100B] On behalf of the Criminal Justice Section, Stephen A. Saltzburg of the District of Columbia moved Recommendation 100B urging trial and appellate courts, in criminal cases, when reviewing the conduct of prosecutors to differentiate between “error” and “prosecutorial misconduct.” Mr. Saltzburg also moved to amend the recommendation. The amendment was approved. Neal R. Sonnett of Florida and Daniel W. Van Horn of Tennessee spoke in favor of the amended recommendation. Brian C. Miller of Texas spoke in opposition to the amended recommendation. The recommendation was approved as amended.

[100C] On behalf of the Criminal Justice Section, Stephen A. Saltzburg of the District of Columbia moved revised Recommendation 100C urging federal, state, territorial, tribal and local governments to provide funding to state and federal public defender offices and legal aid programs specifically for the provision of advice to indigent non-U.S. citizen defendants. The recommendation was approved as revised.

[100D] On behalf of the Criminal Justice Section, William N. Shepherd of Florida, moved revised Recommendation 100D urging federal, state, local, tribal and territorial governments to provide sufficient funding and resources necessary to facilitate basic and applied scientific research to improve and/or further develop forensic science disciplines. The recommendation was approved as revised.

[100E] On behalf of the Criminal Justice Section, Stephen A. Saltzburg of the District of Columbia, moved revised Recommendation 100E urging the federal government to provide funding and resources sufficient to facilitate the examination of existing standards, accreditation and certification for government and private laboratories, examiners/analysts in government and private laboratories, and identified forensic science service providers who offer examination conclusions and/or interpretations of forensic laboratory results. The recommendation was approved as revised.
On behalf of the Criminal Justice Section, William N. Shepherd of Florida, moved Recommendation 100F urging the federal government to provide the funds, resources and other support necessary to effectively integrate the forensic science community into the nation’s system of homeland security. The recommendation was approved.

On behalf of the Criminal Justice Section, Stephen A. Saltzburg of the District of Columbia, moved revised Recommendation 100G urging federal, state, and territorial governments to provide funding and enact legislation necessary to support requiring that all offices charged with conducting medico-legal death investigations meet mandatory accreditation, certification or professional practice standards within a reasonable time frame. The recommendation was approved as revised.

On behalf of the Criminal Justice Section, William N. Shepherd of Florida, moved Recommendation 100H urging Congress to enact legislation and authorize and appropriate funds necessary to achieve nationwide interoperability of the Automated Fingerprint Identification System. The recommendation was approved.

On behalf of the Criminal Justice Section, Neal R. Sonnett of Florida, moved revised Recommendation 100I urging federal, state, local and territorial governments, legislative bodies and courts to provide the funds and other resources necessary to assure that in criminal cases an accused: 1) is able to obtain testing or re-testing of evidence, and 2) is provided expert testimonial or other assistance when necessary to assure a fair trial or sentencing proceeding. The recommendation was approved as revised.

ELECTION LAW

On behalf of the Standing Committee on Election Law, John C. Keeney, Jr. of the District of Columbia, moved revised Recommendation 114 supporting state and federal initiatives to modernize and improve voter registration practices, databases and networks and urging an independent technical and security assessment of statewide voter registration databases as well as supporting efforts to achieve ongoing improvements to such databases. The recommendation was approved as revised.

ETHICS AND PROFESSIONAL RESPONSIBILITY

On behalf of the Standing Committee on Ethics and Professional Responsibility, Paula J. Frederick of Georgia, moved Recommendation 113 amending the Application Section of the 2007 ABA Model Code of Judicial Conduct to ensure consistency in judicial ethics standards nationwide. The recommendation was approved.
GATEKEEPER REGULATION AND THE PROFESSION

[116] On behalf of the Task Force on Gatekeeper Regulation & the Profession, Neal R. Sonnett of Florida, moved revised Recommendation 116 supporting the United States Government’s efforts to combat money laundering and terrorist financing and observing that voluntary, risk-based and updated guidance would assist legal professionals to avoid money laundering and terrorist financing risks when providing services to clients, and adopting the Voluntary Good Practices Guidance for Lawyers to Detect and Combat Money Laundering and Terrorist Financing. Kevin L. Shepherd of Maryland and Gary Sutton of the District of Columbia spoke in favor of the recommendation. The recommendation was approved as revised.

GENERAL PRACTICE

[10A] On behalf of the Alabama State Bar, Clark Cooper of Alabama moved Recommendation 10A, acknowledging the 50th Anniversary of the publication of Harper Lee’s novel, “To Kill a Mockingbird”, and honoring the positive role that the book has played in the lives of lawyers, their families and the American public over the last 50 years. The recommendation was approved.

