

**AMERICAN BAR ASSOCIATION
YOUNG LAWYERS DIVISION**

**GETTING INVOLVED
IN THE ABA YOUNG LAWYERS DIVISION**

A GUIDE TO APPOINTMENTS AND ELECTIONS
INCLUDING THE
ANNUAL CATALOG OF APPOINTMENTS

Bar Year 2002-03
February 2002

You are regularly eligible for an appointment if you were born after **August 6, 1966** or were admitted to practice in your first bar after **August 6, 1997**.

The deadline for applying for appointments is **28 February 2002**.

To apply for an appointment, please contact the Chair-Elect Alan Olson, Olson & Beebout, P.C., 3116 Ingersoll Avenue, Des Moines, IA 50312-3910, Phone: 515/255-5100, Fax: 515/255-3890, E-mail: aoo@olsonandbeeboutlaw.com

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Note on Web Addresses

This guide contains several links to the Division's webpage, www.abanet.org/yld. If you cannot find a particular link to which this guide refers you, please check the main webpage, since the information may appear at a different site. If you still cannot find what you are looking for, then please contact the Chair-Elect, Alan Olson, at aoo@olsonandbeeboutlaw.com

INTRODUCTION

WHY GET INVOLVED?

by
Brian Melendez¹

The noblest question in the world is,
What Good may I do in it?

Franklin, *Poor Richard's Almanack*

Anyone who spends time around the bar association, or any other nonprofit organization, has heard of “long-range planning.” The first question that a long-range planner is supposed to ask is, Does this entity need to exist? How does it do what it does better than anybody else can? So let us begin by asking: Why does the Young Lawyers Division need to exist?

I ask you to imagine a Young Lawyers Division in a different world—not a stable and prosperous America, but say a Bosnia, or China, Liberia, South Africa, or any society that now more than ever needs people who do not fear change. If we had lived in Bosnia or China these past few years, we would have had the chance to fight injustice directly with our bodies and our lives. The people of those nations relied on their students and their young adults, not only for youth and nerve but for heart and courage in the face of oppression.

As lawyers in a free and wealthy society, though, do we have that same nerve and courage? America too needs our generation to be its heart and conscience, in the legal profession as much as anywhere else. The evils that this society faces are not so concrete as tyrants and tanks, but they still oppress. They are poverty, homelessness, powerlessness, bigotry. Many of us see daily the faces of people whom these evils oppress. There may be little that we as lone individuals can do, but we shirk our responsibilities as human beings if we walk past uncaring.

¹This introduction represents the author’s viewpoint, not necessarily that of the incumbent administration. Brian Melendez wrote this guide in its original form, and his introduction appears for the sake of historical context.

Public service

Which is where the Young Lawyers Division comes in. Why does this entity need to exist? Because one of us can befriend a teenager or two, but ten of us can organize a youth summit. One of us can help an indigent client or two, but a hundred of us can organize a nationwide program addressing the unmet legal needs of children, or of the working poor, or domestic violence. One of us can be ignored, but a hundred thousand of us cannot, and that hundred thousand catches the conscience of the bar.

The voice of the young lawyer needs to be heard—partly because our perspective is unique and valuable and hard to regain later in life, but partly too because as young lawyers we still remember something of powerlessness. As students, not so long ago, we were told what to do, where to sit, what to study, how to learn to think. As young lawyers, we must dance to the tune of partners and judges and clients in order to buy groceries, pay the rent, and pay off our loans. It behooves us, who have gotten a *tiny* taste of powerlessness, to stand in solidarity with those who have tasted it for years and lifetimes—with women, people of color, the working poor, children, and all the others that our culture marginalizes. Their oppressors are not tyrants and tanks but poverty and powerlessness and bigotry. We live in the same world as they do, yet their lives are altogether different from ours; and on the border between the same and the different are the places where we as young lawyers can take a stand against injustice. These are our Sarajevos. These are our Tiananmen Squares.

Why does the Young Lawyers Division need to exist? Because to us, law is not a market in which justice goes to the highest bidder, and lawyers are not just hired guns. The law is a way to bring the benefits of due process, equal protection, and constitutional democracy to the underrepresented, the have-nots, the discriminated-against, as well as those who can afford legal services. As young lawyers, there is much that we can offer and much that we can learn from those whom we can help, and our training is not complete until we learn something about how they live.

Member service

There are also things that we can do for ourselves and for other young lawyers. The Division can pursue its public-service goals more effectively with a successful member-service mission also in place. As a young lawyer opens a practice, especially if he or she pays for his or her own bar dues, that young lawyer may ask,

Why should I join the American Bar Association?

Am I getting a good return in exchange for my dues?

How is the Young Lawyers Division relevant to my life and my practice?

As young-lawyer leaders, we must build the perception and the reality among young lawyers that

The Young Lawyers Division serves and cares about its members and their lives and practices.

The young lawyer gets a good return in exchange for his or her dues by joining the bar association.

The Young Lawyers Division is relevant to your life and your practice.

Public service and member service go together. As member service builds the membership by attracting young lawyers out of a sense of economic interest and returned investment, public service then involves and keeps those members by furnishing a meaningful context in which they serve not only themselves but their profession and their society as well.

Professionalism

Finally, we have all heard, and perhaps we ourselves have complained, about the much-lamented decline in civility and professionalism among lawyers in recent years. Many who raise this issue, especially many older lawyers, tell about a time when the practice of law was always civil and professional, when lawyers really cared about courtesy and mutual helpfulness, when there was no need for a term like “s.o.b. litigator.” Then they blame the problem on how little training law students receive in ethics and professionalism, call for more coursework on those subjects in law school and more stringent requirements for graduation, and act as if they are solving the problem by passing the buck to the next generation of lawyers.

I don’t know whether there really ever was such a golden era. Lawyer jokes have been around at least since the Roman Republic and, I suppose, maybe uncivil and unprofessional attorneys have been too. But one thing that I do know: young lawyers are not the problem (or at least are not the whole problem). The root of the problem lies not in poor training at the entry level, in my opinion, but rather in poor community-building at the management level.

I do not mean that law-firm management does not have a strong sense of professionalism and community. One major Midwestern law firm recently surveyed its lawyers and found that, out of the most senior third of its lawyers—basically the top half

of the partnership—only *three percent* did not join the bar association. However, out of the most junior third—basically the associates—*thirty-six percent* did not join. That law firm’s leadership clearly enjoyed some sense of professionalism and community but, for whatever reason, the firm’s culture was not effectively guiding its young lawyers into the bar association. That problem is what I mean by “poor community-building at the management level.”

One purpose of the bar association is to shape (and change) the culture of the bar for the good of the profession and the community. The force that most directly shapes the culture of the bar for a young lawyer is the firm in which he or she practices. A firm shapes that culture by

- whether it pays its lawyers’ bar-association dues,
- whether it funds them to bar meetings and conferences,
- whether it recognizes and rewards its lawyers who hold office or chair a committee in the bar association, and
- whether its own partners and managers are visibly active in the bar.

A firm that shapes the culture of many lawyers and that sets the standard for the profession locally ought to show its lawyers that it values and rewards active membership and participation in the bar association.

Membership in the bar association socializes young lawyers, not only to their membership in a professional community, but also to their professional responsibility to serve the public interest. The much-lamented decline in civility and professionalism among lawyers in recent years may be directly attributable to the decline in bar-association membership and the resulting lack of opportunities for young lawyers to meet one another outside the office and outside the adversarial system. The bar association can shape and change the culture of the bar for the good of the profession and the community only if it can keep, interest, and activate its members. A more numerous, more invested membership legitimizes the bar’s public-service work, and its ability to represent the public interest as well as its own, by making that work more truly the work of the whole bar. Likewise, a more numerous, more invested membership broadens the audience that the public-service message reaches and pays the dues that fund the public-service mission.

A more numerous, more invested membership legitimizes the bar association’s ability to represent the whole profession. The ongoing decline in bar-association membership threatens the profession’s independence and self-regulation. Recent studies have found some discouraging statistics about membership both in the bar association generally and among young lawyers in particular:

As the bar has steadily grown, membership in the bar association (as a share of the bar) has slowly but steadily fallen.

As more and more young lawyers have joined the bar, fewer and fewer (as a share of the bar) have joined the bar association.

Those young lawyers who do join the bar association are not participating to the same extent as their senior colleagues.

Finally, those young lawyers who do participate are not interacting outside of their own practice areas.

The young lawyers of today are therefore not building the kind of professional community that will sustain the bar association as a coherent, representative organization when they become its leadership. We must all support membership and encourage participation in the bar association in order to reverse this trend.

So the next time that you hear someone complain about the decline in civility and professionalism, ask what he or she has done lately about boosting the bar association. The professional community that today's managing partners enjoyed when they were young lawyers is not the same community in which the young lawyers of today must practice and, more importantly, survive. The market is more competitive, the clients are more demanding, and the profession has grown more diverse. And while these trends may ultimately benefit both the legal profession and the society that it serves, they also pose greater challenges to the community-building that many older lawyers have always taken for granted, and thus they require greater effort from *all* lawyers—not only young lawyers—in order to maintain the strong sense of civility, professionalism, and community that has sustained the bar in generations past.

BRIAN MELENDEZ,
PAST YLD CHAIR, 2000-2001

January 2000.

CHAPTER 1

GETTING STARTED: YOUR AFFILIATE

The Division operates as a federation of autonomous affiliates. The Division's purposes include exchanging ideas and promoting communication among them and organizing conferences and other programs for their benefit.

Bylaws § 3.2(a) (outreach)

Each affiliate's participation in the Division is voluntary. Neither these bylaws nor any action taken under their authority can bind an affiliate or subject it to a political, financial, or other obligation that it does not voluntarily assume, except to the extent that the bylaw or action affects the affiliate's representation in the Division.

Bylaws § 3.3 (autonomy)

An "affiliate" means a young-lawyer organization at the local, state, or national level that has voluntarily and successfully applied for affiliation with the Division. The Division will

recognize as an affiliate any organization that applies for affiliation if (1) it is a constituent or an affiliate of a bar association or other organization represented in the ABA House of Delegates, and its membership is limited to that organization's youngest members or those most recently admitted to practice; or (2) young lawyers are at least three-fourths of its membership.²

The Division consists of about fifty state and more than three hundred local affiliates, each of which affords opportunities for young-lawyer leadership at the local or state level. (There are also national affiliates.³) Many, probably most, national young-lawyer leaders come from the ranks of affiliate leaders.

²Bylaws § 3.1(a) (recognition).

³*See id.* § 3.1(b) (national affiliates) ("The Council may recognize as a 'national affiliate' any affiliate that applies for such recognition if it includes (1) chapters (by whatever name called) in at least ten states, and (2) at least six thousand young lawyers.").

Helping run your affiliate

Getting involved in your affiliate is easy: just volunteer. Every affiliate is eager for good help with its programs. Most affiliates are always looking for a few good volunteers, and you can jump in and help run a project at any time. To contact your affiliate, please check online at www.abanet.org/yld/affiliates.⁴

Representing your affiliate

Once you have gotten involved at the local level, consider representing your affiliate at the state or national level. While there is competition within some affiliates for delegateships and funding to national meetings and conferences, many more affiliates go unrepresented altogether because nobody has stepped forward. For more information about delegateships and funding from your affiliate, please contact your affiliate's chair or your district representative.

