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# Reframing the Rule of Law for Bar Associations: An Open Forum

## February 1, 2025

49

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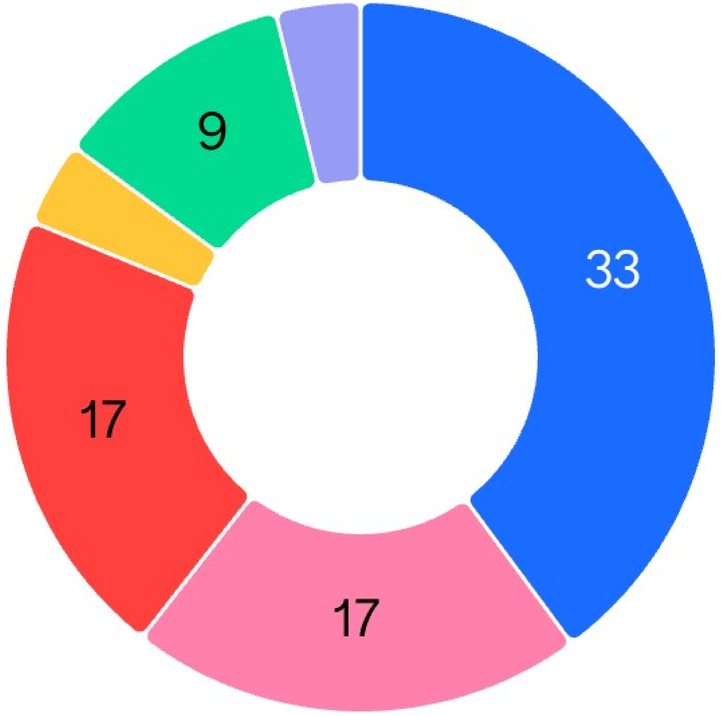


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| 33 | State Mandatory |
| 17 | State Voluntary |
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| 3 | Small Metro |
| 9 | Affinity |
| 3 | Specialty |

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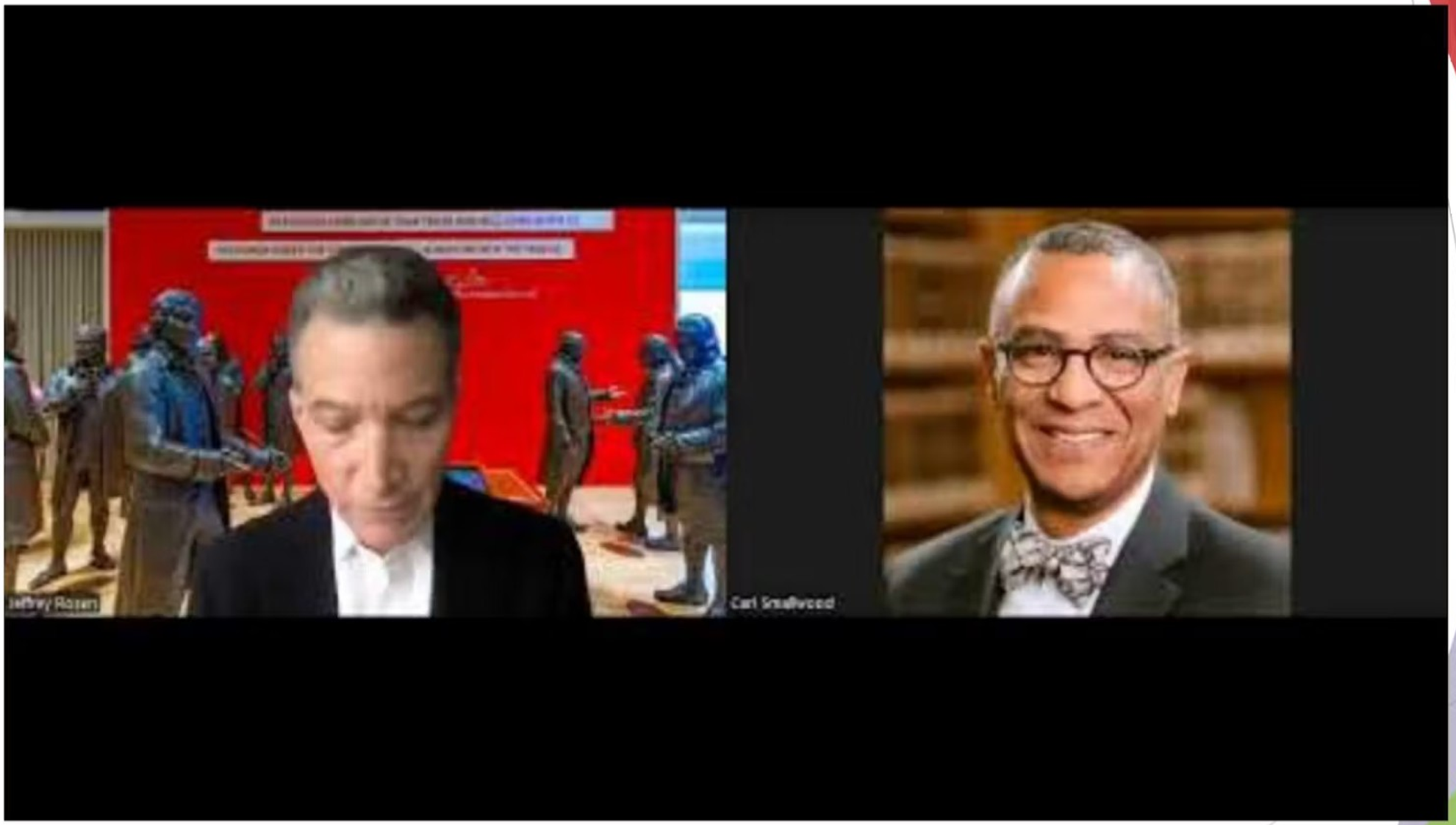


