

ABA Midyear Meeting to Convene in Orlando



More than 3,000 lawyers and their families are expected to gather in Orlando for the 2010 ABA Midyear Meeting, being held from February 3rd to 9th. During the conference, the Section will award the ninth annual Father Robert F. Drinan Award for Distinguished Service, present a program on same-sex adoption rights, and hold the Winter Council Meeting.

On Friday, Feb. 5, the Section will present the Drinan Award to former Section Chair Llewelyn Pritchard, an attorney in the Seattle law firm of Helsell Fetterman, LLP who specializes in family law, estate planning, and not-for-profit law. Llew has been a member of the ABA for nearly 40 years and has served as both a member of the House of Delegates and the Board of Governors. In announcing the award, Section Chair Richard J. Podell said, "Llew Pritchard is what's right and good about the

ABA. He sacrifices his personal time and resources to help others less fortunate. He has been a great leader within the Individual Rights Section as well as in the Family Law Section, Board of Governors, the Immigration Commission, the Center for Human Rights, World Justice Project and Senior Lawyers Division. He has an indefatigable commitment to making the American Bar Association more responsive to the needs of our country and the world today. Most importantly, Llew Pritchard is a wonderful human being who has made those around him better for knowing him." In addition to his work for the ABA, Llew is actively involved in his Seattle community. He has served on the boards of the Eastside YMCA, National Symphony Orchestra, and the Museum of Glass. This year's award will be presented during an evening reception at the Walt Disney World Dolphin Hotel.

Prior to the reception on Friday, the Section will present a program entitled, "How a Battle for Adoption Rights Became a 1st Amendment Keller Issue." The program will feature a panel discussion on same-sex adoption rights in relation to two recent court decisions in Florida, *In re: Gill* and *Liberty Counsel v. FL Bar Board of Governors*. These decisions have placed Florida at the center of the struggle against banning adoption and fostering by gay

people. While these decisions were hailed as important victories by lesbian, gay, bisexual and transgender (LGBT) advocates, they have had serious implications far beyond the sphere of parenting rights and LGBT equality. Distinguished panelists Kara Suffredini, Judge Mark King Leban, Carlos A. Ball, and Wayne Larue Smith will take an in-depth look at what these decisions mean for individuals, their rights, and the first amendment.

For more information on the Midyear Meeting, including program times and locations, please see the Midyear Meeting Section Schedule on page 6, or refer to the Midyear Meeting webpage at www.abanet.org/midyear/2010.



Llewelyn Pritchard to receive 2010 Robert F. Drinan Award for Distinguished Service

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Download a copy of IRR News Report at <http://www.abanet.org/irr/newsreport.html>

AIDS Coordinating Committee to Present HIV/AIDS Law and Practice Conference at Midyear Meeting

On Feb. 3-4, the Section-housed ABA AIDS Coordinating Committee, chaired by IRR Council member Shelley D. Hayes, will present its bi-annual conference on *HIV/AIDS Law and Practice: Taking Stock, Looking Ahead*, during the ABA Midyear Meeting in Orlando. The conference is a pre-eminent, multi-disciplinary continuing legal education (CLE) and continuing medical education (CME) event addressing HIV/AIDS-related legal and policy issues. This year's conference will also feature a first-ever track designed specifically for health-care providers, case workers, case managers, and social service professionals to examine how HIV-related law and policy affects their work and, in turn, to enlighten lawyers about their needs and experiences

in working with HIV-positive patients.

The program is comprised of numerous plenary, workshop and roundtable sessions featuring distinguished experts from law and medicine. Among the wide-ranging topics will be:

- Cities at the Forefront: Municipal Responses to HIV
- What's New? Recent Litigation and Legislation
- Ryan White Reauthorization: 2009 - 2013
- How to Get Grant Funding and How

(Continued on page 3)

Legislative Update

The 111th Congress' fall session agenda was dominated by health care reform. Just in time for its self-imposed Christmas deadline, the Senate passed on Dec. 24, by a 60-39 vote, HR 3590, the *Patient Protection and Affordable Care Act* (the Senate co-opted HR 3590 as a vehicle of passage for its reform because it is required by the Constitution that all revenue bills begin in the House and the Senate's health care reform undoubtedly involves revenue). Democrats now have the challenge of merging the House and Senate bills, which take differing stances on such contentious issues as abortion funding and providing a public option. Democrats hope to bring the new bill to the floor for vote by the end of January.

