



Special Committee on Strategic Planning

Briefing Report

January 27, 2011



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**BRIEFING REPORT OF THE SPECIAL COMMITTEE
ON STRATEGIC PLANNING
January 27, 2010**

INTRODUCTION

In July, 2010, President Stephen P. Younger appointed the Special Committee on Strategic Planning, chaired by David P. Miranda and Sharon Stern Gerstman. At the initial stage, the co-chairs, President Younger and President-Elect Vincent E. Doyle, III, engaged Harrison Coerver, a professional facilitator with significant experience and expertise with bar associations, and determined the scope of the committee's work, concentrating on four principle areas: Membership, Technology, Finance and Programming and Services. Each of these subjects became the focus of a subcommittee of the Special Committee.

The members of the Special Committee (including the co-chairs, but not including President Younger), representing diverse characteristics and experience within the Association, were divided into the four subcommittees. Co-Chair Miranda chaired the Technology Subcommittee (with members Vincent E. Doyle, III, Paul M. Hassett, Deborah Ann Kaplan, and Hon. Deborah A. Kaplan and staff member John Nicoletta); Co-Chair Gerstman chaired the Programming and Services Subcommittee (with members James Barnes, Peter H. Blessing, Laurie A. Giordano and Eileen D. Millett and staff member Douglas Guevara); Member Claire P. Gutekunst chaired the Membership Subcommittee (with members John S. Marwell, Manuel A. Romero and Grace Sterrett and staff member Pat Wood); and Member David M. Schraever chaired the Finance Subcommittee (with members Seymour W. James, Jr., Joshua M. Pruzansky and Emily Franchina and staff member Kristin O'Brien).

31, 2011 will culminate in a strategic plan, developed by the Special Committee and the Executive Committee with recommendations in each of the four subject areas.

Section 1: Membership

CURRENT STATUS

As of January 11, 2011, the Association has 77,736 members. This membership position is stable, with membership matching the 2009 year-end position. The Association's members primarily are based in New York State, but an increasing number (24%) come from 113 countries and from every other state in the United States. Approximately 56% of Association members are in solo or small firm practice, in offices of up to nine attorneys. (See Appendix 1-A, "NYSBA Membership Profile Report") The average membership tenure of Association members who are not members of Association Sections is 10.4 years; for members who also are members of Sections, the average tenure increases dramatically, to 18 years. The Association has 25 Sections, 23 of which focus on particular substantive areas of the law and two of which, the Young Lawyers and Senior Lawyers Sections, cut across practice areas. Approximately 48% of Association members also are members of one or more Section.

As a private, non-profit membership organization, the Association enjoys a strong public reputation, and is commonly referred to as "the voice for New York attorneys." Its membership support has been dependable and very solid throughout its history. However, in the 20th century, many other bar associations were established, addressing various needs and interests of segments of the New York attorney population, e.g., geographic areas, practice areas, minority attorneys. More recently, a number of for-profit companies recognized the financial opportunities in providing services such as continuing legal education ("CLE") programs to the legal community and, as a result, developed services that increasingly compete with bar association services. Growth in

these new attorneys. The Association retains approximately 85% of its members. However, among new members, this retention rate is only 43%.

The Association has placed a high priority on regularly performing research, to stay informed of trends and interests among its members. In member satisfaction research, the Association is recognized for the strength of its services, with CLE consistently ranking high. A survey of newer attorneys, performed this fall as part of the strategic planning process, found that among respondents, 50% were in law offices with one to 19 attorneys; 80% were 25-35 years of age; and 44% earned less than \$60,000 per year. (See Appendix 1-C, "Survey Results & Analysis for 2010 Survey of Newly Admitted Attorneys") These attorneys overwhelmingly (96%) prefer to receive communications by e-mail. It appears that new attorneys prefer using newer technologies such as phone apps, web-based programs, e-mail and social media, some of which the Association has yet to adopt. The Association's CLE was the main membership benefit mentioned, although many respondents had not actually used Association CLE. 70% of the newly-admitted attorneys who responded were "highly likely" or "likely" to renew their membership. As discussed in Section III, below, however, a growing number of members and former members indicate that they find Association membership less relevant and of less value to them.

Through active advocacy from the Committee on Membership in the past decade, recent Association and Section leaders are more aware of and focused on the strategic importance of membership, and the related dues revenues, than they had been in past years. The Membership Committee and staff work very effectively together. Leaders have made membership development and satisfaction a priority. Particularly noteworthy

employers, while assisting the Sections in producing materials of value to their members. The Association also has actively participated in on-campus events, including Section information tables with Section representatives. As stronger relationships are built with the schools, more opportunities can be developed. Finally, the Association has increased its electronic outreach and provision of information to students, through a semi-annual online publication, edited by a freelance student editor hired by the Association, which promotes events of interest to students and offers a blog that allows law students to share their experiences with other students.

In recent years, the Association's leadership has been quick to recognize developments in the profession and has responded promptly and effectively to address contemporary needs of its members. For example, recognizing the growing number of cases being handled in mediation and arbitration in New York State and the concomitant growth in the number of attorneys acting as advocates or neutrals in those cases, the Association established a new Dispute Resolution Section in 2008. In recognition of the growing number of members over the age of 55, the Association formed the Senior Lawyers Section in 2009. In response to the "Great Recession," Association's Lawyers in Transition Committee expanded the breadth and scope of its services to provide programs and informational services to lawyers seeking employment after involuntary transitions. Building on recommendations by the Special Committee on Solo and Small Firm Practice (appointed by then-President Bernice Leber in 2008), the Law Practice Management Committee also expanded its services by developing more educational programs and online resources for the large number of members who are in solo and small firm practice.

WEAKNESSES, PROBLEMS, BARRIERS OR THREATS

The Association faces many challenges due to a number of different factors. The declining market share indicates a lessened representation among attorneys in New York State. The worldwide recession appears to be over, yet many attorneys still struggle to find employment. Competition from other bar organizations and for-profit corporations for members' time and dues and CLE dollars is increasing. The business of membership is extremely hard work, and even maintaining current membership levels proves exceptionally challenging.

Another contributing factor in the challenge to retain members is that many members and former members indicate a lack of awareness of the benefits of Association membership. Despite the perceived value of Section membership, only 48% of Association members belong to any Section. Most new attorneys (83%) do not take advantage of Section membership, despite the introductory offer to join one Section for free during their first year of membership. There is a too-frequently voiced perspective that membership dues are too costly for many attorneys. Time pressures on attorneys and the number of members who do not actively participate in the Association and are "at risk" of dropping their membership are major concerns.

Member satisfaction research conducted in 2005 and more recently in 2010 showed that the Association continues to struggle to convince members that the Association provides sufficient value for the money invested in dues. Research has also indicated that many members are not aware of Association member benefits and, as a result, an increasing number of members appear less likely to renew their memberships in

relevance to members is proving much more challenging for both the Association and its Sections.

New attorneys do not maintain their membership in as large numbers as more established attorneys, and this is negatively impacting Association's membership. The Association's market share among attorneys in New York State was 39% in 2000 and 37% in 2006; in 2010, it has decreased to 34%. New attorneys face even greater competition for jobs than in the past, with the lagging economy and an increasing number of attorneys delaying retirement into later years, reducing current employment opportunities. In addition, new attorneys frequently move in their early years as attorneys, and often neglect to inform the Association of their new addresses, making retention an even greater challenge. Telemarketing conducted by the Association during the annual renewal campaigns is an invaluable tool in identifying these "lost" members and finding new addresses for such members, but it is a significant annual expense. New attorneys also desire services and communications to be delivered using more modern technologies, such as phone apps and web-based service, some of which the Association has not yet adopted or is not yet using to their full potential.

The Association has encountered problems with a lack of visibility on law school campuses and lack of access to law students. Few law school faculty members or deans are Association members, and this lack of exposure to the Association has negatively impacted law student membership. Large law firms, primarily in New York City, increasingly do not appear to recognize the value of Association membership, and fewer big law associates have maintained their memberships. Membership among government

and reporting abilities. For example, most membership data is not archived, which prevents the Association from making certain historic comparisons. The current database cannot generate reports comparing membership in a given category over time; for example, it cannot produce a report comparing the number of female attorney members in 1990, 2000 and 2010. The system also cannot analyze membership retention levels over the years. Determining how many law student members retained their memberships into their attorney years also is not possible. The inability to generate prior year membership “snapshots” makes it difficult to determine progress over a given period of time. It also is very labor intensive to accurately determine costs versus revenues on many membership campaigns. Finally, in connection with the vast number of membership recruitment projects conducted for the Association and individual Sections, it is also difficult to track ongoing retention, as well as activities of any new members. For example, for minority attorneys who joined a Section in response to a membership initiative – Did they get involved? Join a committee? Did they retain their memberships in future years? Section leaders frequently seek such greater “intelligence” to enable them to gauge effectiveness of their membership efforts, and become frustrated when such evaluation tools are unavailable from the current system.

OPPORTUNITIES AND POTENTIALS

As the oldest and largest voluntary state bar in the nation, the Association is uniquely positioned to face new challenges. With a remarkable breadth and depth of expertise within its worldwide membership, a highly dedicated leadership and a staff of 115, the Association has key resources to leverage for future success. Its wide-ranging resources are unique and in many ways unsurpassed in the bar community. In its 135

program is now used by 2,400 members. Second, a “Law Office Summary Invoice” was developed in response to law firms asking for one bill for all their attorney members. Over 9,000 members’ invoices now are included in the law office summary invoice process. Finally, staff has worked with the Office of Court Administration to develop a billing process for judges that allows OCA to directly pay judges’ Association dues. This process now covers approximately 90 judges.

These new billing initiatives have been responsive to the needs of certain segments of Association members. For the future, it may also be worth considering other alternative dues approaches, such as discounts for early renewal payments, discounts for law firm billings, multiple-year dues discounts, and alternative dues structures that offer a choice of services for varying dues amounts.

The growing number of attorneys from countries outside the United States may present an opportunity to restructure services for attorneys who need informational, web-based resources. The discouraging job market could increase the interest of New York law schools in collaborating with the Association to obtain resume-building and networking opportunities to enhance their employability. To reduce the Association’s current dependency upon membership dues for 50% of its operating revenues, it may be worth considering new revenue sources, such as through a new, for-profit affiliation (e.g., “Association Services Corp.”), which could pursue non-dues revenue sources for the Association.

Section 2: Finances

CURRENT STATUS

The Association's financial condition is sound and stable. Based on audited financial statements for 2005-2009, annual revenues have averaged \$23.5 million (ranging from \$21.8 million in 2005 to \$24.9 million in 2008 [2009 revenues were \$23.6 million]). The audited financial statement for 2009 shows assets of \$32.1 million, liabilities of \$16.5 million and total net assets of \$15.6 million. Between 2005 and 2009, investments averaged \$27.6 million (ranging from \$24 million in 2005 to \$31.2 million in 2007 [and were \$27.7 million as of December 31, 2009]).

For 2011, the budget is balanced and total revenue is budgeted at slightly less than \$24.2 million. As of December 31, 2010, total assets were \$34.8 million, liabilities were \$17.4 million, and total net assets were \$17.4 million. Combined cash and investments, at market value, were \$29.1 million as of December 31. Reserves total approximately \$12.5 million. Included in Appendix 2-A is a summary of the financial statements for the years ending December 31, 2005 through 2010.

Membership dues and CLE revenues are budgeted to provide slightly less than 70% of total revenues for 2010 (dues are about 45% and CLE about 25% of total revenues). Actual results for 2005 -2009 are consistent with these figures. In recognition of the importance of membership dues and CLE revenues, the Finance Committee monitors these revenues closely and recognizes the challenges we face in maintaining or growing these revenues.

The Association does have certain long term liabilities that must be taken into account in planning. As of December 31, 2010, long term liabilities totaled

and the worksheet is attached in Appendix 2-C. Staff liaisons then review committee budgets and department budgets with the Associate Executive Director and the Executive Director then reviews all budgets with the Associate Executive Director and Director of Finance.

The Section budget process is somewhat different. Section budgets are determined primarily by the Sections, and certain Section budgets and costs (direct and indirect) can be an issue as described below. Each Section chair is asked to prepare a detailed budget for each program that it will hold during the year. These programs should be self sustaining – registration fees should cover the entire cost of the program. Additionally, each Section should provide budget detail for other budgeted items as well. The Section worksheet is included in Appendix 2-C as well. Section budgets should then be approved by the Section Executive Committee and submitted for approval of the Finance Committee in October.

Sections with large membership often have more flexibility and are able to budget expensive executive committee meetings and retreats while still providing a balanced budget. These Sections also tend to have large accumulated surpluses since dues are received from a large number of members. Some accumulated surpluses are in the \$250,000 to \$300,000 range (Appendix 2-D). Additionally, Sections are charged only for direct costs, also contributing to large surpluses. Staff liaison time and travel expenses are charged to Association departments rather than being allocated based on time spent on Section and committee business. For instance, the Section is not allocated expense for the time that a Meetings Department employee spends planning and staffing

be renewed for a substantially less guaranteed amount; the revenue budget for this item was dropped from \$425,000 in 2010 to \$287,000 in 2011. Income from other royalty contracts has been flat or somewhat reduced over the past few years. Advertising revenue from the Bar Journal and State Bar News has consistently been in the \$350,000 to \$375,000 range over the past five years. Interest and dividend income has declined substantially since 2007 as prevailing interest rates have remained at less than 1% and corporations have cut back on dividend payments during the recession. Annual meeting attendance has remained flat or declined over the past few years although increases in registration and CLE fees have provided small increases over the last three years. Revenue from the lawyer referrals has been in the \$75,000 range over the last five years as well.

WEAKNESSES, PROBLEMS, BARRIERS OR THREATS

The Association has significant long term liabilities as discussed above, and there is uncertainty in the general economic outlook and in revenue streams over the next five years. In particular, there is heavy competition for membership dues and CLE revenues. A downturn in membership or CLE revenues would threaten the financial health of the Association.

Budgeting has been historically-based, rather than priority-based; and the Executive Committee has not been meaningfully involved in the budgeting process although it has exercised general oversight. There are Section versus Association issues over budgeting and finances. And accounting methodology and cost allocation issues may mask financial reality as described above.

be developed and whether (and, if so, how) costs should be allocated to non-revenue generating activities. Long term liabilities for retirement and post-retirement plans are being and will continue to be reviewed along with other expenses, including compensation and benefits. Issues between the Sections and the Association will have to be managed, and costs will have to be allocated fairly and appropriately with respect to Sections whose programs and activities burden the resources of the Association. We will have to manage our financial resources prudently while, at the same time, providing value and a satisfying volunteer experience to our members, attracting and retaining high quality staff, and investing in the future of the Association, including significant investments in technology and membership (including retaining and attracting members, and including foreign members).

Section 3: Technology

This Section of the report will cover the following technology issues:

- A. The Association's website has strategic issues and concerns that need to be considered;
- B. Communications to and among members for Association business, including House, Section and Committee use of technology, such as email, social media, blogs, web conferencing and video conferencing;
- C. Issues of concern as the Association transitions from print to digital publications;
- D. Due to the fact that issues related to technology are of significant importance to many varied initiatives and Departments of the Association, the Subcommittee has also addressed the issue of the potential benefits of having a Chief Technology Officer.

A. The Association Web Site, Including Mobile Computing

CURRENT STATUS

The Association website is the electronic face of the organization. As it stands, the website offers a tremendous amount of content and user-profile specificity, but could be more user friendly. For instance, the format of different Sections' pages are inconsistent making navigation between different Sections' pages confusing and needlessly difficult. More importantly, the website is not designed to immediately focus the user's attention to the Association's most popular services. In addition, although the

usable, capturing user profile data, and offering products in a paperless form, and also for sale. They may also involve examining analytical figures regarding website usage, and aspiring to specific statistical goals.

Moving forward, funding and staff resources will be key to shaping and maintaining the Association's image and the way it meets the demands of its membership. Because the website is the easiest and most popular way for the Association's membership – potential and actual – to obtain information about the organization, it should be a priority to the Association and this priority should be reflected in the budget. The Association's success in this regard may be monitored concretely through analysis of the number of visits to the site over time, and related information about its usage. A related strategic issue will be striking the proper balance between ease of access to the website versus security concerns. The Association's Electronic Communications Committee has recommended retention of a website usability consultant to assist. See **Appendix "3B"**.

Furthermore, the Association will need to make sure it keeps abreast of its membership's demographics and preferences with respect to content and services. The Association needs to make sure it stays in touch with its membership's expectations so that it can meet them. This will not merely maintain the Association's relevance in the legal field, but also will enable the Association to evaluate various potential marketing opportunities. Lastly, because technology evolves so rapidly it will be essential to remain attentive to new developments and trends in technology and the Internet and to make the appropriate adjustments.

In the future, the Association will need to focus on providing on-demand video and audio content for its membership through the Association website. This will make the Association a primary provider of useful programming and enhance the Association's relevance in the legal profession. A library of CLE programs, for example, will enable users to view and even rate programs of interest. This sort of service could add significant value to Association membership at relatively low cost to the Association.

Applications for popular media devices like the iPhone and BlackBerry will enhance the Association's caché and relevance. These applications may be limited, but their availability will enable members to access information on the go and enhance the Association's presence in its membership's daily lives.

Because the Association expects a decrease in demand of certain printed products, it should focus on enhancing its capacity to offer e-books and e-publications, available for download from the Association website. In addition, the Association should consider making electronic media available for viewing on electronic readers such as the Amazon Kindle, Apple's iPad (which has a Kindle application), or a future equivalent. This provides a paperless way for members to bring their own materials to CLE programs on their mobile computers. Kindles and iPads are already being used by some attendees at Section, Committee and House meetings and efforts should be made to facilitate the use of Association materials in such formats.

Importantly, the Association needs to focus on re-designing its website, enhancing its search capabilities, and capturing user profile data to facilitate personalized webpage views and targeted emails from the Association. The Association has already made great strides in all three of these areas, and these should continue to be priorities. With respect

President” with more than 400 “friends” that follow his entries. The Association and its Sections and Committees use a variety of internal blogs and listserves to conduct Association business. A blog is like an electronic bulletin board where postings can be made and read by all members of a group. A listserve is an email list where every entry sent in email form is sent to every member of a group. There are currently 37 active Association blogs, see (www.nysba.org/blogs) and 254 email listserves used mostly by Sections and Committees of the Association. (See www.nysba.org/source/eforum/index.cfm). Access to these sources of information can be obtained via the Association website. Our analytical studies show member usage varying from about 4,000 users to 10,000 users per month.

The Association has also implemented an email and newsletter management system that delivers targeted information to all members of the Association with the email, or information targeted directly to various Section or Committee members. The Association sends out approximately one million emails a month to Association members regarding Association business, and has the ability to provide mobile friendly versions of regular emails and electronic newsletters as appropriate. Although video conferencing, webcasting, and webinars have been used by the CLE Department for a variety of substantive presentations, this technology is not currently used by the Association for communications regarding Association business by Sections and Committees. Currently the Association does not have internal video conferencing abilities, but rather contracts with a third party to conduct video conferencing for specific CLE programs.

as well as the additional advantage of encouraging use by Section and Committees without having to incur additional costs.