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# Reframing the Rule of Law for Bar Associations: An Open Forum

Miles Pringle | Nancy Conrad | Adrienne Nelson | Amanda Arriaga | Carl Smallwood

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# What words/concepts would you use to define the rule of law?

184 responses

17 78

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

None

CLE

CLEs

Educational

Teach CLE

Law Day

civics education

Law Day activities

5

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Law Day programming

Civility and professionalism programs

Law day

Read alouds in Elementary Schools

Civics education

Civics education

Constitution Day

Law Day luncheon

5

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Lawyers in the classroom, law day, pro bono week.

Law day events

Citizens Law School

Law Day activities

None

Task force to address role of bar

Poll workers

Day at the capitol

5

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Civility and professionalism

Attended the inauguration celebrating the peaceful transfer of power in our beautiful and beloved republic.

Partnering with civil rights organizations to recruit volunteer attorneys as poll monitors during elections

Law Day Recognition

Developing an ambassador program to get legal professionals out in their communities talking about the rule of law and promoting an understanding of the legal system.

Civics education

The Privilege series

Community engagement Law Day Mock Trials Classroom Participation

5

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Bench-bar relations programs

Teen screen program in High Schools.

Courts in the community (bringing Supreme Court oral arguments to public high schools) Mock trials with high schools Leadership Institute Law Day

Law Day speaker on the Constitution and the election

Professional responsibility

Supported local police Advocated with local policy maker and lawyer regulator CPD events for members including in practice areas and civility

Engaged in law day.

Voting Rights Convening

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

successfully lobbied for mandatory civics ed in middle school

High School Mock Trial Competitions

Civics convocation to focus on these issues.

Support for non birth citizenship and the 14 th amendment, civics in the schools.

Public education

Legal Education Committee reaches out to the community to teach about civics education at schools

State Bar Professionalism Program presented at each law school in Virginia. Teaches how professionalism is more than ethics, and it matters.

Mock Trial

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Statement supporting the judiciary

Created Task Force which developed recommendations for how our Bar and members can best promote and protect the rule of law and our Board of Governors adopted all the recommendations.

