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Enclosed you will find a Summary of the action taken by the House of Delegates at the 2018 Annual Meeting in Chicago, Illinois. This Summary is being sent to each member of the House of Delegates, as well as to the President and Executive Director of each state bar association, local bar association and affiliated organization represented in the House. It also will be transmitted to all section and division chairs as well as to all standing and special committee chairs.

The Summary serves as a permanent written record of action taken by the House of Delegates and contains a list of ABA entities that made reports to the House, a description of action taken, as well as the text of each resolution that was approved. The Summary is organized by the type of entity (i.e. committees, commissions, sections, divisions, etc.) and by the name of the particular entity, along with the resolution number. If you require further information concerning the resolutions considered by the House of Delegates, you may wish to refer to the corresponding report in the E-book of resolutions that was sent prior to the Annual Meeting.

Any member of the House of Delegates may propose a correction to this Summary. However, the rules of procedure require that the Secretary be notified of any such proposed corrections within ten days from receipt of this Summary. Action on any proposed corrections will be considered in January 2019 at the Midyear Meeting of the House of Delegates in Las Vegas, Nevada.

Should you have any questions or concerns regarding this Summary, please contact the Office of the Secretary at the American Bar Association in Chicago.

Mary L. Smith
Secretary

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at the Association’s
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Report No. 11-1

The proposal amending §1.2 of the Association’s Constitution, to include the following language as one of the purposes of the Association: “to defend the right to life of all innocent human beings, including all those conceived but not yet born”, was postponed indefinitely.

Report No. 11-2

The proposal amending §6.2(a)(1) of the Association’s Constitution, to provide the U.S. Virgin Islands with a State Delegate, who pursuant to the existing language of §9.2, would automatically serve as a member of the Nominating Committee, was postponed indefinitely by a vote of 237 to 226.

Report No. 11-3

The proposal amending §6.7(3) of the Association’s Constitution, to increase the number of Senior Lawyers Division delegates to the House of Delegates from two to four, was approved. It reads:

At the annual meeting in 1990, the Senior Lawyers Division shall elect one delegate to the House in the manner prescribed by its bylaws for a term of one Association year. At the annual meeting in 1990 and in each succeeding third year, the Senior Lawyers Division shall elect one delegate to the House in the manner prescribed by its bylaws for a term of three Association years. In 1991 and in each succeeding Association third year, the Senior Lawyers Division shall elect one delegate to the House for a term of three Association years. At the annual meeting in 2019 and in each succeeding Association third year, the Senior Lawyers Division shall elect one additional delegate to the House for a term of three Association years. In 2020 and in each succeeding Association third year, the Senior Lawyers Division shall elect one additional delegate to the House for a term of three Association years.

Report No. 11-4

The proposal amending §7.3 of the Association’s Constitution, to reconcile the eligibility requirements for a young lawyer member-at-large on the ABA Board of Governors with the definition of young lawyer in the ABA Young Lawyers Division Bylaws, was approved. It reads:

§7.3 Eligibility and Term. While selected from different constituencies within the Association, every member of the Board of Governors owes a fiduciary duty to act solely in the best interests of the Association as a whole. To be eligible for election

1 Toni E. Clarke of Maryland, Judith Davila of Arizona, Margret G. Robb of Indiana, Ramona G. See of California, Lynda C. Shely of Arizona, Margarita Silva of Arizona, Elizabeth Snow Stong of New York, Christopher T. Whitten of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
to the Board of Governors from a district, a person must be accredited to the district for which elected. To be eligible for election as a young lawyer member-at-large, a person must be admitted to practice in his or her first bar within the past five years or be 36 years old or less at the beginning of the term. To be eligible for election as a Goal III member-at-large, a person must be a minority, woman, or self-identify either as LGBT or as having a disability. The judicial member-at-large must be an active member of the judiciary. To be eligible for election as a law student member-at-large, a person must be a law student at the time of election. The term of an elected member of the Board is three Association years, with the exception of the law student member-at-large whose term is one Association year, beginning with the adjournment of the annual meeting during which the member is elected. An elected member of the Board may not be elected to a second consecutive full term.

Report No. 11-5
The proposal amending §29.6 of the Association’s Bylaws, to clearly state that the Association’s financial statements are audited and not the Treasurer’s report, and that the Association’s annual financial statements shall be submitted for examination and audit by a certified public accountant designated by the Board of Governors upon recommendation of the Audit Committee, was approved. It reads:

The Treasurer shall supervise the safekeeping of the funds and investments of the Association, and shall report periodically on the financial condition of the Association to the House of Delegates and Board of Governors. The Association’s financial statements shall be submitted for examination and audit by a certified public accountant designated by the Board of Governors upon recommendation of the Audit Committee.

Report No. 11-6
The proposal amending §31.7 of the Association’s Bylaws, to more completely and accurately reflect the Standing Committee on Audit’s duties as they have been assigned by the Board of Governors, was approved. It reads:

§31.7 Designation, Jurisdiction, and Special Tenures of Standing Committees. The designation, jurisdiction, and special tenures of standing committees are as follows:

Audit. (a) The Standing Committee on Audit consists of seven members including the Treasurer, who is a member ex-officio with a vote. Three members of the Committee shall be Association members who are not members of the Board of Governors. Three members of the Committee, other than the
Treasurer, shall be members of the Board of Governors representing each of the three Association years of the term on the Board. At the Annual Meeting in 2005 and each succeeding third year, one of these members shall be appointed. At the Annual Meeting in 2006 and each succeeding third year, one of these members shall be appointed. At the annual meeting in 2007 and each succeeding third year, one of these members shall be appointed. Members other than the Treasurer shall be appointed by the Board of Governors upon recommendation of the President. The President shall annually designate a chair. All members should be financially knowledgeable and have no relationship that may interfere with the exercise of their independence with respect to the Association and its management.

(b) The Audit Committee shall:

(1) recommend the selection, retention, and compensation of the Association’s independent auditors for approval by the Board of Governors;

(2) ascertain that the Association’s auditors are independent from the Association and its management and are ultimately accountable to the Board of Governors;

(3) review for the Association and all organizations required to be consolidated with the Association under generally accepted accounting principles (a) the results of the annual external audits of all financial statements and records; (b) the reports of independent auditors on the applicable financial statements; (c) any matters required to be communicated to the Committee by the independent auditors under generally accepted auditing standards and the disclosure requirements of the Independence Standards Board; (d) the system of internal controls; (e) the independent auditors’ letter of recommendations; (f) the Association management’s responses to the letter of recommendations; and (g) after reviewing all of these items to its satisfaction, the Audit Committee shall recommend to the Board of Governors that the Board of Governors accept the Association’s audited financial statements;

(4) review the internal audit function of the Association including (a) the independence and authority of its reporting obligations; (b) the proposed internal audit plan for each fiscal year; and (c) all reports issued by the internal audit department;

(5) receive, investigate when necessary, and cause response to be made to inquiries or complaints by any member or employee of the Association concerning financial operations of the Association; and

(6) assist the Board of Governors in fulfilling its oversight responsibility relating to: (i) the integrity of the Association's financial statements and financial reporting process and the
effectiveness of the Association's system of internal accounting and financial controls; (ii) the evaluation of management's processes to identify, assess and manage the Association's enterprise risk issues; (iii) the administration of the Association's Business Conduct Standards, compliance process and activities through the Association's Ethics Office; and (iv) such other matters as may be delegated to it by the Board of Governors from time to time.

Report No. 11-7
The proposal amending §31.7 of the Association's Bylaws, to change the name of the Standing Committee on Client Protection to the Standing Committee on Public Protection in the Provision of Legal Services and to amend its jurisdictional statement, was approved. It reads:

Public Protection in the Provision of Legal Services. The Standing Committee on Public Protection in the Provision of Legal Services, which consists of seven members, shall: (1) promote and enhance mechanisms to protect the public interest in the provision of legal services, including programs to reimburse financial loss caused by lawyers' misappropriation of client funds and other causes of client loss, as deemed appropriate; (2) promote and enhance mechanisms for the alternative dispute resolution of lawyer-client fee and non-fee related disputes; (3) promote and enhance mechanisms to address the unauthorized practice of law; and (4) identify and comment on emerging issues in the regulation of the practice of law and the provision of legal services, in coordination with other ABA entities and, where advisable, refer appropriate matters to other Association entities and the House of Delegates.

Report No. 11-8
The proposal amending §31.7 of the Association's Bylaws, to discontinue the Standing Committee on Medical Professional Liability at the conclusion of the 2018 Annual Meeting and that its work be subsumed by the Tort Trial and Insurance Practice Section, was approved.

Report No. 11-9
The proposal amending §31.7 of the Association's Bylaws, to change the name of the Standing Committee on Professional Discipline to the Standing Committee on Professional Regulation and to revise its jurisdictional statement, was approved. It reads:

Professional Regulation. The Standing Committee on Professional Regulation consists of 9 members. The Committee is responsible for identifying emerging issues in professional regulation and discipline, and for developing, promoting,
coordinating, and strengthening professional disciplinary and regulatory programs and procedures. The Committee shall develop and promote Association policies and activities relating to professional regulation and discipline, such as model rules for disciplinary enforcement and standards for the imposition of sanctions. The Committee is also responsible for maintaining the ABA National Lawyer Regulatory Data Bank.

Report No. 11-10

*The proposal amending §31.7 of the Association’s Bylaws*, to revise the jurisdictional statement of the Standing Committee on Professionalism, *was approved*. It reads:

**Professionalism:** The Standing Committee on Professionalism consisting of nine members shall preserve and promote within the entire legal community principles of professionalism, including integrity, civility, competence, fairness, independence, courage, respect for the legal system, and a devotion to public service. The Committee shall initiate and encourage professionalism programs, be responsible for the coordination of efforts in this area within the Association, and provide a central clearinghouse for the collection and dissemination of information on professionalism and lawyer advertising within the legal community. To accomplish these goals, the Committee shall:

(a) Encourage, make recommendations and provide assistance to ABA entities in the development and coordination of professionalism initiatives;

(b) Encourage and provide assistance to the entire legal community, including state and local bar associations, the judiciary, and law schools in their efforts to improve professionalism and competence;

(c) Educate members of the legal profession, the judiciary, the law school community, and the public about professionalism, competence, and advertising of legal services; and

(d) Evaluate and report on trends and developments within the entire legal community impacting professionalism, competence, and advertising and recommend initiatives and policies to address them.

Report No. 11-11

*The proposal amending §31.7 of the Association’s Bylaws*, to revise the jurisdictional statement of the Standing Committee on Technology and Information Systems, *was approved*. It reads:

**Technology and Information Systems.** The Standing Committee on Technology and Information Systems consists of eleven members with a stated interest and competence in technology and digital systems who are selected by the ABA President to provide guidance and oversight by interacting and
exchanging ideas with Association senior staff responsible for the Association’s technology and related digital resources. Committee appointments are ideally made to represent a diversity of member types including a variety of legal practices, Association entity relationships, and personal diversity. The Committee is responsible for:

(a) providing member oversight for the Association's activities that utilize technology and digital resources, including but not limited to member oversight of the following Association departments: Information Systems, Email Management, and Digital Engagement;

(b) reviewing and recommending changes to the plans and budgets of the Association's strategic technology, email marketing, and digital engagement functions;

(c) providing member guidance for the implementation of structural improvements to the Association's technological and digital systems; and

(d) establishing relationships with Association entities to further coordination and communication regarding Association technology efforts.

Report No. 11-12

The proposal amending various sections of the Association’s Constitution and Bylaws, as necessary due to the New Membership Model adopted by the Board of Governors and the House of Delegates, was approved. It reads:

§2.1 Definitions. In this Constitution, the Bylaws, and any rules of the House of Delegates the term: The designation, jurisdiction, and special tenures of standing committees are as follows:

...

§2.1(m) “Small Firm Practitioner” means a lawyer in private practice in a firm of 2-10 lawyers.

...

§2.1(o) “Solo and Small Firm Practitioners” collectively means those lawyers in private practice who are in firms of not more than ten lawyers.

§3.4 Affiliated Professionals. Nothing in this Article prevents the establishment by bylaws of the class of affiliated
professionals composed of nonmembers with whom affiliation is considered to be in the interest of the Association.

§3.5 International Lawyer. Any person of good moral character in good standing at the bar of the legal profession of another country who is admitted to practice law but is not admitted to the bar of any state, territory, tribal nation, or possession of the United States. An international Lawyer member shall have the same rights and privileges as Member except as follows:
(a) may not participate in electing a Delegate-at-large
(b) may not participate in nominating a member of the Board or an officer of the Association, and may not serve as an officer of the Association;
(c) may not vote in Association-wide elections other than while serving as a delegate in the House; and
(d) may not sign a petition for a vote in an Association referendum.

§6.6 Section Delegates. Each section shall be entitled to a minimum of two delegates. A section with more than 20,000 members and International Lawyer members, shall elect from its membership one additional delegate to the House. A section with more than 45,000 members and International Lawyer members, shall elect from its membership one additional delegate. All terms shall be staggered and in each succeeding third year each position shall then be elected for a term of three Association years. The term of a Section Delegate is three Association years, beginning with the adjournment of the annual meeting during which elected. A Section Delegate elected as an officer or member of the Board of Governors ceases to be a Section Delegate at the beginning of the term as officer or governor. If a vacancy occurs, the council of the section shall select a successor for the unexpired term. This section does not apply to divisions.

