MEMORANDUM

TO: 

FROM: 

SUBJECT: 2011 Midyear Meeting of the American Bar Association and Meeting of the House of Delegates

DATE: March 4, 2011

REPORT ON THE ABA MIDYEAR MEETING

The 72nd Midyear Meeting of the American Bar Association (the “ABA”) was held February 14, 2011 at the Marriott Atlanta Marquis Hotel in Atlanta, Georgia. Wide varieties of programs were sponsored by committees, sections, divisions, and affiliated organizations. The House of Delegates met for one day. The Nominating Committee also met.

The Nominating Committee sponsored a “Meet the Candidates” Forum on Sunday, February 13, 2011. The following candidates seeking nomination at the 2012 Midyear Meeting, gave speeches to the Nominating Committee and to the members of the Association present: Robert M. Carlson of Montana, C. Elisia Frazier of Georgia, and Kay H. Hodge of Massachusetts, candidates for Chair of the House of Delegates; and Ellen F. Rosenblum of Oregon, James R. Silkenat of New York, and Howard H. Vogel of Tennessee, candidates for President-Elect.

THE HOUSE OF DELEGATES


The Georgia Tech ROTC presented the colors. The invocation for the House was delivered by Congressman John Lewis of Georgia. The Chair of the House Committee on Credentials and Admissions, Laura V. Farber of California, 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.

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 Klein recognized C. Timothy Hopkins of Idaho on a point of personal privilege regarding the passing of Eugene C. Thomas, former Chair of the House of Delegates and President of the Association. Chair Klein recognized Ronald L. Marmer of Illinois on a
point of personal privilege regarding the passing of Jerold S. Solovy, an ABA member from Illinois.

In addition, Chair Klein recognized Past President Michael S. Greco of Massachusetts on a point of personal privilege regarding the passing of Robert D. Evans, a long-time ABA employee who served as Associate Executive Director of Governmental Affairs and the Washington, D.C. office.

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 resolutions presented to the House.

I. SPEECHES AND REPORTS MADE TO THE HOUSE OF DELEGATES

Statement by the Chair of the House

Linda A. Klein of Georgia, Chair of the House welcomed the delegates in the House and recognized members of the various House committees. Chair Klein extended a special welcome to new members of the House, as well as students from Therrell High School, who were attending the House proceedings as part of President Zack’s civics education program. She announced that the House Technology Committee would be reporting on the proceedings of the House via Twitter.

Chair Klein recognized the efforts of the members of the Rules and Calendars Committee, the ABA staff, and the Tellers who make the House operations possible and productive. She encouraged all House members to participate in the House proceedings and debates.

Chair Klein reminded House members about the reinvigorated online directory of House members. She informed House members that they would be receiving an email from the Select Committee after the meeting as a further reminder for them to update their directory listing.

Chair Klein emphasized the value of ABA membership and encouraged House members to ask all of the lawyers in their firms to join and participate in the ABA’s work.

Chair Klein encouraged members of the House to continue to financially support the program efforts of the Fund for Justice and Education (FJE). She noted that every member of the House has contributed to the FJE in each of the past four years, and she said that we want to ensure that happens again by the time of the Annual Meeting in Toronto. She asked members to consider making a donation to the ABA Legal Opportunity Scholarship Fund, which, as an FJE project, has provided over $3,000,000.00 to over 200 minority law students.
Chair Klein encouraged members of the House to continue to promote ABA policies passed in the House by becoming active members of the ABA Grassroots Action team and by participating in ABA Day in Washington, scheduled for April 12-14 in Washington, D.C.

Chair Klein announced that at the 2011 Annual Meeting, the House will elect one member to the Committee on Scope and Correlation of Work. The position will be a five-year term. She encouraged those interested in the position to contact members of the Scope Nominating Committee and submit an application by March 15, 2011.

Noting that the appointments process for President-Elect William T. Robinson III of Kentucky is currently underway, Chair Klein encouraged House members to nominate themselves or others. Chair Klein encouraged those interested to list several choices for appointments and reminded them that the deadline to apply online is March 1, 2011.

