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20-minute keynote speech, followed by awards presentation (text of award presentation follows text of speech). The audience represents a broad cross-section of those involved in providing pro bono services—lawyers, judges, advocacy groups, program administrators and the like.

"God Save Us From This Honorable Court" story.

Thank you. It is an honor to be here among fellow members of the bar who are dedicated to a core value of our profession: preserving and expanding equal justice and access to justice for all.

You are the folks who embody the reasons most of us went to law school: not necessarily to make a dollar, but to make a difference.

We have a saying in the South, a saying that I understand isn't used in other parts of the country. We say that lawyers are "called to the bar." Think about that...

As lawyers, we are called to the bar to make a difference in our communities.

I'm not the first ABA president from Alabama. Actually, I'm the third.

The first ABA president from Alabama was Henry Upson Sims, who was also from my hometown of Birmingham.

I think about Henry Upson Sims a lot these days. You see, as the old Chinese curse puts it, he led in interesting times. He was president of the Alabama State Bar from 1917 to 1918—America's years in World War I. And he served as president of the ABA from 1929 to 1930—smack dab at the start of the stock market crash and the beginning of the Great Depression.

I do have to say that any responsibility Henry Upson Sims had for the stock market crash has been greatly exaggerated.

Of course, we're in some very interesting times of our own. Our profession is grappling with the economic crisis, and individual lawyers are hurting. So, of course, are our communities—especially the poor—which more than ever need legal services to help them with the threat of foreclosure, consumer fraud, bankruptcy, unemployment, domestic violence, and so many other socioeconomic problems that invariably are legal problems.

Back in 1930, I'm afraid, this point may not have been so obvious to the

leadership of the organized bar. President Sims, perhaps inelegantly to today's ears, assured the assembled at the ABA Annual Meeting in August of 1930 that (and I quote) "visions of social strife are but phantasmagoria of morbid brains."

Today we may differ about the degree to which we're experiencing social strife as a result of the economic crisis, but it certainly doesn't take a morbid brain to figure out that people are hurting out there.

And it's not phantasmagoria to point out, as we all know, that 80 percent of the

poor who can benefit the most from a lawyer's help cannot access it.

I see firsthand the important things lawyers do to help our communities in visits throughout the country, where I usually make a point to stop by the local legal services program and, when possible, local law school clinics. I've also been briefed about bar pro bono initiatives such as Tennessee's 4-All program.

These visits impress me and humble me. And they again remind me of why I became a lawyer—to make a difference.

The people I visit, like many of you, make a difference every day in serving clients who have nowhere else to go. It's my hope that by shining a spotlight on the critical need for legal services in local communities, particularly with the local news and legal media, I can do a small part to help you make a difference as well.

The organized bar is also trying to help as we lobby for increases in legal services funding and other access to justice issues. Last month, as it does every year, the ABA's Governmental Affairs

Office organized our annual, coordinated lobbying effort on Capitol Hill with leaders of state and local bar associations. Our primary issue, as it is every year and throughout the year, is to convince Congress of the critical need to adequately fund the Legal Services Corporation.

This is all the more important these days, as the economic crisis is sharply reducing the investment returns of endowments, IOLTAs, and other programs that fund legal services.

In addition to legal services funding, we lobbied on other access-to-justice issues:

One of those issues is the Legal Services Benefit Act of 2009, which would restore the pre-tax status for group legal employee benefits, a tax status that was eliminated in the mid-1990s. As many of you know, group legal services plans deliver preventive legal services for moderate-income Americans. As with legal services for the poor, we know that providing a lawyer's help at the early stages of a problem can reduce the need

for more costly government and other services down the road.

We're also lobbying to provide increased funding for the Legal Orientation Program for immigrant detainees administered by the Department of Justice.

I actually observed this program in San Diego. It informs detained immigrants of their legal rights, including the right to immediately return to Mexico or their home country if they desire! Given the costs of incarceration, we've been able to make a cost-efficiency

argument with lawmakers in addition to the due-process argument.

