

A Message from Robert A. Clifford

ABA 2010 Midyear Meeting

The 2010 Midyear Meeting in Orlando, Florida, was a busy one, filled with discussion of issues that will impact the organization, the working bench and the bar for years to come. This report summarizes the Meeting.

Illinois Delegation



President Elect Bill Robinson stops by the Illinois Delegation breakfast meeting.

The Illinois Delegation met in Chicago just prior to the Midyear Meeting and again for a breakfast before the House of Delegates convened. Bill Robinson, ABA President-Elect Nominee, stopped by to thank the delegation for its early support of his candidacy. He noted that he would be calling for more volunteer service in the days ahead. Steve Zack, President Elect, will be considering presidential committee appointments in the year ahead.

[Major Resolutions Adopted at ABA Midyear Meeting by the Policy-Making House of Delegates](#)

The day-and-a-half-long session led to several new policy measures being adopted by the 555-member House of Delegates:

- Following a comprehensive dues pricing study, which included a survey of 9,000 lawyers of both members and non-members, as well as input from a University of Chicago Booth School of Business pricing expert, a proposal was adopted by the House of Delegates slashing dues for certain categories of lawyers. Most notably solo practitioners' dues are cut in half given the mere 6 percent ABA penetration among solos across the country. The House of Delegates also voted to cut dues paid by government lawyers, judges and legal services attorneys by 25 percent. Trish Refo of Arizona, Chair of the Standing Committee on Membership, presented the findings with the goal of 50 percent penetration into the legal community so that the ABA could represent "the voice of the legal profession." Refo noted that ABA membership as a percentage of all American lawyers has slipped from 36 percent to 29 percent in the last 14 years. Currently, the ABA has 392,000 members. It is important, she noted, that lawyers understand the value they are getting for their dues so part of the plan includes the hiring of Ogilvy & Mather, an international marketing and public relations firm based in Chicago, that will frame and convey the message in the next six months. The House is expected to consider Phase II of the re-pricing

State Delegate of Illinois
Robert A. Clifford
Clifford Law Offices
120 N. LaSalle Street
31st Floor
Chicago, Illinois 60602
(312) 899-9090

State Delegate for the State of Illinois
American Bar Association
321 N. Clark Street
Chicago, Illinois 60610
(312) 988-5000

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[2010 Women in Law Leadership Academy, April 29-30](#)

structure at the August Annual Meeting that will affect additional categories of lawyers depending upon the number of years they have practiced and the size of the firm. The new dues structure will go into effect in May, the next billing cycle. The ABA Board of Governors also has been instructed to examine the dues structure and make recommended adjustments every six months. [Click here to view the presentation.](#)

[ABA Membership](#)

[ABA Member Advantage](#)

[ABA Job Board](#)

[State Delegate Web Site](#)

- No debate was more lively than that over whether to examine rankings of lawyers and law schools conducted by various organizations and companies. An upcoming rating of lawyers by U.S. News & World Report in conjunction with Best Lawyers is expected to be published in October of this year, which precipitated the discussion and the vote. The magazine has long ranked law schools and a discussion regarding the risks of this ranking, including the impact on the consumer, ensued. A motion to indefinitely postpone the measure so that the ABA's Ethics 20/20 Commission could examine lawyers rankings was narrowly defeated. It was agreed that the ABA "examine any efforts to publish a national, state, territorial and local rankings of law firms and law schools." The ABA reported after the resolution passed that President Lamm said she would ask the ABA's Section on Legal Education and Admissions to the Bar to examine law school rankings and the Ethics 20/20 Commission to review law firm rankings.
- The House of Delegates urged Congress, the executive branch and commercial lenders to introduce programs to help relieve the heavy debt burdens that many law students face in this economic crisis. The resolution called for students to be able to suspend payments on commercial loans for up to three years, the same option that is available under federal loan programs which are capped at \$60,000. Dan Thies, a student at Harvard Law School from Illinois, spoke before the House on this issue.
- A series of criminal justice resolutions, particularly juvenile justice considerations, were adopted including urging federal, state, territorial and local governments to increase opportunities for youth who have been involved with juvenile or criminal justice systems by limiting collateral consequences that can occur after they complete any court-ordered sanctions. Also, a call for simplified Miranda warnings for juveniles so that they can understand their constitutional rights and urging government at all levels to review penalties for misdemeanors was adopted. A resolution also was approved that urged the President and Attorney General to assure that lawyers in the Department of Justice do not make decisions concerning investigations or proceedings based upon partisan political interests.
- The creation of a new Article I court, with both trial and appellate divisions, to adjudicate immigration removal cases or, as an alternative, an independent agency for such a function was approved. Also, a measure to improve immigration courts and create a more professional, independent and accountable immigration judiciary by including a provision to increase the number of immigration judges by at least 100 and to increase the number of law clerks and support personnel also was approved. Proponents argued that this would help unclog federal courts for others cases.
- An amendment to the current method by which federal judges are given cost-of-living adjustments to their salaries so they are comparable with "General Schedule" federal employees was approved.