Article 21. Members and Affiliated Professionals.

§21.3 Retired Members. Lawyers who have voluntarily placed their law license on inactive, retired, or other such similar status indicating the intent to no longer practice law or serve as a judicial officer in all jurisdictions in which they are licensed, may retain the privileges of membership upon payment of the annual dues for Retired Members prescribed by the Board of Governors unless the lawyers would otherwise be ineligible for Association membership pursuant to Article 3 of the Association’s Constitution and Bylaws.

§21.4 Sustaining Members. A member may become a sustaining member upon payment of the annual dues for sustaining membership prescribed by the Board of Governors, which shall be in an amount greater than the highest rate adopted
by the House of Delegates. If eligible, a sustaining member may revert to another membership classification.

§21.6 Special Members. (a) If a person who has reached age 75 and has been a member of the Association for at least 25 years so requests, that person shall retain the privileges of membership but need only pay an amount prescribed by the Board of Governors, which shall be in an amount less than the highest rate adopted by the House of Delegates.

(b) Provided, however, that if a person who reached age 70 prior to September 1, 2004, and has been a member of the Association for 25 years so requests, that person shall retain the privileges of membership but need only pay an amount prescribed by the Board of Governors, which shall be in an amount less than the highest rate adopted by the House of Delegates.

§21.7 Student Members. (a) A law student who is otherwise ineligible for Association membership may apply for law student membership under rules prescribed by the Board of Governors.

(b) A law school graduate who is otherwise ineligible for Association membership because that person has not yet been admitted to the bar of a state, territory or possession may apply for law school graduate membership under rules prescribed by the Board of Governors in consultation with the Council of the Section of Legal Education and Admissions to the Bar and the Law Student Division. Dues for law school graduate members must be paid as prescribed by the Board of Governors.

(c) A student enrolled in college or university level educational studies and has an interest in the work of the American Bar Association may apply for membership under rules prescribed by the Board of Governors.

(d) All student members:
   1. may not participate in electing a State Delegate or a Delegate-at-Large
   2. may not participate in nominating a member of the Board or an officer of the Association, and may not serve as an officer of the Association;
   3. may not vote in Association elections other than while serving as a delegate in the House;
   4. may not sign a petition for or vote in an Association referendum; and
   5. may participate in other activities of the Association as authorized by the House.

(e) Dues for Student Members must be paid as prescribed by the Board of Governors.

§21.8 Scale of Dues. (a) Except as otherwise provided, a member of the Association must pay dues in the amount prescribed by the House of Delegates and in the manner
prescribed by the Board of Governors. Dues include the member’s annual subscription to the American Bar Association Journal in an amount set by the Board. In special circumstance, the Board may waive payment of a member’s dues.

(b) After the fiscal year ending August 31, 2023, the Board of Governors may modify dues in an amount not to exceed the change in the Cost of Living. A change in the Cost of Living means the product, subject to the rounding up to the nearest dollar, of (a) the annual increase in the cost of living as reported by the Bureau of Labor Statistics for the preceding December times (b) the dues for the preceding fiscal year. The House of Delegates may override any such modification by vote of two-thirds of the delegates present and voting.

§21.11 Affiliated Professional. Persons who are ineligible to be members or Student members of the Association may qualify as an Affiliated Professional member if they are not admitted to practice law in any jurisdiction, but have an interest in the work of the American Bar Association, have never been disbarred or suspended from the practice of law in any jurisdiction, are of good moral character, and satisfy such further eligibility requirements as may be approved by the Board:

The privileges and dues of Affiliated Professionals shall be prescribed by the Board. However, they have no interest in the property of the Association and they may not vote, except as authorized by the House of Delegates.

§30.5 Officers and Council. A section shall have a chair. It may also have a chair-elect and such other officers as its bylaws may provide. It shall also have a council consisting of the officers and such other members as it bylaws may provide. Notwithstanding any provisions of this section, non-members may serve on the Council of the Section of Legal Education and Admissions to the Bar as its bylaws may provide, International Lawyers and Affiliated Professionals may serve on the Council or as a section leader as its bylaws may provide.

§32.1 Forums. (a) The House of Delegates may, by a majority vote, create a forum to carry out, in a specific field, a responsibility that is principally to educate its members in that field, is within the purposes of the Association, and is not otherwise served within the Association. The forum shall also investigate and study the matters within its responsibilities.

(b) During each Association year, a forum shall hold one or more educational meetings, open to any member of the Association.

(c) A forum is unlimited in number and indefinite in duration. Any member of the Association may be a member. Each forum shall adopt bylaws not inconsistent with the constitution and Bylaws. The bylaws become effective when approved by the House.
(d) Each forum shall have a governing committee selected in accordance with that forum’s bylaws. International Lawyers and Affiliated Professionals may serve on the governing committee of a forum as its bylaws may provide.

(e) In carrying out its responsibilities under the section, a forum shall coordinate its activities with those of each section or other commit of the Association that is concerned with a matter that is also within the forum’s responsibilities.

(f) To cover its expenses, a forum may impose such dues as the Board of Governors approves.

(g) The House may discontinue or change the name of a forum. The House shall discontinue a forum if, for any Association year, its expenditures exceed the dues received and advance provision has not been made to cover the excess.
II. REPORTS OF COMMITTEES, COMMISSIONS AND TASK FORCES

A. The following Special Committees, Commissions and Task Forces were continued for one year:

ABA Center for Human Rights
  Human Rights Advisory Council
ABA Rule of Law Initiative
Africa Law Initiative Council
Annual Meeting Program Planning, Special Committee on
Asia Law Initiative Council
Center for Professional Responsibility, Coordinating Council for
Central European and Eurasian Law Initiative Council
Death Penalty Representation, Special Committee on
Disability Rights, Commission on
Domestic and Sexual Violence, Commission on
Hispanic Legal Rights and Responsibilities, Special Committee
Homelessness and Poverty, Commission on
Immigration, Commission on
  Advisory Committee to the Commission on Immigration
Interest on Lawyer Trust Accounts, Commission on
Latin America and Caribbean Law Initiative Council
Law and Aging, Commission on
Lawyer Assistance Programs, Commission on
  Advisory Commission to the Commission on Lawyer Assistance Programs
Lawyers and Certified Public Accountants, National Conference
Middle East and North Africa Law Initiative Council
Racial and Ethnic Diversity, Center for
Racial and Ethnic Diversity in the Educational Pipeline, Council
Racial and Ethnic Diversity in the Profession, Commission on
Racial and Ethnic Justice, Coalition on
Sexual Orientation and Gender Identity, Commission on
Women in the Profession, Commission on
Youth at Risk, ABA Commission on
  Advisory Committee to the Commission on Youth-at-Risk
B. The following Committees, Commissions and Task Forces presented Reports to the House of Delegates:

- ABA/BNA Lawyers Manual on Professional Conduct
- ABA Representatives and Observers to the United Nations
- American Jury, Commission on
- Armed Forces Law
- Center for Professional Responsibility, Coordinating Council
- Client Protection
- Constitution and Bylaws
- Cybersecurity Legal Task Force
- Delivery of Legal Services
- Disability Rights, Commission on*
- Disaster Response and Preparedness
- Domestic and Sexual Violence, Commission on
- Ethics and Professional Responsibility*
- Group and Prepaid Legal Services*
- Gun Violence*
- Human Rights, Center for
- Immigration, Commission on*
- Interest on Lawyers’ Trust Accounts, Commission on*
- Law and Aging, Commission on*
- Law and National Security
- Law Library of Congress
- Lawyer Assistance Programs, Commission on
- Lawyer Referral and Information Service
- Lawyers Professional Liability
- Legal Aid and Indigent Defendants
- Legal Assistance for Military Personnel
- Membership*
- Paralegals*
- Pro Bono and Public Service
- Professional Discipline
- Professionalism
- Racial and Ethnic Diversity, Commission on
- Scope and Correlation of Work
- Sexual Orientation and Gender Identity, Commission on
- Specialization*
- Veterans Legal Services, Commission on
- Working Group on Building Public Trust in the American Justice System*
- Working Group to Advance Well-Being in the Legal Profession*
- Women in the Profession, Commission on
- Youth at Risk, Commission on
C. The following Committees, Commissions and Task Forces did not report to the House of Delegates:

ABA Journal Board of Editors
Africa Law Initiative Council
American Judicial System
Amicus Curiae Briefs
Annual Meeting Program, Special Committee on
Asia Law Initiative Council
Audit
Bar Activities and Services
Bioethics and the Law, Special Committee on
Center for Professional Responsibility Policy Implementation
Central European and Eurasian Law Initiative Council
Children and the Law, Center for
Continuing Legal Education
Death Penalty Representation, Special Committee on
Election Law
Federal Judiciary
Fund for Justice and Education
Future of Legal Education, Commission on
Gavel Awards
Governmental Affairs
Hispanic Legal Rights and Responsibilities, Special Committee*
Homelessness and Poverty, Commission on
International Trade in Legal Services
Justice Center, Coordinating Council for the
Latin America and Caribbean Law Initiative Council
Lawyer’s Role in Assuring Every Child’s Right to a
Higher-Quality Education, Commission on
Medical Professional Liability
Meetings and Travel
Middle East and North Africa Law Initiative Council
National Conference of Commissioners on Uniform State Laws
National Conference of Lawyers
Public Education
Publishing Oversight
Racial and Ethnic Diversity in the Educational Pipeline, Council for
Racial and Ethnic Diversity in the Profession, Center for
Racial and Ethnic Justice, Coalition on
Rule of Law Initiative
Technology and Information Systems
Unaccompanied Minor Immigrants
D. Action of the House on Committee, Commission and Task Force Resolutions:

**ABA Representatives and Observers to the United Nations**
(Report Nos. 104E, 106A and 106B)

For action on Report No. 104E, urging governments and international institutions to adopt and implement legislation and regulations to eliminate, prevent and provide remedies for gender-based violence in the workplace, including sexual harassment, based on virtue of their actual or perceived sex (including pregnancy), family responsibilities, sexual orientation, gender identity, gender expression, the intersectionality between race and sex or status as a victim of domestic or sexual violence, see Civil Rights and Social Justice on page 29.

For action on Report No. 106A, reaffirming the ABA’s commitment to advance the rule of law and condemns the harassment arbitrary arrest and detention, arbitrary disbarment, denial of due process, other ill-treatment, and killings of judges, lawyers, other members of the legal profession, and their extended families throughout the world for serving in their designated capacities, see International Law on page 33.

For action on Report No. 106B regarding recognizing the important role that non-lawyer human rights defenders, journalists and others play in protecting justice and the rule of law, and deplores attacks on those professions, as well as on individuals, aimed at silencing or intimidating human rights voices, see International Law on page 34.

**Disaster Response and Preparedness (Report No. 107A)**

For action on Report No. 107A, urging all emergency management agencies to provide proper training to staff and volunteers to respond to unique needs of intimate partner violence and sexual violence victims during and after a disaster, see Young Lawyers Division on page 39.

**Disability Rights (Report Nos. 116A, 116B and 116C)**

Report No. 116A, amending the Air Carrier Access Act (“ACAA”), 49 U.S.C. § 41705 (1986), to establish a private right of action violations of the ACAA and to provide equitable and legal relief, including compensatory and punitive damages, as well as reasonable attorneys’ fees, reasonable expert fees, and the costs to plaintiffs who prevail in civil actions, was withdrawn.

Report No. 116B, urging governments to: 1) enact laws and adopt policies that prohibit the use of out-of-school suspension and expulsion of pre-kindergarten through second grade students; 2) require ongoing training of teachers, administrators, and other
school staff on alternatives to school exclusion; and, 3) provide sufficient funding and resources to ensure the provision of alternatives to school exclusion, was revised and approved\textsuperscript{2}. As revised, it reads:

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

1. enact laws and adopt policies that prohibit the use of out-of-school suspension and expulsion of pre-kindergarten through second grade students unless alternative educational services are provided to the student at no cost to the family, except in cases where: (1) the student poses an imminent threat of serious physical harm to self or others that cannot be reduced or eliminated through the use of age-appropriate school-based behavior interventions and supports, and (2) the duration of the exclusion is limited to the shortest period practicable;

2. require ongoing training of teachers, administrators, and other school staff on alternatives to school exclusion, including, but not limited to, the development and effective use of functional behavior assessments and behavior intervention plans, the implementation of social emotional learning programs, the use of restorative practices and trauma-informed practices, the identification and evaluation of students with disabilities, and the implementation of individualized academic and behavior supports for students with disabilities; and

3. provide sufficient funding and resources to ensure the provision of alternatives to school exclusion as set forth in paragraph (b); and

FURTHER RESOLVED, That the American Bar Association supports the adoption of policies and procedures that instruct teachers, school administrators, and other school staff to contact law enforcement officers in response to the behavior of a student in pre-kindergarten through second grade only where there is an imminent threat of serious physical harm to the student or others that cannot be reduced or eliminated through the use of age-appropriate school-based behavioral interventions and supports.