ASSUMPTIONS AND FORECASTS

The Association and its members are increasingly using technology to conduct Association business. There is an increase in use of social media and mobile devices by Association members and it is expected that the rapid increase in the use of social media and mobile devices will continue. It is also expected that Association members will require the increased ability to exchange information with respect to Association business via mobile devices as well as on computers. The integration and use of technology to connect members of Sections and Committees easily will increase the ability of Association members to be involved and provide increased value to members. As social media and other technologies become more prevalent, the Association will need to standardize, to the extent possible, use for Association business. The Association should consider measures to encourage the Association to progress with electronic exchange of information, to encourage and facilitate staff understanding of technology, and to develop best practices documents to provide to new leaders of Sections and committees that may be at different levels of technological sophistication. It is expected that in upcoming years that the use of video conferencing will increase among Association members and the failure of the Association to easily conduct and facilitate video conferencing by and between members will put the Association behind the technological curve. It is expected that the level of adoption of technology by members will remain different among members. The Association needs to remain ahead of the curve so that a technology

Executive Director, from Roger Buchanan, Senior Director overseeing the print shop and graphics department, which describes in considerable detail Association's obligations for the print shop. See Appendix "3D".

STRATEGIC ISSUES

The process of conversion requires a consistent emphasis over several years, spanning several presidencies and changes in the membership of the Executive Committee and House of Delegates. Simultaneously, rapid changes make it difficult to keep pace with the growth of technology and the increasing cost of both hardware and software is a substantial barrier. It is likely that the complete transition from print format to digital will not occur within the time frame of this strategic planning effort.

At the present time, it is impossible to select a single format compatible with all e-Reader hardware (Kindle, Nook, Sony, Blackberry, Android, etc.). We must continue closely to monitor progress in the area, working towards a goal that some day all of our products will be available to those who no longer want the print format. Until now, the availability of digital publications has not been marketed particularly well. We currently have more digital publications than many members are aware of and we need to increase member awareness. Although assuring that the Association's digital publications remain "platform independent" is an important objective, there is no assurance that rapidly advancing technology will allow us to achieve this goal.

A serious drawback to electronic transmission of many materials is the lack of identification with these products as a member benefit. Identification with the Association tends to blur when Section newsletters and publications such as *The State*

D. The Association's Need for a Chief Technology Officer

CURRENT STATUS

The Association currently has two senior directors responsible for departments that have substantial use of technology, Doug Guevara, Senior Director for Continuing Legal Education, and Richard Martin, Senior Director for Marketing and Information Services. The Association also has John Nicoletta as Director of Management Information Services and Barbara Beauchamp, Editor of the website, as well as a network support specialist, database administrator, data systems and telecommunications manager, and records supervisor. The Association has an Electronic Communications Committee, which provides guidance to the Association about the use of electronic communications by and between the Association, and its Sections, committees and members. Currently the Association is increasingly relying on technology to deliver information services to members. It is estimated that the Association sends approximately one million emails per month to members.

ANALYSIS AND STRATEGIC ISSUES

The acceptance and use of new technology is sometimes slow and can be inconsistent within the Association. There is no single person such as a Chief Technology Officer (CTO) looking at overall technology strategies for the Association. A CTO will often work closely with senior management throughout an organization for the purposes of developing and upgrading technology for the benefit of the organization, keeping a close eye on changing technological trends and maximizing the web presence of an organization. A CTO is responsible for monitoring changing technological trends

Section 4: Programming and Services

CURRENT STATUS

1. Formal CLE

Association provides a considerable amount of formal CLE. During 2009, there were 319 live classroom-format programs offered in New York state, and 7 offered outside New York state. In addition, there were 3 teleconferences, 2, videoconferences, 5 webconferences, and 18 video replays. Finally, 155 online programs, 443 audio programs and 62 video programs were also available for purchase. The majority of the CLE programming originates with the Sections, who continue to develop programming in their respective practice areas for co-sponsorship with the CLE department. However, some Sections do not co-sponsor programs with the CLE department. Additionally, staff members of the CLE department and members of the CLE committee have subject matter responsibilities, and may develop or encourage programs.

There are two accredited CLE providers within the Association. The Meetings Department is the provider for the Annual Meeting, stand-alone Section meetings and CLE programs presented as an addition to regularly scheduled Committee meetings. The CLE Department is the provider for all other CLE. The fees collected for programs sponsored by the Meetings Department are treated differently from fees collected for programs sponsored by the CLE Department. Fees collected for CLE at stand alone Section meetings are returned, after expenses, to the Sections. Fees collected for CLE accredited by the CLE department, after expenses, are returned to the Association to cover general costs (which include some Section and Committee costs), and are not shared with the Sections, even where the Sections provide the subject matter, the written

and rely on commercial providers of daily (or more frequent) updates of federal, state, local and foreign developments that also provide high quality analysis within days or weeks of the developments. Finally, the Association provides LoisLaw to all its members, though it is not valued as highly as other electronic information. It is clear that different members in different demographic or subject matter categories value different delivery methods and styles.

3. Advocacy

There are several categories of advocacy that occur within the Association. First, there are the broad issues that the Association has taken a policy position on. This category includes the Association's annual legislative priorities, managed directly by the Association leadership. In 2002 the House of Delegates established policy that a few issues should be the focal point of the Association's advocacy efforts each year. The short list of priorities is established after consideration of several factors, including the economic climate, the political environment, the likelihood of success, and the goals of the President and President-Elect. The "priority category" was established so that the Association leadership would marshal members, staff and resources to efficiently and effectively deliver a well-defined message to policymakers. In addition to its state legislative priority program, in 2009 the Association expanded its advocacy program at the federal level by creating the standing Committee on Federal Legislative Priorities to enhance Association's relationship with New York's Congressional Delegation and to assist each year in development of a list of federal legislative priorities to be the focus of advocacy activity by Association leaders in Washington, D. C.

STRENGTHS, RESOURCES AND CAPABILITIES

The CLE programming has many strengths. The participants view the quality as high, and there is no shortage of member experts who are willing to provide their knowledge and skill to others as faculty members of the programs. The CLE Department has the ability to produce CLE in virtually any manner from live programming and webcasts/webinars, to self-pace audio and video programs offered in a variety of media. The Association has accumulated a large data base of members and non-members to whom advertisements of programs is directed, though there is much more that can be done here. We have a new, energetic and innovative CLE director who is willing to work with all of the stakeholders in order to produce the best CLE possible.

The Sections and other Association entities continue to produce high quality publications. Many listserves are vibrant and extremely active and are valued considerably by their participants.

Advocacy is successful. The Association continues to have success in all three areas of advocacy: The 2009-2010 legislative season produced a number of successes including a number of the Association's legislative priorities. Some entities within the Association are incredibly well-respected on a state and national level, resulting in ability to influence change as a neutral expert.

Almost all of the programming is produced by volunteer members. Whether it is the chance to do something beyond one's normal practice or the chance to increase one's visibility in the community that motivates members to donate hundreds of hours, the Association is greatly benefitted by this contribution.

2. Advocacy

Developing and maintaining a successful legislative advocacy program is a challenging task for many Sections and committees. This may be due to a number of factors including the, frequent rotation of leaders and members in and out of office. The cyclical nature of the legislative branch of government poses a significant challenge for Association entities and their volunteer leaders. The "cycle"-- or schedule --by which legislative bodies operate often differs from the schedules and agendas of Sections and committees, thereby hindering timely participation in the legislative process. Also, the political environment of government may drive the legislative process and impact development of public policy, regardless the merits of a particular argument. Steady, efficient, and effective advocacy of the Association's programs and priorities requires direct and consistent management and commitment by the Association's officers and Section and committee officers, and not all Sections and Committees who might benefit from advocacy have made this commitment.. As a result, advocacy by Sections and Committees is driven by the leaders of those entities and there may be "holes" in our advocacy on technical issues due to the inactivity by some Sections and Committees.

The Association does not have a Political Action Committee (PAC). In the intensely competitive and partisan political environment of modern legislative bodies, many advocacy organizations do use PACs. The Association has on two previous occasions considered establishing a PAC. Most recently, in 2002, the House of Delegates concluded that a PAC was not necessary and that Association's legislative advocacy activity could be enhanced by other means.

of the Association or even the New York bar. In order to do so, some effort and resources are necessary in order to expand the non-member database. With respect to programming on national and international topics, efforts should be made to market on a national level.

Mobility means that lawyers are constantly changing their professional organizations— in and out of firms, government, in-house practice, accounting firms, etc. The Association should be a place these lawyers turn to for assistance in transition.

Technology presents a huge opportunity. By digitizing CLE programming and publications, it can become readily available for future redissemination. The strategic use of webcasts and webinars allow access to quality speakers, including limited discussion and Q & A, without the expense of a live panel program. Studio production, currently used in the webcasts and webinars, could replace more of our live programming. In short, technology could assist cutting expenses without significant loss of revenue and it could provide access to programming to those who prefer to pay a lower access fee than a live program might require. This can be overstated, however. For example, even in New York City it is possible to provide a full afternoon of live programming, together with a reception afterwards, at a neutral venue at a profit at a cost of between \$100 and \$150 per person. Cost savings due to technology must be tempered with other considerations.

At the same time, one of the skills to be imparted by CLE is the opportunity to learn to present in front of a live audience and participate in a give and take among other practitioners. Presentations need not be lecture and can be in round table or participatory format. Further functions of the live programming that cannot be replicated with

that it allows ultimate flexibility to members to pay only for what they choose to use, it might be appropriate to reevaluate the business model so that membership includes a certain amount of free or discounted programming to be offered in a variety of ways. It may be that by the provision of some free programming, revenues will increase through dues or other revenue producing measures. In any event, the Association must strive to understand and meet member expectations.

Advertising and sponsorships would enhance revenue, and most bar associations and similar organizations have turned to these sources. However, they must be evaluated carefully and with a set policy. Organizations have seen disasters ensue from poor sponsorship choices. Any new business model should be cognizant of Association image, from both a positive and negative viewpoint.

3. Awareness and Communication:

Methods of communication must be reevaluated from the standpoint of cost and effectiveness. Large volumes of electronic communication, designed to inform the membership of news and opportunities may have a significantly adverse effect, if members are so inundated that they delete or screen out all e-mail. Paper communication is costly and may end up in a pile, discovered after any effective date. Getting information to members and to non-members is a challenge, and we must explore a variety of alternatives.

electronic delivery for speed and efficiency. Our younger members already expect electronic delivery.

4. Innovation in communications will be required.

We need to intelligently address the respective advantages and disadvantages of electronic and paper communication, in the various contexts. The former is easily ignored, but inexpensive and speedy. The latter is expensive and can be wasteful, particularly where the recipient group is not properly targeted. Any dichotomy of preference with respect to age appears to be shrinking. Almost everyone prefers electronic delivery for speed of delivery; however, it does shift the cost and time of printing to the end-user. Hard copies of materials, particularly technical material for a seminar, are currently the choice of participants, and electronic delivery may simply be a cost-shifting of printing. It is likely, however, with the advent of Kindles, I-Pads and other electronic readers, that member expectations and preferences may change.

5. Pressure on member's ability to contribute time and expertise for programs.

We are extremely fortunate to have experienced, talented volunteers for all aspects of our programming. While there is no immediate indication that this will change, future economic pressures may limit the availability of the most experienced and knowledgeable members.

6. Advocacy will continue to be an important program of the Association.

Advocacy often sets us apart from other entities which provide CLE, publications and other member services. Advocacy has to be communicated to members as a value of membership. Advocacy on technical issues and on issues which benefit the profession

Appendix 1-A

NYSBA Membership Profile Report

Total Members: 77,736

	Count	Percent	Valid Percent	Count	Percent	Valid Percent
A) Gender						
F	25,562	33%	35%	8,627	11%	23%
M	47,992	62%	65%	11,985	15%	32%
X (no data)	4,182	5%	100%	79	0%	0%
	77,736	100%		1,710	2%	5%
				1,237	2%	3%
B) Practice Setting				40,328	52%	100%
Government	982	1%	2%	77,736	100%	
Government - Federal	374	0%	1%			1%
Government - Local	604	1%	1%	388	0%	1%
Government - State	634	1%	1%	25,806	33%	34%
In-House Counsel	4,316	6%	9%	14,766	19%	19%
Judiciary	834	1%	2%	13,770	18%	18%
Law School - Faculty	328	0%	1%	13,184	17%	17%
Law School - Student	2,246	3%	5%	7,942	10%	10%
Legal Services	863	1%	2%	1,880	2%	2%
Non-Law Related	999	1%	2%	77,736	100%	100%
Non-Profit	526	1%	1%			5%
Other	1,728	2%	4%	1,587	2%	3%
Part-Time Attorney	680	1%	1%	1,068	1%	1%
Private Practice	31,017	40%	64%	420	1%	2%
Public Interest	293	0%	1%	790	1%	1%
Retired	1,072	1%	2%	169	0%	0%
Trade/Professional Association	105	0%	0%	89	0%	0%
Unemployed	1,067	1%	2%	449	1%	1%
X (no data)	29,068	37%	100%	29,180	38%	86%
	77,736	100%		43,984	57%	100%
C) Office Size				77,736	100%	
01 (Solo)	12,478	16%	27%			4%
02-05	10,250	13%	22%	1,276	2%	4%
06-09	3,179	4%	7%	14,489	19%	43%
10-19	3,820	5%	8%	17,156	22%	51%
20-49	4,501	6%	10%	806	1%	2%
50-99	2,522	3%	6%	44,009	57%	100%
100+	9,040	12%	20%	77,736	100%	
X (no data)	31,946	41%	100%			0%
	77,736	100%		20,715	27%	28%
D) Position				5,443	7%	7%
Academic	377	0%	1%	3,977	5%	5%
Administrative Law Judge/Hearing Officer	169	0%	0%	9,370	12%	13%
Associate	7,891	10%	21%	5,928	8%	8%
Court Personnel	246	0%	1%	29,022	37%	39%
Judge	464	1%	1%	3,280	4%	4%
Managing Partner	3,355	4%	9%	77,736	100%	100%
Of Counsel	1,268	2%	3%			
E) Age						
24 and Under						
25 to 35						
36 to 45						
46 to 55						
56 to 65						
66 and Over						
X (no data)						
F) Race/Ethnic Group						
Asian/Pacific Islander						
Black/African American						
Decline to Answer						
Hispanic						
Multiple Race/Ethnic Group						
Native American						
Other						
White/Caucasian						
X (no data)						
G) Who Paid For Membership Dues						
Collectively by Firm and Member						
Fully by Firm, School or Organization						
Member						
No Dues Paid						
X (no data)						
H) Number of Years Admitted to Bar						
0 (Less than 1)						
1 to 3						
4 to 5						
6 to 7						
8 to 14						
15 to 19						
20+						
X (no data)						

1/11/2011

	<u>Count</u>	<u>Percent</u>	<u>Valid Percent</u>		<u>Count</u>	<u>Percent</u>	<u>Valid Percent</u>
I) Disability				Leases And Leasing	1,322	2%	
NO	23,743	31%	79%	Libel	409	1%	
NO,NR	2	0%	0%	Litigation - General Civil	10,240	13%	
NR	5,624	7%	19%	Medical Malpractice	1,557	2%	
X (no data)	47,779	61%		Municipal Law	2,311	3%	
YES	588	1%	2%	Personal or Property Injury	6,307	8%	
	77,736	100%	100%	Product Liability	2,658	3%	
J) Sexual Orientation				Professional Liability	583	1%	
Decline to Answer	1,586	2%	9%	Public Contract	591	1%	
Heterosexual	15,221	20%	88%	Public Utility	483	1%	
Lesbian/Gay/Bisexual/Transgender	434	1%	3%	Real Property Law	12,261	16%	
X (no data)	60,495	78%		Social Security Law	361	0%	
	77,736	100%	100%	Tax - Corporate Business	3,428	4%	
K) Areas of Concentration				Tax - Personal	2,721	4%	
Administrative Law	2,493	3%		Transportation	454	1%	
Agriculture	149	0%		Trust and Estates Law	9,220	12%	
Antitrust and Trade	1,234	2%		Workers Compensation	1,234	2%	
Appellate Law	2,667	3%		Zoning, Planning And Land Use	1,555	2%	
Arbitration/Mediation	2,706	3%		Zz (no data)	6	0%	
Banking	2,615	3%			158,112	203%	100%
Bankruptcy/Insolvency	2,747	4%					
Business Law	8,953	12%					
Civil Rights	1,539	2%					
Commercial Litigation	6,464	8%					
Communication	453	1%					
Computer Law	631	1%					
Construction	2,065	3%					
Contracts	3,769	5%					
Corporate Law	9,861	13%					
Criminal Law	4,623	6%					
Elder Law	3,979	5%					
Employee Benefits	1,536	2%					
Entertainment, Arts and Sports	1,948	3%					
Environmental Law	1,917	2%					
Family Law	5,472	7%					
Finance and Securities	3,762	5%					
Food, Drug & Cosmetics	501	1%					
Franchise Law	133	0%					
General Practice	6,953	9%					
Government	1,068	1%					
Health Law	2,003	3%					
Immigration Law	1,536	2%					
Insurance	4,546	6%					
Intellectual Property and Copyrights	4,391	6%					
International Law	2,593	3%					
Labor and Employment Law	4,677	6%					
Law Office Economics and Management	427	1%					

Appendix 1-B



NYS Unified Court System
Office of Court Administration
Attorney Registration Unit

Location of Registered NY Attorneys as of the end of Calendar Year 2010

Attorneys by County of Business
(If no business address, county of residence)

County	Total	County	Total	County	Total
Albany	4,539	Herkimer	73	Richmond	1,356
Allegany	51	Jefferson	170	Rockland	1,512
Bronx	2,624	Kings	8,313	St. Lawrence	133
Broome	589	Lewis	22	Saratoga	655
Cattaraugus	121	Livingston	97	Schenectady	484
Cayuga	115	Madison	105	Schoharie	62
Chautauqua	248	Monroe	3,394	Schuyler	19
Chemung	191	Montgomery	92	Seneca	44
Chenango	68	Nassau	13,825	Steuben	174
Clinton	135	New York	83,333	Suffolk	7,154
Columbia	234	Niagara	375	Sullivan	211
Cortland	80	Oneida	589	Tioga	52
Delaware	94	Onondaga	2,470	Tompkins	404
Dutchess	1,039	Ontario	246	Ulster	518
Erie	5,020	Orange	1,066	Warren	274
Essex	91	Orleans	25	Washington	79
Franklin	89	Oswego	125	Wayne	101
Fulton	73	Otsego	127	Westchester	10,691
Genesee	98	Putnam	359	Wyoming	55
Greene	127	Queens	6,074	Yates	28
Hamilton	14	Rensselaer	505		

Sub-Total by County 161,031

County	Total	County	Total		
Out of USA	18,186	Out-of-State	83,679		

Grand Total by County 262,896

Attorneys within NYS by Judicial Department of Business
(If no business address, county of residence)

Department	Total	Department	Total	Department	Total	Department	Total
1st	85,957	2nd	51,389	3rd	10,044	4th	13,641

