

By John J. Regan

Thank You Kathy Weinman



A wise former BBA President told me there would be at least one event or major issue that would occur during my year of service, be completely unforeseen, and require the immediate attention and refocusing of the priorities of the BBA.

Truer words were never spoken about the year that Kathy Weinman just finished as the BBA's 87th President. When she began her term on September 1, 2009, neither she nor anyone else at the BBA expected the collapse of Lehman Brothers six weeks later, and the ensuing steep economic decline that has severely affected state and municipal budgets, depressed the market for legal services, and placed a hold on the employment prospects of new, mid-career, and seasoned lawyers.

Because it was such a significant year, and because Kathy Weinman achieved so much under such trying circumstances, it is fitting that what she did and how she did it be made part of the record.

At the outset, Kathy promised a year of renewal and institutional soul-searching for the BBA itself. She oversaw the creation, the adoption, and the initial implementation of a comprehensive, strategic plan for the BBA — its first in five years. For starters, working groups convened to study and report back on the needs of BBA sponsor firms. An initial analysis was made of the BBA's systems for communicating with its members and the public, so that a comprehensive upgrade can be made this year.

Kathy's major (and most visible) physical accomplishment was the construction and opening, on time and on budget, of the BBA's beautiful new space on the second floor of its Beacon Street facility, overlooking the State House and Joseph Hooker statue. That project was completed in space wisely purchased some years ago by the BBA, but not built out until the resources to do so had been diligently saved by prior BBA Councils and Presidents, thereby avoiding both construction loan fees and future debt service. This space is critical to meeting the greatly-increased demand for BBA brown bag lunches, continuing legal education offerings, and special events. Attendance at meetings increased at an astonishing rate during Kathy Weinman's tenure, demonstrating that the BBA, especially in trying times, is truly the crossroads of the legal profession in Boston.

Kathy led the effort to create a Diversity and Inclusion Section to carry out the work of the Task Force on Diversity, which completed its work last year and submitted an action plan that was met with widespread praise. This new Section has already established a group mentoring project that now extends to approximately 40 diverse lawyers, with the goal of keeping them in Boston and guiding them through their career choices. Conversations also are underway with the leadership of six affinity bar associations (AALAM, MAHA, MBLA, MBWA, MLGBA, and SABA). These leaders sit on the steering committee of the Diversity Section, and work to coordinate the sharing of programs, membership, and resources between the BBA and the affinity bars.

In December, 2008, Kathy had the insight and leadership to see what was lacking in the debate on the budget for the Courts of the Commonwealth – a succinct case statement by the private bar about why courts are essential in good times, and absolutely necessary in challenging economic times. She appointed a talented group of lawyers, who, in only a few weeks, wrote and published a case statement for the courts — a brief which was consistently referred to by the leadership of Commonwealth’s Courts, in the ensuing months of advocacy for adequate budgets for the courts, legal services, CPCS, and the District Attorneys’ offices.

Kathy also lent her voice to the first ever Court Advocacy Day at the State House, modeled on the Walk to the Hill for Legal Services, which saw an outpouring of judges and lawyers to describe the consequences of inadequate funding of the state court system. The importance of Kathy’s repeated, unified messages of support for the judiciary, court staff and facilities, and the public service members of the legal profession cannot be overstated.

Constant support for legal services also was at the center of Kathy’s agenda, with an historic turnout for the Walk to the Hill being the most visible example. Kathy offered testimony and advocacy on behalf of the lawyers who represent the poorest citizens of the Commonwealth in some of the toughest cases handled by the Bar. Her work included travel to Washington, D.C., to lobby with the American Bar Association to ensure increased federal funding for legal services in the Commonwealth.

Also on the national front, Kathy’s voice was essential in helping to persuade the Federal Deposit Insurance Corporation to adopt a rule safeguarding IOLTA funds under the U.S. Treasury’s Temporary Liquidity Program. The result was that IOLTA accounts, essential to legal services funding, are now included under the increased deposit insurance limit extended to regular bank deposits as part of the federal government’s response to the financial crisis.

Meanwhile, other BBA public policy work led by Kathy was extensive and groundbreaking. Perhaps the best example of her perseverance was the final passage of the Uniform Probate Code legislation, which had been approximately 20 years in the offing, but was brought to fruition during Kathy’s tenure. Kathy also carried on the work of those who went before her at the BBA, including the Project to Expand the Civil Right to Counsel. She enthusiastically endorsed the ongoing pilot projects in the

Lynn and Quincy District Courts, where data is being collected on the comparative results in eviction proceedings for clients who have counsel and those who are unrepresented.

Kathy, as a white-collar criminal defense lawyer, has seen the injustice of wrongful convictions, both for the defendant and for the victim’s family when the real perpetrator remains free. She convened a Task Force to Prevent Wrongful Convictions, drawn broadly from the law enforcement and criminal defense bars, whose report, with its specific suggestions for follow-up legislation, will soon be available. This will be an enduring legacy of Kathy’s year as BBA President.

Kathy also led the effort to promote alums of the BBA’s Public Interest Leadership Program into leadership positions throughout the BBA, giving young lawyers their opportunity to make a mark in substantive legal education, public service, and public policy work. Her recognition of the graduates of the PILP Program on the stage at the BBA’s Law Day Dinner in June was the catalyst for the doubling of applications to the Program.

Kathy also created an outreach committee to address the employment needs of young lawyers. Its first step was to develop a series of five monthly programs for deferred associates and recent law school graduates, to help smooth their transition to new positions.

Ever mindful of the need to expand the roster of BBA sponsor firms and increase individual memberships, in order to ensure the BBA’s financial health, Kathy was instrumental in having Skadden Arps, Ogletree Deakins, Ruberto, Israel & Weiner, and Sugarman & Sugarman join the BBA as sponsor firms. Other new members added to the sponsor firm roster included the legal departments of EMC Corporation and the Massachusetts Department of Environmental Protection, and the third and fourth year classes of New England Law | Boston.

Kathy, in her personal style, brought to the BBA grace, dignity, focus, discipline, a sense of humor, and collegiality that was respectful of and admired by all who worked with her, whether as staff or volunteer lawyers. She encouraged the expression of different points of view, but had a skillful way of achieving consensus after a debate.

So to Kathy, from all of us who take our brief turn of service at the BBA, we say, as Garrison Keillor does on his local radio spot: “Be well. Do good work. Stay in touch”. ■