

MEMORANDUM

TO: Section and Committee Chairs
Presidents and Executive Directors of State and Local Bar Associations
State and Section Delegates in the House of Delegates
ABA Directors and Department Heads

FROM: Marina B. Jacks

SUBJECT: Summary of Action of the August 2007 Board of Governors Meeting

DATE: August 24, 2007

Attached is the Summary of Action of the August 9-10, 2007, meeting of the Board of Governors held at the San Francisco Marriott in San Francisco, California. Please note that this Summary does not constitute official Minutes of the meeting. Minutes will be presented for Board approval at its next meeting in October 2007.

If you have any questions with respect to the action taken, please let me know.

Attachment

cc: Board of Governors

**SUMMARY OF ACTION
AMERICAN BAR ASSOCIATION
BOARD OF GOVERNORS**

**San Francisco Marriott
San Francisco, California
August 9-10, 2007**

1. REPORTS OF OFFICERS AND THE EXECUTIVE DIRECTOR

The Board of Governors (Board) received the reports of the President, President-elect, Chair of the House of Delegates, Immediate Past President, Secretary, Treasurer and Executive Director. The minutes of the Board's June 16, 2007, meeting in Chicago, Illinois, were approved with one correction. The minutes of the Executive Committee's June 16, June 22, and August 8, 2007, meetings were received.

2. MATTERS FOR DIRECT BOARD ACTION

2.1 House Reports

The actions of the Board on Reports with Recommendations to the House of Delegates are reported in the Board's Transmittal Report to the House of Delegates, #177A. Copies of Report #177A are available from the Division for Policy Administration.

2.2 Continuation of Board Entities

The Board approved the continuation of entities created by the Board whose assignments were ongoing, and discontinued those that had completed their tasks.

2.3 Continuation of Special Committees and Commissions

The Board approved its recommendations to the House of Delegates regarding the continuation and discontinuation of special committees and commissions.

2.4 Report on ABA Day

Stephen N. Zack, Chair of the Planning Committee for ABA Day in Washington 2007, presented a report on ABA Day in Washington, held April 18-19, 2007. Mr. Zack informed the Board that the ABA is successful 83 percent of the time it has lobbied for a particular position before Congress. This success rate can be attributed to the expertise of the Association's Governmental Affairs Office as well as to the fact that Association leaders meet personally with members of Congress during ABA Day. Mr. Zack also noted that Board members Richard Cassidy and Rosemary Giuliano are members of the Planning Committee for ABA Day in Washington 2008, scheduled for April 16-17, 2008.

2.5 Request for Election of Directors of the James O. Broadhead Corporation

The Board re-elected William H. Neukom, Wm. T. Robinson III, and Armando Lasaferrer and elected H. Thomas Wells, Jr. to the Board of Directors of the James O. Broadhead Corporation.

2.6 Report of the Section of Legal Education and Admissions to the Bar

William R. Rakes, Chair of the Section of Legal Education and Admissions to the Bar; Ruth V. McGregor, Section Chair-elect; and Hulett H. (Bucky) Askew, ABA Consultant on Legal Education, presented a report on current initiatives of the Section and the Accreditation Project, including a) the completion of a multi-year comprehensive review of the *Standards for Approval of Law Schools* and their Interpretations, b) work toward re-recognition of the Section Council as an official accrediting agency by the United States Department of Education, c) revision of the Annual Questionnaire that each ABA-approved law school must complete, and d) promotion of legislation such as the Income Contingent Repayment Option of the federal Direct Lending Program to benefit graduates employed in public interest positions.

2.7 Report of the Long Range Planning Committee

Michael A. Bedke, Chair of the Long Range Planning Committee, presented the Committee's report for Fiscal Year 2006-2007. Mr. Bedke's report highlighted a) the Committee's efforts to develop and institutionalize a specific new process to ensure the implementation of the ABA Strategic Plan that was adopted by the Board in June 2006; b) the Committee's support of a new Commission on Sexual Orientation and Gender Identity to implement revised Association Goal IX as passed by the House of Delegates in February 2007; c) the Committee's view that it would be much more productive for Presidential Initiatives to be characterized as "ABA projects to be highlighted" to enhance certain key areas of the Plan; and d) the Committee's consideration of seven strategies for implementation of the Plan, (e.g., taking into account member needs when making all strategic and administrative decisions, increasing non-dues revenue, and implementing an ABA dues structure that promotes membership growth and ABA financial strength). Mr. Bedke noted that Executive Director White's recommended internal priorities (See 2.9 and 3.8 below) fit well with the Committee's consideration of seven strategies for implementation.