Your district representative

The affiliates are organized into the following districts:

- (1) Maine and Vermont;
- (2) Connecticut and Rhode Island;
- (3) Massachusetts and New Hampshire;
- (4) New York;
- (5) Pennsylvania;
- (6) New Jersey;
- (7) Delaware and the District of Columbia;
- (8) Maryland and Virginia;
- (9) North Carolina;
- (10) South Carolina and the Virgin Islands;
- (11) Florida;
- (12) Alabama and Georgia;
- (13) Mississippi;
- (14) Louisiana;
- (15) Illinois and Indiana;
- (16) Kentucky and Tennessee;
- (17) Minnesota and Wisconsin;
- (18) Ohio and West Virginia;
- (19) Iowa and Nebraska;
- (20) Michigan;
- (21) North Dakota and South Dakota;
- (22) Kansas and Missouri;
- (23) Arizona and New Mexico;
- (24) Arkansas and Oklahoma;
- (25) Southern and central Texas;

⁴Please see "Note on Web Addresses," *supra* p. v.

- (26) Northern and western Texas;
- (27) Nevada and Utah;
- (28) Colorado and Wyoming;
- (29) Oregon and Washington;
- (30) Idaho and Montana;
- (31) Northern California;
- (32) Southern California;
- (33) Alaska and Hawaii; and
- (34) Federal Bar Association and Military Bar Association.

Where a state includes more than one district, the affiliates in that state may (otherwise the Council shall) define the districts' boundaries.

Bylaws § 3.4(a) (organization)

The affiliates in each district, with each affiliate (other than a national affiliate) whose territory falls wholly or partly in the district having one vote, shall biennially elect a district representative. Each odd-numbered district shall elect its representative in each even-numbered year, and vice versa. . . .

Bylaws § 3.4(b)(1) (election)

The district representative shall represent the district to the Division, and vice versa, and shall perform such other duties as the Council prescribes.

Bylaws § 3.4(b)(5) (duties)

The bridge between your local affiliate and the national organization is your district representative, who can help you learn more about getting involved beyond the local and state level. To find your district representative, please see the current annual *Directory*, or check online at www.abanet.org/yld/directory.⁵

District representative

Job description: Represent the district to the Division, and vice versa, and shall perform such other duties as the Council prescribes.

Flavors: One per district.

Time commitment: Fifteen to twenty hours monthly.

Process: The affiliates in each district, with each affiliate (other than a national affiliate) whose territory falls wholly or partly in the district having one vote, biennially elect a district representative. Each odd-numbered district elects its representative in each even-numbered year, and vice versa.

Funding: Funded to the Council's meetings. Please see "funding," *infra* pp. 27-28.

⁵Please see "Note on Web Addresses," *supra* p. v.

CHAPTER 2

WELCOME TO THE NATIONAL LEVEL: MEETINGS AND CONFERENCES

Once you have gotten started by getting involved in your affiliate, connecting at the national level is easy. Each year, there are four major meetings open to all young lawyers: the annual meeting in August, the fall conference in October, the midyear meeting in February, and the spring conference in May. There are also regional conferences around the nation at varying times.

The young lawyers who most easily perceive value in membership are the core group who regularly participate in the Division's meetings, conferences, and committees. The members in this core group perceive this value more easily not only because they are exposed more directly to information and services and are therefore more fully informed, but also because they help establish and implement the Division's policies and priorities.

Midyear and annual meetings

The Assembly shall regularly meet in conjunction with the Association's annual and midyear meetings.

Bylaws § 4.3(a) (regular meetings)

The Association has scheduled the following midyear and annual meetings:

Year	Midyear	Annual
2002	Philadelphia, Penn.	8-14 August, Washington, D.C.
2003	5-11 February, Seattle, Wash.	7-13 August, San Francisco, Cal.
2004	5-10 February, San Antonio, TX	5-11 August, Atlanta, Ga.
2005		4-10 August, Chicago, Ill.
2006		3-9 August, Honolulu, Haw.

For more information about the Division's meetings, please check online at www.abanet.org/yld/meetings.⁶

Many affiliates elect or appoint delegates, and often pay their way, to the annual and midyear meetings so that they can vote in the Assembly. Once you have gotten involved at the local level, consider representing your affiliate at the national level. While there is competition within some affiliates for delegateships and funding, many more affiliates go unrepresented altogether because nobody has stepped forward. For more information about delegateships and funding from your affiliate, please contact your affiliate's chair or your district representative.

Fall and spring conferences

The Division shall annually organize two national conferences, one in the spring and one in the fall, for affiliate outreach.

Bylaws § 3.2(b) (conferences)

The events that most directly and effectively focus the Division's attention on its mission, and build a sense of community and identity among the core group, are the national affiliate-outreach and public-service conferences.

One easy means of expanding the Division's core group is by helping more members from outside the core to attend these conferences. The Division's leadership has been pursuing that goal by holding the national conferences at moderately priced, family-friendly sites. The Division also offers other incentives:

Affiliate reimbursement. For each national conference, the Division presently makes reimbursement available for up to three⁷ members per affiliate, at a per-diem rate of up to one hundred dollars per member for two days, for a maximum reimbursement of two hundred dollars per member and six hundred dollars per affiliate.⁸

Prodigal affiliates. The per-member limit ordinarily does not fully reimburse the member for his or her travel and lodging, and therefore many members cannot afford the conference at all, and many affiliates go unrepresented. To bring even one member from an otherwise unrepresented affiliate, especially one that has been absent for some time, significantly benefits both the affiliate and the Division by bringing at least one member

⁶Please see "Note on Web Addresses," *supra* p. v.

⁷A fourth reimbursement is available if at least one of the four is a minority lawyer, is a solo or small-firm practitioner, or practices in the government or public sector or in the military service.

⁸Or \$800 per affiliate if at least one member representing the affiliate is a minority lawyer, is a solo or small-firm practitioner, or practices in the government or public sector or in the military service.

from that affiliate into the Division's core group. The Division therefore relaxes its limit on per-member funding, while keeping its limit on per-affiliate funding, in the case of any affiliate that went unrepresented at the preceding two national public-service conferences.

Scholarships. The Division also offers scholarships for attending the national conferences. These scholarships pay for airfare in addition to the regular per-diem reimbursement. The scholarships are available on a competitive basis to minority lawyers, to solo or small-firm practitioners, and to lawyers who practice in the government or public sector or in the military service. For more information about scholarships, please check online at www.abanet.org/yld/scholarships.⁹

Regional conferences

For several years, a system of regional conferences has been evolving, with varying degrees of success in the six regions:

Northeast: Connecticut, Delaware, District of Columbia, the Federal Bar Association, Maine, Massachusetts, the Military Bar Association, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

Southeast: Alabama, Florida, Georgia, Kentucky, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, and the Virgin Islands.

Midwest: Illinois, Indiana, Iowa, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, West Virginia, and Wisconsin.

South Central: Arkansas, Kansas, Louisiana, Missouri, Oklahoma, and Texas.

Rocky Mountain: Arizona, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming.

West: Alaska, California, Hawaii, Oregon, and Washington.

The annual and midyear meetings have tended to attract affiliate leaders who are present in a representative capacity, usually funded by their affiliates so that they can vote in the Assembly; they typically bring a local rather than a national focus, are more interested in practical member-service and professional-development programming than in public-service programming, and connect better with the Association as a trade association. The national conferences in the fall and spring have tended to attract affiliate

⁹Please see "Note on Web Addresses," *supra* p. v.

leaders who do identify more closely with the Division and its public-service programming, the “bar junkies” whose national focus often channels them into the Division’s leadership. The regional conferences have been attracting a third group, the affiliates’ “middle management,” whose focus is almost wholly local and who identify closely with neither the Association nor the Division, and who will not commit to a national meeting or conference but will travel to a state next door for some good programming that helps them personally or in leading their affiliates.

Two regions—the Midwest, and the Rocky Mountain region—have successfully held an annual regional conference for several years without the Division’s help. Three other regions—the South Central, Southeastern, and Western regions—held their first conferences in the late 1990s with the Division’s help. But as of January 2000, the Northeast had never held a conference, and several regions were skipping some conferences for lack of a host affiliate, despite good reports from prior conferences. The Division, without directly sponsoring the regional conferences itself, offers them member-oriented programming and assistance that can help attract a host affiliate. The regional conference can then become a showcase for the Division’s programming of all kinds that will hopefully reach the affiliates’ “middle management” who can then carry the Association’s message back to their peers who are not otherwise hearing that message.

For information about upcoming regional conferences, please check online at www.abanet.org/yld/regions.¹⁰

Programming

The Division has historically delivered several different kinds of programming—public service, affiliate outreach, bar leadership, member service, professional development, and other continuing legal education—in several different formats, including the midyear and annual meetings, national conferences, regional conferences, and affiliate visitations. Each kind of programming, and each format, has attracted a slightly different young-lawyer audience. The Division has historically tailored its programming to its audience, and thereby may have been unintentionally reinforcing certain stereotypes about who attends which meetings. For example, perhaps the affiliate leaders who attend the annual and midyear meetings seem more interested in practical programming than in public-service programming because they are not exposed to it at the meetings that they attend, rather than because they dislike public service as a concept. Likewise, perhaps fewer affiliate leaders attend the national public-service conferences because those conferences do not offer the practical programming that most interests them. As a result, the affiliate leaders who could be the Division’s most effective ambassadors—since they are most directly connected to young lawyers at the local

¹⁰Please see “Note on Web Addresses,” *supra* p. v.

level—end up being unacquainted with the Division’s programming that may attract young lawyers who are not yet members.

The Division has remedied that disconnection by delivering its programming in a more diverse format—that is, rather than deliver each kind of programming only in a certain format, deliver each kind of programming in every available format. The Division’s meetings and conferences therefore include all the different kinds of programming available—public service, affiliate outreach, bar leadership, member service, professional development, and other continuing legal education.

CHAPTER 3

THE DIVISION: MISSION AND STRUCTURE

The Division's mission is to further the Association's goals and purposes, and thereby to serve the community and the legal profession; to represent young lawyers in the Association, and to represent the Association to young lawyers; to help shape the policies and priorities that affect young lawyers and the legal culture in which they practice; and to create a deliberative forum for the exchange and expression of young lawyers' views, and a voice to advocate those views.

Bylaws § 1.2 (mission)

The Division's mission includes "further[ing] the Association's goals and purposes." The Association has adopted a mission statement that sets out eleven goals:

The Mission of the American Bar Association is to be the national representative of the legal profession, serving the public and the profession by promoting justice, professional excellence and respect for the law.

Goal I. To promote improvements in the American system of justice.

Goal II. To promote meaningful access to legal representation and the American system of justice for all persons regardless of their economic or social condition.

Goal III. To provide ongoing leadership in improving the law to serve the changing needs of society.

Goal IV. To increase public understanding of and respect for the law, the legal process, and the role of the legal profession.

Goal V. To achieve the highest standards of professionalism, competence and ethical conduct.

Goal VI. To serve as the national representative of the legal profession.

Goal VII. To provide benefits, programs and services which promote professional growth and enhance the quality of life of the members.

Goal VIII. To advance the rule of law in the world.

Goal IX. To promote full and equal participation in the legal profession by minorities and women.

Goal X. To preserve and enhance the ideals of the legal profession as a common calling and its dedication to public service.

Goal XI. To preserve the independence of the legal profession and the judiciary as fundamental to a free society.

Members

§ 2.1. **Young lawyers**

A “young lawyer” means a lawyer who has been admitted to practice in his or her first bar within the past five years, or is less than thirty-six years old.

§ 2.2. **Duration**

A young lawyer’s membership continues, and the member is a “young lawyer,” until and through the annual meeting ending any year for at least part of which the member is a young lawyer under section 2.1.

