

President's Corner



By Allen M. Terrell, Jr., Esquire

As another September is upon us and another group of young attorneys fresh from the bar exam starts at law firms, Legal Aid, the Attorney General's Office, and other employers around the state, I thought it would be appropriate to dedicate this month's President's Corner to the topic of the various sections and committees of the Delaware State Bar Association. Section and committee membership is a great way for all attorneys, new and experienced, to become involved in the Bar and the community. Involvement in the Bar is especially important as our professional relationships become increasingly dominated by e-mail, conference calls, and other impersonal methods of communication. The hours that many attorneys work limit their ability to interact with other members of the Bar or community.

As the membership in the Delaware Bar continues to grow, one of the best ways to become involved is through its various sections and committees. The sections and committees serve three main purposes: providing Continuing Legal Education opportunities, offering new legislation and monitoring proposed legislation, and allowing members to network and develop professional and social contacts.

The importance of the sections and committees of the Bar is perhaps best understood through a brief overview of their history. The Bar's first bylaws were adopted in Dover in March of 1901. The bylaws contained one of the earliest statements of the DSBA's mission, the "cultivation of fraternal relationships among the lawyers of Delaware." The first committee of the DSBA was formed in response to a 22-year lull in the Association's activities in the early 20th century, as its stated purpose was to revive the State Bar Association.

That goal was fulfilled, and when the DSBA reconvened in 1923, one of the agenda items was to authorize additional committees, including an Executive Committee and a Nominating Committee. One of the first acts of the Nominating Committee was the election of Josiah Marvel, the first President of the DSBA. In addition to the Executive Committee, Marvel oversaw the development of the original standing committees of the Bar, including committees on law reform, legal biography, grievances, membership, American citizenship, the Code of Ethics, and admission to the Bar.

Throughout the late 1920s and early 1930s, various committees were established, including committees specifically formed to address amendments to the General Corporation Law and, in 1932, a special committee to provide aid to members of the Bar in need of assistance during the Great Depression. The Bar, through various committees, was also active in the late 1930s in opposing Franklin Roosevelt's plans to alter the membership composition and jurisdiction of the U.S. Supreme Court.

In June of 1942, the Junior Bar Committee, the predecessor to the modern day New Lawyers Section, was established for members under age 36. This committee worked on projects including a compendium of laws relating to men serving in the armed forces. While there was a slowdown in Bar activities during World War II, the Bar again became active through its committees in the 1950s, and played an active role in shaping the Delaware court system, ultimately lobbying for a separate Supreme Court. A committee to prevent the unauthorized practice of law was also established with the primary objective of adopting policies to preclude bankers and

real estate agents from drafting contracts and performing other legal services.

During the 1960s, the Bar became increasingly active in state legislation, including the development of the Delaware Uniform Commercial Code and the Delaware General Corporation Law.

In the 1970s, several new committees were formed to implement the progressive policy changes of the day, including a special committee to develop and implement affirmative action programs, a committee to generally promote equal opportunity, and a special committee dedicated to women's rights. [Other interesting committees formed during the 1970s included the Committee on Victimless Crime, which promoted the legalization of the possession of certain substances and of illegal gambling. Somewhat ironically, a few years later the Committee on Alcohol and Drug Use was established to address problems of drinking and substance abuse among lawyers.]

Membership of the DSBA expanded considerably during the 1980s, with 850 new members joining its ranks. In December 1981, the Executive Committee decided to convert the DSBA to a section system with each section focused on a substantive area of the law, as opposed to the existing committee system, which focused primarily on pertinent issues of the day as they arose. This decision, along with the influx of new members, resulted in a substantial increase in new committees and sections. In 1985, the Committee on Continuing Legal Education approved and recommended to the Supreme Court a mandatory CLE requirement of 30 hours every two years.

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In 1991, DSBA revised the bylaws and added a Long Range Planning Committee. A bylaw amendment approving the restructuring of the Judicial Appointments Committee was also passed, which resulted in the Bar's emergence as an active participant in the nominating process for judicial candidates.

Over the years, some sections and committees have ceased to exist as their present relevance has been reevaluated, including the Admiralty Law Section. New sections have also been added, including a separate Bankruptcy Section, which broke off from the Commercial Law Section in 2005. Committees have similarly been created and disbanded to address issues of the day, including a Disaster Committee (created in response to the September 11th attacks) and a Committee to celebrate the 50th anniversary of the *Brown v. Board of Education* decision. Currently, there are 24 sections and 16 standing committees. Approximately 2,000 of the DSBA's more than 4,000 members participate in sections and committees.

As the Bar continues to grow, participation in sections and committees is perhaps the best way to increase expertise in a specialized area of the law, expand one's network of professional contacts, and be involved in the legal community as a whole. If you wish to become involved in a section or committee, please visit the DSBA website for a list of current sections and committees and contact information for the section and committee chairs. One committee that is in particular need of members is the Community Service and Public Information Committee, which is chaired by Connor Bifferato. This Committee receives numerous requests for participation of members of the Bar in community service projects, including mock trial programs and the Youth in Government program. I encourage you to not only join, but also to participate actively in, a section or committee, as the professional expertise and contacts that can be gained through participation are well worth the time commitment. Ⓞ

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