

President's Message

JUANITA SALES LEE

Leadership For The Times

AT THIS HISTORIC moment in the life of our nation—the election of Barack H. Obama as the 44th President of the United States of America—Abraham Lincoln's Second Inaugural Address crossed my mind. On March 4, 1865, President Lincoln said: "With malice toward

none, with charity for all, with firmness in the right as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds ... to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations." If I had been eligible to be among the spectators on that solemn day, I might have said, "Yes, we can!"

I also say "Yes, we can!" to the members of the Federal Bar Association. Throughout the history of the FBA, progressive leadership has been the norm—as demonstrated by the following brief profiles.

The first woman, Marguerite Rawalt, was elected to the presidency of the FBA in 1943. Rawalt was born in Prairie City, Ill., and received her A.B./LL.B. and LL.M. from George Washington University. She worked as an attorney in the office of the chief counsel at the Bureau of Internal Revenue. During her tenure there, she served as president of the National Association of Women Lawyers as well as the Federal Bar Association. Rawalt was appointed to President John F. Kennedy's Commission on the Status of Women in 1961, and she subsequently participated in other commissions on the status of women, including the Citizens' Advisory Council on the Status of Women and the District of Columbia's Commission on the Status of Women. Rawalt was an early member of the National Organization for Women and chair of its legal committee from 1966 to 1969.

In 1980, Dr. J. Clay Smith Jr. was installed as the first African-American president of the FBA. Dr. Smith, a native of Omaha, Neb, received his A.B. from Creighton University, J.D. from Howard University School of Law, and an LL.M. and S.J.D. from George Washington University's National Law Center. Before joining the law faculty of Howard University, Dr. Smith served as a captain in the Judge Advocate General's Corps and as an antitrust lawyer in the Washington, D.C., firm of Arent, Fox, Kintner, Plotkin and Kahn. He was the first African-American appointed to a staff policy position in the history of the Federal Communications Commission, and Presidents Carter and Reagan appointed him to the Equal Employment Opportunity Commission. He served on the Clinton-Gore presidential transition

team as a member of the Space and Communications Section. At the time of his installation as FBA president, Dr. Smith was the first African-American lawyer to lead a predominantly white national bar association.

More recently, Russell A. Del Toro was installed as the first Hispanic president of the FBA in 2001. Del Toro was born in Cabo Rojo, Puerto Rico, and received a B.B.A. from the University of Miami, a J.D. from the University of Puerto Rico, and his LL.M. from New York University. He was admitted to the bar in 1975. Del Toro is the founder and managing partner of his own firm in Hato Rey, Puerto Rico, where he specializes in complex litigation, federal practice, and trial law.

Finally, my installation as president of the FBA demonstrates the FBA's continued pre-eminence in the area of cultural diversity among its elected leaders.

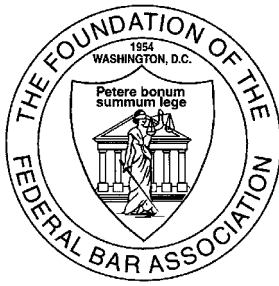
At the inauguration of Barack Obama as President of the United States, the leadership of the nation will mirror the history of the leadership of the Federal Bar Association. I believe an Obama presidency will reflect President Lincoln's thoughts: "to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations."

The conventional thinking is that President-elect Obama could appoint as many as three Supreme Court justices in the next few years. Legal experts who closely follow the Court suggest that Justices John Paul Stevens, 88, and Ruth Bader Ginsburg, 75, could step down during an Obama presidency, although neither justice has given any hint about retiring. Some have even suggested that Obama's first choice to fill a Supreme Court vacancy could be a woman.

The impact that an Obama administration could have on the federal courts is deeper than just the composition of the Supreme Court. Just as the Bush administration left an indelible mark on the federal courts at every level, Obama could name scores of new judges to the lower courts as well. According



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to most experts, 15 vacancies in the 13 federal appeals courts and 37 vacancies in district courts will need to be filled. Add to that the potential expansion of the federal judiciary through the creation of additional judgeships by Congress, and the impact could be even more sweeping. Even though Congress has not enacted a comprehensive bill dealing with judgeships since 1991, the time for more judgeships may have come. Last year, the Judicial Conference of the United States recommended the creation of 13 new judgeships for appeals courts and 38 for district courts. Those recommendations could receive a much more serious look from the 111th Congress in the months ahead. All these possibilities together will go a long way toward shaping or reshaping our federal judiciary for years to come.

President-elect Obama has promised to bring change to the White House. Given the breadth of influence he may have on our nation's courts and those who sit on the federal bench, he may be bringing change to federal courthouses as well.

It is not always a simple task to try to define what "historic" truly means. The real meaning of the word lies not in the originality of the event itself; its measurement is defined by the actions themselves and their impact on future generations. So, I leave you with this thought: It has never been more important for all of America to come together to work and pull in a uniformed direction than at this historic moment. As lawyers it is our obligation to step forward to lead and to contribute to the legacy of these historic times! **TFL**

Juanita Sales Lee