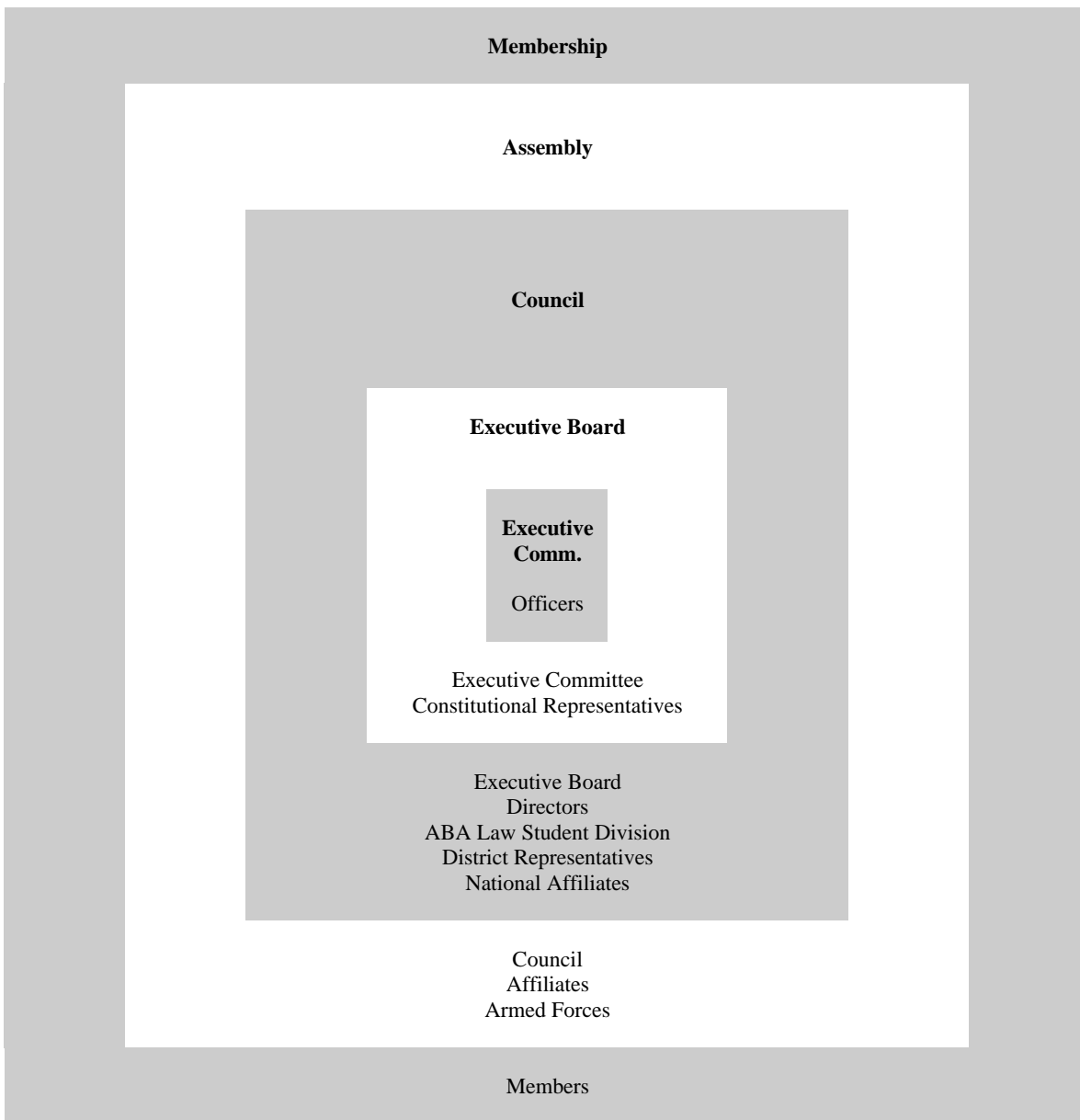
§ 2.3. **Composition**

The Division consists of those young lawyers who are members in good standing of the Association.

Bylaws, art. II (membership)

The Division, with about an eighth of a million members, is the world’s second-largest voluntary professional organization (second to the Association itself).

The Division’s institutions are organized in a series of concentric rings—with the officers at the center and the membership on the all-embracing circumference—in which responsibility flows inward but authority flows outward. Thus, the innermost ring, the Executive Committee, enjoys more responsibility but less authority than any outer ring; while the outermost ring, the membership (through its representatives), enjoys more authority but less responsibility than any inner ring:



Governing boards

The Assembly consists of—

- (1) the Council;
- (2) delegates representing the affiliates in each state, each of whom keeps his or her principal office or principal residence in that state;
- (3) two delegates representing each national affiliate, who are members of that affiliate; and
- (4) a delegate appointed by and representing the chief legal officer of each of the United States' armed forces.

No person shall become a delegate unless he or she is a member, except that an affiliate may name a delegate who is a member in good standing of that affiliate and of the Association even if he or she is not a member of the Division.

Bylaws § 4.2(a) (delegates)

The Council consists of—

- (1) the officers (§ 6.1);
- (2) the immediate past Chair;
- (3) the constitutional representatives (§ 8.1);
- (4) the directors (§ 10.1(a));
- (5) the chair of the ABA Law Student Division, or his or her proxy;
- (6) the district representatives (§ 3.4(b)); and
- (7) a representative from each national affiliate (§ 3.1(b)), who is a member of that affiliate. . . .

Bylaws § 5.2(a) (voting members)

The bylaws conceive the Division as a partnership between the Assembly and the Council, with the Assembly the senior partner. Each partner has concurrent power to bind the partnership, although the Assembly as senior partner can undo what the Council as junior partner has done.

The bylaws clearly define what authority the Assembly and the Council can exercise and the relationship between the two bodies:

The Assembly shall enjoy all the powers that the Division may exercise. Except as these bylaws otherwise provide, the highest policymaking authority within the Division resides in the Assembly, which may act on the Division's behalf in any matter except to the extent that such action is inconsistent with these bylaws.¹¹

The general executive and administrative authority resides in the Council, which shall enjoy all the powers that the Division may exercise, except those powers (including the authority to amend these bylaws) explicitly reserved to the Assembly. Except as these bylaws otherwise provide, the Council may act on the Division's behalf in any matter except to the extent that such action is inconsistent with these bylaws or with any action by the Assembly within the last six years.¹²

The bylaws also recognize a power of review that the Assembly enjoys generally, even as to the Council:

The Assembly may review any action (other than an election, an appointment, or an award) by the Council or any other board, committee, subcommittee, officer, representative (other than any young-lawyer member-at-

¹¹Bylaws § 4.1(a) (policymaking).

¹²*Id.* § 5.1 (function).

large on the ABA Board of Governors), or other elected or appointed agent. The power of review is a plenary power to direct and instruct an agent, which includes the right to remand, modify, or vacate any action by the agent, or to act directly in his, her, or its place.¹³

and which the Council likewise enjoys, except as to the Assembly:

Subject to the Assembly's review, the Council enjoys the same powers of review and delegation as the Assembly.¹⁴

The power of review generally implies the same power that an appellate court enjoys with respect to an inferior court. A board, committee, or officer is therefore subject to the same standard of review as an inferior court: when the agent under review is interpreting or applying settled law or rules, the reviewer may act virtually *de novo*; when the agent under review is exercising discretion or judgment, the reviewer will not disturb it unless there has been an abuse of discretion.¹⁵

Administration

Unless otherwise provided, the Chair shall appoint for a term coinciding with his or her own each committee or agent that administers the Division's programs.

Bylaws § 10.1(a) (appointments generally)

The Assembly elects officers, who appoint boards, committees, directors, coordinators, and other agents, who together run the Division:

Officers.

The officers are a Chair, a Chair-Elect, a Secretary-Treasurer, a Speaker, and a Clerk.

Bylaws § 6.1 (officers)

Each officer shall perform the duties customarily incident to his or her office, including (but not limited to) those duties that the parliamentary authority prescribes; and such other duties as these bylaws, the Assembly, or the Council prescribes.

¹³*Id.* § 4.1(b) (review).

¹⁴*Id.* § 5.4 (review and delegation).

¹⁵An "abuse of discretion" is a term of art that concerns the standard of review. An appellate court will not reverse a trial judge for "mere error" or "harmless error" but only for "clear error," and will not disturb a trial judge's exercise of discretion unless there has been an abuse of discretion. As a rule of thumb, there has been no abuse of discretion if the reviewer would not have decided the matter as the decisionmaker did; there has only been an abuse of discretion if *no reasonable person* would have decided the matter as the decisionmaker did.

(a) **Chair.** The chief executive, operating, and administrative officer is the Chair, who shall (1) chair the Council, the Executive Board, and the Executive Committee; (2) subject to review, enforce and interpret these bylaws and implement action taken under their authority; (3) manage each officer, representative, board, committee, and other agent whose management is not otherwise assigned; (4) undertake or delegate any responsibility not otherwise assigned; and (5) generally represent the Division and speak on its behalf.

(b) **Chair-Elect.** The Chair-Elect shall (1) advise and assist the Chair however possible; and (2) act as Chair whenever the incumbent is unable or unwilling to do so.

(c) **Secretary-Treasurer.** The chief clerical, recording, and financial officer is the Secretary-Treasurer, who shall (1) serve as secretary to the Assembly and the Council, whose proceedings he or she shall carefully and faithfully record; (2) implement any policies and procedures relating to financial management; and (3) report periodically on the state of the treasury.

(d) **Speaker.** The chief legislative officer is the Speaker, who shall chair the Assembly.

(e) **Clerk.** The Clerk shall (1) advise and assist the Speaker however possible; (2) act as Speaker whenever the incumbent is absent or otherwise unable or unwilling to do so; and (3) perform such other duties as the Speaker prescribes.

Bylaws § 6.3 (duties)

For more information about the officers and their election, please see chapter 6.

Committees.

§ 9.1. Standing committees

The Council may by a two-thirds vote establish or discharge any necessary standing committee.

§ 9.2. Special committees

The Council or the Chair may establish any necessary special committee. Each special committee shall expire within one year (or, in the case of a committee appointed by the Chair, by the end of his or her term) unless the Council establishes it as a standing committee or otherwise extends its life.

§ 9.3. Organization

Unless otherwise provided, the Chair shall appoint the chair and members of each committee.

§ 9.4. Management

Unless otherwise provided, the Chair shall assign at least one director to each committee whose members the Chair appoints.

Bylaws, art. IX (committees)

For more information about committees, please see *infra* pp. 29-31.

Appointments.

Unless otherwise provided, the Chair shall appoint for a term coinciding with his or her own each committee or agent that administers the Division's programs.

Bylaws § 10.1(a) (appointments generally)

For more information about appointments, please see the next two chapters.

The Association

The Division is a constituent of the Association, whose constitution and bylaws (and action taken under their authority) control and supersede these bylaws and action taken under their authority. . . . The Division cannot act on the Association's behalf except as authorized by the Association's constitution, bylaws, or action taken under their authority.

Bylaws § 1.3(a) (Association)

The Association, with about four hundred thousand members, is the world's largest voluntary professional organization.

House. The Association is organized much like the Division, with two governing boards. The ABA House of Delegates is functionally equivalent to the YLD Assembly, which elects four young lawyers who represent the Division in the ABA House. The 530-member House adopts model statutes and rules, including the Model Rules of Professional Responsibility; accredits law schools; elects the Association's officers and governors; and sets the Association's legislative agenda, often with input from the Division's policymaking process.

Board. The ABA Board of Governors is functionally equivalent to the YLD Council. The YLD Assembly nominates two young lawyers, whom the ABA House formally elects, who serve on the ABA Board.

Nominating Committee. The ABA Nominating Committee nominates the Association's officers and governors. The YLD Assembly elects one representative who represents the Division, and who also sits in the ABA House.

Other entities. The Association comprises twenty-eight sections and divisions, including the Young Lawyers Division, as well as numerous other commissions, committees, forums, and other entities. The Division appoints a liaison to many such entities.

For more information about the Association, please check online at www.abanet.org.

CHAPTER 4

**APPOINTMENTS:
THE PROCESS**

Unless otherwise provided, the Chair shall appoint for a term coinciding with his or her own each committee or agent that administers the Division’s programs.

