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2008-03-12 H. Thomas Wells, Jr. ABA Presidential Speech

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Presidents-Elect, National Bars of Color Meeting
March 12, 2008

Welcome

(You will provide further detail on your core areas of focus later in the morning)

- Thank you for extending your visit to BLI by another day. For several years, the ABA Office of the President has continued this enjoyable and extremely helpful tradition of hosting a meeting of the president-elect of the ABA with the presidents-elect of the national bars of color.
- Your time will be well spent. Many of you know the ABA pretty well, others of you don't know the ABA very well, and some of you—even me—sometimes *think* we know everything there is to know about the ABA but are always learning something new.
- Carolyn Lamm: President-elect nominee. Encourage folks to get to know her, as well. I was in her position last year during then-president elect Bill Neukom's meeting and found it helpful to be here. (She's still working out her travel schedule. May be able to join for meeting, or just dinner, or just BLI.)
- We're here for three reasons: Communication, cooperation, collaboration. To find out what your doing, to let you know what we're doing, and discover how we can work together.

- Re: cooperation, I appreciate your organizations' nominations for presidential appointments. Please continue to urge this input with your successors for next year. Process will open approximately Dec. 1 and continue to approximately end of February. Carolyn Lamm will appreciate it.
- Collaboration opportunities are plentiful and helpful, and we're here today to explore them. I was particularly interested in the ABA's ^{JUSTICE} ~~Judicial~~ Center program at last year's annual meeting in San Francisco about racial and ethnic justice, where several leaders of bars of color were panelists and provided insights that our community needs to hear.
- We can communicate, cooperate, and collaborate on anything, but a primary topic that unifies us is diversity.
- Diversity is a core mission of the ABA (Goal IX)—Paula Frederick and others will discuss this afternoon how the ABA's Diversity Center entities serve the public and profession through:
 - Advisory Council on Diversity (Pipeline programs—getting minorities into the profession)
 - Commission on Racial & Ethnic Diversity (helping minorities succeed in the profession once they're there)
 - Council on Racial & Ethnic Justice (giving minorities a fair shake in the justice system)

- In addition to thanking all of you for being here today, I wanted to especially thank the ABA Diversity Center's leadership and staff for organizing today's meeting. Thank you: Paula Frederick (Diversity Center chair), Cie Armstead (staff director), *and* Regina Smith, ~~and Sharon Tindall~~ for all your efforts.
- Diversity is a core ABA mission, and it is a common core value of our profession. I will emphasize the common core values during my presidency and will work to shine a spotlight on our community's excellent programs and activities that promote diversity. By "community" I mean not only the ABA and its various entities, but also our affiliated organizations like yourselves, and state and local bars.
- In addition to diversity, common core values (will discuss more about them later) as I see them are:
 - access to justice
 - independence of the bar and judiciary
 - rule of law
- Also, two special events coming up during my presidential term that I intend to incorporate into our activities:
 - 2008 Election,
 - Bicentennial of Lincoln's birthday on Feb. 12, 2009.

- We'll talk more about our common core values, the elections, and President Lincoln throughout the meeting, especially when we talk after lunch about the ABA's resources and services.
- But for the rest of this morning, we'd all like to hear from each other about our leadership plans and activities for the coming year. What are you doing? How can we work together? How can we lift each other up?

Core Areas of Focus

(discuss after the other presidents-elect discuss their areas of focus)

I am focusing my term on highlighting what the ABA "community" is already doing to promote our profession's "common core values." No need to reinvent the wheel or develop a separate presidential initiative. Bubble up, not top down. The work we are all doing is valuable and needs to be promoted as widely as we can.

13 Appts Comm. - 2 AA
1 Hispanic 6 of 13 are female
1 Asian

- Diversity
 - You will learn a lot about the ABA's diversity programming after lunch. I would add that I've participated in the Wingspread pipeline conference as

well as a diversity pipeline summit in Nashville hosted by Lipscomb University and the Tennessee Bar Association. I met with high school students and used the ABA YLD's "Choose Law" materials.