\textsuperscript{2} Judith Davila of Arizona, Colin H. Lindsay of Kentucky, Linda S. Murnane of Ohio, Margret G. Robb of Indiana, Ramona G. See of California, Lynda C. Shely of Arizona, Margarita Silva of Arizona, Elizabeth Snow Stong of New York and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
Report No. 116C, urging all courts and other appropriate government entities to interpret Titles II and III of the Americans with Disabilities Act to apply to technology, and goods and services delivered thereby, regardless of whether it exists solely in virtual space or has a nexus to a physical space, was revised and approved. As revised, it reads:

RESOLVED, That the American Bar Association urges all courts and other appropriate government entities to interpret Titles II and III of the Americans with Disabilities Act (ADA) to apply to technology, and goods and services delivered thereby, regardless of whether the technology exists solely in virtual space or has a nexus to a physical space, subject to all statutory requirements, limitations, exceptions, exemptions, and defenses;

FURTHER RESOLVED, That the American Bar Association urges all courts and other appropriate government entities to interpret Titles II and III of the ADA as ensuring—that technology is accessible to and usable by all persons, including those with visual, hearing, manual, and other disabilities; and

FURTHER RESOLVED, That the American Bar Association urges that all technology relating to the provision of legal services be equally accessible to people with a wide range of abilities and disabilities and, in particular, be accessible through assistive technologies that permit individuals with visual, hearing, manual, and other disabilities to meaningfully use this technology.

Domestic and Sexual Violence (Report Nos. 104E, 107A and 109)

For action on Report No. 104E, urging governments and international institutions to adopt and implement legislation and regulations to eliminate, prevent and provide remedies for gender-based violence in the workplace, including sexual harassment, based on virtue of their actual or perceived sex (including pregnancy), family responsibilities, sexual orientation, gender identity, gender expression, the intersectionality between race and sex or status as a victim of domestic or sexual violence, see Civil Rights and Social Justice on page 29.

For action on Report No. 107A, urging all emergency management agencies to provide proper training to staff and volunteers to respond to unique needs of intimate partner violence and sexual violence victims during and after a disaster, see Young Lawyers Division on page 39.

For action on Report No. 109, urging governments to reduce potential harm that individuals may inflict on themselves or others by enacting statutes, rules or regulations that allow individuals to: 1) voluntarily and confidentially submit their names into databases used for gun background checks, and 2) remove themselves from those systems, see Gun Violence on page 17.

Ethics and Professional Responsibility (Report No. 101)

Report No. 101, amending Model Rules 7.1 through 7.5 and their related Comments of the ABA Model Rules of Professional Conduct regarding lawyer advertising rules, was revised and approved. As revised, it reads:

RESOLVED, That the American Bar Association amends Rules 7.1 through 7.5 and Comments of the ABA Model Rules of Professional Conduct as follows (insertions underlined, deletions struck through):

Group and Prepaid Legal Services (Report No. 115)

Report No. 115, adopting the American Bar Association Standards for Accreditation of Legal Plans dated August 2018, to ensure that Legal Plans are providing affordable access to legal services, which was cosponsored by the Solo, Small Firm and General Practice Division, was withdrawn.

Gun Violence (Report No. 109)

Report No. 109, urging governments to reduce potential harm that individuals may inflict on themselves or others by enacting statutes, rules or regulations that allow individuals to: 1) voluntarily and confidentially submit their names into databases used for gun background checks, and 2) remove themselves from those systems, which was cosponsored by the Section of Civil Rights and Social Justice, Criminal Justice Section and Commission on Domestic and Sexual Violence, was withdrawn.

Human Rights (Report Nos. 10C, 106A and 106B)

For action on Report No. 10C urging Congress to enact immigration reform addressing children separated from their parents at the United States border, see Minnesota State Bar Association on page 42.

4 Ramona G. See of California abstained from voting with respect to this resolution.
For action on Report No. 106A, reaffirming the ABA’s commitment to advance the rule of law and condemns the harassment arbitrary arrest and detention, arbitrary disbarment, denial of due process, other ill-treatment, and killings of judges, lawyers, other members of the legal profession, and their extended families throughout the world for serving in their designated capacities, see International Law on page 33.

For action on Report No. 106B, recognizing the important role that non-lawyer human rights defenders, journalists and others play in protecting justice and the rule of law, and deplores attacks on those professions, as well as on individuals, aimed at silencing or intimidating human rights voices, see International Law on page 34.

Immigration (Report No. 119)
Report No. 119, adopting the 2018 ABA Standards for the Custody, Placement and Care; Legal Representation; and Adjudication of Unaccompanied Alien Children in the United States, to replace the 2004 Standards, was revised and approved. As revised, it reads:

RESOLVED, That the American Bar Association adopts the black letter ABA Standards for the Custody, Placement and Care; Legal Representation; and Adjudication of Unaccompanied Alien Children in the United States, dated August 2018 to replace the original version of these Standards dated August 2004.

Law and Aging (Report No. 112)
Report No. 112, supporting in principle the Inter-American Convention on Protecting the Human Rights of Older Persons, and encourages the United Nations to draft a convention on the rights of older persons, which was cosponsored by the Section of International Law, was approved. It reads:

RESOLVED, That the American Bar Association supports in principle the Inter-American Convention on Protecting the Human Rights of Older Persons and encourages the United Nations, operating through its Open-Ended Working Group on Ageing or similar process, to draft a convention on the rights of older persons, considering the Organization of American States Convention as an instructive precedent.

Judith Davila of Arizona, Colin H. Lindsay of Kentucky, Margret G. Robb of Indiana, Ramona G. See of California, Lynda C. Shely of Arizona, Margarita Silva of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.

Judith Davila, Lynda C. Shely of Arizona, Margarita Silva of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
Law Library of Congress (Report No. 117)

*For action on Report No. 117,* urging Congress to approve appropriations to the Library of Congress necessary to enable the United States Copyright Office to adequately staff, maintain, modernize, and enhance its services, facilities, databases, studies, and digital projects, see *Intellectual Property Law* on page 33.

Lawyers Assistance Programs (Report No. 103)

*For action on Report No. 103,* adopting the ABA Model Law Firm Policy on Impairment, dated August 2018, to provide a mechanism within law firms to identify impairment and craft proper intervention, and to prevent professional standards and the quality of work for clients from being compromised by any law firm personnel's impairment, and urges law firms to adopt the Model Policy, see Working Group to Advance Well-Being in the Legal Profession on page 24.

Legal Aid and Indigent Defendants (Report Nos. 107A and 114)

*For action on Report No. 107A,* urging all emergency management agencies to provide proper training to staff and volunteers to respond to unique needs of intimate partner violence and sexual violence victims during and after a disaster, see Young Lawyers Division on page 39.

*For action on Report No. 114,* adopting the black letter and commentary to the ABA Ten Guidelines on Court Fines and Fees, dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, see Working Group on Building Public Trust in the American Justice System on page 24.

Membership (Report No. 177)

*Report No. 177,* amending the dues structure for the American Bar Association effective with FY2020 and each year thereafter, was revised and approved. As revised, it reads:

RESOLVED, That dues for lawyer members of the Association shall be in accordance with the following schedule, effective for dues commencing with FY2020 and each year thereafter:

- $75 if admitted to the bar for less than five years
- $150 if admitted to the bar five years but less than ten years
- $250 if admitted to the bar ten years but less than fifteen years
- $350 if admitted to the bar fifteen years but less than twenty years
- $450 if admitted to the bar twenty or more years
FURTHER RESOLVED, That lawyers employed by any federal, state, local, territorial or tribal government, lawyers employed by nonprofit public interest programs, judges, solo practitioners, small firm lawyers (those in firms of 2-5 lawyers), and retired lawyers shall pay $150 for dues effective in FY2020 and each year thereafter;

FURTHER RESOLVED, That paralegals shall pay $75 for dues effective in FY2020 and each year thereafter;

FURTHER RESOLVED, That affiliated professionals shall pay $150 for dues effective in FY2020 and each year thereafter;

FURTHER RESOLVED, That international lawyers shall pay $150 for dues effective in FY2020 and each year thereafter;

FURTHER RESOLVED, That if a lawyer licensed by a state, commonwealth, territory or tribal government qualifies for more than one dues category, the lawyer shall pay the lowest amount;

FURTHER RESOLVED, That the Board of Governors is authorized to determine those benefits to be included as part of membership in the Association.

**Paralegals (Report Nos. 110A and 110B)**

*Report No. 110A*, granting approval to four programs, grants reapproval to eighteen paralegal education programs, withdraws the approval of three programs at the requests of the institutions, and extends the term of approval to several paralegal education programs, was approved. It reads:

RESOLVED, That the American Bar Association approves the following programs: Skyline College, Paralegal Studies Program, San Bruno, CA; Oakton Community College, Paralegal Studies Program, Skokie, IL; South University, Legal Studies Program, Cleveland, OH; and South University, Paralegal and Legal Studies Programs, Virginia Beach, VA;

FURTHER RESOLVED, That the American Bar Association reapproves the following paralegal education programs: Pima Community College, Paralegal Program, Tucson, AZ; College of the Canyons, Paralegal Studies Program, Santa Clarita, CA; South University, Paralegal and Legal Studies Programs, Royal Palm Beach, FL; South University,
Paralegal and Legal Studies Programs, Savannah, GA; College of DuPage, Paralegal Studies Program, Glen Ellyn, IL; Southern Illinois University, Paralegal Studies Program, Carbondale, IL; Illinois State University, Legal Studies Program, Normal, IL; Sullivan University, Institute for Paralegal Studies, Lexington, KY; Middlesex Community College, Paralegal Studies Program, Bedford, MA; Grand Valley State University, Legal Studies Program, Grand Rapids, MI; Columbus State Community College, Paralegal Studies Program, Columbus, OH; Edison State Community College, Paralegal Studies Program, Piqua, OH; Rose State College, Paralegal Studies Program, Midwest City, OK; Portland Community College, Paralegal Program, Portland, OR; Bucks County Community College, Paralegal Studies Program, Newtown, PA; Community College of Philadelphia, Paralegal Studies Program, Philadelphia, PA; Northampton Community College, Paralegal Program, Bethlehem, PA; Salt Lake Community College, Paralegal Studies Program, Salt Lake City, UT;

FURTHER RESOLVED, That the American Bar Association withdraws the approval of the following paralegal education programs: Robert Morris University, Paralegal Studies Program, Springfield, IL; Beckfield College, Paralegal Studies Program, Florence, KY; Elms College, Paralegal and Legal Studies Program, Chicopee, MA, at the requests of the institutions; and

FURTHER RESOLVED, That the American Bar Association extends the terms of approval until the February 2019 Midyear Meeting of the House of Delegates for the following programs: Faulkner University, Legal Studies Program, Montgomery, AL; South University, Paralegal and Legal Studies Programs, Montgomery, AL; Los Angeles City College, Paralegal Studies Program, Los Angeles, CA; University of New Haven, Legal Studies Program, West Haven, CT; St. Petersburg College, Paralegal Studies Program, Clearwater, FL; Georgia Piedmont Technical College, Paralegal Studies Program, Covington, GA; Herzing University, Legal Studies Program, Atlanta, GA; Wilbur Wright College, Paralegal Studies Program, Chicago, IL; Fayetteville Technical Community College, Paralegal Technology Program, Fayetteville, NC; Methodist University, Legal Studies Program, Fayetteville, NC; Union County College, Paralegal Studies Program, Cranford, NJ; Finger Lakes
Community College, Paralegal Program, Canandaigua, NY; Monroe Community College, Paralegal Studies Program, Rochester, NY; SUNY Rockland Community College, Paralegal Studies Program, Suffern, NY; Pioneer Pacific College, Legal Assistant/Paralegal Program, Wilsonville, OR; South University, Paralegal and Legal Studies Programs, Columbia, SC; National American University, Paralegal Studies Program, Sioux Falls, SD; Brightwood College, Paralegal Studies Program, Nashville, TN; University of Tennessee Chattanooga, Legal Assistant Studies Program, Chattanooga, TN; American National University, Paralegal Program, Salem, VA.

Report No. 110B, amending the ABA Guidelines for Approval of Paralegal Education Programs, dated August 2018, was approved. It reads:

RESOLVED, That the American Bar Association amends the ABA Guidelines for the Approval of Paralegal Education Programs dated August 2018.

Racial and Ethnic Diversity in the Profession (Report No. 300)
For action on Report No. 300, urging legal employers not to require mandatory arbitration of claims of sexual harassment, see Women in the Profession on page 24.

Sexual Orientation and Gender Identity (Report Nos. 104C, 118 and 300)
For action on Report No. 104C, supporting an interpretation of Section 1557 of the Affordable Care Act, 42 U.S.C. § 18116(a), that its prohibition on sex discrimination by covered health programs or activities includes but is not limited to discrimination on the basis of sexual orientation and gender identity, see Civil Rights and Social Justice on page 28.

Report No. 118, urging the federal government to recognize that service by persons who otherwise meet the standards for accession or retention, as applicable, in the United States Armed Forces should not be restricted, and transgender persons should not be discriminated against, based solely on gender identity, which was cosponsored by the Tort Trial and Insurance Practice Section, was revised and approved7. As revised, it reads:

7 Toni E. Clarke of Maryland, Judith Davila of Arizona, Colin H. Lindsay of Kentucky, Ramona G. See of California, Lynda C. Shely of Arizona, Margarita Silva of Arizona, Elizabeth Snow Stong of New York, Christopher T. Whitten of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
RESOLVED, That the American Bar Association urges the federal government to recognize that service by persons who otherwise meet the standards for accession or retention, as applicable, in the United States Armed Forces should not be restricted, and transgender persons should not be discriminated against, based on gender identity.