Total by Department 161,031

NYSBA Database By County

1/11/2011

	Members	Students	Non Members	Total Records
Albany	2,045	433	2,102	4,580
Allegany	21	1	30	52
Bronx	613	45	1,934	2,592
Broome	326	7	259	592
Cattaraugus	56	5	60	121
Cayuga	66	0	60	126
Chautauqua	125	2	128	255
Chemung	96	1	89	186
Chenango	36	3	34	73
Clinton	77	6	57	140
Columbia	129	7	145	281
Cortland	42	1	38	81
Delaware	48	0	41	89
Dutchess	499	26	557	1,082
Erie	2,153	70	2,825	5,048
Essex	48	1	43	92
Franklin	47	4	36	87
Fulton	41	5	35	81
Genesee	49	5	50	104
Greene	55	15	69	139
Hamilton	5	1	8	14
Herkimer	37	4	37	78
Jefferson	97	2	78	177
Kings	2,511	334	6,754	9,599
Lewis	12	1	9	22
Livingston	46	3	52	101
Madison	69	3	48	120
Missing County	4	1	26	31
Monroe	1,378	44	1,994	3,416
Montgomery	43	5	53	101
Nassau	5,278	277	9,352	14,907
New York	23,259	574	51,488	75,321
Niagara	135	7	263	405
Oneida	294	9	279	582
Onondaga	1,247	48	1,173	2,468
Ontario	109	4	143	256
Orange	535	21	552	1,108
Orleans	15	1	12	28
Oswego	60	3	70	133
Otsego	76	0	54	130
Out of State	20,680	640	83,601	104,921
Putnam	180	11	237	428
Queens	1,986	245	4,736	6,967
Rensselaer	238	59	328	625
Richmond	538	43	978	1,559
Rockland	627	26	1,035	1,688
Saint Lawrence	79	2	49	130

	Members	Students	Non Members	Total Records
Saratoga	403	53	391	847
Schenectady	296	39	317	652
Schoharie	33	2	31	66
Schuyler	12	1	12	25
Seneca	22	1	21	44
Steuben	106	2	75	183
Suffolk	2,357	116	5,173	7,646
Sullivan	96	5	122	223
Tioga	20	0	27	47
Tompkins	174	16	234	424
Ulster	261	15	277	553
Warren	167	1	115	283
Washington	29	5	50	84
Wayne	50	1	72	123
Westchester	4,114	182	7,351	11,647
Wvoming	31	2	22	55
Yates	9	0	15	24
	<u>74,290</u>	<u>3,446</u>	<u>186,306</u>	<u>264,042</u>

NYSBA Database By Judicial District

1/11/2011

	<u>Members</u>	<u>Students</u>	<u>Non Members</u>	<u>Total Records</u>
First Judicial District	23,248	572	48,277	72,097
Second Judicial District	2,505	332	6,920	9,757
Third Judicial District	2,870	578	2,909	6,357
Fourth Judicial District	1,235	101	1,060	2,396
Fifth Judicial District	1,746	67	1,591	3,404
Sixth Judicial District	898	31	776	1,705
Seventh Judicial District	1,788	52	2,361	4,201
Eighth Judicial District	2,587	92	3,269	5,948
Ninth Judicial District	5,950	258	8,855	15,063
Tenth Judicial District	7,635	392	13,809	21,836
Eleventh Judicial District	1,982	242	4,430	6,654
Twelfth Judicial District	614	45	1,828	2,487
Thirteenth Judicial District	537	43	3	583
Out of State	20,693	641	84,478	105,812
Missing Judicial District	2	0	5,740	5,742
	<u>74,290</u>	<u>3,446</u>	<u>186,306</u>	<u>264,042</u>

Appendix 1-C

Executive Summary

This report contains a detailed statistical analysis of the results to the survey titled 2010 Survey of Newly Admitted Attorneys . The results analysis includes answers from all respondents who took the survey in the 15 day period from Monday, October 18, 2010 to Monday, November 01, 2010. 1024 completed responses were received to the survey during this time.

Methodology: An initial invitation to participate in the attorney was e-mailed to a representative population (16,000) of newly admitted attorneys on October 18, 2010 with a follow-up email on October 27. The Target Audience consisted of two groups: 8,200 NYSBA Members admitted less than five years (randomly selected) + 7,800 former members or non-members who were admitted less than five years. An incentive of a drawing for one Apple iPod is being offered to boost the response rate. A quantity of 600 responses or greater gives the data a high level of statistical validity.

This report is for New York State Bar Association purposes only.
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Responses Received: 1024

1) Please indicate below your current New York State Bar Association (NYSBA) status.

Response	Count	Percent
Member	801	78.5%
Non-member	138	13.5%
Don't Know	81	7.9%

2) Which of the following best describes your current employment?

Response	Count	Percent
Working within the field of law	823	80.7%
Working outside the field of law	75	7.4%
Unemployed	122	12.0%

3) Have you participated in any of the NYSBA's Continuing Legal Education programs (live or online)?

Response	Count	Percent
Yes	458	45.1%
No	509	50.1%
Don't Know	48	4.7%

4) Have you purchased any of the NYSBA's reference books or forms products?

Response	Count	Percent
Yes	145	14.2%
No	852	83.4%
Don't Know	24	2.4%

5) At your workplace, is participation in the NYSBA:

Response	Count	Percent
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Encouraged	203	19.9%
Discouraged	11	1.1%
Neither encouraged or discouraged	615	60.4%
Don't Know / N/A	190	18.6%

6) Which of the following best describes your work setting?

Response	Count	Percent
Government	93	9.2%
In-house counsel	90	8.9%
Judiciary	15	1.5%
Law school administration	6	0.6%
Non-law related	24	2.4%
Non-profit	55	5.4%
Part-time attorney	34	3.4%
Private Practice	503	49.6%
Trade/professional association	6	0.6%
Unemployed	103	10.2%
Don't Know	0	0.0%
Other (please specify)	85	8.4%

Other Responses:

law firm
Sole Practitioner
contract attorney (temp)
real estate management
Troublemaker
Law Firm
private firm representing school districts
Research
Temporary Document Review
public accounting firm
I am a solo practitioner
Contractor
Contract Document Reviewer
Firm

Paralegal
started my own practice or STARVE
Unemployed
Work for temp agencies placing me at various firms for document review.
Private Public Interest
Construction Company Insurance
Contract Attorney
law firm
Public interest law firm
Tax Associate at Accounting Firm
law firm
JAG ATTORNEY
Non-profit but I do not practice
law firm
Contract Attorney
Accounting Firm
contract
Back in school.
Back in school - enrolled in business school
Assigned Counsel
legal publishing
Paralegal - not admitted in the State of Illinois - corporation
Paralegal instructor
Contract attorney
Contract Attorney
Temporary
LL.M. Student
Contract Attorney
Insurance
Academia -LLM
I work for a technology start-up company
Legal recruiting
Contract Attorney
Document review on a contractual basis, as well as a nascent solo practice and a lot of volunteer work
Contract Attorney
Apparel merchandiser
Accounting firm - big 4
United Nations

International Court
Currently an LLM student
volunteer
Corporate Law Firm
Pharmaceutical Quality R&D
Volunteering at the court
Have a fulltime job outside field of law that pays my bills. Practice Law part time.
Accounting Firm
contract management and administration
E-Discovery
Law School Professor
Higher Education, Admissions Counselor for my alma mater, Wells College.
working out-of-state in a law firm
Legal Services - Law School Clinical Setting
consulting
Legal resource company
self-employed, but presently no income
Corporation
Social Security Disability Company
part time, solo
Solo-practitioner
University Associate Professor
A.L.J.
I work in a bicycle shop to pay bills and do pro bono work to improve skills/gain experience
Insurance Company
Government Relations
corporate - legal database maintenance
I do research and controversy work in quasi-judicial settings at a CPA firm
Unpaid Internship at a Non profit because of unemployment
Paralegal
Real Estate Brokerage
Legal Contractor
Solicitor in Ireland
I am a Legal Coordinator to connect between Korean headquarter company's in-house counsels and US subsidiary company's in-house counsels because I studied in both countries' law schools so I understand two legal systems.
Contract Attorney
Document Review
unemployed

Document Review
In house contract attorney
Compliance
Temporary Litigation Support

7) How many years have you been admitted to practice law in New York State?

Response	Count	Percent
Less than 1	300	29.6%
1	192	18.9%
2	250	24.6%
3	144	14.2%
4	107	10.5%
5	22	2.2%
6 or more	0	0.0%

8) How many full-time attorneys are in your office?

Response	Count	Percent
1	130	13.1%
2 to 5	198	19.9%
6 to 9	82	8.2%
10 to 19	110	11.1%
20 to 49	99	9.9%
50 to 99	68	6.8%
100 or more	174	17.5%
Don't Know	134	13.5%

9) Please select the range into which your age falls.

Response	Count	Percent
Under 25	12	1.2%
25 to 35	828	81.6%
36 to 45	122	12.0%

46 to 55	40	3.9%
56 to 65	11	1.1%
Over 65	2	0.2%

10) Please select the category that represents your total personal income as an attorney.

Response	Count	Percent
Less than \$45,000	269	26.9%
at least \$45,000 but less than \$60,000	169	16.9%
at least \$60,000 but less than \$90,000	262	26.2%
at least \$90,000 but less than \$120,000	105	10.5%
at least \$120,000 but less than \$200,000	156	15.6%
\$200,000 or more	39	3.9%

11) Please indicate your gender.

Response	Count	Percent
Male	475	46.6%
Female	544	53.4%

12) How many Bar Association memberships does your office pay for per attorney?

Response	Count	Percent
0 (None)	348	34.7%
1	140	14.0%
2	95	9.5%
3 or more	86	8.6%
Don't Know / N/A	333	33.2%

13) For each of the following activities, please rate the importance of that activity to you personally.

	Extremely Important	Very Important	Neutral	Not Too Important	Not At All Important
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Keeps you up-to-date with changes in the profession and the law	39.9% (405)	44.2% (449)	13.0% (132)	1.9% (19)	1.1% (11)
Provides professional and social networking opportunities	24.7% (251)	43.6% (443)	22.6% (230)	6.6% (67)	2.5% (25)
Provides resources that help in effectively managing your law practice	14.0% (141)	30.1% (304)	32.3% (326)	15.2% (154)	8.4% (85)
Provides you with access to discounts on products and services	15.1% (153)	36.5% (369)	29.6% (299)	13.8% (140)	4.9% (50)
Provides you with access to insurance programs	8.9% (90)	17.9% (181)	32.1% (325)	21.9% (222)	19.2% (195)
Provides you with resources for your CLE	38.6% (391)	42.6% (431)	11.8% (119)	4.5% (46)	2.5% (25)

- 14) Here are some additional services that attorneys may desire from a bar association. For each of the following activities, please rate the importance of that activity to you personally.

	Extremely Important	Very Important	Neutral	Not Too Important	Not At All Important
Actively advocates and lobbies on legal issues that are important to the Association's membership	13.0% (132)	37.1% (377)	35.6% (361)	10.2% (104)	4.0% (41)
Actively undertakes efforts to improve the public's image of attorneys	15.3% (155)	38.2% (388)	33.1% (336)	9.3% (94)	4.2% (43)
Helps you improve your professional skills	37.8% (384)	50.7% (515)	9.6% (97)	1.2% (12)	0.7% (7)
Mentoring	26.7% (270)	39.6% (401)	25.5% (258)	5.8% (59)	2.4% (24)
Offers a Web site that provides members with access to a range of legal resources	36.9% (373)	46.1% (466)	12.8% (129)	3.4% (34)	0.8% (8)
Provides opportunities for involvement relevant to your professional interests	24.0% (243)	53.4% (540)	18.7% (189)	2.8% (28)	1.1% (11)

Provides programs and services to help new attorneys bridge the gap between law school and practice	35.6% (359)	39.0% (394)	17.9% (181)	5.0% (50)	2.5% (25)
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15) How many bar associations do you currently belong to?

Response	Count	Percent
0 (none)	72	7.1%
1	220	21.6%
2	379	37.2%
3	221	21.7%
4 or more	73	7.2%
Don't Know	55	5.4%

16) Please select the one association that you belong to from the list below that is of MOST value to you.

Response	Count	Percent
A local bar association (Other than NYCBA)	223	21.8%
A minority bar association	40	3.9%
A specialty bar association (i.e. Trial Lawyers, Corporate Counsel, etc.)	52	5.1%
A women's bar association	22	2.1%
American Bar Association	117	11.4%
New York City Bar Association (NYCBA)	85	8.3%
New York State Bar Association	314	30.7%
Don't Know	79	7.7%
None of these	105	10.3%
Other (please specify)	62	6.1%

Other Responses:

NYIPLA
AIPLA
NYCLA
American Bankruptcy Institute
Environmental Inn of Court

Boston Bar Association
American Bankruptcy Institute
Wisconsin State Bar Association
Federal Bar Council
Lesbian and Gay Law Association of NY
MA
New York County Lawyers Association
New Jersey Bar Association
NYS Academy of Trial Lawyers
CT Bar Assoc.
ALDF
Central New York Bankruptcy Bar Association
Unsure at the moment
New Jersey Bar Assoc
Inns of Court
NYSACDL
AIPLA
NYCLA
New Jersey State Bar Association
AILA
New jersey bar
New York County Lawyers Association & Queens County Bar Association
New York County Bar Association
I only belong to NYSBA, question seems irrelevant
NYCLA
The Finnish Bar Association (Finland)
Irish Institute of Legal Executives.
Law Society of New South Wales
German Bar Association
New Jersey Bar Assn
New York County Lawyer's Association
Would like to a member to other Bar Associations but it gets expensive.
Law Society of New South Wales
lawasia
Quebec Bar Association
Queens County and Nigeria and IBA
Utah Bar Association
NYCLA
New Jersey State Bar Association
Florida Bar
AILA
DC Bar
National Lawyer's Guild
New York Intellectual Property Law Association
Austrian Bar Association

Nasau County Bar
China
American Immigration Lawyers Association
Federal Bar Council
NYCLA
Several Asian American Bar Associations
New Jersey State Bar Association
AILA
California Bar Association
NYCLA
New Jersey State Bar Association
Massachusetts Bar Association
Oregon State Bar Association
Christian Legal Society
I have not been admitted long enough to answer that question.
Quebec Bar
Entertainment chapter of NYSBA
NYCLA

17) Which of the following best describes the MAIN REASON why you feel the Bar Association selected in the previous question is the most valuable to you?

Response	Count	Percent
Continuing Legal Education programs	301	30.8%
Insurance products	5	0.5%
Lobbying and advocacy for the profession	16	1.6%
Opportunities for networking	163	16.7%
Regional emphasis is most relevant for your practice	56	5.7%
Sections or Committees	60	6.1%
The focus on a specific area of law of interest to you	66	6.8%
Updates and publications	77	7.9%
Don't Know	176	18.0%
Other (please specify)	57	5.8%

Other Responses:

also has CLE programs on relevant issues located in places other than NYC.
it is close to my workplace, and, I have been able to participate in committee work.
The emails with questions and answers. As a newly admitted attorney it is very helpful.
Legal education reform

Pro Bono activities
They are reasonable and not as prohibitive as the NYSBA and HUMBLE vs. Cronies
Relatively new member to each
It is where I practice.
Local Practice
Is mandatory in the jurisdiction in which I practice
Convenience
list serve
It's the only one I've joined.
Free Professional Skill Enhancement Sessions for New Attorneys
discounts on CLEs
Because it's local
Free access to library, Lexis and Westlaw. Huge.
the law library
It was free for first year attorneys and sign-up was during my ethics orientation.
National Presence
mentorship and work sharing opportunities.
Too many benefits to list
The women's bar here has networking and CLEs, but mainly I like that it's kind of warm and homey
Only membership
personal mentoring
Legal Research resources
Good publications and CLEs at a discount along with committees and advice for new lawyers
discounts on products
It is the only one I belong to
Mentoring by experienced attorneys
Mentoring
Assigned counsel Work
Local bar association is mandatory to maintain the license
Access to legal research materials at low or no cost
Library and access to online materials.
I am employed outside of NYS.
Access to free legal resources (Lexis/Westlaw/Library)
It is the only bar association of which I am a member.
Beyond all of the above, which are very imp't, access to the library.
Smaller and more personal
Not applicable
It's my only bar membership
Library resources
Firm has been here for a long time, local bar association is close knit.
Its national so if I move it can still be a resource
More events and opportunities in my hometown, i.e. NYC.
Only association for which I am a member

not applicable
Many free of charge events.
Networking opportunities for job-hunting
only one i currently belong to but updates would be most important
Great support system
The membership is necessary to practice
The only one of which I am a member
Pro bono opportunities and committee work
resources available through the committee on attorneys in transition
PRO BONO VOLUNTEER OPPORTUNITIES WITH FREE CLE
Obligatory
Distribution List for Out-of-State Attorneys
ALSO - the JUORNAL is very useful, I always read it.
Relevance of info for my practising jurisdiction

18) For each of the potential career development services below, please indicate how important each one would be to you as a newly admitted attorney.

	Very important	Important	Neutral	Not important	Not at all important
Career fair with multiple recruiters	32.2% (327)	30.9% (314)	21.1% (214)	10.6% (108)	5.1% (52)
Counseling of recent law school graduates on managing careers	26.3% (265)	38.5% (388)	22.5% (227)	8.9% (90)	3.7% (37)
Networking events with firms in your area(s) of practice	31.9% (321)	45.5% (457)	15.7% (158)	4.5% (45)	2.4% (24)
Online job search specific to New York State	45.5% (460)	30.6% (310)	15.0% (152)	6.1% (62)	2.8% (28)
Opportunities to do pro bono where you can build your legal skills and work under supervision	23.3% (235)	38.9% (393)	25.7% (259)	8.6% (87)	3.5% (35)
Workshops featuring: resume writing, interviewing, etc.	19.4% (195)	35.4% (356)	30.1% (303)	10.5% (106)	4.6% (46)

19) Which communication methods do you prefer to receiving information from bar association(s)? (You may select more than one)

Response	Count	Percent
E-mail	983	96.0%

Facebook	70	6.8%
Linked-In	70	6.8%
Mail	221	21.6%
Mobile phone compatible messaging	9	0.9%
Text messaging	14	1.4%
Twitter	12	1.2%
Web site	118	11.5%
Other (please specify)	1	0.1%

Other Responses:

Pls Stop Paper Waste... TY!
print hard copy

20) For how many years have you been a member of the NYSBA?

Response	Count	Percent
0 (less than 1)	268	33.5%
1 to 3	452	56.5%
4 to 5	75	9.4%
6 or more	5	0.6%

21) Do you belong to any NYSBA practice-concentration sections? (i.e. such as the Real Property Law Section or any of the 25 sections)

Response	Count	Percent
Yes	346	43.4%
No	338	42.4%
Not sure	113	14.2%

22) Do you serve on any NYSBA committees? (such as the Committee on Animals and the Law or Task Force on Wrongful Convictions)

Response	Count	Percent
Yes	28	3.6%

No	739	94.3%
Not Sure	17	2.2%

23) Who pays your membership dues to the NYSBA?

Response	Count	Percent
You	463	57.8%
Your office	233	29.1%
Expenses are shared by you and your office	17	2.1%
Don't Know / None Paid	88	11.0%

24) The following is a list of ways that the NYSBA is either using to keep attorneys up-to-date on the law and the legal profession, or is considering for future action. For each approach, please rate how important it is to you personally.

