Midyear Meeting features approval of new policies and a range of panels, discussions

More than 3,500 lawyers gathered in Houston Feb. 4-10 for the association’s Midyear Meeting, which featured adoption of new policies by the ABA House of Delegates, numerous panel discussions, town hall gatherings and business meetings.

In addition, the Board of Governors approved the association’s legislative and governmental priorities for the 114th Congress under the following categories: Access to Legal Services, Civil Justice System Access, Criminal Justice System Improvements, Elimination of Discrimination, Immigration Reform, Independence of the Judiciary, Independence of the Legal Profession, International Rule of Law, Legal Education, and National Security and Civil Liberties (see page 9 for details). The priorities are based on a survey of bar leaders and ABA members and the joint recommendations of the Standing Committee on Governmental Affairs and the Governmental Affairs Office.

Other highlights of the meeting included a hearing by the Commission on the Future of Legal Services, testimony presented to the Task Force on the Financing of Legal Education, a town hall on money in politics and elections sponsored by the Standing Committee on Election Law, and panel discussions on a variety of issues, including the president’s executive action on immigration and the history of domestic terrorism.

Atlanta lawyer Linda A. Klein was nominated to be the association’s president-elect. If elected this August, she will serve a one-year term as president-elect before assuming the presidency in August 2016 (see article, page 5).

The one-day session of the 566-member House of Delegates produced more than 15 new legislative policy positions, which are summarized below.

**Criminal Justice**

_Restrainment of Juveniles._ Urges governments to adopt a presumption against the use of restraints on juveniles in court and to permit a court to allow such use only after providing the juvenile with an opportunity to be heard and finding that the restraints are the least restrictive means necessary to prevent flight or harm to the juvenile or others.

_Witness Intimidation._ Urges governments to protect the truth-seeking functions of criminal proceedings by (1) seeking to hold accountable those who unlawfully intimidate or tamper with victims and prosecution and defense witnesses by any source or means, including the use of social media; and (2) examining practices, procedures and training, and revising them as needed to assure that victims and witnesses are not improperly intimidated or tampered with by lawyers or law enforcement personnel, and that they receive adequate protection against intimidation and tampering by any person.

See “Midyear Meeting,” page 4
### LEGISLATIVE BOXSCORE

<table>
<thead>
<tr>
<th>LEGISLATIVE ISSUE</th>
<th>HOUSE</th>
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<tr>
<td><strong>Criminal Justice.</strong> S. 353 and H.R. 706 would extend the safety valve to certain non-violent offenders and reduce lengthy sentences for non-violent offenders. S. 255 and H.R. 540 would amend the federal criminal code regarding civil asset forfeiture.</td>
<td>Judiciary subc. held a hearing on civil asset forfeiture on 2/11/15.</td>
<td></td>
<td>Supports federal sentencing reform to address explosive growth in prison population and costs. Supports certain civil asset forfeiture reforms. Supports funding for federal and state indigent defense programs. See page 6.</td>
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<td><strong>Federal Courts.</strong> P.L. 113-235 (H.R. 83), fiscal year 2015 consolidated and further continuing appropriations legislation, included $6.7 billion for the federal judiciary. The president’s fiscal year 2016 budget request includes $6.96 billion for the federal judiciary.</td>
<td></td>
<td>President signed P.L. 113-235 (H.R. 83) on 12/16/14.</td>
<td>Supports adequate judicial resources and opposes efforts to infringe on separation of powers or undermine the judiciary.</td>
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<td><strong>Immigration.</strong> The president announced 11/20/14 that he would take executive action to provide temporary deportation protection for up to five million undocumented immigrants. H.R. 240, fiscal year 2015 appropriations legislation, would block funding for the program. A federal district court in Texas issued a temporary injunction blocking implementation, and the Obama administration requested a stay on the injunction.</td>
<td>House passed H.R. 240 on 1/14/15.</td>
<td>Senate failed to invoke cloture on H.R. 240 on 2/4/15, 2/5/15, 2/12/15 and 2/23/15.</td>
<td>Supports comprehensive immigration reform that promotes legal immigration based on family reunification and employment skills and a path to legal status for much of the undocumented population currently residing in the United States. See page 8.</td>
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<tr>
<td><strong>Legal Services Corporation (LSC).</strong> P.L. 113-235 (H.R. 83), fiscal year 2015 consolidated and further continuing appropriations legislation, included $375 million for LSC. The president’s fiscal year 2016 budget request includes $452 million for the program.</td>
<td></td>
<td></td>
<td>President signed P.L. 113-235 (H.R. 83) on 12/16/14.</td>
<td>Supports an independent, well-funded LSC.</td>
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Congress begins fiscal year 2016 funding process

