

To: Conference of European Bar Presidents

From: Mary Smith, President, American Bar Association

Re: Report on Current Developments in the ABA

Date: January 8, 2024

Thank you for the opportunity to present this report highlighting major activities in the American Bar Association of relevance to the international legal community. I appreciate your service to improve our profession, strengthen the rule of law, and deliver justice for all. I wish you all the best for a successful conference.

ABA Annual Meeting. Please mark your calendars to attend our signature annual event July 31 to August 5, 2024, in Chicago, Illinois. The meeting will feature legal education programs, inspiring speakers, celebratory events and networking opportunities, and special programming on topics of interest for our international guests, including the Annual Distinguished Guests Dinner on August 1, 2024. Further information will be forthcoming.

ABA International Law Section. The ABA International Law Section connects international legal practitioners in the U.S. and across the globe. The section's 55+ committees and interest groups produce programs, publications, and other activities to provide a platform for all relevant practice topics. Its 2024 Annual Conference will be held May 7-10, 2024, in Washington, D.C. The Section also proposes policy in areas of interest to the international legal community, as do various other sections in the ABA, and we look forward to your thoughts for initiatives of interest to you.

ABA Center for Global Programs. The Center comprises the ABA Rule of Law Initiative (ROLI), ABA Center for Human Rights (CHR), and the ABA Representatives and Observers to the United Nations (UNR). ROLI provides technical assistance on justice, economic opportunity, and human dignity through the rule of law, currently in more than 50 developing democracies on five continents. CHR mobilizes lawyers to help threatened advocates and hold governments accountable under law through the Justice Defenders program, Atrocity Crimes Initiative, Dignity Rights Initiative, Human Trafficking Project, TrialWatch Project, Business & Human Rights Initiative, Health & Human Rights Initiative, and Labor Rights Initiative. The UNRs manage the ABA's official UN NGO Observer status, and conduct and participate in programs at UN conferences such as the UN Climate Change Conference, Commission on the Status of Women (CSW), and the Forum on Business and Human Rights.

Task Force for American Democracy. This ABA presidential task force brings together 34 leading Americans from across the political spectrum, ranging from retired judges and election law experts to law school deans, experts on national security and former presidential candidates from both parties. It is focused on two, nonpartisan objectives that are essential to protecting and enhancing our democracy: (1) assuring elections are administered in an accurate, safe, and apolitical manner; and (2) creating a national culture that is educated on the basics of civics, with an understanding of—and passion for—democracy and the rule of law. After producing working papers, conducting listening sessions, and developing a strategic communications plan, the Task Force will convene a Democracy Summit on August 2, 2024, at the ABA Annual Meeting in Chicago to set forth its findings, conclusions, and recommendations.

Task Force on Law and Artificial Intelligence. This ABA presidential task force is assessing the impact of AI on the practice of law and the ethical implications such as how to protect client confidentiality. It is addressing risks of bias and cybersecurity and privacy challenges with generative AI; AI governance encompassing laws and industry best practices; the role of AI in legal education and the courts, and how AI can increase access to justice. Multiple ABA sections have presented programs and published materials focused on AI, which the task force is organizing into a comprehensive website resource center.

Lawyers' duty to avoid criminal/fraudulent activity. In August 2023, the ABA House of Delegates adopted amendments to Rule 1.16 (Declining or Terminating Representation) of the ABA Model Rules of Professional Conduct. The amendments provide enhanced clarity to lawyers regarding their obligations to inquire into and assess the facts and circumstances relating to a representation to avoid having their services used to engage in criminal or fraudulent activity. The amendments set forth a balanced and risk-based approach to the inquiry and assessment of representation.

Beneficial ownership. The ABA House of Delegates in February 2023 adopted a policy resolution emphasizing the need for appropriate regulations and ethical rules for lawyers in addressing the Corporate Transparency Act and the disclosure of beneficial ownership in the fight against money laundering, terrorist financing and various human rights violations.

ABA Young Lawyers Division. The ABA Young Lawyers Division serves as the home of America's new and young lawyers. The ABA YLD serves nearly 100,000 members, composed of new and young lawyers (defined as under age thirty-six or in their first ten years of practice) and law students. As one of the largest organizations for new and young lawyers in the world, the ABA YLD's mission is to champion professional development, leadership, and policy advancement, and to serve the profession with a dedication to diversity, equity, and inclusion in all its efforts. A leadership group of approximately 200 new and young lawyers oversee the ABA YLD's fifteen branches, over 30 committees, and numerous other teams. Their collective efforts advance the initiatives, goals, and projects of the ABA YLD and ensure the ABA YLD delivers high quality programs, products, and services to its members, providing new and young lawyers and organizations with the tools and opportunities for professional and personal success. This includes: the ABA YLD produces TYL Magazine, The Young Lawyer Rising Podcast, and a diverse variety of in-person and online programs; the ABA YLD Disaster Legal Services Team

provides critical pro bono/public service to communities impacted in disasters; leading and acting on policy that advances the legal profession and identifies issues impacting new and young lawyers; investment in the future of the legal profession through legal pathway efforts (this year the ABA YLD has a goal of implementing a National What Do Lawyers Do Program Tour and will partner with local and state emergency youth shelters and foster care organizations for pop-up clinics); and advancing its First Generation and Parents in Practice Initiatives, Men of Color and Women of Color Taskforces. The ABA YLD's Spring Conference will be held May 16-18, 2024, in Omaha, Nebraska. This meeting will be jointly hosted by the ABA Law Practice Division and ABA General, Solo, and Small Firm Division.

Antisemitism and Islamophobia. The ABA House of Delegates adopted policy resolutions in 2023 condemning [Antisemitism](#) and [Islamophobia](#) and proposing measures to combat them. The policies emphasize public education, educating the legal profession, and working with civic leaders and civil rights organizations in their activities to condemn these positions.

Well-being in the legal profession. The [ABA Commission on Lawyer Assistance Programs](#) joins other ABA groups in providing support to lawyers, judges, and law students who seek assistance for alcohol and other substance use disorders and mental health issues and develops resources and programs that address both prevention and treatment of impairments. The Commission also supports staff and volunteers of state and local assistance programs that work on well-being issues in the legal community. The Commission produces an annual conference; provides extensive outreach; offers technical assistance; conducts and advances research; addresses the needs of specific populations; and promotes policies designed to protect the public while helping lawyers, judges and law students who need assistance.

Please contact me at abapresident@americanbar.org if you have any questions or need further information on these or other ABA activities.