Finally, Chair Klein recognized and thanked members and chairs of the House committees.

**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 Annual 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, 177A and 177B, the Board's Informational, Transmittal and Legislative Priorities Reports.

**Statement by the ABA President**

In his remarks to the House, President Stephen N. Zack of Florida highlighted four words that rest above the pillars of the U.S. Supreme Court – equal justice under law. President Zack told the House that equal justice under law is a promise to all Americans, but it is a promise in jeopardy.

President Zack remarked that equal justice under law cannot be achieved if states do not sufficiently fund the judicial branch. What should be a co-equal, third branch of government is typically receiving less than one percent of a state's budget. As a result, our courts are in danger. Services are being cut and delays are growing because of the judicial system is being starved of funds. President Zack shared additional details from the first hearing of the Task Force on the Preservation of the Justice System, which is examining the state court funding crisis. At that hearing, state Supreme Court justices reported that certain budget-strapped courts will not process cases unless filers bring their own paper. The recently retired chief justice of the New Hampshire Supreme Court reported that he had to suspend all civil jury trials for 12 months because of a lack of money. President Zack noted that the business community has billions of dollars tied up in our courts and is suffering because of this attack on our judicial system.
President Zack also emphasized that equal justice means access, which takes many forms. For example, the Commission on Hispanic Legal Rights and Responsibilities has been studying the key legal issues impacting Latinos throughout the United States and will present resolutions to the House of Delegates later this year. He also noted that equal access would be further hit if the Legal Services Corp.’s budget is cut as proposed. He challenged the Association to fight to protect the Legal Services Corp.

President Zack stated that the current state of the justice system is not an accident, because today the courts are not fully understood or appreciated as a third, co-equal branch of government. In recent years, our country has stopped teaching civics in the nation’s schools. Poll results showing that 75% of Americans do not know that the First Amendment protects religious freedom or that two out of three high school graduates identify the three branches of government as Democrat, Republican, and Independent demonstrate the lack of basic civics knowledge. President Zack highlighted the work of the Commission on Civic Education in the Nation’s Schools and reported that the first ABA Academies, which feature lawyers going out to teach civics to young people, are getting underway. He reinforced that we need to make sure that all Americans understand the differences between the three branches of government, and that we as ABA members can work in our communities to bring civics back.

President Zack concluded his remarks by discussing the value, vision, and voice of the ABA. He noted the ABA’s new website, www.americanbar.org. He championed the success of the ABA’s voice through clarification of the FTC’s Red Flags Rule, exclusion of federal regulation of lawyers from the Dodd-Frank legislation, and preservation of full federal insurance for IOLTA. He reported that membership is stable, and that the judicial division and the solo division have seen increases in membership. He thanked the ABA staff for their good work and praised the leadership of Executive Director Jack Rives.

Statement by the Treasurer

The Treasurer, Alice E. Richmond of Massachusetts, referred members of the House of Delegates to her written report. Treasurer Richmond reported that the independent audits have been concluded without any negative findings, which also reflects excellent work by the ABA financial services staff. She further reported that after several years of uncertainty and despite continued turbulent economic times, Fiscal Year 2010 met expectations and offered hope for greater stability to come. Fiscal Year 2010 ended with a surplus because of slightly greater revenue and slightly lower expenses than anticipated. However, after highlighting the reserve and investment transfers that occurred in Fiscal Year 2010 which enabled the ABA to show a surplus, she cautioned that we will need to increase our revenue in the future so we do not continue to deplete our reserves. Treasurer Richmond noted that revenue from dues and publications has been declining but that the meetings and gifts and grants categories have show solid growth. With regard to expenses, Treasurer Richmond reported major savings, due largely to vast improvements in expense management. She spoke briefly about issues related to the pension plan and identified cash flow management and accounts receivable as areas which will be carefully monitored to evaluate the changes which were instituted last fiscal year. Lastly, Treasurer Richmond introduced her successor, Lucian T. Pera from Tennessee.
Statement by the Executive Director

