

## President Lamm: ‘We Must Continue to Build a Dynamic and Relentless Organization’

August 2009

**At the American Bar Association House of Delegates session on Tuesday, August 4, Carolyn Lamm, a partner with White & Case in Washington, DC, took office as 2009-10 ABA president.**

Addressing the 555-member House, Lamm shared her focus for the coming year, which includes building association membership, furthering diversity initiatives, boosting the association’s political advocacy in Washington, DC, and addressing the needs of Americans impacted by the recession.

Details on these initiatives and others can be found in Lamm’s remarks to the House below.

### **ABA President Carolyn Lamm:**

Mr. Chair, members of the House, fellow officers, 65 years ago, these words were written:

“Is it because I haven’t been outdoors for so long that I’ve become so smitten with nature? I remember a time when a magnificent blue sky, chirping birds, moonlight and budding blossoms wouldn’t have captivated me. Things have changed since I came here.”

These words were some of the last written by a young girl whose whole world was a small dark hiding place. She wrote these words in her diary, and her name was Anne Frank.

On the same day she wrote these words, a young man, not much older than Anne Frank, was landing on a beach. The beach was in Normandy, and the young man was my father.

Ladies and gentleman, sometimes the term “Rule of Law” may sound like an abstraction, with little connection to the particulars of people’s lives. But history is full of evidence that reminds us otherwise.

Like many veterans, my father rarely speaks of the war and the things he saw. When I went home recently to celebrate his 86th birthday, he took me aside and brought out a small suitcase which he almost never opens.

That suitcase contains items he accumulated during the war as he and his battalion fought their way across a continent. As we sat beside each other, he showed me pictures. Among the pictures he showed me were pictures that he took of a concentration camp that his unit liberated.

The pictures were of bodies, stacked like cordwood higher than he and the others in his unit.

He reminded me that as a leader of the American legal profession, it was the profession’s obligation to ensure that the rule of law remains strong so that something like this is never tolerated again.

He was not talking about having the façade of the rule of law, as the Nazis did, or paying lip service to the rule of law and then having those in power do whatever they want. He was talking about the true rule of law that is tied to justice and human dignity.

Nineteen years after my father landed on that beach and Anne Frank wrote in her diary, a young man in a different country sat in a dark cell and wrote words on toilet paper—it was all he had. His name was Dr. Martin Luther King, and he was writing “The Letter from the Birmingham Jail.”



**Carolyn Lamm**  
**White & Case**

This article was published in a slightly different form on August 4, 2009 on [abanow.org](http://abanow.org).

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In that famous letter, Dr. King wrote about the difference between just and unjust law. He reminded us that everything Nazis did was "legal." And everything the Hungarian freedom fighters did was "illegal."

Our friend, Steve Zack, reminded us not too long ago that as a young man in Cuba, he, too, sat in a dark room. He sat alone wondering if he would ever see his family again. Wondering if the door to his cell would ever open, and if it did, what would happen.

When the door to Anne Frank's hiding place opened, she was arrested and shipped to a concentration camp to die, all according to the law. When the door to Martin Luther King's cell was released, he helped heal a nation. As imperfect as our nation was, we struggled toward justice. We still do.

It is not just the rule of law we are called to strengthen, but the rule of just law.

As we sit in this House, we know how Anne Frank's story ended, we know how my father's story ended, we know how Martin Luther King's story ended, and we know that Steve Zack is here with us today.

But we also know that young women are still in hiding, young men are still landing on beaches, and people still sit in dark rooms waiting for the door to open. What we don't know is how their stories will end.

As Steve reminded us: Many sit in rooms made dark by poverty. They sit in rooms made dark by ignorance, injustice, and indifference. They sit in rooms that are dark because the light of the rule of law never shines there. They sit and they wonder if that door will ever open. And they wonder what will happen if it does.

Members of our profession are called upon not just to bear witness to history but to have a bearing on it. We do this individually and we must do it collectively. That is why this organization exists. That is what this ABA membership card means.

It does not mean that you agree with every single position of the ABA or its entities. That's not what it means with any organization.

What this card does mean is that: You believe in strengthening the rule of law. You believe in the independence of the judiciary and the profession. You believe in access to justice and opportunity. You believe there should be a strong national voice speaking out on these issues on behalf of the profession and that you are willing to support those efforts.

