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Mr. Chairman, members of the House, and friends – it is a tremendous honor and pleasure to stand before you today as the 129th President of the American Bar Association, the largest voluntary professional organization in the world. And it is especially moving for me to receive the gavel in the place where I spent my childhood – the great city of Chicago.

I want to begin by thanking the outgoing President of the American Bar Association, my close friend Robert J. Grey Jr., of Richmond, Virginia, and his wonderful partner Katherine Cabell, for the outstanding leadership, elegance and grace that they have provided to our Association. Robert and Katherine, you have made us very proud.

One gets to this position only with a lifetime of support from many. Please allow me to make some acknowledgements.

My parents, who are no longer with us, and whose journey more than half a century ago from a village in Italy to Hinsdale, Illinois, near Chicago, my mother's birthplace, made my own journey to this podium possible. To them, I will be forever grateful.

My wife, Dianne, a devoted educator and beloved mother, my closest friend and steadfast partner in this grand adventure – I thank you for your constant and cheerful support. Please join me in extending a warm welcome to Dianne.

Our wonderful children, who have given us great joy and pride, and my brother and sisters, and their children are here – I thank them for their love and caring.

My colleagues at the great firm of Kirkpatrick & Lockhart Nicholson Graham, led by our Managing Partner Peter Kalis, who have traveled far to be here today. They

make it possible for me to serve our Association and profession, and I am very grateful to them.

My colleagues at the former and wonderful Boston firm of Hill & Barlow who are here today, including my good friends Richard Renehan and Jonathan Strong. They taught a raw young lawyer the skills, ethics, and professional values that helped to shape the lawyer I am, and I thank them.

My secretary Gail O'Connell and I started to work together at Hill & Barlow in 1971, and 34 years later we are still working together. She is simply the best, and I am pleased that she is here today.

Father Robert Drinan, recipient of the 2004 ABA Medal, is a giant in our profession and in my career – my mentor and friend since I entered Boston College Law School 36 years ago when he was Dean. You honor me, Father Drinan, by being here today.

I thank the members of our great Association – 405,000 strong and growing. Through our great Sections, Divisions, Forums, Committees, Commissions, and Task Forces they work tirelessly to ensure that the core values of fair play and equal access to justice continue to define our profession and our system of justice. I am proud to be their colleague. And I thank the great state and local bar associations represented in this House for their invaluable contributions and their partnerships with our Association.

Our outstanding Association staff, led by Executive Director Bob Stein. Bob's leadership has elevated our Association in so many ways – from record membership to expansion in the international arena. Please join me in thanking Bob, and the entire ABA staff, for making it possible for us to do all that we do for the legal profession and the public.

Finally, I want to acknowledge a special someone who had an early and lasting influence on my life – my fourth-grade teacher, Alice Glass. I want to tell you a little about Alice, who was 22 years old when we met in the fall of 1952. The large screen behind me displays a picture of Alice and her fourth grade class.

When I was new to this country and to Hinsdale – and more than a little anxious, I can tell you – she took me under her wing, taught me to speak and write the English language, and helped give me the confidence and tools to succeed. She was an outstanding teacher but, equally important, she was a caring person. She was respectful of her students, she had a wonderful and playful sense of humor, and she made learning the joy that it should be. Our friendship spanned fifty years, until her death in 2002. During those years she constantly expressed encouragement, support, and pride in my accomplishments.

When I think about Alice Glass and her selfless commitment to her students, I am reminded of two responsibilities that all of us share as Americans: to welcome newcomers to this land of great opportunity, and to extend a caring hand of assistance to those in need. I am also reminded of the tradition of public service that has defined our own profession from the beginning. In the final analysis, Alice Glass's efforts as an educator and our efforts as lawyers have something basic in common, something that gives true meaning to what teachers and lawyers both do: we work to make the world a better, safer place for our children, and their children, and for humanity. There is no higher calling.

It gives me enormous pleasure that Alice's husband, George Glass, now a retired lawyer, and Kathrine, the eldest of their four lovely daughters and herself an educator, are here today. I ask them to stand to receive your warm welcome.

I thank the Attorney General of the United States, Alberto Gonzales, for addressing the House earlier today, and for his remarks acknowledging the vital role of the American Bar Association in addressing issues that concern the legal profession, our government, and the public. I look forward to continuing our constructive dialogue on a range of issues, including voting rights, sentencing reform, and the Patriot Act. Our shared concerns about protecting privacy and civil liberties as we fight terrorism provide an opportunity to work together to advance common goals. Where we have differences, we will work in good faith to narrow them. And when we disagree, we will do so respectfully.

Ladies and gentlemen, at this moment of personal joy, I am conscious that I stand before you at a time of great challenge for our profession, and for our nation. Perhaps because I was born in another land, and have observed the oppression of freedoms and turmoil experienced in other countries of the world, I have never taken for granted this nation's ideals. As two of our country's Founders, George Washington and James Madison, rightly called it, our Constitution, and the system of government that it embodies, is nothing less than a miracle.