Jack L. Rives of Illinois, Executive Director and Chief Operating Officer of the ABA, referred members of the House of Delegates to his written report and reported on the ABA’s progress -- which he credited to people who turn challenges into great opportunities. Executive Director Rives updated members of the House of Delegates on several matters. First, the ABA has revolutionized its website. The staff devoted significant time and effort to revamp and launch the new website. Executive Director Rives noted the feedback form for comments and he highlighted the new URL: AmericanBar.org. Next, concerning facilities, the ABA plans to consolidate its operations in Chicago by giving up one floor, at an annual cost savings of more than $1,000,000. We’re also considering the possibility of selling our building in Washington, D.C. Efforts are being made to increase membership. Executive Director Rives expressed optimism with regard to the Association’s membership numbers, and he emphasized the need to show value to members so that we can retain them. With regard to staff, Executive Director Rives has task forces currently looking at the personnel appraisal system, the travel reimbursement system, and the contracting system. Executive Director Rives praised the staff as exceptional. He noted that staff pay has been frozen for the past three years but he will propose a pay increase for Fiscal Year 2012. He noted that the flex dollars previously offered to staff to offset health care costs has been replaced by a wellness program. The wellness program has been well received by staff and should lead to significant cost savings as well as a healthier staff. An effort to improve the Association’s use of email is underway. This issue is being studied and any changes will be carefully tested before they are widely implemented. Executive Director Rives reported on the new email addresses for staff: All staff can now be reached at “firstname. lastname@americanbar.org. Finally, under the leadership of our new CFO, we’re working on improvements to the budget process. Executive Director Rives encouraged members of the House of Delegates to contact him with comments, questions, and suggestions at any time.

Report of the Nominating Committee

The Nominating Committee met on Sunday, February 13, 2011. On behalf of the committee, Robert T. Gonzales of Maryland, Chair of the Steering Committee of the Nominating Committee, reported on the following nominations for the terms indicated:

MEMBERS OF THE BOARD OF GOVERNORS (2011-2014)

District Members

District 1: Joseph J. Roszkowski of Rhode Island
District 2: Josephine A. McNeil of Massachusetts
District 4: Allen C. Goolsby of Virginia
District 6: Robert L. Rothman of Georgia  
District 12: Thomas A. Hamill of Kansas  

**Section Members-at-Large**  
**Section of Business Law**  
Barbara Mendel Mayden of Tennessee  

**Senior Lawyers Division**  
Charles A. Collier, Jr. of California  

**Minority Member-At-Large**  
Harold D. Pope III of Michigan  

**Woman Member-At-Large**  
Sandra R. McCandless of California  

**Young Lawyer Member-At-Large**  
Michael Pellicciotti of Washington  

**OFFICER OF THE ASSOCIATION**  
**President-Elect for 2011-2012**  
Laurel G. Bellows of Illinois  

**Remarks by President-Elect Nominee**  
Laurel G. Bellows of Illinois, President-Elect Nominee, addressed the House. In her remarks, Ms. Bellows emphasized that lawyers matter because we are heirs to unfinished work of the Founders and Framers and the means to a just society and the voice of those who otherwise have no voice. She stated that because lawyers matter, the ABA matters and all we do throughout the ABA matters. She emphasized that the ABA is focusing on providing much needed professional services to our members, particularly in light of this recession. Concurrently, she strongly believes that if the best days for our profession are to lie ahead of us, lawyers, and particularly ABA, must be involved in the policy of law and not just in its administration and practice. She trusts lawyers to articulate the pros and cons relating to the important issues that face our country so Americans will understand what is at stake. She proposes that lawyers take the lead in framing the debate on the Great Issues where we as lawyers have special expertise. Such Issues go beyond those that are traditionally dear to us like justice and fairness to issues that define us as Americans, such as our rights and liberties and the sacrifices we are called to make in a complex and changing world. Ms. Bellows concluded by saying, “Lawyers matter. This is our calling. This is the time.”
Remarks by Congressman John Lewis