For action on Report No. 300, urging legal employers not to require mandatory arbitration of claims of sexual harassment, see Women in the Profession on page 24.

Specialization (Report Nos. 108A and 108B)

Report No. 108A, granting reaccreditation to the Medical Professional Liability and Legal Professional Liability programs of the American Board of Professional Liability Attorneys for additional five-year terms as designated specialty certification programs for lawyers, was approved. It reads:

RESOLVED, That the American Bar Association reaccredit for an additional five-year term the following designated specialty certification programs for lawyers:

The Legal Professional Liability program of the American Board of Professional Liability Attorneys, of Atlanta, Georgia; and

The Medical Professional Liability program of the American Board of Professional Liability Attorneys, of Atlanta, Georgia.

Report No. 108B, granting accreditation to the Truck Accident Law program of the National Board of Truck Accident Attorneys, a division of The National Board of Trial Advocacy for a five-year term as a designated specialty certification program for lawyers, was approved. It reads:

RESOLVED, That the American Bar Association accredits the Truck Accident Law program of the National Board of Truck Accident Attorneys, a division of the National Board of Trial Advocacy, of Wrentham, Massachusetts, for a five-year term as a designated specialty certification program for lawyers.

Women in the Profession (Report Nos. 104E and 300)

For action on Report No. 104E, urging governments and international institutions to adopt and implement legislation and regulations to eliminate, prevent and provide remedies for gender-based violence in the workplace, including sexual harassment, based on virtue of their actual or perceived sex (including pregnancy), family responsibilities, sexual orientation, gender
identity, gender expression, the intersectionality between race and sex or status as a victim of domestic or sexual violence, see *Civil Rights and Social Justice on page 24.*

*Report No. 300,* urging legal employers not to require mandatory arbitration of claims of sexual harassment, which was cosponsored by the Commission on Racial and Ethnic Diversity in the Profession, Commission on Sexual Orientation and Gender Identity and the Section of Civil Rights and Social Justice, *was approved*. It reads:

RESOLVED, That the American Bar Association urges legal employers not to require mandatory arbitration of claims of sexual harassment.

*Working Group on Building Public Trust in the American Justice System (Report No. 114)*

*Report No. 114,* adopting the black letter and commentary to the *ABA Ten Guidelines on Court Fines and Fees,* dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, which was cosponsored by the Section of Civil Rights and Social Justice, Standing Committee on Legal Aid and Indigent Defendants, Criminal Justice Section, Section of State and Local Government Law, Commission on Youth at Risk, Massachusetts Bar Association, King County Bar Association and the Washington State Bar Commission on Lawyer Assistance Programs, *was approved*. It reads:

RESOLVED, That the American Bar Association adopts the *ABA Ten Guidelines on Court Fines and Fees,* black letter and commentary, dated August 2018; and

FURTHER RESOLVED, That the American Bar Association urges all federal, state, local, territorial, and tribal legislative, judicial and other governmental bodies to apply the *ABA Ten Guidelines on Court Fines and Fees.*

*Working Group to Advance Well-Being in the Legal Profession (Report No. 103)*

*Report No. 103,* adopting the *ABA Model Law Firm Policy on Impairment,* dated August 2018, to provide a mechanism within law firms to identify impairment and craft proper intervention, and to prevent professional standards and the quality of work for clients from being compromised by any law firm personnel’s impairment, and urges law firms to adopt the Model Policy, which

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8 Toni E. Clarke of Maryland, Judith Davila of Arizona, Margret G. Robb of Indiana, Ramona G. See of California and Elizabeth Snow Stong of New York abstained from voting with respect to this resolution.

9 Barbara Kerr Howe of Maryland, Margret G. Robb of Indiana and Ramona G. See of California abstained from voting with respect to this resolution.
was cosponsored by the Commission on Lawyer Assistance Programs, *was withdrawn.*

**Youth at Risk (Report No. 114)**

*For action on Report No. 114,* adopting the black letter and commentary to the *ABA Ten Guidelines on Court Fines and Fees,* dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, *see Working Group on Building Public Trust in the American Justice System on page 24.*
III. REPORTS OF SECTIONS AND DIVISIONS

A. The following Sections and Divisions presented reports to the House of Delegates:

Administrative Law and Regulatory Practice
Civil Rights and Social Justice*
Criminal Justice*
Dispute Resolution*
Family Law*
Government and Public Sector Lawyers Division
Intellectual Property Law*
International Law*
JD-National Conference of the Administrative Law Judiciary
Judicial Division
Legal Education and Admissions to the Bar*
Science and Technology Law
Solo, Small Firm and General Practice Division
State and Local Government Law
Tort Trial and Insurance Practice
Young Lawyers Division*

B. The following Sections and Divisions did not report to the House of Delegates:

Antitrust Law
Business Law
Environment, Energy and Resources
Infrastructure and Regulated Industries
Health Law
JD-Appellate Judges Conference
JD-National Conference of Federal Trial Judges
JD-National Conference of Specialized Court Judges
JD-National Conference of State Trial Judges
Labor and Employment Law
Law Practice Division
Law Student Division
Litigation
Public Contract Law
Real Property, Trust and Estate Law
Senior Lawyers Division
Taxation

* The report of this Section or Division contained resolutions as stated in Section IIIC of this Summary.
C. Action of the House on Section and Division Resolutions:

Administrative Law and Regulatory Practice (Report No. 113)

For action on Report No. 113 adopting the ABA Model Code of Judicial Conduct for State Administrative Law Judges, dated August 2018, and urges governments to enact and adopt the Model Code, see National Conference of the Administrative Law Judiciary on page 38.


For action on Report No. 100B urging Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of nonunanimous juries where currently allowed in felony cases, see Criminal Justice on page 31.

Report No. 104A, urging Congress to enact legislation that implements the "Law Enforcement Equipment Working Group Recommendations Pursuant to Executive Order 13688" dated May 2015, was approved. It reads:

RESOLVED, That the American Bar Association urges Congress to enact legislation that:

1. implements the “Law Enforcement Equipment Working Group Recommendations Pursuant to Executive Order 13688” dated May 2015;
2. places strict limitations on the authority of federal agencies to provide State, local, and tribal law enforcement agencies (LEAs) with excess military equipment, or funds to purchase military equipment, in order to maximize the safety and security of law enforcement officers and the communities they serve;
3. establishes a prohibited equipment list identifying categories of military equipment that LEAs would not be able to acquire from any federal agency or using any federal funds;
4. harmonizes any federal programs involving the transfer of excess military equipment, or funds to purchase military equipment, to LEAs so that they have consistent and transparent policies;
5. mandates that LEAs that are eligible to receive military equipment, or funding for such equipment, from any federal agency receive

Judith Davila of Arizona, Colin H. Lindsay of Kentucky, Ramona G. See of California, Lynda C. Shely of Arizona, Margarita Silva of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
necessary training, and have policies in place that address appropriate use and employment of military equipment and the protection of civil rights and civil liberties in the use of such equipment; and

(6) expands the federal government’s monitoring and compliance capabilities to ensure that LEAs acquiring military equipment, or funding for such equipment, from any federal agency comply with the above training and policy requirements.

Report No. 104B, urging governments to adopt and enforce stronger fair lending laws targeted against discrimination in vehicle sales market and urges Congress to amend the Equal Credit Opportunity Act to collect data on race and national origin for auto-lending transactions, which was cosponsored by the Section of State and Local Government Law, was withdrawn.

Report No. 104C, supporting an interpretation of Section 1557 of the Affordable Care Act, 42 U.S.C. § 18116(a), that its prohibition on sex discrimination by covered health programs or activities includes but is not limited to discrimination on the basis of sexual orientation and gender identity, which was cosponsored by the Commission on Sexual Orientation and Gender Identity, was revised and approved11. As revised, it reads:

RESOLVED, That the American Bar Association supports an interpretation of Section 1557 of the Affordable Care Act, 42 U.S.C. § 18116(a), that its prohibition on sex discrimination by covered health programs or activities includes, but is not limited to, discrimination on the bases of sexual orientation, gender identity, sex stereotyping, pregnancy, and pregnancy related medical conditions (including false pregnancy, termination of pregnancy, child birth, and recovery therefrom).

FURTHER RESOLVED, That the American Bar Association urges the Attorney General of the United States and the Secretary of Education to reinstate the guidance letters concerning interpretation of Title IX that were rescinded on February 22, 2017; and

FURTHER RESOLVED, That the American Bar Association urges the Attorney General of the United States to withdraw the interpretation proposed by the U.S. Department of Justice in October 2017 that Title VII of the Civil Rights Act


*Report No. 104D*, urging governments to enact legislation providing employees with job-guaranteed paid sick days and job-guaranteed paid family and medical leave, which was cosponsored by the Section of State and Local Government Law, *was approved*\(^12\). It reads:

RESOLVED, That the American Bar Association urges federal, state, local, tribal, and territorial governments to enact legislation providing employees with job-guaranteed paid sick days and job-guaranteed paid family and medical leave.

*Report No. 104E*, urging governments and international institutions to adopt and implement legislation and regulations to eliminate, prevent and provide remedies for gender-based violence in the workplace, including sexual harassment, based on virtue of their actual or perceived sex (including pregnancy), family responsibilities, sexual orientation, gender identity, gender expression, the intersectionality between race and sex or status as a victim of domestic or sexual violence, which was cosponsored by the ABA Representatives and Observers to the United Nations, Commission on Women in the Profession and the Commission on Domestic and Sexual Violence, *was approved*\(^13\). It reads:

RESOLVED, That the American Bar Association urges federal, state, local, and tribal governments and international institutions to adopt and implement legislation and regulations to eliminate, prevent and provide remedies for gender-based violence in the workplace, including sexual harassment, based on virtue of their actual or perceived sex (including pregnancy), family responsibilities, sexual orientation, gender identity, gender expression, the intersectionality between race and sex or status as a victim of domestic or sexual violence.

FURTHER RESOLVED, That the American Bar Association urges all employers conducting business in the United States to adopt policies, programs, and procedures to create workplaces free of gender-based violence, including sexual harassment, and address the structural inequalities that allow such violence to occur.

\(^{12}\) Toni E. Clarke of Maryland, Judith Davila of Arizona, Colin H. Lindsay of Kentucky, Linda S. Murnane of Ohio, Margret G. Robb of Indiana, Ramona G. See of California, Margarita Silva of Arizona, Christopher T. Whitten of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.

\(^{13}\) Judith Davila of Arizona, Colin H. Lindsay of Kentucky, Margret G. Robb of Indiana, Ramona G. See of California, Margarita Silva of Arizona, Elizabeth Snow Stong of New York and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
For action on Report No. 106A reaffirming the ABA’s commitment to advance the rule of law and condemns the harassment, arbitrary arrest and detention, arbitrary disbarment, denial of due process, other ill-treatment, and killings of judges, lawyers, other members of the legal profession, and their extended families throughout the world for serving in their designated capacities, see International Law on page 33.

For action on Report No. 106B recognizing the important role that non-lawyer human rights defenders, journalists and others play in protecting justice and the rule of law, and deplores attacks on those professions, as well as on individuals, aimed at silencing or intimidating human rights voices, see International Law on page 34.

For action on Report No. 109 urging governments to reduce potential harm that individuals may inflict on themselves or others by enacting statutes, rules or regulations that allow individuals to: 1) voluntarily and confidentially submit their names into databases used for gun background checks, and 2) remove themselves from those systems, see Gun Violence on page 17.

For action on Report No. 114 adopting the black letter and commentary to the ABA Ten Guidelines on Court Fines and Fees, dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, see Working Group on Building Public Trust in the American Justice System on page 24.

For action on Report No. 300 urging legal employers not to require mandatory arbitration of claims of sexual harassment, see Women in the Profession on page 24.

Criminal Justice (Report Nos. 10C, 100A, 100B, 107A, 109 and 114)

For action on Report No. 10C urging Congress to enact immigration reform addressing children separated from their parents at the United States border, see Minnesota State Bar Association on page 42.

Report No. 100A, urging bar associations, law schools, and other stakeholders to develop and increase curricular offerings through which law students provide pro bono representation of incarcerated individuals and those reentering society, was approved. It reads:

14 Margret G. Robb of Indiana and Ramona G. See of California abstained from voting with respect to this resolution.
RESOLVED, That the American Bar Association urges bar associations, law schools and other stakeholders to develop and increase educational initiatives, clinics, and other experiential courses through which law students provide legal assistance to pre-trial detainees, immigration detainees, and incarcerated individuals reentering society.

Report No. 100B, urging Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of nonunanimous juries where currently allowed in felony cases, which was cosponsored by the Oregon State Bar, Section of Civil Rights and Social Justice, Angela A. Allen-Bell, David F. Bienvenu, Frank Neuner and Judy Perry Martinez, was approved. It reads:

RESOLVED, That the American Bar Association urges Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of non-unanimous juries where currently allowed in felony cases.

