

For example, the ABA has taken the lead in protecting the attorney-client privilege from recent attacks, particularly by government agencies. The ABA was a driving force behind the important new Federal Rule of Evidence 502. Signed into law by President Bush in September 2008, this rule will reduce the skyrocketing cost of producing electronically-stored information in litigation. We also work to protect and preserve the independence of the judiciary, a core value of our association. The ABA serves as an advocate for the Legal Services Corporation, and has supported maintaining FDIC insurance for IOLTA accounts in the states that mandate the use of IOLTA monies to fund LSC.

Together, the ABA's support for the profession and its support for the individual lawyer make me very proud to be a member. I ask each of you to join me—and join the ABA.



*Patricia Lee Refo serves as chair of the ABA Standing Committee on Membership. A former chair of the ABA Section of Litigation and the American Jury Project, she is a member of the ABA House of Delegates. She has also served on the Advisory Committee on the Federal Rules of Evidence. Refo is a partner at Snell & Wilmer LLP in Phoenix.*

## The Alabama State Bar Provides Rich Heritage of Support for the American Bar Association

**By Henry F. White, Jr.**

Alabama has a rich heritage of support for and involvement with the American Bar Association. In fact, when Tommy Wells of Birmingham's Maynard, Cooper & Gale assumed the ABA presidency in August, he became the third lawyer from the state to serve in that critical role. President Wells follows in the footsteps of Henry Upson Sims, who served in 1929-30, and N. Lee Cooper, also with Maynard Cooper & Gale, who served in 1996-97. Providing distinguished leaders of the bar, such as these three, underscores Alabama's tradition of contributing to the ABA and its activities, a tradition that has been shaped by participation of the state's 5,000+ current ABA members.

In a particularly meaningful recent example of service, Alabama lawyers were critical to the success of last year's "Wills for Heroes" project, a public service endeavor that provides estate planning for emergency first responders. That effort was led by the ABA Young Lawyers' Division and the Wills for Heroes Foundation. Since September 11, 2007, participants from the Alabama State Bar Volunteer Lawyers Program have helped families of thousands of first-responders—police officers, firefighters and emergency medical technicians—in becoming an acknowledged nationwide model for "Wills for Heroes" efforts in other states.



*Birmingham attorney N. Lee Cooper and family—Cooper was the ABA president in 1996 and the second Alabamian to hold that office.*

### Alabama Lawyers Are ABA Members

Not surprisingly, nearly one-third of the practicing lawyers in Alabama are ABA members, and they are critical to the association in roles as experts on continuing legal education, advocates on Capitol Hill, architects of ABA policy, developers of new programming, and so much more.

In return, the ABA offers what lawyers from Alabama want and need by harnessing the best legal minds in the country. In fact, last year, ABA continuing legal education programs and expert publications served nearly 1,000 lawyers from the state. Additionally, ABA resources, such as its public education materials, toolkits to enhance local bar leadership, an online search engine to identify "second career" opportunities and an ethics hotline, among many others, helped thousands advance their professional careers. Moreover, ABA events, such as the Midyear, Annual and Section meetings, offer Alabamians networking opportunities on a scale that is second to none.

As the national voice for the legal profession, the ABA has direct access to key public policy decision-makers, benefiting lawyers in Alabama as well as local communities everywhere. Just last year, our leadership in Washington, D.C. helped to secure debt relief for public interest lawyers, worked toward preserving the attorney-client privilege in corporate fraud investigations and supported funding the Legal Services Corporation, to name just a few accomplishments. Work continues this year as the ABA lobbies on approximately 100 different legislative issues affecting both lawyers and ordinary citizens alike.

### Advocating for the Rule of Law

The ABA's efforts extend beyond domestic issues to include the global community as well. The country's current financial crisis and its depressing effect on the world markets demonstrate how interconnected the world has become. Advocating the rule of law is more important than it ever has been for the nation, for American businesses abroad and for American citizens traveling and working in other countries—and the ABA is at the leading edge of that advocacy. In July, the ABA's World Justice Forum in Vienna brought together hundreds of leaders from more than 95 countries to seed projects that advance the rule of law worldwide. As a result, a team from Asia plans to launch a program to educate migrant workers on labor law and their rights. Another team from Africa will start a rule of law awareness campaign targeting the troubled countries of Rwanda, Sudan and Uganda. Closer to home, a North American team seeks to reinstate civics education in three countries. These activities are just a sampling of the many transformative initiatives now germinating all around the globe. Today the ABA's rule of law work continues in more than 40 countries with even more initiatives on the horizon.

Issues of national and international significance are the ABA's bailiwick, while state and local bar associations lead in issues specific to their geographic communities. Each bar association has its own portfolio of offerings and specialties; there is little competition among the groups. Instead, there is a strong connection between the ABA and the state and local bars, one that is built upon collaboration and mutual benefit.

Those of us in the legal community share many common goals. Together, the ABA and the state and local bar communities are powerful partners that can achieve much together. The synergies between the groups will be espe-

cially helpful as the legal community copes with the challenges presented by America's economic downturn and new threats to the rule of law abroad. Now more than ever, it is important that we recognize our collective power so we may realize the best for our profession, our community and the world at large.



