Why We Still Need Bar Associations — Perhaps More Than Ever

Bar associations are more than just buildings, committees and CLE seminars. They are the heartbeat of the legal profession.

By Adrienne B. Koch | November 09, 2018 at 01:22 PM

New York County Lawyers’ Association Building at 14 Vesey St. Photo: Monika Kozak/NYLJ

A Sept. 4 New York Law Journal article titled “NY Bar Associations Look to Sell, Rent Their Buildings as Membership Declines or Stagnates” raised several concerns regarding the continued relevance of bar associations. The article noted that these once dominant legal organizations are facing membership stagnation due to various demographic trends, including "a millennial generation that prefers virtual communities, law firms that don't want to provide financial support and lawyers who are questioning the value of belonging.”

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Outlined in the piece are some of the ways bar associations are exploring to reduce costs and find new revenue sources. But there are also ongoing efforts to find creative ways to retain and expand membership and maintain relevance in an evolving profession that exists in a world in which the fundamental ways people interact are themselves changing.

As a lawyer who has been active in many bar associations throughout my legal career, I not only hope their efforts succeed but also commit to doing what I can to help. Law is a profession precisely because—beyond our own cases, clients, and firms—lawyers work to improve the legal system, educate ourselves and others about legal issues, participate in self-regulation and offer our skills to the community. A lawyer who does not join in these activities loses something meaningful. Bar associations foster this kind of engagement, and at a time when distrust of institutions (including the judicial system) is on the increase, they are arguably even more important than ever.

Bar associations continue to carry out many of the vital functions they have always performed in our profession and in society at large. These include, but are by no means limited to:

- Development of the law: Lawyers are uniquely situated to observe trends in the ways in which the laws are operating. If certain laws or policies appear to be having unintended consequences—or might operate better with certain adjustments—lawyers will often be the first ones in a position to notice. Through bar associations, lawyers can and do work together to address such matters. The results manifest themselves in ways that range from position statements, reports and amicus curiae briefs on important cases, to legislative proposals. In this way, bar associations facilitate lawyers’ collective role in the development of the law.

- Public education: Bar associations devote a significant amount of time to educating the public about legal issues, developments in the law, and their rights. Being part of a bar association enables lawyers to engage in good citizenship and civic leadership.

- Pro bono work: Bar associations often serve as a central point of engagement for lawyers wishing to provide pro bono legal services; many run pro bono programs through which lawyers are trained in certain areas where there is a particular need.

- Self-regulation: Bar associations play an important role in the development of the rules of ethics that govern our profession. Through bar associations, lawyers can participate in that development and gain some say in (and better understanding of) the regulation of the profession.

- Maintaining the integrity of the profession: Bar associations contribute directly to the public image and credibility of the legal profession.

These are just some of the ways in which bar associations are an active, living force not only in our profession but also in our society. The need for these functions is not going away. While the demographic challenges bar associations face are real, it is important for all lawyers to understand what we could lose without these organizations.

The bar association of the future may have a very different look and feel from what we are accustomed to today. It may make more use of social media, and “virtual” interaction. It may be less about libraries and more about online resources. But bar
associations are more than just buildings, committees and CLE seminars. They are the heartbeat of the legal profession. We should give them room to evolve as the profession does.

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