For action on Report No. 107A urging all emergency management agencies to provide proper training to staff and volunteers to respond to unique needs of intimate partner violence and sexual violence victims during and after a disaster, see Young Lawyers on page 39.

For action on Report No. 109 urging governments to reduce potential harm that individuals may inflict on themselves or others by enacting statutes, rules or regulations that allow individuals to: 1) voluntarily and confidentially submit their names into databases used for gun background checks, and 2) remove themselves from those systems, see Gun Violence on page 17.

For action on Report No. 114 adopting the black letter and commentary to the ABA Ten Guidelines on Court Fines and Fees, dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, see Working Group on Building Public Trust in the American Justice System on page 24.

Dispute Resolution (Report No. 105)
Report No. 105, urging providers of domestic and international dispute resolution to expand their rosters with minorities, women, persons with disabilities, and persons of differing sexual orientations and gender identities (“diverse neutrals”), and to

15 Colin H. Lindsay of Kentucky, Linda S. Murnane of Ohio, Margret G. Robb of Indiana and Ramona G. See of California abstained from voting with respect to this resolution.
encourage the selection of diverse neutrals, was approved. It reads:

RESOLVED, That the American Bar Association urges providers of domestic and international dispute resolution to expand their rosters with minorities, women, persons with disabilities, and persons of differing sexual orientations and gender identities (“diverse neutrals”) and to encourage the selection of diverse neutrals; and

FURTHER RESOLVED, That the American Bar Association urges all users of domestic and international legal and neutral services to select and use diverse neutrals.

Family Law (Report No. 102A and 102B)

Report No. 102A, urging governments to enact preserve tax code provisions that allow the alimony deduction for payors and treat alimony as taxable income to payees, was approved. It reads:

RESOLVED, That the American Bar Association urges Congress to enact former Sections 215 and 682 of the Internal Revenue Code that, before their repeal in the Tax Cuts and Jobs Act of 2017 allowed payors to deduct and required payees to treat as taxable income alimony payments.

FURTHER RESOLVED, That, if Congress does not reinstate the alimony deduction and section 682 of the Internal Revenue Code, the American Bar Association urges all federal, state, territorial and tribal governments to enact laws protecting the reasonable expectations of taxpayers with respect to agreements and arrangements entered into prior to the effective date of said repeal, including but not limited to pre-nuptial agreements, post-nuptial agreements, trusts and similar arrangements, but only to the extent that income is not attributable to corpus added to a trust after the effective date of on which the Tax Cuts and Jobs Act of 2017 became effective.

Report No. 102B, adopting the ABA Model Act Governing Assisted Reproductive Technology, dated August 2018 to replace the 2008 Model Act, and urging its adoption by appropriate governmental agencies, which was cosponsored by the Section of Science and Technology Law, was withdrawn.

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Government and Public Sector Lawyers Division (Report No. 106A, 106B and 113)

For action on Report No. 106A reaffirming the ABA’s commitment to advance the rule of law and condemns the harassment arbitrary arrest and detention, arbitrary disbarment, denial of due process, other ill-treatment, and killings of judges, lawyers, other members of the legal profession, and their extended families throughout the world for serving in their designated capacities, see International Law on page 33.

For action on Report No. 106B recognizing the important role that non-lawyer human rights defenders, journalists and others play in protecting justice and the rule of law, and deplores attacks on those professions, as well as on individuals, aimed at silencing or intimidating human rights voices, see International Law on page 34.

For action on Report No. 113 adopting the ABA Model Code of Judicial Conduct for State Administrative Law Judges, dated August 2018, and urges governments to enact and adopt the Model Code, see National Conference of the Administrative Law Judiciary on page 38.

Intellectual Property Law (Report No. 117)

Report No. 117, urging Congress to approve appropriations to the Library of Congress necessary to enable the United States Copyright Office to adequately staff, maintain, modernize, and enhance its services, facilities, databases, studies, and digital projects, which was cosponsored by the Standing Committee on Law Library of Congress, was approved17. It reads:

International Law (Report No. 10C, 106A, 106B and 112)

For action on Report No. 10C urging Congress to enact immigration reform addressing children separated from their parents at the United States border, see Minnesota State Bar Association on page 42.

Report No. 106A, reaffirming the ABA’s commitment to advance the rule of law and condemns the harassment arbitrary arrest and detention, arbitrary disbarment, denial of due process, other ill-treatment, and killings of judges, lawyers, other members of the legal profession, and their extended families throughout the world for serving in their designated capacities, which was cosponsored by the Center for Human Rights, Section of Civil Rights and Social Justice, Government and Public Sector Lawyers Division, Judicial Division, and ABA Representatives and Observers to the United Nations, was approved. It reads:

17 Ramona G. See of California abstained from voting with respect to this resolution.
RESOLVED, That the American Bar Association reaffirms its commitment to advance the rule of law, including its core values of the integrity and independence of the judiciary and the legal profession, and the right of access to justice at every level of government, by taking concrete actions through its diverse entities to expose and condemn abuses of the judiciary and legal profession; and

FURTHER RESOLVED, That the American Bar Association condemns the harassment arbitrary arrest and detention, arbitrary disbarment, denial of due process, other ill-treatment, and killing of judges, lawyers, other members of the legal profession, and their extended families throughout the world for serving in their designated capacities; and

FURTHER RESOLVED, That the American Bar Association urges all governments to abide by their obligations to uphold an international order based on the rule of law; to respect human rights and fundamental freedoms recognized by national and international law; to refrain from any attack on the independence of the judiciary, legal profession, and systems of justice; to promptly investigate and hold accountable those who perpetrate such attacks; and to ensure adequate remedies, including protective measures, reinstitution of licenses, and damages, to victims of such attacks; and

FURTHER RESOLVED, That the American Bar Association is committed to collaborate with the United Nations and other global institutions and non-governmental organizations:

- to advance the adoption and implementation of the aforementioned principles in national legislation in countries where those principles have not yet been fully implemented,
- to defend and support judges, lawyers, and other members of the legal profession when they experience persecution or when their independence is threatened,
- to focus national and international attention on instances of such actual and threatened persecution through the press and other media, and
- to promote accountability of countries regarding the protection of an independent judiciary and bar.

Report No. 106B, recognizing the important role that non-lawyer human rights defenders, journalists and others play in protecting justice and the rule of law, and deplores attacks on those professions, as well as on individuals, aimed at silencing or intimidating human rights voices, which was cosponsored by the Center for Human Rights, Section of Civil Rights and Social
Justice, Government and Public Sector Lawyers Division, Judicial Division and the ABA Representatives and Observers to the United Nations, was approved. It reads:

RESOLVED, That the American Bar Association recognizes the important role that non-lawyer human rights defenders, journalists and others play in protecting justice and the rule of law, and deplores attacks on those professions, as well as on individuals, aimed at silencing or intimidating human rights voices.

For action on Report No. 112 supporting in principle the Inter-American Convention on Protecting the Human Rights of Older Persons, and encourages the United Nations to draft a convention on the rights of older persons, see Law and Aging on page 18.

Judicial Division (Report Nos. 106A, 106B and 113)

For action on Report No. 106A reaffirming the ABA’s commitment to advance the rule of law and condemns the harassment arbitrary arrest and detention, arbitrary disbarment, denial of due process, other ill-treatment, and killings of judges, lawyers, other members of the legal profession, and their extended families throughout the world for serving in their designated capacities, see International Law on page 33.

For action on Report No. 106B recognizing the important role that non-lawyer human rights defenders, journalists and others play in protecting justice and the rule of law, and deplores attacks on those professions, as well as on individuals, aimed at silencing or intimidating human rights voices, see International Law on page 34.

For action on Report No. 113 adopting the ABA Model Code of Judicial Conduct for State Administrative Law Judges, dated August 2018, and urges governments to enact and adopt the Model Code, see National Conference of the Administrative Law Judiciary on page 38.

Legal Education and Admissions to the Bar (Report Nos. 111A, 111B, 111C, 111D and 111E)

Report No. 111A, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to the Rules of the ABA Standards and Rules of Procedure for Approval of Law Schools, to restructure the work of the ABA accreditation process by eliminating the Council’s Accreditation and Standards Review Committees, and having all work completed by the Council, was approved. It reads:

18 Judith Davila of Arizona, Lynda C. Shely of Arizona, Margarita Silva of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
RESOLVED, That the American Bar Association House of Delegates concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in adopting the amendments dated August 2018 to the Rules of the ABA Standards and Rules of Procedure for Approval of Law Schools, to restructure the work of the ABA accreditation process by eliminating the Council’s Accreditation and Standards Review Committees, and having all work completed by the Council.

Report No. 111B, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to the Standards of the ABA Standards and Rules of Procedure for Approval of Law Schools, to restructure the work of the ABA accreditation process by eliminating the Council’s Accreditation and Standards Review Committees, and having all work completed by the Council, was approved. It reads:

RESOLVED, That the American Bar Association House of Delegates concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in adopting the amendments dated August 2018 to the Standards of the ABA Standards and Rules of Procedure for Approval of Law Schools, to restructure the work of the ABA accreditation process by eliminating the Council’s Accreditation and Standards Review Committees, and having all work completed by the Council.

Report No. 111C, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to Rules 3, 5, 10, 14, 22, 23, 24, 25, 34, 52, and 53 of the ABA Standards and Rules of Procedure for Approval of Law Schools, was approved. It reads:

RESOLVED, That the American Bar Association House of Delegates concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in adopting the amendments dated August 2018 to Rules 3, 5, 10, 14, 22, 23, 24, 25, 34, 52, and 53 of the ABA Standards and Rules of Procedure for Approval of Law Schools:

- Rule 3, Accreditation Committee Responsibility and Authority (authority to approve teach-outs);
- Rule 5, Site Evaluations (authority to postpone site evaluations);
- Standard 10, Notice of Accreditation Decision by Other Agency (removal of non-existent form);
Rule 14, Actions on Determinations of Noncompliance with a Standard (addition of specific remedial action); Rule 22, Council Consideration of Recommendation of Accreditation Committee (right to appearance of representatives); Rule 23, Council Consideration of Appeal from Accreditation Committee Decision (appeals period shortened); Rule 24, Evidence and Record for Decision (30-days to submit new evidence); Rule 25, Decisions by the Council (decision final upon issuance); Rule 34, Teach-Out Plan (approval by Council); Rule 52, Disclosure of Decision Letter (removes duplication); and Rule 53, Applications, Decisions and Recommendations Made Public (public notice requirements)

Report No. 111D, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to Standards 501 (Admission) and 503 (Admission Test) of the ABA Standards and Rules of Procedure for Approval of Law Schools, was withdrawn.

Report No. 111E, concurring in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018, to Standard 303 (Curriculum); Standard 304 (Simulation Courses, Clinics, and Field Placements); Standard 305 (Other Academic Study); Standard 306 (Distance Education); Standard 307 (Studies, Activities, and Field Placements Outside the United States); and Standard 601 (Library and Information Resources, General Provisions) of the ABA Standards and Rules of Procedure for Approval of Law Schools, was divided by a vote of 118 to 194 and approved. It reads:

RESOLVED, That the American Bar Association House of Delegates concurs in the action of the Council of the Section of Legal Education and Admissions to the Bar in making amendments dated August 2018 to the following ABA Standards and Rules of Procedure for Approval of Law Schools:

1. Standard 303: Curriculum
2. Standard 304: Simulation Courses, Clinics, and Field Placements
3. Standard 305: Other Academic Study
4. Standard 306: Distance Education
5. Standard 307: Studies, Activities, and Field Placements Outside the United States
National Conference of the Administrative Law Judiciary (Report No. 113)

Report No. 113, adopting the ABA Model Code of Judicial Conduct for State Administrative Law Judges, dated August 2018, and urges governments to enact and adopt the Model Code, which was cosponsored by the Judicial Division, Section of Administrative Law and Regulatory Practice, Government and Public Sector Lawyers Division, Colorado Bar Association and the Denver Bar Association, was revised and approved. As revised, it reads:

RESOLVED, That the American Bar Association adopts the American Bar Association Model Code of Judicial Conduct for State Administrative Law Judges dated August 2018, as applied to members of the administrative judiciary. For purposes of this resolution, the administrative judiciary includes all individuals whose exclusive role in the administrative process is to preside and make decisions in judicial or quasi-judicial capacity in evidentiary proceedings, but does not include agency heads, members of agency appellate boards, or other officials who perform the adjudicative functions of an agency head; and

FURTHER RESOLVED, That the American Bar Association urges state, local, and territorial governments to enact and adopt ethical principles applicable to the administrative judiciary, as defined herein, in accordance with the Model Code.

Science and Technology Law (Report No. 102B)

For action on Report No. 102B adopting the ABA Model Act Governing Assisted Reproductive Technology, dated August 2018 to replace the 2008 Model Act, and urging its adoption by appropriate governmental agencies, see Family Law on page 32.

Solo, Small Firm and General Practice Division (Report No. 115)

For action on Report No. 115 adopting the American Bar Association Standards for Accreditation of Legal Plans dated August 2018, to ensure that Legal Plans are providing affordable access to legal services, see Group and Prepaid Legal Services on page 17.

