

PRELIMINARY AGENDA

**AMERICAN BAR ASSOCIATION
HOUSE OF DELEGATES
2003 Midyear Meeting
Seattle, Washington**

REPORT # SUBJECT

- 100A STANDING COMMITTEE ON LEGAL ASSISTANTS**
Grants approval, reapproval and the extension of approval to several legal assistant education programs.
- 100B STANDING COMMITTEE ON LEGAL ASSISTANTS**
Adopts amendments to the ABA Guidelines for the Approval of Legal Assistant Education Programs, dated February 2003, which reflect changes in terminology, correction of grammatical errors and reorganization of some sections for clarity and to avoid instances of duplication.
- 101 STANDING COMMITTEE ON TECHNOLOGY AND INFORMATION SYSTEMS**
Urges jurisdictions to participate in the creation of an American universal system of citation for case reports, statutes, administrative documents and other resources upon which the legal profession relies.
- 102 SECTION OF ADMINISTRATIVE LAW AND REGULATORY PRACTICE**
Recommends that the U.S. Court of Appeals for Veterans Claims and Congress take a series of procedural steps to seek faster and more efficient resolution of veteran's disability claims.
- 103A CRIMINAL JUSTICE SECTION**
Adopts the black letter ABA Criminal Justice Standards on Collateral Sanctions and Disqualification of Convicted Persons, dated February 2003, as an addition to the Third Edition of the Criminal Justice Standards, which address issues related to legal disabilities that flow from a criminal conviction over and above the sentence imposed by the court.

Copies of Reports are available upon request to the Division for Policy Administration.

- 103B CRIMINAL JUSTICE SECTION**
Urges federal, state, territorial and local governments to evaluate their existing laws, practices and procedures and to develop criteria relating to the consideration of prisoner requests for reduction or modification of sentence based on extraordinary and compelling circumstances arising after sentencing, to ensure their timely and effective operation.
- 104 TASK FORCE OF GATEKEEPER REGULATION AND THE PROFESSION**
CRIMINAL JUSTICE SECTION
SECTION OF LITIGATION
SECTION OF REAL PROPERTY, PROBATE AND TRUST LAW
Supports and urges reasonable and balanced initiatives designed to detect and prevent domestic and international money laundering and terrorist financing.
- 105 TORT TRIAL AND INSURANCE PRACTICE SECTION**
Recommends that states improve procedures for dealing with insolvent insurance companies and improve the operation of the current state receivership system by enacting legislation and/or adopting regulations.
- 106A COMMISSION ON DOMESTIC VIOLENCE**
Recommends that law schools, through their deans, professors, clinicians, curriculum directors and students, incorporate education about domestic violence within their substantive, clinical, and specialty law curricula and law school activities.
- 106B COMMISSION ON DOMESTIC VIOLENCE**
YOUNG LAWYERS DIVISION
Urges that state and federal legislatures, administrative agencies, and courts prevent discrimination in housing against victims of domestic violence.
- 107 STANDING COMMITTEE ON LEGAL AID AND INDIGENT DEFENDANTS**
SPECIAL COMMITTEE ON DEATH PENALTY REPRESENTATION
CRIMINAL JUSTICE SECTION
Adopts revisions to the *ABA Guidelines for the Appointment and Performance of Defense Counsel in Death Penalty Cases*, dated February 2003 and recommends adoption of the Guidelines by death penalty jurisdictions.

- 108 SECTION OF TAXATION**
Recommends that Section 751 of the Internal Revenue Code of 1986 be amended to conform Section 751(a) and Section 751(b) so as to eliminate the substantial appreciation threshold for Section 751 (b) and harmonize the treatment of transactions under Sections 751(a) and 751(b).
- 109 TASK FORCE ON TREATMENT OF ENEMY COMBATANTS
CRIMINAL JUSTICE SECTION
SECTION OF INDIVIDUAL RIGHTS AND RESPONSIBILITIES**
Urges that U.S. citizens and other persons lawfully present in the United States who are detained within the United States based on their designation as “enemy combatants” be afforded the opportunity for meaningful judicial review of their status, that they not be denied access to counsel in connection with the opportunity for such review and urges Congress to establish clear standards and procedures governing their designation and treatment.
- 110 STANDING COMMITTEE ON THE DELIVERY OF LEGAL SERVICES
SECTION OF LAW PRACTICE MANAGEMENT**
Adopts Best Practice Guidelines for Legal Information Web Site Providers, dated February 2003, to provide direction to those who provide legal information through the Internet.
- 111 STANDING COMMITTEE ON LEGAL ASSISTANCE FOR MILITARY
PERSONNEL
STANDING COMMITTEE ON ARMED FORCES LAW
STANDING COMMITTEE ON DELIVERY OF LEGAL SERVICES
GENERAL PRACTICE, SOLO AND SMALL FIRM SECTION
GOVERNMENT & PUBLIC SECTOR LAWYERS DIVISION**
Adopts the black letter “Model Expanded Legal Assistance Program Rule for Military Personnel”, dated February 2003 and urges states and territories to adopt the model rule in order to provide low-income military service members and their dependents free civil legal assistance and in-court representation by military attorneys.
- 112 SENIOR LAWYERS DIVISION
JUDICIAL DIVISION
CRIMINAL JUSTICE SECTION**
Supports the United States Constitution as the supreme law of the land and reaffirms its commitment to the doctrine of “judicial review” as a fundamental principle for a nation governed by the rule of law.

