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AMERICAN BAR ASSOCIATION

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VIA FEDERAL EXPRESS

Doris L. Sassower
283 Soundview Avenue
White Plains, New York 10605

Dear Ms. Sassower:

It has recently come to our attention that you were indefinitely suspended from the practice of law in June, 1991. Article 3.3(b)(2) of the Constitution of the American Bar Association provides that a member who is "disbarred or suspended for a period longer than six months from the practice of law . . . ceases to be a member of the Association." I have enclosed a copy of that portion of the ABA Constitution. As I now understand from several communications from the Center for Judicial Accountability, you and the Center take the position that your suspension was unjust and retaliatory. However, the ABA Constitution prohibits your membership based solely on the entry of the final order of suspension, without taking or permitting a position on the merits of the suspension itself. Therefore, I must regretfully inform you that you can no longer be a member of the ABA.

Obviously, please contact me immediately if there has been an error and you have not been suspended from the practice of law. Also, our records indicate that you have been on our membership roster with a waiver of dues and that therefore no refund of dues is owed you in connection with the termination of your membership.

Sincerely,

Catherine A. Daubard
Deputy General Counsel

"Small Firm Practitioner" means a lawyer in *private practice* in a firm of 2-5 lawyers.

"Sole Practitioner" or "Solo Practitioner" are used interchangeably to mean a lawyer in *private practice* who does not have other lawyer partners or associates.

"Solo and Small Firm Practitioners" collectively means those lawyers in *private practice* who are in firms of less than six lawyers.

§2.2 General Provisions. For the purposes of this Constitution, the Bylaws, and any rules of the House of Delegates:

- (1) The Commonwealth of Puerto Rico and the District of Columbia shall be treated as if they were states.
- (2) Divisions shall be treated as if they were sections unless otherwise specified.
- (3) Notice that is required to be given to members may be given by a special mailing or it may be given in any publication of the Association that is mailed to every member. In either case notice is given upon deposit in the mail.
- (4) Nominating petitions may be in parts.
- (5) Except as provided in Section 3.3(a), a resignation must be in writing and submitted to the Secretary and is irrevocable. It is effective on the date stated in the resignation, or the prospective date received if no date is specified in the resignation.
- (6) Minority means African American, Asian, Hispanic, Native American or Pacific Islander.

Article 3. Membership

§3.1 Members. Any person of good moral character in good standing at the bar of a state, territory, or possession of the United States is eligible to be a member of the Association in accordance with the Bylaws. The Bylaws may specify classes of members.

§3.2 Law Student Members. Any law student is eligible to become a law student member of the Association under such conditions and with such rights, privileges, and limitations as the Bylaws may provide.

§3.3 Termination of Membership. (a) A member may resign from the Association at any time effective upon receipt of the member's written resignation at Association headquarters.

(b) A member who is in default in the payment of dues or other monetary obligation to the Association may be dropped from membership. A member who, by a final order or judgment, (1) is convicted of a felony, or (2) is disbarred or suspended for a period longer than six months from the practice of law in a state, territory, or possession of the United States, ceases to be a member of the Association. A member who, because of misconduct ceases to be a member of the bar of a state, territory or possession of the United

States, also ceases to be a member of the Association. For other good cause, after a hearing at which the member is given reasonable opportunity to be present with counsel and be heard in his or her own defense, a member may be censured, suspended, or dropped from membership by the Board of Governors.

§3.4 Associates. Nothing in this Article prevents the establishment by bylaw of classes of associates composed of nonmembers with whom affiliation is considered to be in the interests of the Association.

Article 4. Association Meetings

§4.1 Annual Meeting. The annual meeting of the Association shall be held once during each calendar year at a time and place, within or without the State of Illinois, prescribed by the Board of Governors. It shall include a meeting of the House of Delegates and may include such meetings of the Board, sections and committees as the Board may authorize. Notice of the meeting shall be given to members of the Association at least six months in advance.

§4.2 Other Meetings. In addition to the annual meeting, the Association may hold such meetings, including special and regional meetings, as the Board of Governors may prescribe.

Article 5.

Resolutions by Association Members Who Are Not Delegates

§5.1 Committee of Delegates-at-Large. The Committee of Delegates-at-Large consists of the Delegates-at-Large and the Secretary, who is a member *ex-officio* without vote. The President shall designate a Delegate-at-Large to serve as chair of the Committee of Delegates-at-Large.

§5.2 Presentation, Referral and Distribution of Resolutions. (a) A member of the Association who is not a delegate may submit one or more resolutions pertinent to the purposes of the Association. A resolution submitted after the deadline established by the Committee on Rules and Calendar may not be considered by the House unless the Committee of Delegates-at-Large, by a two-thirds vote of its members present and voting, recommends a waiver of the time limitation and the House approves the recommendation.

(b) Resolutions must be submitted in writing to the Secretary. The Secretary shall refer each resolution to the Committee of Delegates-at-Large.

§5.3 Consideration of Resolutions. (a) Before the opening session of the House, the Committee of Delegates-at-Large shall hold one or more public hearings on the resolutions submitted, giving members a reasonable opportunity to be heard. The Committee shall report to the House its recommendation on each resolution.

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Elena Ruth Sassower
CENTER FOR JUDICIAL ACCOUNTABILITY
283 Soundview Avenue
White Plains, NY 10606

rec'd 10 am

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