State and Local Government Law (Report Nos. 104B, 104D and 114)

For action on Report No. 104B urging governments to adopt and enforce stronger fair lending laws targeted against discrimination
in vehicle sales market and urges Congress to amend the Equal Credit Opportunity Act to collect data on race and national origin for auto-lending transactions, see Civil Rights and Social Justice on page 28.

For action on Report No. 104D urging governments to enact legislation providing employees with job-guaranteed paid sick days and job-guaranteed paid family and medical leave, see Civil Rights and Social Justice on page 29.

For action on Report No. 114 adopting the black letter and commentary to the ABA Ten Guidelines on Court Fines and Fees, dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, see Working Group on Building Public Trust in the American Justice System on page 24.

Tort Trial and Insurance Practice Section (Report No. 118)
For action on Report No. 118 urging the federal government to recognize that service by persons who otherwise meet the standards for accession or retention, as applicable, in the United States Armed Forces should not be restricted, and transgender persons should not be discriminated against, based solely on gender identity, see Sexual Orientation and Gender Identity on page 22.

Young Lawyers Division (Report Nos. 107A and 107B)
Report No. 107A, urging all emergency management agencies to provide proper training to staff and volunteers to respond to unique needs of intimate partner violence and sexual violence victims during and after a disaster, which was cosponsored by the Criminal Justice Section, Commission on Domestic and Sexual Violence, Standing Committee on Disaster Response and Preparedness, and the Standing Committee on Legal Aid and Indigent Defendants, was approved19. It reads:

RESOLVED, That the American Bar Association urges state, local, tribal, and territorial emergency management agencies, organizations that operate disaster relief shelters, and organizations working to prevent intimate partner violence and sexual violence to: (1) collaborate to protect individuals from intimate partner violence and sexual violence; and (2) ensure that shelter personnel have appropriate training to identify victims of intimate partner violence and sexual violence and respond to victims’ unique needs during and following a disaster;

19 Judith Davila of Arizona, Lynda C. Shely of Arizona, Margarita Silva of Arizona and Adam K. Zickerman of Arizona abstained from voting with respect to this resolution.
FURTHER RESOLVED, That the American Bar Association urges these agencies and organizations to collaborate with the Federal Emergency Management Agency ("FEMA") to: (1) plan for safe sheltering and transportation of identified victims of intimate partner violence and sexual violence during and following a disaster; and (2) facilitate access to appropriate services for identified victims in the immediate and continuing aftermath of a disaster; and

FURTHER RESOLVED, That the American Bar Association urges Congress to appropriate funds for FEMA to provide (1) programs that facilitate training and education for emergency management personnel to address intimate partner violence and sexual violence, including identifying victims, during and following a disaster and (2) programs that facilitate access to appropriate services for identified victims of intimate partner violence and sexual violence during and following a disaster.

Report No. 107B, urging Congress to enact the Presidential Tax Transparency Act (H.R. 305) and the President-Elect Release of Tax Return Act (H.R. 1938), and supports efforts to require disclosure to appropriate authorities of recent federal income tax returns for certain candidates for the Office of President of the United States, and to incentivize certain candidates for the Office of President of the United States to disclose their recent federal income tax returns to the extent any such laws are permitted by the United States Constitution, was withdrawn.
Allen-Bell, Angela A., ABA Member (Report No. 100B)
*For action on Report No. 100B*, urging Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of nonunanimous juries where currently allowed in felony cases, see Criminal Justice on page 31.

Bienvenu, David F., ABA Member (Report No. 100B)
*For action on Report No. 100B*, urging Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of nonunanimous juries where currently allowed in felony cases, see Criminal Justice on page 31.

Colorado Bar Association (Report No. 113)

Connecticut Bar Association (Report No. 10C)
*For action on Report No. 10C*, urging Congress to enact immigration reform addressing children separated from their parents at the United States border, see Minnesota State Bar Association on page 42.

Denver Bar Association (Report No. 113)

King County Bar Association (Report No. 114)
*For action on Report No. 114*, adopting the black letter and commentary to the *ABA Ten Guidelines on Court Fines and Fees*, dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, see Working Group on Building Public Trust in the American Justice System on page 24.

Martinez, Judy Perry, ABA Member (Report No. 100B)
*For action on Report No. 100B*, urging Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of nonunanimous juries where currently allowed in felony cases, see Criminal Justice on page 31.
Massachusetts Bar Association (Report Nos. 10C and 114)

For action on Report No. 10C, urging Congress to enact immigration reform addressing children separated from their parents at the United States border, see Minnesota State Bar Association on page 42.

For action on Report No. 114, adopting the black letter and commentary to the ABA Ten Guidelines on Court Fines and Fees, dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, see Working Group on Building Public Trust in the American Justice System on page 24.

Minnesota State Bar Association (Report No. 10C)

Report No. 10C, urging Congress to enact immigration reform addressing children separated from their parents at the United States border, which was cosponsored by the Criminal Justice Section, Section of International Law, Center for Human Rights, Connecticut Bar Association and the Massachusetts Bar Association, was revised and approved. As revised, it reads:

Neuner, Frank, ABA Member (Report No. 100B)

For action on Report No. 100B, urging Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of nonunanimous juries where currently allowed in felony cases, see Criminal Justice on page 31.

New York City Bar Association (Report No. 10B)

For action on Report No. 10B, urging Congress to enact legislation to provide a permanent exemption for the Commonwealth of Puerto Rico from the requirements of the Jones Act, 46 U.S.C. §§55101 et seq., see New York State Bar Association on page 43.

New York County Lawyers Association (Report No. 10A)

For action on Report No. 10A, urging states to adopt General Provisions for Regulation of Online Providers of Legal Documents to establish reasonable standards of product reliability and efficacy, see New York State Bar Association on page 42.

New York State Bar Association (Report Nos. 10A and 10B)

Report No. 10A, urging states to adopt General Provisions for Regulation of Online Providers of Legal Documents to establish reasonable standards of product reliability and efficacy, which was cosponsored by the New York County Lawyers Association, was withdrawn.21

Report No. 10B, urging Congress to enact legislation to provide a permanent exemption for the Commonwealth of Puerto Rico from the requirements of the Jones Act, 46 U.S.C. §§55101 et seq, which was cosponsored by the New York City Bar Association, was approved.22 It reads:

RESOLVED, That the American Bar Association urges Congress to enact legislation to provide a permanent exemption for the Commonwealth of Puerto Rico from the requirements of the Jones Act, 46 U.S.C. §§55101 et seq.

Oregon State Bar (Report No. 100B)

For action on Report No. 100B, urging Louisiana and Oregon to require unanimous juries to determine guilt in felony criminal cases and reject the use of nonunanimous juries where currently allowed in felony cases, see Criminal Justice on page 31.

Washington State Bar Association (Report No. 114)

For action on Report No. 114, adopting the black letter and commentary to the ABA Ten Guidelines on Court Fines and Fees, dated August 2018, and urges governmental agencies to promulgate law and policy consistent with the Guidelines, see Working Group on Building Public Trust in the American Justice System on page 24.

21 Adam K. Zickerman of Arizona abstained from voting with respect to the resolution.
A. Informational Report (Report No. 177B)

The Board of Governors (“Board”) is directed by §48.2 of the House Rules of Procedure to report to the House of Delegates on actions taken by the Board. This report sets forth actions taken by the Board since the 2017 Midyear Meeting. During that period, the Board met on June 9-10, 2017, and the Board's Executive Committee met on May 10 (email ballot), May 30, June 8 and 30 (email ballot), 2017.

1. Amicus Briefs

The Executive Committee approved the filing of an amicus curiae brief In Regarding Castro-TUM in the United States Department of Justice, subject to approval of the final language by the Standing Committee on Amicus Curiae Briefs and the office of the General Counsel.

February 2018

The Executive Committee approved the filing of an amicus curiae brief in Hawaii v. Trump in the Supreme Court of the United States, subject to approval of the final language by the Standing Committee on Amicus Curiae Briefs and the office of the General Counsel.

March 2018

The Executive Committee approved the filing of an amicus curiae brief in the Matter of Harriet O’Neal in the Georgia Supreme Court, subject to approval of the final language by the Standing Committee on Amicus Curiae Briefs and the office of the General Counsel.

March 2018

The Executive Committee approved the filing of an amicus curiae brief in The Matter of A-B in the Department of Justice, subject to approval of the final language by the Standing Committee on Amicus Curiae Briefs and the Office of the General Counsel.

April 2018

The Executive Committee approved the filing of an amicus curiae brief in Diamond v. Jones Day in the Court of Appeals, DC, subject to approval of the final language by the Standing Committee on Amicus Curiae Briefs and the Office of the General Counsel.

July 2018
The Executive Committee approved the filing of an amicus curiae brief in *Frank v. Gaos (Google Referrer Privacy Litigation)* in the Supreme Court of the United States, subject to approval of the final language by the Standing Committee on Amicus Curiae Briefs and the Office of the General Counsel.

July 2018

2. **Audit**

The Board approved the following requests of the Standing Committee on Audit:

- FY2019 Proposed Internal Audit Plan
- Updated Internal Audit Policy Statement
- Retention of Grant Thornton to perform the FY2018 audit of the ABA Consolidated Financial Statements and Single Audit which is required due to the grants received from the federal government.

June 2018

3. **Awards**

The Board approved the request of the Council on Diversity in the Educational Pipeline and the Judicial Division to rename a segment of the ABA Judicial Clerkship Program, known as the “Research Exercise”, in honor of the Hon. Frank Sullivan. A one-time award figurine valued at no more than $750.00, will be presented to Justice Sullivan who in 2001 reviewed and enhanced the program to reflect the practical and realistic day-to-day activities of a law clerk.

June 2018

The Board approved the request of the Section of State and Local Government Law (Section) to rename its Young Lawyer Fellowship in the name of former Section leader Elizabeth Clark who passed away on October 30, 2017. The Elizabeth Clark Fellowship will be awarded to a young lawyer to attend the Section’s Spring or Fall meeting (or the Land Use Institute), write for the Section’s publications, and develop expertise in the areas of the law which Elizabeth Clark so loved and enjoyed. The costs of attending the conference will be derived from Section funds.

June 2018

In executive session, the Board selected and then reported out Bryan A. Stevenson, Executive Director of the Equal Justice Initiative in Montgomery, Alabama, as the recipient of the 2018 ABA Medal.

June 2018
The Board approved the request of the Section of Intellectual Property Law to revise the qualifications for the Jan Jancin Award. The revised language adds a diversity component and provides more detail to the criteria.

August 2018

The Board approved the request of the Section of Antitrust Law to establish the Consumer Protection Law Student Essay Project which the Section’s Council approved funding for at its Spring Meeting on April 20, 2018.

August 2018

The Board approved the request of the Health Law Section to create a new award entitled ABA Health Law Section Emerging Young Lawyers in Healthcare that honors ABA Health Law Section young lawyer members who exemplify a broad range of achievement, vision, leadership, and legal and community service in health law.

August 2018

The Board approved the request of the Section of Environment, Energy, and Resources to co-sponsor the National Congress of American Indians’ Tribal Climate Action Youth Leadership Project writing competition and for the Section to provide financial support for the 2018, 2019, and 2020 calendar years to be paid from Section funds.

August 2018

4. Blanket Authority

The Board approved the request of the Section of Tort Trial and Insurance Practice (Section) to renew its technical commenting authority through June 2021. The Board understood that the Section of Environment, Energy and Resources, and Science and Technology Law have submitted notification that they would like to serve as reviewing entities for some or all of the technical comments submitted by the Section.

June 2018

5. Bylaw Amendments

The Board approved the requests of the following Sections to amend their bylaws:

Section of Intellectual Property Law, subject to approval by the Section’s membership at the ABA 2018 Annual Meeting.
February 2018

Section of Public Contract Law, subject to approval by the Section’s membership at the ABA 2018 Annual Meeting.

June 2018

Section of Legal Education and Admissions to the Bar, subject to approval by the Section’s membership and concurrence of the House of Delegates at the ABA 2018 Annual Meeting.

June 2018

Section of Environment, Energy, and Resources to amend its bylaws with the understanding that: Article 5.9 regarding meeting at the ABA Annual Meeting will be implemented in compliance with the ABA Constitution and Bylaws; and Article 6.1 regarding the annual business meeting of the Section is withdrawn.

August 2018

6. Committees, Commissions and Task Forces

The Board approved the request of President Bass to create a Task Force to Coordinate the ABA’s Educational Outreach in Response to the New Tax Legislation to address the tax legislation signed into law on December 22, 2017

February 2018

The Board supported amendments to Section 31.7 of the Constitution and Bylaws requested by the Standing Committee on Audit and recommend that the amendments be approved by the House of Delegates.

February 2018

The Board approved that the Special Committee on Hispanic Legal Rights and Responsibilities (Special Committee) be continued and that its FY2019 general revenue budget be reduced to $8,600 to cover meetings and travel costs. The Board further recommended that the Special Committee not have a dedicated staff person and that the Managing Director of the Diversity Center, following the current ABA reorganization of staff to achieve better collaboration and use of resources, identify who would support the Special Committee as well as the other Diversity entities within the Center.

June 2018
The Board created 12 special advisors for 9 entities and continued 63 special advisors for 39 entities.

August 2018

The Board amended the jurisdictional statement of the Commission on the Future of Legal Education to expand the membership from 10 to 12 members.

