WITHDRAWN

Sponsors: Tyrus H. Thompson (Principal Sponsor); Paul M. Breakman; Adrienne E. Clair; Patricia Dondanville; Lisa A. Dunner; Dorothy B. Franzoni; Sheila S. Hollis; Jonathan C. Ihrig; Christopher R. Koon; Richard Meyer; Steve Minor; Jay A. Morrison; Matthew R. Rudolph; Robert B. Schwentker; Wallace Tillman; Clinton A. Vince

Proposal: Amend § 6.8(a) of the Constitution to include the Electric Cooperative Bar Association as an Affiliated Organization.

Amends § 6.8(a) of the Constitution to read as follows:

The following organizations are entitled to be represented in the House of Delegates as affiliated organizations: The American Immigration Lawyers Association, the American Law Institute, the Association of American Law Schools, the Association of Life Insurance Counsel, the Conference of Chief Justices, the Energy Bar Association, the Federal Bar Association, the Federal Circuit Bar Association, the Federal Communications Bar Association, the Hispanic National Bar Association, the Judge Advocates Association, the Maritime Law Association of the United States, the National Asian Pacific American Bar Association, the National Association of Attorneys General, the National Association of Bar Executives, the National Association of Criminal Defense Lawyers, the National Association of Women Judges, the National Association of Women Lawyers, the National Bar Association, the National Conference of Bar Examiners, the National Conference of Commissioners on Uniform State Laws, the National Conference of Women’s Bar Associations, the National District Attorneys Association, the National Legal Aid and Defender Association, the National LGBT Bar Association, the National Organization of Bar Counsel.

(Legislative Draft – Additions underlined; deletions struck through)

The following organizations are entitled to be represented in the House of Delegates as affiliated organizations: The American Immigration Lawyers Association, the American Law Institute, the Association of American Law Schools, the Association of Life Insurance Counsel, the Conference of Chief Justices, the Energy Bar Association, the Federal Bar Association, the Federal Circuit Bar Association, the Federal Communications Bar Association, the Hispanic National Bar Association, the Judge Advocates Association, the Maritime Law Association of the United States, the National Asian Pacific American Bar Association, the National Association of Attorneys General, the National Association of Bar
Executives, the National Association of Criminal Defense Lawyers, the National Association of Women Judges, the National Association of Women Lawyers, the National Bar Association, the National Conference of Bar Examiners, the National Conference of Commissioners on Uniform State Laws, the National Conference of Women’s Bar Associations, the National District Attorneys Association, the National Legal Aid and Defender Association, the National LGBT Bar Association, the National Organization of Bar Counsel, and the National Native American Bar Association, and the Electric Cooperative Bar Association.
The purpose of this report is to respectfully request the Constitution be amended as set forth above so the Electric Cooperative Bar Association (ECBA) can be recognized as an Affiliated Organization and have a delegate in the American Bar Association (ABA) House of Delegates (House). Such status would be mutually beneficial for ABA and ECBA members. An ECBA delegate would add further diversity of practice and perspective to the debates and decision making of the House. It would also provide the House with another means by which to promote its important work. Equally, representation in the House would allow ECBA to be more formally engaged with the ABA and be more effective at supporting the ABA’s mission. Having an ECBA delegate would be a real opportunity to serve both organizations’ members and the legal profession.

ECBA would be a unique contributor to the existing ABA Affiliated Organizations. ECBA’s uniqueness is attributable to its members, where they practice law, the aspects of law they practice, and their clients – America’s Rural Electric Cooperatives.

The majority of ECBA’s roughly 770 attorney members are small firm or solo practitioners representing electric cooperatives across the United States – mostly in rural America. An ECBA delegate would provide an opportunity for the ABA to have a unique touchpoint for attorneys who predominately practice in communities across rural America. As the ABA has recognized, practicing law in rural America has unique issues, challenges, and opportunities. As a result, the ABA has supported efforts to help rural practitioners and communities – including pro bono and access to justice projects in rural communities. Some examples are the ABA’s support for Project Rural Practice and the ABA’s Rural Pro Bono Delivery Initiative. ECBA could assist the ABA with these and other efforts to support the practice of law in rural communities.

ECBA attorneys also have special knowledge about the cooperative business model – which is unique as compared to the for-profit business model. Businesses that operate using the cooperative business model can be found in many different industries in the United States, not just the utility industry. These cooperatives, including electric cooperatives, play a significant part in the U.S. economy, and play a vital role – such as the distribution of electricity to parts of the country where there may not otherwise be electric service. Interestingly, as far as we know, ECBA is the only formally organized bar association comprised of attorneys who represent cooperatives, and thus have this special knowledge of the cooperative business model and the legal issues that follow.

Finally, ECBA was established in 2000, and its roughly 770 attorneys are collegial, engaged, and care deeply about the legal profession. They are represented by a member-elected advisory board. They form a strong community of legal professionals that are proud to support their electric cooperative clients who are consumer-owned and whom serve the community. ECBA members also volunteer; for example, some ECBA members

---

1 See Laird, Lorelei, In rural America, there are job opportunities and a need for lawyers. ABA Journal (Oct. 2014) (Cover Story).
have, and still do, volunteer to serve on ABA committees. ECBA members also show their engagement by frequently contributing to conversations about electric cooperative legal issues through an ECBA discussion list and attendance at ECBA sponsored events, like webinars and the ECBA annual meeting. If ECBA were honored with an ABA delegate, that same level of engagement and care would be made at the House meetings.

We respectfully ask the House to adopt the proposed amendment.

Respectfully submitted,

Tyrus H. Thompson (Principal Sponsor)

Paul M. Breakman
Adrienne E. Clair
Patricia Dondanville
Lisa Dunner
Dorothy B. Franzoni
Sheila S. Hollis
Jonathan C. Ihrig
Christopher Koon
Richard Meyer
Steve Minor
Jay A. Morrison
Robert B. Schwentker
Matthew R. Rudolphi
Wallace Tillman
Clinton A. Vince