2.8 2006 Pulse of the Legal Profession Final Report

Laura L. Metzger, Director of the ABA Market Research Department, presented to the Board a summary of "The Pulse of the Legal Profession, 2006." The objectives of the "Pulse" study are to stay abreast of emerging issues and changing needs within the legal profession and to proactively develop and position ABA products, programs and services to address evolving needs. Significant issues and trends that emerged from the 2006 "Pulse" study include: a) eighty percent of those surveyed voiced concern about the prohibitive cost of litigation; b) more than two-thirds of those surveyed and, in particular

solo and public sector lawyers, indicated concern regarding the independence of the judiciary and the increasing politicization of the law; c) a decline in career satisfaction; and d) a decline in satisfaction with ABA membership, which data suggest is driven by the dues increase and a lack of relevance. Ms. Metzger's report also highlighted the ABA programs and initiatives that can address these issues.

2.9 Continuation of Discussion from June 2007 Board Meeting Concerning the Role, Structure, and Operation of the ABA Board of Governors

The Board heard a presentation from ABA Executive Director Henry F. White, Jr., regarding his recommended internal priorities for the Association: a) Membership; b) Communications; c) Planning; d) Non-dues Revenue; and e) Human Resources. (See also 3.8 below.) Thereafter, the Board continued the general discussion concerning the role, structure, and operation of the ABA Board of Governors that was started at the June 2007 meeting. Some of the issues raised during the discussion included a) whether Board's role should be governance or management; b) whether the Board should make strategic rather than tactical decisions; c) whether Association priorities should be determined by the Board or by management; d) improvement of the Board liaison function; and e) how to maintain institutional memory in an organization that has frequent changes in leadership.

2.10 Consent Calendar: Report of Board Committee Chairs

The Board adopted the Consent Calendar as presented by the Secretary. Action on all items contained on the Consent Calendar is set forth in items 3 through 5 of this Summary of Action relating to the reports of the Board Committees.

2.11 Memorial Resolution for Former Governor William E. Schuyler, Jr.

The Board passed a resolution recognizing the accomplishments, standards and achievements of William E. Schuyler, Jr., of Maryland, a member of the Board of Governors from 1986-1989, who passed away on July 25, 2007.

2.12 Discussion of Business Conduct Standards

William R. Ide III, Chair of the ABA Task Force on Best Practices, and Patricia J. Larson, Interim General Counsel, discussed with the Board the current draft of Business Conduct Standards which set forth general ethical and legal responsibilities that all ABA Members, Employees and Contractors are expected to consider when conducting ABA business.

2.13 Report of Executive Compensation Committee

In executive session, the Board received a report from the Executive Compensation Committee.

2.14 Executive Session Regarding Legal Education

In executive session, the Board discussed matters pertaining to the Section of Legal Education and Admissions to the Bar.

2.15 Fund for Justice and Education

The Board, sitting as the members of the Board of the American Bar Association Fund for Justice and Education (ABA/FJE) a) approved the minutes of the June 16, 2007, meeting of the ABA/FJE Board as presented and b) accepted the ABA/FJE restricted grants and contributions received or awarded through July 6, 2007, and not previously reported, as requested by the Association's Grant Development & Administration Office.

2.18 National Judicial College

The Board, sitting as the Members of the National Judicial College (NJC), elected John Frankovich of Reno, Nevada, as an NJC representative to the NJC Board of Trustees, for a three-year term to take effect as of the conclusion of the NJC's annual meeting in July 2007 and to conclude at the end of the NJC's annual meeting in July 2010. In addition, the Board, sitting as the Members of the NJC, heard a brief presentation from NJC President William F. Dressel regarding several of the NJC's initiatives, including a) special programs for tribal and administrative law judges and b) renewal of the contract that the NJC received from the Department of Justice to conduct a study of the 32 states that have the death penalty.