August 2018

The Board approved the request of the Section of Intellectual Property Law to remove the America Invents Act Pro Bono Advisory Council, which has ceased operations, from the list of ABA Representatives to Other Organizations.

August 2018

The Board amended the jurisdictional statement of the Rule of Law Initiative Council to discontinue the voting director for the CEELI Institute and increase the number of at-large members from 12 to 13.

August 2018

The Board amended the jurisdictional statement of the Center for Innovation Governing Council to allow for one additional person to serve, bringing the total number of members to 15.

August 2018

7. Co-Sponsorships

The Profession, Public Service and Diversity Committee approved co-sponsorship requests from the following entities, none of which requires additional ABA general revenue.

- Section of Antitrust Law: to renew its co-sponsorship of the International Competition Network’s Training on Demand Project for FY2018-2020.

February 2018

- Young Lawyers Division: to co-sponsor with the University of South Carolina School of Law, the University of South Carolina Center on Professionalism, and the National Legal Mentoring consortium, a National Mentoring Conference in Columbia, South Carolina, to be held April 12 – 14, 2018.

February 2018
Rule of Law Initiative (2):

i. to co-sponsor with the United Nations Office on Drugs and Crime trainings or workshops on alternatives to detention in Bahrain.

February 2018

ii. to co-sponsor with the George Washington University Elliot School of International Affairs ROLI’s day-long conference “When People Flee: Rule of Law and Forced Migration” scheduled to take place on April 17, 2018, at the George Washington University Elliot School of International Affairs.

February 2018

Section of Science & Technology Law: to co-sponsor with the Health Information and Management Systems Society the Annual Conference & Exhibition from March 5–9, 2018, in Las Vegas, Nevada.

February 2018

Commission on Homelessness and Poverty: to co-sponsor with the California Administrative Office of the Courts, a three-day national summit on Homeless Courts and the role of the criminal justice system in addressing homelessness to be held June 28-30, 2018, in San Diego, California, in association with San Diego’s annual Stand Down event for homeless veterans.

February 2018

ABA Representatives and Observers to the United Nations: to co-sponsor with the Medical Women’s International Association and Dr. Padmini Murthy, a Senior Fellow at the Public Private Alliance Foundation, a program entitled “Sexual Violence, Funding and Technology During Armed Conflict: The Next Step.” The program will be held in New York City in conjunction with the Commission on the Status of Women 62nd Forum to be held from March 12-23, 2018.

February 2018

Section of Environment, Energy, and Resources: to co-sponsor and financially support with up to $7,000, the Jeffrey G. Miller Pace National Environmental Law Moot Court Competition with Pace Law School for the 2018, 2019, and 2020 years which is scheduled for February 22-24, 2018.

February 2018

Section of Public Contract Law and Forum on Construction Law: to co-sponsor a two-hour panel workshop on Federal Regulation at the
Associated General Contractors of America upcoming Federal Contractors Conference to be held on May 1-3, 2018, in Washington, D.C.

June 2018

Section of International Law: to co-sponsor a breakfast session with the East Africa Law Society during the International Bar Association’s Annual Congress on Thursday, October 11, 2018.

June 2018

Standing Committee on Public Education: to collaborate with ThinkCERCA to develop high-quality digital curriculum materials in the areas of law-related and civic education and provide professional development support for teachers and schools using the resources.

June 2018

Commission on Disability Rights: to co-sponsor with Microsoft to provide a 10-12-week summer internship opportunity for a law student with a disability who has completed his or her first year for three years (2019, 2020, 2021).

June 2018

National Conference of the Administrative Law Judiciary: to co-sponsor and contribute funds to the Fund for Justice, Inc., d/b/a Chicago Appleseed Fund for Justice and others, for a new Comprehensive Data-Based Comparative Study of Central Panels.

June 2018

Judicial Division (3):

i. to apply for a National Press Club “Headliners Program” this bar year (the exact timing is unknown, as the program would need to be first chosen and then determined by the National Press Club). This program will be a high-profile speaker panel discussing the U.S. crisis involving police-involved harm to citizens, such as has been reported in Ferguson, Missouri; Cincinnati, Ohio; Baton Rouge, Louisiana; and Baltimore, Maryland; and elsewhere, and to discuss the role of the courts, the press and the bar in ensuring a fair trial and to instill confidence in the judiciary.

ii. to co-sponsor with Golden Gate University the Sixth Annual Veterans Law Conference to be held at Golden Gate University Law School in San Francisco, California, on Friday, November 2, 2018.
iii. to co-sponsor with the Loyola University School of Law in Chicago, Illinois, a panel discussion, tentatively titled #MeToo and the Judiciary, and a reception to be held in conjunction with the ABA Annual Meeting, on Wednesday, August 1, 2018,

June 2018

National Conference of Federal Trial Judges: to co-sponsor a one-day CLE program with the South Carolina Chapter of the Federal Bar Association on Thursday, August 23, 2018, in Greenville, South Carolina. (Approval for the CLE program was obtained from the Standing Committee on Continuing Legal Education.)

June 2018

Standing Committee on Legal Aid and Indigent Defendants: to co-sponsor with the Los Angeles County Bar Association’s Criminal Justice Section a meet and greet event featuring North Carolina Supreme Court Associate Justice Cheri Beasley, on Wednesday, July 11, 2018, in Los Angeles, California.

June 2018

ABA Rule of Law Initiative: to co-sponsor with outside organizations, including several Chicago law schools and law firms, ROLI’s Rule of Law Luncheon at the ABA Annual Meeting.

June 2018

Forum on Communications Law: to continue to co-sponsor with several outside organizations and to seek outside funding for the First Amendment and Media Law Diversity Moot Court Competition.

June 2018


June 2018

Section of Dispute Resolution: to co-sponsor the project We, the People: Strengthening Democratic Engagement to Address Local Civil Unrest with Ohio State University’s Divided Community Project.

June 2018

The Executive Committee of the American Bar Association Board of Governors approved by email ballot the request from the Section of
Intellectual Property Law to cosponsor and contribute $5,000 to the commemorative activities of the 10M Patent Ceremony to be held at the White House on June 18, 2018.

June 2018

Section of Antitrust Law:

i. to co-sponsor certain Section “Committee Programs” with specific outside entities in the 2018-2019 Association year.

August 2018

ii. to co-sponsor with any ABA-accredited law school the Section’s presentation of “Why Antitrust/Why Consumer Protection Law?” program during the 2018-2019 ABA fiscal year.

August 2018

Section of Science & Technology Law to co-sponsor Section Committee Programs with certain outside entities.

August 2018

Public Education Division to co-sponsor the 2020 Women’s Vote Centennial Initiative by being listed as a coalition partner.

August 2018

8. Elections, Appointments and Nominations

The Board nominated Hilarie Bass of Miami, Florida, to serve a one-year term as an ex-officio member to the ABE Board of Directors expiring at the conclusion of the 2019 Annual Meeting.

June 2018

The Board nominated Michael E. Flowers of Columbus, Ohio, to serve on the American Bar Endowment Board of Directors for a five-year term beginning at the conclusion of the 2018 Annual Meeting and expiring at the conclusion of the 2023 Annual Meeting.

June 2018

The Board nominated Carolyn B. Lamm of Washington, D.C., to serve a second five-year term on the American Bar Endowment Board of Directors beginning at the conclusion of the 2018 Annual Meeting and expiring at the conclusion of the 2023 Annual Meeting.

June 2018
The Board elected David W. Clark of Jackson, Mississippi, and Armando Gomez of Washington, D.C., for three-year terms on the Standing Committee on Audit beginning at the conclusion of the 2018 Annual Meeting and expiring at the conclusion of the 2021 Annual Meeting.

June 2018

The Board elected LeRoy Paddock of Washington, D.C., as the ABA representative to the Green Growth Knowledge Platform for a three-year term beginning at the conclusion of the 2018 Annual Meeting and expiring at the conclusion of the 2021 Annual Meeting.

June 2018

The Board approved the request that the term of William B. Piels of San Francisco, California, as the ABA representative to the International Aircraft Registry Advisory Board, be extended two years to expire at the conclusion of the 2020 Annual Meeting.

June 2018

The Board elected Steven M. Richman of Princeton, New Jersey, as the ABA representative to the Union Internationale des Avocats for a three-year term to begin at the conclusion of the 2018 Annual Meeting and expire at the conclusion of the 2021 Annual Meeting.

June 2018

The Board re-elected Alan R. Brayton of Novato, California; Douglas A. Cannon of Las Vegas, Nevada; and Ann Thornton Field of Philadelphia, Pennsylvania for additional three-year terms each; and elected Marianne D. Short of Minneapolis, Minnesota, and Angelina Tsu of Salt Lake City, Utah, for three-year terms on the National Judicial College Board of Trustees. In addition, the Board approved the request of the National Judicial College to amend its bylaws to designate and elect a former member of the Board of Trustees as a Trustee Emeritus.

June 2018

The Board re-elected Alice E. Richmond of Boston, Massachusetts, to a third three-year term on the ABA Journal Board of Editors to begin on July 1, 2018, and expire at the conclusion of the 2021 Annual Meeting; elected Thomas C. Grella of Asheville, North Carolina, and Wilson A. Schooley of La Mesa, California, for three-year terms each beginning at the conclusion of the 2018 Annual Meeting and expiring at the conclusion of the 2021 Annual Meeting.

June 2018
The Board approved the request of the ABA Journal Board of Editors to elect Pervin Taleyarkhan to a three-year term to begin at the conclusion of the 2018 Annual Meeting and expire at the conclusion of the 2021 Annual Meeting.

August 2018

The Board elected The Honorable Beth Baker of Helena, Montana, Associate Justice of the Montana Supreme Court, as Chair; Penina K. Lieber of Pittsburgh, Pennsylvania, and Alan Van Etten of Honolulu, Hawaii, to serve as members of the Board of Elections.

August 2018

The Board elected ABA President Hilarie Bass as the ABA representative to the International Bar Association for a three-year term to begin October 1, 2018 and expire October 1, 2021.

August 2018

The Board re-elected Donald G. Gavin of Vienna, Virginia, for a three-year term as the ABA representative to the American Arbitration Association National Construction Dispute Resolution Committee to begin at the conclusion of the 2018 Annual Meeting and expire at the conclusion of the 2021 Annual Meeting, with the understanding that, because the current representative has served in this position since 2012, the Section of Public Contract Law should consider new members to serve in this position.

August 2018

9. E-mail

The Board approved the request of the American Bar Endowment for an exception to the email policy in the ABA Policy and Procedures Handbook, which would allow ABE to promote its plans to ABE's members via the ABA's email distribution system from September 1, 2018 to August 31, 2019. ABE's use of the ABA's email services will remain subject to approval of the Member Services Committee and must comply with current ABA policies and procedures on email marketing as determined by the Executive Director. ABE has no right to use ABA email address information other than via the ABA's email distribution system. ABE will reimburse ABA for these services.

August 2018

10. Financial Matters
The Board deferred action on the request of the ABA Fund for Justice and Education (FJE) for approval of the newly revised Program Support Fund and Endowment Policy which includes a more robust role for the FJE as a partner to the Board of Governors, to allow review by the entities that have Program Support Funds.

February 2018

The Board approved and accepted the American Bar Association consolidated financial statements, details of consolidation and other information for the years ended August 31, 2017, and 2016, with the report of the independent auditor (Financial Statements). Further, the Board approved and accepted the Single Audit Reports for the American Bar Association for the year ended August 31, 2017, with the reports of the independent auditor (Single Audit Reports).

June 2018

The Board approved and accepted the Fund for Justice and Education restricted grants and contributions received or awarded through December 31, 2017, and not previously reported, as requested by the Association’s Financial Services Division.

June 2018

The Board approved funding for the cost of severance payments resulting from the FY2018 reorganization, and that the funding come from the portion of long-term investment monies approved at the 2018 Midyear Meeting but not used to fund the Voluntary Separation Incentive Program.

June 2018

The Executive Committee amended and approved the recommendations of the Financial Committee for the FY2019 budget.

June 2018

The Board did not grant approval for the Center for Human Rights and the AIDS Coordinating Committee to engage in further deficit spending and recommended that the Finance Committee put controls in place to keep entities from having negative balances in their Program Support Funds.

June 2018

The Board approved the request of the Fund for Justice and Education of eleven (11) new projects/programs submitted by five (5) ABA entities, nine (9) of which also requested approval to seek outside funding and
nine (9) requested approval to establish separate accounts in their program support funds to track the funding for the new project/program.

June 2018

The Board approved the request of the Solo, Small Firm and General Practice Division (Division) to contribute $2,000, derived from Division funds, to the National Judicial College.

June 2018

The Board approved the request of the Forum on Construction Law (Forum) to contribute $10,000, derived from Forum funds, to the ACE Mentor Program.

June 2018

The Board approved the request of the Section of Litigation to modify the principal goal of the Benjamin R. Civiletti Endowment from $1 million to $750,000.

June 2018

The Board approved the Investment Policy Statement.

June 2018

The Board approved the request of the Law Student Division (Division) for partial reimbursement of expenses, up to a maximum total of $15,000, incurred by members of the Law Student Division Council for attendance at Division meetings to be held in conjunction with the ABA 2018 Annual Meeting.

