At a time of heightened tensions among the executive, legislative, and judicial branches, ABA President Michael Greco has announced the formation of a new Commission on Civic Education and the Separation of Powers. Supreme Court Justice Sandra Day O’Connor and former U.S. Senator Bill Bradley are serving as honorary chairs, and Cleveland attorney Robert Rawson is chairing the commission, which includes nationally recognized leaders from law, government, communications, and education.

President Greco’s decision to form the commission was prompted by recent instances in Congress of threats of impeachment and other forms of retaliation against judges who make politically unpopular decisions. The commission will put a special emphasis on enhancing public understanding of the role of an independent judiciary in our system of separate and balanced powers.

A Harris Interactive survey commissioned by the ABA showed that over 80 percent of adult Americans believe that the principle of separation of powers, and the related idea of checks and balances, are important principles for the federal government. But the same survey revealed that Americans are ready for a civics refresher course. Just over half of those surveyed could identify the three branches of government, while fewer than half could select the correct meaning of separation of powers and checks and balances. (For full survey results, visit www.abanews.org/docs/divisionofpowers_705.pdf.)

In response to these survey results, the commission will be working to expand and enhance educational programs and public messages on core aspects of the separation of powers. It will also encourage ABA entities, state and local bar associations, and a broad range of civic, legal, and educational organizations to develop and promote civic education programs on the separation of powers.
In response to the destruction incurred by Hurricane Katrina, several bar associations, along with the American Bar Association, set in motion a network of volunteers and resources to aid both the public and lawyer victims. In addition, expertise and experience among bar association members and staff was readily shared.

As a national organization, the ABA is in a position to act as a coordinating and information center. Its website provided regular updates on activities at all levels: among the FEMA disaster relief centers, bar associations, the courts, pro bono and legal services offices, and all the sections and committees of the ABA. It also provided access to resources to assist displaced lawyers, including offers of available office space, free CLE, and law office management information. In its communications with bar leaders and state court justices, the ABA offered suggestions for assistance to the beleaguered areas.

Bar associations in Texas took a page out of their own disaster planning manuals and immediately responded to the needs of their neighboring state. The State Bar of Texas and several local bars, particularly the Houston Bar, staffed shelters, collected food and clothing, and provided legal assistance to evacuees. They collected funds to address the needs of many, including the American Red Cross and legal aid providers. They also offered free CLE programs to attorneys staying in the area, as well as temporary office space and housing to displaced lawyers. Likewise, the Atlanta Bar quickly set up a website to notify relocated lawyers of available office space and equipment.

Meanwhile, the Louisiana State Bar Association had temporarily relocated its offices to the law office of its president in Lafayette. With the help of the Baton Rouge Bar, a legal community relief fund was set up through the Baton Rouge Bar Foundation. The State Bar of Texas “loaned” five of its staff to the Louisiana Bar to help organize its office, and included a website to communicate with the members.

Hardest hit of all is the New Orleans Bar Association, whose members and staff are still widely scattered. The first thing the bar did was to get its website up and running, with the assistance of the D.C. Bar, so members could check in. The bar continues to provide updates on returning law firms and area businesses and is creating an Internet café where displaced lawyers can work and be near the courthouses.

While the Mississippi Bar, located in Jackson, was without power for a few days after Katrina hit, the major damage had occurred along the Gulf shore communities where almost 900 of the state’s lawyers lived and worked. The Mississippi Bar Foundation is collecting donations to help lawyers reestablish their practices.

Over fifty state and local bars have responded by collecting funds to support the hard-hit areas and soliciting for volunteers to provide legal services. What makes the double “whammy” of Katrina and Rita different from other hurricanes is the swath of destruction it leveled across a four-state region. As a result, it also magnified the problems of providing legal assistance across state lines. In response, however, several state courts entered orders permitting displaced lawyers to provide limited legal services practice in these jurisdictions. Most recently, the Supreme Court of Louisiana ordered an emergency rule to allow nonadmitted lawyers to provide civil legal assistance in the state.

