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NY to Remove Mental Health from Character & Fitness Exam?

New York State Bar Association Recommends Eliminating Mental Health Question from Character and Fitness

At its meeting on November 2, the New York State Bar Association House of Delegates voted to recommend that bar applicants in that state no longer be asked about their mental health as part of a character and fitness test. Just two days later, state Sen. Brad Hoylman (D-Manhattan), who is chair of the Senate Judiciary Committee, introduced legislation that would make this change. The recommendation was first made in a report published in August 2019 by the NYSBA Working Group on Attorney Mental Health, based in part on data that suggested the question had a chilling effect on law students' willingness to seek necessary help with mental health conditions. [New York Law Journal](#) has more details, including a statement from NYSBA President Hank Greenburg and how this legislative proposal fits with other recent measures in New York state and elsewhere.

Could the D.C. Bar Be a Model for Allowing Nonlawyer Partnership?

As several states now mull the idea of allowing nonlawyers to be partners in law firms, one bar has had that door open (or at least ajar) for decades: The D.C. Bar. Since 1991, in light of the fact that many such partnerships already existed, the D.C. Bar's version of ABA Model Rule 5.4 has allowed nonlawyer partners if the sole purpose of the partnership is to provide legal services to clients. For example, a corporation or investment bank is not allowed to acquire parts of law practices or law partnerships, but a public relations expert who is not a lawyer but is considered integral to her firm's ability to provide solid legal advice is allowed to be a partner. [Bloomberg Law Big Law Business](#) takes a fascinating look at how things work in D.C., and at how this compares with what's being discussed in other jurisdictions.

Controversial New Order Bars Photo, Video Outside Two Arizona Court Buildings

A new order by Arizona Chief Justice Robert Brutinel has made it a crime to broadcast live from, or take photos or video outside the Arizona Supreme Court or the Court of Appeals Building in Tucson. There was already such a rule pertaining to the interior (unless by written permission), but the new rule extends this to include entrances, steps, patios, and sidewalks. Is that constitutional? First Amendment attorney Dan Barr doesn't think so: He notes that the newly prohibited areas are ones where a lot of protests occur. A court spokesman, however, says the intention is only to prevent people from blocking access to the buildings, not to discourage media coverage of protests. Read more about this new order and the questions it has raised, at [Arizona Capitol Times](#).

Building an Organizational Culture Where Innovation Can Flourish

What does it take for innovation to take root in an organization? Great ideas aren't enough, according to [an article from ASAE](#): It also takes building a culture that is nurturing and not averse to risk and change. That can be tough for many associations, but a new study from the ASAE Foundation identifies several steps that can help: creating with stakeholders,

getting comfortable with risk, clearing a path for innovation, and taking a strategic view. Learn more about what's involved in each of these steps?and how they can pay dividends for your organization.

November-December Issue of *Bar Leader* Highlights Natural Disaster Preparedness, Response

Collaboration, foresight, and an understanding that legal needs may emerge months or even years after the fact: All of these are essential to a strong disaster preparedness and response plan. In the [November-December 2019 issue of *Bar Leader*](#), read how some bars made sure they were ready for natural disasters that struck their areas in recent months. Also, highlights from the upcoming *Benchmarks* publication, and tips for planning a variety of bar events.



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