Informal meetings between leaders in different branches of government

Student Law Academy to encourage diverse students to consider legal careers

Courts in the Community. Our Supreme Court holds Oral Arguments in High Schools.

Bench Bar Media Program: Defending Democracy

Citizens Law School

Citizenship education programs, going into classrooms to discuss the law, role of judges/lawyers, Consitution day activities

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Mock trial

Presentations & programing on Rule of Law

Invited Carl Smallwood to present to board of governors. Started ambassador program for members to educate other members and the public about civics and importance of rule of law.

Law student writing contest and cles re ethics and law clinics post fires

Sponsored judicial retention webinars

Symposium on the rule of law with the ABA taskforce's listening tour; statements condemning attacks on judges and court staff; civics education; mock trial program.

Professionalism and civility principles

Reinvigorated our Advancing Civics Educatiin program

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Poll monitoring during elections

Supported local rules of procedure update.

CLE programs. The funding of public education. Commenting on legislation/rule changes.

Mock Trial

Know your rights program, Constitution Day taught at high schools, Still We Rise Protecting Black Women in the Current Political Climate

Free legal Clinic

Gold-E-Locks Trial for students, to understand the judicial process

Keller

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# In 2024, what program/activity has your bar done to promote the Rule of Law?

Mock trial

Keller concerns

Propose amendment to rule that creates our bar to make promoting the rule of law part of our Bar's mission.

Regular engagement with students and aspiring lawyers with emphasis on access to justice.

None that I am aware of

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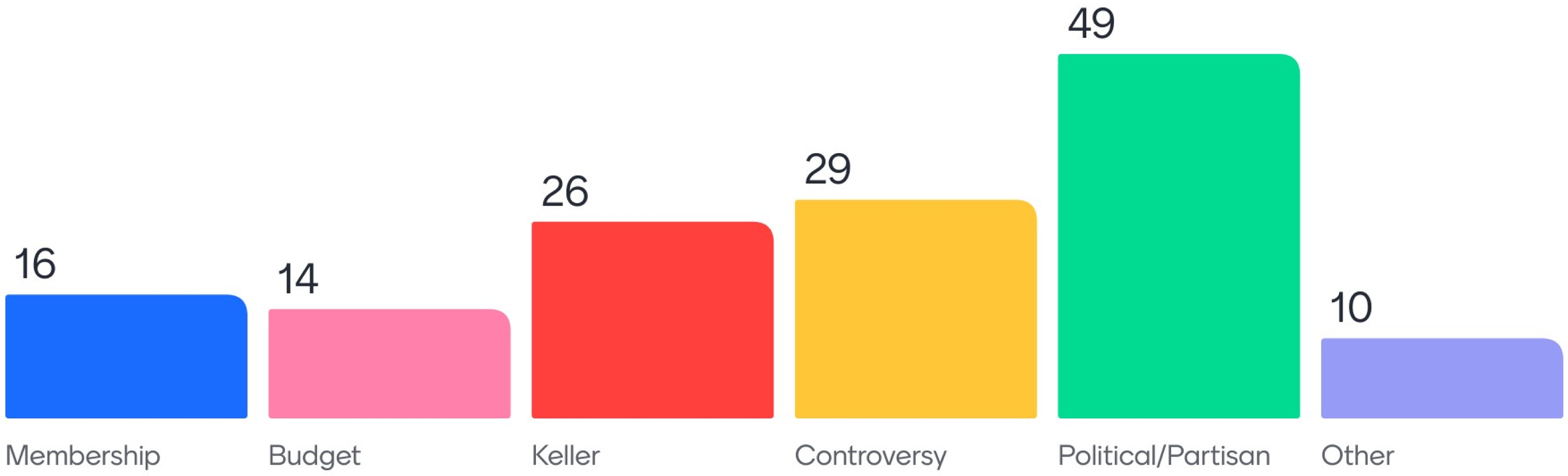
# What barriers or concerns limit your bar's programming on ROL or democracy?

