RESOLUTION

RESOLVED, That the Association policies set forth in Attachment 1 to Report 400A, dated August 2019, 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FURTHER RESOLVED, That policies which have been archived may be reactivated at the request of the original sponsoring entities.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; and

FURTHER RESOLVED, That the Board of Governors may act to reactivate policies when the House of Delegates is not in session.
Attachment 1
Policies to be Archived

5. Grant approval, reapproval to several paralegal education programs
   February 2009
   Standing Committee on Paralegals

8. Reaccredits the Juvenile Law - Child Welfare Program
   February 2009
   Standing Committee on Specialization

27. Deleting of Standard 104 from Standards for Approval of Law Schools
   August 2009
   Section of Legal Education and Admission to the Bar

28. Grant approval, reapproval and extension of paralegal education programs
   August 2009
   Paralegals

31. Grant reaccreditation to the Family Law Trial Advocacy Civil Law Trial
    August 2009
    Standing Committee on Specialization

54. Guidance in patenting decisions
    August 2009
    Section of Intellectual Property Law
RESOLVED, That the American Bar Association grants approval to John F. Kennedy University, Legal Studies Department, Pleasant Hill, CA; Delaware Technical and Community College, Legal Assistant/Paralegal Technology Program, Georgetown, DE; College of Lake County, Paralegal Studies Program, Grayslake, IL; Salt Lake Community College, Paralegal Program, Salt Lake City, UT; and Madison Area Technical College, Paralegal Program, Madison, WI.

FURTHER RESOLVED, That the American Bar Association reapproves the following paralegal programs: University of Alaska Fairbanks, Paralegal Studies Program, Fairbanks, AK; Lamson College, Paralegal Program, Tempe, AZ; Coastline Community College, Paralegal Studies Program, Fountain Valley, CA; El Camino Community College, Paralegal Studies Program, Torrance, CA; Fremont College fka Western College of Southern California, Paralegal Studies Program, Cerritos, CA; Pasadena City College, Paralegal Studies Program, Pasadena, CA; University of California Santa Barbara, Paralegal Professional Certificate Program, Goleta, CA; Nova Southeastern University, Paralegal Program, Fort Lauderdale, FL; Vincennes University, Paralegal Program, Vincennes, IN; University of Louisville, Paralegal Studies Program, Louisville, KY; Minnesota State University Moorhead, Paralegal Department, Moorhead, MN; University of Montana Missoula, Paralegal Program, Missoula, MT; College of Saint Mary, Paralegal Studies Program, Omaha, NE; Brookdale Community College, Paralegal Studies Department, Lincroft, NJ; Fairleigh Dickinson University, Paralegal Studies Department, Madison, NJ; Middlesex County College, Paralegal Studies Program, Edson, NJ; Berkeley College of New York City, Paralegal Studies Program, New York, NY; Genesee Community College, Paralegal/Legal Assistant Program, Batavia, NY; Mercy College, Paralegal Studies Program, Dobbs Ferry, NY; Queens College, Paralegal Studies Program, Flushing, NY; Sinclair Community College, Paralegal Program, Dayton, OH; Central Pennsylvania College, Paralegal Studies Program, Summerdale, PA; Technical College of the Low Country, Paralegal Program, Beaufort, SC; and University of Memphis, Paralegal Studies Program, Memphis, TN.

