

Installation Speech

Karen Nobumoto, President, State Bar of California

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Chief Justice George, President Madden, my fellow Board of Governors, members of the Conference of Delegates, members of the judiciary, colleagues and friends.

It is my privilege to assume the duties and responsibilities of the presidency of our State Bar. Over this next year, we will work together as full partners to continue rebuilding and revitalizing our State Bar.

The practice of law is not just a business. We are all members of a profession rich in service, which is a catalyst for change. We are here to help Californians flourish as individuals, as business entities and, most importantly, as a community. It is our duty to ensure our system of justice is accessible for everyone.

Those of us who are here today have been through a lot together. The trials of the bar over the past few years have been well documented. We have debated our future, reformed our practices, streamlined our operations and will continue to do so over the next year. As a group, we have all contributed to the solutions and should be proud of what we have accomplished in such a short time.

I'd like to take a personal moment to introduce some very special people in my life
Thank you for all of your support.

Thank you Palmer for your leadership during the last year.

Thank you as well to my colleagues on the board of governors and our staff who worked over the past few years to restructure the bar – to make it fiscally accountable to its members; to insure we retained our right to self-govern; and to fulfill our first and paramount responsibility – public protection.

We have come a long way since the bleak days of 1998. Many of us have the scars to prove it.

Because we stood together in those days, we stand here today with a two-year fee bill.

Because we put aside our differences and shared in the give-and-take necessary for moving forward, we are regaining the respect of the legislature, the governor, and the judiciary.

Because we listened to and worked with Justice Elwood Lui, we have streamlined our discipline system and revitalized the technological infrastructure of our bar.

Because we have chosen a strong executive director, we have become a more efficient

bar, able to reduce dues and restaff our discipline system and other departments.

We are now looking both inward and outward at the best ways to govern our State Bar – and the best ways to meet the needs of our many constituencies.

Governance restructuring is one of the most important things we will do in the coming year.

We have already started to take a serious look not only at each area of the bar, but also at how we relate to one another, to our members, our constituents, our staff, and our stakeholders. We are formulating a strategic plan.

Together we will modernize our internal structure, and together we will then work within that new structure to address the needs of our members and our communities. It is my hope that our new structure will facilitate you the members of the State Bar's ability to be heard on important issues facing our profession.

I intend to turn the monthly president's column in the California Bar Journal into a forum where there is true dialogue with not just me, but your entire board of governors. I invite members to write to me about issues of concern and to give constructive suggestions on how they feel the board should be addressing them.

I will personally respond, and/or turn to my fellow members on the board and ask them to respond in their areas of expertise. We can – and will – make this a truly collaborative effort.

Teamwork will be the hallmark of the upcoming year.

To our Chief Justice and our friends within the Judiciary – Thank you for inviting us to forge a close, working relationship. We look forward to an even stronger partnership in this coming year as we work to mold and adapt our profession to the changing realities of our society.

To the governor, the legislature and all of our friends in Sacramento – We appreciate the support you have shown for our restructured State Bar by providing us with a two-year dues bill. In this next year we will be implementing the drug diversion program you recently passed into law. We look forward to further developing our relationship with you as we work together, on issues like the unauthorized practice of law, which is impacting our community.

We all recognize that when well-intentioned people are trying to help others, lines are blurred and sometimes crossed. However, people who hold themselves out as lawyers, but who have never gone to law school or who have never passed the bar, ought to be prosecuted; and because of their knowing intent to deceive the public, the charge ought not to be a misdemeanor, as it is today, but a felony.

Unauthorized practice of the law is a scourge in the many immigrant communities of California. Kenneth Fong, a past president of the Southern California Chinese Lawyers Association, spoke of a woman who endured many hardships in China, including forced sterilization, who was lured into an unlicensed “legal services” office and guaranteed a green card for \$5,000. She gave them her life savings plus several hundred dollars borrowed from friends. Of course, the green card never came. And she was left broke and faced deportation to China. This is but one example, from only one of our communities.

I understand that changing the criminal penalty for intentional unauthorized practice of law from a misdemeanor to a felony requires legislative action. But we as lawyers are well-equipped to and should facilitate this necessary change.

To the Conference leaders and to all the delegates – You matter to the bar. You matter to the Board of Governors. You battled through our difficult times, the issues of financing, and sit here today forging forward with the important work that you do.

