

James Herman, President
State Bar of California
Inaugural Address
State Bar Annual Meeting
Monterey, CA, Oct. 12, 2002

It is an honor to share this podium with Chief Justice Ronald George. I want to congratulate our outgoing President Karen Nobumoto on her very successful year.

It is a privilege to address this Conference, my Colleagues on the Board of Governors, our state bar staff, family, friends and colleagues and my home bar associations, Santa Barbara County Bar Association and Santa Barbara Women Lawyers.

I feel at home here because I served for years as a member of the Santa Barbara County Bar Delegation. As former President of the Santa Barbara County Bar and current Director of Santa Barbara Women Lawyers, it means a lot to me to be here with you today--our local bar leadership. Local bar leadership is the mainstay of professionalism.

This Conference is one of the few opportunities for a solo or small firm practitioner from a small community such as my own to change for the better the law we all practice. I congratulate President Nobumoto and Conference Chair Steve Marsh on the new relationship we have forged this year. I look forward to being the first State Bar President to work with the newly minted Conference of Delegates of California Bar Associations.

I also know many of you here are members of our State Bar Sections that represent nearly 40 percent of our members. The Sections bring us valuable member services in legal practice areas and are our primary MCLE providers. This year I look forward to working with our Sections through a just created task force to resolve the dilemma of the increasing costs we all face.

Many of you here are likewise members of CYLA. You are our future and we plan to increase your program support this year.

I congratulate the new members of our Board of Governors as well as the new members of the executive committees of CYLA and the Conference of Delegates who have been sworn in this morning.

As I listened to Chief Justice George's remarks, I was reminded of how important vision is to the third branch of government.

Our mission as a State Bar is to *“Preserve and improve our justice system in order to assure a free and just society under law.”* Lest we forget this, starting this year our mission will be printed on the Bar Cards we all carry in common as members.

We fulfill our mission as an arm of the Supreme Court administering admissions and discipline. We are proud of that important work. We also look forward to forging an even closer relationship with the Court and the Judicial Council in working toward mutual goals including access to justice and elimination of bias in the profession.

On the seventy-fifth anniversary of the bar, I cannot help but look to our future.

There is no question globalization and technology will have a great impact on the profession.

The means of practicing law, serving the profession and bettering society will change radically-- but our mission will not. Day to day, lawyers will continue to serve the interests of clients, devote time to their communities and seek to improve the profession. Our membership will, in a tradition older than Shakespeare, “Strive mightily but eat and drink as friends.”

We will still cherish our core professional values implemented, out of our own pockets, through our Rules of Professional Conduct, the most rigorous admissions system in the world, the most professional discipline system in the world and a client security fund restoring the losses of victimized clients. I am proud 80% our mandatory dues dollars support our core public protection function.

But what can we do beyond our regulatory function?

This next year, let us work together to accomplish access to justice—opening the door of the courthouse for all Californians. Chief George has said, “If the motto ‘and justice for all’ becomes ‘and justice for those who can afford it,’ we threaten the very underpinnings of our social contract.”

On a recent delegation I led to the People’s Republic of China we met with a Ministry of Justice Official who expressed pride in China’s newly created system of 2,500 legal aid offices throughout the country. On our visit to the Women’s Legal Center at Beijing University, we met a committed group of Chinese Women lawyers engaged in impact litigation and social research on women’s and children’s legal issues.

Access to justice is a universal impulse of our profession.

This year, we look forward to building programs within our access committees funded through your generous voluntary contributions. We will have a Mid Year meeting in Long Beach focusing on access, elimination of bias and, for the first time since the dues veto, training for local bar leadership.

This next year, let us work together to bring more diversity to the profession. That over seventy percent of our members voluntarily contribute to our access, fairness and elimination of bias fund demonstrates our commitment to core values.

For this to be a fair and just society, it is imperative the faces of the profession more closely match the people of the State of California. Please join me in continuing to support elimination of bias and the Foundation of the State Bar through your generous contributions.

Your Board of Governors has spent three years looking inward, rebuilding the Bar and developing a governance model benefiting the Bar and our stakeholders.

With governance in place, this is the year to look outward--a year to instill pride in the third branch of government, the legal profession and the State Bar of California.

I remember how proud I was on the day I took the oath of office as an attorney. How can we renew the same pride we all felt on the day we were admitted to practice?

First, educate the public. Educate the public about the good lawyers do for their clients and communities. There is not a single volunteer board in this state that does not have at least one lawyer member giving his or her time freely to help the community.

Educate the public about the role lawyers serve in society. Lawyers should not be criticized merely for fulfilling an ethical duty to zealously represent unpopular causes in the best tradition of the bar.

Educate the public about the consumer protections provided by our admissions and discipline system and our client security fund. I have appointed a subcommittee of the Board to look closely about how to do this. We will continue the good work started by our outgoing President focusing on UPL.

Second, promote member services to make our practices easier and more enriching. For example, we are focusing next year on member benefits including an updated interactive web site with member's only services and district message boards. We are looking at non-dues revenue sources including improved insurance benefits. The Foundation has also recently contracted with West Law to provide services of special value to solos and small firms.

Third, reach out to the membership. We are going on the road this year. We want to reach out to both the organized and the disorganized bar. I come from a small town and a small firm so no bar is too small. We will come to you. We are coming not just to talk but also to listen.

We also invite you to come to us. Ask yourselves how you can become involved with our committees, commissions and task forces. Before you claim the Bar is irrelevant to your life, find out what we have to offer you and what you have to offer us.

This is a year of Pride and I am proud of you. I am proud of a membership that takes care of its own bad apples at no cost to the public, serves on every voluntary board in every community in the state, provides countless hours of pro bono work every year and contributes in time and money to improving the profession.

I am also proud of the partnerships that have been so much a part of my life as a lawyer.

First and foremost, I am proud of my partnership with my wife, Judge Denise deBellefeuille, who enthusiastically supports my work. She is active in CJER's education functions and we are proud to be a third branch couple.

I am proud of my law partners and staff who are here today and who to a person exemplify service to clients, to the bar and to the community. I am the second State Bar President contributed by the firm. Without their support, I could not do this job.

I am proud of our Board of Governors and our dedicated State Bar Staff led by Judy Johnson who, regardless of our individual perspectives, are dedicated to improvement of the Bar. Your Board puts in countless hours in service to our members.

Finally, I am proud of being one of 186,000 partners in the greatest and largest unified bar in the world, the State Bar of California. When told of the size of our membership, a bar leader in Beijing, whose 6,000 members serve 16,000,000 people, commented that perhaps China needs more lawyers and fewer party secretaries.

Child advocate Marian Wright Edelman has written, "the future which we hold in trust for our own children will be shaped by our fairness to other people's children."

As we begin our second seventy-five years, Let us work together to give our children that future. Let us work together to *"Preserve and improve our justice system in order to assure a free and just society under law."*