FURTHER RESOLVED, That the American Bar Association extends the terms of approval until the August 2009 Annual Meeting of the House of Delegates for the following programs: Auburn University Montgomery, Paralegal Education Program, Montgomery, AL; University of Arkansas Ft. Smith, Legal Assistant/Paralegal Program, Ft. Smith, AR; Cerritos Community College, Paralegal Program, Norwalk, CA; Cuyamaca College, Paralegal Studies Program, El Cajon, CA; Miramar College, Legal Assistant Program, San Diego, CA; Mount
San Antonio College, Paralegal Studies Program, Walnut, CA; San Francisco State University, Paralegal Studies Program, San Francisco, CA; Santa Ana College, Legal Assistant Program, Santa Ana, CA; University of California Irvine, Paralegal Certificate Program, Irvine, CA; University of California, UCLA Ext., Attorney Assistant Training Program, Los Angeles, CA; University of LaVerne, Legal Studies Program, LaVerne, CA; West Valley College, Paralegal Program, Saratoga, CA; Arapahoe Community College, Paralegal Program, Littleton, CO; Pikes Peak Community College, Paralegal Program, Colorado Springs, CO; Norwalk Community College, Legal Assistant Program, Norwalk, CT; Widener University Law Center, Paralegal Studies Program, Wilmington, DE; Georgetown University Paralegal Studies Program, Washington, District of Columbia; Broward College fka Broward Community College, Legal Assistant Program, Pembroke Pines, FL; Seminole Community College, Paralegal/Legal Assisting Program, Sanford, FL; South University, Paralegal/Legal Studies Program, West Palm Beach, FL; Athens Technical College, Paralegal Studies Program, Athens, GA; South University, Paralegal/Legal Studies Program, Savannah, GA; Kirkwood Community College, Legal Assistant Program, Cedar Rapids, IA; Northwestern Business College, Institute of Legal Studies, Chicago, IL; Roosevelt University, Paralegal Studies Program, Chicago, IL; Southern Illinois University, Paralegal Studies Program, Carbondale, IL; William Rainey Harper College, Paralegal Studies Program, Palatine, IL; Daymar College Owensboro Campus, Paralegal Studies Program, Owensboro, KY; Eastern Kentucky University, Paralegal Programs, Richmond, KY; Morehead State University, Paralegal Program, Morehead, KY; Western Kentucky University, Paralegal Studies Program, Bowling Green, KY; Herzing College, Legal Assisting/Paralegal Studies Program, Kenner, LA; Tulane University, Paralegal Studies Program, New Orleans, LA; Oakland Community College, Paralegal Program, Farmington Hills, MI; Oakland University, Paralegal Program, Rochester, MI; Avila University, Paralegal Program, Kansas City, MO; Missouri Western State University, Legal Assistant Program, St. Joseph, MO; Webster University, Legal Studies Program, St. Louis, MO; Mississippi University for Women, Paralegal Studies Program, Columbus, MS; Central Piedmont Community College Cato Campus, Paralegal Studies Program, Charlotte, NC; Metropolitan Community College, Legal Assistant Program, Omaha, NE; Cumberland County College, Paralegal Studies Program, Vineland, NJ; Mercer County Community College, Paralegal Program, Trenton, NJ; Montclair State University, Paralegal Studies Program, Upper Montclair, NJ; Long Island University Brooklyn Campus, Paralegal Studies Program, Brooklyn, NY; Nassau Community College, Paralegal Program, Garden City, NY; New York University, Institute of Paralegal Studies, New York, NY; Suffolk County Community College, Paralegal Studies Program, Selden, NY; Capital University Law School, Paralegal Program, Columbus, OH; Chancellor University fka David N. Myers University, Paralegal Education Program, Cleveland, OH; Columbus State Community College, Legal Assisting Program, Columbus, OH; Lake Erie College, Legal Studies Program, Painesville, OH; RETS College fka RETS Technical Center, Legal Assistant/Paralegal Program, Centerville, OH; University of Cincinnati Clermont, Paralegal Technology Program, Batavia, OH; University of Toledo,
400A

Paralegal Studies Program, Toledo, OH; Rose State College, Legal Assistant Program, Midwest City, OK; University of Oklahoma Law Center, Legal Assistant Education, Norman, OK; Central Carolina Technical College, Legal Assistant/Paralegal Program, Sumter, SC; Greenville Technical College, Paralegal Program, Greenville, SC; Midlands Technical College, Paralegal Program, Columbia, SC; Orangeburg-Calhoun Technical College, Paralegal Program, Orangeburg, SC; Kaplan Career Institute fka Southeastern Career College, Paralegal Studies Program, Nashville, TN; South College, Paralegal Studies Program, Knoxville, TN; Lee College, Legal Assistant Program, Baytown, TX; Utah Valley University fka Utah Valley State College, Paralegal Studies Program, Orem, UT; J. Sargeant Reynolds Community College, Paralegal Studies Program, Richmond, VA; Edmonds Community College, Paralegal Program, Lynnwood, WA; Chippewa Valley Technical College, Paralegal Program, Eau Claire, WI; Northeast Wisconsin Technical College, Paralegal Program, Green Bay, WI; Western Technical College fka Western Wisconsin Technical College, Paralegal Program, LaCrosse, WI; and Marshall Community and Technical College, Legal Assistant Program, Huntington, WV.