President’s budget includes increases for several programs of interest to the ABA

Congress began the fiscal year 2016 appropriations process this month, and members are weighing President Obama’s proposed budget proposals, which were sent to Capitol Hill Feb. 2 with increased funding levels for numerous programs supported by the ABA.

The president’s budget requests $452 million for the Legal Services Corporation (LSC), a substantial increase from the corporation’s current level of $375 million. In addition to his proposed increase for the LSC, the president’s request includes the following additional funding:

• Criminal Justice Programs. Four programs strongly supported by the ABA would receive more funding: the Second Chance Act, from $68 million to $120 million; a justice reinvestment initiative to analyze state and local justice systems, from $27.5 million to $45 million; the Mentally Ill Offender Treatment and Crime Reduction Act, from $8.5 million to $14 million; and Byrne Justice Assistance Grants, from $376 million to $388 million.

• Federal Judiciary. The president’s proposal for the federal judiciary, which originates in the Administrative Office of the U.S. Courts, includes $6.96 billion, compared to the current level of $6.7 billion. Additional funding would go to courthouse security, information technology and defender services.

• Immigration. The president proposes an increase for the Executive Office of Immigration Review in the Department of Justice from $347 million to $482 million. This increase would provide funds for programs to improve the level and quality of legal representation for vulnerable populations, including: providing counsel; hiring an additional 55 immigration judge teams to provide legal representation to unaccompanied minors; and expanding the Legal Orientation Program, which provides detained individuals with comprehensive information about immigration court procedures along with other basic legal information.

• Social Security. The president’s budget would provide increased funding to hire SSA administrative law judges to address the current backlog of more than one million disability appeals cases, with the funds being reallotted to the Disability Insurance Fund from the Old Age and Survivors Insurance Trust Fund.

The president’s budget plan also revives a provision from last year’s proposal that would modify the Public Service Loan Forgiveness Program to set a limit of $57,500 on the amount of federal student loans that may be forgiven under the program — a move opposed by the ABA that would impose additional financial hardship on law school graduates who often leave law school with more than $100,000 in student loan debt.

The president’s plan does not adhere to base discretionary spending caps under the Budget Control Act of 2011, instead relying on proposed spending and tax reforms to cover the proposals. The budget committees in the House and Senate are wrestling to come up with a fiscal year 2016 budget resolution for approval by the full House and Senate by the end of March. The budget resolution sets targets for other congressional committees to follow as they set spending levels for the fiscal year for programs under their jurisdictions.

Congress still not done with fiscal year 2015

Meanwhile, Congress was still struggling to meet a Feb. 27 deadline for approving fiscal year 2015 funding for the Department of Homeland Security. The agency

see “Appropriations,” page 8

TRIA reauthorization enacted quickly

Legislation reauthorizing TRIA was the first public law enacted during the 114th Congress after both the House and Senate overwhelmingly passed legislation that had been negotiated in the final days of the 113th Congress.

TRIA was first enacted in 2002 when insurers and reinsurers began excluding terrorism risk from insurance coverage after the terrorist attacks of Sept. 11, 2001. The law requires that commercial property and casualty insurers offer to include terrorism coverage in the policies they are selling, but does not require the insured parties to purchase the coverage.