Dan Thies, the third generation of ABA leaders in his family, speaks to the House.

[Click here](#) to view a complete list of the resolutions and the action taken by the House of Delegates.

On a point of personal privilege, Bob Clifford spoke to the House regarding the three generations of ABA leaders from Illinois - John Thies, Dan Thies (student) and Dick Thies of Webber & Thies in Urbana.



Three generations of Thies lawyers, from left, Dick, John, and Dan.



Bob Clifford recognizes the Thies commitment to the ABA.

[Issues of Concern to the Profession](#)

A panel of experts was convened to discuss the selection and confirmation process of Supreme Court Justices. Led by Christopher L. Eisgruber, Provost of Princeton University, and Dahlia Lithwick, a graduate of Stanford Law School and a contributing Editor at Newsweek and Senior Editor and Supreme Court correspondent for Slate, the discussion was most informative and timely, given that two vacancies are soon expected on the high court. Eisgruber pointed out that these appointments have become "more contentious rather than less so." Lithwick pointed out that the confirmation process has become filled with toxic questioning."



An all-star panel addresses the House of Delegates on the selection of Supreme Court justices.

[Chief Justice Christine M. Durham Speech](#)



Justice Christine Durham speaks to the House of Delegates.

Chief Justice of the Utah Supreme Court Christine Durham who also serves as President of the Conference of Chief Justices spoke to the House of Delegates during its first day in session. She talked of the "correlation between the decisional independence of the state courts and their institutional independence." She also spoke of the current economic recession in the country creating growing backlogs in state courts. "With priority given to serious criminal cases, there is a looming threat to the civil justice system and its ability to vindicate people's rights, and to foster economic growth and stability by enforcing business contracts in a timely manner." The "silver lining," she said, "is that state courts are taking the opportunity to re-evaluate old ways of doing things and coming up with better approaches."

[Speech by Senator Bill Nelson \(D-Florida\)](#)

Senator Bill Nelson addressed the House of Delegates in a speech about protecting the underprivileged under principles of equality and human dignity which require a fair and impartial judiciary. "One of the challenges we face in trying to remain a just society is to ensure that every person - harmed or aggrieved for any reason - is able to find a place in our system of justice." Sen. Nelson also acknowledged the ABA's work in creating the Haiti Legal Development Fund that "should go a long way toward helping rebuilding Haiti's legal and judicial system." Nelson flew on the Space Shuttle Columbia 24 years ago and is the only lawyer to fly in space.



Senator Bill Nelson of Florida addresses the House of Delegates.

[Statement by ABA President Carolyn B. Lamm](#)



ABA President Carolyn Lamm addresses the House of Delegates.