Bylaws § 10.1(a) (appointments generally)

To the newly active member, the appointments process must seem byzantine, if not bizarre. The system mysteriously defies logic and order, since the rules differ not only from appointment to appointment, but from administration to administration as well.

Of course, there is a “big picture,” and the puzzle begins making sense after one learns a bit more about the organization. The “tracks”—such as the “committee” track, or the “team” track—do organize the appointments into a logical progression, and the tracks do mesh nicely together into a coherent and effective administration. For example:

Level	Time Commitment	Desired Experience	Committee Track	Team Track
Informational	None	None	General member ↓	
Entry	5-10 hours/month	0-2 years	Exec. subcomm. ↓	Team member ↓
Intermediate	10-15 hours/month	1-3 years	Vice-chair ↓	Vice-chair ↓
Sub-cabinet	15-20 hours/month	2-4 years	Chair ↓	Chair ↓
Cabinet	20-40 hours/month	3-6 years	Director, Liaison	Director

The problem is educating the newly active leader about that “big picture.” The next chapter therefore lists and describes the available appointments, as well as the process for applying for them; describes how each appointment fits into the overall organization; and suggests what experience will be helpful for each appointment, and

how much time the appointment will likely require. This chapter offers a more general overview.

Am I eligible?

The Council may prescribe the qualifications for each appointment. Unless otherwise provided, no person shall be eligible for any appointment unless he or she is a member and young lawyer when the appointment's term begins; but the Council may prescribe additional qualifications or otherwise limit eligibility, or may extend eligibility.
Bylaws § 10.2 (eligibility)

You are eligible for an appointment in the ensuing bar year if, on the last day of the Division's annual meeting ending the current bar year, one of the following statements is true: *either*

You have been admitted to practice in your first bar within the past five years, *or*

You are less than thirty-six years old.

How does the process work?

The Chair-Elect assembles an administration with roughly seven hundred appointments that effectively shape the Division from the grass roots.

Other officers. The Chair-Elect ideally solicits input from the other officers before appointing his or her administration, with a view toward minimizing turnover and inconsistency from administration to administration. Ideally, as the Chair-Elect is assembling his or her administration, the Chair offers a valuable perspective about which appointees from the incumbent administration have served well and deserve advancement. Likewise, the Secretary-Treasurer, the Chair-Elect's presumptive successor,¹⁶ can advise the Chair-Elect about whom the Secretary-Treasurer is grooming for leadership in the next administration.

Incumbent appointees. The Chair-Elect also consults the incumbent appointees seeking an evaluation of the junior appointees who have reported to them, and an evaluation of the senior appointees to whom they have reported. Each incumbent may also recommend his or her successor, although the Chair-Elect may freely disregard such a recommendation.

¹⁶See *infra* p. 44.

District representatives, affiliate leaders. Finally, the Chair-Elect consults the district representatives and affiliate leaders about prospective appointees, with a view toward recruiting rising leaders from the affiliates who may not otherwise avail themselves of the appointments process.

What is the schedule?

Most appointments run on an annual cycle:

October	Fall conference: The Chair-Elect publishes the <i>Annual Catalog of Appointments</i> , which lists the available appointments and announces the applicable deadlines.
Early January	The Chair-Elect solicits input from the other officers, incumbent appointees, district representatives, and affiliate leaders.
Late January	Deadline for applications for senior appointments, which typically include directors and coordinators.
February	Midyear meeting: The Chair-Elect may begin making senior appointments.
Late February	Deadline for applications for all appointments.
Early March	The Chair-Elect may solicit input from his or her senior appointees about their teams and committees.
Mid-March	The Chair-Elect meets with his or her appointments committee.
Late March	The Chair-Elect appoints his or her administration. The staff checks that each appointee is eligible.
April	The Chair-Elect offers and announces the appointments.
May-June	Orientation for teams and committee chairs.
August	Annual meeting: Appointments' terms begin.

How do I apply for an appointment?

You apply for an appointment by letting the Chair-Elect know, in a timely manner, that you are interested.

The application need not follow any special form but, especially if you are new to the appointments process (but even if you are not), a strong application is the most effective means of getting an appointment that suits you. Even the most conscientious Chair-Elect cannot, without your help, humanly process all the applicants through whose paperwork he or she must sift in order to cull the most qualified appointments. Even the most conscientious Chair-Elect, when facing a sea of applications that all begin to blur together, cannot always appreciate the subtle niceties that distinguish a good appointee

from a great one. He or she must often reach important decisions on the basis of very little salient information, no matter how hard he or she tries to be fair-minded.

You can help that process, and help yourself, by following a few simple suggestions that will distinguish your application:

Introduce yourself. Especially if you do not know the Chair-Elect, please let him or her know a little about who you are and what interests you. What do you enjoy most about the bar association, or about voluntary organizations in general? What have you liked about the meetings that you have attended? Is there a particular role that you see yourself playing in an organization of this kind?

Summarize your relevant experience. This summary will be especially important if you do not know the Chair-Elect but, even if you have known him or her for years, please remind him or her about your experience in young-lawyer leadership, any experience or perspective from senior-bar leadership, and any ideas or suggestions that you would bring to your appointment.

Ask for a specific appointment. You may be happy to serve wherever the Division can use you, or even in any nonspecific “cabinet-level” appointment, but the Chair-Elect can likelier manage a better “fit” between the Division’s needs and your talents if he or she knows what you want.

Ask for what you really want. If your experience does not quite rise to the level of your ambition, then you may not get exactly what you ask for. Or you may, if you have a creative argument for why you deserve it anyway. If not, though, then hopefully the Chair-Elect can steer you into an appointment commensurate with your experience that will help you get what you want in a future administration.

List some alternate choices. There is no limit on how many appointments you can apply for and, the more choices you list, the likelier it becomes that the Chair-Elect can offer you an appointment that you want.

What experience do I need?

The “catalog” in the next chapter lists the “desired experience” for each appointment. Many committees are entry-level appointments. Other appointments typically require a little more experience.

The “desired experience” is the ideal experience that a new appointee will bring to his or her appointment, and is generally a guideline, not a rule. Having the desired experience will not guarantee that you will get the appointment, even over an applicant who lacks that experience; and not having it will not necessarily disqualify you, if you

can bring other qualities to the table. The Chair-Elect will take many factors, including experience, into account when appointing the best applicant.

Other relevant experience may serve as a strong substitute for the “desired experience.” For example, for an appointment that works closely with affiliate leaders, having served as an officer in your affiliate may be just as desirable as having held a junior appointment within the Division. Likewise, for an appointment that concerns a substantive area of the law, strong practical experience in that area may be just as desirable as service in the organized bar.

Do I really have a chance if I am not an insider?

Absolutely. The Division is always looking for fresh new talent.

Besides, most of the Division’s leaders started off as outsiders (some were *real* geeks, nerds, and wallflowers), and can remember what it was like trying to break into a strange organization where they knew practically nobody. They hang around together today because they work closely together and, as a result of that interaction, they usually end up liking each other and forming close and lasting friendships. To a newcomer, it may seem like a clique runs the organization but, if you stick around, you will see that those “insiders” want to bring you in as much as you want to break in.

What about diversity?

The Division shall encourage the participation and representation in its membership and leadership, and in the bar association and the legal profession generally, of the many diverse groups within the community that the Division serves. For the purposes of these bylaws, “diversity” includes but is not limited to consideration of (1) any status on the basis of which discrimination is prohibited or discouraged by these bylaws; and (2) kind, size, or place of practice.

Bylaws § 1.4(a) (pluralism)

The appointments process is the classic example of a chance for realizing the mandate that the Division “encourage the participation and representation in its membership and leadership . . . of the many diverse groups within the community that the Division serves.” If appointing you will make the organization more diverse or pluralistic, then please list that fact as an asset when applying for an appointment.

If I just missed the cycle, must I wait another year?

Not necessarily. You can join a committee, either as a general member or on its executive subcommittee, at any time. Each committee is always looking for a few good

volunteers, and you can jump in and help run a project year-round, during or outside the standard cycle. You can sign up online at www.abanet.org/yld/committees.

CHAPTER 5

APPOINTMENTS: THE CATALOG

Note. This chapter offers a *general* catalog of appointments, with information that can be expected to change very little from administration to administration. Each Chair enjoys some latitude in organizing his or her administration, however, and may experiment with structures and titles that vary from this general catalog. For information about the appointments in a particular administration, please see the *Annual Catalog of Appointments*, which accompanies this guide as Appendix B.

This chapter generally catalogs the available appointments. For each appointment, it lists a job description; the “flavors”—that is, the available varieties—within each category; the time commitment involved; the desired experience for an ideal appointee; the process for appointment; the funding available; and the “progression”—that is, to whom the appointee reports, and the logical next step up the appointments ladder.

First, however, a few general notes about appointments:

Process

The “standard cycle” is the process that the preceding chapter describes. Most appointments, but not all, are made by the Chair-Elect within that cycle. The significant exception is the boards.¹⁷

Funding

For the purposes of appointments, “funding” usually means the meetings and conferences where the Division will pay for the appointee’s attendance. Some appointments are totally unfunded—that is, the Division does not pay for the appointee’s attendance at any meeting. Even where an appointee’s attendance is funded, however, that funding is always limited.

¹⁷Please see *infra* pp. 40-41.

A funded appointee is entitled to reimbursement for his or her actual out-of-pocket expenses for travel to the city where the meeting is being held, and for lodging and meals up to one hundred dollars per day from check-in time on the day before the meeting convenes through check-out time on the day after the meeting adjourns. If the appointee travels by air, the Division will reimburse his or her airfare to the extent that he or she flies coach or economy class; buys a non-cancelable, non-refundable ticket as far before the meeting as possible, and in no case later than twenty-one days before the meeting; and stays over a Saturday night, if the stayover will lower the fare. If the appointee travels by automobile, the Division will reimburse him or her for mileage.

The Division will reimburse the appointee for lodging and meals before check-in time on the day before the meeting, or after check-out time on the day after the meeting, to the extent that he or she is staying over a Saturday night in order to save airfare, and the resulting savings exceed the cost of the lodging and meals during the stayover.

The Division will reimburse the appointee for ground transportation at his or her destination—including a rented automobile, or taxicab fare—up to a total of twenty dollars. The Division will not reimburse anyone for parking, or for ground transportation to or from the airport near his or her home.

This reimbursement seldom covers all the appointee's expenses, since lodging and meals generally cost more than one hundred dollars per day, and twenty dollars seldom covers ground transportation. The appointee, or his or her affiliate or employer, must cover the difference. The appointee, or his or her affiliate or employer, is also expected to pay for basic supplies and other office-related expenses. The Division will reimburse an appointee for significant out-of-pocket expenses, including office-related expenses, incurred in connection with a particular project.

Finally, the Division will not fund anyone's attendance—not even the national officers or constitutional representatives—at the annual meeting in August. This policy applies throughout the Association, not only within the Division.

Progression

Most appointive careers follow a logical, hierarchical progression where responsibility increases with experience. This progression is not rigid, however, and accepting one appointment does not commit you to following that progression throughout your appointive career. You can move laterally onto a different track if the one that you are following does not suit you.

Exceptions

There are, or can be, exceptions to most rules and guidelines relating to appointments. The Chair-Elect and the Chair enjoy a broad discretion in organizing and funding their administrations, and avoiding hardship on their appointees. For more information, please contact the officer involved.

