

President Ramo: This is an opportunity for us to join together with the American Bar Association and to show the comity of our interests. As many of you know, many of the people sitting in this room—I am seeing Phil Anderson right there and there are many more around the room—have been both President of the American Bar Association and very active in The American Law Institute, and it has been our custom, for some time, to invite the President of the American Bar Association to come address us at our opening session.

This year, it happens to be Bill Robinson from Kentucky, whom I especially warmly greet, because he and I had so many conversations over the last year as we have tried to figure out how we were going to unravel the 65-year history of our working together, and, in the great tradition of both the ALI and the ABA, those conversations were always cordial, direct, and to the point.

Let me tell you a little bit about Bill Robinson before he addresses us. Each of us in this room knows that as you get involved in a group that is as busy as the American Bar Association is, it is possible to lose touch with where you are from. One of the great things about Bill is that he is the President of the American Bar Association, but he has never lost contact with his own community, and I think the fact that he is, at heart, both a great national leader of the association but a Kentucky lawyer has made him particularly effective.

Bill was the treasurer of the American Bar Association, and so he was, in many ways, the perfect person to lead the association right now. As we all know, coming out of the difficulties of the economic disaster that befell our country that we are now coming out of, lawyers were not immune. But neither, it turns out, were judges, in a way, and among the many wonderful things that Bill has done is that he has been the voice of American lawyers, speaking out everywhere about the importance of not only the independence of the judiciary but also the importance of filling vacancies, keeping courthouses open, and making sure that our judges are well paid, and for that we all owe him a great thank you.

Ladies and gentlemen, it is my pleasure to present my friend, Bill Robinson, President of the American Bar Association. (*Applause*)

President Wm. T. (Bill) Robinson III: Thank you very much, Roberta, for those kind and generous words.

It really is a privilege for me, as a longtime member of ALI, to be here this year as President of the American Bar Association—as one of Roberta’s successors and someone who takes great pride in both the ALI and the ABA, for the great work that we do and will continue to do together, and for the benefit of our profession and the country we are all dedicated to serve.

The American Law Institute has been a conservatory of scholarship and model law for the better part of a century. In that time, the ALI has enhanced the administration

of justice, and has endeavored to simplify the law and educate practitioners. The dedicated work of the ALI greatly benefits the public and the profession, which is why I have been proud to be a member of The American Law Institute.

I also want to emphasize today how highly the ABA values The American Law Institute. We have an historic relationship that is unique in so very many positive ways. Our partnership, especially in ALI-ABA, is of great historical significance. It was born at the end of World War II, when soldiers, returning as veterans from distant battlefields, needed legal education to help them transition to civilian life. In time, we came to learn together that every lawyer's skills are sharper through continuing legal education, which at the time was a rather novel idea.

ALI-ABA was formed when the ABA asked The American Law Institute to undertake the daunting task of creating the first national program of continuing legal education. Over the years, the ALI-ABA continuing-professional-education program trained lawyers to be better at their craft and, in doing so, reinforced client confidence in the quality and professionalism of their counsel.

Just to list a few of ALI-ABA's accomplishments, ALI-ABA was the first national provider of continuing legal education. ALI-ABA led in the development of CLE administration as a profession, helping to found both the Association for Continuing Legal Education and the Professional Development Consortium. ALI-ABA founded *The Practical Lawyer* magazine, now in its 57th year. ALI-ABA pioneered a number of new technologies for CLE delivery, including audio cassettes, the use of satellite television to deliver CLE classes, and, as early as 1996, the use of the Internet for delivery of CLE content.

Beginning in 1958, ALI-ABA hosted four separate summits on CLE, each of which led to demonstrable improvements in the profession, and since 2005 ALI-ABA has led the field in webcasting, achieving the remarkable goal of broadcasting live and archiving all of its CLE courses. ALI-ABA was the only national CLE provider with an online subscription service, known as the Knowledge Portal, that permits law firms to cherry-pick the content they want, and ALI CLE will continue to do that, to our collective benefit.

With our recent joint decision to end our ALI-ABA partnership, the ABA and The American Law Institute will develop and deliver CLE separately, but I am confident that cooperation between our organizations will continue. Like ALI, the ABA is committed to providing lawyers with the best practice education possible, and I know that ALI will continue its high standard of excellence as well.