On the issue of funding for Legal Services, our delegations to Capitol Hill were armed with a letter signed by 52 state and territorial bar presidents and, for the first time, the presidents of the major bars of color. The letter urges Congress to increase LSC funding to at least \$435 million. The letter we had is remarkable given that getting all these bar presidents to agree on anything is like herding cats on ice. The letter is a strong show of nationwide bipartisan support, a

point that I believe is becoming increasingly obvious to members of Congress.

The ABA values our partnerships with the organizations that enhance our ability to make a difference on our core value of access to justice—not the least of which is the National Legal Aid and Defender Association. Again this year, we are pleased to have the association as a co-sponsor for this Equal Justice Conference.

We are grateful for NLADA's support and collaboration with the ABA's flagship on access to justice, our Division for Legal Services. Within the Division for Legal Services is the Standing Committee on Pro Bono and Public Service, which has done a wonderful job organizing this conference as it does every year.

In addition to conducting the Equal Justice Conference, the Center for Pro Bono is the ABA's brain trust on encouraging lawyers to fulfill an important professional responsibility: to

provide at least 50 hours of free legal services to the poor each year.

We're not at that level yet, but we're making progress.

According to the Standing Committee on Pro Bono's recent study, the number of hours of pro bono work performed by each lawyer has increased, to 41 hours per lawyer per year in 2008 up from an average of 39 hours per lawyer in 2004.

Also, the number of lawyers who report having done pro bono work has increased: 73 percent in 2008 up from 66 percent in 2004.

We can also favorably compare the rate at which lawyers volunteer their services each year—nearly three-fourths—with that of the general population, which is only about one-fourth.

But as much as we can celebrate, we need to continue and expand our efforts to promote pro bono and funding for legal services.

As I mentioned, the Standing Committee on Pro Bono and Public Service is just one of the entities housed in

the ABA's Division for Legal Services.

Also in the Division is the ABA Standing Committee on Legal Aid and Indigent Defendants, which many of you know by the acronym SCLAID.

I'm sure those of you who have worked with SCLAID have found its institutional resources on civil legal aid and criminal indigent defense to be quite valuable. Indeed, SCLAID is a prime player in moving the ball forward (one yard at a time, it seems) in realizing an important ABA policy: the right for all to

have access to counsel in civil cases where basic human needs are at stake.

SCLAID also is a moving force in helping local jurisdictions call attention to the public defender crisis, which undermines the constitutional right of the accused to counsel.

That crisis, actually, dovetails with another core value of our profession on which I've been shining the presidential spotlight this year: an independent, fully functioning judiciary. It's clear that an independent judiciary has significant

connections with preserving equal justice and access to justice.

Like our core value of access to justice, the recession has made an independent judicial branch more critical and timely than ever. Hardly a week passes without news of jurisdictions severely cutting criminal, civil, or juvenile justice programs due to revenue shortfalls.

Our ability to maintain courts as an independent branch of government is threatened if they don't have the resources they need to carry out their work.

This was the principal issue for a national summit the ABA convened on fair and impartial state courts last weekend. We were fortunate to have the endorsement of Justice Sandra Day O'Connor, our honorary chair and keynote speaker.

To give you a sense of how much this issue is resonating throughout the country, delegations were sent by the chief justices of 34 state supreme courts and three territorial high courts. These delegations represented all three branches of state government, justice-system

leadership, and the bar. We spent the weekend developing strategies to maintain adequate justice-system budgets and ensure their courts' institutional legitimacy by promoting communication, cooperation, and collaboration among the three branches of government.

Yes, we live in interesting times. In these interesting times of our own, it's useful to remember another Chinese concept—that in crisis, there lies opportunity. Working together, we can

answer our call to the bar and make a difference.

Thank you for using the resources of your local and state bars, along with those of the ABA's Division for Legal Services. I also hope you're familiar with the ABA's other groups that provide guidance on access-to-justice issues. We have the Center on Children and the Law and the Council on Racial and Ethnic Justice. And we have commissions on Domestic Violence, Homelessness and Poverty, Immigration, Law and Aging, Mental and Physical Disability Law, and Youth at

Risk. In addition, most of the ABA's sections and divisions sponsor access-to-justice activities involving particular areas of practice.

I appreciate your kind attention, and I thank you for being here and for all your efforts. Working together, we can make a difference.