8. Reaccredits the Juvenile Law-Child Welfare Program
   February 2009
   Standing Committee on Specialization (Report 104-09MY104)

   RESOLVED, That the American Bar Association reaccredits the following
designated specialty certification program for lawyers: Juvenile Law – Child
Welfare program of the National Association of Counsel for Children of Denver,
Colorado.

   FURTHER RESOLVED, That the American Bar Association extends the
accreditation of the following designated specialty certification program for lawyers
until the adjournment of the next House of Delegates meeting: Family Law Trial
Advocacy program of the National Board of Trial Advocacy, a division of the
National Board of Legal Specialty Certification of Wrentham, Massachusetts.

27. Deleting of Standard 104 from Standards for Approval of Law Schools
   August 2009
   Legal Education and Admission to the Bar (Report 100-09AM100)

   FURTHER RESOLVED, That the American Bar Association urges Congress
to amend the SCRA, (i) to clarify that a private right of action exists under the
SCRA, pursuant to which servicemembers or covered dependents may bring civil
suits, independently or in conjunction with Department of Justice enforcement
actions, for damages or injunctive relief arising from violations of the SCRA, and
(ii) to provide that a prevailing plaintiff in such an action may recover reasonable
attorney's fees.
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 deleting from the Standards for Approval of Law Schools Standard 104, Seek to Exceed Requirements, and Interpretation 104-1.

28. Grant approval, reapproval and extension of paralegal education programs
August 2009
Standing Committee on Paralegals (Report 101-09AM101)

RESOLVED, That the American Bar Association grants approval to Wilmington University (New Castle and Dover Campuses), Legal Studies Program, New Castle, DE.

FURTHER RESOLVED, That the American Bar Association reapproves the following paralegal programs: Miramar College, Paralegal Program, San Diego, CA; Seminole Community College, Legal Assistant/Paralegal Program, Sanford, FL; Northwestern College (f/k/a Northwestern Business College) (Naperville, Chicago and Bridgeview Campuses), Institute for Legal Studies, Chicago, IL; Kirkwood Community College, Paralegal Studies Program, Cedar Rapids, IA; Tulane University (Uptown and Elmwood Campuses), Paralegal Studies Program, New Orleans, LA; Missouri Western State University (f/k/a Missouri Western State College), Legal Assistant Program, St. Joseph, MO; Mercer County Community College, Paralegal Program, Trenton, NJ; Long Island University Brooklyn Campus, Legal Studies Institute, Brooklyn, NY; Nassau Community College, Paralegal Program, Garden City, NY; Suffolk County Community College (Ammerman and Grant Campuses), Paralegal Studies Program, Selden, NY; Capital University Law School, Paralegal and Legal Nurse Consultant Programs, Columbus, OH; Lake Erie College, Legal Studies Program, Painesville, OH; Midlands Technical College (Airport and Beltline Campuses), Paralegal Program, Columbia, SC; Orangeburg-Calhoun Technical College, Paralegal/Legal Assistant Program, Orangeburg, SC; Northeast Wisconsin Technical College, Paralegal Program, Green Bay, WI (and additional location at Fox Valley Technical College, Appleton, WI); and Marshall Technical and Community College, Legal Assistant Program, Huntington, WV.

FURTHER RESOLVED, That the American Bar Association withdraws the approval of Avila University, Paralegal Program, Kansas City, MO, and Central Texas College, Paralegal Studies Program, Killeen, TX, at the requests of the institutions, as of the adjournment of the August 2009 Annual Meeting of the House of Delegates.