A

No Experience Required:
Entry-Level Appointments

Committees

More young lawyers participate in the Division through committees than in any other way. There are about thirty committees to choose from, each organized around either a substantive area of law, a member service, or a public service:

- Access to Legal Services
- Arts, Entertainment & Sports Law
- Bankruptcy Law
- Business Law
- Children & the Law
- Citizenship Education
- Corporate Counsel
- Criminal & Juvenile Justice
- Dispute Resolution
- Environment, Energy & Resources Law
- Ethics & Professionalism
- Family Law
- General Practice, Solo & Small Firm
- Government, Military & Public-Sector Lawyers
- Health Law
- Individual Rights & Responsibilities
- Intellectual Property & Computer Law
- International Law
- Labor & Employment Law
- Law & Media
- Law Practice Management
- Law Student Outreach
- Litigation
- Minorities in the Profession
- Public Utility, Communications & Transportation Law
- Real Property, Probate & Trust Law
- Tax Law
- Tort & Insurance Law
- Women in the Profession

For a current list of committees, please check online at www.abanet.org/yld/committees.

Each committee consists of general members, an executive subcommittee, one or more vice-chairs, and a chair. These appointments are available without prior experience, although some relevant experience (not necessarily in the Division) is helpful in getting appointed as a vice-chair or chair. If you are thinking about chairing a committee, you ought to make it very clear that you have the interest and the time, and that you prefer an appointment as chair over one as vice-chair or to the executive subcommittee.

General member

Job description: Mailing list only; may volunteer for more if interested.

Flavors: About thirty committees to choose from. Please see *supra* p. 29 or check online at www.abanet.org/yld/committees.

Time commitment: None expected, strictly voluntary.

Desired experience: No experience required.

Process: Appointed by the Chair-Elect on the standard cycle, except that appointments are always available, not only during the standard cycle. For a form, please check online at www.abanet.org/yld/committees. The Chair-Elect (or, outside the standard cycle, the Chair) ordinarily appoints each member who applies.

Funding: Unfunded.

Progression: Service as a general member usually leads up the committee ladder, from general member to the executive subcommittee to vice-chair to chair.

Executive subcommittee

Job description: Helps draft and implement the committee's annual plan, coordinates one planned project, participates in quarterly meetings by teleconference, advises and assists the chair and vice-chair however possible.

Flavors: About thirty committees to choose from. Please see *supra* p. 29 or check online at www.abanet.org/yld/committees.

Time commitment: Five to ten hours monthly.

Desired experience: No experience required. Prior experience as a general member, or practical experience in the subject to which the committee's work relates, is helpful.

Process: Appointed by the Chair-Elect on the standard cycle, except that appointments are often available outside the standard cycle. For a form, please check online at www.abanet.org/yld/committees. The Chair-Elect (or, outside the standard cycle, the Chair) ordinarily appoints each member who applies.

Funding: Unfunded.

Progression: Each member on the executive subcommittee reports to a vice-chair or to the committee's chair. Service on the executive subcommittee usually leads up the committee ladder to vice-chair to chair.

Vice-chair

Job description: Helps draft and implement the committee's annual plan, manages executive subcommittee members, participates in quarterly meetings by teleconference, advises and assists the chair however possible.

Flavors: About thirty committees to choose from. Please see *supra* p. 29 or check online at www.abanet.org/yld/committees.

Time commitment: Ten to fifteen hours monthly.

Desired experience: A vice-chair will ordinarily have participated in the Division (or an affiliate) for about one to two years and will ordinarily have served on the executive subcommittee. Significant practical experience in the subject to which the

committee's work relates may serve as a satisfactory substitute if combined with at least minimal participation in the Division.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Unfunded.

Progression: Each vice-chair reports to the committee's chair. Service as vice-chair may lead up the committee ladder to chair.

Chair

Job description: Chair the committee, draft and implement its annual plan, manage the vice-chairs and executive subcommittee, convene quarterly meetings by teleconference.

Flavors: About thirty committees to choose from. Please see *supra* p. 29 or check online at www.abanet.org/yld/committees.

Time commitment: Fifteen to twenty hours monthly.

Desired experience: A chair will ordinarily have participated in the Division (or an affiliate) for about two to three years and will ordinarily have served as the committee's vice-chair. Significant practical expertise in the subject to which the committee's work relates may serve as a satisfactory substitute if combined with significant participation in the Division (or an affiliate).

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Funded to an orientation before his or her term begins.

Progression: Each committee reports through its chair to a director. Service as chair ordinarily leads to reappointment as chair, and may then lead to an appointment as a director or as the liaison to the senior-bar entity to whose work the committee's work corresponds.

B

Some Experience Required: Intermediate Appointments

Teams

While each committee is organized around either a substantive area of law, a member service, or a public service, the "teams" look more inward: they design and implement the programming that the Division supplies to its affiliates and members through national and regional meetings and conferences, and through visits to affiliates. Each "team" is organized much like a committee (technically, a team *is* a kind of committee), but without general members: each team's members are functionally equivalent to an executive subcommittee. An appointment to a team generally involves a significant commitment, and requires significant experience in the Division (or through an affiliate). A team's chair often holds "cabinet" rank as a director or coordinator.

The Chair-Elect may merge, consolidate, divide, or otherwise reorganize the teams however he or she chooses.

a. Awards of Achievement. This team confers "awards of achievement" on affiliates for outstanding member-service and public-

service projects. The team's chair is the "chief judge," and its members are "judges."

b. Newsletter. This team publishes *The Affiliate*, a bimonthly newsletter for the Division's and its affiliates' leaders. The team's chair is the newsletter's "editor," its vice-chairs are the "associate editors," and its members are the "assistant editors." Each editor is funded to an orientation in June before his or her term begins.

c. Subgrants. This team awards subgrants, out of a grant to the Division from the ABA Fund for Justice & Education, to affiliates for worthy public-service projects. The team's chair is the "chief judge," and its members are "judges."

The Program Director manages these four teams.

Affiliate Program Team. (Formally National Conferences Team) This team organizes the fall and spring affiliate-outreach conferences. Each member is funded to an orientation in June before his or her term begins, and to the two national conferences. Other outreach efforts to the affiliates include:

Bar Leadership. The Bar Leadership Team designs and implements bar-leadership programming for national and regional conferences, and delivers bar-leadership programming directly to affiliates at their home meetings on request. Each member is funded to an orientation in June before his or her term begins, and whenever he or she visits an affiliate.

Professional Development. The Professional Development Team designs professional-development programming for national and regional conferences. Each member is funded to an orientation in June before his or her term begins.

Other Directors and Coordinators include:

Communications. The Communications Team edits and publishes the Division's printed products; manages the Division's webpage, www.abanet.org/yld; and works with the Newsletter Team and the *TYL* Board on communicating the Division's message to its affiliates and members. Each member is funded to an orientation in June before his or her term begins.

Disaster Legal Services. The Disaster Legal Services Team, under the Division's contract with the Federal Emergency Management Agency, organizes local volunteer lawyers who supply legal services to victims of federally declared disasters. Each member is funded to an orientation at the annual meeting where his or her term begins, and whenever he or she visits a disaster area.

Team member

Job description: Performs assigned tasks in furtherance of the team's charge; advises and assists the chair and vice-chair however possible.

Flavors: About eight teams to choose from, although the number may vary from administration to administration. Please see *supra* pp. 31-32 or check online at www.abanet.org/yld/teams.¹⁸

Time commitment: Five to ten hours monthly.

Desired experience: Significant practical experience in the subject to which the team's work relates, combined with at least minimal participation in the Division. A team member will ordinarily have participated in the Division (or an affiliate) for about one to two years.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Unfunded, except in particular cases as noted above.

Progression: Each team member reports to a vice-chair or to the team's chair. Service as a team member usually leads up the team ladder to vice-chair to chair.

Vice-chair

Job description: Performs assigned tasks in furtherance of the team's charge; advises and assists the chair however possible.

Flavors: About eight teams to choose from, although the number may vary from administration to administration. Please see *supra* pp. 31-32 or check online at www.abanet.org/yld/teams.¹⁹

Time commitment: Ten to fifteen hours monthly.

Desired experience: A vice-chair will ordinarily have participated in the Division (or an affiliate) for about two to three years and will ordinarily have served as a team member.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Unfunded, except in particular cases as noted above.

Progression: Each vice-chair reports to the team's chair. Service as vice-chair may lead up the team ladder to chair.

¹⁸Please see "Note on Web Addresses," *supra* p. v.

¹⁹Please see "Note on Web Addresses," *supra* p. v.

Chair

Job description: Chair the team, draft and implement its annual plan, manage the vice-chairs and members.

Flavors: About eight teams to choose from, although the number may vary from administration to administration. Please see *supra* pp. 31-32 or check online at www.abanet.org/yld/teams.²⁰

Time commitment: Fifteen to twenty hours monthly.

Desired experience: A chair will ordinarily have participated in the Division (or an affiliate) for about three to four years and will ordinarily have served as the team's vice-chair.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Unfunded, except in particular cases as noted above.

Progression: Each team reports through its chair to a director or coordinator. Service as chair may lead to an appointment as a director or coordinator.

Special projects

Each administration customarily designates two focuses for public service and member service, which typically generate “special projects” that serve as themes for that year. The Chair-Elect may appoint a team for any such special project. For more information about the special projects for a particular administration, and about any related appointments, please see the *Annual Catalog of Appointments* (app. B).

C

Senior Appointments

The “cabinet”: directors and coordinators

The Chair shall appoint up to ten directors and up to five coordinators among whom he or she shall delegate responsibility for affiliate outreach, bar leadership, committees, communications, districts, liaisons, meetings, membership, professional development, and other programs. Each director or coordinator shall administer the program for which he or she is responsible and shall perform such other duties as the Chair or the Council prescribes.

Bylaws § 10.1(b)

The “plum” appointments are the “cabinet,” which consists of the dozen and a half or so appointees who report directly to the Chair and oversee all the other appointees. The cabinet is an advisory body, without any formal authority. The cabinet ordinarily attends the Executive Board's meetings, including the Board's stand-alone meetings in August and January, but the Board itself is the only body at those meetings that can exercise any formal authority. The directors, coordinators, and any others whom the Chair invites are really present only as the Chair's guests, and can only offer advice, which is effective only to the extent that the Chair or the Board accepts it.

²⁰Please see “Note on Web Addresses,” *supra* p. v.

The bylaws let each Chair (or the Council) determine which subjects are appropriate for a director and which are appropriate for a coordinator at a given moment. (A director holds a vote on the Council, while a coordinator is a nonvoting member.) One administration's director-level priority may rate only a coordinator's attention in the next administration, and each administration is free in making that determination for itself under the circumstances at the time, rather than committed by the bylaws to delegating certain subjects to directors and others to coordinators. For more information about which appointments will hold the rank of director or coordinator for a particular administration, please see the *Annual Catalog of Appointments* (app. B) or check online at www.abanet.org/yld/appointments.

Directors and coordinators

Job description: Administers the program for which he or she is responsible, and performs such other duties as the Chair or the Council prescribes.

Flavors: As the Chair-Elect determines. Please see the *Annual Catalog of Appointments* (app. B) or check online at www.abanet.org/yld/appointments.²¹

Time commitment: Twenty to forty hours monthly.

Desired experience: A director or coordinator will ordinarily have participated in the Division for about three to six years and will ordinarily have held one or more significant intermediate or senior appointments.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Each director and coordinator is funded to the fall conference in October, the midyear meeting in February, and the spring conference in May. Most directors and coordinators, in the Chair's discretion, are also funded to the Board's meetings in August and January.

Progression: Each director and coordinator reports directly to the Chair. Service as a director or coordinator often becomes the basis for a campaign for elected, rather than appointed, leadership.

There are three subjects—affiliate outreach, committees, and membership—to which at least one director, rather than a coordinator, is always assigned, and without any other portfolio. For the committees, there are always at least four directors. The following descriptions for these special directorships supplement the above description for directors and coordinators generally:

²¹Please see “Note on Web Addresses,” *supra* p. v.

Program Director (Formally AOP Director)

Job description: Manages the four affiliate-outreach teams.