Chair Klein introduced The Honorable John Lewis, Congressman from Georgia. Congressman Lewis thanked the House of Delegates for welcoming him and, in turn, welcomed the House of Delegates to Atlanta. He reminded the House of Delegates that lawyers are at the heart of progress. Speaking of his experiences and the civil rights movement, he emphasized the significance of lawyers and judges in achieving a non-violent revolution under the rule of law. He encouraged us to never give up or given in and to keep the faith. He urged us to keep our eyes on the prize by working for justice to create a just system that respects the dignity and worth of every human being.

Remarks on the “State of the State Courts”

Chair Klein introduced The Honorable Wallace B. Jefferson, President of the Conference of Chief Justices and Chief Justice of the Texas Supreme Court to address the House on the State of the State Courts. Chief Justice Wallace reported that the rule of law is currently in jeopardy. He noted that IOLTA funds have plummeted in recent years and emphasized state funding challenges. He said that New Hampshire had to suspend civil trials and that other states have implemented hiring freezes and periodic court closures. Making reference to the court funding crisis, he explained that the rule of law becomes an empty slogan when it is banished from the halls of justice. He further explained that the fiscal crisis has become a structural crisis, which will change how justice is dispensed. He emphasized the work of access to justice commissions created by the states and the ABA. He praised the ABA for adopting policy that would help state judiciaries recover debts owed to them through court-ordered financial obligations. He pledged that the Conference of Chief Justices will work with the ABA to address this issue, so as to defend our legal system.

II. RESOLUTIONS VOTED ON BY THE HOUSE

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

ADMINISTRATIVE LAW

[10A] On behalf of the New Jersey State Bar Association, Karol Corbin Walker of New Jersey moved Resolution 10A supporting the ongoing efforts by the Administrative Office of the United States Courts to update and enhance the functionality of the Federal Judiciary’s Case Management/Electronic Case File system, to continue to meet the case filing needs of judges, chambers, clerks’ offices, the bar, debtors, litigants, claimants, trustees, and other users in light of changing technology. The resolution was approved.

ANIMAL LAW

[108B] On behalf of the Tort Trial and Insurance Practice Section, Hervey Levin of Texas moved Revised Resolution 108B urging federal, state, territorial and local legislative bodies and governmental agencies to enact laws and implement policies to ensure the humane treatment and disposition of seized animals in a timely manner. The resolution was approved as revised.

CIVIC EDUCATION

[300] On behalf of the Commission on Civic Education in the Nation’s Schools, Paulette Brown of New Jersey moved Resolution 300 urging federal, state, territorial, and local governments to require civic education for elementary, middle, and secondary students in the nation’s public schools and to provide competitive grant funding for programs to meet this requirement. Tommy Preston, Jr. of South Carolina spoke in favor of the resolution. The resolution was approved.

CRIMINAL JUSTICE

[10D] On behalf of the Bar Association of the District of Columbia, Gregory S. Smith of the District of Columbia withdrew Resolution 10D urging governments to take all appropriate measures to ensure that the National Criminal Instant Background Check System (NICS) is as complete and accurate as possible, so that all persons properly categorized as prohibited persons under 18 U.S.C. § 922(g), are included in the NICS system.

[104A] On behalf of the Criminal Justice Section, Stephen A. Saltzburg of the District of Columbia moved Revised Resolution 104A urging federal, state, territorial, tribal and local courts to adopt a procedure whereby a criminal trial court shall disseminate to the prosecution and defense a written checklist delineating in detail the general disclosure obligations of the prosecution under Brady v. Maryland, 373 U.S. 83 (1963), its progeny and applicable ethical standards. The resolution was approved as revised.