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# Mandatory Bars: What barriers or concerns limit or prevent programming on ROL/Democracy?

Keller

Lawsuits

Keller

Not the mission/scope of the association

Different political views

Kellar

Keller

Differing political positions

8

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# Mandatory Bars: What barriers or concerns limit or prevent programming on ROL/Democracy?

Keller

Scope of mission

Lawsuits

Pending Keller Lawsuits

Codified state bar purpose

Perception that its political. Anti-republican.

Lawsuits

self-censorship

8

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# Mandatory Bars: What barriers or concerns limit or prevent programming on ROL/Democracy?

State legislature

Budget and membership engagement

Litigation

Keller and litigation. Risk aversion

Political divide among membership.

Keller

Compelled speech

Court rule barring political activity and threat of litigation

8

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# Mandatory Bars: What barriers or concerns limit or prevent programming on ROL/Democracy?

Partisan appearance/perception

State agencies are government and limited to speaking on issues.

Lawsuits

State Attorneys General

Political backlash

Keller Keller Keller. It's the scary monster no one wants to be responsible for waking up.

Lawsuits

Perceived politics in programming

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# Mandatory Bars: What barriers or concerns limit or prevent programming on ROL/Democracy?

Concern it would be perceived as political or anti-current administration

Concern about Keller and accusations of lobbying.

Diverse opinions

Keller

Member capacity/interest

The “why now” question

Concerns regarding substance of public statements. Threat of litigation / Keller.

Past leadership being hesitant in supporting statements because possible limiting future opportunities particularly for candidates for judges.

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# Mandatory Bars: What barriers or concerns limit or prevent programming on ROL/Democracy?

Germaneness to the law

overestimation of risks of speaking truthfully

Imagination and courage. In Virginia, we're preparing to welcome leaders of our 11 Native American tribes to talk about their developing tribal courts - some of the first in the eastern U.S.

We haven't felt limited in our progrmming on ROL/Democracy. Time is our only limiting factor.

Finding common lens most bar leaders can support. Also FEAR of attack.

Fear (sometimes exaggerated) of lawsuits.

Not applicable

Mandatory bars should focus should be regulation, licensing, discipline, and education.

8

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# Mandatory Bars: What barriers or concerns limit or prevent programming on ROL/Democracy?

Donald Trump

A built-in fear of conflict

The Goldwater Institute

A perception that we have to be so careful that even frivolous lawsuits can be avoided. It's a shame. But voluntary bars can help fill the void.

Civility and professionalism program

Not applicable

Fear of lawsuits

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# In 2025, what activities/programs will your bar promote on Rule of Law?

None

Continued cpd
Advocacy

Expanded civics education programming

Law day activities

Law Day programs

Law day activities

Lively and civil debate.

Educational

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# In 2025, what activities/programs will your bar promote on Rule of Law?

- Participate in Law Day
- Moot court activities
- Mock trials with high schools
- Presidents articles
- Constitution day activities
- Promote Decisis offerings
- CLEs on the separation of powers
- Courts in the community (Supreme Court oral arguments in public high schools)

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# In 2025, what activities/programs will your bar promote on Rule of Law?

- Street law program
- Continued civics education. Continued CLE courses,
- Programs & presentations on Rule of Law
- Pipeline project, Student Law Academy
- Lawyers in classrooms
- Civics program
- Careful legislative collaboration
- President columns

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# In 2025, what activities/programs will your bar promote on Rule of Law?

Decisis

Civics education.

Courts in the Community Program. Supreme Court has Oral Arguments in public high schools.

Have a bar luncheon speaker presentation on the Rule of Law

Constitution Day

Decisis

CLEs on democracy using ABA sourced materials

Civility programming on respectful disagreement

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# In 2025, what activities/programs will your bar promote on Rule of Law?

Also dialogues on freedom at schools and mock trial

The Privilege series

Community Outreach

Law Day activities including contests for school children at various ages based on the theme of Law Day (art & essays)

Tours of the capitol with legislators.