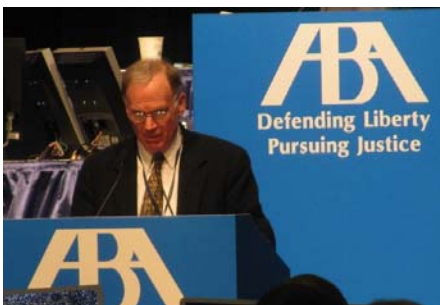
Carolyn B. Lamm, President of the ABA from Washington, D.C., gave a speech regarding her new and continuing initiatives. She spoke of the "vigorous non-dues effort" to raise more money and Bob Clifford's "pulling together all of the stakeholders to get their input" on a revamped website. Information is traveling "across the silos," she said. Lamm spoke of the membership initiative and how important it is "to speak with one voice." She also said there is progress regarding the efforts on the Attorney-Client Privilege Task Force, the Preemption Task Force, and the new Task Force on Federal Pleading Standards led by Lorna

Schofield of New York. She also suggested everyone check out the extended Jobs Board on the ABA website. "Teach a man to fish, and he will eat forever," she told the group.

[Statement by ABA President Elect Steve Zack](#)

Steve Zack, a tremendous orator, spoke of his goals and aspirations for the ABA when he takes the helm as President at the end of the 2010 Annual Meeting in August. He spoke of the continuity of leadership over the years in each president adopting the previous leader's initiatives and then focusing on new programs. He is adamant on having every lawyer who drops his membership be personally contacted and invited back to the ABA.

[Executive Director Report](#)



Interim Executive Director R. Thomas Howell, Jr.

Interim Executive Director R. Thomas Howell, Jr., gave a short report, recognizing the "strong staff" and encouraging any members to contact him with "any ideas of doing things better." Chair of the House, William Hubbard of South Carolina who also serves as Chair of the Search Committee to hire a new Executive Director, had reported that interviews are underway and a replacement should be in place by the Annual Meeting in August.

Treasurer Report



Alice Richmond, Treasurer, presents her report.

Alice E. Richmond of Massachusetts provided a report on the economic viability of the organization where she reported that with a \$107.5 million operating budget, "the ABA finances remain strong." She said that 80 percent of the funds go to programs; 20 percent to administrative costs. The ABA's consolidated revenues exceeded its expenses by \$5.1 million, according to her report.

Standing Committee on Strategic Communications

As Chair of this Committee, appointed by ABA President Lamm, Robert Clifford and his committee have been focusing on the ABA website. A Stakeholders Summit was held in December where representatives of entities with a presence on the ABA website shared their experiences. After making a presentation to the Board of Governors, it decided to create a Task Force chaired by Bob Clifford with members from appropriate entities within the ABA that will aid the staff in revamping the website. The goal is to create a more easily navigable website that can be tailored to each member's professional needs.



Bob Clifford speaks before the Board of Governors.

International Human Rights Awards



David Scheffer, keynote speaker, International Human Rights Awards Luncheon.

Several people received special recognition at the International Human Rights Luncheon for their contributions to human rights' efforts around the world. Sen. Dick Durbin (D-III.) was noted for his sponsorship of bills that have "closed the gap" regarding international issues on genocide and child soldiers. The keynote address entitled "Closing the Impunity Gap at Home and Abroad" was delivered by David Scheffer, Professor of Law at Northwestern University School of Law and Director for the Center for International Human Rights. From 1997-2001, he served as the U.S. Ambassador at Large for War Crimes and led the U.S. delegation in the United Nations talks

in establishing the International Criminal Court. His speech can be viewed here: [International Human Rights Awards](#).

2010 Spirit of Excellence Awards



Jill Becker of Illinois Legal Aid Online receives Meritorious Recognition from Richard Cassidy.

The National Conference of Bar Presidents sponsored a joint awards luncheon where the Illinois Legal Online (ILAO) was among the recipients for its contribution to the public and the profession. ILAO (www.IllinoisLegalAid.org) is a statewide virtual legal self-help center that uses technology to bridge gaps in the delivery of legal services by coordinating and supporting legal self-help centers across Illinois. It was given Meritorious Recognition for the Louis M. Brown Award for Legal Access, bestowed by the Standing Committee on the Delivery of Legal Services.

Even Abe Lincoln was on hand at

the awards luncheon for the Guam Bar Association, the Judiciary of Guam and the District Court of Guam that received an Outstanding Law Day Activity Award for reaching more than 3,000 students and Rotary Club members.



"Abe Lincoln" welcomes Illinois State Delegate Bob Clifford to the Meeting.



Spirit of Excellence Awards Luncheon.