Long-term efforts will be directed at reestablishing legal practices and providing legal assistance to more than a million people who were affected by these storms. And the hurricane season is not over.

The ABA has created a new website that provides a wealth of legal information and resources for victims of hurricanes, as well as for lawyers and others who want to be of assistance. Visit http://www.abanet.org/katrina for details.
The Third Annual Congressional Conference on Civic Education was held in Washington, D.C., in September. The conference was hosted by the nonpartisan Alliance for Representative Democracy, which is composed of the Center for Civic Education, the National Conference of State Legislatures, and the Center on Congress at Indiana University.

More than 300 participants, including 5-7 person delegations from each of the 50 states and the District of Columbia and representatives from national education organizations, explored the critical role civic education can play in promoting civic engagement in our society. Members of state delegations to the conference developed and refined action plans to strengthen civic education in their schools. As a result of the series of conferences, legislators from 31 states have introduced bills to strengthen civic education—14, and have already passed. In addition, 20 states have conducted benchmark surveys of current policies and practices in civic education. These surveys have been used to create directories of state resources in civic education. For more information on the Congressional Conferences, contact the Center for Civic Education at (202) 861-8800.
The American Lawyers Auxiliary presented the 2005 Law-Related Education Teacher of the Year Awards at its annual meeting in Chicago in August. ALA President Rene Acosta presented Alice Carr Scholarship Awards of $1,000 to the three recipients in the categories of elementary, middle, and high school teaching. Awardees were Brian Lassiter, Astoria Elementary School, Tallahassee, Florida; Lori Mable, Thunder Ridge Middle School, Aurora, Colorado; and Brian Stevens, Coldwater High School, Coldwater, Michigan.

A second-grade teacher, Mr. Lassiter has successfully used the We the People program and Project Citizen from the Center for Civic Education. In her social studies classes, Ms. Mable asks students to role-play the delegates to the Constitutional Convention, analyze the language of the Constitution, and then discuss and debate current public policy issues. A law-related education teacher for 18 years, Mr. Stevens has made law an integral part of the curriculum. He invites lawyers and judges to his classroom and has developed an exceptional relationship with the local bar association in Branch County.

The ALA has been an active supporter of, and advocate for, law-related education for more than 40 years. Nominations are now being accepted for the 2006 Teacher of the Year Awards, which recognize teachers who have made outstanding contributions to law-related education. The deadline is April 10, 2006. Visit www.abanet.org/publiced/ala for more information.

ABA Announces 49th Annual Silver Gavel Awards


These are just some of the many noteworthy recipients of the prestigious ABA Silver Gavel Awards, first presented in 1958. Each year these awards recognize outstanding efforts to foster the American public’s understanding of law and legal institutions.

The American Bar Association is pleased to invite you to enter the 49th Annual Silver Gavel Awards competition for 2006. Awards are presented in eight categories: Newspapers, Magazines, Books, Television, Theater, Radio, Film & Video, and New Media. Entries must have been originally published, produced, or presented in 2005. The entry fee is $75, except for Television, which is $125.

Winners will be notified by June 15, 2006. ABA President Michael S. Greco will present the Silver Gavels at a special awards presentation event.

To enter, go online to www.abanet.org/publiced/gavel, where you will find the complete 2006 entry guidelines, a downloadable entry form, and a listing of all winners. If you have questions, please contact Howard Kaplan at (312) 988-5738 or howardkaplan@staff.abanet.org.
Our Constitution offers a framework for addressing challenges in the nation’s political life. In recognition of the importance of educating Americans about the foundations of our democracy, beginning in September 2005, all educational institutions receiving federal funds must hold programs exploring the U.S. Constitution in honor of Constitution Day (September 17). The authorizing legislation, sponsored by Senator Robert Byrd (D-WV), also requires federal agencies to hold programs. As part of a national effort to develop meaningful programs for Constitution Day, the American Bar Association Division for Public Education in partnership with the National Constitution Center and other partners have developed educational materials, programmatic tools, and a website (www.constitutionday.us/) to further understanding of the U.S. Constitution.

