

U.S. District Court for the Northern District of Illinois and the Federal Bar Association.
Excellence in Pro Bono Service Awards

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Remarks As Prepared

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Let's talk this afternoon about a theme that we all know intimately as lawyers. It is a theme that has inspired and guided my term as ABA president and my career.

The theme is *service*.

At the most basic level, lawyers are members of a *service profession*. One of the ABA's 11 goals is to "preserve and enhance the ideals of the profession . . . and its dedication to public service."

It's natural to give our utmost service to paying clients. But our proud profession is committed to representing the millions of low-income Americans who desperately need our services but cannot pay for them:

- * Victims of domestic violence.

- * Parents who face losing custody of their children.

- * Elderly people who fall prey to scams.

- * Low-income members of our military whose families need help with housing, benefits, employment issues, and other critical legal needs.

In this room we share a commitment to pro bono, yet many obstacles remain. Many lawyers want to help, but they feel they can't—or don't know how.

- * They don't have the time.

- * They don't have the resources or the help they need.

- * The demands of their paying clients are too great.

- * And, perhaps most demoralizing, they assume they have nothing worthwhile to contribute.

But *every* member of the legal profession can provide pro bono service in amounts and at levels we might not imagine—if we engage the communities that can help us accomplish this.

We're talking about bar associations and our courts. Bar associations—through their advocacy and hands-on programs—provide an ideal vehicle to help lawyers serve.

Then there are the federal, state, and local judicial officers and courts that steer lawyers to pro bono opportunities. The Northern District of Illinois's Local Rule 83.35, the Pro Bono Program, is a national model for courts to follow. The support of this program by the judges, lawyers, and staff of the Northern District of Illinois is impressive.

Why do we need to advocate for pro bono so forcefully? We know that agencies funded by the federal Legal Services Corporation only scratch the surface of the legal needs of low-income adults and their children. More than 50 million people qualify for federal civil legal assistance, an all-time high. At best, legal aid can serve only one in five poor Americans and less than half of those clients who enter a legal services office. Every year, tens of thousands of eligible people with major legal problems are turned away due to Legal Services' lack of resources.

Despite these needs, we cannot take Legal Aid funding for granted. Earlier this week, we held the ABA's annual grassroots lobbying event in Washington, what we call ABA Day in D.C. Every year, the ABA's Governmental Affairs Office organizes hundreds of lawyers from across the country to visit their members of Congress and urge them to support our legislative priorities. And every year, funding for the Legal Services Corporation tops our list.

Consider this: In 1996, Congress slashed Legal Services funding from \$415 million to \$278 million. And we're still recovering. Funding for 2007 is only \$348 million, well short of the \$415 million allocated *more than a decade ago*. And the administration's 2008 budget proposes another funding cut to \$311 million.

Here in Illinois, the administration's 2008 proposal would translate to a 12 percent funding cut.

ABA Day is a wonderfully rewarding way to serve the public and profession through legislative advocacy. Join us in Washington if you can next year. And even if you cannot make the trip, members of Congress are receptive to personal visits from constituents at their district offices. They need to keep hearing from us that Legal Aid ensures that all Americans get a fair shake from our justice system.

To brush up on the issues and download talking points, visit the ABA's legislative advocacy website at abanet.org.

Legal aid funding is only one of five issues on which our members advocated in D.C. This year, we also briefed members of Congress on:

- * Substantially raising federal judges' pay,
- * Protecting attorney-client privilege from government policies that encourage waivers of the privilege,
- * Comprehensive immigration reform,

* Habeas corpus relief for terrorism detainees, and

* Law student educational debt relief.

Let's talk about pay increases for federal judges: It's long overdue. We continue to urge members of Congress to enact legislation that would enable judicial salaries to keep a reasonable amount of pace with salaries in private practice.

Economics should not play an undue role in the career-planning decisions of the excellent attorneys among us who are interested in federal judgeships or who want to remain on the bench. Paying our judges adequately is an investment in the continued excellence of our federal courts.

Judicial funding issues and pro bono both reflect the importance of *service* in our profession. Just as we must fully support our courts and federal judges who serve our communities, we must also fully support lawyers who serve our communities through pro bono work.

Presidential Initiatives

Service has also been the theme of key ABA initiatives this year. These initiatives serve our nation's youth, our military, and our growing population of retirees—particularly those transitioning from the legal profession.

First is our Youth-At-Risk initiative. It stems from a fundamental awareness that while our future is in the hands of today's youth, many young people and their families face serious problems that are growing deeper, wider, and more complex. Among these are:

* Foster care children, particularly as they age out of the system,

* Juvenile status offenders,

* Increasing violence among young girls, and

* Special concerns of youth in military families.

The Youth-at-Risk Initiative has explored ways that the law and the legal community can better identify and support America's at-risk young people. We are identifying the challenges facing this population and working to enhance laws and promote judicial intervention strategies, policies, practices, and programs—including pro bono and public service programs—that can help our teens from being harmed, becoming delinquent, or engaging in criminal acts.

Another ABA initiative involves a matter that's on many of our minds—the "Second Season of Service."

Baby boomers reaching the later stages of our careers may not be in a rush to hang up our briefcases and leave the law. With the upcoming transition of the baby boom generation, possibly the

single largest transformation of a workforce in modern times, the ABA is well positioned to help our members who wish to continue practicing law, either as a continuing form of income but with a new career pathway, as a form of public service or pro bono work, or in some combination of the two.

Many of us are eager and willing to share our skills, energy, and training with our communities when we retire from full-time practice, but we may not have the time to develop a plan or to explore available opportunities. That's where our Second Season of Service program comes into play. It offers several components:

- * Searchable network of pro bono and public service opportunities in the U.S. and abroad,
- * Information on the new ABA pro bono dues waiver program for retired or inactive lawyers,
- * Listing of malpractice insurance carriers that provide tail coverage, and
- * Information about state "pro bono emeritus" practice rules that allow pro bono legal service by qualified, retired or otherwise inactive lawyers.

Does Illinois have an emeritus rule? It should.

We're surveying law firm managing partners and heads of corporate legal departments to determine management practices for helping lawyers as they transition out of active practice.

We are very excited about this initiative for several reasons: It makes good use of what one magazine called "America's most wasted resource," and it offers dignity to lawyers as they age into new life adventures. And—perhaps most important of all for those of us here today—it promises to provide a new army of lawyers who can contribute to America's growing needs for pro bono legal service.

For role models, we can look to people like Patrick McGraw, a 64-year-old former securities lawyer from Cleveland who now spends 20 hours a week helping homeless women with legal problems.

And like 90-year-old W.A. Masters, who volunteered at legal aid offices in Colorado and Florida for a decade after working 50 years in the law department of a large oil company.

Closing

Thank you so much for your kind attention to what we're doing at the ABA to support pro bono. Also, for allowing me to join in your celebration of excellence in pro bono service in the Northern District of Illinois. We can all learn from today's honorees. And we can be inspired to continue providing great service for our profession and for our communities. Thank you.