P.L. 114-1 (H.R. 26), signed by the president Jan. 12, extends TRIA for six years. The ABA supports TRIA and urged the act’s reauthorization in letters last November to Congress and the Treasury Department. The association’s policy, adopted in 2007, urged Congress and the administration “to protect property owners, consumers and the U.S. economy by partnering with the insurance industry to promote the availability of terror risk insurance through legislation that continues support for market mechanisms with federal government insurance as backstop protection.”
Sentencing of Juveniles. Urges elimination of life sentences without the possibility of release or parole for youthful offenders both prospectively and retroactively, and provides youthful offenders with meaningful periodic opportunities for release based on demonstrated maturity and rehabilitation.

Criminal Justice Standards. Adopts the black letter standards, dated February 2015, to Chapter 3 (The Prosecution Function) and Chapter 4 (The Defense Function) of the ABA Standards for Criminal Justice, to supplant the Third Edition (1998) of the chapters. Each new chapter revises all of the standards in the previous edition, as well as including 21 new standards.

Death Penalty
Death Penalty Sentencing. Urges governments that impose capital punishment, and the military, to require that before a court can impose a sentence of death, a jury must unanimously recommend or vote to impose that sentence, and the jury in such cases must also unanimously agree on the existence of any fact that is a prerequisite for eligibility for the death penalty and on the specific aggravating factors that have been proven beyond a reasonable doubt.

Execution Protocols. Urges each jurisdiction that imposes capital punishment to promulgate executive protocols in an open and transparent manner; require, among other things, disclosure to the public of all relevant information regarding execution procedures; and protect media and witness rights to view the entirety of the execution process.

Disaster Response
Vulnerable Populations. Urges government authorities, when planning for and responding to disasters, to identify and address the special needs of vulnerable populations, including but not limited to individuals with disabilities, children, the frail, elderly, homeless persons, domestic violence victims, undocumented persons, the impoverished, and persons with language barriers, and to provide adequate funding to cover special needs.

Domestic Violence
Protection Orders. Urges governments to enact civil protection order statutes that extend protection to minor and adult victims of sexual assault, rape and stalking outside of the context of an intimate partner relationship, and without the requirement of any prior intimate relationship between the parties.

Housing Protections. Urges governments to adopt laws and regulations that expand housing protections for victims of domestic violence, dating violence, sexual assault, and stalking, and to enable housing providers and agencies to respond appropriately to victims and perpetrators while maintaining adequate funding to cover special needs.
a safe environment for all housing residents.

**Elder Law/Health Care**

*Advanced Illness.* Urges governments to enact legislation and regulation that will promote access to comprehensive long-term supportive services and care for persons with advanced illness, including providing advance care planning, access to palliative care, and finance and payment mechanisms.

**Immigration**

*Unaccompanied Children.* Urges enactment of laws and policies that require counsel to be appointed for unaccompanied children at government expense at all stages of the immigration process, including initial interviews before U.S. Citizenship and Immigration Services asylum offices and at all proceedings necessary to obtain Special Immigrant Juvenile Status, asylum and other remedies. Maintains that immigration courts should not conduct any hearings before an unaccompanied child has had a meaningful opportunity to consult with counsel. Urges training for state court judges and staff in handling cases involving immigrant children, and implementation of specialized calendars for timely hearing and adjudication for children applying for Special Immigrant Juvenile Status.

**Individual Rights**

*Native Americans.* Adopts the recommendations contained in the Indian Law and Order Commission’s November 2013 report to the president and Congress entitled *A Roadmap for Making Native America Safer*, except for the new circuit court provision of Recommendation 1.2, and urges their implementation. Urges Congress to establish a means of creating a consistent, uniform and predictable body of case law dealing with the civil rights issues and matters of federal law interpretation arising in Indian country.