3. OPERATIONS AND COMMUNICATIONS COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

3.1 Requests for Bylaw Amendments

a. Section of Real Property, Probate and Trust Law

Subject to approval by the Section membership at the Annual Section Business Meeting on August 11, 2007, and subject to approval by the House of Delegates of the Section's proposed name change at the 2007 Annual Meeting, the Board approved the request of the Section of Real Property, Probate and Trust Law to amend its bylaws to change all references to "Section of Real Property, Probate and Trust Law" to "Section of Real Property, Trust and Estate Law."

In addition, the Board approved the Section's request to amend its bylaws to designate the Section's Technology Committee as a Standing Committee of the Section.

b. Senior Lawyers Division

The Board approved the request of the Senior Lawyers Division to amend its bylaws to i) modify the qualifications for membership in the Division to add those who are engaged in the practice of Elder Law; ii) increase the number of at-large members on the Division Council from 12 members to 14 members; iii) specify that 11 voting members of the Council (rather than "a majority") constitutes a quorum; and iv) allow members to participate by conference telephone at a Council meeting. The proposed amendments were approved by the Division Council on April 13, 2007. Approval by the Board is subject to approval by the Division membership in August 2007.

The Board declined to approve the proposed bylaw amendment that would add the most recently serving Immediate Past President of the ABA as an *ex officio* member of the Division Council for one year, with a vote. The Board recommended that the Division revise the amendment i) to specify that the most recently serving Immediate Past President of the ABA has the option to serve as an *ex officio* member of the Division Council for one year, with a vote, and ii) bring the revised amendment back to the Operations Committee at a future meeting for action.

c. Section of Administrative Law and Regulatory Practice

The Board approved the request of the Section of Administrative Law and Regulatory Practice to increase its dues ceiling from \$40.00 to \$75.00. The proposed amendment was approved by the Section Council in July 2006 and by the Section Membership in August 2006.

3.2 Nominations

a. Standing Committee on Audit

The Board i) re-elected Lawrence M. Gill of Chicago, Illinois; and ii) elected David R. Gienapp of Brookings, South Dakota, to three-year terms on the Standing Committee on Audit, effective at the conclusion of the 2007 ABA Annual Meeting, as requested by President-elect William Neukom. The Board was also informed that President-elect Neukom has appointed Mr. Gill as Chair of the Standing Committee for a one-year term, effective at the conclusion of the 2007 ABA Annual Meeting.

b. Board of Elections

The Board i) elected Honorable Gerald Alexander of the Washington State Supreme Court, as Chair of the Board of the Elections; and ii) elected Louise Michaux Gonzales of Baltimore, Maryland, and Jack B. Middleton of Manchester, New Hampshire, as members of the Board of Elections, all for one-year terms effective at the conclusion of the 2007 ABA Annual Meeting, as requested by President-elect William Neukom.

c. American Intellectual Property Law Education Foundation (AIPLEF)(Section of Intellectual Property Law)

The Board elected Yoncha Kundupoglu of Los Angeles, California, and Liisa Thomas of Chicago, Illinois, to the Board of Trustees of the American Intellectual Property Law Education Foundation, for three-year terms, to take effect as of June 2007 and conclude in June 2010, as requested by the Section of Intellectual Property Law.

d. Inter-American Bar Association (IABA)

The Board elected Andrew J. Markus of Miami, Florida, to a second three-year term on the Council of the Inter-American Bar Association (IABA), to serve from the fall 2007 IABA Council meeting through the fall 2010 IABA Council meeting, as recommended by the Section of International Law.

e. Friends of the CEELI Institute (Friends)

The Board elected Henry Horbaczewski of New York, New York, to a three-year term on the Board of Directors of The Friends of the CEELI Institute, to begin in August 2007 and conclude in August 2010, as recommended by The Friends of the CEELI Institute Board of Directors.

f. International Criminal Bar (ICB) (Criminal Justice Section and Section of International Law)

The Board elected Thomas C. Viles of Washington, DC, to a four-year term on the Council of the International Criminal Bar, to take effect as of March 2007 and conclude in March 2011, as requested by the Criminal Justice Section and the Section of International Law.

g. Consortium for the National Equal Justice Library (CNEJL)

The Board elected Diane Kutzo of Cedar Rapids, Iowa, and L. David Shear of Tampa, Florida, to two-year terms on the Board of Directors of the Consortium for the National Equal Justice Library (CNEJL), to begin at the conclusion of the CNEJL Annual Meeting, in fall 2007 and end at the conclusion of the CNEJL Annual Meeting in fall 2009, as recommended by the Standing Committee on Legal Aid and Indigent Defendants.

h. Museum of Law

The Board re-elected i) Carolyn B. Lamm of Washington, DC, and Thomas Z. Hayward, Jr. of Chicago, Illinois; and ii) elected David A. Collins of Detroit, Michigan, and Honorable Judith S. Kaye of New York, New York, to three-year terms on the Museum of Law Board of Directors, to begin at the conclusion of the 2007 ABA Annual Meeting and end at the conclusion of the 2010 ABA Annual Meeting, as recommended by the Museum Board.