- 113A NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
Approves the Uniform Parentage Act promulgated by the National Conference of Commissioners on Uniform State Laws in 2000 and amended in 2002 as an appropriate Act for those States desiring to adopt the specific substantive law suggested therein.
- 113B NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
Approves the Uniform Nonjudicial Foreclosure Act promulgated by the National Conference of Commissioners on Uniform State Laws in 2002 as an appropriate Act for those States desiring to adopt the specific substantive law suggested therein.
- 113C NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
Approves the Uniform Child Witness Testimony by Alternative Methods Act promulgated by the National Conference of Commissioners on Uniform State Laws in 2002 as an appropriate Act for those States desiring to adopt the specific substantive law suggested therein.
- 113D NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
Approves the 2002 Amendments to Articles 3 and 4 of the Uniform Commercial Code promulgated by the American Law Institute and the National Conference of Commissioners on Uniform State Laws as appropriate Amendments for those States desiring to adopt the specific substantive law suggested therein.
- 113E NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
Approves the Uniform Interstate Enforcement of Domestic-Violence Protection Orders Act promulgated by the National Conference of Commissioners on Uniform State Laws in 2000 and amended in 2002 as an appropriate Act for those States desiring to adopt the specific substantive law suggested therein.
- 113F NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
Approves the Uniform Securities Act promulgated by the National Conference of Commissioners on Uniform State Laws in 2002 as an appropriate Act for those States desiring to adopt the specific substantive law suggested therein.

- 113G NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
 Approves the Uniform Computer Information Transactions Act (2002) promulgated by the National Conference of Commissioners on Uniform State Laws as an appropriate Act for those States desiring to adopt the specific substantive law suggested therein.
- 113H NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS**
 Approves the Uniform Apportionment of Tort Responsibility Act promulgated by the National Conference of Commissioners on Uniform State Laws in 2002 as an appropriate Act for those States desiring to adopt the specific substantive law suggested therein.
- 114 STANDING COMMITTEE ON SPECIALIZATION**
 Grants reaccreditation to several specialty certification programs for lawyers in accordance with the Standards for such programs adopted in February 1993.
- 115 SECTION OF LABOR AND EMPLOYMENT LAW
 SECTION OF INDIVIDUAL RIGHTS AND RESPONSIBILITIES
 SECTION OF LITIGATION**
 Recommends that Congress enact the Civil Rights Tax Relief Act (H.R. 840 and S. 917) or similar legislation that would provide relief to civil rights and employee complainants to exclude from gross income amounts received on account of claims based on certain unlawful discrimination, retaliation and employment claims.
- 116 COMMISSION ON HOMELESSNESS AND POVERTY
 STEERING COMMITTEE ON UNMET LEGAL NEEDS OF CHILDREN
 COMMISSION ON MENTAL AND PHYSICAL DISABILITY LAW
 STANDING COMMITTEE ON LEGAL AID & INDIGENT DEFENDANTS
 STANDING COMMITTEE ON LEGAL ASSISTANCE FOR MILITARY PERSONNEL**
 Recommends standards to assist jurisdictions in developing a homeless court program to address the legal problems of the homeless participants as well as linking them with appropriate services and treatment programs.
- 117 SECTION OF INTELLECTUAL PROPERTY LAW**
 Supports the enactment of federal legislation to protect an individual's right of publicity to the extent the individual's identity is used for a commercial purpose in "commerce".

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SECTION OF INDIVIDUAL RIGHTS AND RESPONSIBILITIES

Urges Congress to conduct regular and timely oversight of the government's use of the Foreign Intelligence Surveillance Act ("FISA") to ensure that FISA investigations comply with the First, Fourth and Fifth Amendments to the Constitution.

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BOARD OF GOVERNORS

Recommends an increase in ABA membership dues of approximately 15%.