

Document No. 630  
May, 1981

**THE MARITIME LAW ASSOCIATION  
OF THE UNITED STATES**

**TO: MEMBERS OF THE ASSOCIATION**

**FROM: THE EXECUTIVE COMMITTEE**

**RE: QUALIFICATIONS FOR FUTURE LAWYER  
MEMBERSHIP**

**A. PRELIMINARY DISCUSSION**

Serious consideration is being given to the possibility of raising the criteria for future active lawyer membership in the Association so that such membership will be recognized as evidence of professional competence within some area of maritime law and can qualify for specialization certification in any jurisdiction where such may be required. You will note that the proposed changes would affect only *future* members in that the positions of all present members would be fully protected. It is not contemplated that any action will be taken at the May 1981 meeting on this subject, but it is hoped that the membership will think about the subject so that it can be voted upon at the *October* 1981 meeting. The draft of a proposed resolution and the accompanying "Standards for Admission" are provided at this time for your information and guidance with respect to future action. If you have any suggestions or comments on these proposals, please write to John W. Sims, Hibernia Bank Building, New Orleans, La. 70112 so they can be considered by the Executive Committee prior to the Fall 1981 meeting.

**B. DRAFT RESOLUTION FOR CONSIDERATION AT THE  
FALL 1981 MEETING OF THE ASSOCIATION**

"RESOLVED, that as of January 1, 1982, so much of Article 3 of the Articles of Association and By-Laws of the Association as reads:

"There shall be two classes of regular membership: active and associate"

is amended to read

“There shall be six classes of membership:

1. Honorary
2. Judicial
3. Academic
4. Active Lawyer
5. Non-Lawyer
6. Associate

An applicant for associate membership, in addition to meeting those qualifications for active membership set forth in the first paragraph of this article, who plans to apply for active lawyer membership after five years of associate membership in the Association, shall agree in the application for association membership, which shall be supported by two active lawyer members of the Association, to maintain adequate records over a period of five years after election to associate membership in order to assist the Admissions Committee in determining, at the proper time, whether such associate member has the qualifications to advance to active lawyer membership. An associate member shall have no vote, and need not apply for active lawyer membership, but if such application is made the applicant must meet the requirements for active lawyer membership in existence at the time the application for active lawyer membership is passed upon. All classes of membership are eligible to serve on committees of the Association.

Upon a special showing of the required qualifications, for active lawyer membership herein, the Executive Committee may waive the five-year requirement and grant active lawyer membership to any qualified person; otherwise an associate member shall not advance to active lawyer membership until he has served as an associate member for at least five years.

An applicant for active lawyer membership must satisfactorily answer a questionnaire, prepared by the Admissions Committee and approved by the Executive Committee with respect to experience and qualifications. The applicant for active lawyer membership must furnish satisfactory evidence of compliance with such other qualifications for active membership as the Executive Committee shall from time to time require. The Executive Committee in fixing such qualifications shall consider the advice and guidance of the Committee on Admissions and on Continuing Legal Education.

All members in good standing as of the date of this resolution will retain their status as active lawyer or non-lawyer members and those holding associate membership will become judicial or academic members as the case may be”.

The balance of Article 3 of the By-Laws would be modified as necessary to be consistent with the proposed changes.

**C. DRAFT OF SUGGESTED STANDARDS FOR  
ADMISSION TO BE ADOPTED BY THE  
ASSOCIATION AFTER CONSIDERATION  
OF THE RECOMMENDATIONS OF THE  
EXECUTIVE COMMITTEE PROVIDED THAT  
THE ASSOCIATION PASSES THE ABOVE  
RESOLUTION AT THE FALL 1981 MEETING.**

Recognizing the various areas which constitute the practice of Maritime Law in the United States by members of this Association, including among others, cargo damage and loss, charter party, collision, fisheries, general average, marine insurance, maritime administrative law, personal injury and death, salvage and ship finance and mortgages, and towage, it has been deemed impossible to prescribe a single set of specific criteria which could be fairly applicable to determine the eligibility of all who aspire to active lawyer membership in the Association. In lieu thereof the following general standards are set by the Executive Committee for determination by the Admissions Committee of the qualifications for active lawyer membership in the Association:

1. Associate membership in good standing in the Association for a period of at least five years, and admission to the Bar of the appropriate United States District Court.
2. Letters of support from at least two active lawyer members in good standing whose principal area of practice is the same as that of the applicant stating that the applicant has demonstrated expertise in that area of practice and high standards of ethical and professional conduct. Not more than one of these letters can be from a person associated with the applicant in the practice of law and, preferably, at least one support letter should be from a person who has been in an adversary relationship to the applicant.

3. At least two of the following:

a. Evidence of attendance at a satisfactory number of continuing legal education programs conducted by the Association and/or by other organizations of similar stature, approved by the Association's Committee on Continuing Legal Education.

b. A copy of a publication of an article, speech or text or case book on a subject closely related to the practice of maritime law in any of its many professional areas of expertise.

c. Evidence of concern for the profession and the aims of the Association by participation in activities of the Association and/or recognized institutions of higher learning or bar associations.

d. Evidence of personal achievements which, in the opinion of the members of the Admissions Committee, advance and enhance the status of the Admiralty Bar, the cause of justice, and the general aims of the Association, especially uniformity of maritime law.

4. In exceptional instances, upon recommendation of the Admissions Committee and with the approval of the Executive Committee, active lawyer members may be elected directly without having been associate members.

**D. DRAFT OF PROPOSED FORM OF APPLICATION  
FOR ASSOCIATE MEMBERSHIP**

"I hereby apply for associate membership in The Maritime Law Association of the United States.

I was first admitted to the Bar in the State of  
on

I plan to apply for Active Lawyer Membership in the Association at the expiration of five years from the date of my admission as an associate member and shall maintain records for the next five years indicating my involvement in maritime matters and my attendance at continuing legal education programs.

I do not plan to apply for Active Lawyer Membership in the Association.

I am/am not a member of the American Bar Association. (The Maritime Law Association is affiliated with the American Bar Association). Our lawyer members are encouraged to join the American Bar Association and are requested to notify the Membership Secretary when they join.

[7343]

Enclosed herewith are supporting letters of the proposer and  
seconded whose names are given below.

.....  
Name of Applicant

.....  
Name of Firm or Corporation

.....  
Street Address

.....  
City State Zone

Proposed by .....  
Name

.....  
Address

Seconded by .....  
Name

.....  
Address

.....  
Signature of Applicant