	Extremely Important	Very Important	Neutral	Not Too Important	Not At All Important	Don't Know
E-mail alerts on new developments in your interest areas	31.0% (246)	49.1% (389)	15.9% (126)	2.6% (21)	1.1% (9)	0.3% (2)
Legal form products and reference books	11.7% (92)	33.9% (267)	35.2% (277)	12.8% (101)	5.5% (43)	0.9% (7)
Loislaw LawWatch CaseAlert Service	10.2% (80)	22.8% (180)	38.3% (302)	16.2% (128)	7.4% (58)	5.1% (40)
NYSBA's section newsletters	12.4% (98)	39.1% (310)	34.0% (269)	10.0% (79)	3.0% (24)	1.5% (12)
Siegel's New York State Law Digest	14.0% (110)	30.9% (243)	37.0% (291)	9.3% (73)	5.0% (39)	3.9% (31)
The State Bar Journal	11.4% (90)	40.4% (320)	34.7% (275)	7.4% (59)	3.7% (29)	2.4% (19)
The State Bar News	8.2% (64)	36.9% (290)	38.6% (303)	9.6% (75)	4.2% (33)	2.5% (20)

25) Considering your experiences with and impressions of the NYSBA, how satisfied are you with your Association membership?

Response	Count	Percent
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Extremely satisfied	56	7.0%
Very satisfied	368	45.9%
Neutral	329	41.1%
Not too satisfied	27	3.4%
Not at all satisfied	9	1.1%
Don't Know	12	1.5%

26) When you think about the benefits you receive from the NYSBA and your current cost for dues, would you consider your membership in the Association to be:

Response	Count	Percent
A very good value for the money	71	8.9%
A good value for the money	243	30.3%
An okay value for the money	336	41.9%
A not so good value for the money	74	9.2%
A poor value for the money	17	2.1%
Don't Know	60	7.5%

27) What is the MAIN BENEFIT you derive from your NYSBA membership? (please select the one that is most important to you)

Response	Count	Percent
Advocacy on behalf of the legal profession	24	3.0%
Career assistance	37	4.6%
Continuing Legal Education Opportunities	340	42.6%
Help with improving professional skills	46	5.8%
Insurance products	11	1.4%
Networking	48	6.0%
Updates on important legal issues	156	19.5%
Don't Know	109	13.7%
Other (please specify)	27	3.4%

Other Responses:

access to NY case law
nothing

NYSBA tax reports - reading, referencing, & occasionally participating in drafting
Connection to NY legal profession
Job Board
Info for non resident practitioners
None.
Access to LoisLaw Research
Keeping me connected to jurisdiction since I live far away.
The listserves have been the most helpful.
none
discounts on CLEs
Siegel's New York State Law Digest
Salary Guides are needed!!
The non-resident listserve
Working with Committee
CLE tracker is helpful and the solo/small firm resource center is good for my solo practice.
Credibility in the field
It is an equal blend of the committee journal, networking, pro bono, and CLE events, none outweighing the other any more, and each being equally important.
Access to mailing lists for queries
Ability to obtain temporary contract jobs requiring a bar membership
Legal Research Resources
Respect - Its a prestigious bar -
Journal and legal news
All, excepting lobbying. I can't pick a main benefit as there are many very impt. and equal benefits.
Keeps me contacted with issues in NY legal field (I live out of state).
haven't fully utilized NYSBA resources at this point
discounts on books

28) Based on your personal experience, please rate the NYSBA for how well it does in providing the listed activities. How would you rate the NYSBA for:

	Very Good	Good	Neutral	Poor	Very Poor	Don't Know
Advocacy on behalf of the legal profession	10.4% (82)	32.7% (258)	25.0% (197)	1.5% (12)	1.3% (10)	29.1% (229)
Career assistance	3.3% (26)	16.7% (131)	37.4% (294)	11.6% (91)	5.9% (46)	25.2% (198)

Continuing Legal Education Opportunities	34.1% (269)	43.7% (345)	12.8% (101)	1.9% (15)	0.6% (5)	6.8% (54)
Discounts on products and services	6.6% (52)	36.1% (284)	34.6% (272)	4.1% (32)	1.3% (10)	17.4% (137)
Help to improve your professional skills	8.7% (68)	34.5% (271)	34.5% (271)	6.0% (47)	0.8% (6)	15.6% (123)
Insurance products	3.2% (25)	15.1% (118)	39.5% (309)	3.2% (25)	0.5% (4)	38.5% (301)
Law practice management resources	3.8% (30)	20.0% (157)	41.1% (323)	2.0% (16)	0.3% (2)	32.8% (258)
Networking	6.5% (51)	28.0% (220)	36.8% (289)	10.6% (83)	1.7% (13)	16.4% (129)
Updates on important legal issues	18.8% (147)	45.5% (357)	22.8% (179)	1.4% (11)	0.3% (2)	11.2% (88)

29) Please indicate your level of agreement with the following:

	Strongly Agree	Somewhat Agree	Somewhat Disagree	Strongly Disagree	Don't Know
NYSBA has a Section that represents your specific area of interest or practice	39.2% (310)	35.7% (282)	6.7% (53)	2.7% (21)	15.7% (124)
NYSBA activities provide you with opportunities for meaningful networking with other attorneys	10.6% (83)	42.6% (334)	20.7% (162)	3.4% (27)	22.7% (178)
NYSBA Section leaders and members made you feel welcome to participate in Section activities	9.8% (77)	29.2% (230)	14.9% (117)	3.3% (26)	42.8% (337)
NYSBA Section meetings are held at accessible locations	10.7% (84)	27.1% (213)	17.0% (134)	8.7% (68)	36.5% (287)
NYSBA Sections regularly disseminate useful information to Section members	15.8% (123)	37.9% (295)	10.8% (84)	1.8% (14)	33.8% (263)

30) How likely are you to renew your membership in the NYSBA? Would you say that you are:

Response	Count	Percent
Very likely	267	33.7%
Likely	306	38.6%
Not sure	178	22.4%
Unlikely	32	4.0%
Very unlikely	10	1.3%

31) Which of the following best describes your MAIN REASON for renewing your NYSBA membership?

Response	Count	Percent
Continuing Legal Education	364	46.3%
Insurance benefits	16	2.0%
Lobbying and advocacy for the profession	8	1.0%
Networking opportunities	106	13.5%
Publications and up-dates on changes in the law	116	14.7%
Sections and Committees	42	5.3%
To support the State Bar Association	54	6.9%
Don't Know	52	6.6%
Other (please specify)	29	3.7%

Other Responses:

Firms asks me to join.
My firm covers it
access to NY case law
Perhaps I'll miss something if I don't?
To stay apprised of legal profession in NY
because it is the right thing to do
Job Board
LoisLaw Research Resource
Firm Encouragement
Keeping me connected to the jurisdiction when I live far away.
Too expensive so I won't be.
CLE discounts
firm pays for it
Publish a Salary Guide!!

Career opportunity
The firm is paying
Maintain credibility
see answer to #27
Unemployed - Can't afford
Because I need an active bar membership just to try to find work
Legal Research resources
Stay up to date with license requirements
office pays
If my employer paid for it
add title
Again, All of the above, except lobbying
to stay informed
The listserv's are great and I want to remain on them.
Required
Prestige

32) What could the NYSBA do that would ensure your continued membership?

Provide more information on how newly admitted attorneys can become involved in committees and section leadership. I would like to do more than just read the publications I receive but am not clear as to how to become more involved.
More events in upstate New York, particularly the one day events. It seems most events take place in New York City.
For one, stop advocating for liberal causes.
Recognize the upstate attorneys. NYC is not the only location for large meetings. Many CLEs are held in syracuse and Albany, but meetings almost never. There are many attorneys north of Albany that would hopefully be more likely to get involved if meetings were closer.
Give scholarships.
provide more benefits
Continue to provide updates on changes in the law.
More CLEs in the area of ethics and networking opportunities.
This is simple. It could provide a ore or two-week trial skills "college" that would give new attorneys or, non-trial attorneys a base to work from to go into a civil or criminal trial. It could provide this in NYC. (I note NYSBA held one in Syracuse, I believe it was, last year.) Further, it could organize its 18-b panel members to provide mentoring relationships with newer attorneys, or attorneys trying to take criminal cases, such that the mentor could allow the mentee to second-chair a trial and a few pleas so that the mentee could 1) minimally qualify for 18-b misdemeanor panel membership; and, 2) feel confident in accepting a misdemeanor, or lesser felony assignment. These two things would seem to be in accord with the past president's theme, "Lawyers helping lawyers"

and, I think the new president's emphasis on (as noted in a recent email) getting new lawyers up to speed such that clients can feel confident that their billing time is useful.
Hard to say--I think that I, as a New York/New Jersey attorney who practices mostly in New Jersey, will continue my membership in the NYSBA so long as it is financially reasonable. At the risk of sounding terribly cheap, perhaps the NYSBA should consider a discount for someone who is admitted in NY but only practices there sporadically (a certification or other indication of how little NY practice one has would have to be required, but certainly residence and primary office location outside of NY should be an indicator).
Realize that in 2010, there are many more grads who don't have jobs than those who do have jobs. The legal industry is more than just "working at a firm", since getting into a firm without a connection is literally impossible.
AS a out-of-state attorney, I find it difficult to obtain reliable information on what CLE requirements I have to follow, and what satisfies those requirements. It would be of great help if the NYSBA had a website section that focused on these issues.
Lower dues.
Keep putting out excellent tax reports and having events for the NYSBA's tax section. I would be happy to be a mentee or serve as a mentor for someone in the tax field.
More activities for non-resident members -- even just starting events an hour later in the evening so that people outside NYC can attend events more easily
I'd need more information on how to participate in sections and committees (and without additional fees). This isn't so much a comment at the NYSBA, but with the CLEs in general. I'm of the opinion that the CLEs are meant to advance our profession in an academic and collegial atmosphere. But the costs for members mean that most participants are only using these resources to fulfill the Court's CLE requirements. If you go to an in-person CLE event, just count the people reading their newspaper or playing on their smart phones. I'd propose an option for free or heavily discounted CLE courses with the caveat that attorneys exercising that option won't get credit.
I would like lunch provided at the all day CLE courses.
I live in Boston and practice solely MA law, but the Boston Bar Association has an Affordable Housing SEction which is very useful and if the NYSBA also had one that would be great.
Discounts for government attorneys
Keep membership dues down.
More events to reach out the the practice in Long Island, New York (as opposed to New York City)
The NYSBA should be advocating more for attorneys who practice medical malpractice. I feel that citizens are not getting the whole truth with regards to malpractice reform and that a litigation group or association needs to be educating them about it before it is too late
lower membership fees for newly admitted attorneys or attorneys not actively engaged in the practice of law
Take a firm stance against (1) the certification of new law schools and (2) the outsourcing of legal work overseas.
Lower the cost of membership.
Free tuition for unemployed lawyers, advocate student loan reform.

More meetings in the Western New York Area -- the majority of meetings seem to be held in NYC area (not accessible.) Cheaper CLE's for non-profit attys.
Make cheaper dues for attorneys who work in the non-profit or public interest fields.
Host events on Long Island which are more convenient to me in Nassau County
A little too expensive. esp in this economy for new attys. Maybe do a graded scale based on years of membership?
Find me a job.
lower dues or have them graduated based on salary.
As a new attorney in a horrible economic climate I want more opportunity to network and more career development events to help me get a real job
Provide good CLE courses
Better CLE discounts and more CLE's other than bridge the gap that are geared toward newer attorneys. More networking opportunities on Long Island.
CLEs should be more affordable for newly admitted attorneys
More resources and events for out-of-state lawyers.
The people who can probably benefit the most from networking opportunities are probably the unemployed and temp attorneys, such as myself. But it seems that most networking opportunities require a fee which is difficult for attorneys in this position to pay. So lowering/removing prices for many networking opportunities would be the most beneficial thing to do.
Legally mandate it.
More CLEs that are affordable and during non-work hours for attorneys that have to pay for their own CLEs and do not get any paid time off.
Provide discounted membership to new attorneys, especially those who are not practicing with firms that subsidize membership dues. One of the best features for new members, that I did not see listed anywhere in this survey, is the non-resident NY Bar Association listserve. I find this listserve to be extremely helpful in keeping up with current trends in law and hearing about real issues that arise in practicing law.
Discounts, more networking opportunities.
Less expensive CLE's. More networking and career development workshops.
Speakers ought to be vetted diligently not only with respects to experience, but approachability, humble encouraging mentoring spirit vs. a condescending one.
Bankruptcy law section
reduce fees
Assist new lawyers in obtaining employment by fighting against outsourcing of entry-level legal work to other countries.
lower the fees
Treat unemployed attorneys in the same category as students. I am in New York to support my wife and my visa situation has made it extremely difficult to even speak with potential employers, despite the enviable legal experience I gained during six years of practice in London. While the CLE and networking opportunities provided by NYSBA look interesting and valuable, they are simply too expensive for those who must rely on one salary.
I wish my job would pay for it, or if I could take CT courses to get CLE credit because my job will pay for that.
More explicit information for non-resident attorneys would be helpful. Still confused

about my obligations. Also, stop referring to new attorneys as "young." It's annoying.
Keeps fees as low as possible.
more low-cost CLE opportunities
Disseminate practical information on law practice for newly admitted attorneys
Provide more opportunities to network with attorneys.
Provide really great online legal research tools.
I would love more C L E programs to be offered closer to my office. There are very few programs offered in upstate New York.
Keep doing what it's doing--I believe it's an important organization and I intend to continue to be a member.
Continue to allow me to insure myself with decent health coverage, since I am essentially self-employed.
better networking
More active IP section
Improve opportunities to participate in the sections. It doesn't appear very inviting or welcoming once you are a member.
I am very interested in animal and wildlife law, but live and work out-of-state. I would enjoy free or low-cost teleconferences on relevant topics, as well as networking opportunities with other attorneys who share my professional interests.
I feel a gulf between the direction of my career and what the NYSBA offers. I work in a large law firm and do a lot of cross-border transactions, but the NYSBA appears to be focused almost exclusively on solo practitioners, small firms, pro bono and litigation in state courts - in short, exactly the opposite of me. I can appreciate that resources are scarce and those may be the groups that need them most, but I would be much more enthusiastic about the NYSBA if I thought that they were even remotely interested in attorneys like me. When I read articles or emails from the NYSBA, I feel as if they are addressed to another world entirely. Given how large, profitable and influential large law firms are, the absence of any interest in their interests or activities (or, at best, the occasional off-hand reference to them as some sort of nefarious 800lb gorilla in the room) suggests an indifference, or even hostility, that I do not appreciate.
provide more networking/resources for younger attorneys
I'd likely renew regardless for the networking benefits. I would like to attend some of the programs on job searches and career development, but they all tend to be during the work day, and I can't tell my current employer I want time off to learn how to find a new job. Evening or weekends would be better for this program especially.
Most of the benefits offered do not apply to me because of government employment. I would prefer not having to pay for every benefit that is inapplicable to me. There should be some discount for attorneys who work for the public defender office or legal aide.
lower membership fees, especially for those who are unemployed
Help with job placement for newly admitted attorneys.
Take a more active role in judicial and legislative reform in NY, not merely protecting the entrenched financial interests of lawyers. What's good for lawyers is most definitely NOT the same as what's good for society. If we want to improve the public's perception of the profession, we need to promote good government at every level.
Advocate for out-of-state lawyers unable to use their local licenses; better equip those attorneys to actually practice in NY; facilitate out-of-state/national networking.

Provide efficient networking and CLE based conferences for government attorneys.
more networking for young attorneys
I believe that NYSBA is doing a great job. However, for an out of state attorney is hard to take advantage of all the opportunities NYSBA is offering.
Give discount as I make under \$45,000 yearly
Provide more CLE's and career counseling or similar services
CLE discounts would help. Unlike employed attorneys, unemployed attorneys must pay for these out-of-pocket. They're the last group that can afford to pay for those courses. Also, not everyone is in BigLaw. 90% of attorneys don't make it. And nowadays, theres way too many without jobs. Some assistance/advice must be given. Perhaps NYSBA can focus more upon the legal profession itself (the sky-rocketing tuition, the huge fees paid once becoming admitted, the lack of employment, etc) instead of outside of it.
Provide more discounts on current books and publications. Providing discounts after they are nearly out of date or obsolete (audio tapes!) are not such a good value.
Have events on Long Island!
Make it less expensive
Increase specialty area of law.cle
Provide discounts on Section memberships for unemployed attorneys
I have been a paid member of the Tax section for the past year, and have received nothing for the section fee other than a few emails promoting the section meeting. That is why I was quite negative about the sections, because if all are as non-communicative as Tax, then I don't see the point of paying the fee for a section membership.
Make more CLEs available across the state - not just in NYC and Albany.
reduce overall costs, stop sending unnecessary mail, provide more information for non-profits, have more upstate programs
More networking events in New York City
provide cheaper CLEs
Better mentoring program for newly admitted and solo attorneys.
Continue to offer CLE at a discount for members and increase live CLE's in the WNY area for newly admitted attorneys.
I'm a nonresident member who is unemployed and actively seeking work in NY state. Job listings, recruiting, career information, networking opportunities, affordable membership and CLE (since I pay my own) and practical legal experience are the most important to me.
Lower fee
better networking and job postings
The NYSBA is doing a fine job as is. I just renewed my annual membership a couple of weeks ago.
Add a Bankruptcy Section. Pure bankruptcy/insolvency law section.
Continued Free Membership
In this economic climate, there should be more support for new lawyers who are beginning their career. For example, career assistance, job postings, networking events and affordable health insurance. I have friends and family members who are union members and I feel there is much more support within their organizations then I find as a lawyer.