An award-winning Abraham Lincoln portrayer made a presentation aimed at helping promote a greater understanding and appreciation of the law and the life of America's 16th President.

New Slate of Officers Plus Nine Members Nominated to Board of Governors

One of the most important news flashes was the announcement that Laurel Bellows, principal at Bellows Law Group in Chicago, is running as the unopposed candidate for President Elect in 2011-12. Robert Clifford introduced her at the Nominations Committee Meeting and, at her expected successful election at the Annual Meeting in San Francisco later this year, she is in line to become President of the ABA at the 2012-13 Annual Meeting in Chicago. Needless to say, as fellow Illinoisans, we are all excited and very proud of her extraordinary accomplishment.

The ABA nominated a new slate of officers headed by William T. Robinson III from Florence, Kentucky, who is in line to become President Elect following the 2010 Annual Meeting in August. Linda A. Klein of Atlanta was nominated to become Chair of the House of Delegates, a two-year term. Lucien Pera of Memphis, Tennessee, was nominated to be Treasurer, and Judge Cara Lee Neville of Minneapolis was nominated to be Secretary, both three-year terms. Among the nine nominated to the Board of Governors is Cheryl I. Niro of Chicago representing District 7, which consists of Illinois and Ohio.



Laurel Bellows addresses the Nominating Committee.

New Members to the House of Delegates



Bobbi Liebenberg welcomes new members.

The ABA welcomed new members at an orientation lunch at the Midyear Meeting. Roberta Liebenberg of Philadelphia, Chair of the Select Committee, moderated the program that explained opportunities for involvement. Among the new members from the Illinois Delegation are Kevin Durkin, partner at Clifford Law Offices, John Thies of Webber & Thies in Urbana, and Steven Ruffalo of Fuchs & Roselli of Chicago.

Programs

Many programs were held during the Midyear Meeting, among them being "Diversity in a Post-Obama Era: Is Our Job Done?" Robert Clifford quipped that as a Caucasian male he was asked to speak in order "to fulfill the diversity requirement." The packed room had many questions for the speakers and was most informative.



Panel of speakers at "Diversity in a Post-Obama Era: Is Our Job Done?", sponsored by the National Conference of Bar Presidents.

ABA Day

"Law in the 21st Century: Enduring Traditions, Emerging Challenges" is the 2010 theme for ABA Day throughout the country. All members are encouraged to contact their elected representatives to lobby for issues that are of importance to the profession. A number of activities are planned in the nation's capital. To register, please visit <http://www.abanet.org/poladv>. Laurel Bellows of Chicago serves as Chair of the ABA Day Planning Committee. To learn more about it, please visit: <http://www.abanet.org/publiced/lawday/home.shtml>

[Chicago Women Lawyers Help Take the Lead at Leadership Conference](#)

Several women leaders in the Chicago bar are participating in the 4th Annual Women in Law Leadership Academy.

Laurel Bellows, Principal in the Bellows Law Group who recently was selected as the unopposed nominee for President Elect in 2011-12 of the American Bar Association (ABA), will be moderating two discussions at the April 29-30 conference in Philadelphia.

Mary L. Smith, a Chicago lawyer and ABA Board of Governors member, and Michele Mayes, General Counsel at Allstate, are speakers on programs that are meant to help women lawyers enhance their leadership skills. Eileen Letts, a partner at Greene & Letts, is ABA 2010 Chair of the Academy.

To find out more information, or to register, call the ABA at 312-988-5715 or go to <http://www.abanet.org/women/will.html>.

Annual Meeting



California delegation invites everyone to the Annual Meeting in San Francisco in August.

The California delegation invited everyone to the Annual Meeting in San Francisco Aug. 5-10, 2010, by serenading the House of Delegates with its rendition of California Dreamin.' It should be noted that the San Francisco Giants will be playing the Chicago Cubs Monday and Tuesday, Aug. 9-10. For those of you who would like to calendar next year's Midyear Meeting, it will be in Atlanta, Feb. 1-7, 2011. If you have any questions or would like to discuss any issues with me, please feel free to contact me at 312-899-9090 or visit my firm's website at <http://www.cliffordlaw.com/abaillinoisstatedelegate>.

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