FURTHER RESOLVED, That the American Bar Association extends the terms of approval until the February 2010 Midyear Meeting of the House of Delegates for the following programs: University of Alaska Anchorage, Paralegal Certificate Program, Anchorage, AK; Auburn University Montgomery, Paralegal Education Program, Montgomery, AL; University of Arkansas Ft. Smith, Legal
Assistant/Paralegal Program, Ft. Smith, AR; Pima Community College, Paralegal/Legal Assistant Program, Tucson, AZ; Cerritos Community College, Paralegal Program, Norwalk, CA; Cuyamaca College, Paralegal Studies Program, El Cajon, CA; Mount San Antonio College, Paralegal Studies Program, Walnut, CA; MTI College, Paralegal Studies Program, Sacramento, CA; San Francisco State University, Paralegal Studies Program, San Francisco, CA; Santa Ana College, Paralegal Studies Program, Santa Ana, CA; University of California Irvine, Paralegal Certificate Program, Irvine, CA; University of California UCLA Ext., Attorney Assistant Training Program, Los Angeles, CA; University of LaVerne, Legal Studies Program, LaVerne, CA; West Valley College, Paralegal Program, Saratoga, CA; Arapahoe Community College, Paralegal Program, Littleton, CO; Pikes Peak Community College, Paralegal Program, Colorado Springs, CO; Norwalk Community College, Legal Assistant Program, Norwalk, CT; Widener University Law Center, Paralegal Studies Program, Wilmington, DE; Georgetown University, Paralegal Studies Program, Washington, DC; Broward Community College, Legal Assistant Program, Pembroke Pines, FL; Edison State College, Paralegal Studies Program, Fort Myers, FL; Florida Community College at Jacksonville, Legal Studies Institute, Jacksonville, FL; South University, Paralegal/Legal Studies Program, West Palm Beach, FL; Athens Technical College, Paralegal Studies Program, Athens, GA; South University, Paralegal/Legal Studies Program, Savannah, GA; Loyola University Chicago, Institute for Paralegal Studies, Chicago, IL; Roosevelt University, Paralegal Studies Program, Chicago, IL; Southern Illinois University, Paralegal Studies Program, Carbondale, IL; William Rainey Harper College, Paralegal Studies Program, Palatine, IL; Daymar College, Paralegal Studies Program, Owensboro, KY; Eastern Kentucky University, Paralegal Program, Richmond, KY; Morehead State University, Paralegal Program, Morehead, KY; Sullivan University, Paralegal Studies Program, Lexington, KY; Western Kentucky University, Paralegal Studies Program, Bowling Green, KY; Herzing College, Legal Assisting/Paralegal Studies Program, Kenner, LA; Elms College, Paralegal and Legal Studies Program, Chicopee, MA; Community College of Baltimore County, Legal Assistant Program, Baltimore, MD; Oakland Community College, Paralegal Program, Farmington Hills, MI; Oakland University, Paralegal Program, Rochester, MI; Webster University, Legal Studies Program, St. Louis, MO; Mississippi University for Women, Paralegal Studies Program, Columbus, MS; Metropolitan Community College, Legal Assistant Program, Omaha, NE; Central Piedmont Community College, Cato Campus, Paralegal Studies Program, Charlotte, NC; Fayetteville Technical Community College, Paralegal Technology Program, Fayetteville, NC; Cumberland County College, Paralegal Studies Program, Vineland, NJ; Montclair State University, Paralegal Studies Program, Upper Montclair, NJ; Long Island University C. W. Post Campus, Paralegal Program, Brookville, NY; New York University, Institute of Paralegal Studies, New York, NY; Chancellor University (f/k/a David N. Myers University), Paralegal Education Program, Cleveland, OH; College of Mount St. Joseph, Paralegal Studies Program, Cincinnati, OH; Columbus State Community College, Legal Assisting Program, Columbus, OH; RETS College, Legal Assisting/Paralegal Program, Centerville, OH; University of
Cincinnati Clermont, Paralegal Technology Program, Batavia, OH; University of Toledo, Paralegal Studies Program, Toledo, OH; Rose State College, Legal Assistant Program, Midwest City, OK; University of Oklahoma Law Center, Legal Assistant Education, Norman, OK; Bucks County Community College, Paralegal Studies Program, Newtown, PA; Community College of Philadelphia, Paralegal Studies Program, Philadelphia, PA; Central Carolina Technical College, Legal Assistant/Paralegal Program, Sumter, SC; Greenville Technical College, Paralegal Program, Greenville, SC; South University, Paralegal/Legal Studies Program, Columbia, SC; Kaplan Career Institute, Paralegal Studies Program, Nashville, TN; Pellissippi State Technical Community College, Paralegal Studies Program, Knoxville, TN; South College, Paralegal Studies Program, Knoxville, TN; Lee College, Legal Assistant Program, Baytown, TX; Texas State University, Legal Studies Program, San Marcos, TX; Utah Valley University (f/k/a Utah Valley State College), Legal Studies Program, Orem, UT; J. Sargeant Reynolds Community College, Paralegal Studies Program, Richmond, VA; Edmonds Community College, Paralegal Program, Lynnwood, WA; Chippewa Valley Technical College, Paralegal Program, Eau Claire, WI; and Western Technical College (f/k/a Western Wisconsin Technical College), Paralegal Program, LaCrosse, WI.