Flavors: One, although the Chair may divide this directorship among more than one director. Please see the *Annual Catalog of Appointments* (app. B) or check online at www.abanet.org/yld/appointments.²²

Time commitment: Twenty to forty hours monthly.

Desired experience: The Affiliate Outreach Director will ordinarily have chaired at least one affiliate-outreach team, or may have vice-chaired an affiliate-outreach team and held some other senior appointment.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Also funded to the orientation in June before his or her term begins.

Progression: The Affiliate Outreach Director reports directly to the Chair.

Committee Director

Job description: Manages several committees. The Chair assigns at least one Committee Director to each committee, and at least one committee to each Committee Director.

Flavors: Variable, as the Chair assigns the committees among the four or more Committee Directors.

Time commitment: Twenty to forty hours monthly.

Desired experience: A Committee Director will ordinarily have chaired at least one committee for at least two years, or more than one committee.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Also funded to the committee-chair orientation before his or her term begins.

Progression: Each Committee Director ordinarily reports directly to the Chair.

Membership Director

Job description: Chairs the Membership Board.

Flavors: One.

Time commitment: Twenty to forty hours monthly.

Desired experience: The Membership Director will ordinarily have served on the Membership Board, and will ordinarily have held some other senior appointment.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Funded to the Membership Board's meetings.

Progression: The Membership Director reports directly to the Chair.

Liaisons

The Division may establish a liaison with any other entity within the Association or, with approval from the ABA Board of Governors, outside the Association. The Chair shall appoint each such liaison for a two-year term, with the appointments staggered so that about half expire annually.

Bylaws § 10.1(c)

A liaison represents the Division to another entity, and vice versa, like an ambassador. As of January 2002, the Division had established the following liaisons:

²²Please see "Note on Web Addresses," *supra* p. v.

Entity	Corresponding YLD Committee
Standing Committees	
Armed Forces Law	Government, Military & Public-Sector Lawyers
Continuing Education of the Bar	—
Election Law	—
Environmental Law	Environment, Energy & Resources Law
Legal Aid & Indigent Defendants	Access to Legal Services
Membership	Membership Board
Pro Bono & Public Service	Access to Legal Services
Professionalism	Ethics & Professionalism
Public Education	Citizenship Education
Solo & Small Firm Practitioners	General Practice, Solo & Small Firm
Special Committees & Commissions	
AIDS, Coordinating Committee on	Health Law
Evaluation of the Rules of Professional Conduct, Commission on (ETHICS 2000)	Ethics & Professionalism
Lawyer Assistance Programs, Commission on	Law Practice Management
Legal Problems of the Elderly, Commission on	Real Property, Probate & Trust; Health Law; Access to Legal Services
Mental & Physical Disability Law, Commission on	Health Law
Opportunities for Racial & Ethnic Diversity	Minorities in the Profession
Women in the Profession, Commission on	Women in the Profession
Consortium on Legal Services and the Public	Access to Legal Services
Coordinating Committee on Gun Violence	Criminal Juvenile Justice
Forum Committees	
Communications Law	Law & Media; Public Utility, Communications & Transportation Law
Construction Industry	Business Law
Entertainment & Sports Industry	Arts, Entertainment & Sports Law
Franchising	Business Law
Government & Public Sector Lawyers Division	Government, Military & Public Sector Lawyers
Judicial Division	Government, Military & Public Sector Lawyers
Judicial Division: Lawyers Conference	Government, Military & Public Sector Lawyers
Law Student Division	Law Student Outreach
Criminal Justice	Criminal & Juvenile Justice

Sections

Administrative Law	Government, Military & Public Sector Lawyers
Antitrust Law	Business Law
Business Law	Business Law
Dispute Resolution	Dispute Resolution
Environment, Energy, & Resources	Environment, Energy & Resources Law
Family Law	Family Law
General Practice, Solo & Small Firm	General Practice, Solo & Small Firm
Government & Public Sector Lawyers Division	Government, Military & Public-Sector Lawyers
Health Law	Health Law
Individual Rights & Responsibilities	Individual Rights & Responsibilities
Intellectual Property Law	Intellectual Property & Computer Law
International Law & Practice	International Law
Labor & Employment Law	Labor & Employment Law
Law Practice Management	Law Practice Management
Legal Education & Admissions to the Bar	Law Student Outreach
Litigation	Litigation
Public Utility, Communications & Transportation Law	Public Utility, Communications & Transportation Law
Real Property, Probate & Trust Law—Probate & Trust Division	Real Property, Probate & Trust Law
Real Property, Probate & Trust Law—Real Property Division	Real Property, Probate & Trust Law
State & Local Government Law	Government, Military & Public-Sector Lawyers
Taxation	Tax Law
Tort & Insurance Practice	Tort & Insurance Law
Tort & Insurance Practice—Law & Public Service Committee	Tort & Insurance Law
Tort & Insurance Practice—Long-Range Planning Committee	Tort & Insurance Law
Tort & Insurance Practice—Membership Committee	Tort & Insurance Law
Other	
American Law Institute-ABA: Committee on Continuing Professional Education	—
American Bar Foundation	—
Children & the Law, Center on: Advisory Board	Children & the Law

Liaisons

Job description: Represents the Division to another entity, and vice versa; shepherds the Division’s resolutions through the other entity, if appropriate, and informs the Division about interesting resolutions that the other entity is considering; serves on the committee to whose work the other entity’s work most closely corresponds.

Flavors: About four dozen. Each liaison is appointed for a two-year term, which staggers the appointments so that about half are open in a particular year. For which ones will be open during the next cycle, please see the *Annual Catalog of Appointments* (app. B) or check online at www.abanet.org/yld/appointments or www.abanet.org/liaisons.²³

Time commitment: Five to ten hours monthly.

Desired experience: A liaison will ordinarily have chaired or vice-chaired the committee whose work most closely corresponds to that of the senior-bar entity to which the liaison will represent the Division. A liaison will ordinarily have participated in the Division for about three to six years and will ordinarily have held one or more significant intermediate or senior appointments. A liaison will ordinarily have joined, and ideally will have actively participated in, the senior-bar entity.

Process: Appointed by the Chair-Elect on the standard cycle.

Funding: Varies. The Division ordinarily does not fund any liaison, but the entity to which the liaison represents the Division often does. As a rule of thumb, other sections and divisions generally fund their liaisons, other entities generally do not. For information about which liaisons are funded, please check online at www.abanet.org/yld/liaisons.²⁴

Progression: Each liaison reports to a director or coordinator. Service as a liaison is a senior appointment that ordinarily occurs at the end of a career in the Division.

Boards

While the Chair is the “chief executive, operating, and administrative officer,”²⁵ the Division has committed certain matters to boards that operate outside the Chair’s administration. These boards differ from committees in that they are appointed, at least partly, by officers other than the Chair; they are usually appointed informally, off the standard cycle; their membership customarily serves for more than one year; and they are independent, or at least semi-independent, of the incumbent administration.

There are six such boards:

Assembly.

The Speaker shall appoint a parliamentarian and any other necessary assistant.

Bylaws § 4.3(e) (organization)

²³Please see “Note on Web Addresses,” *supra* p. v.

²⁴Please see “Note on Web Addresses,” *supra* p. v.

²⁵Bylaws § 6.3(a) (Chair’s duties).

While they do not formally constitute a board, the Speaker ordinarily appoints a parliamentarian, a resolutions committee, and other assistants—such as doorkeepers, sergeants-at-arms, tellers, timekeepers, and whips—who help him or her organize and run the Assembly’s meetings. Each Speaker organizes and titles these assistants however he or she chooses. The Clerk also appoints assistants who certify credentials, but these assistants ordinarily do not serve on the Credentials Board.

Credentials Board.

The Clerk shall certify each delegate’s credentials, subject to review by a board charged with hearing and finally determining, without review, any dispute relating to the allocation of delegates . . . or the certification of credentials, according to the Assembly’s rules. The board shall consist of the Clerk, as chair, and four certified delegates from four different states appointed by the Clerk.

Bylaws § 4.2(c)

The Credentials Board ordinarily consists of aging-out or aged-out members who have participated in the Assembly for several years, ideally by having certified credentials, by having served on the resolutions committee, or by having assisted the Speaker; who have chaired an affiliate, since most disputes that reach the board will result from a challenge to an affiliate chair’s certifying a delegate; and who have held an office, served as a constitutional representative, or held a senior appointment in the Division, since most disputes arise in the context of an election and the board must clearly understand the process and apply the applicable rules.

Finance Board.

The Council shall establish a board charged with overseeing the budget and recommending policies and procedures for prudent financial management.

Bylaws § 11.3

The Finance Board consists of the Chair-Elect and the Secretary-Treasurer, as co-chairs; and three district representatives, of whom the Chair, Chair-Elect, and Secretary-Treasurer appoint one each.

Leadership Advisory Board.

The Council shall adopt a long-range plan, whose implementation the executive committee shall oversee. The Council shall establish a board charged with drafting and revising the plan and with advising the officers and the Council about any related matter.

Bylaws § 6.4(c)

The Leadership Advisory Board consists of the Secretary-Treasurer and the Chair-Elect, as co-chairs; and twelve members, of whom the Chair, Chair-Elect, and Secretary-Treasurer appoint four each. Customarily, the Chair appoints the same members as Chair that he or she appointed the year before as Chair-Elect, and the Chair-Elect appoints the same members as Chair-Elect that he or she appointed the year before

as Secretary-Treasurer; so, as a practical matter, there are four annual openings that the Secretary-Treasurer fills.

Membership Board. The Membership Board consists of the Membership Director, as chair; and six members, of whom the Chair, Chair-Elect, and Secretary-Treasurer appoint two each. Customarily, the Chair appoints the same members as Chair that he or she appointed the year before as Chair-Elect, and the Chair-Elect appoints the same members as Chair-Elect that he or she appointed the year before as Secretary-Treasurer; so, as a practical matter, there are two annual openings that the Secretary-Treasurer fills.

TYL Board. *The Young Lawyer* magazine is published by an editorial board that consists of nine editors, of whom the Chair, Chair-Elect, and Secretary-Treasurer appoint three each, including an Editor appointed by the Chair and an Associate Editor appointed by the Chair-Elect. The editors, other than the Editor and the Associate Editor, are “Assistant Editors.” Customarily, the Chair appoints the same members as Chair that he or she appointed the year before as Chair-Elect, and the Chair-Elect appoints the same members as Chair-Elect that he or she appointed the year before as Secretary-Treasurer; so, as a practical matter, there are three annual openings that the Secretary-Treasurer fills.

Boards

Job description: Each board manages the matter committed to its charge.

Flavors: Six. Please see *supra* pp. 40-41 or check online at www.abanet.org/yld/boards.²⁶

Time commitment: Ten to fifteen hours monthly.

Desired experience: These appointments are more political than most. The officers have historically staffed boards with members who serve at least one of three purposes: First, teaching: the applicant will bring significant experience, leadership, and perspective from which the board can learn. Second, learning: the applicant will apply that experience, leadership, and perspective, together with what he or she learns from serving on the board, for the Division's benefit in the future—either on the board itself, or as a senior appointee, or ideally as a candidate for elected leadership. Third, diversity: each appointment will help the board as a whole reflect the many diverse groups within the Division, especially with respect to any status on the basis of which the bylaws prohibit discrimination.

Process: Appointed outside the standard cycle. To apply for an appointment to a board, you ought to let the appointing officer know that you are interested as soon as possible, ideally around the time of his or her election to the entry-level office. For example, for an appointment to the Credentials Board, you ought to contact the Clerk when he or she is elected; for an appointment as an Assembly assistant, you ought to contact the Clerk as he or she is rising to the Speakership. Likewise, for an appointment to the Long-Range Planning Board, Membership Board, or *TYL* Board, you ought to contact the Secretary-Treasurer as soon as he or she is elected—or, if a candidate is running unopposed, soon after it becomes certain that nobody else is running.