Some kind of dues forgiveness programs for unemployed attorneys.
Help me get a job.
CLEs are too expensive - need more cost effective solution for low-caseload solo's. Once I am out of 'new attorney' pricing, NYSBA will cost too much for me to remain a member - that's why I dropped ABA membership
not sure
Reduce the cost of membership.
Improve the selection of networking events outside of the Albany area and NYC area. As an attorney on Long Island, I'd like to be able to attend networking events within my own community.
I'll probably renew. Your CLE is cheaper than NYC Bar Assn.
Most events are located in NYC, with few close enough for Buffalo attorneys to participate.
More job postings and career counseling/mentoring.
Publish a salary guide for In - House attorneys.
considering the NYSBA has a very international network, it would be helpful for assistance/information to be provided for non-US members in their pursuit of finding work in NY
More employment opportunities. I have been unable to get a full-time position since being admitted in January of 2009.
Provide career advice for women re-entering the profession.
For unemployed newly appointed lawyers a discounted membership fee
Add an "aviation law" section!
Lower the cost of membership for public interest attorneys.
Manageable dues for those whose firms don't pay for it.
get an energy committee that focuses on the interface between federal and NY energy law. also, could make it easier for membership by out-of-state attorneys in such committees.
NYSBA could make getting involved with sections and committees more accessible. I live in Queens, and work on Long Island, so it is difficult to have all the meetings & sections occur in Manhattan.
Engage me in the activities and committees
Create a statewide job website.
I get my health insurance with USI Affinity and they recently raised my premium over 33%. I want cheaper health insurance and better coverage. Also, if the bar association can provide some cheap software for billing that would be helpful. Thank you for your kind consideration. Sincerely, Michael L. Walker, Esq.
to get more involve with committees
Please, please provide some dues relief for those of us who are unemployed! Because I was first admitted to practice in another state several years ago, my dues are higher than someone just out of law school, and they are a real hardship to me and my husband.
Offer lower cost services/benefits for public interest attorneys. It is often very difficult, if not impossible, to attend Section meetings, purchase additional materials, or attend some CLEs due to cost.
Decrease fees

More career help/development
It's already ensured.
cheaper more networking and outreach to new lawyers
no fees
Provide more services to non-resident members.
CLE courses during weekend or night time. Career assistance.
More non-CLE networking events.
Lower cost for nonpracticing attorneys that just want to remain connected. Or have the cost of the Association correspond to income.
It'd be nice if there were more CLEs in Rochester
Improved Career Opportunities (e.g., actual "help-wanted" ads. and not some mere articles about how to find employment)
Hold meetings in NYC because I can't afford to travel to meetings
As a attorney who is considered newly admitted in NY but has infact worked for several years in my home country I find it somewhat of an irritation that I do not recive CLE credit for the courses that really interest me inside my field. That said, the newly admitted courses are good and provide valuable information, on not only legal issues.
Try to rein in the amount of lawyers joining the profession every year.
There is a phrase in our part of the world "If it ain't broke don't fix it".
Create a cheaper membership for overseas lawyers (unless one already exists - I haven't researched fully!), as the majority of the benefits cannot be enjoyed by someone outside of the US.
maintain reasonable dues.
- opportunity to write legal articles on practical legal issues for which there is a small reward (eg vouchers to CLE sessions or cash prizes)
Keep dues as low as possible.
Provide wider spectrum of discounted and free services so lawyers can remain employable in down turn.
Because my company will not pay for Bar Association memberships, I will not be renewing my membership for the future.
Need more CLE's held in Buffalo
Better networking opportunities in nyc; Make it easier for new attorneys to join committees; Special mentoring for out of state JDs who were not taught CPLR and other necessary NY principals of law
NYSBA could try to match EU newly qualified attorney's with employment requirements that draw on their specific skill sets. Numerous newly qualified non-resident NY attorney's face very difficult problems in their obtaining recognition in their home countries especially through the QLTT. In my home jurisdiction I am currently undertaking the QLTT and the Irish Law Society will not even permit me to obtain the professional notes used in their professional training. It would be like taking the NY Bar Exam and not being allowed to take Bar Review.
nopthing
More "how to guides" for newly admitted lawyers. More procedure oriented section.
Not sure.
Lower dues, deeper discounts for the under 5 year attys.

Help recent graduates tackle their issues with massive student loans when they are paid very poorly.
More networking opportunities for government attorneys and possibly discounted government dues.
Set up networking events for out-of-state attorneys (particularly in Washington, DC), and significantly increase the focus on helping to get recently admitted attorneys employed. I'm a 2007 Duke Law graduate and I passed the NY State Bar exam on my first try - yet I'm unable to find a permanent position as an attorney either in the private sector, the government, or elsewhere.
Offer free membership to public-interest attorneys (legal aid, public defender). I simply can't afford to pay for more than the bare necessities for Bars on my salary. I am now a member of 3 state bars (MI, CA inactive, NY), which is expensive to maintain.
Provide CLE classes for NY/NJ newly-admitted attorneys.
Not sure. I would like to participate more fully with the Food and Drug Section - currently I am doing the same job I did when I went to law school, but would like to find a way to enter more of the legal department within industry.
Employment assistance.
Provide more affordable CLE
Career advice, new attorney advice, more notices and information about how to become involved in committees. Repetition is important to break through notices on all sorts of other matters, etc.
More career fair/job search help
Out-of-state CLEs
Not sure
Keep doing what they are doing. I would also like the section meetings to be held at a later time. 7:30am to 9am are difficult times to attend meetings.
Undetermined at the time
Add streamlined daily e-mail news briefings.
Financial need based support for membership dues, program fees and product discounts. I am very active in NYSBA and have often been expected to pay to attend programs I myself have organized. My firm does not pay for my membership dues or pay for my program fees.
Begin a thorough environmental sustainability audit in order to save money and do the right thing.
More guidance on practicing law as a new attorney ("bridging the gap"), more info on job search strategies, career assistance, etc.
I'm also a member of NJSBA. I feel that its materials, emails, etc. are more user friendly in the way they are formatted. The materials emailed to members are more concise, which is necessary for people who get a lot of email but still want to be updated on new cases and new legal theory.
lower your prices for books and forms
Provide additional professional development services, news updates, etc.
Lower membership dues.
Concise updates of caselaw by department in email. When i was looking for employment all listings were in NYC, I live in Syracuse. Your CLE materials and publications are far superior to other providers. Would like to see a more significant discount for members

even if it might mean a slightly higher up front fee. Would like more information about things I could do in the NYSBA to add to my professional experience on our firm website, etc. However, I admit that I have not taken the active steps to seek these out.
Send me a cool set of NYSBA cuff links.
Offer more networking opportunities and provide a forum for employers and employees to exchange ideas.
I am satisfied with the NYSBA overall.
meetings at accessible loactions
Since I am an out of state lawyer in Massachusetts, my only contact with the NYSBA is through email. There are no contacts or events in MA, to the best of my knowledge. Furthermore, I would like to take the NY CLE classes, but they are in the middle of the week, so I can't travel to NYC or Albany to attend these very interesting classes without taking several days of personal vacation time. As a recent graduate and new employee, I don't have a lot of vacation in the first place. I would like to know more about these classes being online and on demand, so I could watch them from my home at night or on the weekend at my convenience. I feel like I am missing out on a big part of my membership. Also, are there annual social events where we could network? For example, the Women's Bar Association in Boston holds an annual gala event in October.
To continue to provide recent updates to the law. In addition to offering research base resources for an affordable price.
lower cost
perhaps reduced membership dues for attorneys admitted less than 5 years whose offices do not contribute to NYSBA dues
My first year was free. I think a low price is definitely an incentive.
Keep rates low and keep junk mail to a minimum. Provide 1-3 hour CLEs with all ethics credits on a regular basis.
CLE and membership is very expensive!
Consolidate membership with attorney registration.
It seems that most of the advertisements or notices I receive are for events in New York City. There should be a better variety in Albany.
Better discounts for newly admitted unemployed attorneys - more sensitivity and activities for unemployed newly admitted attorneys
1) Reflect the needs of solo, new, and/or low income attorneys. (The focus seems to be on mid to large firms). 2) Lower cost CLE and other programs, with discounts for low income attorneys. (Many of us do not have firms that reimburse for such expenses). 3) Advocate and/or work to address practical problems in the law, including the tangle of statutes that affect procedural matters, that can be particularly difficult for new and solo attorneys to navigate effectively.
Lower fees
Do more outreach to newly admitted attorneys. Keep CLE opportunities coming. Increase access to career development resources.
Lower the fee for government and not for profit attorneys.
I like NYSBA because the membership fees are reasonable.
Keep the Trusts and Estates Listserv open.
Continuing with current services on legal updates and on free research media, and with advocating for and help with providing practicing attorneys with insurance, practice

management media and skills training, and CLE and books.
Perhaps organise some seminars which would cater for the Non-Resident members in Non-US locations. More meetings specifically catering for the younger members.
Have an immigration section.
Free CLEs
Get me a real job.
lower the rate for newly admitted attorneys and allow for free section membership as they do for law students for two or three years after becoming admitted. It's a tough economy and not every firm pays for everything and with loans, it gets difficult to shell out a \$100 to remain a member.
I would offer 2 suggestions that the Florida Bar (also a member) currently provides. 1. a member hotline for emergency ethics issues where a member can obtain guidance and confidential counsel on an immediate ethical issue. Waiting for an opinion from the state is a ridiculous concept. and 2. The NY State bar newspaper seems more of a gossip column and a self aggrandizement of leadership activities without enough substance. I.e. the weekly florida bar newspaper includes updates on amended court rules, changes to ethics rules, changes to jury instructions, proposed rules of the bar, and changes to the state laws, etc., all on an ongoing basis. By comparison, the NY Bar Newspaper appears as fluff stories on what the bar association is doing each month. They also have a much better employment classified section often with 2 full pages of job postings. NY often has little. I would suggest comparing the 2 publications and adding more substance to the NY Bar newspaper.
I'm currently unemployed, so if NYSBA could waive the fee that would ensure my continued membership.
Offer a reduced membership rate for those new to practice.
Sliding scale dues based on income level.
lower price of membership
continue to provide excellent publications and keep mailing them
I would like more classes in practical matters at a discount. Skills important to us as freshly barred attorneys like how to write a will/ guardianship, real estate transactions, etc. Some of the basics that all attorneys should know. And not just a lecture, but an actual hands on how-to. Even if it is a web class type course.
Reduce membership fees and costs for CLE/events for newly admitted attorneys.
Although man times I notified you of my new address, you have not updated my address and I was about to miss your lette to let me renew my membership. I am complaining this point strongly.
Discounts on CLEs and products. Increase leads on job opportunities.
lower membership rate for ny-barred attorneys that practice outside new york state - since we don't need or use the majority of nysba's products, but we do want to remain involved with our peers.
Start to improve ways in which newly admitted attorneys can find work that will actually pay student loan bills. Albany, in particular, is a dead zone of low paying jobs. Also, where is the NYSBA in this economic downturn? It seems as though every other lobby group grabbed some benefit from the stimulus funding. What about newly admitted lawyers, without jobs, who have ENORMOUS student loan bills with little opportunity to pay for them?

Pls. consider a state-wide pro bono program with a variety of "subject areas." Many newly minted atty's who don't already have jobs are finding it difficult to gain skills that employers look for without being part of a firm. A NYSBA pro bono program would help in this area. Currently, we have to fight to find our own opportunities and some organizations are reticent to let us assist without the supervision of a firm. A program of this sort could benefit new attorneys and also provide a much needed crop of more experienced folks for firms.
Lobbying on behalf of attorneys for student loans, career assistance.
CLEs at more convenient times and in more convenient locations.
Continue disseminating publications with relevant legal topics and issues of the day.
Mentorship for new attorneys
reduce the authority of section chairs such that active executive committee members are retained despite any personal issues
Continue providing cle news
More CLE opportunities and opportunities to get involved in pro bono.
i am out-of-state attorney (NJ) and don't feel as if the NYSBA offers much to out-of staters. If I felt that there was more offered to me, I would continue my membership.
More career management programs to help young attorneys. Maybe a mentor program where newly admitted attorneys can be paired up with experienced attorneys in the fields they're interested in.
I think that NYSBA generally does a good job. My experience with NYSBA has been limited to CLEs as I don't seem to find any programs that are professionally helpful to me in the area of Government Relations.
While there is room for some improvement, I will continue to be a member with how things are now.
Continue to improve overall quality of service.
Increased career focused events for me and other attorneys in my position
Improve career development and job fairs for attorneys with less than three years of experience.
lower price
The NYSBA already provides great membership benefits, but any additions to or expansions of those benefits would ensure my continued membership.
The NYSBA could provide better access for attorneys looking for new jobs. A new or improved website could help in this regard.
Continue to provide the excellent services that they already provide.
Having meetings closer to Long Island, where I live, would be a great help for starters. I also think that your pricing for materials and legal research material is high, especially given that I am out of work and so are a lot of attorneys. Which leads me to the almost non-existent help from the Bar Association in regard to employment assistance. At this point, I am not sure if I will renew my membership because I simply don't have the money, membership fees are steep. I am a proud member of the NYSBA, but lately, given the economy especially and the inconvenience to travel to a meeting (two hours for me), I feel like I get less out of the bar association with each year that passes. I hope that changes soon because the bar association has a lot to offer and if they could just address the current needs of its members it would do a lot for not only the members but for NYSBA as well.

Lower rates.
Continue to offer relevant CLE programs and networking events.
More events in NYC.
Try more for job opportunities and try to reduce the membership rates.
More help for unemployed attorneys. I registered for a NYSBA-sponsored CLE - Start Your Own Law Practice - earlier this year, way ahead of the deadline. First my written request was returned to me by Debra York with a form. I completed the form and sent it back. I received an email from Debra York stating that 'it has been decided that I should pay the full fee of \$175'! There was absolutely no offer of assistance, and not even an apology of some sort. Further, I could prove that I was receiving unemployment at the time. Where was I going to get that money when I was receiving unemployment and the amount was less than the maximum \$405 per week? My CLE credit requirement is not suspended because of unemployment. Further, I have been a dues-paying member since my first year of law school. I did not appreciate being treated like "a nothing" (Judge Judy's words) and York's behavior has really put a black mark on the bar association as far as I'm concerned.
Nothing...because I will keep my NYSBA membership as it keeps me updated with the recent laws and helps me with my CLE requirements with their 2 day course.
Provide practical do-it-yourself guides regarding day to day law firm tasks
Membership is great value and I enjoy my membership. I plan to be a member my entire career.
I believe the biggest problem facing recent graduates is gaining meaningful employment. I believe that law schools fail to educate applicants/students on the difficulty in finding work that is both meaningful and pays enough to meet your responsibilities. Legal education has become a business without any strings attached to helping graduates gain employment, especially from the 2nd, 3rd and 4th tier schools. I would encourage the bar association to educate new attorneys, law students and potential law students about the pitfalls of practice and employment opportunities.
Free legal forms, resources for solos, tutoring on how to prepare certain documents
Advocate for higher standards of ABA accreditation for new law schools. Advocate against the opening of new law schools. Lobby for meaningful student loan reform for both private and federal student loans.
Offer multiple free CLE courses for members.
Have Skills based CLEs in different locations for out of state NY attorneys like me (I am in Houston, Texas) or in a fully interactive format as approved for by the NY State Bar so that I can participate and get credit towards my CLE requirements. I have not found ANY program that will give me skills credit. If there are any please send me information as I am keenly interested.
Career fairs.
Keep Membership Price low
more outreach to NY lawyers living out of state (Pacific NW, Portland, OR specifically)
not go bankrupt lol. Seriously, I'm overall very satisfied with NYSBA, but make section meetings more accessible. The international law section meeting was in Australia??? Are you kidding me? In state should be a minimum, and NYC seems to be the venue for 90% of these. Spread it around the state!
Nothing i think that it is a fantastic service, keep up the good work!!!

Consider lower prices for activities when possible.
The focus should be on improving the practice of law, not asking how the NYSBA can ensure continued membership. The latter implies that the NYSBA's only interest is in making money. The NYSBA needs to work with the state bar to focus on improving legal education (i.e. law school) and preparing new attorneys for the practice of law.
Lower rates. More online or live by webcam programs.
Better career services.
Lower fees perhaps for under or unemployed
More job search resources.
Mentoring program
There needs to be continued help for under employed/self employed attorneys who are either starting out or have been let go. CLE's and membership just are way too costly for these attorney's. I am speaking from experience.
Keep jobs from being outsourced.
Create more opportunities for non-resident attorneys to participate.
I would primarily be interested in career resources and work opportunities.
More networking, more affordable membership and CLE classes, more job search help.
Provide cheaper webcast programs for new attorneys, especially those who like me are unemployed or underemployed. Allow us to download the materials at low cost so that we can take advantage of the programs for new attorneys, like how to start a solo practice, etc.
more networking for entertainment lawyers
Provide cheaper/ Free CLE's and skills based programming... work to ensure in this current economy new law students aren't taken advantage, work to broaden focus beyond those in traditional law firms.
More networking or CLE opportunities in major cities outside of New York State
It would be nice to lower the membership fee for non profit attorneys.
Lower membership fee or waive for financial hardship. Offer discounts on CLE's for recent grads who are under or unemployed.
Provide networking opportunitites.
improve immigration resources
Provide more CLE information other than in New York
I would like to see offering reduced or supplemented prices for CLE and bar association events for attorneys experiencing financial hardship or are unemployed. I would love to take more online CLE and attend more events to network, but because of my current financial situation, I cannot use these resources to build my skills while I am out of work.
Lower dues for out-of-state members (who don't derive as much benefit from membership).
I think the NYSBA should sequence their training. For Example, I just attended Litigating Forensic Evidence, I think something like this should be followed up with Litigating Forensic Evidence II which follows the themes of the first, but with more detail. Perhaps copies of court testimony transcripts to bolster the course.
Establish a section for my practice area - public finance.
more networking opportunities
Truly improve the access and ease of job postings, and really help those of us, like

myself, who have been unable to find a job in the field of law in the past three years.
Make fees for out of state residents cheaper
Provide more information to out of state attorneys.
Provide more networking opportunities and opportunities that better assist newly admitted attorneys during their transition from Student to attorney. A mentoring program would be a great addition to the programs as well.
Lower fees.
CLEs aimed at "Skills" for transitional (less than two years since admission) attorneys
Continue conducting affordable seminars at convenient locations. Continue providing updates of new developments concerning legal practice.
It'd be nice to see CLE full scholarships or other supports for those of us doing public interest work.
Provide networking opportunities for NY lawyers living and working abroad (Europe). Create section for Compliance.
Offer discounted membership for newly admitted unemployed attorneys, and provide training through pro bono opportunities that also provide CLEs
There are a lot of recently admitted Attorneys who have not been able to find a paying job. If you could provide a discounted membership rate for recently admitted attorneys who have not found a paying job yet, that would be great both for the Attorneys as well as the Bar Association. Attorneys would become members and Association would benefit from the membership.
Reduce membership fees.
Set me up with a mentor.
lower costs significantly for non-profit attorneys
Career assistance.
I've only just joined, so I really haven't had much time to explore the various services and such offered by the bar. As such, I'm genuinely uncertain.
Not much - I feel it is important professionally to be part of organizations such as NYSBA. I will very likely continue my membership and likely join a committee when I am settled in a job (i.e. when the economy improves).
Continue to offer quality and interesting CLE classes.
not sure
Offer information to new attorneys on non-traditional legal careers.
More job opportunities so I can afford to keep paying. Thanks heaps.
Provide CLE's on package to help us comply with the requirements without having to spend more than 300 hundred dollars in doing so, and allow us to purchase law materials at a much lower cost.
At the moment, I live and work for the government in Washington, DC, and I do not feel that I have access to many of the opportunities NYSBA offers, such as CLE and networking events. I understand that most functions take place live in New York, but one thing that would extremely increase my interest in NYSBA is access to these opportunities from DC. Whether this is through access to video conferencing or online CLE classes, or local networking events in DC. While I do appreciate that NYSBA is a New York bar association, there are many of us located in DC working for the government who do want to remain or get involved with NYSBA from a distance. I would love to learn more about ways to do this if such opportunities already exist, or I

would like to know that efforts are in place to make this happen. I personally think that NYSBA is the greatest avenue for non-local NY attorneys to stay up-to-date and in touch with the New York bar.

mentoring with an attorney in my field or more opportunities to network within my field in my area (which is outside of new york state).

