



Statement Issuance Policy
As Approved by Board of Governors
July 19, 2022

A. Procedure To Be Followed

1. The Guidelines will be posted on the BHBA website.
2. Any BHBA member(s) or section(s) can make a request that the BHBA issue a public statement ("Request") by sending it in writing to the Executive Director ("ED").
3. The Request should (a) explain in reasonable detail the issue/problem to be addressed, (b) submit a draft public statement, and (c) identify the member(s) or section(s) who are making the Request ("Requestor"), and any interest or connection the Requestor has in the issue/problem.
4. ED will forward the Request to the Executive Committee ("ExComm"¹) which will decide whether (a) the Request is of sufficient importance, urgency, and clarity that the Board of Governors ("BOG") should be asked to vote on it immediately, (b) the Request is important but merits further discussion; or (c) the Request is not suitable for further consideration.
5. If ExComm decides that the Request falls within 4(a), it will present a proposed public statement to BOG for an immediate yes/no vote without discussion. However, BOG members shall be given the option of declining to take an immediate yes/no vote and instead to have a BOG meeting to discuss the issue.²
6. If ExComm decides that the Request falls within 4(b), it will present a proposed public statement to BOG for discussion at a regular or special³ BOG meeting.
7. The Requestor and/or a representative of the opposing point of view may be asked to attend any ExComm or BOG meeting.

¹ Per the Bylaws, the Executive Committee consists of the BHBA's president, president-elect, first vice- president, second vice-president, and secretary-treasurer.

² Under #5, an email will be sent to the BOG explaining the issue and attaching the proposed public statement. The BOG will be asked (a) if they wish to vote immediately, or whether they want to have a discussion, and (b) if they wish to vote immediately, are they for or against issuing the statement. If a majority under (a) is in favor of an immediate decision, the votes under (b) shall decide the issue.

³ Under the Bylaws, a special meeting requires 5 days advance written notice.

8. All ExComm and BOG decisions shall be made by majority vote, subject to the applicable notice and quorum requirements in the Bylaws.
9. If ExComm or BOG decides not to issue a statement, the ED will inform the Requestor with a brief explanation for the decision.

B. Content of the Statement

The following factors will be considered when deciding when to issue a statement:

1. Discussions over public statements tend to take up a lot of time. We recognize that ExComm and BOD members are busy people who volunteer their time, and that it is only fair to ask them to engage in discussions on statements that merit their attention. The threshold question should always be, if we issue this statement, what will it achieve?
2. BHBA's purpose is to (a) advance the science of jurisprudence; (b) promote the administration of justice; (c) encourage a thorough and continuing legal education; (d) maintain the honor and integrity of the legal profession; (e) foster ethical conduct in professional service; and (f) support social interaction among the Corporation's members. Is the proposed statement consistent with one or more of these principles?
3. BHBA was founded because of discriminatory practices, and will always oppose such practices and promote equality and diversity.
4. BHBA supports the rule of law, the rights of free speech and assembly, the right to protest, and all other rights enjoyed by US Citizens under the Constitution.
5. The more local the issue, the more important it is that the BHBA's voice be heard.
6. If an issue is already the subject of wide public debate, we should question whether it merits a statement by the BHBA.
7. We recognize that our members hold different opinions. That said, disagreement is not a reason not to issue a statement if other factors point in that direction.
8. We will avoid making statements on purely political issues.