31. Grant reaccreditation to the Family Law Trial Advocacy Civil Law Trial
August 2009
Standing Committee on Specialization (Report 104-09AM104)

RESOLVED, That the American Bar Association reaccredit the following designated specialty certification program for lawyers: Business Bankruptcy, Consumer Bankruptcy, and Creditors’ Rights programs of the American Board of Certification of Cedar Rapids, Iowa. Family Law Trial Advocacy, Civil Law Trial Advocacy and Criminal Law Trial Advocacy program of the National Board of Legal Specialty Certification of Wrentham, Massachusetts. Estate Planning Law program of the Estate Law Specialist Board of Cleveland, Ohio. DUI Defense Law program of the National College for DUI Defense, Inc. of Montgomery, Alabama.

FURTHER RESOLVED, That the American Bar Association supports the existing principle that laws of nature, physical phenomena, and abstract ideas are not patentable, even if they are new and non-obvious.

54. Guidance in patenting decisions
August 2009
Section of Intellectual Property Law (Report 302-09AM302)

RESOLVED, That the American Bar Association supports the existing principle that laws of nature, physical phenomena, and abstract ideas are not patentable, even if they are new and non-obvious.

FURTHER RESOLVED, That the American Bar Association supports application by the Supreme Court of the United States of the common-law tradition of incremental development of jurisprudential doctrine for determining patent-eligible subject matter under 35 U.S.C. § 101.
FURTHER RESOLVED, That the American Bar Association opposes formulations by courts of tests to determine patent-eligible subject matter under 35 U.S.C. § 101 in a manner that articulates fixed and specific requirements that adversely affect yet-to-be conceived but deserving inventions in emerging or unknown technologies.

FURTHER RESOLVED, That the American Bar Association opposes a requirement that a process be explicitly tied to a particular machine or apparatus, or transform a particular article into a different state or thing (i.e., the "machine-or-transformation" test), in order to be eligible for patenting under 35 U.S.C. § 101, but favors, in principle, an evenly applied and more generalized subject-matter bar on claims that would preempt the use of an abstract idea, thereby better effectuating the broad statutory grant of patent eligibility under 35 U.S.C. § 101 and Supreme Court precedent declining to limit that grant, while ensuring the unfettered use of abstract ideas.
At the 1996 Annual Meeting, the House of Delegates adopted a set of Recommendations establishing a procedure to archive policies which are 10 years old or older and which are outdated, duplicative, inconsistent or no longer relevant and is to be presented to the House at the Annual Meeting. See Report 400 attached as Appendix A. The Resolution now before the House affects policies 10 years old or older. The Board of Governors or House of Delegates adopted these policies in 2009.