Funding: Each board is funded to its own meetings.

Progression: Each board reports to the Council. Service on a board is a senior appointment that ordinarily occurs at the end of a career in the Division, although some members use the board as a springboard for another appointment or for a campaign for elected, rather than appointed, leadership.

²⁶Please see “Note on Web Addresses,” *supra* p. v.

CHAPTER 6

ELECTIONS: THE EXECUTIVE BOARD

The officers shall constitute an executive committee, which shall perform such duties and functions as these bylaws, the Assembly, or the Council prescribes, and may otherwise act on the Division's behalf to the extent that such action is not inconsistent with these bylaws or action taken under their authority.

Bylaws § 6.4(a) (executive committee)

The executive committee and the constitutional representatives shall constitute an executive board, which shall advise the executive committee and perform such other duties and functions as these bylaws, the Assembly, or the Council prescribes.

Bylaws § 6.4(b) (executive board)

What are the available titles?

The Assembly elects four officers (Chair-Elect, Secretary-Treasurer, Speaker, and Clerk) and five constitutional representatives (four delegates to the ABA House of Delegates, and a representative to the ABA Nominating Committee), and nominates the two young-lawyer members-at-large on the ABA Board of Governors:

Title	Term	Schedule
Chair-Elect	One year, then year as Chair	Annual
Secretary-Treasurer	One year	Annual
Speaker	One year	Annual
Clerk	One year	Annual
ABA Board of Governors (2)	Three years, after one year as a nominee	A member is nominated in two years out of each three, including 2002, 2004, 2005, 2007, 2008, and 2010
ABA Nominating Committee	Three years	Triennial, including 2002, 2005, and 2008

ABA House of Delegates (4)

Three years

At least one delegate elected annually, with two delegates elected in every third year, including 2004, 2007, and 2010

What are the rules?

The Assembly shall elect each officer, other than the Chair, at the annual meeting. The vote shall be taken by roll call unless the Assembly, by a two-thirds vote, adopts a different method. Election occurs by simple majority. The Chair shall vote in an election only for the purpose of breaking a tie.

Bylaws § 7.1(a) (election)

The Assembly shall elect each constitutional representative in the same manner as it elects the officers. For the purposes of these bylaws, any reference to an election in the case of a member-at-large on the ABA Board means the Division's nomination.

Bylaws § 8.2 (election)

The Division's bylaws govern nominations and elections. The provisions that relate to eligibility for office, nominations, and elections appear in articles VI-VIII. For these bylaws, please see appendix A, or check online at www.abanet.org/yld/bylaws.²⁷

The Division has also adopted policies and procedures relating to elections. For these policies and procedures, please check online at www.abanet.org/yld/elections.²⁸

Are there other requirements or rules?

There are no other formal requirements or rules. However, there are some informal but longstanding customs. Some offices and titles customarily follow certain "ladders" within the Division's leadership:

The Chair is customarily elected to the ABA House of Delegates. These delegates serve three-year terms so, at any given time, three of the Division's four delegates are former Chairs.

The Chair-Elect is customarily succeeded by the Secretary-Treasurer.

The Speaker is customarily succeeded by the Clerk.

²⁷Please see "Note on Web Addresses," *supra* p. v.

²⁸Please see "Note on Web Addresses," *supra* p. v.

This table summarizes the customary configuration of officers and constitutional representatives:

If you are elected as:	Secretary-Treasurer	Clerk	ABA Board nominee	ABA House; ABA Nominating Committee
One year later, you customarily become:	Chair-Elect	Speaker	ABA Board	
Two years later, you customarily become:	Chair			
Three years later, you customarily become:	ABA House (3)			
Four years later:				
Five years later:				

Am I eligible?

(a) **Qualifications.** No person shall be eligible as an officer unless he or she (1) has been a member since the preceding annual meeting; (2) can and does continue as a member throughout his or her term (including, in the case of the Chair-Elect, the ensuing term as Chair); (3) registered for and attended the preceding annual or midyear meeting or at least one national affiliate-outreach conference since the preceding annual meeting; and (4) attends the election, unless excused pursuant to a rule, policy, or procedure.

(b) **Limits on officeholding.** For the purposes of this paragraph 6.2(b), an “office” or “officer” includes a constitutional representative.

(1) **Single office.** No person shall concurrently hold more than one office.

(2) **Reelection prohibited.** No person shall succeed himself or herself, directly or otherwise, in the same office.

(3) **Incompatible offices.** No person who has served as Speaker or Clerk shall be eligible as Secretary-Treasurer or Chair-Elect.

(4) **Officer as candidate.** No person holding an office shall seek another office unless (A) his or her term expires before the other office’s term begins; or (B) he or she resigns, in which case the resignation is irrevocable and shall take effect by the election for the other office, regardless of whether he or she is elected.

Bylaws § 6.2 (eligibility)

No person shall be eligible as a constitutional representative unless he or she (a) has been a member since the preceding annual meeting; (b) is a member and young lawyer when his or her term begins, or otherwise satisfies the constitutional qualifications; (c) registered for and attended the preceding annual or midyear meeting or at least one national affiliate-outreach conference since the preceding annual meeting; and (d) attends the election, unless excused pursuant to a rule, policy, or procedure.

Bylaws § 8.3 (eligibility)

To be eligible for election as a young-lawyer member-at-large [on the ABA Board], a person must be less than thirty-six years old at the beginning of the term.

ABA Const., § 7.3

As a practical matter, because certain offices and titles customarily follow certain “ladders” within the Division’s leadership, the candidates for the “entry-level” offices and titles on those tracks must begin “climbing the ladder” earlier than the bylaws require in order to reach the top in time:

Secretary-Treasurer (the “Chair” ladder). To be eligible for eventual election as Chair, a member must be elected as Secretary-Treasurer before his or her thirty-fourth birthday.

Clerk (the “Speaker” ladder). To be eligible for eventual election as Speaker, a member must be elected as Clerk before his or her thirty-fifth birthday.

ABA Board. The Assembly nominates each young-lawyer member-at-large a year before his or her term begins. (The ABA House formally elects the member at the next midyear meeting, and the term begins at the next annual meeting.) A member must therefore win the Division’s nomination before his or her thirty-fifth birthday.

What experience do I need?

The candidates for the “entry-level” offices and titles—Secretary-Treasurer, ABA Board, ABA Nominating Committee, and the “open” delegateship to the ABA House (elected every third year)—have typically held one or more nationally elected offices or titles, or several senior appointments at the national level. The following lists, taken from the resumes of recently elected national officers, illustrate the kinds and variety of experience that a candidate may bring when running for national office:

Experience in Young-Lawyer Leadership

ABA Young Lawyers Division	State Affiliate	Local Affiliate
<ul style="list-style-type: none"> • Executive Council • Assembly <ul style="list-style-type: none"> • Parliamentarian • Resolutions Comm. • Long-Range Planning Comm. • Special Project Coordinator, Disciplinary Diversion • Special Project Coordinator, Member Services • Affiliate Outreach Project <ul style="list-style-type: none"> • Affiliate Assistance Program <ul style="list-style-type: none"> • Vice-Chair • Awards of Achievement <ul style="list-style-type: none"> • Judge • Law Student Outreach Comm. <ul style="list-style-type: none"> • Chair • Minority Bar Passage Project <ul style="list-style-type: none"> • National Conference Chair • Professional Development Conference <ul style="list-style-type: none"> • Planning Comm. 	<ul style="list-style-type: none"> • Chair • Vice-Chair • Secretary • Disaster Relief Coordinator <ul style="list-style-type: none"> • 1997 Red River Valley Flooding • 1997 Twin Cities Flooding • Executive Committee • Executive Board • Council • Affiliate Outreach Comm. <ul style="list-style-type: none"> • Chair • AOP Conference Committee (Midwest Regional AOP) • Long-Range Planning Comm. <ul style="list-style-type: none"> • Reporter • Membership Comm. <ul style="list-style-type: none"> • Chair • Pro Bono/Community Services Comm. 	<ul style="list-style-type: none"> • Chair (two years) • Executive Committee • Executive Board • Council • Long-Range Planning Comm. <ul style="list-style-type: none"> • Chair • Nominating Committee • Firm Representative

Senior-Bar Experience

Metropolitan Bar Association	State Bar Association	American Bar Association
<ul style="list-style-type: none"> • Secretary • Executive Committee • Governing Council • Civil Litigation Section • Debtor-Creditor Remedies Comm. • Diversity Comm. • Executive Director Search Comm. • Governance Comm. <ul style="list-style-type: none"> • Co-chair • Bylaws Subcomm. <ul style="list-style-type: none"> • Chair • Glass Ceiling Subcomm. <ul style="list-style-type: none"> • Reporter • Membership Comm. <ul style="list-style-type: none"> • Co-chair • New Lawyers Section • Summer Intern Comm. <ul style="list-style-type: none"> • Employers Subcomm. <ul style="list-style-type: none"> • Chair 	<ul style="list-style-type: none"> • Board of Governors • House of Delegates • New Lawyers Section • Court Rules & Admin. Comm. <ul style="list-style-type: none"> • Court Rules Subcomm. <ul style="list-style-type: none"> • Chair • Federal Rules Subcomm. • English Rule of Law Comm. • Environmental & Natural Resources Law Section <ul style="list-style-type: none"> • Council • Governance & Finance Comm. <ul style="list-style-type: none"> • Bylaws Subcomm. • Membership Comm. <ul style="list-style-type: none"> • Chair • Large Law Firms Subcomm. <ul style="list-style-type: none"> • Chair • Red River Valley Task Force 	<ul style="list-style-type: none"> • House of Delegates • Section of General Practice • Section of Individual Rights & Responsibilities • Section of Litigation • Young Lawyers Division • Law Student Division <ul style="list-style-type: none"> • National Chair • National Secretary-Treasurer • Section Officers Conference

How do I run?

Any eligible member can run by filing a notice of candidacy with the Secretary-Treasurer, with a copy to the Staff Director. The petition must reach the Secretary-Treasurer before the Assembly adjourns at the midyear meeting. The petition must specify a single office that the candidate seeks. There is no special form: the petition may simply identify the candidate (by name, address, and telephone number) and say, “Please accept this letter as my petition of candidacy for [office or title].”

Where can I get more information?

The official sources of information about nominations and elections are the Secretary-Treasurer, who receives the notice of candidacy; and the Speaker, who presides over the campaign and election. The Staff Director, any other member of the YLD staff; or any YLD leader can also offer helpful information. For their addresses, please check online at www.abanet.org/yld/directory.²⁹

For more information about elections generally, please check online at www.abanet.org/yld/elections.³⁰

²⁹Please see “Note on Web Addresses,” *supra* p. v.

³⁰Please see “Note on Web Addresses,” *supra* p. v.

CHAPTER 7

GETTING YOUR BOSS TO SAY YES

Now that you have gotten involved, you will need your employer's support in order to sustain an active and satisfying career in the bar association. Here are a few selling points in favor of bar involvement that can help bring your employer aboard:³¹

Citizenship in the legal community

One purpose of the bar association is to shape (and change) the culture of the bar for the good of the profession and the community. For whatever reason, the culture of the bar does not always guide young lawyers into the bar association. The force that most directly shapes the culture of the bar for a young lawyer is the firm in which he or she practices. A firm shapes that culture by whether it pays its associates' dues, whether it funds them to bar meetings and conferences, whether it recognizes and rewards its lawyers who hold office or chair a committee, and whether its own partners and managers are visibly active. A premier firm that shapes the culture of many young lawyers and that sets the standard for the profession locally ought to show its associates that it values and rewards active membership and participation in the bar association.