3.3 Requests Regarding Awards

a. Criminal Justice Section

The Board approved the request of the Criminal Justice Section to change the name of the Section's annual Minister of Justice Award (approved by the Board in June 2002 to recognize the achievements of a prosecutor) to the Norm Maleng Minister of Justice Award. Mr. Maleng was King County (Seattle) District Attorney, a past Section Chair, and the most recent recipient of the Minister of Justice Award. He passed away unexpectedly on May 24, 2007.

b. Death Penalty Representation Project

The Board approved the request of the Death Penalty Representation Project to establish the annual ABA Exceptional Service Award for Death Penalty Representation to honor the efforts of law firms that have demonstrated an exceptional commitment to obtaining justice for prisoners who have been sentenced to death. The award will consist of a plaque or glass bowl with a maximum value of \$100.00 and will be paid for through the Project's annual fundraising efforts.

c. Forum on Air and Space Law

The Board approved the request of the Forum on Air and Space Law to establish The (annual) Forum on Air & Space Law Writing Competition, to be co-sponsored by Rolls-Royce North America, for law students in ABA accredited law schools who are participating in a program focusing on aviation, aeronautical engineering or remote sensing. More than one award may be presented each year. Each award will be a plaque with a maximum value of \$200.00. Rolls-Royce will fund all expenses of the writing competition, including all travel expenses incurred by the winner(s) to attend the event where the award(s) will be presented.

d. Standing Committee on Legal Aid and Indigent Defendants

The Board approved the request of the Standing Committee on Legal Aid and Indigent Defendants to present a one-time Champion of Justice award, co-sponsored with the Legal Services Corporation (LSC), to Howard H. Dana, Jr., of Portland, Maine, in recognition of extraordinary contributions over the past 30 years to the ABA, LSC, and the cause of equal justice in the U.S. The award will be a plaque or crystal desk ornament with a maximum value of \$400.00 and will be paid for by LSC.

e. Senior Lawyers Division

The request of the Senior Lawyers Division to establish the Senior Lawyers Division William Reece Smith, Jr., Annual Young Lawyers Award, to be co-sponsored by LexisNexis, was withdrawn.

3.4 ABA Fund for Justice and Education and Judicial Division Lawyers Conference Request to a) Rename the "Award of Excellence in Judicial Administration" and b) Create Program Support Fund

The Board approved the request of the ABA Fund for Justice and Education and the Judicial Division Lawyers Conference to a) rename the "Award of Excellence in Judicial Administration" as the "Robert B. Yegge Award for Outstanding Contribution in the Field of Judicial Administration" and b) create the Robert B. Yegge Program Support Fund, to accommodate an estate gift from Dean Yegge, in the amount of \$25,000.00, to be used as the source of a cash prize to accompany the Robert B. Yegge Award for Outstanding Contribution in the Field of Judicial Administration.

3.5 President-elect Neukom's Requests

a. Request to Appoint Special Advisors

The Board created special advisor positions and appointed special advisors to the Advisory Committee on Law and National Security, the Commission on the World Justice Project (5 Special Advisors), and the Commission on Sexual Orientation and Gender Identity. No additional general revenue funding is required for the special advisors.

b. Request to Appoint Advisory Commission and Counselors to Commission on the World Justice Project

The Board created the World Justice Project Advisory Commission and also created up to five World Justice Project Counselor positions. The Advisory Commission will have up to 25 members, including a chair. Working closely with the World Justice Project Commission, the Advisory Commission will provide advice about and support for World Justice Project activities. The Counselors will be American Bar Association leaders who will provide guidance to the World Justice Project Commission, drawing on their experience with the ABA and with rule of law activities. No additional general revenue funding is required for the Advisory Commission or for the Counselors.

c. Request to Amend Jurisdictional Statement of the Long Range Planning Committee

The Board amended the jurisdictional statement of the Long Range Planning Committee to add a Section Officers Conference (SOC) representative as a member of the Committee. No additional general revenue funding is required.

d. Request to Amend Jurisdictional Statement of Latin America and Caribbean Law Initiative Council

The Board amended the jurisdictional statement of the Latin America and Caribbean Law Initiative Council to permit the creation of a Counselor position and the appointment of Bernie Aronson as a Counselor. No additional general revenue funding is required.