To accomplish this objective, the Division for Policy and Planning compiled an index of such policies set forth in either the ABA Policy and Procedures Handbook or the American Bar Association Legislative Issues list maintained by the Governmental Affairs Office. Some 55 policies were thus identified. Each entity, which had been the original sponsor, was sent a list of the policies it had sponsored. In cases where the original sponsoring entity was no longer in existence, the policies were sent to an appropriate successor entity. The 32 entities to which the policies were sent are listed in Appendix B.

Each entity was asked to identify which of the policies should be archived and which should be retained as current policy. In addition, each was requested to identify and include a recommended disposition for any other policies that had been generated which were not in the materials they received.

In adopting Recommendation 400 in 1996, the House realized that there might be old and outdated policies which would not be identified through this process. The House, therefore, included a provision to deal with this issue by providing that such policies would also be archived. See Appendix A, paragraph 6. The second Resolved clause in this Resolution implements that provision with respect to all policies 20 years old or older.

Policies that are archived pursuant to the Resolution are not considered to be rescinded. Rather, the Association will retain them for historical purposes, however, they cannot be expressed as ABA policy. Those retained as current policy through this process will be reviewed again in 10 years. Retained policies are listed in Appendix C.

Respectfully submitted,

Mary L. Smith, Secretary
American Bar Association

August 2019
RESOLVED, That the American Bar Association adopts a procedure to archive policies which are 10 years old or older and which are outdated, duplicative, inconsistent or no longer relevant. Such archived policies will be retained for historical purposes but shall not be considered current policy for the Association and shall not be expressed as such.

FURTHER RESOLVED, That the archiving shall be implemented as follows:

1. All policies adopted by the House of Delegates shall be reviewed, with the exception of uniform state laws, model codes, guidelines, standards, ABA Constitution and Bylaws, and House Rules of Procedures.

2. To phase in this process, the periodic mandated review will in the first year, 1997, address policies 20 years old or older; in the second year policies 15 years old or older; and in the third year and each year thereafter, policies 10 years old or older.

3. Prior to each Annual meeting, a list of affected policies will be complied and circulated to the original sponsoring entities and to each member of the House identifying those policies which will be placed on the archival list.

4. At each Annual Meeting, a recommendation will be submitted to archive certain policies and the House will vote on the recommendations.

5. Those policies which are not archived will be subject to review every ten years thereafter.

6. Any policy 10 years old or older that is not contained within the ABA Policy and Procedures Handbook (The Green Book) or any Legislative Issues list published by the ABA and that has not been subject to the review set forth in these principles is considered to be archived.

7. This archival process is not intended to affect the rights of any member of the House to propose amendments or rescission of any policies as presently permitted under House rules.

FURTHER RESOLVED, That an approved Uniform Act promulgated by the National Conference of Commissioners on Uniform State Law (NCCUSL) shall be placed on the archival list only when such an Act has been removed from the active list of the NCCUSL.
APPENDIX B

The entities below reviewed and recommended disposition of the policies contained in the report:

Sections and Divisions

Business Law
Civil Rights and Social Justice
Criminal Justice
Dispute Resolution
Environment, Energy and Resources
Family Law
Health Law
Intellectual Property Law
International Law
Judicial Division
Legal Education and Admissions to the Bar
Litigation
Pro Bono and Public Service
State and Local Governments
Tort Trial and Insurance Practice

Standing Committees

American Judicial System
Election Law
Ethics and Professional Responsibility
Legal Aid and Indigent Defendants
Legal Assistance for Military Personnel
Paralegal
Public Education
Specialization

Commissions

Center on Human Rights
Immigration
Law and Aging
Lawyer Assistance Programs
Youth at Risk

State, Local and Territorial Bar Associations

Bar Association of the District of Columbia
Ohio State Bar
Connecticut Bar Association
New York State Bar Association
APPENDIX C
Retained Policies

1. U.S Courts grant to detainees all rights granted to habeas petitioners
   February 2009
   New York State Bar Association

2. Amending Title 28
   February 2009
   Connecticut Bar Association

3. Opposition to the Sunshine in Litigation Act of 2007
   February 2009
   Ohio State Bar Association

4. Complete Enactment of legislation S.160 granting a vote to the Representative from
   District of Columbia
   February 2009
   Bar Association of the District of Columbia