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Appendix 1-D

NYSBA and Section Year-End Counts 1990-2010

Section Year End Counts		Year				
Section		1990	1995	2000	2005	2010
Antitrust Law Section		826	613	615	566	538
Business Law Section		5,324	4,549	4,940	4,711	4,410
Commercial & Federal Litigation Section		1,420	1,677	1,964	2,211	2,447
Corporate Counsel Section		34	1,010	1,188	1,517	1,760
Criminal Justice Section		1,940	1,607	1,732	1,554	1,505
Dispute Resolution Section						2,931
Elder Law Section			2,104	2,648	2,925	2,800
Entertainment, Arts and Sports Law Section		1,382	1,377	1,613	1,529	1,691
Environmental Law Section		1,910	1,668	1,342	1,172	1,226
Family Law Section		3,198	3,042	3,251	2,987	2,811
Food, Drug & Cosmetic Law Section		461	335	309	289	287
General Practice Section		3,741	4,719	3,097	2,478	2,093
Health Law Section				1,192	1,230	1,281
Intellectual Property Law Section			1,161	1,970	2,052	2,171
International Section		1,787	1,795	1,963	1,968	2,017
Judicial (Courts of Record) Section		404	290	296	300	319
Labor and Employment Law Section		1,800	2,009	2,496	2,330	2,518
Municipal Law Section		1,099	1,003	1,020	1,069	1,111
Real Property Law Section		5,231	4,339	4,549	4,986	4,775
Senior Lawyers Section						1,662
Tax Section		3,164	2,876	2,899	2,621	2,749
Torts, Insurance & Compensation Law Section		4,050	4,752		3,513	2,803
Trial Lawyers Section		5,095	4,255	4,050	3,220	2,526
Trusts and Estates Law Section		4,215	5,132	4,965	4,897	5,218
Young Lawyers Section		1,172	2,131	2,918	3,483	3,730

New York State Bar Association: Year End Totals 54,152 60,433 68,065 71,744 77,613

NEW YORK STATE BAR ASSOCIATION MEMBERSHIP TRENDS 2001 - 2010

YEAR	YEAR END MEMBERSHIP			ADDITIONS FOR THE YEAR			PERCENT ADDITIONS FOR THE YEAR		
	REGULAR	STUDENT	TOTAL	REGULAR	STUDENT	TOTAL	REGULAR	STUDENT	TOTAL
2001	64,501	5,073	69,574	8,186	1,789	9,975	13%	33%	15%
2002	65,558	4,608	70,166	9,041	1,590	10,631	14%	31%	15%
2003	67,694	4,194	71,888	9,056	1,613	10,669	14%	35%	15%
2004	67,448	4,080	71,528	8,926	1,632	10,558	13%	39%	15%
2005	68,671	3,424	72,095	9,510	1,293	10,803	14%	32%	15%
2006	69,565	2,670	72,235	8,706	968	9,674	13%	28%	13%
2007	71,497	2,578	74,075	9,311	1,095	10,406	13%	41%	14%
2008	72,755	3,429	76,184	10,163	2,007	12,170	14%	78%	16%
2009	74,008	3,236	77,244	10,490	983	11,473	14%	29%	15%
2010	74,212	3,401	77,613	10,533	1,693	12,226	14%	52%	16%

YEAR	YEAR END MEMBERSHIP			LOSSES FOR THE YEAR			PERCENT LOSSES FOR THE YEAR		
	REGULAR	STUDENT	TOTAL	REGULAR	STUDENT	TOTAL	REGULAR	STUDENT	TOTAL
2001	64,501	5,073	69,574	7,248	1,874	9,122	12%	35%	13%
2002	65,558	4,608	70,166	7,999	2,078	10,077	12%	41%	14%
2003	67,694	4,194	71,888	6,790	2,046	8,836	10%	44%	13%
2004	67,448	4,080	71,528	9,756	1,407	11,163	14%	34%	16%
2005	68,671	3,424	72,095	7,483	1,624	9,107	11%	40%	13%
2006	69,565	2,670	72,235	8,417	1,849	10,266	12%	54%	14%
2007	71,497	2,578	74,075	8,231	2,099	10,330	12%	79%	14%
2008	72,755	3,429	76,184	8,905	1,156	10,061	12%	45%	14%
2009	74,008	3,236	77,244	9,237	1,176	10,413	13%	34%	14%
2010	74,212	3,401	77,613	10,329	1,528	11,857	14%	47%	15%

YEAR	YEAR END MEMBERSHIP			NET GAIN FOR THE YEAR			PERCENT NET GAIN FOR THE YEAR		
	REGULAR	STUDENT	TOTAL	REGULAR	STUDENT	TOTAL	REGULAR	STUDENT	TOTAL
2001	64,501	5,073	69,574	1,793	-284	1,509	3%	-5%	2%
2002	65,558	4,608	70,166	1,057	-465	592	2%	-9%	1%
2003	67,694	4,194	71,888	2,136	-414	1,722	3%	-9%	2%
2004	67,448	4,080	71,528	-246	-114	-360	0%	-3%	-1%
2005	68,671	3,424	72,095	1,223	-656	567	2%	-16%	1%
2006	69,565	2,670	72,235	894	-754	140	1%	-22%	0%
2007	71,497	2,578	74,075	1,932	-92	1,840	3%	-3%	3%
2008	72,755	3,429	76,184	1,258	851	2,109	2%	33%	3%
2009	74,008	3,236	77,244	1,253	-193	1,060	2%	-6%	1%
2010	74,212	3,401	77,613	204	165	369	0%	5%	0%

Appendix 2-A

**Unaudited Statement of Activities
Years Ended December 31**

APPENDIX 2-A

	2010	2009	2008	2007	2006	2005
Revenues						
Membership dues	\$10,555,147	\$10,566,842	\$10,717,424	\$10,132,273	\$9,999,534	\$9,826,233
Section revenues:						
Dues	1,427,143	1,446,055	1,462,305	1,444,108	1,391,295	1,372,741
Programs	1,758,521	1,639,840	1,753,237	1,795,092	1,610,275	1,284,444
Continuing legal education	5,902,300	5,689,902	6,436,108	5,741,913	6,305,994	5,488,116
Administrative fee and royalty revenue	2,250,175	2,255,434	2,255,658	2,245,223	2,203,648	2,105,901
Annual meeting	818,563	764,052	880,803	720,396	617,605	590,748
Investment income	334,305	566,822	690,971	936,231	783,810	607,321
Other revenue	411,452	681,193	728,981	597,819	609,976	563,073
Total revenue	23,457,606	23,610,140	24,925,487	23,613,055	23,522,137	21,838,577
Program Expenses						
Continuing legal education	4,814,936	5,300,191	5,738,073	4,925,449	4,920,845	4,852,216
Graphics	1,917,549	2,052,337	2,396,034	2,040,729	1,856,476	1,708,945
Governmental relations program	365,807	354,874	393,675	230,215	344,043	349,045
Law, youth & citizenship program	235,138	217,800	231,113	212,396	172,663	141,707
Lawyer assistance program	212,372	209,310	227,486	189,490	166,693	173,805
Lawyer referral & information services	134,273	137,483	159,541	149,131	149,044	153,465
Law practice management	120,886	182,505	225,747	189,970	180,592	101,273
Media services	305,792	297,917	534,042	453,550	518,296	577,071
Meetings	469,292	461,681	530,254	421,959	423,936	412,112
Membership services	1,184,488	1,233,941	1,207,173	1,178,263	1,002,785	869,142
Pro bono program	207,935	206,253	236,249	118,359	199,307	186,082
Local bar program	185,366	178,042	236,354	198,239	160,669	47,177
House of Delegates	413,356	411,700	414,515	378,271	371,269	376,707
Executive committee	39,998	51,509	43,823	38,893	48,515	48,366
Other committees	1,212,131	1,161,023	1,259,399	1,196,799	1,355,701	1,305,877
Sections	3,103,154	2,965,960	3,115,951	2,813,452	2,680,023	2,486,599
Section newsletters	122,262	121,008	150,905	119,934	113,349	107,978
Publications	1,118,967	1,171,454	1,213,176	1,169,325	1,128,510	1,114,570
Annual meeting expenses	344,298	273,859	299,582	283,835	273,643	313,869
Total program expenses	16,508,000	16,988,847	18,613,092	16,308,259	16,066,359	15,326,006
Management & general expenses						
Salaries and fringe benefits	3,769,999	3,559,718	4,263,589	3,010,997	2,822,915	4,142,090
Rent and equipment costs	1,163,537	1,214,565	1,282,962	1,315,592	1,284,254	1,393,136
Consultant and other fees	679,782	801,238	832,696	1,122,025	966,098	1,091,068
Office Supplies						
Depreciation and amortization	308,955	350,214	374,319	405,821	426,336	458,806
Other expenses	319,396	387,779	328,514	364,779	278,506	229,117
Total management & general expenses	6,241,669	6,313,514	7,082,080	6,219,214	5,778,109	7,314,217
Change in net assets before investment transactions and other items	707,937	307,779	-769,685	1,085,582	1,677,669	-801,646
Realized and unrealized gain on investments	1,137,445	971,039	-5,899,801	1,385,315	1,736,757	643,429
Incremental effect of applying SFAS 158 and other post-retirement plan changes/amendments	0	0	0	2,096,116	0	0
Change in net assets	1,845,382	1,278,818	-6,669,486	4,567,013	3,414,426	-158,217
Net assets, beginning of year	15,600,156	14,321,338	20,990,824	16,423,811	13,009,385	13,167,602
Net assets, end of year	17,445,538	15,600,156	14,321,338	20,990,824	16,423,811	13,009,385

APPENDIX 2-A

Unaudited Statement of Financial Position Years Ended December 31,

	2010	2009	2008	2007	2006	2005
ASSETS						
Cash	\$906,910	\$555,803	\$700,264	\$870,837	\$1,214,815	\$1,016,526
Continuing legal education receivable	56,885	34,431	36,895	41,655	10,472	78,290
Royalty and fees receivable	467,722	762,042	693,858	652,301	610,352	691,500
Accrued interest receivable	1,666	52,098	53,576	89,346	66,759	48,077
Prepaid expenses and other assets	1,196,456	658,183	550,389	436,266	697,130	576,222
Inventories	394,902	369,433	284,428	300,286	392,731	420,862
Investments	29,092,741	27,727,673	27,942,988	31,234,483	27,270,408	24,002,962
Net property and equipment	2,730,106	1,952,472	1,288,057	1,453,303	1,614,437	1,647,580
Total assets	\$34,847,388	\$32,112,135	\$31,550,455	\$35,078,477	\$31,877,104	\$28,482,019
LIABILITIES AND FUND BALANCE						
Accounts Payable and accrued expenses	\$1,016,684	\$1,126,457	\$1,313,963	\$1,004,328	\$1,268,073	\$1,172,260
Deferred due revenue	8,777,842	8,639,407	8,544,744	7,919,676	7,056,360	7,316,218
Other deferred and unearned revenue	509,973	590,605	564,286	644,244	573,655	394,822
Payable to The New York Bar Foundation	86,441	54,103	37,338	33,429	94,734	43,609
Accrued pension and profit sharing plan costs	1,346,577	1,586,500	2,859,100	791,972	1,211,275	1,976,550
Accrued postretirement plan costs	5,161,316	4,022,200	3,349,900	3,167,146	4,741,517	4,095,949
Accrued postemployment termination plan costs	503,366	359,200	348,600	306,000	347,000	313,000
Other liabilities	0	133,507	211,186	220,858	160,679	160,223
Total liabilities	17,402,149	16,511,979	17,229,117	14,087,653	15,453,293	15,472,631
NET ASSETS - UNRESTRICTED						
Designated by governing boards:						
Cromwell Fund	1,542,996	1,432,289	1,352,316	2,046,960	1,851,511	1,618,440
Replacement reserve fund	2,107,650	2,849,696	2,571,798	2,108,530	1,840,483	1,592,643
Long-term reserve fund	6,187,282	5,817,251	3,852,996	11,137,571	6,854,832	5,084,085
Sections' fund	2,719,305	2,632,372	2,533,286	2,411,216	1,960,089	1,683,840
Undesignated:						
Invested in property and equipment, net	2,730,106	1,952,472	1,288,057	1,453,303	1,614,437	1,647,580
Other	2,157,900	916,076	2,722,885	1,833,244	2,302,459	1,382,800
Total net assets	17,445,239	15,600,156	14,321,338	20,990,824	16,423,811	13,009,388
Total liabilities and net assets	34,847,388	32,112,135	31,550,455	35,078,477	31,877,104	28,482,019

Appendix 2-B

Long Term Obligations

APPENDIX 2-B

Long-term Liabilities

	2010	2009
Pension and Profit Sharing Costs	1,849,900	1,586,500
Post-retirement Medical Plan	5,161,000	4,022,200
Termination Plan Costs	0	359,200
	<u>7,010,900</u>	<u>5,967,900</u>

The long-term liabilities for 2010 are estimated based on accruals done throughout the year and will be adjusted when the actuarial reports are received in February. The termination pay plan was terminated effective December 31, 2010 so all related accruals were reversed.

As provided in the audited statements for December 31, 2009, the future payouts required by the defined benefit pension plan and post-retirement medical plan are as follows:

Future Payments For:	Defined Benefit Pension Plan	Post-retirement Medical Plan
2011	351,000	76,900
2012	334,000	79,200
2013	417,000	87,900
2014	555,000	104,100
2015-2019	2,905,000	911,000
Total	4,562,000	1,259,100

The Association has funded a long term reserve account to provide for future known and unknown contingencies that may require an outlay of funds. At December 31, 2010, the long-term reserve account has investments at fair market value totaling \$13.2 million. It is the Association's accounting practice to reduce this reserve by the amount of the long term liabilities, thereby leaving an unrestricted long term reserve amount of \$6.2 million.

These long term liabilities have a significant impact on strategic planning and the future financial condition of the Association. The defined benefit pension plan was frozen on April 1, 2004 to mitigate additional costs related to employee service time and increases in employee pay. There are about 95 employees still covered under the plan, although the amount to be paid out to these employees will not increase. Three years ago the Finance Committee requested that our actuaries provide a report as to how much the Association would have to fund to terminate the plan. At that time it was determined to be about \$3 million. In 2010, the Finance Committee approved engaging David Rosenthal, one of the Association's investment managers, to manage the defined benefit plan assets and work with the actuaries toward a goal of terminating the plan.

A subcommittee of the Finance Committee is currently reviewing the Post-retirement Medical Plan with the goal of amending the plan to reduce future costs. Currently the plan covers employees who retire at 55 with 10 or more years of employment. Some of the options being reviewed include changing the eligibility of participants as well as capping future benefit costs. The subcommittee expects to finalize its recommendations this year. The Association funds this obligation on a cash basis. The total payout over each of the past two years was about \$55,000.

Long-term Non Cancelable Leases

The Association is obligated under a lease agreement with The New York Bar Foundation through 2021 requiring annual lease payments of \$269,000. Additionally, the Association is obligated to Green Island Properties for the Print Shop lease through 2024. This lease requires annual lease payments of \$210,000. The Association also has several non cancelable leases for office equipment with no more than a 5 year life. Payments for these operating leases were approximately \$377,000 in 2010. In total, the future minimum lease obligations under non-cancelable leases with lease terms in excess of one year is approximately \$6 million.

Appendix 2-C

Detail Budget Worksheet - Committees		APPENDIX 2-C	
Postage and Shipping	Quantity	Price Per Unit	Total
Example - Comm Mtg Announcement	30	0.44	13.20
Total			
Awards and Grants			
Name			Amount
Total			
Consultant Expense			
Name			Amount
Total			
Advertising and Marketing			
Name			Amount
Total			
Outside Printing			
Name			Amount
Total			
Committee Meetings			Amount
Annual Meeting			
Others: _____ (#) at \$ _____.			
Total			

Detail Budget Worksheet - Committees		APPENDIX 2-C	
Officers' Expense			
<u>Name</u>	<u>Reason</u>		<u>Amount</u>
Total			
Misc Service and Professsional Fees			
<u>Name</u>	<u>Reason</u>		<u>Amount</u>
Total			
Meeting & Program Costs			
<u>Type</u>	<u>Meeting</u>		<u>Amount</u>
Total			
Graphics			<u>Amount</u>
January			
February			
March			
April			
May			
June			
July			
August			
September			
October			
November			
December			
Total			

			APPENDIX 2-C	
SECTION BUDGET WORKSHEET				
MEETING BUDGETS FOR 2011				
	<u>Annual</u>	<u>Mid Year</u>	<u>Other</u>	<u>Total</u>
Revenue				
Meetings				
Sponsorship				
Total Revenue				
Expense				
Meeting Room Rental				
Catering				
Beverage				
Speaker / Guest				
Audio/Visual				
Promotional				
Ground Transportation				
Activities & Entertainment				
Gratuities				
Officers Expense				
Misc. Meeting & Program Costs				
Total Expense				
Net Revenue				

Appendix 2-D

NEW YORK STATE BAR ASSOCIATION

SECTION SURPLUS

APPENDIX 2-D

AS OF DECEMBER 31, 2009

For Year: 2010

<u>Section</u>	2008	2009	2009	2009	2009
	Accumulated Surplus (Deficit)				Accumulated Surplus (Deficit)
Antitrust Law	145,917	113,134	80,023	33,111	179,028
Business Law	320,551	131,068	134,565	(3,497)	317,054
Comm. & Federal Litigation	144,166	168,198	169,155	(957)	143,209
Corporate Counsel	121,631	46,719	46,784	(65)	121,566
Criminal Justice	23,038	54,743	52,586	2,157	25,195
Dispute Resolution	0	35,726	36,551	(825)	(825)
Elder Law	172,348	188,063	236,896	(48,833)	123,515
Entertainment Law	27,689	74,495	69,052	5,443	33,132
Environmental Law	35,135	82,113	78,116	3,997	39,132
Family Law	125,600	308,814	270,416	38,398	163,998
Food, Drug & Cosmetic Law	14,367	8,565	5,245	3,320	17,687
General Practice	193,338	44,639	25,808	18,831	212,169
Health Law	46,967	59,160	45,173	13,987	60,954
Intellectual Property Law	131,670	130,239	112,360	17,879	149,549
International Law	165,441	240,622	283,023	(42,401)	123,040
Judicial	(3,409)	18,000	30,674	(12,674)	(16,083)
Labor & Employment Law	70,466	127,669	109,041	18,628	89,094
Municipal Law	25,646	53,040	35,198	17,842	43,488
Senior Lawyers	0	15,082	15,280	(198)	(198)
Real Property Law	125,713	215,833	239,839	(24,006)	101,707
Tax	70,103	176,275	145,728	30,547	100,650
Torts, Insurance & Comp. Law	24,071	193,301	157,213	36,088	60,159
Trial Lawyers	222,940	113,023	120,270	(7,247)	215,693
Trust & Estates Law	253,483	342,711	317,674	25,037	278,520
Young Lawyers	25,879	138,350	122,450	15,900	41,779
Tax Executive	52,960	30,125	26,843	3,282	56,242
	<u>2,535,710</u>	<u>3,109,707</u>	<u>2,965,963</u>	<u>143,744</u>	<u>2,679,454</u>

Appendix 3-A

Executive Summary: NYSBA Competitive Analysis

Beginning Spring 2009, NYSBA conducted a competitive analysis of the www.nysba.org Web site and other online services in comparison to those of other Bar Associations. The methodology of the research included an extensive survey of other Bar Associations and in-depth research into trends and expected future developments in online services.

The culmination of this research is the NYSBA Competitive Analysis. Below is a brief summary of findings and recommendations.

