



## **NABE NEWS**

### **October 3, 2007**

#### **BEHIND THE SCENES WITH NABE....**

Over the course of NABE's existence, we have grown in credibility to the extent that we are often asked to provide a representative to share insights that are important to several ABA groups. Three come to mind immediately: the ABA House of Delegates, the ABA Task Force on International Trade of Services, and the ABA Policy Implementation Committee. In addition, a NABE member has been included on the ABA [Standing Committee for Bar Activities and Services](#) for quite a number of years. Although our organization does not have a designated seat on the Committee, the fact that there has been a bar exec appointed to the Committee for quite a number of years indicates recognition of the importance of NABE's perspective.

Very often, members of NABE were unaware that such relationships exist. Just as it is important for these groups to hear from us, I believe it is equally important for us to know about the work these committees are doing. For that reason, I am asking that our representatives provide updates to share through NABE News. I hope this will encourage more two-way communication, and that both NABE and the ABA will benefit from it.

The first report being shared is from Paul Carlin (NABE's Task Force on International Trade of Services representative). This resonates personally for me as I just returned from attending a conference of lawyers at Queens' College, Cambridge University. Much of the conversation outside structured sessions led to comparisons of licensing lawyers in the U.S. and elsewhere in the world. Attorneys attending this conference came from the U.S., U.K., South Africa, Australia, New Zealand, France, Germany and Spain. The exchange of ideas was stimulating, to say the least, and it will be fascinating to watch developments on the horizon.

#### **TASK FORCE ON INTERNATIONAL TRADE OF SERVICES**

##### **– Paul Carlin's Report**

I attended the Asian Summit on Legal Services in San Francisco. About 30 persons were in attendance. In addition to many Americans, there were representatives from Australia, Japan, Korea, India, Vietnam, the International Bar Assn and 2 American lawyers from mainland China.

The discussion included presentations about GATS (Global Agreements on Trade of Services) and Bilateral Negotiations, barriers in Asia to American lawyers and barriers in the US to Asian lawyers, significant developments from the countries represented and some very interesting statistical information. For example, in 2005, the

US exported about \$4.3 billion of legal services, \$1.2 billion of which went to Asia. Imports of legal services into the US totaled less than 25% of the total of exports (\$914 million), but only \$125 million from Asian lawyers. It was estimated that about 800 American lawyers work (maybe not practice!) in Asia. About 27% of them are in China, 33% in Tokyo and 27% in Hong Kong. Most (65%) practice in areas considered commercial - banking, corporate transactions, mergers & acquisitions, securities, project finance, venture capital, etc. Very few practice in areas considered local law.

There was also discussion about the acceptance by states of foreign legal consultants (FLC) who can advise clients in the US about the law in their home jurisdictions. I believe that just 14 states allow this. Some states require that the foreign national reside in their state, which is an anachronism in a global electronic world. There has not been a rush by foreign lawyers to become or remain FLC's. Many foreign lawyers do not seek to become FLCs, but rather seek to pass the bar exam and establish their competence and credentials that way.

There are many detailed issues about lawyer regulation, discipline, and legal education. Representatives from each country provided fascinating information about how law firms are set up and their regulatory rules. The US is different than most countries since we do not have the possibility to get a national license, but rather must operate through 50 different states. Those barriers, as well, will be under scrutiny in the future.

## **FORUM ON LAW-RELATED EDUCATION CASTS WIDE NET**

### **-- Bonnie Sashin's Report**

The recently launched Forum on Law Related Education, co-chaired by Bonnie Sashin, Communications Director for the [Boston Bar Association](#), welcomes all comers. In addition to proposing programs for Mid-Year and Annual Meetings, the Forum hosts a listserv, and plans to convene monthly conference calls on issues relevant to Forum members.

The Forum's potential is limitless. Participants may want to address these and other issues:

- Broadening the pipeline of lawyers of color entering the profession through law-related education;
- Strategies for attracting financial and other support for educational programs;
- Getting into classrooms in an era when No Child Left Behind legislation makes it difficult to get time for anything not covered by standardized tests;
- Tips for creating modules that assume the teachers do not have time to prepare the kids for the arrival of lawyers, and that the lawyers don't have time to prepare either;
- Pointers for working with teens; and
- Integrating law related education into summer jobs and after school programs for urban teens.

In addition, participants may want to share law related education modules that have worked in the field. (The Boston Bar Association would be delighted to share its Law Day modules on *Gideon* and *Brown*, and also its Financial Literacy education

modules developed by a team of bankruptcy lawyers and U.S. Bankruptcy Judges)

To join the Forum, send an e-mail to [johnsonmaria@staff.abanet.org](mailto:johnsonmaria@staff.abanet.org) Forum members wanting to post a query should send an e-mail to [LRE-FORUM-DBS@MAIL.ABANET.ORG](mailto:LRE-FORUM-DBS@MAIL.ABANET.ORG)

### **HITTING YOUR MAILBOX SOON ... NABE MEMBERSHIP DIRECTORY 2008!**

Legal Directories Publishing Company, Inc., is in the process of printing the 2008 NABE membership directory. The directories will be distributed in the latter half of October. We're pleased to announce that NABE continues breaking membership records – we're at about 650 (literally 648) right now.

### **DON'T MISS OUT – GOV'T RELATIONS SECTION WORKSHOP COMING SOON...**

The dates are November 14-16, 2007. The place is Raleigh, NC. For details check <http://www.abanet.org/nabe/govrelations/events.html>

### **NABE MIDYEAR MEETING – FEBRUARY 5-7, 2008**

The Program Committee had a successful meeting Sept. 20 and 21 in Los Angeles. The committee sifted through more than 100 program suggestions and selected about 20 topics that cover the gamut of association management. Information about speakers and specific programming will be available in late November. Meanwhile, NABE members can register for the meeting at <http://www.abanet.org/midyear/2008/>

Information on scholarships for the Midyear Meeting will be posted on the membership listserv on Tuesday, Oct. 30. Six scholarships will be available for members who need financial assistance to attend the Midyear Meeting. Scholarships consist of a registration fee waiver and a \$500 check to defray travel expenses. New members and individuals who have been unable to attend NABE meetings in the past are encouraged to apply.

### **SMALL BAR LISTSERV IS UP AND RUNNING!**

Do you ever hesitate to post a question on the CSE or A&F listservs because you don't want to "bother" the big guys? We've got a great option for you! Small staff and/or small budget bars are welcome to sign on to the Small Bar Listserv ... now available! Just contact Maria Johnson [johnsonmaria@staff.abanet.org](mailto:johnsonmaria@staff.abanet.org) or Jill Werner [WernerJ@staff.abanet.org](mailto:WernerJ@staff.abanet.org) to sign on. You'll be able to access the listserv at [NABESMALLBAR@MAIL.ABANET.ORG](mailto:NABESMALLBAR@MAIL.ABANET.ORG)