3.6 Task Force on Attorney-Client Privilege Request to Revise Jurisdictional Statement to Increase Membership

The Board approved the request of the Task Force on Attorney-Client Privilege to revise its jurisdictional statement to increase its membership from 14 to 16 members. All activities of the Task Force are paid for with Section of Business Law funds and no general revenue is required.

3.7 Standing Committee on Strategic Communication Request for Adoption of Policy on Interactive Online Communication

The Board approved the request of the Standing Committee on Strategic Communication (SCSC) and adopted a policy on interactive online communication that a) enables direct member communication through the ABA web site and recommends that such communication should adhere to certain standards; and also b) recommends that responses to interactive online media should be provided under the same guidelines as responses to traditional media and, therefore, in accordance with Section 25.1 of the ABA Bylaws. Section 25.1 states, in part, that "(t)he President or a person designated by the President shall express the policy of the Association as determined by the House of Delegates."

3.8 Discussion Regarding Association Priorities

Executive Director Henry F. White, Jr. discussed with each of the Board Committees the following recommended internal priorities for the Association: a) Membership; b) Communications; c) Planning; d) Non-dues Revenue; and e) Human Resources.

B. MATTERS OF INDEPENDENT JURISDICTION

3.15 Requests for Co-Sponsorships

a. Commission on Immigration (2 Requests)

i) Immigration Advocates Network:

The Commission on Immigration requested approval to join the Steering Committee of the Immigration Advocates Network (IAN), a collaborative pilot project to enhance information and resources sharing, communication, and capacity among immigration services organizations. The IAN's Steering Committee, or Working Group, is comprised of nine organizational members and all member entities will sign a Memorandum of Understanding (MOU) outlining their relationship with the project.

The Operations and Communications Committee deferred action on the Commission's request to join the IAN as an active member for the present time. The Operations Committee requested that the Office of the ABA General Counsel be involved in the

drafting of the MOU as it is developed. In addition, the Operations Committee approved the Commission's participation in the work of the Steering Committee as an observer but asked that the Commission not take any action as a member of the Working Group until the MOU receives final approval by the Office of the ABA General Counsel and is reviewed and approved by the Operations Committee.

ii) Family Immigration Detention Standards:

The Operations and Communications Committee approved the request of the Commission on Immigration to co-sponsor the development of Family Immigration Detention Standards (Standards) with the Women's Commission for Refugee Women and Children and the Catholic Legal Immigration Network, with the understanding that once the Standards are developed, they must be approved by the House of Delegates as ABA policy before the Commission shares the Standards with Immigration & Customs Enforcement to encourage adoption and implementation of the Standards.

In approving the request, the Operations Committee also understood that no additional ABA general revenue is requested or required for the project.

b. Section of Environment, Energy, and Resources

The Operations and Communications Committee approved the request of the Section of Environment, Energy, and Resources to co-sponsor the 12th Annual International Environmental Moot Court Competition, November 9-10, 2007, at Stetson University College of Law, Gulfport, Florida, and to also cosponsor the competition in 2008 and 2009. The Section leadership is involved in planning the program, and the Section also will promote the competition through the Section's Website and print publications. In addition, Section representatives may participate in panel discussions during the Competitions.

In approving the request, the Operations Committee understood that i) the Section will donate no more than \$2,500.00 per year in Section funds to the program in 2007, 2008, and 2009, and ii) no ABA general revenue is requested or required for the project.

c. Standing Committee on Professionalism

The Operations and Communications Committee approved the request of the Standing Committee on Professionalism to co-sponsor a conference titled "Mentoring: The Future of the Profession" that will be held on March 27-29, 2008, at the University of South Carolina School of Law. The principal sponsor of the conference is the law school's Nelson, Mullins, Riley & Scarborough Center on Professionalism. In addition, the conference will be co-sponsored by the American Inns of Court and the South Carolina Chief Justice's Commission on the Profession. The Chair of the Standing Committee serves on the advisory committee of the Nelson, Mullins, Riley & Scarborough Center on Professionalism and will participate as a speaker at the

conference. The keynote address will be delivered by former ABA President Roberta Cooper Ramo.