**Stand Your Ground Laws.** Urges legislative bodies and government

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**Linda A. Klein is ABA president-elect nominee**

Atlanta lawyer Linda A. Klein was selected during the Midyear Meeting to be the association’s president-elect nominee, a step toward assuming the ABA presidency in August 2016.

During a speech to the ABA House of Delegates Feb. 10, Klein talked about the ABA’s importance in her legal career since she joined as a law student. “As my practice and client’s needs evolved, I always had the ABA along beside me,” she said, emphasizing that working together is what the ABA does best when society turns to the legal system for help with a problem it cannot solve.

“The ABA, as its leader, convenes the best minds to find solutions,” she said.

Klein, a managing shareholder in the Georgia offices of Baker Donelson, was the first woman to serve as president of the State Bar of Georgia and has held numerous positions within the ABA.

In addition to serving as chair of the House of Delegates from 2010-2011, her numerous association responsibilities have included chairing the Tort Trial and Insurance Practice Section, the House of Delegates Committee on Rules and Calendar, the Coalition for Justice, and ABA Day in Washington. She is a member of the Council of the ABA Section of International Law and also serves as a columnist and member of the Board of Editors of *Law Practice Management Magazine*.

Klein is a recipient of the 2004 ABA Margaret Brent Achievement Award and the State Bar of Georgia’s 2009 Randolph Thrower Award for Lifetime Achievement in Diversity. She is regularly named by Super Lawyers as one of the top 100 lawyers in Georgia, an honor bestowed upon only nine women in 2014. Her practice includes business dispute resolution, including contract law, employment law and professional liability.

A cum laude graduate of Union College in Schenectady, New York, she earned her law degree from Washington & Lee University.

If elected at the Annual Meeting in August, she will serve one year as president-elect of the association before beginning a one-year term as ABA president.
ABA president-elect presents indigent defense principles in NYC

*ABA principles called a “cornerstone”*

ABA President-elect Paulette Brown presented the ABA Ten Principles of a Public Defense Delivery System last month in testimony before a joint hearing held by two committees of the New York City Council that are examining how the city evaluates the effectiveness of its indigent defense services.

Brown applauded the council for tackling the indigent defense issue, saying that New York has been an innovator in holistic defense, digital forensics and community involvement.

“Indigent defense systems across the country have long been understaffed, underfunded and poorly trained,” she explained, but added that “the tide is turning” as a result of recent litigation and the creation of several indigent defense commissions.

Calling the ABA principles a “cornerstone of indigent criminal defense in America,” Brown quoted Attorney General Eric H. Holder Jr., who said the principles have “not only given shape to our aspirations, but quite literally set the standard, and developed a framework, for progress.”

Brown gave the following overview of what the council should look for in an indigent defense system:

• the right structure that includes oversight by an independent, nonpartisan board and workload limits for attorneys;
• vigorous training, supervision and evaluation of attorneys, including training regarding collateral consequences of conviction such as deportation, work restrictions and mandated offender registration;
• proper screening of clients for eligibility to ensure proper representation;
• proper space for attorneys and clients to speak confidentially, and
• sufficient time for counsel to meet with clients to discuss, law, facts and procedures.

Brown emphasized the problem with excessive workloads and directed the committee to the ABA’s Eight Guidelines of Public Defense Related to Excessive Workloads. In addition, she noted that the ABA has created a National Inventory of the Collateral consequences of Conviction to help defense attorneys understand the impact of collateral consequences and advise their clients accordingly.

Also weighing in on the issue was Norman L. Reimer, executive director of the National Association of Criminal Defense Lawyers, who emphasized that the city does not have to reinvent the wheel and should start by looking at how well the current system complies with the ABA’s principles.

“Any legislation to address quality should explicitly reference the Ten Principles as critical guideposts,” he said.

