

**American Bar Association House of Delegates Meeting
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Remarks as Prepared

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A few days ago, a friend of mine said, “Well, Karen, your odyssey is about to end. What were its highlights?”

I thought about that a bit. An odyssey, as Homer told us, is a long journey to far-off places that ends by coming home. I have been on the road much of the last year, but in a very real sense, I’ve never left home. As a lawyer, home is where we get the chance to serve others. Home is where we challenge injustice. Throughout my odyssey as your president, I have felt at home with our nation’s lawyers, and at home with our profession and values.

Before summarizing some of the ABA’s major achievements, I’d like to take a few moments to invite you into some of the “homes” I’ve been privileged to enter as ABA president. Because those visits have deepened my understanding of what lawyers can do.

For instance, we all know human trafficking is a terrible thing, but let me tell you: you feel it in a different way when a 13-year-old girl—a child—sits in your lap with her own baby. As you know, during a trip to Ecuador, I met such a girl in a shelter, who had been sold into sexual slavery by impoverished parents. Just a few years ago, human trafficking wasn’t even a crime in Ecuador. With the ABA’s help, the government made trafficking illegal, and we are training judges and prosecutors to put traffickers in prison. We support that shelter, too.

The high school drop-out rate gets lots of publicity, but what can lawyers do about that, you might ask. In Dallas, youngsters exchange e-mails with volunteer lawyers, and according to school officials and the Dallas Bar Association, this e-mentoring is having an extraordinary impact. Kids are staying in high school, and two youngsters I spoke to are now dreaming of law school. Think about it: Most of us write hundreds of e-mails every week. Think how much you could achieve if you wrote just a few e-mails to a youngster starving for adult guidance.

In Seattle, I met Lena Madsen, a young woman of color whom I won't soon forget. Lena was once a 15-year-old mother living with an abusive partner. The lawyers who represented her in family courts became heroes to Lena. Today, with a scholarship financed by the Washington State Bar Foundation, Lena is attending Seattle University Law School, and someday she, too, will be a hero and protector to those in need.

I could introduce you to countless other people I had the privilege of meeting this year. They would all have one thing in common: when we retain the courage to care, we lawyers are a powerful force for human justice. So long as we answer the call to service, we are every bit as good as the ideals that first drew us to this noble profession.

One year ago, in this House we agreed that this bar year would be built around two themes: service and the rule of law. I said then, "it is in the nature of lawyers to serve," and as ABA president, I experienced countless acts of dedication and service by our nation's lawyers: A Season of Service.

Many of these examples involved work with the ABA Commission on Youth at Risk.

Starting in Honolulu, the ABA, with the invaluable help of the Public Education Division, hosted 20 community round tables in different cities. These events brought together youth professionals from the fields of law, mental health, social work and education. They were just one component of an ambitious program to make sure our laws, courts and other institutions meet the needs of young people, who are our nation's most precious asset.

The commission has partnered with Girl Scouts USA and the Boys & Girls Clubs of America to provide anti-violence education, and with Tennessee Gov. Phil Bredesen to identify lawyers willing to volunteer as mentors for at-risk teens.

Working with the ABA Center on Children and the Law, the commission also conducted the ABA's first systematic review of juvenile status offense laws and policies in more than 30 years.

Juvenile status offenses, like truancy and running away, pose a huge quandary for courts.

In 2004, more than 400,000 young people were arrested for status offenses. That's 400,000 opportunities to put youngsters and their families back on track, but it's also 400,000 warning signs for our future, if we let these young people sink into the criminal system.

At this meeting, you will consider a recommendation urging states to alter their response to status offenses, so that they focus on entire families,

not just the individual youths. Recommendation 104A also urges the use of in-home and community services instead of incarceration.

The commission also has scrutinized troubles within America's foster care system. Each year, about 20,000 foster children "age out" of the child welfare system at 18, and many are woefully unready to face adult life.

What happens to these youngsters? Prostitution, early pregnancy, petty crime, and violence are just some of the tragic outcomes.