In service to the nation for its Constitution commemoration and education efforts, the ABA Division for Public Education created a new program, Conversations on the Constitution (www.abaconstitution.org), to encourage civil discussion and debate about the meaning of some of the Constitution’s concepts and clauses that have been the subject of ongoing constitutional debate. A Conversation is organized around “conversation starters,” which are brief, easily read text or images accompanied by focus questions designed to open discussion about the starter and the constitutional clause or concept it explores. Topics include:

- Separation of powers
- The advice and consent of the Senate
- An establishment of religion
- Unreasonable searches and seizures

For example, under the topic “Separation of Powers,” Conversation organizers can download a .pdf of a letter from President Dwight D. Eisenhower to Senator John Stennis (D-MS) describing the power “vested” in the U.S. District Courts by the U.S. Supreme Courts in enforcing desegregation orders and of the responsibilities of the executive branch to upholding and supporting the law. Focus questions ask Conversation participants to consider how the situation demonstrates the doctrine of separation of powers in action.

The Conversations website also includes an interactive “Test Your Knowledge” feature, and people who visited the site had the opportunity to receive a free pocket copy of the U.S. Constitution. Eighteen hundred pocket copies of the U.S. Constitution have been distributed nationwide.

One of the characteristics of a constitutional democracy is tolerance. Another is that people of good will come together to discuss their differences. Since the founding of our country, people have come together to discuss the Constitution and its meaning. Conversations on the Constitution carries on this tradition. By considering the meaning of constitutional concepts and clauses in their historical and contemporary context, Americans can gain perspective on how we might respond to changing conditions and circumstances, appreciate the significance of our constitutional principles, and better understand the complex legal issues facing our nation.

As part of commemoration activities for Constitution Day 2005, the Constitutional Rights Foundation Chicago began its Lawyers in the Classroom Program citywide. Through the program (www.crfc.org/lic.html), over 250 attorney volunteers from 60 firms partner with 125 elementary and middle-school teachers at 60 Chicago public schools to conduct interactive law-related education lessons for more than 4,000 students on the Constitution and American democratic principles. Participating students also received a pocket copy of the U.S. Constitution. Attorneys will visit their partner classrooms at least three other times throughout the year and help students apply what they have learned by engaging the class in a mock trial.
Arizona Supreme Chief Court Justice Ruth McGregor presided over a morning awards ceremony welcoming over 200 attendees to the 3rd Annual Arizona Law, Youth & Citizenship Conference on September 21, 2005. In her welcoming address, Chief Justice McGregor addressed the importance of an independent judiciary and the power educators have to prepare our children for the office of citizen and secure democracy’s blessings for our posterity.

Hosted by the Arizona Foundation for Legal Services & Education (AZFLSE), the Law, Youth & Citizenship Conference also featured a Civics Summit in the morning, where members of the Arizona Civics Coalition met to discuss the Arizona campaign to strengthen civic education. State Senators Linda Gray and Tim Bee attended the summit and shared news about a special Joint Legislative Ad Hoc Committee on Civic Education that has been formed to address state education policy around civic education. The combined efforts of the national Civic Mission of Schools Campaign, the Arizona Civics Coalition and the Arizona Legislature promise to strengthen civic and law-related education in Arizona tremendously over the coming years.

