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2007-08-14 H. Thomas Wells, Jr. ABA Presidential Speech

H. Thomas Wells Jr.

University of Alabama School of Law

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Thank you for choosing me as your president-elect. 50/50

There are no regrets here about giving up the title

President Elect Nominee. Let me give you an example:

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being
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near

at the June Board meeting, President Mathis was

returning from Prague and the dedication of the CEELI

Institute; President Elect Neukom left for Vienna to make

plans for The World Justice Forum; as President Elect

Nominee, I was sent to *Atlanta* to give a speech at the

Centers for Disease Control ---- where I caught a *cold*.

Rank, indeed, has its privileges.

Also thank family

Jan, Lynlee (Alan/Mae)

Trey (Haas)

Ruth (Terry)

Tom (Charlotte)

Ann Pierce

PSR


sisterlygm

In his first inaugural address, Thomas Jefferson talked about a fledgling nation's common purpose. He famously said, "~~We are all Republicans, we are all Federalists.~~"

While the Republicans Jefferson was speaking of are now Democrats, and the Federalists as such are no more, it was the **commonality of purpose** to which Jefferson referred. **Our** commonality should be evident—we are all lawyers who are committed to our profession's excellence and ideals.

Working together, we in the ABA can focus on what unites us as lawyers—
our common core values. Our aim is, and our aim always will be, to serve and strengthen our Association, our profession, our justice system, and our society under the rule of law.

In doing so, we have much to highlight. And we have much to build on.

 President Mathis, we will promote pro bono service and other rewarding opportunities for lawyers who are approaching their second season of service and have so much more to contribute. We will encourage our corporate friends to leverage our profession's full talent by

recruiting women lawyers to their boards. We will strengthen relations with our bar allies overseas to share strategies, work on common goals, and champion the rule of law—as you have done so effectively.

We will provide for our youth, especially our youth at risk, as we seek justice for all. Karen, your leadership in this area is near and dear to me. Growing up in Gadsden, Alabama, I admired my dad's career in dentistry, so I thought I wanted to become an orthodontist. But in high school I got involved in my local YMCA's Youth in Government Program, which showed me how lawyers can serve the public good. I found that my true calling . . . was in the law.

To this day, Jan and I have been deeply involved with our YMCA in Birmingham. The Youth in Government Program in my small Alabama hometown opened my world to a remarkably fulfilling career. And it paved the way to the privilege of working with everyone here—as friends and colleagues—on behalf of our great Association.

My experience with the YMCA is just one example of the power that lawyers have to change lives.

We have so much great work at the ABA to highlight. And we have so much to build on.

Immediate Past President Greco, your renaissance of idealism shined a needed spotlight on the ABA's Goal Ten—that our profession is a common calling, dedicated to public service. Your commitment to improving access to justice added mightily to the bar's vigilance in ensuring that everyone's legal needs are met. And your leadership in uniting the ABA in response to unchecked government power reaffirmed the role of lawyers as guardians of our government of laws, not of men.

We in the ABA have so much to highlight. And we have so much to build upon.

President-elect Neukom, you are showing us that the rule of law is the big picture for the ABA as well as for a free and prosperous world. All civilized societies . . . including our own . . . must respect and pursue the rule of law in order to remain civilized.

The rule of law is central to what *all* lawyers do, whether we're corporate lawyers or public-interest lawyers, whether we're working on Wall Street . . . or on Main Street.

The rule of law is central to what we do, whether we've served abroad with CEELI . . . or serve at home in our own communities.

And we're increasingly aware that the rule of law concerns not just the legal profession. It is part and parcel for every industry, every individual, that has a stake in diverse, vibrant, and prosperous societies.

~~_____~~
We will highlight and we will build on the contributions to our Association, our profession, and our society of those who came before us, including pathbreakers like Dennis Archer and Robert Grey, like Roberta Ramo and Martha Barnett, who opened up the ABA for so many people with their vision, their courage, and their generosity of spirit. And, of course, my law partner and friend Lee Cooper, who opened up the ABA and its Litigation Section to a certain young lawyer 20-

odd years ago. It was Lee and Joy who introduced Jan
and me to the ^{rich} rewards and professional and personal
satisfaction of working within the ABA, and got us
involved.

Working together, we will focus on the ABA's programs and activities that are central to our **core values**—particularly as they relate to access to justice, independence of the bar and judiciary, diversity in the legal profession, and strengthening the rule of law.

We will draw on the excellent projects, activities, and resources throughout the ABA community—in our sections, divisions, forums, and other entities as well as our state, local, and specialty bars, and our affiliated organizations.

