

President's Message

ASHLEY L. BELLEAU

What Does the FBA Mean from a National Perspective?

AT THIS POINT of my year as your President, I have spoken at more than a dozen events about the benefits of membership from a national perspective. In other words, why is there value in being a member of the FBA?

For starters, in addition to being a member of a local chapter, you are part of a national network of more than 16,000 exceptional lawyers, including over 1,300 stellar federal judges, including Chief Justice Roberts, Justices Sotomayor, Scalia, Ginsburg, Thomas, Breyer, Kennedy, Alito and Kagan. Fifty of our members in fact had the opportunity to appear before seven of the justices on May 31st, to be admitted to the highest court in the land. This career highlight was made possible by the Younger Lawyers Division of the Federal Bar Association in conjunction with the United States Supreme Court and particularly General Bill Suter, the Clerk of the Supreme Court and a long-time member and ardent supporter of the FBA. It proved to be an even richer experience for those in attendance because of the visit by Justice Ruth Bader Ginsburg at the YLD reception.

Our YLD is one of four Divisions and 18 Sections, including Immigration Law, Federal Litigation, Intellectual Property, and Veterans Law. We are also establishing a Civil Rights Section. These Sections are focused on practice areas important to our members. Our Divisions are tailored to members who practice in specific sectors or who are at a common stage in their career. (For more information on the benefits of joining a substantive Section or Division, see my *President's Message* in the March-April edition of *The Federal Lawyer*.)

Chapters, Sections and Divisions Aren't the Only Benefits of Being an FBA Member

Networking

The FBA provides networking opportunities through its Chapters, Sections and Divisions and its nationally recognized conferences with attorneys in different parts of the country, from Hawaii to Puerto Rico, from New York to Alaska, from Chicago to New Orleans. If you need an attorney, you can find one through the FBA network.

In addition to the benefits of being a member of a chapter and a substantive Section or Division, the FBA helps you keep abreast of the latest legal devel-

opments at our nationally recognized annual conferences such as the Labor and Employment Law biannual conference in Puerto Rico in January, the Indian Law Conference in New Mexico in April, the Immigration Law Seminar in Memphis in May, two Tax Seminars in February and May in D.C., and the Hawaii Law Conference in Honolulu in December.

Amicus Briefs

In addition to providing networking opportunities, the FBA routinely takes lead on issues that face federal practitioners and the bench. Examples include:

- In September 2009, the FBA defended the sanctity of attorney-client privilege by filing an amicus brief with the Fifth Circuit.
- In June 2010, the FBA joined in an amicus brief filed in *Beer v. United States* pending before the United States Supreme Court regarding whether the Compensation Clause of Article III prevents Congress from withholding the future judicial salary adjustments established by the Ethics Reform Act of 1989. The FBA urges the Court to accept the case that contends that the denial of cost-of-living salary adjustments to federal judges violates the Constitution, which results in judicial salaries being eroded by inflation.
- In September 2010, the FBA joined in an amicus brief filed in the United States Supreme Court case of *Henderson v. Shinseki* regarding the time limit for a veteran to seek judicial review of a final agency decision denying the veteran's claim for disability benefits. The Court recently found in favor of the veteran.
- In March 2011, the Indian Law Section of the FBA joined in an amicus brief filed in *United States v. Jicarilla* regarding the Indian Land Trust in support of the fiduciary exception to the attorney-client privilege application to the general trust relationship



MESSAGE continued on page 5

between the United States and the Native American tribes. The Court recently reversed the lower court decision and found the fiduciary exception to the attorney-client privilege does not apply to the general trust relationship between the United States and the Native American tribes.

Advocacy

The FBA also advocates on a number of issues important to our members in support of the Federal Judiciary, including adequate funding for our courts and the judicial vacancy crisis. The judiciary does not have programs or grants that it can cut in order to reduce costs. Major cuts will require staffing reductions, which in turn will delay cases being heard. Vacancies and delay add greater costs to already high litigation expenses. The FBA has called upon the President and Congress to make the federal judiciary system a high priority by providing the necessary funding and judges to effectively administer justice. The FBA's op-ed on the "Costly Crisis" has been published in numerous newspapers recently including the *Atlanta Journal Constitution* and *The Wall Street*

Journal. Further, Senator Leahy read from our FBA op-ed on the Senate floor.

In addition to these issues, through our Government Relations Committee we are monitoring other issues such as cameras in the court room; the restoration of criminal jurisdiction to Indian tribal courts, in accordance with federal, state and tribal law, over non-Indian offenders in cases of domestic and family violence; and veterans' disability adjudication.

You are part of a vibrant national bar association that is making a difference in the legal profession and the community at large. We thank you for your support and continued efforts to strengthen the federal legal system and administration of justice.

If you are reading this message and you are already a member of the FBA, I thank you for your continued support of our Association. Please let your colleagues who are not members know about the benefits of FBA membership. We would look forward to welcoming them to our Association. **TFL**

Ashley L. Belleau

Nominations are now being accepted for the Federal Bar Association

Sarah T. Hughes Civil Rights Award



Named after the renowned federal district judge from Dallas, Texas, the Sarah T. Hughes Civil Rights Award was created to honor that man or woman who promotes the advancement of civil and human rights amongst us, and who exemplifies Judge Hughes' spirit and legacy of devoted service and leadership in the cause of equality. Judge Hughes was a pioneer in the fight for civil rights, due process, equal protection, and the rights of women.

CRITERIA AND PROCESS:

The award will be presented at the Presidential Installation Banquet to an attorney or judge whose career achievements have made a difference in advancing the causes that were important to Judge Hughes. Such work may include either ground-breaking achievement or a body of sustained and dedicated work in the area of civil rights, due process, and equal protection.

The nominee should: have at least ten years of practice; either be a member in good standing of a state bar association or retired; demonstrate sustained and verifiable excellence in the legal profession; and be of good character.

The nomination package should have the following:

1. A resume and biography of the nominee.
2. A two- to three-page description of the career achievements of the nominee as a lawyer or a jurist in the area of civil rights, due process, and equal protection.
3. No more than three testimonials or letters of recommendation.
4. No more than three articles about the nominee. Any such articles must be primarily focused on the nominee's work in civil rights, due process, and equal protection.
5. A list of the other awards the nominee has received.

All nomination materials must be received at FBA Headquarters by close of business on July 25, 2011. The award recipient will be expected to attend the Presidential Installation Banquet in Chicago to accept the award in person on Sept. 10, 2011. The FBA will reimburse the award recipient's reasonable travel and hotel expenses in connection therewith.

The nomination deadline is July 25, 2011.