But today our miracle is in danger. Too many Americans are losing sight of the fundamental values that have made this nation great. Ironically, while American lawyers – and the American Bar Association – are helping to build independent judicial systems in emerging democracies around the world, our own courts are under unprecedented attack. They are being threatened by extremists, who would tear down our courts for political, financial or other gain.

The past year has witnessed the killing of judges and their family members, the attempt to strip away the jurisdiction and discretion of our courts, the demand to impeach judges for doing what they are supposed to do – apply the law to the facts

and decide cases fairly, and threats of budget cuts for the judiciary by those who disagree with court rulings.

As we prepare for the confirmation of a new Supreme Court justice, we hear from ideologues on both the right and left who would reduce this crucially important process to one of litmus tests. They want judges who will toe their ideological lines, not judges who will fairly interpret and apply the law.

We in the legal profession must not allow our independent judiciary to become hostage to any interest group or ideology. We must do all in our power to protect an independent judiciary – what Chief Justice Rehnquist correctly calls the “crown jewel” of our system of government – and the very foundation of our democracy. At stake is the very American doctrine of “separation of powers,” a doctrine that for two centuries has kept one branch of government from trampling on the people’s constitutional rights.

This morning the House reaffirmed the Association’s unwavering commitment to protecting the independence of our judiciary by its powerful, unanimous vote on the judicial independence resolution. The action of the House today is a message to all in America and the world that our Association will never relent in defending our institutions of democracy, as lawyers have done from the beginning of our nation.

I am proud of the hard work of the Association’s Standing Committee on Federal Judiciary and its evaluations of the professional qualifications of federal judicial nominees. The tireless and conscientious work of our committee – which members of the U.S. Senate have called the “gold standard” in evaluating judicial appointments – helps to assure the preservation of our “crown jewel.” I am pleased that Stephen Tober of New Hampshire will chair this important committee in the coming year.

To anyone who for political or other reasons would diminish, demean, or confuse the public about, the role that the Standing Committee has had for more than half a century, and continues to have, in advising the President and the U.S. Senate on the qualifications of federal court nominees, I say this: *shame on you*.

The American Bar Association will do everything in its power to protect the interests of the American people. The Association does not, and we will not, protect the interests of any political party or faction, nor the interests of any ideological or interest group. America’s lawyers will not be deterred in our efforts to protect the rights of all Americans in the vitally important judicial selection process. And it is our obligation, yours and mine, to inform the American people about the ABA’s true role in the evaluation of lifetime judicial appointments, and to respond to the misstatements of those who would seek to benefit from a diminished ABA role.

Citizens who do not understand or value their rights are easy prey to those who would abuse or steal those rights. Regrettably, too many of our citizens now lack such basic understanding. In a Harris poll commissioned by the Association, conducted two weeks ago, 40% of the respondents could not correctly identify our three branches of

government; 48% did not know what “separation of powers” means; and 29% did not know the definition of “checks and balances.” Perhaps most troubling is that 44% did not know the core responsibilities of the judicial branch.

That is why a major initiative of my term as ABA president will focus on the need to enhance the civic education of all Americans on the roles and responsibilities of our three branches of government, with a particular focus on the vital importance of an independent judiciary. I have just appointed the ABA Commission on Civic Education and the Separation of Powers to spearhead this initiative. U.S. Supreme Court Justice Sandra Day O’Connor and former U.S. Senator Bill Bradley, my Princeton classmate, will serve as honorary Co-Chairs of the Commission. I thank attorney Robert H. Rawson Jr., of Cleveland, Ohio, for serving as working chair of this important initiative.

To be sure, a healthy tension among our three branches of government is inherent in the genius of the Founders’ design. But the branches must work together with mutual respect, as they have done for two centuries, for our democracy to work. When that tension turns into mistrust or outright hostility, as it has in recent times, our republic is endangered.

The American Bar Association and America’s lawyers must oppose extremist attacks on our judiciary, whether they come from the right or the left. The greatest democracy the world has ever known has survived only because of the rule of law. And make no mistake about it – without an independent judiciary there is no rule of law. If we do not protect our courts, our courts cannot protect us.

Another challenge that faces our profession is to make good, finally, on the promise of equal justice – and equal access to justice – for all Americans. The law, like the American dream, should make no distinction between rich and poor. Unfortunately, neither the American legal system nor our nation has fully kept that promise. Reliable studies have documented that 70-80% of the legal needs America’s poor go unmet year after year.

To address this challenge, I have just appointed the ABA Task Force on Access to Civil Justice. I am pleased that Howard H. Dana Jr., Associate Justice of the Supreme Judicial Court of Maine, and a former member of the Legal Services Corporation, will serve as chair of the Task Force, which is composed of an extraordinary group of lawyers and judges.