6. Urges congress to revise laws, policies that require youth to register as sex
   offenders
   February 2009
   Criminal Justice Section

7. ABA-EPA
   February 2009
   Section of Environment, Energy and Resources

9. Child Custody Cases
   February 2009
   Section of Family Law

10. Private Insurance
    February 2009
    Tort Trial and Insurance Practice Section

11. Natural Catastrophes
    February 2009
    Tort Trial and Insurance Practice Section

12. Study on Catastrophic Risk
    February 2009
    Tort Trial and Insurance Practice Section
13. Liquidity needs of Individual and businesses after natural disasters  
   February 2009  
   Tort Trial and Insurance Practice Section

14. Availability and affordability of insurance for natural disasters  
   February 2009  
   Tort Trial and Insurance Practice Section

15. Mega-Catastrophes Emergency Plan  
   February 2009  
   Tort Trial and Insurance Practice Section

16. Standards for residents and small businesses in Catastrophic Insurance Claims  
   February 2009  
   Tort Trial and Insurance Practice Section

17. Legislation enabling a U.S. citizen or lawful permanent resident to sponsor his or her 
    same-sex partner for permanent residence in the United States  
   February 2009  
   Section of Civil Rights and Social Justice

18. Amend Model Rule of Professional Conduct  
   February 2009  
   Standing Committee on Ethics and Professional Responsibility

19. Government funded training, research and exchanging of information in adult 
    guardianship  
   February 2009  
   Commission on Law and Aging

20. Mandatory binding pre-dispute arbitration agreements between long-term care 
    facility and residents  
   February 2009  
   Commission on Law and Aging

21. Administrative law judges  
   February 2009  
   Judicial Division

22. Judicial Career  
   February 2009  
   Standing Committee on American Judicial System

23. Servicemembers Civil Relief Act  
   February 2009  
   Legal Assistance for Military Personnel
24. Attorney Client Privilege  
   February 2009  
   Section of Litigation  

25. Health Care  
   August 2009  
   Ohio State Bar Association  

26. Imposing restriction on bankruptcy related legal advice from attorneys  
   August 2009  
   Connecticut Bar Association  

29. Urges corporate counsel to work with corporation and outside counsel  
   August 2009  
   Standing Committee on Pro Bono and Public Service  

30. Unmet legal needs of low income residents in major disasters  
   August 2009  
   Standing Committee on Pro Bono and Public Service report  

   August 2009  
   Section of State and Local Government  

33. Renewal the Mandate of the of internet Governance Forum of the United Nation  
   August 2009  
   Section Business Law  

34. Oppose the elimination of the defense of unenforceability of a Patent  
   August 2009  
   Section of Intellectual Property Law  

35. Defense of unenforceability of patent bases upon inequitable conduct  
   August 2009  
   Section of Intellectual Property Law  

36. Patent unenforceability and statutory and standards applicable  
   August 2009  
   Section of Intellectual Property Law  

   August 2009  
   Section of Intellectual Property Law
38. Amendment to Model Rule on Conditional Admission to Practice Law  
   August 2009  
   Commission on Lawyers Assistance Program

39. Amendment to Model Rule of Professional Conduct  
   August 2009  
   Standing Committee on Ethics and Professional Responsibility

40. Endorsement of Nations World Summit Outcome Document  
   August 2009  
   Center on Human Rights

41. Administration of the Criminal Justice System  
   August 2009  
   Center on Human Rights

42. Congress should Repeal Federal Marital Benefits which denies Protections to Same Sex Spouses  
   August 2009  
   Section of Civil Rights and Social Justice

43. Immigration Consequences of past Criminal Convictions  
   August 2009  
   Commission on Immigration

44. Commercial Arbitration  
   August 2009  
   Section of International Law

45. Amend ABA Election Administration Guidelines  
   August 2009  
   Standing Committee on Election Law

46. Rights of Children  
   August 2009  
   Commission on Youth at Risk

47. Support for the national, state and local  
   August 2009  
   Commission on Youth at Risk

48. Policies that support the right of children to return to school to complete their Education  
   August 2009  
   Commission on Youth at Risk
49. Eight Guidelines of Public Defense Related to Excessive Workload
   August 2009
   Standing Committee on Legal Aid and Indigent Defendants