Findings:

- NYSBA is in a competitive position with similar sized Bar Associations when it comes to Web sites and is a leader in bringing new offerings to the membership.
- NYSBA is falling behind in terms of Web 2.0 offerings such as digital audio, digital video, mobile web and other features.
- NYSBA stands out from the crowd in terms of number of blogs and substantive content of blogs. Other Bar Associations are just entering into blogging and have used it mainly as a marketing tool for their associations.
- Futuristic offerings such as Web-based television channels, mobile apps, etc. are barely on the radar of other associations
- Webcasts/podcasts of CLE programming is considered the norm and no longer cutting edge
- The world of the Web is rapidly changing and traditional Web sites can be expected to give way to various elements being selected for use by members (elementization), not necessarily on a traditionally hosted site

Recommendations:

- **Recommendation:** Pilot use of RSS feed for three content areas of NYSBA Web site (one Section publication, Ethics Opinions, and Member Discounts and Benefit Programs)
- **Recommendation:** Begin planning for more flexible customization and improve content delivery to current custom pages. Investigate and plan for costs of re-formatting and programming the MyNYSBA page.
- **Recommendation:** Choose appropriate content based on traffic analysis and user patterns and improve design, content, and flow of NYSBA Welcome page for logged in users.
- **Recommendations:** By the beginning of 2012 NYSBA should be:
 - offering a variety of apps (on multiple platforms),
 - offering e-books on multiple platforms,
 - offering a robust mobile Web presence,
 - optimizing the site for newer Web browsers,
 - offering significantly greater flexibility for choosing what types of information a user chooses to show in a MyNYSBA-type page. (For example, the MyFavorites option could be executed and would allow users

to select the parts of the site THEY want to see on their MyNYSBA page. MyFavorites does not currently exist and would require custom coding in order to.)

- ready to launch (or already have) a dramatically improved free legal research offering,
- developing Solo/small firm resources enough to warrant main navigation status
- redesigning the site to take advantage of apps, mobile Web and the coming elementalization of content
- building the site in a new content management system that offers flexibility in the face of a changing Internet and accommodates digital audio and video files and allows embedding of clips into content pages

2009 Web Competitive Analysis and Best Practices Report

While the Internet is an ever-changing entity, few times in history have we ever experienced such significant change in the ways in which we communicate. Social media and social networking have forever changed the landscape of the Internet and will continue to influence the way the Internet works – and how people use it – for years to come.

The influence of social media is driving trends across the internet from the rapidly increasing demand for mobile computing to the growing acceptance of cloud computing, from use of Web-based collaborative work spaces to development of leading edge applications such as Internet TV.

This report seeks to answer questions about where we are headed as an organization, what we need to focus on next, what our site might look like in five years and what opportunities and challenges are presenting themselves.

The methodology for this report is based on in-depth internet research and reading as well as a survey of Bar Association leaders from around the country and numerous discussions among Bar Association communicators. A total of 35 responses were received.

Immediate Issues Facing Bar Web Sites

Monetization of Web Sites

In the next one-to-three years, Bars can expect to face a number of important issues. High on the list among those concerns is pressure to monetize Web sites either through e-commerce, advertising, or a combination of both. More than 57% of survey respondents indicated that monetization is a current concern they expect to address. While monetization continues to be driven by organizational policy, it is important to note the opportunities (and accompanying threats) that exist. Accepting ads on blogs has been raised by at least one Section and at least one other Section seeks sponsorship of its blog in order to offer a stipend to the blog coordinator. There is a tremendous financial upside in accepting Web-based advertising. The connected downside is that there is no control over what is advertised (especially using a tool like Google Ad Words) and the Bar could end up advertising competing CLE, competing Lawyer referral, ads for specific practices, etc. There is also the issue of then devoting financial and personnel resources to search engine optimization in the hope of generating greater ad revenues. Accepting Web-based advertising is not a topic to be handled lightly as there are numerous and significant issues associated with it. It is also important to recognize that as a non-advertising based site we have a premier Google search engine rank, which offers us prestige and a stronger negotiating position in the current marketplace. Accepting additional paid advertising would change that position unfavorably.

Digital Audio and Video on the Web

A very strong majority (77%) of survey respondents indicated that their primary area of concern is the demand for audio and video content by members and the media. The prevalence of YouTube videos and digital recordings (mp3 files) has made digital media mainstream for most Internet users. Bars around the country are being overwhelmed with demands for information in these formats. The NYSBA, like most other Bars, finds itself in the position of contracting out for these services due to the extensive load they put on servers and Internet services.

Much of the demand is in the area of CLE, where customers have an expectation of receiving CLE programming on-demand in audio and video formats. For the NYSBA, online sales of traditional audio formats (cassette tapes and compact disks) are down well over 40% for the year and continuing to decline. Sales of online CLE, which includes Webcast archives, webinars, etc. are up close to 50% for the year. Users expect to be able to access what they want wherever they are – and that means Web interfaces and Web-based delivery of products.

A major threat facing Bars is the high cost of producing and delivering digital media files. While there are plenty of handy tools available to create inexpensive clips to be posted on hosted sites (like YouTube or the 180 other video-sharing Web sites), producing professional-quality work takes high-end equipment and trained practitioners. The NYSBA has been fortunate to successfully work with both Creative Approaches and Total Webcasting for recording, editing, and hosting of digital media files. If we were to attempt to bring these functions in house we would be facing extensive expenses for personnel, equipment and more importantly, internet pipeline. Digital media files create a significant load on bandwidth as they transfer or download. Offsite hosting makes the most sense both logistically and financially now and for the near future. The NYSBA would need to host a media disk array and drastically increase bandwidth/pipeline in order to host digital media onsite.

Our strong relationship with reliable and forward-thinking vendors is a major competitive advantage over other Bars. It has allowed us to quickly ramp-up our online CLE offerings and introduce several new formats over the last year. Other Bars who have not developed these relationships are involved in relationships with vendors such as Lexis or Westlaw and share a large percentage of their CLE revenue in exchange for technical and hosting assistance. Nearly 60% of survey respondents expect to increase their presence and investment in digital media in the next year. More than 20% expect to maintain their current level of investment.

Obsolescence of Traditional Web Sites

The traditional “brochure-ware” model of an Association Web site has become obsolete. Even small bars offer elements of interactivity and even some e-commerce. But those enhanced models are rapidly becoming obsolete as well. More than 42% of survey

respondents indicate that their traditional Web sites will need to undergo dramatic changes to stay current.

Several factors are contributing to the decline of the traditional Web: **Mobile computing, social media and digital media**. There is no current consensus on how to handle mobile computing. Traditional Web sites do not render well on handheld devices – but there is conflict over whether the correct solution is to create an alternative site for mobile users or to optimize traditional sites to be more handheld-friendly. Social media has created a culture of interaction and an expectation of personalization. Digital media has changed the way information is displayed and in many settings also encourages interaction.

Mobile computing offers both an opportunity and a threat for NYSBA. It offers the opportunity to create an entirely new presence for mobile users with streamlined, stripped-down content. It also presents a threat – if users can't get what they need when they want it they will quickly find other information sources that they can access. An additional threat arises as we continue our extensive blast e-mail program. Users that are predominantly or exclusively viewing messages on handheld devices are going to miss out on a large number of our messages, which contain important information and/or marketing for products and programs. Any mobile computing solution will need to include a policy dictating that e-mails must include a "view on the Web" link for mobile users.

Producing a separate and carefully designed and organized mobile site will put NYSBA in a very strong competitive position with respect to other Bar Associations. Currently no survey respondents have a mobile Web site and only 20% are considering creating one in the next year. More than 60% of Bars have no plans to create a mobile site – most likely due to the complicated logistics and costs associated with offering this feature. For example, the current content management system may not easily handle a mobile version; even if the CMS can handle the load of maintaining a separate and distinct site it will require an entirely new template and cascading style sheet. It remains to be seen if it makes more sense to maintain a mobile site separately or as part of the existing site. At a bare minimum the resources necessary will include server space, programming, design, file management, search implementation, content creation and content formatting. If we elect to include e-commerce in our mobile site that will add an additional layer of complexity – although including e-commerce is probably a wise and forward-looking choice.

Social media has been very successful for NYSBA to date but there is more to be done. Other Bars are making better use of their Facebook presences. The NYSBA is a leader with LinkedIn but has only begun to tap the potential of Twitter. We have not even begun to use social media tools such as BlogTalkRadio or YouTube that rely on digital media, although the potential exists.

The social media model is changing user expectations of Web sites, mainly in the area of interaction. For example, many e-commerce sites allow users to rate and review products so before purchasing a user can read reviews from other purchasers or see how others

rated a product. On regular content pages users are coming to expect to have an opportunity to add their own thoughts as comments or to click a link to “follow” or “friend” a content creator on linked social media sites.

Because of the uncontrolled nature of social media interactivity, social media also presents both an opportunity and a threat. The opportunity is to enhance e-commerce offerings with a feedback mechanism or even to experiment with ratings and reviews at some point. Moderating this feedback will offer a modicum of control. Providing an interactive, solicitous shopping experience will put products in the NYSBA store more on par with major e-commerce sites like Amazon.com or Zappos.com. It's critical to note here that NYSBA has a major, major competitive advantage in having live telephone representatives answering the phone, answering questions and providing customer service. Our free U.S. shipping and liberal returns policy is a stealth advantage that we should market more and tout in all our print materials. Few, if any, other legal publishers can offer this level of service or these law-firm friendly policies.

The biggest threat posed by social media is the “wild west” aspect of social media as a genre. New social media tools are arriving on the scene every day and it is impossible to police all potential commentary on the Association or about attorneys in general. Not participating on social media is not an option – because if the NYSBA doesn't claim a leadership role in all major social media outlets we are abdicating our role and random members will step in and speak and set the tone for us. While members are critical to our success in social media, the tone should be set by the leadership and management team – not the first person to decide a new site is fun and useful.

Digital media – as noted above under Digital Audio and Video – presents a variety of opportunities to expand NYSBA's presence and to open new channels of member communication and interactivity. For all of these opportunities, there are corresponding threats. In addition to the personnel and financial resources needed to do things well, using digital media in an interactive way presents a range of issues to be considered. If we were to use BlogTalkRadio, how would we control the message and could we filter the callers responding in order to stay on topic? If we create a YouTube channel will our intellectual property end up clipped and pasted in other Internet spaces? Could a Bar leader's soundbite end up taken out of context somehow? An unhurried and carefully considered digital media plan can address these concerns pre-emptively and anticipate issues and problems and offer solutions before they happen.

Demand for Collaborative Work Spaces

Another key issue facing Bar Associations is the demand for collaborative work spaces by members. More than 45% of survey respondents indicated that members demand for collaborative work spaces is an issue they are dealing with now or expect to deal with in the near future.

Until recently the most widely known collaborative tool available was a wiki – a type of html page that is editable by multiple parties. Wikipedia is the most famous example of a

wiki, although allowing editing by any and all users is not a requirement or the normal practice. The most significant problem with using wiki as a collaborative work environment is that it requires all the users to have at least a basic comfort level with HTML.

Although the tools have limitations the demand for online space for crafting documents, reports, presentations and the like has not diminished. Members are happy to use tools such as Google Docs or Scribd.com – free online tools that allow them to post documents in a common space, accessible by others in their group. At this point in time these free tools are meeting the current needs of members and no Bar Association is offering any proprietary or non-public collaborative work space.

The demand for collaborative workspaces and tools is small but vocal. Given the existence of good, free tools there is no pressing need for Bar Associations to pursue collaborative works spaces as a member benefit. While there isn't a pressing need, the opportunity exists for a Bar Association to step up and offer a branded, private collaborative space for members. This space should go beyond basic document sharing and should include whiteboard technology and other screen sharing/file sharing tools currently available in virtual meeting software (such as WebEx or MeetingBridge).

Demand for Dynamic, Personalized Content (and Apps)

Bar Leaders identified the need to deliver personalized Web site content to members as a very important issue. More than 54% of survey respondents indicate that personalization and dynamic delivery of content is an issue they are currently dealing with or expect to deal with soon.

While the NYSBA maintains the customizable, personalized MyNYSBA interface it is critically important to continue to monitor trends in this area. One key issue regarding personalization is the growing use of Apps (mini applications used on handheld devices). No Bar Associations currently offer Apps although a few make their online directories mobile-friendly and consider that to be an App offering.

True Apps will bring Bar Association content offerings directly to end-users. Users won't be accessing a Web site and searching or surfing for content. Content will exist in a contained way as an App.

The NYSBA is planning to create an App for the CLE Credit Tracker. This will allow users to access the tracker on their handheld devices, enter information, view credits, etc. While it will interface with the Web site on the backend, the front-end experience will be entirely handheld.

More and more content will be expected to be available in App format. For example, a search tool with links to ethics opinions would be a handy App for attorneys. A Best of NYSBA App could offer a mini-version of a links-only site with quick access to Model Rules, Ethics, CLE, etc. Apps need to be very focused and very user friendly.

The current issues for Apps are the ever-changing landscape of platforms. At this point no one platform has risen to the top, although iPhone is a clear leader. While Apps present an exciting opportunity for NYSBA to build brand identity and user loyalty they present a number of challenges as well. Decisions need to be made as to what platforms NYSBA will support, how NYSBA will handle the rise of new platforms, how much should be devoted to Apps in terms of resources and more. App users have literally thousands and thousands of choices so it will be a challenge to stand out in that crowd. It will be a challenge to market to and reach handheld users and convince them to try a free App and it will be an ongoing challenge to offer technical support to end users who decide to try a free App without any really knowledge or understanding of how their handheld devices work.

NYSBA's pursuit of Apps will put the Association in an enviable position. More than 72% of survey respondents have no plans to offer Apps any time in the next five years.

Aside from Apps, regular (not handheld) users will have growing expectations of content being specific to them and relating only to their preferences. Web statistics show a consistent growth over the past year in users of the MyNYSBA page. As users grow more comfortable with the idea of only getting the information they want they also become more interested in personalizing their experience.

The portalized presentation of MyNYSBA may need to become more flexible. Competing portals (from large public organizations like Google or Yahoo!) offer users the opportunity to move elements around the page, remove elements, choose elements from a list, and even import elements from other sites. While much of this is probably more than NYSBA needs, it is worth considering how the MyNYSBA page could look in a few years. One innovative step NYSBA could take would be to offer a "MyFavorites" block which would allow end users to select their preferred content and have links displayed for them in a block of their MyNYSBA page. The NYSBA Web site is very large and complex. A MyFavorites feature would make it easy for users to return to information they use regularly and would address the need for "segment of one" customization.

Issues Affecting Users with Disabilities

Making the NYSBA Web site more accessible for people with disabilities – especially those with visual disabilities – has been a priority for several years. Leaders of other Bars are starting to view this issue as important as well. More than 30% of survey respondents indicated accessibility as a key issue they are facing.

While total accessibility remains an ongoing challenge, the NYSBA has taken a number of steps in the right direction. The new Web site design includes a Skip Navigation feature to help screen readers access content directly without reading extensive navigation on each page. Our Web content policy and training instructs users to clean up the HTML code so screen readers aren't hung up by extensive and unnecessary code

markers. The use of Alt-tags has improved the experience for those using screen readers to be able to understand the placement and purpose of various graphics. We are currently working on improving the accessibility of our PDF documents through a more careful effort in creating them.

We selected a blogging platform that is designed with accessibility in mind. The SixApart/Movable Type blog platform is inherently accessible as are other social media tools such as Twitter and LinkedIn. Recognizing that not all visually impaired users have a screen reader, we are careful to use high-contrast colors (dark type on light backgrounds) and not to clutter our social media pages with lots of graphics or backgrounds.

As we move toward more mobile-friendly sites we will naturally make things more accessible, which is an added benefit.

NYSBA is a leader in terms of making accessibility a priority. Although Unified Bars are generally considered quasi-government agencies they are not focused on accessibility for the most part. Many have not redesigned their sites in a number of years and for those that have redesigned many are using non-accessible formats or making design choices that actually reduce accessibility.

In terms of describing accessibility as an opportunity or a threat it seems less is more: focusing on accessibility is simply the right thing to do.

Part II: Opportunities and Challenges in Web Site Management

Web Site Search Capability

The single biggest issue facing the NYSBA Web site is site search capability. The site has outgrown the capacity of the current Verity search engine and during this period of growth, enterprise search has improved significantly. It is important to note that dissatisfaction with current site search tools has become nearly universal across Bar Associations in the last year. NYSBA is on the leading edge in considering various options for replacing the current search tool.

Among Bar Associations there is a mixed approach to search. Some bars are implementing the free Google-branded search that requires accepting un-moderated classified advertising. Several large Bars (Florida, Michigan, California) are using the Google Search Appliance, which offers a Google-branded search but within the design of the site. No advertising is involved (aside from the large, obvious Google logo). The State Bar of Texas suffers from the same inadequate search as NYSBA.

The NYSBA has thoroughly investigated search options available to us – regardless of pricing constraints. Each option carries significant expense – something not currently part of the Web budget. Perhaps the most exciting development is the rise of conceptual search. Conceptual search not only delivers results based on actual search terms but can also suggest results that are conceptually related, even if they don't include specific key words. For example, someone searching on Java could be looking for information on coffee, on programming languages, or on the Indonesian country. Conceptual search uses a variety of factors to determine the information sought and to deliver appropriate results. To apply this to the Bar world – someone searching on personal injury lawyer would be able to get search results for the Torts Section, Trial Lawyers Section, etc., even though they didn't use those key words. The implications for member satisfaction with this type of search are enormous.

Algorithmic search (most commonly known through Google) is another option. This type of search takes into account the popularity of various information on a site based on how often the information is accessed and how often terms are searched. Google's proprietary algorithms are probably the most highly regarded among users, are considered very intuitive and as a brand Google certainly has the broadest name recognition among search providers. Google has the added advantage of presenting search results in a manner that appears familiar to anyone who has ever used Google for a general internet search.

There are search providers who continue to offer keyword searching based on metadata tags and so on. At this point in time, sophisticated Web sites with large content stores have exceeded the capacity of this type of search. If conceptual search is out of reach, algorithmic search must be considered as the next best offering.

Recommendation: In order to remain competitive in terms of site search, NYSBA must act quickly to replace the current, poorly functioning site search tool. To take on a leadership role among bars NYSBA will need to go beyond what is now considered the commonplace Google Search Appliance and will need to pursue conceptual search in an effort to bring a competitive user experience to the Web site.

Search Engine Optimization (SEO) and Search Engine Marketing (SEM)

Tangentially related to site search is Search Engine Optimization. While SEO has taken the commercial Web world by storm in recent years it has not been a significant factor for NYSBA due to our strict policy on minimizing Internet advertising. As the Internet landscape continues to shift, examining the way other Bars use SEO may have value.

Optimizing the searchability of a site has two main purposes: to raise the search engine rank (where your site appears on a search results page) and to expose key areas of your site to specific audiences with the intention of getting users to click ads or take other actions that bring revenue to your site. This falls under the heading Search Engine Marketing or SEM.

Among Bar Associations SEO is handled in a variety of ways. More than 45% of survey respondents have dedicated in-house staff handling SEO and Web advertising. Another large group (almost 30%) uses consultants or vendors to manage SEO. Yet another group (28%) – including NYSBA – remains uninvolved in SEO at this point in time.