Others testifying before the council included representatives of the Legal Aid Society, the Bronx Defenders, and the Brennan Center for Justice.
EDUCATION NEEDS OF FOSTER CHILDREN: In a Feb. 2 letter to Sen. Lamar Alexander (R-Tenn.), chairman of the Senate Health, Education, Labor and Pensions Committee, the ABA urged the inclusion of a set of recommendations addressing the unique educational needs of children in foster care in the committee’s Elementary and Secondary Education Act (ESEA) reauthorization bill. ABA Governmental Affairs Director Thomas M. Susman emphasized in the letter that research has shown that far too many students in foster care are not succeeding in school and a concerted effort is needed to address their unique educational needs. The ABA recommendations, which build on complementary obligations already required of child welfare agencies in federal law, include: the right for a child to remain in the same school despite a change in placement; the right for the student to enroll immediately, regardless of any records requirements, when a school change is necessary; provisions to ensure that schools maintain and quickly transfer any records; a required point of contact designated to assist a foster child in his or her educational career and changes; the collection and sharing of information on foster children’s education; the requirement that students get credit for work completed when switching schools; and the requirement that the involved agencies plan and implement transportation plans to and from school for foster children. Alexander and the committee’s ranking member, Sen. Patty Murray (D-Wash.) are working together to draft legislation to reauthorize the ESEA, which was first enacted in 1965 and most recently reauthorized in 2002 as the No Child Left Behind Act, a law that has been criticized by many, including Alexander and Murray, for stringent testing requirements.

IMMATE CALLING SERVICES: In response to a second call for comments, the ABA recently urged the Federal Communications Commission (FCC) to use its rulemaking authority to do more to address the extremely high phone rates that families are required to pay for phone contact with incarcerated family members. In Jan. 26 comments to FCC Chairman Julius Genachowshi, the ABA emphasized that a prisoner’s ability to maintain a close connection with his or her family and community while incarcerated rests largely on phone calls. Until 1984, commercial payphone services within state correctional facilities across the country were operated almost exclusively by AT&T and offered at the same price as similar services offered to the general public. Since 1984, after AT&T was broken up due to antitrust violations, states have entered into individual exclusive agreements with a host of telecommunications providers that have resulted in very high rates paid to companies that return the largest portion of revenue to the states through site commissions. Although the FCC has taken important initial steps toward excessively high interstate phone rates by adopting interstate rate caps and requiring data collection, the agency has done nothing with regard to intrastate rates. The ABA’s Standards on the Treatment of Prisoners emphasized that correctional facilities should initiate re-entry planning during incarceration; ensure open and affordable lines of communication between a prisoner and the prisoner’s family and community; and not burden the prisoner with arbitrary fees while he or she is incarcerated. The ABA comments recommend that the FCC ensure that rates are just and reasonable through removing barriers to entry for competing telecommunications providers, barring site commissions, and enforcing caps on prison phone call rates, especially intrastate calling rates.

OLDER AMERICANS ACT (OAA): The Senate Health, Education, Labor and Pensions Committee unanimously approved ABA-supported legislation Jan. 28 that would reauthorize the OAA through 2018. ABA Governmental Affairs Director Thomas M. Susman expressed the association’s support for the bill, S. 192, in a Jan. 26 letter to committee Chairman Lamar Alexander (R-Tenn.) and Ranking Member Patty Murray (D-Wash.) and noted the ABA’s long history on elder law issues. “For more than 30 years, the American Bar Association has been a strong advocate on issues that help Americans age with dignity, security, and quality of life,” Susman wrote. “The Older Americans Act authorizes and oversees many vital programs and services, and it provides critical legal assistance to protect the rights of vulnerable seniors.” The ABA views reauthorization as an “important opportunity for Congress to reaffirm and refine our country’s commitment to a safe, secure, and dignified life for all older Americans,” he said. Susman applauded the inclusion of provisions to ensure independence and avoidance of conflicts for long-term care ombudsmen, and he stressed the importance of the bill’s focus on elder abuse and the inclusion of legal services under the legislation’s definition of “adult protective services.” He noted, however, that the ABA would have liked the bill to also include measures to develop coordinated legal service delivery systems and strengthen legal service developers.
ABA cites serious need to evaluate immigration detention

Stresses importance of legal representation

Appearing at a Jan. 30 briefing before the U.S. Commission on Civil Rights, Karen Grisez, former chair and special advisor to the ABA Commission on Immigration, stressed the “serious need to evaluate the United States’ system of immigration detention and the deleterious impacts it has on individuals and families.”