On Jan. 19, Massachusetts held a special election to fill late Senator Ted Kennedy's seat in Congress. In an unexpected outcome, Republican Scott Brown defeated Democratic candidate Martha Coakley by 4.8 points, making it the first time since 1978 that a Republican Senator has held office in Massachusetts. With this defeat, Democrats no longer hold the necessary 60 votes for a two-thirds majority, making the difficulty of passing healthcare reform even greater. It will remain to be seen what effect the Massachusetts outcome will have on other elections and on the Senate's ability to pass legislation more generally.

Children/Families

On Dec. 24, Sen. Inouye (D-HI) introduced a resolution (S Res 387) urging the people of the United States to observe Global Family Day and One Day of Peace and Sharing on Jan. 1, 2020. The resolution was referred to the Senate Committee on the Judiciary.

On Dec. 17, Sen. Burr (R-NC) introduced S 2903 to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers. The bill was referred to Senate Committee on Health, Education, Labor, and Pensions.

On Dec. 16, Rep. Baldwin (D-WI) introduced HR 4358 to amend the Child

Care and Development Block Grant Act of 1990 to improve access to high-quality early learning and child care for low-income children and working families. The bill was referred to the House Committee on Education and Labor.

Civil Rights/Constitutional Law

On Dec. 17, the Senate Indian Affairs Committee approved S 1011, to express the policy of the United States regarding the U.S. relationship with Native Hawaiians and to provide a process for the recognition by the United States of the Native Hawaiian governing entity. In 2006, the ABA adopted Section-sponsored policy urging Congress to pass legislation recognizing the self-determination and self-governance of Native Hawaiians.

On Dec. 16, Rep. Cohen (D-TN) introduced HR 4364 to protect First Amendment rights of petition and free speech by preventing states and the United States from allowing meritless lawsuits arising from acts in furtherance of those rights, commonly called "SLAPPS." The bill was referred to the House Committee on the Judiciary.

On Dec. 16, Rep. Israel (D-NY) introduced HR 4376 to amend the Equal Credit Opportunity Act to prohibit discrimination on account of sexual orientation or gender identity when extending credit. The bill was referred to the Senate Committee on Financial Services.

Criminal Law

On Dec. 16, Rep. Scott (D-VA) introduced HR 4335 to provide for the redress of prison abuses. The bill was referred to the House Committee on the Judiciary.

On Dec. 16, Rep. Scott (D-VA) introduced HR 4328 to amend Title 18, United States Code, to award credit toward the service of a sentence to prisoners who participate in designated educational, vocational, treatment, assigned work, or other developmental programs. The bill was referred to the House Committee on the Judiciary.

Disability Law

On Dec. 16, Rep. Kissell (D-NC) introduced HR 4378 to amend the Americans with Disabilities Act to require that the same access to transportation and public accommodations be afforded to certified trainers of service animals as is afforded under such act to individuals with disabilities who use such service animals. The bill was referred to the House Committee on Transportation and Infrastructure.

Health Law

On Dec. 16, Rep. Murphy (D-NY) introduced HR 4390 to amend Title XI of the Social Security Act to provide for enhanced program and provider protections under the Medicare, Medicaid, and Children's Health Insurance programs. The bill was referred to the House Committee on Energy and Commerce.

HIV/AIDS

On Dec. 17, the Centers for Disease Control and Prevention (CDC) published a list of information collection requests under review, including a proposed project entitled the *Performance Evaluation Program for HIV Rapid Testing*, which would help to ensure accurate HIV rapid testing that serves as the foundation for HIV prevention and intervention programs. The list also included a proposed project entitled the *STD Surveillance Network*, which would improve the capacity of national, state, and local STD programs to detect, monitor, and respond rapidly to trends in STDs through enhanced collection, reporting, analysis, visualization, and interpretation of disease information.

Immigration Law

On Dec. 16, Rep. Issa (R-CA) introduced HR 4350 to amend the Immigration and Nationality Act to provide for non-immigrant status for an alien who is the parent or legal guardian of a U.S. citizen if the child was born abroad and is the child of a deceased member of the Armed Forces of the United States. The bill was referred to the House Committee on the Judiciary.