[104B] On behalf of the Criminal Justice Section, William N. Shepherd of Florida moved Resolution 104B urging Congress to amend 28 U.S.C. §§ 2241(d) and 2255(f)(1) to provide equitable tolling of the one-year statute of limitations for filing for post-conviction relief when the prisoner who has an attorney has timely requested post-conviction counsel to file a §2254 petition or a §2255 motion. The resolution was approved.
On behalf of the Criminal Justice Section, Stephen A. Saltzburg of the District of Columbia moved Revised Resolution 104C urging the U.S. Sentencing Commission to assess current federal policy regarding sentences for economic crimes and, based on that assessment, to reconsider its approach to ensure that the guidelines are proportional to offense severity by reducing emphasis on monetary loss and combinations of multiple specific offense characteristics that overstate the seriousness of the offense. The resolution was approved as revised.

On behalf of the Criminal Justice Section, William N. Shepherd of Florida moved Revised Resolution 104D urging federal, state, local and territorial governments to use electronic monitoring and home detention at government expense for juvenile offenders who are legally subject to secure detention but whose risk of flight or further offending does not necessitate secure pre-trial detention or incarceration. Robert Arnold Weeks of California spoke in favor of the resolution. The resolution was approved as revised.

**EMERGENCY MANAGEMENT**

On behalf of the Section of State and Local Government Law, Benjamin E. Griffith of Mississippi moved Resolution 114 endorsing the Resolutions for an Effective National Mitigation Effort, a white paper on national mitigation prepared by the Association of the Directors of Emergency Management of the U.S. states, territories and the District of Columbia. The resolution was approved.

**ENVIRONMENT**

On behalf of the Section of Environment, Energy and Resources, Lee A. Deihins III of Georgia moved Resolution 118 urging Congress to enact legislation to reform the Toxic Substances Control Act. The resolution was approved.

**INTELLECTUAL PROPERTY**

On behalf of the Section of Intellectual Property Law, Donald R. Dunner of the District of Columbia moved Revised Resolution 111 supporting evaluation of inventions relating to DNA technology by the same uniform standards that apply in evaluating patent eligibility of inventions relating to other natural materials or subject matter, and opposing new exclusionary rules for DNA that go beyond the long-standing exceptions to patent eligibility recognized by the U.S. Supreme Court. The resolution was approved as revised.

**JUDICIAL INDEPENDENCE**

On behalf of the Standing Committee on Judicial Independence, William K. Weisenberg of Ohio withdrew Resolution 115 urging states to establish clearly articulated procedures for judicial disqualification determinations and review of denials of requests to disqualify judges.
LAW LIBRARY OF CONGRESS

[110] On behalf of the Standing Committee on Law Library of Congress, M. Elizabeth Medaglia of Virginia moved Resolution 110 supporting efforts by the Law Library of Congress and the Library of Congress to create and continue programs that (1) develop, maintain and enhance the Law Library’s services, facilities, operations and staff, and the acquisition of materials and their preservation and care, and (2) utilize the best technologies and methods available to make the Law Library’s vast and growing collections accessible. The resolution was **approved**.

LEGAL EDUCATION

[100A] On behalf of the Section of Legal Education and Admissions to the Bar, Pauline A. Schneider of the District of Columbia moved Revised Resolution 100A reaffirming support for the ethical independence of law school clinical programs consistent with the ABA Model Rules of Professional Conduct; and opposes improper attempts by persons or institutions outside law schools to interfere in the ongoing activities of law school clinical programs and courses. On behalf of the Criminal Justice Section, Stephen A. Saltzburg of the District of Columbia moved to amend the resolution. The amendment was approved. The resolution was **approved as revised and amended**.

[100B] The House approved by consent Resolution 100B as submitted by the Section of Legal Education and Admissions to the Bar, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments to Standard 509 (Basic Consumer Information); Rule 10 (Appeal of an Adverse Decision of the Council); Rule 22 (Teach Out Plan and Agreement and Closure of a Law School); and Rule 24 (Complaints Concerning Law School Non-Compliance with the Standards) of the ABA Standards and Rules of Procedure for Approval of Law Schools, dated February 2011.

