

If You Don't Want to Read This Column, I Understand

By Gene Beckham



As the 2013–2014 chair of TIPS, currently 26,000 members strong and the third largest ABA Section, I will be privileged to write four columns for *The Brief*. I have been advised to write about what I believe is important. Some friends suggest that I write something akin to what I have read in the columns of prior TIPS chairs who have been afforded this same wonderful opportunity. Or, that I find inspiration in similar columns in the publications of other organizations to which I belong.

But, I might as well admit it before it becomes obvious: I never read the chair's column. I'm not saying that in the 30 years I've received *The Brief* I usually didn't read it. Or, that I only read it every once in a while. I've never read it, even when it was written by people I admire and consider friends. I skip it and intend to come back to it, and now realize that I never did. In a panic, I did skim the last half of Dick Semerdjian's final column, but that's it. So, with no institutional history to guide me, I *am* going to write about what I believe is important and about the kind of things I never thought were discussed in the columns I was skipping.

I hope answering some questions will be a good start.

The question I am most asked is "Why is it so expensive to join TIPS?" Joining TIPS requires an American Bar Association membership. Study after ABA study

has confirmed that most members believe Section dues—from which members derive so much tangible value—are higher than ABA dues, but that has never been the case. I see the real questions as two that are less easily answered: "Why does the ABA cost so much?" and "What value does ABA membership, by itself, provide to a TIPS member?"

The ABA is a complicated organization with many interests and agendas coursing through it. There is a lot going on, with plenty for members to like and dislike, depending on one's interests and point of view. The amazing scope and breadth of ABA activities is difficult to describe. Under ABA auspices, academics, judges, educators, administrators, advocates, outside groups, government representatives, and others gather to discuss the issues of our time and our legal systems. These include such topics as the death penalty, the right to a jury trial and how it is administered, the interaction of international legal systems, disaster preparedness, bioethics, human and civil rights, lawyer assistance, immigration, judicial disqualification, and countless other important subjects. A policy-making House of Delegates with 561 members meets twice a year, and dozens of ABA committees address legal issues involving education, ethics, the judiciary, rules of procedure, diversity in the profession, and more. The list of ABA activities really

does go on for pages—please find a copy of the ABA 2013–14 Leadership Directory (a/k/a the Redbook) and see for yourself. The ABA is the only organization that covers every area of legal practice in the United States—and a multitude of global legal issues as well. Volunteer, part-time lawyer members cannot keep these activities current; the hundreds of entities that comprise the ABA require a dedicated and professional staff. All of these things cost money. Like our families and our firms, the ABA struggles every year to balance its essential activities with its resources.

We who believe that, fundamentally, it is important that all lawyers belong to the only organization devoted to representing all of America's attorneys and improving our legal systems do not doubt the value of ABA membership. The value is ready to be found by anyone who looks for it. But looking at less than the complete picture can allow perceived differences to cloud our unity of purpose. State and local bar organizations may see the ABA as a competitor in some areas, even though representatives from those organizations, numerically, dominate the House of Delegates. The ABA's Sections, Divisions, and Forums

produce most of the Association's CLE, publications, and rank-and-file leadership opportunities, but some members of those entities believe they lack adequate direct representation. Criticisms I have heard about the ABA at various times include that the Association embraces partisan political interests; has an entrenched governing elite; operates under a governance structure that empowers groups delivering little membership support; and looks to Section, Division, and Forum resources for money whenever financial issues arise. If accurate, these critical observations should be addressed. However, internal issues do not diminish the good our Association accomplishes, year after year. On the positive side, most people agree that the ABA is the place for state and local bar organizations to come together, to vet federal judicial nominees, accredit law schools, maintain a Model Code of Professional Conduct, and represent all lawyers—members or not—in efforts to increase the fairness of our judicial system, protect the needy, and make our country a better place for all. Aren't these the primary reasons we are proud to be lawyers?

The purpose of the Tort Trial & Insurance Practice Section, in part, is to "bring together lawyers of

diverse backgrounds and practice." No other national legal organization fills the role TIPS has served for decades, and only in a diverse organization like the ABA could TIPS survive—and flourish. For me, that answers the ABA value question. I have been a member of the leading national plaintiffs and defense organizations and, as partisans, they cannot present the entire picture of any issue. Moreover, they do not need to because TIPS continues to do it very well. Who represents TIPS members? The 29-member TIPS Council this year includes contingency fee plaintiffs lawyers, an insurance company claims executive, a staff counsel trial attorney, a corporate general counsel, outside defense counsel, two sitting judges, a city attorney, a Canadian *avocat*, a member of the ABA Board of Governors, a law student, and three past chairs of TIPS's Diversity Committee. The ABA may not be perfect. But, for 80 years, the ABA has been the home of TIPS, and no other place could do it.

The second most frequent question I am asked is "Why did you want to become chair of TIPS?" I think TIPS is important. As I enter the final phase of my ABA service and legal career, I hope to help ensure that the opportunities

available to me continue to exist for new TIPS members. Membership in a national organization allowed me to network with people from across the country who did not share my practice area, yet I was still able to make a name for myself in my area of specialization. I became the "lawyer in Miami" to a lot of people across TIPS and the ABA and have received referrals from them and their partners and friends. I won't bore you with the details, but those details can explain how a partner from a three-lawyer firm in Miami has been able to write an article published in *The Brief*, speak at TIPS's Transportation Megaconference, meet and represent high-profile trucking clients, author a book chapter on insurance coverage, and find that some of my best friends live in Minnesota, New Jersey, and Indiana. There is no aspect of my life that has not been enriched by my TIPS participation. I have seen that anybody willing to pitch in, innovate, follow through, and make TIPS commitments a priority will find professional and personal opportunities through TIPS. If you give TIPS a chance, it will work for you—just as it has worked for a guy from a small firm in Miami who never reads this column. ■