June 2018

The Board approved the reconstitution of the A-E-F-C Pension Plan Administration Committee.

June 2018

The Board received the report of the ABA Journal on the financial results through April 2018.

June 2018

The Board elected Ilene Knable Gotts of New York, New York, to a three-year term on the A-E-F-C Pension Plan Administration Committee to begin at the conclusion of the 2018 Annual Meeting and expire at the conclusion of the 2021 Annual Meeting. In addition, Mr. Carlson will recommend to the A-E-F-C Pension Plan Administration Committee
that Ilene Knable Gotts be appointed to a one-year term as Chair of the A-E-F-C Pension Plan Administration Committee.

August 2018

The Board approved the request of the Fund for Justice and Education for a revised Program Support Fund and Endowment policy.

June 2018

The Board approved the request of the Family Law Section to contribute up to $1,000 to Tucson’s Primavera Foundation, which promotes social and economic justice and provides “pathways out of poverty through safe, affordable housing, workforce development, and neighborhood revitalization.” The contribution will be made from Section funds as part of the community service component of the Section’s conference.

August 2018

The Board approved the request of the Section of Environment, Energy, and Resources to make financial contributions to carbon offset providers from Section funds of up to $5,000 annually for fiscal years 2018-2019, 2019-2020 and 2020-2021.

August 2018

The Board approved the Consolidated FY2019 Budget of $203.9 million of revenue and $210.9 million of expense.

August 2018

The Board amended its action of June 22, 2018, to reconstitute the A-E-F-C Pension Plan Administration Committee effective at the conclusion of the 2018 Annual Meeting.

August 2018

The Board created a policy regarding general revenue funded committee meetings. This policy does not apply to Section committees or programs, nor does it apply to Divisions that must operate within their assigned budgets.

August 2018

The Board accepted the restricted grants totaling $7,183,929 awarded to the Fund for Justice and Education and not previously reported.

August 2018
The Board approved the request of the Fund for Justice and Education to create the Migrant Children and Family Initiative Program Support Fund, to seek outside funding for this work, and if deemed appropriate, the funds will be distributed to outside organizations to advance the objectives of the initiative.

August 2018

The Board approved the request of the Fund for Justice and Education to establish a Program Support Fund for the Standing Committee on Gun Violence, and to seek outside funding for this work.

August 2018

The Board did not take action on the request for continuation of the Veterans Legal Services Initiative and its Program Support Fund as the item was withdrawn. The Board supported the August 2, 2018, memorandum from ABA Executive Director Jack L. Rives, with the understanding that this is a staff function.

August 2018

11. International Matters

The Executive Committee approved the request from the ABA Rule of Law Initiative and the Center for Human Rights for short-term expatriate staff and pro bono specialist visits to Iraq for existing grant program activities.

March 2018

The Executive Committee approved the following requests from the ABA Rule of Law Initiative to enter into Memoranda of Understandings with the following organizations, subject to review and approval of the Memoranda of Understandings by the ABA Office of General Council and signed copies provided to the Policy and Planning Division:

i) Ankara State University, Faculty of Law;
ii) African Prosecutors Association; and
iii) Collective of Mayors of Assaba and Collectif des Orphelins des Victimes Civiles et Militaires/Coordination des Organisations des Victimes de la Répression.

March 2018

The Executive Committee approved the request from the ABA Rule of Law Initiative to issue a Letter of Intent to join the Global Alliance to Eliminate Lead Paint, subject to review and approval of the Letter of Intent by the ABA Office of General Council and signed copies provided to the Policy and Planning Division.
March 2018

The Executive Committee approved the request from the ABA Rule of Law Initiative to join the United Nations Global Compact, as a predicate for ROLI’s application for funding from the British Government’s Conflict Stability and Security Fund.

March 2018

The Executive Committee approved the request from the ABA Rule of Law Initiative to reregister the Branch Office in Morocco.

March 2018

The Executive Committee approved the request of the ABA Rule of Law Initiative (ROLI) and the Center for Human Rights (CHR) of operational plans for the ROLI/CHR Iraq programs, including the establishment of a permanent presence in Erbil (Kurdistan) and possibly Baghdad and Basra, all to be operated by local staff.

April 2018

The Executive Committee approved the request of the Center for Human Rights to add Twitter, Inc., as an approved donor for a program to address social media harassment of human rights defenders and lawyers.

June 2018

The Board approved the request of the ABA Rule of Law Initiative of the updated list of Approved Countries of Operation, Donors, and Thematic Program Areas to specifically add Kosovo Legal Services Company as a donor.

June 2018

The Board approved the request of the ABA Rule of Law Initiative to update the countries of registration to reflect a change in the status of Uzbekistan.

June 2018

The Board approved the request of the ABA Rule of Law Initiative to participate in the UN Convention Against Corruption Coalition, specifically in the African, Southeast Asian and Southeast Europe regional anti-corruption e-platforms.
The Board approved the request of the ABA Rule of Law Initiative to enter into Memoranda of Understanding (MOUs) with the following prospective partner organizations, subject to review and approval of the MOUs by the Office of the General Counsel, and a signed copy filed with the Division for Policy and Planning:

1. Tunisia - (a) the Tunisian National Committee on Trafficking in Persons; and (b) The United Nations Population Fund;
3. Tajikistan – International Development Law Organization;
4. Uzbekistan – (a) the Tashkent State University of Law of the Republic of Uzbekistan; and (b) the Chamber of Advocates of the Republic of Uzbekistan;
5. Liberia – Liberia’s judicial authorities;
6. Mauritania – Mauritania’s Commission on Human Rights and Humanitarian Action; and

June 2018

The Board approved the request of the ABA Rule of Law Initiative to receive a subgrant from Civic Initiatives, a Serbia-based organization established in 1996, to support civil society in monitoring how effective civil society is at advocating for their positions, and how advocacy strategies could be improved.

August 2018

The Board approved the request of the ABA Rule of Law Initiative to enter into a Memorandum of Understanding (MOU) with the Ministry of Justice of the Republic of Uzbekistan, subject to review and approval of the MOU by the Office of the General Counsel, and a signed copy filed with the Division for Policy and Planning.

August 2018

The Board approved the request of the ABA Rule of Law Initiative to enter into a Memorandum of Understanding (MOU) with the Libya Young Lawyers’ Association, subject to review and approval of the MOU by the Office of the General Counsel, and a signed copy filed with the Division for Policy and Planning.

August 2018

12. Litigation

The Executive Committee approved the request of the Commission on Immigration to have the ABA participate in litigation currently in
development to enjoin the Department of Justice from halting funding for the Legal Orientation Program and Immigration Court Helpdesk.

April 2018

13. Meetings and Travel

The Board approved the November 8-9, 2018, Board meeting as a teleconference and the June 6-7, 2019, to be held in Missoula, Montana.

February 2018

The Board approved the request of the Standing Committee on Meetings and Travel to hold the 2023 Midyear Meeting in New Orleans, Louisiana, on February 1-7, 2023, subject to negotiation of acceptable terms by the Meetings and Travel Department.

June 2018

14. Membership Matters

The Board approved the request of the Standing Committee on Membership for authority to file “placeholder” Constitution and Bylaws amendments. The “placeholder amendments” address all Constitution or Bylaws amendments that would be impacted by a new membership model.

February 2018

The Board approved a sense of the Board resolution regarding proposed dues as a “placeholder” for the 2018 Annual Meeting, with the understanding that it can be withdrawn or modified.

April 2018

The Board approved the five dues categories with the understanding that the Board would approve the bundle of benefits to be included in the new membership model at the 2018 Annual. If the bundle is not approved, the dues categories will not be considered by the House of Delegates at the 2018 Annual Meeting. The Board also approved preliminary amendments to the ABA’s Constitution and Bylaws regarding the new membership model.

June 2018

15. Memorial Resolutions

The Board adopted the following memorial resolutions:
16. **Outside Organizations**

The Board approved the request of the Section of Intellectual Property Law to continue its institutional membership in and co-sponsorship of the American Intellectual Property Law Education Foundation for five years beginning in 2018 and ending in 2023.

February 2018

17. **Programmatic Matters**

The Board approved the request of the Section of Dispute Resolution (Section) to create an ABA Ombuds Day in October, 2018, in Washington, D.C., and, if successful, to hold as an annual event, with the understanding that any expenses will be derived from Section funds.

June 2018

The Board approved the request of the Communications and Media Relations Division to initiate a series of annual pro-active messaging projects, to collaborate with relevant and appropriate ABA entities, and to the extent that funding is needed, the Board approved the request to pursue relevant grant funding and/or explore partnerships with appropriate outside organizations and universities.

June 2018

The Board approved the request of the Young Lawyers Division and the Law Student Division to create a new mental health benefit with Talkspace, subject to review of the ABA Office of General Counsel regarding legalities, compliance, and liability.

June 2018

The Board approved the request of the ABA Working Group to Advance Well-Being in the Legal Profession to begin a substance use disorder and mental health campaign within the legal profession to raise awareness and facilitate a reduction in the incidence of problematic substance use and mental health disorders. The Board also approved the use of a pledge to be used with participating legal employers.
18. **Publishing**

The Board approved the request of the Standing Committee on Publishing Oversight to extend the deadline regarding editorial policies to January 31, 2019.

**June 2018**

The Board deferred action on the request of the Standing Committee on Publishing Oversight to amend certain sections of Chapter 6 of the Policy and Procedures Handbook (aka Greenbook) to provide an opportunity for the ABA Office of General Counsel to review.

**August 2018**
A. ELECTIONS

**Officer of the Association and Members of the Board of Governors**
The House of Delegates elected the following person as an Officer of the Association for the term noted:

**Chair, House of Delegates for 2018-2020**
William R. Bay of Missouri

**President-Elect for 2018-2019**
Judy Perry Martinez of Louisiana

The following persons also were elected by the House of Delegates as members of the Board of Governors for the 2018-2021 term:

District 3: Lynn Fontaine Newsome of New Jersey
District 5: Charles E. English, Jr. of Kentucky
District 9: Susan M. Holden of Minnesota
District 14: Andrew J. Demetriou of California
District 15: Mark Alcott of New York
District 16: David W. Clark of Mississippi
District 17: Rew R. Goodenow of Nevada
Goal III Minority Member-at-Large: Michele Wong Krause of Texas
Judicial Member-at-Large: Hon. Frank J. Bailey of Massachusetts
Law Student Division Member-at-Large (for the 2018-2019 term): Matthew W. Wallace of New York
Section of Administrative Law: H. Russell Frisby, Jr. of the District of Columbia
Section of Civil Rights and Social Justice: Stephen Wermiel of the District of Columbia
Section of Health Law: Howard T. Wall III of Tennessee
Young Lawyer Member-at-Large: Sheena R. Hamilton of Missouri

**Scope and Correlation of Work**
The House of Delegates elected Linda L. Randell of Connecticut for a five-year term, as a member of the Committee on Scope and Correlation of Work beginning at the conclusion of the 2018 Annual Meeting.

B. **Expression of Appreciation by the American Bar Association**
The following resolution was approved:

Resolved, That the members of the House of Delegates of the American Bar Association, individually and on behalf of the Association, express their deep appreciation for the warm welcome and generous hospitality extended to them during
the 2018 Annual Meeting of the Association by their colleagues of the Bench and the Chicago Bar Association.

Further Resolved, That the Association extends its particular thanks to the 2018 Annual Meeting Special Advisors, and to all those who have worked in cooperation in executing the planning and preparations resulting in the extraordinary success of this meeting; and

Further Resolved, That the Secretary of the Association send copies of this resolution to the Special Advisors of the 2018 Annual Meeting and to the President of the Chicago Bar Association.

C. **Resolutions with Reports on Archiving (Report Nos. 400A and 400B)**

*Report No. 400A*, recommending that certain Association policies that pertain to public issues and are 10 years old or older be archived, *was revised and approved*. As revised, it reads:

RESOLVED, That the Association policies set forth in Attachment 1 to Report 400A, dated August 2018, are archived and no longer considered to be current policy of the American Bar Association and shall not be expressed as such.

FURTHER RESOLVED, That policies which have been archived may be reactivated at the request of the original sponsoring entities. If the original sponsoring entities no longer exist, requests may be brought to the Secretary to be placed on a reactivation list for action by the House of Delegates. Such reactivated policies shall be considered current policy for the Association and shall be expressed as such.

FURTHER RESOLVED, That the Board of Governors may act to reactivate policies when the House of Delegates is not in session.

*Report No. 400B*, recommending that certain Association policies that pertain to public issues that were adopted in 1998 which were previously considered for archiving but retained, *was revised and approved*. As revised, it reads:

RESOLVED, That the Association policies adopted in 1998 which were previously considered for archiving but retained as set forth in Attachment 1 to Report 400B dated August 2018, are archived and no longer considered to be current policy of the American Bar Association and shall not be expressed as such.
FURTHER RESOLVED, That policies which have been archived may be reactivated at the request of the original sponsoring entities. If the original sponsoring entities no longer exist, requests may be brought to the Secretary to be placed on a reactivation list for action by the House of Delegates. Such reactivated policies shall be considered current policy for the Association and shall be expressed as such.

FURTHER RESOLVED, That the Board of Governors may act to reactivate policies when the House of Delegates is not in session.
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