"Vanishing Trial" Trend Being Examined

Numerous Award Deadlines Approaching

ABA Career Resource Center Looking for Input

Please contact Dan Rubin at drubin@staff.abanet.org with any questions regarding the Memo or programs mentioned.

To view previous editions of the Memo, please visit our archives.

To view the printable version of the Memo, please go the this page.
Financial Responsibility Model Rule to Be Presented to ABA House of Delegates in Atlanta

The Standing Committee on Client Protection will recommend to the ABA House of Delegates the adoption of a new Model Rule on Financial Responsibility. According to Robert Welden, chair of the committee, the new model rule "would require lawyers to disclose on their annual registration statement whether they maintain professional liability insurance or another form of adequate financial responsibility. Failure to make the required disclosure would not be a disciplinary offense but would result in a lawyer's administrative suspension until such time as the lawyer complies with the Rule." The proposed rule can be viewed on the Web at [www.abanet.org/cpr/financialresponsibility.html](http://www.abanet.org/cpr/financialresponsibility.html).

The committee will recommend the changes at the 2004 ABA Annual Meeting in Atlanta, GA. Interested parties are welcome to submit comments to the committee. The deadline for the submission of comments is February 28, 2004. Comments should be sent to John Holtaway, Client Protection Counsel, at 312/988-5298 or jholtaway@staff.abanet.org.

"Vanishing Trial" Trend Being Examined by Section of Litigation

The ABA Section of Litigation is in the midst of studying the trend of fewer legal cases going to trial. The section is trying to determine the root causes of the decline and if it is healthy for the American system of justice. The section recently held a conference on the issue in San Francisco and has issued a report on the subject. The report can be viewed at [www.abanet.org/litigation/taskforces/cji/nosearch/home.html](http://www.abanet.org/litigation/taskforces/cji/nosearch/home.html). For more information, please contact Darme McCoy at 312/988-6140 or darmeamccoy@staff.abanet.org.

Bar Leadership Institute Keynote Speaker Confirmed

The 2004 Bar Leadership Institute (BLI) will be held from March 11 - 13 at the Marriott Hotel in downtown Chicago. The BLI, sponsored by the ABA Standing Committee on Bar Activities and Services and the Division for Bar Services, is the premier leadership training conference for bar presidents-elect and other presidential-track officers. During the three-day conference, bar leaders will learn from their peers and experts in the areas of bar leadership, governance,
communications and finance. Executive directors are encouraged to attend with their officers, as the shared BLI experience provides an opportunity for planning and team building.

Dr. Benjamin Hooks, former executive director of the National Association for the Advancement of Colored People (NAACP), will be the keynote speaker for the Institute. Dr. Hooks will share his experiences as a lawyer, judge, pastor and civil rights advocate as he addresses the BLI audience on leadership.

Registration materials will be mailed in mid-December and will also be available online at www.abanet.org/barserv/bliregistrationform.html. The BLI Web site, www.abanet.org/barserv/bli.html, also has a wealth of information including last year's program, an in-depth overview of the conference, and other materials. Questions about the BLI? Please contact Beverley Ware at 312/988-5353 or bware@staff.abanet.org.
Nominations Sought for 2004 Harrison Tweed Award

The ABA Standing Committee on Legal Aid and Indigent Defendants and the National Legal Aid and Defender Association are looking for nominations for the 2004 Harrison Tweed Award.

Named for an outstanding leader in the development of free legal services to the poor, the Harrison Tweed Award was created in 1956 to recognize the extraordinary achievements of state and local bar associations that develop or significantly expand projects or programs to increase access to civil legal services to poor persons or criminal defense services to indigents.

The award will be presented in August at the 2004 ABA Annual Meeting in Atlanta, GA, in recognition of work accomplished during the year beginning April 1, 2003. Projects that began prior to that date will be considered if substantial services have been provided between April 1, 2003, and March 31, 2004. Nominations must be postmarked by April 1, 2004.

A full description of the award, past recipients and nominating procedures are available at [www.abanet.org/legalservices/sclaid/harrisontweedmain.html](http://www.abanet.org/legalservices/sclaid/harrisontweedmain.html) or by contacting Janice Jones at janicejones@staff.abanet.org or 312/988-5767.

John Marshall Award Recognizes Positive Forces on Justice System, Deadline is March 12

The ABA Justice Center is seeking nominations for the 2004 John Marshall Award, honoring an individual who has made a positive national impact on the justice system. The deadline for nominations is March 12, 2004.

The award was established in 2001 to honor John Marshall, fourth chief justice of the United States, who is credited with establishing the independence of the judiciary and enhancing its moral authority.

Nominees may be non-lawyers. Eligibility is open to any individual responsible for extraordinary improvements to the administration of justice in the categories of judicial independence, justice system reform, and public awareness about the justice system.