According to one study of youth aging out—ages 18 to 24—22.2 percent had been homeless at some time; 17 percent were on welfare; 33 percent lived at or below poverty level. Even more disturbingly, 54 percent had a mental disorder, and 25.2 percent suffered post-traumatic stress disorder—a rate nearly double that of U.S. war veterans.

Becky is a 21-year-old college junior with a 3.6 GPA. We met in Memphis. When Becky left the foster care system at age 18, she had almost no tools for adulthood. She spent her next Christmas in a crack house. But with transitional counseling, Becky has turned her life around.

At this House meeting, you will consider two important resolutions concerning foster care. Recommendation 104B calls on all states to adopt laws that provide foster care youth with housing, education and mental health assistance, at least until age 21, and to make sure that these youngsters have a significant attachment to an appropriate adult as they leave the system.

As you vote, remember that these are real young people, like Becky, whose "crime" is that their families fell apart. We as lawyers can do

enormous good by advocating for these youngsters, so that there will be many other Beckys, thriving in college and not out on the streets.

Recommendation 104C calls on states to find appropriate and supportive families for gay, lesbian, bisexual, transgender and what we call questioning youth. These youngsters make up a disproportionate share of the foster care population, and they also are especially vulnerable to harassment and documentation.

We cannot thank the ABA Commission on Youth at Risk—its members and staff—enough.

At the other end of the age spectrum, the legal profession faces a seismic shift, and many of us are experiencing it firsthand. An estimated 400,000 practicing American lawyers will retire in the next 10-15 years. This year, the ABA established the Second Season of Service to help firms and baby boom lawyers manage that transition.

The baby boom generation has reinvented everything it has encountered. Retirement is no exception. We are not a generation that will hang up our briefcases and spend entire days at the golf course. We will answer the call to service, just as we have our entire lives.

In March, we unveiled a state-by-state online matching service to help retiring lawyers find pro bono and other volunteer activities. You can access this service and learn more about this initiative at www.abanet.org/secondseason.

The Youth at Risk and Second Season commissions made amazing starts on very difficult issues. But the needs of at-risk youth, and of lawyers

facing retirement, are simply too great to be addressed in one year. It is gratifying to report that these commissions will continue to be funded after this bar year ends.

At the national level, the ABA has continued its mission of “defending liberty and pursuing justice.”

Working with a 60-organization coalition, the ABA continues to seek repeal of destructive policies that pressure defendants to waive their attorney-client privilege.

Quite simply, a client’s ability to speak to her lawyer in confidence is essential to effective legal representation.

Similarly, the right to an independent judicial review by detainees or incarcerated persons—habeas corpus—is under attack.

The ABA is educating members of Congress urging legislation to repeal a deeply misguided law enacted last year that prohibits federal courts from considering habeas corpus filings by detainees at Guantanamo.

And, of course, since 1990, the ABA has actively promoted the rule of law internationally.

The ABA and International Bar Association jointly sponsored a meeting in Chicago in September bringing together 400 people from 40 nations. Participants in that meeting have prepared several important resolutions for enactment by this House.

These include Recommendations 110 A through E. Collectively, they urge rule of law initiatives in connection with global environmental issues; the promotion of good corporate citizenship; laws to prohibit the evil of

human trafficking; and advancement of independent, fair and impartial judiciaries.

These are important resolutions. Please support them.

In the coming year, ABA President-elect Bill Neukom will deepen this work even further with the formation of the World Justice Project. His extraordinary and ambitious initiative will help make the rule of law a mainstream concept for other professions, not just our own.

As Oliver Wendell Holmes said,

The great thing in this world is not so much where we stand, as in what direction we are moving: ...we must sail sometimes with the wind and sometimes against it—but we must sail, and not drift, nor lie at anchor.

It is with great pride, and humility, that I conclude my year as ABA president. It has been a deep honor to serve at your sides, and to have assisted our great association in its never-ending quest for justice.

Thank you.