We must constantly renew and rededicate ourselves and our organization to ensure that those efforts are effective. It is important but not enough that we come to these meetings. It is important but it is not enough that we pass resolutions in this House.

We must continue to build a dynamic and relentless organization dedicated to protecting the rule of law and securing access to justice.

Under our logo, it says, "Defending Liberty, Pursuing Justice." Defending and Pursuing are not inactive verbs. And this is not an inactive organization. This means we must constantly review and upgrade our programs, our processes and our relationship with our members.

To that end:

- We need to help lawyers weather the tough economy. Tommy Wells started our thinking on the impact of the economic crisis on the profession. At my request, the Board of Governors has approved the establishment of a commission to consider and carry forward programs that will assist lawyers displaced as a result of the economic crisis and to address the legal needs of the public during the economic crisis.
- We need to review our system of legal governance and ethical regulation to take into account dramatic changes in the way we practice law as a result of technology, globalization, and the regulation of the legal profession worldwide. At my request, the Board of Governors has established the Commission on Ethics 20/20. I have appointed judges, academics, and lawyers from all segments of the profession to study and consider this important issue and provide you and the Board with their views on it. Steve Zack is committed to carrying it forward to realize any proposals for any needed change.

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- We need to increase our advocacy for the profession and for the public. Issues arise daily that require us to be heard and be visible to ensure that the rule of law, access to justice, and our profession are preserved in Washington, DC, and in the various states. I have asked Bill Robinson to lead our effort together with a star team of volunteers, our professional staff, and the ABA leadership in Washington—on the Hill and with the Executive Branch—to make our views known and valued. We must be credible, prominent advocates on important issues and preserve the rule of law.
- We need to boost diversity to make our profession better reflect America. Following Tommy’s symposium on diversity, at my request the Board of Governors has approved a project team that I have impaneled to carry forward a project that will make a difference in terms of the diversity in our profession for gender, racial, ethnic, sexual orientation, and the disabled lawyers; and,
- We need to draw more lawyers into the ABA so we can be a more effective voice for all of you and the causes that you care about. Following my commitment at last year’s Annual Meeting, at Tommy’s request, I created 12 task forces, one for each of the segments of the profession. Each has prepared a task force report identifying what the ABA needs to do—in terms of its service to members—to increase its relevance and value, and what it needs to do in terms of pricing to be affordable to them while still maintaining the needed revenue stream. This was superb work, hard work.

At my request, the Board of Governors approved an implementation team that will work together with SCOM to implement the recommendations in the coming year. Laurel Bellows & Maury Poscover will lead. I will present to the House at Midyear a proposal on pricing that will permit us to increase market penetration in all of the segments, and it may differ for each. But we all must do our part.

We all have a stake in increasing membership and we all have a role to play. To that end, I commend Trish Refo, our capable Chair of SCOM for our reinvigorated state membership chairs program.

I thank all of our state membership chairs for their efforts. I also urge all members of this house to look up your state membership chair identified in Trish’s memo in your book. I have asked our state delegates to work with them in their states, and I also have asked members of the BOG to attend at least one board meeting of state bars in their district to joint venture a program and, let them know what the ABA is doing for them.

In addition, we are implementing right now, without further study, those products that have been identified by so many of the segments, including establishing the “Go To” portal for jobs. If we help lawyers find jobs in this economy, they will be with us forever.

In short, fellow members, to paraphrase the great Wayne Gretzky: The ABA must learn to skate to where the puck will be, not where it is.

I want to thank you for the opportunity to serve you as your president. I do not know everything that the coming year may hold for me or for the ABA. But I do know two things:

The first is that I am my father’s daughter. The same determination that drove him across that beach and across a continent drives me. My father reminded me of what he bore witness to and fought so hard to stop. And although our battles are different, our determination can be no less and it is no less important to preserve the rule of law and protect access to justice for all.

The second thing I know is that when my father got off that boat, he looked to the left of him and to the right of him and he knew he was not alone. That his comrades and brothers in arms were with him, every step of the way. Looking out at you today, I know the same thing: we are all together on this mission ... and we will succeed.

And I thank you for that.