Nominations should include an entry form which can be found at [www.abanet.org/legalservices/sclaid/harrisontweedmain.html](http://www.abanet.org/legalservices/sclaid/harrisontweedmain.html)
www.abanet.org/justicecenter. Also needed are a resume or biographical sketch, description of the nominee's contribution or impact, letters of support (limit five), and any other pertinent information.

For more information, please contact Marcia Kladder at 312/988-5722 or kladderm@staff.abanet.org.

## Fordham Award Looking for Nominations, Award Honors Achievements in State and Government Law

The ABA Section of State and Local Government Law established the Jefferson B. Fordham Awards Program in 1998 to recognize and honor the accomplishment of practitioners and institutions active in the varied areas of practice associated with state and local government law. The award honors outstanding attorneys and law offices that have achieved professional excellence within this area of the profession. The award may be presented in the following categories on an annual basis:

- **a.) Law Office Accomplishment** - Eligible candidates include all state and local government public sector law offices, including departments or units within such offices.
- **b.) Lifetime Achievement** - Recognizes outstanding contributions to the practice of state and local government law by an individual over an entire career.
- **c.) Advocacy** - Recognizes outstanding advocacy or legal writing within the area of state and local government law.
- **d.) Up & Comers** - Presented to a young practitioner (thirty-six or under) as defined by the ABA who, through his or her efforts and accomplishments, shows great promise to continue these contributions for future achievements.

Nominations must be received by March 1, 2004. The section's award committee will select recipients by July 1, 2004, and the awards will be presented at the ABA Annual Meeting at a special luncheon in Atlanta in August.

For more information and detailed guidelines, please contact Jackie Baker at 312/988-5652 or jlbaker@staff.abanet.org.

## Judicial Division Offers Numerous Awards for Bar Associations, Lawyers

The ABA Judicial Division is offering numerous awards for lawyers, judges and organizations. Bar associations are encouraged to nominate candidates. The awards are:

### Excellence in Judicial Administration Award

The Excellence in Judicial Administration Award is presented by the ABA Judicial Division Lawyers Conference to recognize an individual who has shown extraordinary achievement in judicial administration.

### Judicial Education Award

The Judicial Education Award is presented by the ABA Judicial Division National
Conference of Specialized Court Judges to a person, institution or education/training entity in recognition of superior efforts in providing high quality education for judges.

**Franklin N. Flaschner Judicial Award**
The Franklin N. Flaschner Judicial Award is bestowed annually by the ABA Judicial Division National Conference of Specialized Court Judges. It memorializes the late Chief Justice of the District Court of Massachusetts, Franklin N. Flaschner, who advanced the important contributions of judges of courts of limited jurisdiction around the country.

**William R. McMahon Award**
The William R. McMahon Award is presented annually by the ABA Judicial Division National Conference of Specialized Court Judges to a judge, court employee or attorney who has made the most significant implementation of technological advances in a court of limited or special jurisdiction.

Nominations for the 2004 Awards are due in the Judicial Division staff offices no later than March 5, 2004. To download the application forms and rules, please visit [www.abanet.org/jd/awards/2004/home.html](http://www.abanet.org/jd/awards/2004/home.html). For more information, please contact Kris Berliant at 800/238-2667 ext. 5700 or berliank@staff.abanet.org.

All awards will be presented at the Judicial Division Awards Luncheon on Friday, August 6, 2004 at the ABA Annual Meeting in Atlanta, GA.

**Senior Lawyers Pro Bono Award Looking for Nominations**

Nominations are being accepted for the 2004 Senior Lawyers Division Pro Bono Award. The award honors individual senior lawyers, who are 55 years of age or older as of July 1, 2004, and who do not obtain their principal income through employment by a legal services organization or by delivering legal services to the poor.


The award recipient will be announced by May 2004, and the award, which will be an engraved plaque commemorating the honor, will be presented to the recipient at the Senior Lawyers Division Dinner during the ABA Annual Meeting in Atlanta, GA, in August 2004.

For more information, please contact Angela Boykin at 312/988-5565 or boykinaa@staff.abanet.org.

**Business Law Section Nominations for Pro Bono Award**

The ABA Section of Business Law Committee on Pro Bono is accepting nominations for its 2004 National Public Service Award. The award recognizes
significant pro bono legal services, which demonstrate a commitment to providing services to the poor in a business context. Because of the increasing number of nominations each year, the pro bono committee will again present two awards: one recognizing the pro bono contributions of an individual and one recognizing those of a firm/company. For more information on the award, including nomination guidelines, please visit www.abanet.org/buslaw/probono/award.html or contact Nhu Ly at lynnlu@staff.abanet.org or 312/988-6710. The award will be presented at the Section's 2004 Spring Meeting to be held in Seattle, WA.
ABA Career Resource Looking for Input from Bar Associations

The ABA Career Resource Center is working on an online project, "Lawyers as Leaders." If your bar association has literature on leadership, or have run programs on leadership that the center can highlight, please send the relevant information to Jill Eckert McCall by email: eckertj@staff.abanet.org; fax: 312/988-5368 or mail: ABA Career Resource Center, 541 N. Fairbanks Court, 16th Floor, Chicago, IL 60611-3314. For more information about the project, please call 312/988-6215.