▪ Native American resources:

- Section of Environment, Energy and Resources committee on Native American resources.
- Section of Individual Rights and Responsibilities committee on Native American concerns.
- Judicial Division's National Conference of Specialized Court Judges committee on Native American tribal courts.

• Access to Justice

- Securing funding for legal services is paramount. Will hear about ABA Day in Washington a little later.
- Civil Gideon: Activity to implement ABA's 2006 policy advocating the right to counsel in civil proceedings where basic human needs are at stake.
 - ABA Standing Committee on Legal Aid and Indigent Defendants support for National Coalition for Civil Right to Counsel, and Section of Litigation programs.

- More access to justice programs/activities with SCLAID and Standing Committee on Delivery of Legal Services.
- Independence of Bar and Judiciary
 - ABA Day for lobbying on atty-client privilege.
 - Judicial independence. Doreen Dodson will talk about the ABA's resources on attacks on judges. Also: Policy on federal judicial selection commissions. This should be of interest especially to those who seek a diverse federal bench, as we've heard some anecdotal evidence that opening up the process this way, and incorporating equal opportunity principles, helps ensure more diverse candidates.
- Rule of Law
 - The ultimate core value.
 - World Justice Project.
 - Accra, Ghana, and other regional meetings in North and South America, Asia, Europe.

- **World Justice Project's rule of law principles:**
 - The government and its officials and agents are accountable under the law;
 - The laws are clear, publicized, stable and fair, and protect fundamental rights, including the security of persons and property;
 - The process by which the laws are enacted, administered and enforced is accessible, fair and efficient;
 - The laws are upheld, and access to justice is provided, by competent, independent, and ethical law enforcement officials, attorneys or representatives, and judges who are of sufficient number, have adequate resources, and **reflect the makeup of the communities they serve**

- **The project's Rule of Law Index** is measuring diversity of the bench and bar. Index is being rolled out in U.S., India, Chile, Nigeria, and Columbia.
- **Rule of Law Initiative (ROLI)** activities in Africa, Latin America, Asia, and Eastern Europe.
- Also need to promote here at home—the U.S. is a World Justice Project Index country.
- A **diverse profession** and a **diverse society** is crucial to a thriving rule of law.

Election 2008

- Elections are a primary rule of law issue: Story from Macedonia about Florida ("Flor-ee-da.")
- The bar not only plays a central role in ensuring that our elections are free, fair, accessible, and accurate. We also bring valuable insights to the issues our candidates expound upon. We can make inroads with our national leaders on these and other issues, especially those that involve our common core values as lawyers.
- At least a dozen entities in the ABA are working in this area. Standing Committee on Election Law is flagship, but also include State & Local Government, Administrative Law, and Racial & Ethnic Justice. LaVeeda and Rachel will talk more about the Election Protection hotline project we're partnering on with the Lawyers Committee on Civil Rights Under Law. I was eager to volunteer for this in Washington but couldn't make it. (See handout.)
- Election Law Handbook (see handout and sample copy)
- CLE program that dealt with Voting Rights Act issues (handout)
- Jack Young article on opportunities for lawyers to volunteer in their communities' elections (handout).

Judge
JACK
TUNHEIM

- See our elections resources table at BLI during the "Taste of the ABA" on Friday.
- **Lincoln's Birthday bicentennial**
 - February 12, 2009.
 - Can't miss this one—great opportunity for the bar to identify with the greatest lawyer ever.
 - ABA Museum of Law exhibit on Lincoln: Set to open in February.
 - Probable Law Day 2009 theme.

Between working to advance the common core values of diversity, access to justice, independence of the bar and judiciary, and the rule of law—plus the 2008 elections and Lincoln's birthday—we'll be plenty busy and could use all the help we can get to promote these themes and collaborate on them together.