50. Uniform guidance in human clinical trials
   August 2009
   Health Law Section

51. National Assessment of Educational Progress for Civics
   August 2009
   Standing Committee on Public Education

52. Mediation
   August 2009
   Section of Dispute Resolution

53. Reform the nation’s financial regulatory system
   August 2009
   Section of Business Law

55. Non-regulatory insurance information office
   August 2009
   Section of Tort Trial and Insurance Practice
GENERAL INFORMATION FORM

Submitting Entity: Secretary of the Association

Submitted By: Mary L. Smith

1. **Summary of Resolution:**

   In an ongoing effort to keep the Association's policies up to date, this resolution consists of policies 10 years old or older. A policy that is archived is not rescinded. It is retained for historical purposes, but cannot be expressed as current policy of the ABA. The Secretary recommends that the policies set forth in Attachment 1 of the resolution be archived.

2. **Approval by Submitting Entity:**

   The policies that have been placed on the archival list were reviewed by the entities that originally submitted them. In cases in which the submitting entity is now defunct, a successor entity was given the policy to review. They were originally approved by either the Board of Governors or the House of Delegates on the dates they were adopted.

3. **Has this or a similar resolution been submitted to the House or Board previously?**

   Although the Association has from time to time culled its records, the policies on the archival list have not been subject to review. They were originally approved by either the Board of Governors or the House of Delegates on the dates they were adopted.

4. **What existing Association policies are relevant to this resolution and how would they be affected?**

   The archiving of any policy would have no effect on existing policies.

5. **What urgency exists which requires action at this meeting of the House?**

   Resolution 400 adopted August 1996 mandates the annual review of policies 10 years old or older.

6. **Status of Legislation:**

   N/A
7. **Brief explanation regarding plans for implementation of the policy, if adopted by the House of Delegates.**

The Policy and Procedures Handbook will be updated to reflect those policies that have been archived.

8. **Costs to the Association.** (Both direct and indirect costs)

None.

9. **Disclosure of Interest:** N/A.

10. **Referrals.**

The policies identified in the Resolution with Report have been circulated to 32 entities as noted in Appendix B and will also be sent to the Government Affairs Office.

11. **Contact Name and Address Information.** Prior to the meeting. Please include name, address, telephone number and e-mail address)

   Mary L. Smith  
   321 North Clark Street  
   Chicago, Illinois 60654-7598  
   (312) 988-5161  
   FAX (312) 988-5153  
   marysmith828@hotmail.com

   Richard Collins  
   American Bar Association  
   321 North Clark Street  
   Chicago, Illinois 60610  
   312/988-5162  
   Richard.Collins@americanbar.org

12. **Contact Name and Address Information.** Who will present the report to the House? Please include name, address, telephone number and e-mail address)

   Mary L. Smith  
   321 North Clark Street  
   Chicago, Illinois 60654-7598  
   (312) 988-5161  
   FAX (312) 988-5153  
   marysmith828@hotmail.com
EXECUTIVE SUMMARY

1. **Summary of the Resolution**

   This resolution archives Association policies that are 10 years old or older. A policy that is archived is not rescinded. It is retained for historical purposes, but cannot be expressed as a current position of the ABA.

2. **Summary of the Issue which the Recommendation Addresses**

   The archiving project, mandated by the House of Delegates in 1996, will improve the usefulness of the catalogued Association positions on issues of public policy. Many of the Association’s positions were adopted decades ago and are no longer relevant or effective.

3. **An Explanation of How the Proposed Policy will Address the Issue**

   The archiving project will allow the Association to pursue primary objectives by focusing on current matters. It will prevent an outdated ABA policy from being cited in an attempt to refute Association witnesses testifying on more recent policy positions.

4. **A Summary of Any Minority Views or Opposition Which Have Been Identified**

   None at this time.