Civility and professionalism program

CLEs

Educating the bar and community. Writing, programming, visiting schools and town halls and advocate for our special role we play.

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# In 2025, what activities/programs will your bar promote on Rule of Law?

Pennsylvania Bar Association works with eh Eastern District of PA to put on civics education programs.

Law Day

Speakers bureau

Incentivize lawyers to speak in our Speaker's Bureau on the rule of law and to volunteer to participate in school civics programs

Constitution Day

Mock trials with students

Law Day

Cla law day

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# In 2025, what activities/programs will your bar promote on Rule of Law?

Day of Civility

Supporting local high school and law school mock trial

American Indian/Tribal Law Initiative

Summer Law Intern Program

Professionalism programs for law students in our state & newly admitted attorneys. Highly professional lawyers follow and promote the ROL. Professionalism is foundational.

CLE programs, Chancellor's Forums, Advancing Civics Education program in the schools, public statements

Law Day student writing and art contests

Citizens Law School

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# In 2025, what activities/programs will your bar promote on Rule of Law?

Mock trial in the high school

Newsletter for high school students and general public called Constitutionally Speaking in addition to Bill of Rights Bulletin.

Civics education

Law Related Education

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# What programs/activities do you consider to be "safe harbor" on Rule of Law?

Legislative process and day on the hill

Separation of powers

Mock trial

Civics education

Access to Justice Initiatives

Civics education programs for students and adults

Joint initiatives with the judiciary.

Civics education

9

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# What programs/activities do you consider to be "safe harbor" on Rule of Law?

civics education

Education

Constitution and separation of powers

Education without advocation

Civics

High school civics

U.S. Constitution

Judicial independence and impartiality

9

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# What programs/activities do you consider to be "safe harbor" on Rule of Law?

School civics programs like Constituition Day presentations.

Professional development programs. Professionalism is foundational.

Educational programs for students

Administration of Justice

Civics education

Access to Justice activities

Process education

Know your rights materials and training

9

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# What programs/activities do you consider to be "safe harbor" on Rule of Law?

Used to be Democracy and Rule of Law itself. Maybe no longer.

General constitution education

Law day

DEI, as long as it promotes inclusion, but not necessarily preferential treatment

Mentorship programs

Classroom civics education

Bar mission

Bench bar programs

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# What programs/activities do you consider to be "safe harbor" on Rule of Law?

CLE

Freedom of speech, but must not attack or endanger anyone

Any issue related to court rules or rules of evidence.

Non political issues clearly involving the rule of law or the administration of justice or impacting the practice of law by our members or to serve the public.

Anything

Inclusion more broadly, civility, and elim of bias re all categories

Promoting Respect for judges and law in general; civics education; programs promoting economic diversity which promotes rule of law.

Civics

9

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# What programs/activities do you consider to be "safe harbor" on Rule of Law?

Civics education of children/teenagers

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# Contact Us

- ABA Resources: ambar.org/democracy

- For further information, contact any of the following:

| | |
|---|---|
| Bill Ide | billide@gmail.com |
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- Volunteer form for individuals can be found at: https://forms.gle/iiJefQMEfY2TGwBk7

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# Reframing the Rule of Law for Bar Associations: An Open Forum

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# Model Rules of Professional Conduct: Preamble

"A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice."

# What is the Rule of Law

The rule of law is an **enduring system** of laws, institutions, norms, and community commitment that delivers:

## Accountability

The government as well as private actors are accountable under the law.

## Just Law

The law is clear, publicized, and stable and is applied evenly. It ensures human and procedural rights as well as property and contract rights.

## Open Government

The processes by which the law is adopted, administered, adjudicated, and enforced are accessible, fair, and efficient.

## Accessible and Impartial Justice

Justice is delivered timely by competent, ethical, and independent representatives and neutrals who are accessible, have adequate resources, and reflect the makeup of the communities they serve.

World Justice Project

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