I have asked the Task Force to consider another idea whose time has come: a defined right to counsel in certain serious civil cases. In *Gideon v. Wainwright* in 1962, the U.S. Supreme Court recognized that an indigent criminal defendant has a *constitutional* right to counsel. But we have yet to recognize such a right for poor Americans facing equally serious civil legal problems, problems that they cannot

address without the help of counsel – problems that can imprison one just as surely in poverty or discrimination.

It is time that we consider providing such a right – as many nations of the world already have – for serious civil matters that threaten the integrity of one’s family, shelter or health. The new ABA Task Force will address this important issue and report its recommendations to this House during the coming year.

The last two times I have addressed you I spoke about re-invigorating our proud tradition of public service into a “*Renaissance of Idealism in the Legal Profession.*” I am pleased to report progress on this initiative, thanks to the work of my outstanding Planning Committee, ably chaired by Jonathan Ross of New Hampshire and Bill Whitehurst of Texas.

Because the word “renaissance” is a lofty one, let me explain what it means to me. Pursuing justice is a noble calling, but not always a glamorous one. Many of us enter the legal profession to make a difference in society – to improve our communities, to protect the disadvantaged, to uphold the values that we all cherish. Growing up in Hinsdale in the 1950s I saw that it was lawyers who invariably were asked to lead important town committees, to solve civic disputes, to make our town better for everyone, and to help people in need. Those lawyers truly held the time-honored position of lawyer as Public Citizen.

It should be a concern to all of us that fewer lawyers today are becoming visible as Public Citizens. We must take steps to nourish the idealism of younger lawyers and veteran lawyers, giving them time and opportunity to engage in meaningful *pro bono* work and public service.

To help implement this initiative I have appointed the ABA Commission on the Renaissance of Idealism in the Legal Profession. U.S. Supreme Court Justice Ruth Bader Ginsburg and Theodore C. Sorensen, Special Counsel to President John F. Kennedy, have agreed to lead the Commission as Honorary Co-Chairs. Mark D. Agrast, of Washington, DC, will serve as working chair of this important Commission.

Justice Ginsburg’s commitment to the noble ideals of our profession, and to ensuring equal justice for all, will help guide the work of the Commission. I thank her for lending her enormous talents to this initiative.

Mr. Sorensen embodies the idealism of an earlier generation in America under a President who made public service a proud calling. Mr. Sorensen was there at the creation of a Peace Corps that enabled tens of thousands of young Americans, including my wife Dianne, to engage in public service around the world. He honors us by his willingness to serve on the Renaissance Commission, and by being here today.

I ask him to stand to receive your welcome and my thanks for the assignment he has accepted.

It is my hope that the outcome of this Renaissance Initiative will make the practice of law more fulfilling for all lawyers, will enable lawyers to serve better the legal needs of the American people, and will make the contributions of our profession to society more valuable and more visible.

I take comfort in knowing that my good friend Karen Mathis, a great leader in our Association, will be our President-Elect. I am honored to work with you, Karen, and to have your strong commitment to the goals of our Association.

I take comfort as well in the condition of our house. Built in 1878, the house we call the ABA has weathered many storms and undergone necessary renovations, but it is now on a strong foundation. Our house is now large enough to welcome and shelter all who want to enter, no matter their gender, color, disability or sexual orientation. The door was steadily opened by succeeding generations of our predecessors, and is now wide open to all who once had been denied entrance – and wide open it will remain.

Two conferences in the coming year will help open the door wider: an ABA conference on Diversity Pipeline Issues in November, sponsored by our new ABA Diversity Center which will be chaired by former President Dennis Archer; and the first-ever ABA employment conference for lawyers with disabilities next spring, sponsored by the Commission on Mental and Physical Disability Law.

I conclude with these thoughts.

It has been said that wherever and whenever injustice has been banished, conflict has been resolved, and human understanding has been advanced, lawyers and the legal system have played a vital role.

The lawyers who have been responsible for monumental change in America did not assume that someone else would bear the burden, that someone else would confront the challenge, that someone else would advance civil rights, that someone else would uphold the rule of law, that someone else would defend our freedoms.

Instead, those great lawyers knew that what they did not value, *would not be valued*; that what they did not change, *would not be changed*; and that what they did not do, *would remain undone*.

In this momentous time for our profession and our country, America's lawyers must again answer the call.

We must, and we will, defend the independence of our judiciary. We must, and we will, defend the independence of our profession. We must, and we will, return lawyers to their respected role as Public Citizen in our communities. We must, and we will, make good in this bountiful nation on the eloquent promise of equal justice for all in America; and finally, we must, and we will, ensure that equal opportunity is extended to all in our profession and nation.

Today I ask the members of this House, and all lawyers in America, to join in rededicating ourselves to the highest purposes of our cherished profession. We have the knowledge, the energy, and the commitment to accomplish great things.

And now, it is our time to accept responsibility for the future of our profession and our country.