

New York State Bar Association
Dispute Resolution Section
Hybrid Executive Committee Meeting
June 13, 2024
4:00 - 5:35 PM

At AAA, 150 E. 42nd Street, New York, NY 10017 and via Zoom

Present at AAA:

Jeff Anderson, Outgoing Chair
Jill Pilgrim, Chair
William Crosby, Chair-Elect
Loretta Gastwirth, Vice-Chair
Erica Levine Powers, Secretary
Deborah Reperowitz, Treasurer
Mary Austin
Simeon Baum
Bart Eagle
Margarite Echeveria
Christopher Fladgate
Marilyn Genoa
Claire Gutekunst
Steve Hochman
Jenna Karadbil
Mansi Karol
Laura Kaster
Alfreida Kenny
Jennifer Lupo
Lorraine Mandel
Gary Shaffer
Elizabeth Champnoi
Evan Spelfogel
Michael Starr
Edna Sussman
Tong Wang
Jeff Zaino

Present via Zoom:

Craig Atlas
Myrna Barakat-Friedman
Theo Cheng
Gregory Classon
Tori Craft
Howard Fischer
Dan FitzPatrick
Luwick Francois
Elissa Germaine
Krista Gottlieb
Rachel Gupta
Oscar J. Hale, Jr.
Michele Kern-Rappy
Daniel Kolb
Danielle Menitove
Timothy Murphy
Paul Radvany
Kera Reed
Rona Shamoon
David Singer
Randy Tesser
Iyana Titus
Carla Varriale-Barker
Ellen Waldman
Shakiya Wright-McDuffie
Simone Smith (NYSBA Staff)
Kathy Suchocki (NYSBA Staff)

Apologies if you were omitted from the list. Please let us know so we can amend the list.

The meeting came to order at 4:04 PM with Jill Pilgrim, Chair, and Jeff Anderson, Outgoing Chair, initially co-presiding.

Minutes.

Upon motion by Laura Kaster, seconded by Steve Hochman, the minutes of the May 9, 2024 meeting were approved, subject to clarification by Paul Gupta of the name and title of the judge interested in building out arbitration in the courts as discussed on Page 4. Unanimous approval.

Future meetings of the Executive Committee:

2024

July 11, 2024: Virtual, 8:45 AM

August 23, 2024: Hybrid, on Long Island, Noon

September 19, 2024: Hybrid 8:30 AM at Fall Meeting

October 17, 2024: Hybrid, Noon

November 14, 2024: Virtual, 8:45 AM

December 12, 2024: Hybrid, Noon

2025

January 16, 2025: Hybrid, 11:30 AM at Annual Meeting

February 20, 2025: Virtual, 8:45 AM

March 20, 2025: Hybrid, Noon

April 17, 2025: Virtual, 8:45 AM

May 15, 2025: Hybrid, Noon

VOTE: Executive Committee approves participation by Shakiya Wright-McDuffie as a non-voting Co-Chair of the DEI Committee, per DR Bylaws Article II (Membership), Section 2.

Section 2. From time to time the Executive Committee may invite participation in the work and activities of the Section by individuals who are not members of NYSBA and have demonstrated competence and interest in ADR. Such individuals shall not be members of the association or the section and shall not be entitled to vote, serve as an officer of the Section, or serve as a member of the Executive Committee.

Motion by Jill Pilgrim, seconded by Simeon Baum and Jeff Zaino, regarding the outstanding contribution that Shakiya Wright-McDuffie makes to the DR profession and will make to our Section. UNANIMOUS AFFIRMATIVE VOTE.

Discussion followed, regarding the importance of non-lawyer Dispute Resolution and Dispute Prevention professionals being able to join NYSBA and participate in the work of our Section. Procedures for proposing an amendment to the NYSBA Bylaws were briefly outlined. This will be an agenda item at an upcoming meeting, including a discussion of whether or not such membership should be limited to DR Section only or should be throughout NYSBA.

2023-2024 Chair's Awards and Transition to 2024-2025 Chair.

Jeff Anderson, Outgoing Chair, presented the following Chair's Awards:

To Sherman Kahn, Laura Kaster and Edna Sussman:

With heartfelt gratitude for your many years of tireless service as Co-Editor of the *New York Dispute Resolution Lawyer*. Your dedication and unwavering commitment has brought fresh perspective to its pages and advanced the field of dispute resolution.

To Steve Hochman, presented by Simeon Baum:

To Stephen A. Hochman, an ADR pathfinder who built upon accomplishments as a corporate lawyer and founding partner, Kramer Levin, and with tireless efforts spread recognition of the value of mediation in courts and the bar through teaching, training, mentorship, and practice, with good humor, warmth and wisdom.

To Erica Levine Powers:

With deepest gratitude and heartfelt appreciation for your service as Secretary of the Dispute Resolution Section. Your commitment, dedication and attention to detail is in the highest tradition of those who have served before you.

Jill Pilgrim, Chair, presented Jeff Anderson, Outgoing Chair, with a Chair's Award, a model AmTrak train to commemorate his trips from Albany to NYC as the first Upstate Chair of the Section, and made the following remarks on the milestones of Jeff's term:

Jeff is the first Upstate New York Chair of the Dispute Resolution Section. He has promoted, encouraged, and kept up the engagement of and with the Upstate New York dispute resolution practitioners. He executed, expertly, the first Dispute Resolution Upstate Spring Meeting, including gaining sponsorships from law firms to support us financially for that meeting. He was instrumental in inviting and securing New York State Chief Judge Rowan Wilson as the keynote speaker for the Spring Meeting.