Where we go in the future affects us all. How we balance your independent and healthy debate of issues relevant to the legal profession with the political realities and responsibilities associated with our self-governing and maintaining a self-regulating bar is one of the most important challenges ahead. So important that I am appointing a taskforce consisting of your leaders, staff and board of governors to recommend a course of action for us both. I intend to chair this taskforce myself. It is vital that the State Bar and its Conference move forward in a

positive manner, working toward our mutual goal – the improvement of our justice system.

Our sections also are an extremely important part of the bar. Their popularity is self-evident: More than 60,000 lawyers are section members. We must ensure that all of the sections are on an equitable footing so that their important work can continue.

To our local bars throughout the state – We want to hear what you have to say on vital issues, and, more importantly, we want to join with you on reaching solutions.

We are now sending to bar leaders around the state e-mail summaries of our board meetings. We hope you will take the time to give us constructive feedback. With your input, our decisions can be based on a broad cross-section of opinions and ideas, not just of those who attend our meetings.

In the upcoming year your Board of Governors will be coming to you. We will be reinstating district meetings biannually in each and every district.

We are planning to travel to Sacramento, District 2, in February, to hear from our constituents there, to meet with legislators, to exchange thoughts and ideas. We are also traveling to District 6 to hold our first board meeting in October. And we are looking at other sites throughout California, including possibly holding a meeting at Whittier Law School in District 8.

We will be more accessible and we will be listening.

To my fellow members of the access committees, minority and specialty bars – You know that I am committed to making the legal profession more reflective of the make-up of our state. Diversity within our profession enriches us all.

The latest projections show that, by 2020, ethnic minorities will comprise 60 percent of our state's population. Our most recent survey, completed just last month, shows that the minority representation of lawyers in our bar is just 17 percent. We have made some progress, but more is needed to insure a representative profession.

Some might ask, "Why do we care?" We care as lawyers because we serve the people of our state, and the people of our state are extraordinarily diverse. We will all benefit from assuring that our profession reflects our enriched population.

Of course, it is not solely the State Bar's responsibility to provide an incentive for people from diverse backgrounds to become lawyers. But we are uniquely situated to do our part. We can do this through our access and fairness committees and by providing resource materials and program ideas to schools, voluntary, local and specialty bars that will promote the law as a career and the importance of our judicial system.

Look at what our State Bar Foundation has been able to accomplish by providing grants

for worthwhile programs and scholarship awards to those who aspire to our profession.

You may have read about one scholarship recipient, Whitnie Henderson. She worked hard, raised her child on her own, while finishing college, then was able to start law school. Out of the blue, she lost her job. She didn't even have money for her apartment and was forced to move in with her parents. It seemed that her dream of becoming a lawyer was ending.

Whitnie received a scholarship from the Foundation of the State Bar. Her law school days did not end, and ultimately she joined our ranks and until recently worked for the Judicial Council. She is a symbol of the difference working with individuals can make in our quest to open our doors to all people. I am a proud member of the State Bar Foundation Fellows Program because of the opportunities its funding provides to the Whitnie Hendersons of our communities.

The ABA Commission on Women in the Legal Profession's recent report revealed that another area of access remains unfinished. It makes it clear that for women lawyers a glass ceiling still exists, yet many in our profession believe there is no problem at all. This perception exists despite the fact that the report reveals:

- Only 15 percent of federal judges and law firm partners are women.

- Only 10 percent of law school deans and general counsels are women, and

– Women lawyers earn on average \$20,000 less than men.

Our recent State Bar survey shows that 4 percent of our membership identifies themselves as living with a disability. We must accommodate the special needs of our disabled lawyer members to ensure they can continue to provide their special talents.

Access is not just about one category of people, or one set of economic data, or one group's agenda, but it is a process of people being brought together, working together, listening to each other and moving forward together to a common, equitable ground.

I am committed to a mid-year meeting next March where we can sit down and talk to each other, focusing not just on effective bar leadership, but on how we can promote access and diversity within our profession.

Each of us as an individual lawyer has a role to play in this process; the judiciary has a role to play; and the State Bar has a role to play.

Together we can move forward our profession, our State Bar and the many people of our diverse state. This is your bar. We are full partners, and as such I turn to you for advice, ideas and lots of hard work.

Together we can solidify our future. Together we can make a difference. Thank you.