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INSPIRED BY FORMER SNELL & WILMER CHAIR JOHN J. BOUMA, AMERICAN BAR ASSOCIATION PASSES RESOLUTION SUPPORTING FREE SPEECH ON CAMPUS

PHOENIX (August 27, 2019) – Snell & Wilmer applauds the American Bar Association (“ABA”) House of Delegates for unanimously adopting [Resolution 10C](#) (the “Resolution”) at the recent ABA Annual Meeting in San Francisco. The Resolution, which urges the protection of free speech on university and college campuses, was the brainchild of John J. Bouma, Snell & Wilmer’s former chair, who passed away earlier this year.

The final Resolution language reads as follows:

RESOLUTION

RESOLVED, That the American Bar Association urges all private and public universities and colleges to adopt the following principles in furtherance of free expression on university and college campuses:

1. Universities and colleges have a responsibility to promote freedom of debate and thought, and to protect that freedom when others attempt to restrict it;
2. Except as necessary to comply with reasonable administrative rules applied on a content-neutral basis, universities and colleges should not restrict freedom of speech and debate protected by the First Amendment; and
3. Universities and colleges should protect all members of their communities and all speakers on their campuses and other locations from censorship, intimidation or retaliation on the basis of their opinions or beliefs.

Over the course of 2018, Bouma, working closely with Snell & Wilmer partner Andy Halaby and associate David Wilhelmsen, formulated a proposed version of the Resolution, as well as the accompanying [Report](#), advocated its passage to multiple ABA constituencies and leaders, and took the project through multiple drafts based on their varied input. Bouma was actively lobbying stakeholders for support the very day of his unexpected passing in January 2019, and had planned to make further efforts advancing the Resolution at the then-upcoming ABA Midyear Meeting in Las Vegas. Other Snell & Wilmer attorneys, including partner Don Bivens, took up the mantle. At Bivens’s urging, the Maricopa County Bar Association Board of Directors voted unanimously in May 2019 to sponsor the Report and Resolution, enabling it to be considered by the House of Delegates at the Annual Meeting in August. Charles W. Wirken, Maricopa County Bar Association Delegate to the House and attorney at Gust Rosenfeld, presented the Resolution to the House at the ABA Annual Meeting. Click [here](#) to view Wirken’s formal presentation.

“John fervently believed in the principle of free expression on campus, and correctly saw it as a principle that transcends politics. Inspired by the University of Chicago’s Committee on Freedom of Expression’s 2014 statement supporting free speech on campus, which has been adopted by dozens of other universities since, John took it as a personal mission to advocate adoption of a similar, strong statement by the ABA. It was a pleasure and an honor to play a role in helping bring John’s wishes to fruition,” said Halaby. Snell

& Wilmer partner Barb Dawson, Chair of the ABA's Section of Litigation, observed, "John cared deeply about the ABA, having served as a Delegate to the House for many years. The final vote is a testament to the esteem in which the House held him." ABA President-Elect and Snell & Wilmer partner Trish Refo commented, "It was deeply moving to watch Chas's speech and see this fine institution honoring a longtime, beloved member as well as the principle he supported." And, according to Bivens, "As Chas Wirken mentioned during his presentation to the House, John was the true father of this Resolution. We managed by the time of the vote to gather formidable support, and the ultimate result was unanimous approval. John would be proud."

About Snell & Wilmer

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