In approving the request, the Operations Committee understood that i) the University of South Carolina School of Law will cover all conference expenses and ii) no ABA general revenue is requested or required for the conference.

d. Council on Racial and Ethnic Justice

The Operations and Communications Committee approved the request of the Council on Racial and Ethnic Justice to co-sponsor the 2007 Northeast People of Color Legal Scholarship Conference titled "Moving Forward or Moving Backward? Criminal Justice and Immigration in the 21st Century" to be held on September 14-15, 2007, at Southern New England School of Law in North Dartmouth, Massachusetts. The Conference is being sponsored by Southern New England School of Law and the St. John's University School of Law Ronald H. Brown Center for Civil Rights and Economic Development. The Council will be involved in the planning, implementation, and selection of speakers for the program.

In approving the request, the Operations Committee understood that no ABA general revenue is requested or required for the conference.

e. Center for Human Rights

The Operations and Communications Committee approved the request of the Center for Human Rights to co-sponsor a Working Session on International Adoption with Elizabeth Bartholet, Faculty Director of the Child Advocacy Program at Harvard Law School, possibly in collaboration with Harvard's new Center on the Developing Child, to be held on January 11 or 25, 2008, at Harvard University. The ABA sections of Family Law, Individual Rights and Responsibilities, and International Law; the Young Lawyers Division Center on Children and the Law; and the Commission on Youth-at-Risk are among other potential ABA co-sponsors to be solicited. Harvard also plans to seek UNICEF's participation. The Center and other participating ABA entities will contribute significant legal expertise and experience to the Working Session. The meeting facilities will be provided by Harvard.

In approving the request, the Operations Committee understood that participating ABA entities may, but will not be required to, contribute financially to the Working Session.

f. Center for Continuing Legal Education

The Operations and Communications Committee approved the request of the Center for Continuing Legal Education (ABA-CLE) to co-sponsor a series of National Institutes titled "Writing Techniques for Winning Cases" in 2007, 2008 and 2009 with Gary Kinder. At least three programs will be offered in each year. Mr. Kinder is a lawyer, writing teacher and author who previously worked with the ABA to create a series of one-hour,

online interactive CLE programs. ABA-CLE and Mr. Kinder will share responsibility for the planning of one or more events during each Institute.

In approving the request, the Operations Committee understood that any expenses incurred by ABA-CLE in connection with the Institutes will be paid from ABA-CLE's approved budgets, and no additional ABA general revenue is requested or required.

g. Section of Real Property, Probate and Trust Law

The Operations and Communications Committee approved the request of the Section of Real Property, Probate and Trust Law to add the University of Miami Graduate Program in Estate Planning as a co-sponsor of the Section's Real Property, Probate and Trust Law Student Writing Contest.

h. Forum on Franchising

The Operations and Communications Committee approved the request of the Forum on Franchising to co-sponsor two sessions on international franchise issues during the Ontario Bar Association's 7th Annual Franchise Law Conference to be held on November 15, 2007, in Toronto, Ontario, Canada. The current Director of the Forum's International Franchise and Distribution Division is an Ontario resident and sits on the planning committee for the conference. The international sessions being co-sponsored had his input, and were reviewed and approved by ABA Forum leadership.

In approving the request, the Operations Committee understood that i) the Forum's approved conference speakers will have part of their travel expenses covered by the Ontario Bar Association and ii) the Forum will not be responsible for any conference costs. (See 3.17c below.)

3.16 Section of Antitrust Law Request for Approval of Brown Bag Programs Co-Sponsored With Certain Outside Entities in 2007-2008

The Operations and Communications Committee approved the request of the Section of Antitrust Law to participate in "Brown Bag" programs with 51 outside entities as potential co-sponsors during the 2007-2008 Association Year. In September 2002, the Operations Committee granted approval for the Section to participate in "Brown Bag" programs with certain outside entities as potential co-sponsors through August 31, 2003, with the understanding that the Section would need to request renewal of the approval for each subsequent Association year.