Although going our separate ways on CLE, there are sure to be other opportunities for the ABA and ALI to communicate, coordinate, and cooperate as we respectfully move forward for the benefit of our profession and this great country that we are both dedicated to serve.

Our profession is really the fountainhead of justice. Access to and the vitality of our courts has been a primary concern of the ABA since our founding in 1878, and we have renewed our focus in light of recent financial developments that directly threaten our courts.

As you know, more than 95 percent of the cases in this country are filed in state courts. In 2008, the most recent year for which data is available, states reported 106 million incoming trial-court cases, the most in 35 years. At the same time, state-court funding is disastrously low and in too many states getting even lower.

Let me share some basic statistics. Last year, 42 states cut court funding. There is not a state in this country that funds its state-court system with more than 4.5 percent of its overall state operating budget; too many states less than 2 percent; the great state of New York less than 1 percent; Georgia less than 1 percent. How did it get to be this way? And what are we going to do about it?

In New York City, courts closed for six months at 4:30 p.m. on the dot every afternoon to save money on overtime of the \$178 million cut in state funding that came in with the Cuomo administration in early 2011.

In Morrow County, Ohio, a municipal court said no new lawsuits could be filed unless litigants brought their own paper to the courthouse. Two weeks later, donations poured in, but that court is now closed every Friday, every week, because of limited funds.

And we have all been reading about California in the last two weeks. After \$650 million in cuts in the last four years, Governor Brown has proposed the next budget to include more than \$540 million in additional cuts. So we are talking about more than a billion dollars in cuts in less than six years in the great state of California. This resulted, this past fall, in 39 out of 53 courtrooms in the San Francisco Bay Area being closed and 40 percent of court personnel laid off. More recently, in Los Angeles, courtrooms closed and more personnel were laid off, and that is happening before this next \$540-some million in cuts.

While these cutbacks are often justified by legislators in the name of fiscal discipline, it is hard to calculate the real cost to the American public of this situation. As lawyers, we know and appreciate that the real value of access to justice is often tied to the timing of judicial remedy. Causing individuals or businesses to wait, in the case of California for example, more than a year for a court hearing or up to five years for a civil trial date is simply unacceptable.

The ABA convened, in 2010, the Task Force on Preservation of the Justice System with David Boies and Ted Olson as co-chairs. They have been working diligently, holding hearings around the country, and the stories, the data, the facts, the consequences are painful to hear. But we are now shifting into a mode of implementation to figure out how best to enlighten and persuade the legislators in our various states to

recognize that what we are talking about here is one of three co-equal branches of government. I try never to use the term “the third co-equal branch.” Even that concession, it seems to me, is too disrespectful of the cornerstone position that our judiciary holds, state to state and at the federal level, for the administration of justice in this country.

Historians tell us that when our country was founded, we did not even have the money to pay the revolutionary soldiers, many of whom went back to their fields never having been paid to win our freedom. We did not have the money for roads. We had to rent storefronts to hold meetings. But wisely, so wisely, the founders of this great country wrote into the Constitution specifically three co-equal branches of government.

We are officers of the court. We have both sacred privileges and responsibilities. Everywhere I have gone this year, I have looked for opportunities to speak with lawyers and law students, trying to remind all of us that for more than 200 years, men and women have sacrificed for this great constitutional justice that is now ours to protect and stand up for.

My wife, Joan, and I had the privilege this year of visiting four of our military service academies. To stand on the parade ground, to look at these young people, and to see their dedication to serve our country and even sacrifice their lives, if called upon to do so, reminded us that we have this special role in our society.

We need to stand up and be counted. We need to look for opportunities to get behind the microphone and speak out to our fellow citizens. Court funding is not a lawyer issue; this is a business issue, a citizen issue. This is our time to take on this challenge, as no other professional association can match the intellectual equity and the proven leadership of The American Law Institute and the American Bar Association. I am very confident that, working together, we can make a difference, and we very much need to do that. Thank you all very, very much. (*Applause*)

President Ramo: Well, you know, a third of our members are judges. I think they especially appreciated that message, but the other two-thirds of us do as well. So thank you, Bill, for everything you and the ABA have done to try to help the American public, in particular, focus on what is really no less than a crisis, I think, in funding the courts.