

Leadership Coalition for Solo and Small Firm Lawyers

The Leadership Coalition for Solo and Small Firm Lawyers first met at the 2010 American Bar Association Mid-year Meeting in Orlando, Florida, to discuss cooperation between ABA State Delegates (and other Association leaders) and the ABA General Practice, Solo and Small Firm Division Executive Committee to gauge interest in organizing a leadership group to work on behalf of solo and small firm lawyers' issues within the ABA structure and to develop programs and policies for the ABA that would promote solo and small firm lawyer participation in the ABA. The Coalition was Chaired by James M. Durrant III (GPSolo Immediate Past Chair) and James R. Silkenat (former ABA State Delegate from New York). There was also strong participation by Joseph A. DeWoskin (GPSolo Chair), Laura V. Farber (GPSolo Chair-Elect), and Harvey B. Rubenstein, ABA State Delegate from Delaware. At that time, there were more than 50 members participating in the Coalition, including 23 ABA State Delegates (the leaders of the various State Delegations in the ABA House of Delegates). There was considerable interest and enthusiasm from this group to support solo and small firm issues. A Coalition conference call in May and a subsequent in-person meeting in August at the ABA Annual Meeting in San Francisco, California, were held. Some substantive issues the Coalition has identified include: Ethics 20/20; technology, communications, and support; ABA dues and membership; ABA appointments to Standing Committees and Commissions; resolutions for the ABA House of Delegates; and support from the ABA Conference of State Delegates. GPSolo has been able to inform State Delegates and other Association leaders about the many products and services the Division already has produced and to encourage membership in the Division. The Coalition will meet this February at the 2011 Midyear Meeting in Atlanta, Georgia. If you have any questions or know of an ABA State Delegate or other leader who would like to participate, please contact Joseph DeWoskin (j.dewoskin@wbbdlaw.com) or James Silkenat (jsilkenat@sandw.com).

GPSolo Division Nominating Committee Report

The ABA General Practice, Solo and Small Firm Division Nominating Committee, consisting of Chair N. Kay Bridger-Riley, Chauntis T. Jenkins, Alan O. Olson, Stephen B. Rosales, and Patricia A. Sexton, met during the 2010 Fall Meeting in Austin, Texas. The Committee submitted the following slate for the election of Officers and Council Members-at-Large for the 2011–2012 Bar Year pursuant to Article 7 of the GPSolo Division Bylaws.

For the position of Division Vice Chair, the Committee nominates Jennifer A. Rymell of Fort Worth, Texas. She currently serves our Division as Secretary.

For the position of Division Secretary, the Committee

nominates Amy Lin Meyerson of Weston, Connecticut.

For the position of Council Member-at-Large, the Committee nominates Noah C. Davis of Seattle, Washington.

For the position of Council Member-at-Large, the Committee nominates Rick L. Lambert of Dallas, Texas.

For the position of Council Member-at-Large, the Committee nominates Jeffrey C. Robinson of Selma, Alabama.

For the position of Council Member-at-Large, the Committee nominates Sarah Sharp Theophilus of Sioux Falls, South Dakota.

For the position of Council Member-at-Large, the Committee nominates H. F. "Sparky" Gierke of Orlando, Florida.

The GPSolo Division wishes to thank all of the candidates who submitted nominations for the positions of Officers and Council Members-at-Large, and for their support to the Division.

A complete Nominating Committee report is posted on the GPSolo Division's website at www.abanet.org/genpractice and is published in the January 2011 issue of the *The Buzz* e-newsletter, distributed to all members of the Division.

For further information you may contact the GPSolo Division office at 312/988-5648 or genpractice@americanbar.org.

2011 GPSolo Division Spring Meeting

May 12–14

Four Seasons Hotel St. Louis

St. Louis, Missouri

Don't forget to register for the ABA GPSolo Division's Spring Meeting cosponsored by the Bar Association of Metropolitan St. Louis. Meeting highlights include: on Thursday, May 12, a welcome reception; on Friday, May 13, committee meetings, the Solo and Small Firm Awards Ceremony, a networking event at the St. Louis Zoo, and the hospitality suite; and on Saturday, May 14, committee meetings, the Division Council meeting, and the hospitality suite.

The Division has reserved a number of rooms at a reduced rate, which are available on a first-come, first-served basis until Wednesday, April 20, 2011, at 5:00 pm (CST). To receive the special room rate of \$169, which includes complimentary high-speed wireless Internet, please contact the hotel directly at 314/881-5800 and identify yourself as an ABA GPSolo attendee. It is recommended that you confirm your reservation early in order to guarantee your preferred dates. Please check with the hotel to confirm the cancellation policy for individual guest room reservations. **GPSOLO**

Solo and Small Firm Lawyers: An ABA Opportunity

By James R. Silkenat and Harvey B. Rubenstein

The individual lawyer, usually in solo or small firm practice, has been a starring figure in American life and in the American imagination since our country's earliest days. From Abe Lincoln, to Atticus Finch, to the lead characters in John Grisham novels, the solo lawyer has been a talisman for righting wrongs, correcting injustices, and outsmarting the other guys.