3.17 Meetings Outside the United States

a. Standing Committee on the Delivery of Legal Services

The Operations and Communications Committee approved the request of the Standing Committee on the Delivery of Legal Services to hold its fall meeting in Montreal, Quebec, Canada on October 5-6, 2007. The Committee plans to invite members of the Barreau de Quebec and the Chambre des Notaires de Quebec to a session of the meeting dedicated to an exchange of ideas, methods and procedures. In approving the request, the Operations Committee understood that all expenses for the meeting will be paid from the Standing Committee's approved budget and no additional ABA general revenue is requested or required.

b. Section of Litigation

The Operations and Communications Committee received notification that the Section of Litigation will conduct its Kosovo Project to prepare victim representatives in criminal trials against human traffickers in Kosovo in December 2007.

c. Forum on Franchising

The Operations and Communications Committee received notification that the Forum on Franchising plans to participate in the 7th Annual Franchise Law Conference to be held on November 15, 2007, in Toronto, Ontario, Canada. (The Operations Committee also approved the Forum's request for co-sponsorship of two sessions at the Conference. See 3.15h above.)

4. PROGRAM AND PLANNING COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

4.1 Approval of Annual Budget for FY 2007-2008:
Requests for Reconsideration

a. Commission on Lawyer Assistance Programs

The Board declined to approve the request of the Commission on Lawyer Assistance Programs for additional funding in the amount of \$90,678.00 for a new full-time position.

b. Commission on Women in the Profession

The Board approved the request of the Commission on Women in the Profession for \$10,000.00 to fund the Commission's June 2008 Meeting and \$20,000.00 to fund its 20th Anniversary project.

c. Standing Committee on Law and National Security

The Board approved the request of the Standing Committee on Law and National Security for additional funding in the amount of \$6,000.00 to cover the travel expenses for members attending Committee meetings.

(NOTE: For 4.1 d – h, see Finance Committee portion of Summary of Action below.)

4.2 Final Report of and Request to Continue ABA Enterprise Fund

The Board allocated \$500,000.00 to the ABA Enterprise Fund for Fiscal Year 2008-2009. Further, the Board incorporated funding of the Enterprise Fund into the annual operating budget process of the Program and Planning Committee, with appropriate representation from other Board entities and participation of non-Board members, beginning in Fiscal Year 2008-2009.

B. MATTERS OF INDEPENDENT JURISDICTION

None for consideration.

5. FINANCE COMMITTEE

A. MATTERS FOR REVIEW BY THE BOARD

4.1 Approval of FY 2007-2008 Budgets

(NOTE: For 4.1 a – c, see Program and Planning Committee portion of Summary of Action above.)

d. General Revenue Operating Budget

The Board approved the Fiscal Year 2007-2008 General Revenue Operating Budget in the amount of \$113.148 million.

e. Capital Budget

The Board approved the Fiscal Year 2007-2008 Capital Budget in the amount of \$1.999 million.

f. James O. Broadhead Corporation Budget

The Board approved the Fiscal Year 2007-2008 James O. Broadhead Corporation Budget in the amount of \$4.370 million in expenses and \$5.754 million in revenue.

g. Sections' Operating Budget

The Board approved the preliminary Fiscal Year 2007-2008 Sections' Operating Budget in the amount of \$52.634 million in expenses and \$51.198 million in revenue.

h. Dues Warehouse Transfer

The Board transferred \$71,000.00 from the Dues Warehouse to balance the Fiscal Year 2007-2008 Budget.

5.1 Request for Approval of Program Support Fund Policy and Procedures

The Board approved a Policy for the Establishment, Use and Maintenance of Program Support Funds (PSF or Fund). To establish a PSF, the proposed policy requires the preparation of a written request that identifies: a) the program that will benefit from the proposed PSF, including any existing ABA program or project; b) the potential sources of revenue and anticipated expenses; c) the monetary goals for the Fund; and d) potential contributors to the PSF. In addition, the policy sets forth the requirements for the use, maintenance, and termination of the Funds.

5.2 Request for Approval of Revised Policy on Controlling and Reporting on Deficits

The Board approved a revised Policy on Controlling and Reporting on Deficits, which includes requirements for reporting to the Finance Committee negative budget variances relating to activities for which a Program Support Fund exists.

B. MATTERS OF INDEPENDENT JURISDICTION

None for consideration.