[100C] On behalf of the Section of Legal Education and Admissions to the Bar, Ruth V. McGregor of Arizona moved Resolution 100C amending the Model Rule for Admission by Motion, dated February 2011, to eliminate provisions that prohibit in-house counsel and judicial law clerks from qualifying on the basis of practice performed in the jurisdiction where admission on motion is being sought. The resolution was **approved**.

LEGAL SERVICES

[10E] On behalf of the New York State Bar Association, Stephen P. Younger of New York moved Resolution 10E opposing any proposal to cut funding for the Legal Services Corporation for the Fiscal Year 2011, and urging Congress to support increased funding of the Corporation necessary to provide needed services to low income Americans. Robert Arnold Weeks of California and former ABA President Robert J. Grey, Jr. of Virginia spoke in favor of the resolution. The resolution was **approved**.
MEDICAL

[108A] On behalf of the Tort Trial and Insurance Practice Section, Hervey Levin of Texas
moved Revised Resolution 108A urging Congress to amend the Medicare Secondary
Payer Act to provide clear, predictable, and consistent procedures for the submission,
uniform determination and timely approval of third party medical set aside settlement
proposals submitted to the Centers for Medicare & Medicaid Services. The resolution was
approved as revised.

[113] On behalf of the Standing Committee on Medical Professional Liability, Lish Whitson
of Washington moved Revised Resolution 113 supporting the development and use of
evidence-based, clinical or medical practice guidelines or standards regarding patient care
and safety created by independent experts. The resolution was approved as revised.

MILITARY LAW

[103] On behalf of the Standing Committee on Armed Forces Law, Herbert B. Dixon, Jr. of
the District of Columbia moved Resolution 103 urging states and territories to adopt the
Model State Code of Military Justice and the Model Manual for Courts-Martial to provide an
updated body of law for military forces not subject to the Uniform Code of Military Justice
when military forces are serving under the exclusive jurisdiction of Chapter 47 of Title 10,
United States Code. Major General F. Andrew Turley spoke with privileges of the House
in favor of the resolution. The resolution was approved.

[105] On behalf of the Section of Real Property, Trust and Estate Law, David M. English of
Missouri moved Resolution 105 urging Congress to enact legislation amending Title 10,
United States Code, to permit the payment of military Survivor Benefit Plan benefits to a
special needs trust for the benefit of a disabled beneficiary. The resolution was approved.

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

[109A] The House approved by consent Resolution 109A as submitted by the National
Conference of Commissioners on Uniform State Laws, approving the Uniform Partition of
Heirs Property Act, promulgated by the National Conference of Commissioners on Uniform
State Laws in 2010, as an appropriate Act for those states desiring to adopt the specific
substantive law suggested therein.

[109B] The House approved by consent Resolution 109B as submitted by the National
Conference of Commissioners on Uniform State Laws, approving the Uniform Faithful
Presidential Electors Act, promulgated by the National Conference of Commissioners on
Uniform State Laws in 2010, as an appropriate Act for those states desiring to adopt the
specific substantive law suggested therein.
[109C] The House approved by consent Resolution 109C as submitted by the National Conference of Commissioners on Uniform State Laws, approving the Uniform Electronic Recordation of Custodial Interrogations Act, promulgated by the National Conference of Commissioners on Uniform State Laws in 2010, as an appropriate Act for those states desiring to adopt the specific substantive law suggested therein.

[109D] On behalf of the National Conference of Commissioners on Uniform State Laws, Robert A. Stein of Minnesota moved Resolution 109D approving the 2010 Amendments to Article 9 of the Uniform Commercial Code, promulgated by the National Conference of Commissioners on Uniform State Laws in 2010, as appropriate amendments to that Act for those states desiring to adopt the specific substantive law suggested therein. Michael Houghton of Delaware spoke in favor of the resolution. The resolution was approved.