ADDITIONAL REMARKS

Remain at podium following applause at conclusion of prepared remarks to present awards for the national association of pro bono professionals. This is the presentation text...]

It is a tradition that the ABA president has the honor at this event of presenting awards on behalf of the National Association of Pro Bono

Professionals. I would like to invite Helenka [he-len-ka] Markuliewicz [mar-CUE-leh-wicks], the president of NAPBRO [NAB pro] to join me for this presentation.

The Tanya Neiman Pro Bono Professional of the Year Award is presented to a pro bono program professional who has demonstrated a steadfast commitment to the pro bono legal services delivery system, has provided exceptional service to his or her program, and has achieved outstanding results.

The award is named in honor of Tanya Neiman, director of the Bar Association of San Francisco's Volunteer Legal Services Program until her passing in 2006. Tanya was the single most recognizable person nationally in the effort to bring together all available resources to

improve access to justice for low-income persons.

This year's recipient was a very close friend of Tanya's, and it is fitting that she receives this recognition before she retires in just a few months.

Mary (Meg) Connolly has been the executive director of the Volunteer Lawyers Project of the Boston Bar Association since 1985. During that time, Meg, a graduate of Boston College School of Law, has been instrumental to the growth of pro bono in this nation. She has had both formal and informal leadership roles among legal services directors and statewide planning groups. Many agencies and pro bono professionals around the country have called on her to consult on pro bono efforts or management challenges.

Meg is a member of the Standing Committee on Pro Bono of the Massachusetts Supreme Judicial Court; a consultant for the ABA Center for Pro Bono Peer Consultation Project, a past member of the ABA Standing Committee on Pro Bono and Public Service and a long time active member of the National Association of Pro Bono Professionals. It is a privilege to present Meg Connolly with the 2009 Tanya Neiman Pro Bono Professional of the year award.

[Meg comes up to podium/receives award. Hand her award. Preferably no remarks. Quick photos.]

The next award is named after one of my predecessors: former ABA president William Reece Smith, Jr. [Note: Reece usually is present for the presentation of this award. We're trying to

get confirmation whether he will be this year or not. If he is, he should be invited to the dais. Steve Scudder will confirm one way or the other.]

This year's William Reece Smith Jr. Special Services to Pro Bono Award is being presented to Steve Griebel [GRIE-buhl], one of the founding officers of the Volunteer Lawyer Program of Northeast Indiana.

Steve has been a longstanding pro bono supporter and pro bono lawyer in his community. He continues to serve as an officer of the VLP board, continues to volunteer to represent clients of the program, and regularly participates in community educational seminars and pro se clinics.

If helping to found the volunteer lawyer program wasn't enough, in 2006 Steve took on the creation of the volunteer advocates for

seniors and incapacitated adults. Because of his vision and leadership, this program is now actively addressing the legal needs of individuals who don't have family or friends to help when they can no longer make safe decisions for themselves.

It is with pleasure that I present the NAPBPRO 2009 William Reece Smith Special Services to Pro Bono Award to Steve Griebel [GRIE-buhl].

[Steve comes up to podium/receives award. Hand him award. Preferably no remarks. Quick photos.]

Finally, I am honored to present NAPBPRO's Best Practices Spotlight Award, given to a project that serves low-income people and that involves members of the private bar and public

sector in the delivery of critical civil legal services. The award comes with a scholarship to the 2010 Equal Justice Conference.

This year, the NAPBPRO spotlight falls on *Save the Dream*, Ohio's foreclosure prevention effort. *Save the Dream* was formed in early 2008 to implement two recommendations of the Ohio Foreclosure Prevention Task Force – providing pro bono representation for homeowners facing foreclosure and using mediation in foreclosure cases.

The project is a collaborative effort among the Ohio Supreme Court, attorney general's office, Department of Commerce, and legal aid organizations. The Ohio Legal Assistance Foundation committed funds to support the legal aid delivery system's participation in *Save the Dream* and continues to support the project.

The project is commended for its multi-faceted approach, the project's responsiveness to a serious community need, and its successful efforts to engage the entire legal community's attention and collective response.

Accepting the award on behalf of the project is Leanna Gipson of the Ohio Legal Assistance Foundation.