The commission briefing focused on the civil rights of the more than 400,000 individuals detained annually by Immigration and Customs Enforcement (ICE) while awaiting the outcome of their immigration cases. Despite ICE’s civil legal authority, the U.S. immigration detention system has traditionally held detainees in jails and in jail-like facilities. Of the more than 33,000 daily detention beds available to ICE, over half are rented from private prisons and state and local jails.

The numbers of those detained are only growing, Grisez said, with detention sometimes lasting months to years before an individual’s fate is determined. This “loss of liberty” has punitive effects and can disproportionately affect those who are already more at risk, she explained.

“The impact of detention is particularly negative for certain vulnerable groups, such as families enduring indefinite separation, asylum-seekers and victims of crime suffering from trauma and fearful of government authority, and those with physical or mental conditions that may be exacerbated by the lack of adequate medical care,” she emphasized.

Due to the adverse impact of detention, including the difficulty immigration detainees face in receiving legal representation, the ABA opposes detention except in circumstances where the individual presents a threat to national security or public safety, or is a flight risk. The ABA instead supports humane alternatives to ensuring individuals appear in court and supports consistent standards for those who are detained to ensure individual rights and humane treatment.

The ABA and other organizations worked with the government to develop National Detention Standards that took effect in 2001 and were updated in 2008 and 2011. Through its Detention Standards Implementation Initiative, the ABA Commission on Immigration recruits pro bono lawyers to tour and report on certain detention facilities to evaluate the implementation of the National Detention Standards.

Grisez testified. “As evidenced by the continuing complaints that the ABA receives from detainees and other sources, it appears that ICE’s annual inspection process alone is not an adequate mechanism for ensuring full detention standards compliance by all facilities,” she said.

In addition to the National Detention Standards, ICE has developed civil detention principles as part of a plan to reform its detention system, but the agency has not adopted or created detention standards that would require a transition to a civil immigration detention system. The ABA adopted its own set of Civil Immigration Detention Standards in 2012 which provide that individuals should be kept in as close to normal living conditions as possible except for those cases where the individual poses a danger.

Grisez also emphasized the importance of access to legal representation for detainees, citing that 50 percent of noncitizens in immigration proceedings are without legal counsel – a percentage that rises to 80 percent for those in detention. This is partially due to cost and, for those in detention, remote facility locations and communication barriers. When those who seek asylum do have representation, she explained, their success rate goes up.

She highlighted the ABA’s pro bono representation projects in Harlingen, Texas, and San Diego, California, and also expressed support for the federal Legal Orientation Program (LOP), which educates detainees about the immigration system through presentations by nonprofit organizations. The ABA urges that LOP, now available in 30 detention facilities, be expanded to all detained persons in removal proceedings.
ABA Legislative and Governmental Priorities
114th Congress

Access to Legal Services

• Funding for the Legal Services Corporation
• Legal protection and assistance for members of the military, veterans, and family members

Civil Justice System Access

• Opposition to proposals that limit access to, or redress by, the civil justice system

Criminal Justice System Improvements

• Federal sentencing reform to address explosive growth in prison population and costs
• Reform of federal laws to provide early release from prison, reduce recidivism, and overcome collateral consequences of conviction
• Reauthorization of the Juvenile Justice and Delinquency Prevention Act
• Funding for federal and state indigent defense programs
• Elimination of racial and ethnic discrimination and unjustified racial and ethnic disparities in the criminal justice system

Elimination of Discrimination

• Enactment, enforcement and preservation of laws to eradicate discrimination in public life, including employment and voting rights discrimination