GUN VIOLENCE

[115] On behalf of the Standing Committee on Gun Violence, Hon. Robert B. Collings of Massachusetts, moved Recommendation 115 urging federal, state and territorial governments to enact laws requiring that all newly-manufactured semi-automatic pistols be fitted with microstamping technology which would enable law enforcement to identify the serial number of the pistol and hence the first known purchaser of a weapon used in a crime. The recommendation was approved.

HEALTH LAW

[101] On behalf of the Young Lawyers Division, Jay E. Ray of Texas, moved Recommendation 101 urging Congress to amend the Medicare, Medicaid and SCHIP Extension Act of 2007 (the “Act”) to create a safe harbor provision precluding the assessment of civil penalties against responsible reporting entities as defined under the Act, that rely upon information verified by claimants regarding entitlement to or receipt of Medicare benefits. The recommendation was approved.

IMMIGRATION

[300] On behalf of the Section of Business Law, Barbara Mendel Mayden of Tennessee, moved Recommendation 300 supporting full implementation of legislation by Congress to provide for the creation of Startup Visa (by way of the creation of the EB-6 Visa Program, the reformation of the EB-5 Visa Program or similar creation, reformation and/or restructuring of the current U.S. immigration regime) to provide for a mechanism whereby immigrant-founders of businesses can obtain legal status in the U.S. The recommendation was approved.
INTELLECTUAL PROPERTY LAW

[301] On behalf of the Section of Intellectual Property Law, Susan B. Montgomery of Massachusetts, moved Recommendation 301 supporting the principle that under the Copyright Clause of the Constitution of the United States (Article I, section 8, clause 8), Congress has the power to implement U.S. obligations under international copyright treaties by restoring copyrights in certain works of foreign origin that have gone into the public domain, and thereby to improve protection available abroad to holders of U.S. copyrights. The recommendation was approved.

INTERNATIONAL LAW

[107A] On behalf of the Section of International Law, Michael H. Byowitz of New York, moved Recommendation 107A urging the United States to ratify the Comprehensive Nuclear Test Ban Treaty which is an international agreement designed to create a permanent, global, legally-binding and all-encompassing prohibition on any nuclear explosions. The recommendation was approved.

[302] Hon. Bernice B. Donald of Tennessee moved Recommendation 302 urging the federal government to intensify its efforts to provide adequate food, water, shelter and physical security to displaced women and children in Haiti. Jayne E. Fleming of California presented the recommendation and spoke in support of the motion. The recommendation was approved.

JUDGES

[107B] On behalf of the Section of International Law, A. Joshua Markus of Florida, moved revised Recommendation 107B encouraging education and training for judges in the United States and abroad, regarding financial market products and practices, and that judges be provided with accurate, timely, balanced and reliable educational resources. The recommendation was approved as revised.

LAW AND AGING

[106B] On behalf of the Commission on Law and Aging, David M. English of Missouri, moved Recommendation 106B urging Congress and the Administration to reauthorize and implement the Older Americans Act of 1965 as amended, giving increased priority to the delivery of legal services and elder justice. The recommendation was approved.

LEGAL SERVICES

[104] On behalf of the Section of Litigation, Hon. Bernice B. Donald of Tennessee moved revised Recommendation 104 adopting the ABA Model Access Act, dated August 2010, which is a model statute for implementing jurisdictions to establish and administer a civil right to counsel, consistent with ABA policy adopted in August 2006. Robert L. Rothman of Georgia presented the recommendation and spoke in support of the motion. Joanne A. Epps of Pennsylvania moved to amend the recommendation. The amendment was approved.
Marshall J. Wolf of Ohio moved to further amend the recommendation. Lawrence J. Fox of Pennsylvania, Timothy B. Walker of Colorado and Jonathan W. Wolfe of New Jersey spoke in favor of the motion to amend. Mark I. Schickman of California, Kay H. Hodge of Massachusetts, Estelle H. Rogers of the District of Columbia and Robert E. Juceam of New York spoke in opposition to the motion to amend. Robert A. Weeks of California moved the previous question. The motion to call the previous question was approved. The motion to further amend the recommendation failed.

Kathleen J. Hopkins of Washington moved to further amend the recommendation. R. William Ide III of Georgia and Kathryn G. Madigan of New York spoke in favor of the motion to amend. Marshall J. Wolf of Ohio and Timothy B. Walker of Colorado spoke in opposition to the motion to amend. The motion to amend failed.

Michael S. Greco of Massachusetts and H. Thomas Wells, Jr. of Alabama spoke in favor of the recommendation. Richard T. Cassidy of Vermont spoke in opposition of the recommendation. The recommendation was approved as revised and amended.

