

SPONSORS: Negeen Sadeghi-Movahed (Principal Sponsor), Matthew Wallace, Sarah Correll, Taurus Myhand, Miosotti Tenecora, Erika Lessane, Ashley Baker

PROPOSAL: Amends Section 6.7(b) of the ABA Constitution to increase the number of delegates from three to six.

Amends Section 6.7(b) of the ABA Constitution to increase the number of delegates from three to six.

1 **§6.7 Division or Conference Delegates.**
2

3 ...(b) Each year the Law Student Division shall elect, in the manner
4 prescribed by its bylaws, three of its members as delegates to the House for one
5 Association year.

(Legislative Draft – Additions underlined; deletions struck through)

§6.7 Division or Conference Delegates.

...(b) Each year the Law Student Division shall elect, in the manner prescribed by its bylaws, ~~three~~ six of its members as delegates to the House for one Association year.

REPORT

Law student reach has grown rapidly because of the Division's changes.

In 2014, law student membership in the ABA was hovering around 20,000 members, down from over 40,000 members at its peak in the 2000s. In 2015, to help address the steady decline in student membership and waning relevancy, the ABA Board of Governors took action to eliminate the \$25 law student membership dues. ABA membership became free for American law students. Since then, the Division's membership has grown rapidly. It now serves over 110,000 members, including law students and graduates who have not yet passed the bar. That represents an estimated three-quarters of all law students who attend ABA accredited law schools.

After the change to its membership dues, the Division worked diligently at ABA Board of Governors' behest to create a "freemium" business model. For a yearly fee, students can upgrade to a premium membership which entitles them to extra benefits. The freemium business model and its benefits were developed in less than a year after the elimination of law student dues. The Division now has over 18,000 paid premium members included in its count of over 110,000 non-dues paying members. The premium program has brought in around \$800,000 in revenue to the ABA over the last two fiscal years. Also during this time, Division volunteer leaders worked with staff to restructure its governance and implement voluntary cost-saving measures in order to redirect resources to activities and benefits that might attract a broader range of students. The new revenue streams and cost-cutting measures helped alleviate the loss in dues revenue to the Association. Despite this progress, the Law Student Division's delegate count has not changed since its rapid membership growth and structural changes.

Law student voices are underrepresented in the ABA House and across the Association.

With only four students eligible to vote among the 589-member House of Delegates - three delegates and one Student at-Large on the ABA Board of Governors - students make up less than one percent (0.679%) of its composition. Given that students are ineligible to serve in various other House opportunities, these four are the only law students in the House. The House of Delegates infographic distributed in 2019 shows that only 3% of delegates are under thirty (30) years old. As the Association continues to focus on recruiting and retaining law students and young lawyers, those who join can be disheartened by a dearth of people who look like them in important Association roles.

Section 6.6 of the ABA's Constitution and Bylaws entitles each section to a minimum of two delegates, with one additional delegate for a Section with more than 20,000 members, and one additional for a Section with more than 45,000 members. This model ensures that most constituencies and groups in the ABA have a level of representation that reflects their membership. This formula does not consider the additional, indirect representation that Sections and Divisions have through other types of delegate seats such as state and affiliate delegations, which law students are not eligible to hold. If the Law Student Division were a Section and its delegates were decided by the above-stated formula, the Division has not only surpassed the 45,000 member threshold to qualify for

11-4

a 4th delegate - it has more than doubled it. In comparison, the Young Lawyers Division, which now counts law students as a majority of its membership, is prescribed six (6) delegates.

At the 2018 Annual Meeting, the House of Delegates approved the Senior Lawyers Division's proposal to increase its number of delegates in the House from two (2) to four (4) following its membership increase from approximately 3,500 members to around 63,000. The Division cited its increase in membership as justification for such a change. Similar to the Law Student Division, the Senior Lawyers Division's increase in membership was the result of the Division's transition from a dues-based entity to one free-of-charge to eligible Association members. And while the Senior Lawyers Division was awarded additional representation in 2018, the Senior Lawyers Division's transition to a new business model and its membership growth occurred after the Law Student Division's successful transition and even larger member growth.

The Law Student Division has been at the forefront of the American Bar Association's efforts to turn around decreasing membership. It has changed its business model, increased law student membership, expanded its reach, developed new revenue streams, and cut ever-increasing costs. Yet, its representation in the House remains relatively miniscule. It is often stated that the Association's new membership model must be implemented in a way that connects with law students and young lawyers- and that these groups must be a priority if the Association is to survive. We hear consistently from Association leadership that the next generation of lawyers must be given a meaningful voice within the ABA, and that all Association members must listen to that voice. This resolution is one step, albeit a small one, to put those words into action.

Respectfully Submitted,

Negeen Sadeghi-Movahed
Chair, 2018-19 Law Student Division

Matthew W. Wallace
Law Student at-Large, ABA Board of Governors
2018-19 Law Student Division