

ABA Delegates Vote Ban On “Pay-to-Play” Contributions

The recurring issue whether lawyers should be allowed to make contributions to judicial campaigns in anticipation of appointments to court-appointed jobs and positions was considered again by the ABA House of Delegates at the ABA midyear meeting in Dallas in February.

The Delegates voted 256-157 in favor of a resolution banning the practice of pay-to-play.

In January 1999, a Task Force of the New York State Bar Association recommended as follows:

- Clarify existing statutes to enforce controls against making contributions in exchange for political or judicial favors.
- Adopt an EC explaining that “pay-to-play” is improper and prohibited by the Code of Professional Responsibility.
- Allow lawyers to make political contributions in amounts equal to those made by anyone else.
- Require lawyers and law firms to disclose all political and campaign contribution to the Office of Court Administration.
- Except in minor matters, ensure that lawyers are selected for public legal and professional services on the basis of merit only.