[109E] The House approved by consent Resolution 109E as submitted by the National Conference of Commissioners on Uniform State Laws, approving the Uniform Military and Overseas Voters Act, promulgated by the National Conference of Commissioners on Uniform State Laws in 2010, as an appropriate Act for those states desiring to adopt the specific substantive law suggested therein.

[109F] On behalf of the National Conference of Commissioners on Uniform State Laws, Robert A. Stein of Minnesota withdrew Resolution 109F approving the Uniform Collaborative Law Rules/Act, promulgated by the National Conference of Commissioners on Uniform State Laws in 2010, as an appropriate legislation for those states desiring to adopt the specific substantive law suggested therein.

PARALEGAL

[106] The House approved by consent Resolution 106 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.

PUBLIC CONTRACT

[116] On behalf of the Section of Public Contract Law, John S. Pachter of Virginia moved Resolution 116 opposing the adoption of legislation by Congress that would mandate suspension or debarment of a single entity or class from bidding on or receiving federal contracts and grants without regard to the existing regulatory framework which provides for agency discretion in suspension and debarment determinations. The resolution was approved.
SECURITIES LAW

[117] On behalf of the Section of Administrative Law and Regulatory Practice, Randolph J. May of Maryland moved Revised Resolution 117 urging Congress to amend subsection 13(p) of the Securities Exchange Act of 1934 (15 U.S.C. § 78m (p)) to define a person subject to the requirements of that subsection as "an issuer with securities registered under section 12 of the Exchange Act". The resolution was approved as revised.

TAXATION

[10B] On behalf of the Ohio State Bar Association, William K. Weisenberg of Ohio moved with an amendment Resolution 10B urging Congress to enact legislation similar to H.R. 1956 and S. 3989 (111th Congress) that would amend the federal tax code to let states recover overdue debts due to them, including court-ordered victims' restitution, fines, fees and costs, by intercepting federal tax refunds that are due to the debtors who owe the debts to the states. The resolution was approved as amended.

[101] On behalf of the Section of Taxation, Richard Lipton of Illinois moved with an amendment Resolution 101 adopting the Model Transactional Tax Overpayment Act, dated February 2011 and recommending its adoption by appropriate legislative bodies. The resolution was approved as amended.

SPECIALIZATION

[102] The House approved by consent Resolution 102 as submitted by the Standing Committee on Specialization, by granting accreditation of the Pretrial Practice specialty program of the National Board of Legal Specialty Certification of Wrentham, Massachusetts until the adjournment of the House of Delegates meeting in February 2016.

VOTING RIGHTS

[10C] On behalf of the Bar Association of the District of Columbia, Robert L. Weinberg of the District of Columbia moved Resolution 10C urging the United States House of Representatives to restore the right of D.C. citizens to have their elected Congresswoman vote on proposed legislation considered by the House in Committee of the Whole. Former ABA President Robert J. Grey, Jr. of Virginia spoke in favor of the resolution. The resolution was approved.

YOUTH JUSTICE

[107A] On behalf of the Commission on Youth at Risk, Laura V. Farber of California moved Revised Resolution 107A urging federal, state, territorial and local officials to prevent and remediate the existence and dangers of bullying, including cyberbullying and youth-to-youth sexual and physical harassment, by developing education programs to assist teachers, parents and children in identifying victims of these acts and enhancing appropriate interventions. Mark I. Schickman of California moved to amend the resolution. The amendment was approved. The resolution was approved as revised and amended.
On behalf of the Commission on Youth at Risk, Laura V. Farber of California moved Resolution 107B urging federal, state, territorial, tribal and local governments to create and provide appropriate support for Youth or Teen Courts that will divert youth from the formal consequences of juvenile court petitions, proceedings, adjudications or juvenile justice sanctions. Stephen P. Younger of New York spoke in favor of the resolution. The resolution was approved.

Closing Business

At the conclusion of the meeting of the House on Monday, February 14, after various thank you’s and reminders about the 2011 Toronto, Canada Annual Meeting, Chair Linda A. Klein recognized Palmer Gene Vance II of Kentucky who then moved that the House adjourn sine die.