Immigration Reform

• Comprehensive immigration reform
• Access to counsel, including appointed counsel for unaccompanied children, and reform of the overburdened immigration court system
• Opposition to mandatory detention of individuals in removal proceedings and support for strengthening the detention standards and promulgating them into enforceable regulations

Independence of the Judiciary

• Prompt filling of judicial vacancies
• Support for adequate judicial resources
• Opposition to efforts that infringe on separation of powers or undermine the judiciary

Independence of the Legal Profession

• Opposition to federal legislation requiring many law firms to use the accrual method of accounting and pay taxes on “phantom” income before it is received
• Support for the attorney-client privilege and work product doctrine and opposition to federal government policies that erode those fundamental legal protections
• Opposition to federal legislation and agency rules imposing excessive new regulations on lawyers engaged in the practice of law, interfering with the confidential lawyer-client relationship, or undermining traditional state court regulation and oversight of lawyers and the legal profession

International Rule of Law

• Funding for domestic and international agencies and programs that promote the rule of law
• Ratification of certain international treaties, including the Convention on the Law of the Sea, the Rome Statute for an International Criminal Court, the Convention on the Elimination of All Forms of Discrimination Against Women, and the Convention on the Rights of Persons with Disabilities

Legal Education

• Support for public service loan repayment programs for law school graduates and others

National Security and Civil Liberties

• Support for cybersecurity legislation consistent with enumerated principles and for policies to prevent unauthorized intrusions into the computer systems and networks utilized by lawyers and law firms
• Support for prosecution in Article III courts of Guantanamo detainees charged with criminal violations unless the Attorney General certifies otherwise
• Reauthorization of the Terrorism Risk Insurance Act
Entitles to refrain from enacting Stand Your Ground Laws that would eliminate the duty to retreat before using force in self-defense in public spaces, or to repeal such existing Stand Your Ground Laws. Urges those jurisdictions that choose not to repeal such laws to, among other things: eliminate the civil immunity provisions; prohibit the use of the Stand Your Ground defense when force is used against a law enforcement officer; develop strategies to combat the apparent racially disparate impact of the laws; and ensure that jury instructions are drafted in plain language to enhance clarity and the jurors’ understanding of the applicable Stand Your Ground Laws and their limitations.

Consumer Protections. Urges governments to continue to enforce and enact rules or legislation that strengthen consumer protections regarding deceptive or fraudulent loan foreclosure rescue practices, and supports ongoing efforts of state courts and lawyers disciplinary agencies to investigate allegations of deceptive or fraudulent loan foreclosure rescue practices by lawyers and, when appropriate, to prosecute and discipline lawyers who commit this type of misconduct.

Legal Education

Debt Management. Encourages law schools to offer comprehensive debt counseling and debt management education to all currently admitted and enrolled law students, and encourages bar associations to offer similar courses to young lawyers and newly admitted lawyers.

Tort Law

Wild Animals (105). Urges enactment of comprehensive laws that prohibit, unless otherwise exempted, the private possession, sale, breeding, import or transfer of dangerous wild animals, in order to protect public safety and health, and to ensure the humane treatment and welfare of such animals. Urges that such laws should include reasonable exemptions.

Uniform State Laws

The delegates approved the following uniform state laws promulgated by the National Conference of Commissioners of Uniform State Laws: Uniform Fiduciary Access to Digital Assets Act; Uniform Recognition of Substitute Decision-Making Documents Act; and Uniform Voidable Transactions Act.

Vanessa P. Williams (at podium), chair, ABA Commission on Youth at Risk, welcomes panelists and attendees to a program on disciplining children. The panelists were (from left): moderator Linda Britton, director, ABA Commission on Youth at Risk; Dr. Carla Adkison-Johnson, Western Michigan University; Dr. Elizabeth Ger shook, University of Texas, Austin; Howard Davidson, director, ABA Center on Children and the Law; and Dallas attorney Mary Scanlon.