Conference participants also attended concurrent breakout sessions throughout the day focused on law-related education materials and programs. The Law, Youth & Citizenship program has become one of the premiere education conferences in the state in just three short years. Attorneys, judges, police officers, probation officers, and teachers across the state are already signing up for the 4th annual conference in 2006, when AZFLSE brings these people together again to strengthen the crucial role of civic and law-related education in fulfilling the civic mission of schools in Arizona.
Patriot Debates: Experts Debate the USA Patriot Act

This new book from the ABA Standing Committee on Law and National Security and edited by Stewart A. Baker and John Kavanaugh, *Patriot Debates* (© 2005) offers different perspectives on both the sections of the USA Patriot Act set to expire in December of 2005 and its permanent sections. The Act was passed almost immediately after the September 11, 2001, terror attack with little Congressional debate. In the first section of the book, you will find a brief summary of the provisions each section set for sunset, and the challenge the provision meant to address, followed by two experts. While some experts argue for retaining expiring sections as they were originally drafted, others mainly recommend reauthorization with amendments implementing additional checks and balances to ensure oversight and checks on unlimited government power.

Part Two of the book, Other Issues, offers chapters on “sneak and peek” search warrants and notice to their subjects, border security and immigration regulations, detainees, and offering material support to terror organizations. In the chapter “Borders,” experts discuss several measures, including national security fences, national identity card systems, asylum practices, and fingerprint identification systems. In the chapter “Material Support,” experts consider whether expansion of the definition of “material support or resources” criminalizes protected speech and association. To order your copy, visit the ABA web store, ababooks.org. Cost is $29.95.

Application Deadline: December 9, 2005

Applications are being accepted through December 1 for the 2006 National Online Youth Summit. From February–April 2006, students in up to 45 high schools across the nation will participate in a summit on “Law in an Age of Terror.” Students will learn about court decisions and laws, such as the USA Patriot Act, and consider whether we are preserving or reshaping our constitutional principles and values in response to the threat of terrorism. They will explore earlier legal responses to national crises and investigate the antiterror laws of other countries. Students will also formulate informed opinions about the role our civil liberties play in the fight against terrorism and the impact of national security laws on our civic values and traditions.

The summit curriculum, objectives, and goals are adaptable and allow teachers to create a project-based learning experience tailored to their students and relevant state and national standards. Participating teachers can also benefit from the opportunity to network and share ideas with other teachers around the country.

Participating students:
- Complete sequential activities to build their knowledge and skills. Some assignments will be shared with other classes online;
- Pose questions to and receive answers from legal experts in message boards;
- Learn how to engage in civil discussion by participating in online discussions in web message boards with students across the nation;
- Complete a research-based final project and share it with other schools; and
- Sharpen critical thinking, communication, writing, problem-solving, cooperative, and information literacy skills.

For more information, or to apply online, visit www.abanet.org/publiced/noys. You may also call (312) 988-5735 or send an e-mail to parrinim@staff.abanet.org.
As chair of the ABA Standing Committee on Public Education, I want to personally invite you to join us in Phoenix, Arizona, from January 26–28, 2006, for the 24th National Law-Related Education Leadership Conference. Our conference theme will be “Separation of Powers: Principles and Conflicts.”

To assist educators in furthering public understanding of separation of powers, the conference will offer plenary sessions and workshops that will examine the constitutional principles and powers behind the legislative, executive, and judicial branches of the U.S. government, and the conflicts that inevitably arise as these branches work together for the common good. Additional workshops offered during the conference will focus on youth at risk and juvenile justice, teaching LRE across the curriculum, and civic engagement. The conference will conclude with the presentation of the Isidore Starr Award for Excellence in Law-Related Education. Established in 1983 in honor of Isidore Starr, the “father of law-related education,” the award is given to an individual who has made significant contributions in promoting excellence in law-related education in elementary or secondary schools.

For almost a quarter century, the Law-Related Education Leadership Conference has been dedicated to educating and informing youth and adults about law and the justice system so that they are better equipped to meet the challenge of civil and productive engagement in our democracy. The conference offers valuable professional development opportunities for leaders in the fields of law, civic and law-related education, juvenile justice, and others interested in educating communities about the law and citizenship. I hope you are planning to join us in Phoenix this January for what promises to be a very exciting conference.

The December 2 early-bird registration deadline is almost here, so visit www.abanet.org/publiced/conference/lre06.html to register now!

Sincerely,

Alan S. Kopit