(continued on page 3)

Legislative Update

(Continued from page 2)

Indian Law

On Dec. 17, the Senate Indian Affairs Committee approved S 1703 to amend the Act of June 18, 1934, to reaffirm the authority of the Secretary of the Interior to take land into trust for Indian tribes.

International Law

On Dec. 22, Sen. Wyden (D-OR) introduced S 2925 to establish a grant program to benefit victims of sex trafficking. The bill was referred to the Senate Committee on the Judiciary.

National Security

On Dec. 23, Sen. Feingold (D-WI) introduced S 2929 to prohibit secret modifications and revocations of the law. The bill was referred

to the Senate Committee on Homeland Security and Governmental Affairs.

On Dec. 23, Sen. Specter (D-PA) introduced S 2930 to deter terrorism and provide justice for victims. The bill was referred to the Senate Committee on the Judiciary.

HIV/AIDS Law and Practice Conference

(Continued from page 1)

to Keep It

- Intersecting Epidemics: HIV, Violence Against Women and Human Trafficking
- Medical-Legal Partnership

Plenary speakers include Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases; Thomas M. Liberti, M.D., Chief, Bureau of HIV/AIDS and Hepatitis, Florida Department of Health; Christopher Bates, Director, Office of HIV/AIDS Policy, U.S. Department of Health and Human Services; Dr. Barry Zuckerman, Founding Director, National Center for Medical-Legal Partnership, Boston Medical Center; Janet Cleveland, Deputy Director for Prevention Programs, Division of HIV/AIDS Prevention, Centers for Disease Control and Prevention; Dr. Georges Benjamin, Executive Director, American Public Health Association; and Frances Ashe-Goins, Acting Director, Office on Women's Health, U.S. Department of Health and Human Services. The conference is generously sponsored by Chevron Corporation; Gilead Sciences; OraSure Technologies, Inc.; Inverness Medical; Flowers Heritage Foundation; and the Florida Department of Health-Bureau of HIV/AIDS and Hepatitis. ABA sponsors include the IRR and Health Law Sections, the Judicial Division, and the Center for Human Rights.

For more information about the Conference and the Committee's other activities, visit www.abanet.org/AIDS.



Section Welcomes New Staff

The Section-housed ABA Death Penalty Moratorium Implementation Project welcomed three new project attorneys to its staff. In October, the project hired its first Senior Staff Attorney, Kirstin Ramsay. In this position she will assist state assessment teams in conducting a detailed examination of their capital punishment laws. Kirstin previously worked as a staff attorney at the Louisiana Capital Assistance Center where she represented indigent defendants facing capital charges and assisted indigent defenders in all phases of capital litigation. She graduated from the University of Connecticut School of Law, where she served as the Membership Editor and a Staff Writer for the *Connecticut Law Review* and was awarded the Public Interest Law Group Fellowship for excellence in and commitment to public service. Before her legal career, Kirstin was an investigator at the Public Defender Service for the District of Columbia.

The project also hired two junior Project Attorneys, Paula Shapiro and Rachel Bays. Paula and Rachel will conduct extensive research and analysis on capital punishment practices and procedures in various U.S. states. Paula previously worked at Workplace Flexibility 2010, where she

focused on the development of innovative state and federal policy in the area of workplace flexibility, including the importance of flexible work arrangements and time off for military families and domestic violence survivors. Paula graduated cum laude from The Catholic University of America Columbus School of Law, where she served as a Note and Comment Editor for the *Catholic Law Review*. Before law school, Paula served as the Section's Staff Assistant.

Rachel previously worked for the Office of State Courts Administrator in Missouri, compiling research on capital punishment case reversals during the past ten years, as well as analyzing the problems plaguing the Missouri court system during death penalty trials. Rachel graduated in May 2009 from the University of Missouri - Columbia, where she was a member of the *Missouri Law Review*. In addition, Rachel spent a semester as a certified student attorney for the Boone County Prosecutor's Office in Columbia, Missouri, aiding in the preparation for an upcoming jury trial. She also served as an ambassador for the University of Missouri - School of Law for three years, as well as aided in the foundation of a non-profit for students in Africa.