The center is also working on a "Pathways to the Bench" Project, and information about becoming a judge is needed. If your bar offers such a program or related resources, please contact Jill Eckert McCall at eckertj@staff.abanet.org, or 312/988-6215.

Directory of Senior Lawyer Groups Currently Being Updated

The ABA Senior Lawyers Division is revising the online Directory of Senior Lawyer Groups. The Directory lists bar association senior lawyer group activities, publications, services and more. The response deadline is by January 9, 2004. Visit www.abanet.org/srlawyers/directory_update.html to download a faxable form or to complete the online form.

Rule 11 Sanction Book Now Available for Purchase

Georgene Vairo, the leading authority on Rule 11, has updated and expanded her book, Rule 11 Sanction: Case Law, Perspectives and Preventive Measures Third Edition. The book provides over 1,000 pages of material. This exhaustive study includes:

- History and overview of Rule 11 and an overview of the practice under Rule 11.
- Applicability of Rule 11 - the meaning of reasonable inquiry; complying with the reasonable inquiry requirement; district court procedure; appellate procedure and problems.
- Types of sanctions; who may be sanctioned; Rule 11 by the Circuit and other federal sanction tools.

To assist in your research, the book also includes an extensive bibliography, practice and research guide, including listings of annotations, books and treatises, law review materials, practice resources, reports and studies and various materials related to discovery sanctions, and internet resources.
ABA Book Publishing Distributor Discount Program - New Offering

The ABA Book Publishing Group has announced a new way of getting publications into the hands of your members and generating revenues along the way. The program allows bar associations to buy any ABA publication at a 40% discount. To eliminate the hassle of your staff fulfilling orders, email or fax us your order and we'll ship directly to your customer and invoice you at a 40% discount. You bill your customer and make a profit for your association!

Your members benefit, your bottom line benefits and there is no risk to you. There are no minimum quantities, time limits or hidden charges. Discover what many state, local and specialty bar associations have already discovered - selling ABA books is a profitable way to deliver valuable information to your members.

For more information on becoming a distributor, please contact Catherine Flanagan at 312/988-6112 or flanagac@staff.abanet.org.
Spring Conference of Dispute Resolution Set for New York in April

The annual Spring Conference of the Section of Dispute Resolution will be held in New York City from April 15 - April 17, 2004. The meeting will feature a keynote address on reparations and a discussion on corporate ethics. Other topics that will be discussed include community and peer mediation, ethics and other hot topics. For registration information and a complete agenda, please visit www.abanet.org/dispute/conference/6th/home.html. For more information, please contact Kyo Suh at 202/662-1688 or kyosuh@staff.abanet.org.

National Conference on Professional Responsibility

The ABA Center for Professional Responsibility is holding the 30th annual National Conference on Professional Responsibility on June 3-5, 2004, in Naples, FL, at the Registry Resort. Attendees have the opportunity to collect information and discuss current issues and problems in the area of professional responsibility with leading experts, scholars and practitioners from across the country. Conference faculty include recognized experts on professional responsibility who provide written materials, present plenary discussions and direct panel workshops open to audience participation. The conference programs address recent trends and developments in legal ethics, professional discipline for lawyers, professionalism and practice issues. For more information, including the conference schedule, see the conference Web site at www.abanet.org/cpr/prconf.html or contact the center at ctprofresp@abanet.org.

In addition, The ABA's Standing Committee on Client Protection's National Forum on Client Protection will take place during the conference. The National Forum on Client Protection is an informational and educational program for professionals working in the area of client protection: including client protection funds, fee arbitration and lawyer-client dispute resolution programs.

For more information, please contact John Holtaway at 312/988-5298 or jholtaway@staff.abanet.org. Registration materials will be mailed in February 2004 and will be available online at www.abanet.org/cpr/prconf.html.
Miscellaneous Memo#103
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#102
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#101
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#100
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#99
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#98
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#97
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#96
Now Online!
(in Adobe Acrobat Format)

Miscellaneous Memo#95
Now Online!
(in Adobe Acrobat Format)
In order to view Adobe Acrobat documents, you will need to download Adobe's free Acrobat Reader. Once you have Acrobat Reader, download the file and then open it in Acrobat Reader.