Socializing young lawyers

Membership in the bar association socializes young lawyers, not only to their membership in a professional community, but also to their professional responsibility to serve the public interest. The much-lamented decline in civility and professionalism among lawyers in recent years may be directly attributable to the decline in bar-association membership and the resulting lack of opportunities for young lawyers to meet one another outside the office and outside the adversarial system. The bar association can shape and change the culture of the bar for the good of the profession and the community only if it can keep, interest, and activate its members. A more numerous, more invested membership legitimizes the bar's public-service work, and its ability to

³¹These selling points are geared toward a private firm. They may or may not apply, or may apply differently, in the case of a corporate legal department or a government or military employer.

represent the public interest as well as its own, by making that work more truly the work of the whole bar. Likewise, a more numerous, more invested membership broadens the audience that the public-service message reaches and pays the dues that fund the public-service mission.

Business development

An active presence in the bar association is generally in a firm's own self-interest. The bar association is a good way for an associate to meet peers from around the nation, many of whom may not know any other lawyer in your community, as well as to meet and work with the leaders of the local legal community whom he or she may ordinarily never meet in practice. Bar-association work may or may not pay off in the long run in terms of business development, but hopefully it will; and, if an opportunity for business development happens along through the bar association, at least an active associate will not miss it for lack of a presence.

Self-regulation

A more numerous, more invested membership legitimizes the bar association's ability to represent the whole profession. The ongoing decline in bar-association membership threatens the profession's independence and self-regulation. A recent study³² found some discouraging statistics about membership both in the bar association generally and among young lawyers in particular:

Fewer lawyers are joining. As the bar has steadily grown, membership in the bar association (as a share of the bar) has slowly but steadily fallen.

Fewer young lawyers are joining. As more and more young lawyers have joined the bar, fewer and fewer (as a share of the bar) have joined the bar association.

The young lawyers who join are not participating. Those young lawyers who do join the bar association are not participating to the same extent as their senior colleagues.

The young lawyers who participate are not interacting. Finally, those young lawyers who do participate are not interacting outside of their own sections and committees.

³²HCBA Young Lawyers Section, Long-Range Planning Comm., Report on Long-Range Planning (Apr. 1994).

The young lawyers of today are therefore not building the kind of professional community that will sustain the bar association as a coherent, representative organization when they become its leadership. We must all support membership and encourage participation in the bar association in order to reverse this trend.

Economic efficiency

For a firm to pay its associates' dues and other bar-association-related expenses is far more economically efficient than payment by the associate from a tax standpoint: The firm can pay the expenses with pre-tax dollars and deduct them as a business expense, but the associate must report the amount of the dues as income and cannot deduct that amount as a job expense (except to the extent that the associate's unreimbursed expenses exceed two percent of adjusted gross income—a threshold that probably no associate reaches). Assuming for the sake of convenient calculation a tax rate of one-third and dues of three hundred dollars per year, the associate must earn *\$450.00* in order to pay for dues that cost the firm only *\$200.00*.

Continuing legal education

Furthermore, a firm can recoup the cost of an associate's bar-association dues by taking advantage of the value that the bar association offers for continuing-legal-education credit. A young lawyer can fully satisfy his or her CLE requirements through the bar association, which offers its members frequent and relevant seminars for free or for a few dollars per credit—a serious bargain in comparison to most commercially organized seminars, let alone out-of-town seminars. The cost of dues for a year's bar-association dues is far less than the cost of sending an associate to one out-of-town CLE seminar.

CHAPTER 8

BEYOND THE YOUNG LAWYERS DIVISION: GETTING INVOLVED IN THE SENIOR BAR

Finally, it is never too early for getting involved in the “senior bar” beyond its young-lawyer organizations. Young lawyers are not a separate community: they are about a third of the whole bar’s membership.

Most bar associations welcome young lawyers in all their sections and committees, not just in their young-lawyer organization. Many bar associations even reserve space for young lawyers on their governing boards, just as the American Bar Association reserves two seats on its Board of Governors and five seats in its House of Delegates for young lawyers. The Association’s constitution even contains a requirement that may benefit you in your home state:

If the bar associations of a state are entitled to five or more delegates, at least one delegate representing the state bar or a local bar association in that state must be less than thirty-five years old at the beginning of the term. It is the responsibility of the state bar association to ensure that this requirement is satisfied.³³

Check on whether this requirement applies in your state and, if so, how the young-lawyer delegate is chosen.

If a bar association does not include young lawyers, or appoints their “representatives” without consulting the local young-lawyer organization, then advocating reform so that the organization is more representative is a worthwhile project for the young-lawyer affiliate. The following arguments may help:

The young lawyers are the only constituency within the association to which every member has belonged.

The young lawyers comprise about a third of the bar—the same third that the bar association has reached least effectively in recent years, and the same third that is least represented in its leadership.

³³ABA, Const., § 6.4(a) (state and local bar association delegates).

Compared with the rest of the bar, young lawyers as a group are more diverse, and therefore likelier to help the bar association combat the glass ceiling.

Young lawyers bring to the bar association a different perspective on law, practice, and the profession than their more senior colleagues. For example, they are more technologically literate, and therefore likelier to offer fresh ideas about bringing law office management into the twenty-first century.

The future of the bar association as the profession's representative depends critically on the active and organized presence of young lawyers.

The young-lawyer section is often the largest and most active group within the association.

Over the past few years, several ABA Sections have developed fellowship programs whose goals are to provide active young lawyers an opportunity to become involved in the substantive work of the respective ABA Sections, to develop future leaders of that Section, and to enhance knowledge about the work of the Section among the Division. These programs have been extremely successful in meeting these goals and have provided a significant benefit to the Sections that have implemented them.

The current fellowship programs that exist are:

- * **Section of Business Law.** The incoming Chair of the Section appoints five fellows to a two year fellowship. The Section considers active Division members (or active members who has aged out of the Division, but are under forty years of age) who have demonstrated significant interest in the area of business law that coincides with the work of one of the Section's substantive committees. The Section reimburses expenses for the fellows to attend the Spring and Annual meetings of the Section, as well as any stand-alone meetings of the committee to which the fellow is appointed. Additionally, the section appoints each fellow a mentor.

In return, the fellows commit to remain involved in the Division and identify substantive areas of common interest where members of the Division can participate in the Sections' work. Additionally, the fellows work to recruit Division members to join the Section. Further, the fellows assist planning of joint social and substantive programs with the Division at the ABA annual meetings. The fellows report annually to the Section's Council on their activities within the Section. Finally, the fellows commit to continue active involvement in the Section after the fellowship is

completed, and to act as mentors to subsequent fellows. The Section recently appointed its third class of five fellows.

- * **Section of Litigation.** This fall, the Section implemented its Litigation Section Leadership Development Program (the "Leadership Program"). The Leadership Program enables five young lawyers to become actively and integrally involved in the Section's meetings and committee activities. The Leadership Program participants are required to attend all Section meetings and become an active participating member of one or more committees of the Section. Each participant is required to work on a designated project for the Section. The participants are funded to the Section's meetings. In selecting participants for the Leadership Program, the Section considers prior participation in the Section, prior participation in the Division Litigation Committee, participation and involvement in other offices or committees in the ABA, determination, commitment and enthusiasm. Preference is given to candidates who, without the scholarship, would otherwise be unable to attend or actively participate in the Section.

- * **Torts and Insurance Practice Section ("TIPS").** This year TIPS implemented its "TIPS Now! Fellowship." TIPS Now! members are attorneys under the age of 40 who have distinguished themselves in national or local bar work. TIPS ensures that its Fellows are diverse in terms of gender, practice area (plaintiff, defense and corporate) and race. TIPS anticipates appointing 6 - 10 Fellows each year. The purpose of TIPS Now! is to elevate young lawyers into leadership positions. TIPS Now! fellows are funded to attend four TIPS meetings each year. The Fellows are also appointed to a TIPS Standing Committee so that they will have an opportunity to better integrate with Section leaders.

The Fellows are required to create a work product for the Section, such as a program or public service project. The Fellows decide what project they want to undertake. The Class of 2000 will become part of the TIPS Task Force on Outreach to Young Lawyers when the Class of 2001 is appointed. The Task Force is also funded by TIPS. Therefore, the Fellows serve at least two years in funded positions. The Task Force is responsible for helping to integrate young lawyers into TIPS, supervising the TIPS Now! program, implementing membership benefits for young lawyers and reviewing Division requests for funding. Fellows are appointed to a TIPS Council member, who will serve as his or her mentor.

TIPS also appoints sub-liaisons to three Committees (Law & Public Service; Long Range Planning; and Membership), and the editorial board

for *The Brief*. TIPS includes these liaisons as Fellows because the Fellows program provides significant structure and mentoring.

- * **General Practice, Solo and Small Firm Section ("GP").** The GP Section established a Diversity Fellows Program in the 1999/2000 bar year. The program is designed to promote ethnic diversity within the Section, recruit members of color, and provide leadership development opportunities within the section for members of color. The Section's Diversity Committee and Membership Board will identify and nominate three lawyers of color who will be appointed by the Chair-elect to funded fellowship positions within the Section to be effective during the following bar year. Upon completion of successful active participation in the first scholarship year, these participants will then be appointed to regularly funded positions within the Section the following bar year, giving consideration to the Section's existing needs and the participants preferences based on the first year participation. Selection to the program is based on the individual's achievement and commitment to the Organized Bar and the GP Section. Fellows will be required to attend three of the Sections meetings during their fellowship period. Fellows also agree to remain a member of the Section for a two-year period after their fellowship concludes and to participate in the activities and programs of the Section.

- * **Section of Real Property, Probate and Trust Law ("Real Property").** The Real Property Section has adopted a fellows program that calls for four Fellows (two of whom will be minorities) to serve two-year terms with the Section. Each Fellow will be granted an annual stipend of \$1,500 in return for which the Fellow will be expected to attend the Spring and Annual meetings, work actively in committees, help the Section work more closely with the Division, and help recruit more members to the Section. The Section will appoint a mentor for each Fellow. Each Fellow will be assigned to a substantive committee.

- * **Section of Labor & Employment Law.** The Labor & Employment Section's fellows program is designed to give young lawyers who practice labor and employment law the opportunity to become familiar with and actively involved in the Section. Up to three individuals will be selected each year for a two-year Fellowship Program with the Section. Participants will be assigned to a substantive committee within the Section, and will be assigned a mentor. Participants will be expected to attend the midyear meetings for the committee on which the individual is placed as well as an orientation session on the Sunday of the annual meeting. In addition to waiver of the registration fee, participants will be funded by the Section for the midyear meetings, including individual

super saver airfare; parking and ground transportation to and from the airport; the conference rate for a hotel room for the duration of the midyear committee meeting or up to \$100 per diem, whichever is higher.

- * **Law Practice Management Section ("LPM").** The LPM Section established a fellowship program called the Leadership Mentoring Program. The program is presented by LPM's Diversity Committee and Young Lawyer/Law Student Division. The program was established to develop and mentor young lawyers and ethnically diverse members to be future leaders of the Section. The "Leadership Appointee" will receive funding to attend LPM's Fall and Spring meetings. Each appointee will be paired up with a mentor and will serve on a Section committee as well as either the Section's Diversity Committee or Young Lawyer/Law Student Division.

- * **Government and Public Sector Lawyers Division ("GPS").** The GPS Division is offering free year GPS Division membership to all members of the Division Government, Military and Public-Sector Lawyers Committee.

Other ABA Sections provide varying levels of young lawyer leadership involvement. While not all Sections will be able to provide generous assistance comparable to these programs, the goal is not to produce identical programs, but to create opportunities for mutual benefit to the Division and the participating Section. The Division has actively marketed the existing fellows programs to its membership, and has committed to give any program that other Sections develop along these lines high visibility to the Division membership.

Any bar association that cares about its future, about building the kind of professional community that will sustain it as a coherent, representative organization when the current young lawyers become its leadership, will welcome talented young lawyers active at every level in its organization—not just on the bottom rungs.