Support the ABA Section of Individual Rights & Responsibilities

Show your support for the Section's ongoing work by making a tax-deductible contribution to the ABA Fund for Justice and Education (FJE). Download and mail in a contribution form from the Section website at <http://www.abanet.org/irr/fje/pledge.pdf>. Contributions may also be made online via the FJE webpage at <https://www.abanet.org/fje/donate/>. Be sure to designate your gift for the IRR Support Fund or the Thurgood Marshall Individual Rights Fund.

Supreme Court Update

On January 21, 2010, in **Citizens United v. Federal Election Commission**, No. 08-205, the U.S. Supreme Court ruled that the government cannot ban political spending by corporations to support or oppose candidates, and declared unconstitutional a large portion of the campaign finance reform act passed in 2002.

The case involved a documentary entitled, *Hillary: The Movie*, produced by appellant Citizens United that was released during the 2008 Democratic Presidential primaries. The production of *Hillary* and proposed advertising campaign for the movie were financed with Citizen United's general treasury funds. (Of the 25 donations of \$1,000 or more made to fund the movie, two - totaling just \$2,000 - came from for-profit corporations).

To promote the movie, Citizens United produced three advertisements that it intended to run on broadcast and cable television. Citizens United received an offer from NCC, a company owned by three of the Nation's largest cable companies, to make *Hillary* available through Video On Demand to households that subscribe to digital cable television.

Concerned about possible civil and criminal penalties for violating campaign finance laws Citizens United sought declaratory and injunctive relief claiming the laws were unconstitutional as applied to *Hillary*; and that the bipartisan Campaign Reform Act's disclaimer, disclosure and reporting requirements, were unconstitutional as applied to *Hillary* and the ads. The United States District Court for the District of Columbia denied Citizens United a preliminary injunction and granted appellee Federal Election Commission (FEC) summary judgment.

Upon appeal, the Supreme Court reviewed the facial validity of the Campaign Reform Act (2 U.S.C. §441b) and found that given its complexity and the deference courts show to administrative determinations, a speaker wishing to avoid criminal liability threats and the heavy costs of defending against FEC enforcement must ask a governmental agency for prior permission to speak. The restrictions thus function as the equivalent of a prior restraint, giving the FEC power analogous to the type of government practices that the First Amendment was drawn to prohibit. The Court stated that the ongoing chill on speech makes it necessary to invoke the earlier precedents that a statute that chills speech can and must be invalidated where its facial invalidity has been demonstrated. The ruling, that overturns laws that have

been on the books since 1907 and 1947, will have major political and practical consequences. Specialists in campaign finance law expect the decision to reshape the way elections are conducted.

On November 9, 2009 in **Bobby v. Van Hook**, No. 09-144, the Supreme Court held that defense counsel's conduct should be assessed according to standards prevailing when the representation took place and not by standards developed years after the representation. Further, *Strickland* is the standard to be followed and restatements etc. including ABA Guidelines are merely advisory. In his concurring opinion, Justice Alito noted that the American Bar Association's Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases (rev. ed. 2003) (2003 Guidelines or ABA Guidelines) have no "special relevance in determining whether an attorney's performance meets the standard required by the Sixth Amendment".

In response to the opinion, the American Bar Association released a memorandum acknowledging that the Court was critical of the Sixth Circuit's application of the ABA's 2003 guidelines to representation occurring in 1985, but noted that it did not overrule precedent favorably citing the Guidelines as "guides to determining what is reasonable." *Wiggins v. Smith*, 539 U.S. 510, 524 (2003); *Rompilla v. Beard*, 545 U.S. 374 (2005).

In this case, petitioner Van Hook was indicted in Ohio for capital murder and aggravated robbery. He waived his right to a jury trial, and a three-judge panel found him guilty of both charges. At the sentencing hearing, the defense called eight mitigation witnesses, and Van Hook himself gave an unsworn statement. After weighing the aggravating and mitigating circumstances, the trial court imposed the death penalty. The Ohio Court of Appeals affirmed. The United States Supreme Court denied certiorari.