The office of President-Elect is **not mine to own, or even lease** ^{for a year}. Instead, it belongs to **you—to all of our members**. Like those before me, I merely have the

opportunity to ~~briefly serve as a trustee~~ ^{hold it in trust}—with our members as the beneficiaries.

That's why we've started gathering, and will continue to gather, **your** ideas so that the ABA president can shine a spotlight on **your** important work and be a partner in **your** efforts. We want to hear from **you** about how we can leverage our efforts and collaborate on common values and common goals.

We are a large, diverse Association representing all facets of our profession and its various interests. As much as our diverse viewpoints give us strength and credibility, we cannot lose sight of the **concerns we all share.**

● When the government coerces corporations into waiving the attorney-client privilege, it's not just an attack on *business* lawyers and their corporate clients. It undermines what *all* lawyers do, and it's a threat to *everyone* who counts on the right to full and frank legal counsel.

● When a high-level Pentagon official publicly questions the patriotism of lawyers who represent Guantanamo detainees, it's not just an attack on *pro bono*

lawyers and their clients. It's an attack on *all* lawyers, and it chips away at *everyone's* right to competent representation.

● When legal aid funding doesn't meet the needs of 80 percent of our indigent population, it's not just hard luck for *those disadvantaged people*. It erodes *our entire profession* as we collectively pursue equal access to justice.

● When gifted women and men of diverse backgrounds face *systemic barriers* to entering law school and climbing the ranks of our profession, it's not just a *lack of opportunity* for ~~those from underrepresented~~ *them*

~~demographics~~. It's a *lost opportunity* for **all lawyers** as we're called on to serve an increasingly diverse society.

● When politicians criticize judges for opinions that are **legally sound but politically unpopular**, it's not just an attack on *those judges*. It weakens our profession's foundation, the rule of law.

And the growing, stubborn partisanship in judicial **election and selection** should concern *everyone* - lawyer and nonlawyer alike - who counts on impartial, independent, and *highly qualified* judges to rule solely on the *merits* of cases, free from political pressure or influence.

I have said before that it is easy to make a dollar,
what is difficult is to *make a difference*. The call to the
bar unites us lawyers on common goals—goals that
enable us to make a difference.

This becomes clear—tragically clear—during a
disaster, when people are suddenly desperate for legal
assistance. They need probate lawyers, real property
lawyers, insurance lawyers. They need government
benefits specialists, criminal defense lawyers and
prosecutors—you name it. But most of the time, they
simply need a lawyer just to help them sort out the legal
messes from a world turned upside down. We will
continue to help the hurricane-affected areas recover, we

will be there when disaster strikes again, and we will
continue to work on strategies to preserve access to
justice and the rule of law when calamity strikes.

Working together, we do make a difference. When
our delegations of lawyers visit Capitol Hill during ABA
Day in Washington, members of Congress make time to
meet with us—and they pay attention to our common
agenda. Our well-supported policies, **tested and tempered**
in the **crucible of this House**, assure them that we **are the**
voice of America's lawyers. They know we stand for
principle over partisanship.

Lawmakers don't always agree with us, but they do
listen to us, and they do respect us. And as far as politics

are concerned, the **well-informed** among them understand that only one "L" word accurately describes our Association That word . . . is *lawyer*.

My term as ABA president will begin in **August 2008**, just five months before the next U.S. president takes office. We don't know who that person will be, or what his - **or her** - party will be, but we know one thing: We will be working with a fresh administration. We therefore have a **singular opportunity** to hit the ground running and leverage our influence in Washington on the important issues in which we in the legal profession have a stake.

One more thing brings us together, and it's a precious one. . . . When I began my term as chair of the House, Lee Cooper gave the one single piece of advice: to try to finish those two years with more friends than I started with. I tried to take that advice to heart, and I will try to follow it again during the next two years. For Jan and me, serving in the ABA is ultimately about the thoughtful, talented, and committed people we meet, and the wonderful lifelong friends we make.

So let us focus on our common vision as lawyers—and as friends—and work together to make our Association and the legal profession more vibrant and more relevant than ever. Let us work together to make,

not a dollar, but a difference. I look forward to
cooperating, collaborating, and partnering with all of you.

Thank you for choosing me as your president-elect.

There are no regrets here about giving up the title President Elect Nominee. Let me give you an example: at the April Board meeting, President Mathis was returning from Prague and the dedication of the CEELI Institute; President Elect Neukom left from Chicago for Vienna to make plans for The World Justice Project; as President Elect Nominee, I was sent to Atlanta to give a speech at the Centers for Disease Control ---- where I caught a cold. So rank indeed has its privileges.

In his first inaugural address, Thomas Jefferson talked about a fledgling nation's common purpose. He famously said, "We are all Republicans, we are all

Federalists." Here in the ABA we, too, are all
Republicans, and all Federalists.

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