The proposal leaves open to the court the determination of what amount is "fairly apportioned to the partnership."

The Committee recommends adoption of recommendations of the Commission.

Conclusion

The proposals by the Commission require balancing between the rights of the creditors of the bankrupt, the desire to rehabilitate the debtor and the need to protect the asyuary. It has been the concern of this Committee that a change in the statute which will permit a taxpayer easily to escape liability for taxes will not only encourage bankruptcies solely for the purpose of obtaining a discharge from tax liability but will weaken the confidence of the public in voluntary tax collection system. The Committee agrees that substantial changes needed in the present bankruptcy and provisions as they relate to each other. However, the Committee disagrees with the recommendation of the Commission's recommendations; and for this reason, it is not prepared to give a blanket endorsement to the pending legislation. The Hearings have not been completed.

REPORT

Resolved, That the American Bar Association rejects categorically and specifically the legal basis for and assertion by the United Nations General Assembly Resolution of November 10, 1975, on Zionism, and deplores the appeal inherent in said Resolution to the base of human frailties (anti-Semitism) rather than moving to clarify the common interests of all peoples to co-exist on the basis of mutual respect consistent with the world rule of law.

REPORT

The right of all peoples, the Jewish people included, to a national existence is a fundamental norm of international law as well as a cornerstone principle of the United Nations' Charter (Article 1, paragraph 2) and international treaties (e.g., Article 1, paragraph 1 of the International Covenant on Civil and Political Rights). To dilute or to destroy that right for any people is to violate the law.

On November 10, 1975, the United Nations General Assembly adopted a resolution determining "that Zionism is a form of racism and racial discrimination." In making said determination the General Assembly did not have recourse to judicial inquiry, investigation, fact-finding or other procedural safeguards designed to insure truth and fundamental fairness in that process of "determination."

The modern state of Israel has, since 1948, been the lawfully nation of the Jewish people, having come into juridical existence by international agreement including United Nations action on the basis of a set of historical facts, viz., generations of discrimination, persecution and even mass extermination of Jews as a minority people, and the commitment of Jews to return to ancient Palestine.

If the Jewish people are accorded rights only as individuals and not as a group, then the essential first step in the destruction of that group and the Jewish state is at hand. The United Nations resolution necessarily evinces a commitment to the destruction of the modern state of Israel as a homeland of the Jewish people and is therefore incompatible with the United Nations Charter and with international law.

INFORMATIONAL REPORT

At the present time, 47 percent of the members of the American Bar Association are 36 years of age or under, and the percentage is steadily increasing. The Association's commitment to serve the needs of the diverse and broad-based community of interest which this group represents was firmly manifested with the creation of the Young Lawyers Section, and has been strongly reaffirmed ever since through strong support to the Section. As an official Association entity the Section has successfully functioned as a conduit through which the energies of thousands of young lawyers across the country have been channeled and directed to the work of the organized bar.

The recent phenomenon of ever-increasing numbers of young lawyers swelling the ranks of the legal profession offered a particularly exciting challenge to the Section for the 1975-76 bar year. In responding to that challenge the Section has stimulated more enthusiasm of and active participation by young lawyers in programs and activities than ever before.

ABA young lawyers have always placed special emphasis on activities centering
local level with backup support being provided by the Section. A total of 250 leaders representing over 100 affiliates attended the regional meetings. They overwhelmingly endorsed the concept, and demonstrated it to be a very successful innovation to which the Section should be committed in the future. An extensive evaluation of the Affiliate Outreach Program during its first year has been prepared and is available on request.

During the 1976 Midyear meeting in Philadelphia, the Section Assembly approved changes in the organizational structure of the Section which will further facilitate its efforts to become more locally oriented and ensure a greater degree of fairness and democracy in the Section's policy making bodies.

The number of seats on the Executive Council has been increased from 15 to 20 with no district encompassing more than two states. The effect of this change should be to give a more manageable territory to district representatives, which in turn will better enable the Section to communicate with its members at the local level. This should prompt greater coordinated young lawyer involvement in Section programs and activities.

Also adopted during the Philadelphia meeting were changes in the manner in which the state and local affiliates are represented in the Section Assembly. Representation is now based on ABA Young Lawyers Section population in each state pursuant to a plan which appears to be the fairest and most democratic in any of the Association.

Since its creation, the Young Lawyer Section has been recognized to be uniquely suited to undertake volunteer programs requiring lawyers to be available in every state. This capability, in which the Section takes much pride, is well demonstrated by its Disaster Emergency Relief Program. In coordination with the Federal Disaster Assistance Administration, local young lawyer volunteers, recruited by state and local affiliates and previously trained, have established posts at disaster sites to provide victims with basic legal advice on such matters as negotiating with insurance companies regarding losses, title questions, replacement of lost documents, and securing new building permits. This year young lawyer disaster teams were on the scene offering their assistance from the flood damaged areas of Western Washington, to tornado-ravaged Jonesboro and Cabot, Arkansas, and Canton and LeMoint, Illinois.

At the beginning of the bar year a plea to the membership from the federal government for assistance with the Indo-Chinese Resettlement Program was referred to the Section, with the result of the Section's very successful Indo-Chinese Refugee Legal Assistance Program. During Phase I of the program, Section young lawyers gave orientation sessions and lectures on the American legal system and individual rights to thousands of refugees interned at the four resettlement camps.

Phase II began in August, 1975, and is concerned with administering a referral system whereby refugee inquiries for basic legal information and assistance are referred to volunteer young lawyers who have been assembled in each state with the cooperation and assistance of the Section's state and local affiliates. With the generous financial support of HEW, a "hotline" has been installed at the American Bar Center and a program administrator retained. To date, over 800 inquiries have been received and referred to various of our nearly 300 volunteers nationwide. We anticipate even greater success for this program during the coming year.