[105] On behalf of the Standing Committee on Legal Aid & Indigent Defendants, Hon. Bernice B. Donald moved revised Recommendation 105 adopting the black letter and commentary *ABA Basic Principles of a Right to Counsel in Civil Legal Proceedings*, dated August 2010, which represent an effort to state, in a clear and accessible fashion, the fundamental requirements for effectively providing representation in certain high-priority civil proceedings to persons unable to afford an attorney. Earl Johnson, Jr. of California presented the recommendation and spoke in support of the motion. Joanne A. Epps of Pennsylvania moved to amend the recommendation. The motion to amend was approved. The recommendation was approved as revised and amended.

**PARALEGALS**

[108] The House approved by consent Recommendation 108 as submitted by the Standing Committee on Paralegals, granting approval and reapproval to several paralegal education programs, withdrawing the approval of two programs at the requests of the institutions and extending the term of approval to several paralegal education programs.

**PREEMPTION OF STATE TORT LAWS**

[117] On behalf of the Task Force on Federal Agency Preemption of State Tort Laws, H. Thomas Wells of Alabama, moved revised Recommendation 117 urging Congress to address foreseeable preemption issues clearly and explicitly when it enacts a statute that has the potential to displace, supplement or otherwise affect state tort law. Edward F. Sherman of Louisiana presented the recommendation and spoke in support of the motion. Stephen A. Saltzburg of the District of Columbia, Geoffrey C. Hazard, Jr. of California and Randolph J. May of Maryland spoke in favor of the recommendation. Nathaniel Cade, Jr. of Wisconsin spoke in opposition to the recommendation. The recommendation was approved as revised.
SPECIALIZATION

[112] The House approved by consent Recommendation 112 as submitted by the Standing Committee on Specialization granting reaccreditation of the Social Security Disability Advocacy program of the National Board of Social Security Disability Advocacy, division of the National Board of Legal Specialty Certification of Wrentham, Massachusetts, until the adjournment of the House of Delegates meeting in August 2015.

STATE AND LOCAL GOVERNMENT LAW

[119] On behalf of the Section of State and Local Government Law, Benjamin E. Griffith of Mississippi, withdrew Recommendation 119 endorsing the Recommendations for an Effective National Mitigation Effort, a white paper on national mitigation prepared by the National Emergency Management Association.

YOUTH AT RISK

[109A] On behalf of the Commission on Youth at Risk, Laura V. Farber of California, moved Recommendation 109A urging state, local, territorial and tribal governments to provide legal counsel to children and/or youth at all stages of juvenile status offense proceedings as a matter of right and at public expense. The recommendation was approved.

[109B] On behalf of the Commission on Youth at Risk, Laura V. Farber of California, moved Recommendation 109B urging state, local, territorial and tribal governments to effectively implement the older youth provisions of the Fostering Connections to Success and Increasing Adoptions Act, in particular to extend foster care, independent and transitional living services, adoption assistance, and guardianship assistance to all youth and young adults through at least age 21. The recommendation was approved.

Passing of Chair's Gavel

At the conclusion of the meeting of the House on Tuesday, August 10, Chair Hubbard thanked the House for its attentiveness and courtesies. The Chair recognized the chairs of the House committees and the delegates acknowledged them. The Chair introduced the staff assigned to the House, had them come to the well of the House and the House acknowledged them with a standing ovation. The Chair expressed his thanks to the Hon. Bernice Donald, Secretary of the Association. He paid special tribute to his wife.

He told the delegates it had been his great honor and privilege to serve as Chair of the House. He further told the delegates he had held in trust the position which the House had allowed him to have, in order to guide us in the positions we have taken. Chair Hubbard was acknowledged by the House with a standing ovation.

Chair Hubbard introduced incoming Chair Linda A. Klein of Georgia. He told delegates no one was more qualified to be chair of the House. He noted she had served as Chair of the Rules and Calendar Committee of the House and Georgia State Bar
President. She serves on numerous charitable boards in Atlanta and is managing partner at her firm. He expressed his excitement and great honor in introducing her to the House.

Linda Klein thanked William Hubbard for steady, grateful and inspired leadership, always delivered with a smile. She thanked him for all he has done for the Association and the profession.

**Closing Business**

Allan Tanenbaum of Georgia was recognized to make a musical presentation to delegates regarding the 2011 Atlanta Midyear Meeting.

Pamela Bresnahan of Maryland moved a resolution in appreciation of the San Francisco lawyers and judges, for their work in hosting the meeting. The motion was approved.

Chair Klein recognized Judy Perry Martinez of Louisiana who then moved that the House adjourn *sine die*. The motion was approved.