In its early days, the American Bar Association (ABA), like most law-related organizations, was composed primarily of solo and small firm practitioners: lawyers who went to court every day or who prepared wills or contracts for the real people who were their clients. As American business life became more complicated, however, the legal profession that served it also became more complex. Increasingly large corporations and conglomerations were provided legal counsel by law firms of increasing size and structure.

Somewhere along the line, the ABA's attractiveness to, and interest in, solo and small firm lawyers began to falter. The percentage of ABA members who came from firms with more than a dozen lawyers became substantially larger. Of the more than 427,000 solo lawyers currently practicing in the United States, only some 25,000 are ABA members (approximately 6 percent). Of the 133,500 small firm lawyers (those in firms of two to five lawyers) practicing in the United States, only 22,000 (or about 17 percent) are ABA members. With overall ABA membership at 386,100, any significant increase in solo and small firm lawyer participation in the ABA would be a huge boost and would make the organization much more broadly representative of the legal profession than it has been in recent years.

James R. Silkenat (jsilkenat@sandw.com) is a former ABA State Delegate from New York, and Harvey B. Rubenstein (hbrdelaw@aol.com) is the current ABA State Delegate from Delaware. Both are members of the ABA House of Delegates and are active participants in the ABA's Leadership Coalition for Solo and Small Firm Lawyers.

There are myriad reasons for this recent lack of strong participation in the ABA by solo and small firm lawyers. Some are the fault of the ABA in failing (except through its excellent General Practice, Solo and Small Firm Division) to have programs of interest to solo members; and some are endemic to this part of the legal profession, where margins are typically thin and where time and travel budgets are under constant pressure.

With minor exceptions, the ABA has, until recently, not seen the solo and small firm lawyer as an audience to which it ought to devote special attention. This shortsightedness began to change even before the 2009 economic crisis, when a number of ABA leaders saw the solo and small firm sector of the legal community as an untapped resource, both in terms of talent and in terms of substantive contributions to be made to the legal profession and the Association.

Although the ABA's decision to reduce dues for solos (but not yet for small firm practitioners) is helpful, the actual problem runs deeper, and, as a result, the solution must be broader. As long as the ABA is seen as an organization that ignores the problems and issues of solo and small firm lawyers, solos will continue to regard the ABA with suspicion and indifference and as irrelevant to their practices. Therefore, the solution must meet that perception head-on. The ABA must find the innovative means to support solos who have chosen to represent ordinary people with human problems. More than that, it must include realistic avenues for solos to share in important policy decisions of the ABA and in the organizational structure that gives rise to those decisions.

What is needed is an altered culture within the ABA that dares, without apology, to embrace the ABA as an effective and efficient organization supporting all lawyers struggling to exist in places where the rubber meets the road. When solos believe that the ABA stands for the principle that the American lawyer is more than a unit of work in a long chain, when solos trust that in the final analysis they are not simply the timely target of an ABA marketing strategy, and when solos understand that the empathy is real, then they will join and become an active part of our Association. Toward that end, the ABA's Leadership Coalition for Solo and Small Firm Lawyers has been created.

The Coalition, while organizationally housed within the ABA General Practice, Solo and Small Firm Division, is largely composed of ABA State Delegates and other Association leaders who are specially attuned to the needs and interests of solo and small firm lawyers. Among the goals of the Coalition are to:

- work with ABA senior staff, including Executive Director Jack Rives, to make sure that solo issues are considered at all levels of the ABA;
- include solo and small firm lawyers in ABA decision-making on important substantive issues

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COMMENTARY

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- such as Ethics 20/20, opposition to multidisciplinary practice, regulation of the legal profession, and coordination with state and local bars;
- support the special technology and communication needs of solo and small firm lawyers;
- urge the appointment of solo and small firm lawyers to ABA Standing Committees and Commissions and the election of solo and small firm lawyers to leadership positions within ABA Sections, Divisions, and Forums; and

- sensitize the ABA leadership to continuing membership cost issues for this important segment of the bar.
- More than anything else, the ABA's Leadership Coalition for Solo and Small Firm Lawyers wants the ABA to be an effective and valuable home for this portion of the profession. If additional steps can be taken in pursuing that goal, many of the financial and representational issues currently facing the ABA can be greatly reduced. Our hope is that the Coalition can help speed this process along. **GPSOLO**