Jeff initiated outreach efforts to law students by reaching out to the dispute resolution faculty of 15 New York law schools. He had a very intentional focused outreach to the Young Lawyers Section of the New York State Bar, including their participation in several of our programs and meetings.

Jeff maintained a focus on diversity, equity and inclusion in dispute resolution, emphasizing diversity in speakers, panels, and audience members.

He created innovation in the governance of the Dispute Resolution Section by accepting and promoting the creation of an Assistant Treasurer and Assistant Secretary position.

He was instrumental in reviving the Healthcare Committee and making the Liaison Committee an official committee.

With the support and input of our tireless and most important supporter, NYSBA Dispute Resolution Section Liaison Simone Smith, he focused on improving and streamlining the Dispute Resolution Section event planning process and event execution process.

He has been my colleague and mentor throughout my moving-up process from Vice-Chair to Chair-Elect to Chair.

Here is my most heartfelt take-away: Jeff is an exceptional human being. He is an individual who leads and exists with integrity and incredible kindness. I will cherish that for as long as I know and work with him.

Outgoing Chair Jeff Anderson thanked incoming Chair-Elect, Bill Crosby, incoming Vice-Chair, Loretta Gastwirth, continuing Secretary, Erica Levine Powers, continuing Treasurer, Debbie Reperowitz, and continuing Assistant Treasurer Greg Classon.

He introduced Jill Pilgrim, Chair, with thanks for her hard work and support as a member of the leadership team throughout the past year, the importance of her perspective based on her experience in large organizations, her innovations and accomplishments since becoming Chair on June 1, and praise for her leadership as Chair in the upcoming 2024-2025 year.

Chair Pilgrim's Goals & Initiatives for 2024-2025.

I want to carry forward some of the key initiatives of Jeff Anderson's term, including continuing the engagement activities and interactions with the Upstate New York Dispute Resolution practitioners, outreach to law students and Young Lawyers, prioritizing DEI, and improving and streamlining the Dispute Resolution section event planning process.

In addition, I am looking forward to practicing inclusiveness by making room for new and diverse dispute resolution practitioners and new leaders. I want to continue to honor and support Dispute Resolution Section traditions and the practice of excellence and professionalism, mentoring the next generation of leaders and engaging in some very intentional succession planning among our committee chairs. As Laura Kaster mentioned, we are looking for new contributors to our publications. Importantly, I want to encourage our Section membership to empower each other, and to support each other in the pursuit of both excellence in our profession and inclusiveness.

Jill briefly introduced the **new Committee Co-Chairs** who have not previously chaired a Dispute Resolution Section committee, as follows: Ellen Waldman, CLE; Tong Wang and Shakiya Wright-McDuffie, Diversity & Inclusion; Rachel Gupta and Jen Lupo, Domestic Arbitration; Kaylin L. Whittingham, Ethics; Margarita Echevarria and Michele Kern-Rappy, Insurance Disputes; Sara Kula and Michael Starr, Mediation; Luwick Francois and Noel Hillman, New DR Practitioners; Danielle Menitove and Carla Varriale-Barker, Sports ADR; Victoria Craft and Jenna Karadbil, Technology; Suzanne Levy, Trusts & Estates; Timothy Murphy, Upstate DR Practitioners.

Section Officers as Liaisons to Committees. One innovation is that Jill has enlisted the Section officers for this term to be liaisons to the various Dispute Resolution Section committees. To be clear, this is not to take your role as Committee Chairs. Rather, it is to be a resource for you, should you need some backup, or just have a need to get some advice and counsel, from officers who have experience in this Dispute Resolution section.

New NYSBA Membership model. Jill briefly discussed the New NYSBA membership subscription model coming into play shortly, which will result in a new Section payment plan based upon a royalty. The royalty to each Section will be based upon a calculation of how many members a Section has versus the total NYSBA membership. NYSBA membership dues will be a little higher, but will include two Section memberships at no additional cost, plus free NYSBA On-Demand video CLE webinars

Reports on Past Events: On the second page of the agenda there is a list of eleven DRS programs that have taken place between May 9, 2024 and June 12, 2024, including the Upstate Spring conference and both the 3-day and Advanced Commercial Mediation Training.

Upcoming events:

June 13, 2024 Member Appreciation Reception for all members to honor our outgoing Chair, Jeff Anderson and our incoming Chair, Jill Pilgrim, and to celebrate the work of our Section and all our committees.

June 18, 2024 -- Co-Chair orientation meeting, via Zoom.

August 22 or 23, 2024 -- Hybrid Executive Committee meeting in Long Island, followed by beach social event.

September 19, 2024 -- Dispute Resolution Section Fall Meeting at Davis Polk, in Manhattan.

There being no further business, upon motion by Michael Starr, seconded by Laura Kaster, by acclamation the meeting was ADJOURNED at 5:35 PM.

Respectfully submitted,

Erica Levine Powers, Secretary