Van Hook then filed a federal habeas petition in 1995. The United States District Court Southern District of Ohio denied relief on all 17 of his claims. The Court of Appeals for the Sixth Circuit—relying on guidelines published by the American Bar Association (ABA) in 2003—granted relief to Van Hook on the ground that he did not receive effective assistance of counsel during the sentencing phase of his capital trial. The State petitioned for a writ of certiorari which the United States Supreme Court granted. The Supreme Court found

that Van Hook's attorneys met the constitutional minimum of competence under the correct standard and reversed.

The Court recited the standard in *Strickland v. Washington*, (the Sixth Amendment entitles criminal defendants to the "effective assistance of counsel"—that is, representation that does not fall "below an objective standard of reasonableness" in light of "prevailing professional norms") and highlighted that restatements of professional standards can be useful as "guides" to what reasonableness entails, but only to the extent they describe the professional norms prevailing when the representation took place. It went on to observe that the Sixth Circuit ignored this limiting principle, relying on ABA guidelines announced 18 years after Van Hook went to trial.

The ABA standards in effect in 1985 described defense counsel's duty to investigate both the merits and mitigating circumstances in general terms: "It is the duty of the lawyer to conduct a prompt investigation of the circumstances of the case and to explore all avenues leading to facts relevant to the merits of the case and the penalty in the event of conviction." 1 ABA Standards for Criminal Justice 4-4.1, p. 4-53 (2d ed. 1980). The accompanying two-page commentary noted that defense counsel have "a substantial and important role to perform in raising mitigating factors," and that "[i]nformation concerning the defendant's background, education, employment record, mental and emotional stability, family relationships, and the like, will be relevant, as will mitigating circumstances surrounding the commission of the offense itself." *Id.*, at 4-55.

The Court noted that the ABA's 131-page "Guidelines" for capital defense counsel, published in 2003, on which the Sixth Circuit relied are different from those promulgated in 1985. The directives expanded what had been (in the 1980 Standards) a broad outline of defense counsel's duties in all criminal cases into detailed prescriptions for legal representation of capital defendants. They discuss the duty to investigate mitigating evidence in exhaustive detail, specifying what attorneys should look for, where to look, and when to begin. See ABA Guidelines 10.7, comment., at 80-85.

Judging counsel's conduct in the 1980's on the basis of these 2003 Guidelines was error.

The Court of Appeals (following Circuit precedent) treated the ABA's 2003 Guidelines not as evidence of what

Supreme Court Update

reasonably diligent attorneys would do, but as rules with which all capital defense counsel should comply. *Strickland* stressed, that “American Bar Association standards and the like” are “only guides” to what reasonableness means, not its definition. The Court reiterated: “[W]hile States are free to impose whatever specific rules they see fit to ensure that criminal defendants are well represented, we have held that the Federal Constitution imposes one general requirement: that counsel make objectively reasonable choices.” *Roe v. Flores-Ortega*, 528 U. S. 470, 479 (2000).

Van Hook insists that the Sixth Circuit’s missteps made no difference because his counsel were ineffective even under professional standards prevailing at the time. He is wrong. Like the Court of Appeals, Van Hook first contends that his attorneys began their mitigation investigation too late, waiting until he was found guilty—only days before the sentencing hearing—to dig into his background. But the record shows they started much sooner. Between Van Hook’s indictment and his trial less than three months later, they contacted their lay witnesses early and often. As for their expert witnesses, they were in touch with one more than a month before trial, and they met with the other for two hours a week before the trial court reached its verdict. Moreover, after reviewing his military history, they met with a representative of the Veterans Administration seven weeks before trial and attempted to obtain his medical records. And they looked into enlisting a mitigation specialist when the trial was still five weeks away. The Sixth Circuit, in short, was simply incorrect in saying Van Hook’s lawyers waited until the “last minute.” Nor was the scope of counsel’s investigation unreasonable.

Despite all the mitigating evidence the defense did present, Van Hook and the Court of Appeals fault his counsel for failing to find more. But there comes a point at which evidence from more distant relatives can reasonably be expected to be only cumulative, and the search for it distractive from more important duties. The ABA Standards prevailing at the time called for Van Hook’s counsel to cover several broad categories of mitigating evidence, see 1 ABA Standards 4-4.1, comment., at 4-55, which they did. And given all the evidence they unearthed from those closest to Van Hook’s upbringing and the experts who reviewed his history, it was not unreasonable for his counsel not to identify and interview every other living family

member or every therapist who once treated his parents. This is a case, like *Strickland* itself, in which defense counsel’s “decision not to seek more” mitigating evidence from the defendant’s background “than was already in hand” fell “well within the range of professionally reasonable judgments.” What is more, even if Van Hook’s counsel performed deficiently by failing to dig deeper, he suffered no prejudice as a result. As the Ohio court that rejected Van Hook’s state habeas petition found, the affidavits submitted by the witnesses not interviewed shows their testimony would have added nothing of value. Neither the Court of Appeals nor Van Hook has shown why the minor additional details the trial court did not hear would have made any difference.