*Henry F. White, Jr. is executive director and chief operating officer of the American Bar Association, the largest voluntary professional membership organization in the world with more than 400,000 members. Before assuming leadership of the association in 2006, White served as president of the Institute of International Container*

*Lessors, representing the international container and chassis leasing industry throughout the world. White is a retired rear admiral in the Naval Reserve, who last served as vice commander of the U.S. Fleet Forces Command, the Navy's largest operational command. A New York City native, White is a graduate of the U.S. Naval Academy and the Fordham University School of Law.*

## Alabama Provides Fertile Ground for Growing ABA Leaders

**By H. Thomas Wells, Jr.**

Those of us who are lawyers in Alabama—like our colleagues across the county—find that membership in the American Bar Association provides us with chances to learn leadership while supporting our profession and our communities.

One indication that we stand to benefit from ABA membership is the fact that our state is fertile ground for ABA leadership. For example, my law partner, Anthony Joseph, is chair of the ABA's Criminal Justice Section. A.J. is one of 76 Alabama lawyers in the ABA's leadership directory. Our leaders are from towns and cities from Dothan to Birmingham, and from Fairhope to Montgomery. Alabama lawyers serve in the ABA House of Delegates and in a variety of ABA practice sections and committees.

Here's another thing to consider: Of the 132 ABA presidents over the years, three, including me, have hailed from Alabama.

### ASB's Connection to the ABA

The Alabama ABA president immediately before me was my law partner, Lee Cooper, who served from 1996 to 1997. Like me, Lee had previously chaired the House of Delegates, the ABA's policy-making body.

The other ABA president from Alabama was Henry Upson Sims, also from Birmingham. Sims was a nationally renowned real property law scholar who has a faculty position named for him at the University of Alabama School of Law.

Sims, as the old Chinese curse puts it, led "in interesting times." He served as president of the Alabama State Bar from 1917 to 1918, America's years in World War I. He was president of the ABA from 1929 to 1930, right as the stock market crashed.

Today, we also live in "interesting times" and are dealing with our own financial crisis. At my request, the ABA has created a Task Force on Financial Markets Regulatory Reform. The group is coordinating the ABA's response to regulations proposed by the President's Working Group on Financial Markets and other actions taken by the Federal Reserve, the Department of the Treasury, the Securities and Exchange Commission and other federal agencies. It will inform the ABA's lobbying efforts in Washington, D.C. on any proposed legislative changes affecting regulation of the financial markets.

We also live in interesting times when it comes to the bar's common core values, values that inspire lawyers in their communities to work together and make a difference at the national level.

## A Shared Sense of Core Values

Foremost among these values is access to justice. The bar is making a huge difference even as we have a lot of work to do. We know this in Alabama, which joined many other states when Chief Justice Cobb established the Supreme Court's Access to Justice Commission. The ABA informs and encourages the efforts of access to justice commissions throughout the country, and we're happy to work with Alabama's.

When natural disasters such as the Gulf Coast hurricanes strike, the ABA's Young Lawyers' Division always staffs legal assistance hotlines, in conjunction with state bars and FEMA.

At the federal level, the ABA and our state and local bars continually lobby to ensure adequate funding of the Legal Services Corporation—made all the more crucial by home foreclosures and other crises. Last April, we were fortunate to have Alabama lawyers Sam Crosby, Wade Baxley and Bill Broome and Tracy Daniel from the Alabama Law Foundation meet with Alabama's congressional delegation in Washington for ABA Day, our annual lobbying activity on behalf of Legal Services and other core issues of the profession. We appreciate Alabama's steady participation in this crucial activity, and we look forward to working together on Legal Services funding and other access to justice issues.

## Developing Solutions to Aid the Poor

Access to justice is a front-and-center issue with another activity we're planning for the current bar year—a national summit in May on the critical role of fair and impartial state courts. The summit will foster a deeper understanding of the major challenges facing state courts in serving the public. It will identify ways the three branches of government can cooperate effectively to ensure that our state courts are adequately resourced and empowered. We're fortunate to have the involvement of Alabama State Bar President Mark White in our efforts.

I often remind audiences throughout the country that we lawyers in the South have a unique saying—that we're "called to the bar." Aside from the clergy, no other profession can point to its work as a calling. We minister justice, and our mission is public service. Only through our members' support can the ABA foster justice and public service at the local and state levels, and collectively on the national level.

As ABA president, I am privileged to serve Alabama's lawyers as part of America's larger bar community, and I look forward to your participation.



*H. Thomas Wells, Jr., a partner and founding member at Maynard, Cooper & Gale in Birmingham, is president of the American Bar Association. He has served on numerous committees and in leadership roles in the Alabama State Bar, the Birmingham Bar Association and the ABA. His children, Lynlee Wells Palmer and Trey Wells, are also lawyers in Birmingham and active ABA members.*

## I Cannot Imagine a Legal Career without Membership in the ABA

**By Elizabeth K. Acee**

When I first started practicing law in 1999, an ABA membership automatically came with my new associate status.

However, I chose to become an *active* member of the ABA Young Lawyers' Division after I was mentored in my bar association activities by other lawyers who participated in the bar—both at the state and national level. My first experience with the YLD was speaking during a conference