A third national project with notable success this year deals with providing legal services to the elderly. Utilizing the resources of the National Senior Citizens Law Center in Los Angeles, the project has fostered the development of legal referral services for the elderly by state and local affiliates. A recent special work session of local committee leaders from ten states and Section resource people in the elderly field demonstrated the great progress that is being made in this area.

Mindful of its purpose to further the objectives of the Association, the Section made every effort this year to incorporate the work-product of other Association entities into its development program. In this manner the Section has been able to further proliferate the good work going on elsewhere within the Association while simultaneously developing solid public service projects of interest to younger lawyers throughout the country.

This year's mental health project typifies the mutual benefit to be gained from this joint venture approach. Utilizing in part the resources of the Commission on the Mentally Disabled, a project was designed to evaluate mental institutions and in particular the civil commitment process. The project has been very well received and affiliates committees have already begun inspections of their local institutions. Reforms are underway as a result of these activities. Nearly
several programs providing direct contact with the public.

The High School Law Program, whereby young lawyers across the country organized locally by state and local affiliates to teach basic legal concepts to high school students, continues to be well received. It is particularly valuable to the Section’s small and under-funded affiliates because the background materials are furnished by the Section and there is little expense involved. Successes of this program have made it a springboard for stronger and more active young lawyer groups.

Likewise, the Law Exploring program, undertaken in conjunction with the Boy Scouts of America, has flourished this year. Organized by law explorer “posts” which are headed by the volunteer young lawyers, young adults are given the opportunity to explore the various legal career opportunities and the basic workings of the legal system. Over 500 posts have now been established which have provided involvement opportunities for over 10,000 young adults.

The Section is most excited about a new prospect for direct interaction with the public through the production of a 30-minute film about the U.S. Supreme Court. The film which is being produced by the Virginia Bar Association YLS and the ABA YLS jointly, includes a filmed tour of the Court, and interviews with Chief Justice Burger, Justice Powell and retired Justice Clark, which provide explanations of the Court’s history and how it actually does its work. The film promises to be very informative to all who view it, and the Section is now beginning to plan for widespread showings to the public through its affiliates.

A special effort was made this year to provide Section members with opportunities to participate in activities designed to make lawyers better lawyers and better professionals. Such opportunities generally fall into two categories: (1) preparation and dissemination of substantive materials designed for the continuing education of lawyers practicing in the various fields of law and (2) discussion of and policy formulation regarding current issues of crucial importance to the practice of law.

The Section has always attracted many young lawyers desirous of making a substantive contribution to the work of the Association. Through the Section’s liaison program many young lawyers are placed into committees of ABA substantive law sections. Whenever possible, the Section has also endeavored to put such enthusiasm directly to work in the Section so long as no duplication of other Association efforts occurs. Typical of such undertakings this year has been the Corporation, Banking and Business Law Committee’s preparation of a Term Loan Analysis Handbook. This publication analyzes the business and legal implications of a term loan agreement from both the borrower’s and the lender’s viewpoint.

Working with the ABA Special Ad Hoc Joint RESPA Committee, the Section’s Real Property and Practice Committee spent the entire year dealing with the Real Estate Settlement Procedures Act. These efforts resulted in a substantial recodification of RESPA. A presentation to the U.S. Department of Housing and Urban Development of a critical analysis from the perspective of the ABA and practicing lawyers regarding proposed RESPA regulations also has impact on the final regulations.

On November 4–5, 1975, the Section sponsored a most successful National Institute on Consumer Law Practice in Atlanta, Georgia which explored all available consumer remedies and defenses at the federal, state, and local level.

In response to repeated overtures for continuing legal education services, the Section, with the assistance of the ABA Division of Professional Education has begun to explore alternatives for delivering quality CLE programs to its members. The development of such a capability is sure to be one of the real strengths of the Section in the future.

The Section’s treatment of the advertising issue this year is the best indication of young lawyers’ interest in the controversial issues affecting the practice of law today. The manner in which this issue was handled within the Section reflects its commitment to involve as many young lawyer members as possible in the policy-making process.

Several mailings in this area were made to affiliates relating to the current developments concerning the advertising question. In response, local young lawyers eagerly made known their views. A thorough debate ensued at the midyear Assembly meeting, out of which came a well-reasoned, practical position in favor of giving more information to the public. The management of the advertising issue enabled the Section at every stage in the debate to be a significant force in the formulation of the official Association policy on this matter.

Specialization is an example of a continuing issue of special concern to young lawyers because of the unique impact it will have on the neophyte practitioner. Accordingly, every effort was made this year to obtain the fullest possible input from all interests that the Section represents before taking policy position or charting a plan of action. To that end a tear-out questionnaire survey was mailed to each of our members in the Winter issue of Bar Register magazine. The exceptionally large response will be used to prepare a young lawyers’ position which will then be advanced within the ABA and to state and local bar organizations.

While the advertising and specialization concerns cut to the heart of the individual lawyer’s practice, of equal concern to the Section are those broader problems which go to the institutional mechanisms and processes of our legal system. A conference entitled “Access to Justice: Problems and Remedies” will feature leading judges, lawyers and scholars at the annual meeting who will suggest specific solutions to better present mechanisms for resolving disputes.

In summary, the Section’s experience with programs, educational in nature, which directly involve and impact the public one-on-one has spotlighted keen public interest in learning about the law, lawyers, and the legal system. Accordingly, the Section has continued to pursue

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Chairman