On the other side of the scales, moreover, was the evidence of the aggravating circumstance the trial court found: that Van Hook committed the murder alone in the course of an aggravated robbery. See Ohio Rev. Code Ann. §2929.04(A)(7) (Lexis 2006). Van Hook’s confession made clear, and he never subsequently denied, both that he was the sole perpetrator of the crime and that “[h]is intention from beginning to end was to rob [Self] at some point in their evening’s activities.” Nor did he arrive at that intention on a whim: Van Hook had previously pursued the same strategy—of luring homosexual men into secluded settings to rob them—many times since his teenage years, and he employed it again even after Self’s murder in the weeks before his arrest. Although Van Hook apparently deviated from his original plan once the offense was underway—going beyond stealing Self’s goods to killing him and disfiguring the dead body—that hardly helped his cause. The Sixth Circuit, which focused on the number of aggravating factors instead of their weight, gave all this evidence light consideration, leading it to overstate further the effect additional mitigating evidence might have had.

The U.S. Supreme Court has heard or soon will hear a number of cases addressing issues relevant to the work of the Section:

In **Christian Legal Society v. Martinez (U.C. Hastings)**, No. 08-1371, the Court will decide whether a public university law school may deny school funding and other benefits to a religious student organization because the group requires its officers and voting members to agree with its core religious viewpoints, thereby excluding

LGBT students.

In **Department of Defense v. ACLU**, No. 09-160, the Court will determine whether photographs related to abuse of detainees held in U.S. military custody in Iraq and Afghanistan are exempt from mandatory disclosure under FOIA exemption 7(F) because they are records compiled for law enforcement purposes and disclosure could endanger the life or physical safety of an individual.

In **Holder v. Humanitarian Law Project**, Nos. 08-1498 and 09-89, the Court will determine whether the Patriot Act ban of material support to a group designated by the government as “terrorist” is unconstitutionally vague.

In **McDonald v. Chicago**, No. 08-1521, the Court will decide whether the Second Amendment right to keep and bear arms is applicable to the States by the Fourteenth Amendment’s Privileges or Immunities or Due Process clause.

In **Magwood v. Culliver**, No. 09-158, the Court will decide whether a person who has been re-sentenced after obtaining habeas relief from the earlier sentence can challenge the new sentence with a claim that could have been raised in the earlier habeas plea.

In **Holy See v. John Doe**, No. 09-1, the Court will determine whether the Vatican is immune to damages lawsuits in U.S. courts for sexual abuse of minors by priests i.e. whether the sexual abuse of a minor is a tortious act under the tort exception to sovereign immunity under the Foreign Sovereign Immunity Act.

In **Kiyemba v. Obama**, No. 08-1234, the Court will determine whether a federal court exercising its habeas corpus jurisdiction may release Guantanamo Bay prisoners into the United States.

In **Magwood v. Culliver**, No. 09-158, the Court will determine if a claim in a federal habeas petition challenging a new sentence (where the convicted received habeas relief from the earlier sentence) is a second or successive claim where the petitioner could have challenged his previous sentence on the same grounds.

In **Renico v. Lett**, No. 09-338, the Court will consider the constitutionality of re-trial after a trial judge finds a jury deadlocked and declares a mistrial.

In **Dillon v. United States**, No. 09-6338, the Court will determine whether a federal court is bound by the Federal Sentencing Guidelines when imposing a new sentence.

2010 ABA Midyear Meeting: Section Events

Wednesday, February 3, 2010

2010 HIV/AIDS Law and Practice Conference: Taking Stock, Looking Ahead

10:00 am – 5:30 pm

Walt Disney World Dolphin

Asia and Oceanic Rooms

Thursday, February 4, 2010

2010 HIV/AIDS Law and Practice Conference: Taking Stock, Looking Ahead

8:00 am – 8:00 pm

Walt Disney World Dolphin

Asia and Oceanic Rooms

Executive Committee Meeting

4:00 pm – 6:00 pm

Walt Disney World Dolphin

Suite 6095, 6th Floor, East Wing

Friday, February 5, 2010

Council Meeting

9:00 am – 3:00 pm

Walt Disney World Dolphin

Northern Hemisphere A2, 5th Level

Program – *How a Battle for Adoption Rights Became a 1st Amendment Keller Issue*

4:00 pm - 5:30 pm

Walt Disney World Dolphin

Northern Hemisphere A2, 5th Level

Robert F. Drinan Award Reception

Honoring Former Section Chair Llewelyn Pritchard

5:30 pm – 7:00 pm

Walt Disney World Dolphin

Asia, Lobby, 3rd Level

Saturday, February 6, 2010

Committee Meetings

7:30 am – 9:00 am

Walt Disney World Dolphin

Suite 6095, 6th Floor, East Wing

Council Meeting

9:00 am – 11:30 pm

Walt Disney World Dolphin

Northern Hemisphere A2, 5th Level

Death Penalty Moratorium Implementation Project Steering

Committee Meeting

2:00 pm – 5:00 pm

Walt Disney World Dolphin

Suite 7093, 7th Floor, East Wing

Monday, February 8, 2010

Center for Human Rights Luncheon

12:00 pm – 1:30 pm

Walt Disney World Dolphin

Southern Hemisphere IV/V

JOIN THE COMMITTEE ON NATIONAL SECURITY AND CIVIL LIBERTIES!

We are pleased to co-chair the Section's Coordinating Committee on National Security and Civil Liberties. As you can tell from the title, our Committee's jurisdiction covers a wide array of important issues. Among the issues on which we may engage are ideological exclusion and other First Amendment issues arising from the USA PATRIOT Act, the civil liberties implications of watch listing programs – such as the Secure Flight aviation security program, and the constitutional issues that arise from enforcement of the statute barring material support for terrorist organizations (a challenge which is now pending at the Supreme Court).

If these or other civil liberties/national security issues interest you, please let us know. We believe that IRR and the ABA can, and should, play a significant and substantive role in these ongoing debates, and we are looking for volunteers to join our committee and help make sure that happens. Please contact Patrice McFarlane at mcfarlap@staff.abanet.org to let her know of your interest, and you will hear from us soon with more details.

2009 Fall Council Meeting in Photographic Review

Reception at ABA President Carolyn Lamm's Home



Section Staff, Michael Pates and
Amanda Kloer



Associate Director Patrice McFarlane and
Young Lawyers Division Liaison Angela
Jean Scott



Section Chair Dick Podell with Section
Council Member John Uilkema and his wife



Section Chair Dick Podell with ABA
President Carolyn Lamm



Section Staff with Young Lawyers
Division Liaison Angela Jean Scott and
ABA President Carolyn Lamm



Section Chair Dick Podell with
Immediate Past Chair Neal Sonnett

IRR Hill Day 2009



Section Members with Sen. Kohl (D-WI)



Section Chair Dick Podell with Rep. Tammy
Baldwin (D-WI)



Section Members at U.S. Department of
Justice

IRR Fall Council Meeting



Section Chair Dick Podell with ABA
Commission on Women in the Profession
Chair Roberta Liebenberg



Program panelists Jocelyn Samuels,
Donna Lenhoff, and Kristen Galles



Committee Leader Barrett Brick and Section
Finance Officer Patrick McGlone

Upcoming Events

ABA Midyear Meeting

Feb. 3 - 9, 2010
Walt Disney World Swan & Dolphin
Orlando, Fla.

Robert F. Drinan Award Reception

Feb. 5, 2010
Orlando, Fla.

IRR Spring Council Meeting

Apr. 15 - 18, 2010
New Orleans, La.

ABA Annual Meeting

Aug. 5 - 10, 2010
San Francisco, Calif.

IRR Fall Council Meeting

Oct. 21- 22, 2010
Memphis, Tenn.

IRR News Report is published quarterly by the American Bar Association Section of Individual Rights and Responsibilities.

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