While SEO remains a significant approach to driving Web traffic (37% of survey respondents indicate they use SEO for this purpose) is not the only approach. More than 45% of survey respondents (including NYSBA) currently use metatags, metadata and keywords in the development of their pages in order to make information more searchable. More than a quarter of Bars participating in the survey use strategic linking as a method of raising their search profiles. Strategic linking involves connecting your site to sites with premier search engine ranks in order to enhance your own ranking. The search algorithms weigh heavily the types of sites that link TO your site – so getting a premier site to link to you and allowing you to link back is considered a strategic victory.

At the top of any Internet search is a group of links to sites that appear in a colored block. These search results are referred to as Sponsored Links or Sponsored Search. The sites that appear in this way have paid a fee to come out at the top of search returns. Among survey respondents only 8% have opted to participate in sponsored search.

SEO and Web site monetization

Earlier in this report we covered monetization of Web sites as an immediate issue for consideration. The connection between SEO and monetization is important because SEO and search engine rank can determine the revenue – or potential revenue – available to a site.

Of the survey respondents who accept paid advertising as a way to monetize their Web sites, more than 30% accept paid classified advertising. More than 25% accept paid banner advertising (including NYSBA). A sizeable group of Bars (20%) accepts paid sponsorships of their Web sites. In terms of creative ways of accepting advertising to monetize sites, one other Bar joins NYSBA in offering a business-service providers directory (i.e.: the NYSBA Vendor Resource Guide) that offers listings in exchange for payment. One Bar is getting ready to offer an online directory of members that will offer paid opportunities for enhanced listings indicating areas of practice, etc.

Recommendation: NYSBA should continue to monitor other Bars' use of Web advertising and be aware of opportunities for monetization if the need should arise and there is a demand/desire from the membership for such an offering.

Web Analytics/Metrics

The final component of search optimization is Web analytics. Without good analytics it is nearly impossible to measure the success of anything other than revenue generation. When it comes to Web Analytics, Google Analytics is highly regarded. More than 40% of survey respondents indicated satisfaction with Google Analytics with another 22%

indicating they were neutral. No users were dissatisfied. Part of the draw of Google Analytics is the fact that it is free to anyone who wants to use it. Other attractive aspects of Google Analytics include the software-as-a-service model, which reduces the workload on IT staff and also reduces the load on a server from maintaining logs, generating reports and so on.

Clicktracks – the analytics tool NYSBA uses – has a much smaller audience. Of the survey respondents who do use Clicktracks, only 4.5% are satisfied. More than 13% were neutral. Clicktracks requires significant IT assistance to implement and to use on a monthly basis. Without major involvement in SEO, Clicktracks is probably overkill for most Bars. As its name suggests, Clicktracks does a fine job measuring pathways through sites, measures and monetizes clickthroughs and so on. It requires extensive manual setup and takes an exceptionally long time to generate reports. Clicktracks resides on the servers of the sites it analyzes and takes a heavy toll on server loads.

The elite analytics tool Web Trends satisfies about 17% of users but dissatisfies more than 4%. Web Trends is the most expensive analytics tool available and is difficult to work with. The quality of the analytics is very high because there is no manual intervention. Web Trends measures site traffic using server logs and delivers a report showing traffic to a set group (i.e.: top 20) of URLs. While this information is very helpful and is incredibly useful in tracking trends, it is inflexible and not user friendly. It also takes a heavy load on servers and requires significant IT assistance to install, use and run reports. It offers little to no usable marketing information, such as clickthrough rates, or the ability to track specific URLs.

Several survey respondents recommended evaluating the analytics tool AW Stats. This tool also resides on the Web server and runs on server logs, meaning it will require IT support for installation, use and reporting. Others recommend the tool Urchin, which is a pre-cursor to the SAAS-based Google Analytics.

It is of interest that 17% of survey respondents use no analytics measurement tool at all.

Recommendation: It makes sense for NYSBA to convert from the difficult and time-draining Clicktracks analytics tool to the free and more user-friendly Google Analytics tool. The SAAS model frees up not only IT time but also reduces the server load and makes reporting more flexible and efficient. The major consideration preventing the immediate implementation of this plan is that Google Analytics uses Java Script (programming language) and Java Script can be problematic for users with disabilities using assistive devices. The analytics script would be embedded in the site template and the assistive devices may be able to skip over the scripting. Once this question is resolved NYSBA can move ahead with the free tool and save a few thousand dollars on analytics software and support.

Competition from Commercial Legal Sources

While survey respondents didn't consider competition from for-profit legal information providers a major source of concern (only 23% consider it an issue) it remains in the forefront for NYSBA. Nearly 60% of survey respondents indicated they do a good or very good job of offering free legal research with access to primary materials.

In some ways the growth of commercially available information on the Internet is a good thing. Sites like Findlaw.com provide good information to the public and in doing so offer a worthwhile service. Unfortunately, too many entries into this marketplace do little more than offer a venue for advertising for non-lawyer legal providers (organizations like We the People). With the decline of the economy the burden on legitimate low-cost legal providers has grown enormous and these for-profit sites for the most part serve as a distraction or provide misinformation to the public for a fee.

On the lawyer/member side of things competition from commercial sources will always be an issue. Up until now, the quality of content has been a solid source of NYSBA's ability to remain competitive. With increased legal blogging and the ease of dissemination of information through wikis, Google Knols and other reputable, user friendly and free sites there is increased competition for good content. Tech savvy lawyers are realizing that they can self-publish and keep all the profits for themselves instead of publishing on behalf of the Bar and sharing the bounty.

When it comes to legal research the marketplace becomes even more competitive. Westlaw remains the gold standard in research with Lexis close behind. Most firms involved in litigation or with even modest research needs have accounts with one or both of these major research providers. The untold story is that the numerous solo and small firms in the legal marketplace often have only modest to intermittent legal research needs and cannot justify the cost of maintaining a research subscription that is only lightly used.

Bars around the country have addressed this issue by pairing up with legal research providers to offer some type of free legal research to members. Many bars (Ohio, Massachusetts, Utah, North Carolina, Colorado, Nebraska, Mississippi, Connecticut, and Washington) offer the Casemaker service – a comprehensive legal research tool that requires annual payment of a fee-for-service based on number of Bar members. Another group uses Fastcase (including New Jersey, Florida, Illinois, Oklahoma and Minnesota). Fastcase is another comprehensive legal research tool but it is based on complex (and proprietary) algorithms and also offers a cutting edge visual results view that uses tools familiar to frequent users of social media (tag clouds, etc.).

The Pennsylvania Bar's Web site is completed co-branded with Lexis. The NYSBA offers limited free research through Loislaw. Westlaw and a variety of other small competitors have not offered full-association access models.

In terms of NYSBA's competitive position, Loislaw is considered a low-cost legal research alternative. It does not have the name recognition of Westlaw or Lexis and suffers from a lagging reputation of not having as complete an information library as its competitors. Given New York's geographic proximity to New Jersey, Connecticut,

Massachusetts, Ohio and Pennsylvania it appears New York offers the least comprehensive and least appealing offering in terms of legal research being provided through Bar membership. An attorney with an active practice in the tri-state area (which certainly could not be considered unusual) simply needs to purchase membership in the New Jersey and Connecticut Bar Associations to have full and complete access not only to Casemaker but also to Fastcase. This puts NYSBA in a truly difficult position in terms of remaining competitive for dwindling membership dollars. Given the nearly 60% of NYSBA members who are solo or small firm attorneys, this is not something that can be overlooked.

Recommendations:

1. Re-open discussions with Casemaker and Fastcase to discuss NYSBA's options and conduct in-depth financial analysis of projected future revenues based on membership levels and anticipated costs. If paying for legal research for NYSBA's law clerks and research attorneys is indeed a factor this should be part of the financial projections as well.
2. Survey members on satisfaction with current Loislaw offering and current member discounts offered for Westlaw, Lexis and Loislaw. Survey should include questions to assess awareness of Loislaw CaseAlert service, and Loislaw LawWatch search results on Section pages.
3. As we consider moving toward a mobile Web presence we need to request any legal research provider supply us with a mobile research tool to include on a mobile site. This will be a key feature in assisting our members adapting to mobile Web.

Providing the Content Users Want

A Web site can have an award-winning design, the best search tools available and its managers can have access to the most complete analytics on the market – and the site can still fail to meet the needs of its users. The needs of users change rapidly and can often be based on whim or caprice. In general, however, it is critical important to know the users of a site, anticipate their needs and make the information they want easy to find.

Search improvements and design techniques can address the last element – making things easy to find. Anticipating user needs and predicting their desires is more complicated and more difficult.

The NYSBA Web site's content is based on several surveys over time. Consistent among those surveys was an indicated desire to have forms available online (members would prefer them to be free but they also want them to be the latest version, to work with the courts, and to be easily downloadable) and to provide substantive legal information. The term "substantive legal information" is open to interpretation and can include legal research tools, case search results, case summaries and the like. It also includes things

like ethics opinions, substantive articles that appear in Bar publications, legislative information, rules, codes and regulations, and court rules and information.

Respondents to the NYSBA Web survey of Bar Associations feel that, in general, they are doing a satisfactory job of providing substantive content on their sites. Nearly 50% feel that they are hitting the mark with Ethics Opinions. Almost 40% find their legislative information or proposed legislation elements to be good or very good – but 33% find their offerings poor or very poor. More than 43% find that they do a good or very good job providing legal forms online – although another 36% feel they do a poor or very poor job in this area. When it comes to the courts (rules, decisions, schedules, etc.) more than 45% of respondents indicated they do a good or very good job of supplying this information. Only 18% of respondents rate themselves poor or very poor in this area. More than 42% of respondents are satisfied with their offerings of Section or Committee reports online and 78% are satisfied with their Bar publications online. Between 12% and 20% of Bars find room for improvement in their offerings of Bar publications or reports of Sections and Committees. Local/municipal codes, rules and regulations seem to be a problem for most Bars. Only 29% of survey respondents rated themselves good or very good in terms of providing local/municipal rules, codes or regulations. Nearly 27% indicated they could improve in this area.

Although NYSBA does a very fine job of posting publications online (Section journals, electronic versions of other Bar publications such as the Bar News, Bar Journal, Law Digest and the like) and is a true leader when it comes to making Ethics Opinions available in a user-friendly format there is definite room for improvement in a few areas.

Legislative information and proposed legislation is skimpy to non-existent on the NYSBA Web site. The information we do provide is very good (the StateWatch real-time bill tracking tool) but the amount of information we provide is very small. This is a difficult area to compare as mandatory Bars are part of State government and have a different mission and different access to information than voluntary Bars. More consistent updates and inclusion of more substantive resources remain an opportunity for improvement on the NYSBA site.

Providing information on court rules, decisions, schedules, etc. would be an improvement on the NYSBA Web site. Due to antiquated computer systems used by the courts (and not standardizes state-wide) it is tremendously difficult to get information and make it available in a timely manner. In the past we partnered with a vendor to provide this information but ultimately even that did not offer a realistic solution. The best we can do at this time is to continue to work with the courts and to hope more resources are devoted to improving their computer systems so we could at least have statewide access to information and not the spotty access currently available.

A similar barrier exists with local/municipal codes, rules and regulations. There is no framework in place for collecting this information and its electronic existence is spotty and inconsistent. The Municipal Law Section is making efforts in this direction, but this,

too, remains an opportunity for the NYSBA Web site to improve and expand its offerings once municipalities catch up with technology.

Revenue tracking of transactions on the NYSBA Web site shows a massive increase in the purchase of online forms over the past year. This is attributable to a number of factors: The issuance of new Power of Attorney forms this Fall, an increase in the number of attorneys joining the Solo/Small Firm ranks, and a greater facility with technology and a willingness to use downloadable forms in an era where E-filing is the rule. NYSBA does a good job of offering a wide variety of downloadable forms and "smart collections" of the forms practitioners actually need.

Recommendations: NYSBA should continue to survey the membership on Web content needs and desires. The continuous Web survey offers a ready feedback tool for ongoing assessment. Content should be a flexible concept and should be ruled by the principles of continuous improvement. Existing barriers to publishing content (i.e.: numerous levels of approval rendering content out of date prior to publication) should be re-evaluated and streamlined where possible. All areas of the Bar should be reminded of the need to produce content in the form of reports, publications, notifications, etc.

Part III: Where Do We Go in the Future?

The constantly changing landscape of the Internet makes it difficult to predict what is going to happen next, but some technologies simply demand our attention. More importantly, members are beginning to demand more and more from technology and have come to expect NYSBA to respond quickly or to anticipate their needs.

Taking It to the Next Level

There are some technologies that are in existence and widely used that could benefit NYSBA but there has been slow adoption and difficulty establishing a bona fide need. RSS (really simple syndication) is probably the most significantly underused technology we have available to us. NYSBA blogs offer RSS feeds and those feeds are popular among blog readers. Our Web site has the technology to offer RSS feeds but we have not as of yet used that. In the last two years RSS technology has become more common place and more accepted. This is helped tremendously by new browsers having built-in RSS feeds and a growing number of users expecting specific delivery of information as opposed to Web surfing to find what they need.

Recommendation: Pilot use of RSS feed for three content areas of NYSBA Web site (one Section publication, Ethics Opinions, and Member Discounts and Benefit Programs)

Customization of the user experience is another technology that NYSBA currently offers but has not maximized. The MyNYSBA page offers a one-stop portal technology but once a user selects the practice area information they want the customization ends. Competitive sites can be expected to offer a more flexible approach to customized pages.

For example, each element of the MyNYSBA page could be removed, minimized or displayed. Some portal applications allow users to control the display and placement of the information. Someone may want the news feed on top while others may want to see the most recent information on upcoming CLE programming. Taking customization to the next level will likely require significant programming and expense so it isn't a suggestion to consider lightly. Customization, however, is an area of threat for NYSBA as a commercial entity could easily offer legal news, a research window, case summaries, etc. in a customized format that would make the NYSBA offering less and less relevant over time.

Recommendation: Begin planning for more flexible customization and improve content delivery to current custom page. Investigate and plan for costs of re-formatting and programming the MyNYSBA page.

Taking advantage of the prime Web real estate offered by the NYSBA Welcome page is another way NYSBA can take it to the next level. Currently the Welcome page simply directs users to the MyNYSBA page. Instead the Welcome page needs to truly serve as a portal to the site – a point of entry to critical information. Web traffic analysis shows users who login are looking for information on CLE, on Ethics, on Professional Standards and they are also using the online store. There needs to be a clear path for online store users to continue on to purchase products. But for other users, there needs to be visual entry points. Web traffic analysis also shows that users pay attention to what is in the middle of the page and don't intuitively use navigation. While a more attractive design to the Welcome page is needed, it is content and traffic flow that are of primary importance. With the new CLE Big Bang offering in place it makes sense to have a "Search CLE" function. Once the new site search tool is chosen and in place the Welcome page is a natural home for that as well.

Recommendation: Choose appropriate content based on traffic analysis and user patterns and improve design, content, and flow of NYSBA Welcome page for logged in users.

The Near Future

At this point in time social media and social networking are the top factors facing the Internet. Everyone is focused on which new entry will become the next Twitter or Facebook. It is critically important to remember that Facebook has been around for years and although the hype is new, the product has been in use quite awhile. Twitter became a household word in 2009, but not because it was a new software. Twitter became POPULAR in 2009 but had been around for at least a couple years before that. Some technologies take a little time to reach critical mass.

The technologies NYSBA should be watching and anticipating getting involved with are all digital audio- and video-related. Among respondents to the NYSBA Web site survey of Bar Associations more than 70% are offering some form of Webcasting. NYSBA has an excellent vendor partnership and has taken a lead among Bar Associations with the

free Lawyers in Transition Webcast series, Webcasts of the House of Delegates meetings and the annual Presidential Summit along with for-credit Webcasts of numerous CLE and Law Practice Management programs.

Roughly 50% of survey respondents offer streaming audio and video feeds. NYSBA avoids offering streaming audio and video outside of CLE Online programming due to server issues (NYSBA must host streaming audio and video externally at a vendor site). Other Bars clearly face the same issues, with 37% having no plans to stream audio and 26% with no plans to stream video. Podcasting (offering downloadable audio or video, possibly through the iTunes store) is an offshoot of streaming audio and video. Streaming means clicking on a link and hearing something or seeing a video. Podcasting means downloading the file and either viewing/listening on a computer or on a portable device like an iPod or MP3 player. More than one-third of survey respondents currently offer Podcasts and another 20% plan to shortly, but a final one-third has no plans to do so.

In terms of “new media” streaming audio and video and Podcasting are considered somewhat “old school.” In other words, they are new technologies anymore. There are a few technologies on the horizon that have interesting implications for Bar Associations.

More than one-third of survey respondents currently have a YouTube channel – but nearly 60% have no plans to get involved with YouTube at all. YouTube suffers greatly from being blocked by many, many businesses and realistically that level of blocking makes it an unlikely candidate for limited Bar Association resources.

In the past year BlogTalkRadio has become a bit of a phenomenon and that can be expected to continue over the next couple years. BlogTalkRadio offers users an Internet radio station and an 800-number. Anyone who signs up can have a radio call-in show. President Obama recently conducted a town hall meeting on health care reform over BlogTalkRadio. Other Associations (not Bar Associations) are using BlogTalkRadio to promote the messages of their leadership and to offer connections in a world that grows increasingly isolated and individualized by the day. Very few survey respondents were aware of the existence of BlogTalkRadio and only one respondent currently has a BlogTalkRadio presence. Shows are recorded and available for later download and BlogTalkRadio offers a Legal channel with offerings from lawyers, legal organizations, and commercial entities trying to reach lawyers (i.e. the www.mylegal.com social network for lawyers).

Another technology that isn’t considered important (yet!) by Bar Associations is Internet TV. The iTV technology is considered the next big thing according to the buzz in cyberspace and highly regarded blogs such as www.mashable.com. Among Bar leaders there is a lack of understanding as to what iTV is and how it could be used. Therefore, more than 96% of survey respondents do not expect to ever offer iTV. Simply put, iTV offers users the opportunity to create their own television channel and distribute it via the Internet. Perhaps Bar Associations do not see the value in visual representation or feel the technology resources involved are more than they want to get involved with. Regardless, Internet TV is a technology to watch. As users tire of short-clip videos such as those

found on YouTube the trend for ultra-specific iTV programming will grow and the legal marketplace is currently an untapped content source.

Recommendations: NYSBA has an opportunity to take a leadership role among Bar Associations by aggressively pursuing newer technologies and being prepared to exploit these technologies as they hit critical mass acceptance. Server issues will continue to be a problem that plagues NYSBA and it would behoove the Association to investigate articulated agreements for server use and storage with a vendor (such as TotalWebcasting) as the need for streaming audio and video, video clips, Podcasts, etc. grows.

NYSBA can also leap ahead of other organizations – including the ABA – by offering an ongoing BlogTalkRadio presence that focuses on Law Practice Management and the needs of Solo/Small firm Attorneys. Right now no Bar Association offers members a chance to call in and get real time advice or assistance. NYSBA can be ready to offer this within a very small timeframe and the Law Practice Management committee is already waiting to be of assistance with this. Much as the free Lawyers in Transitions Webcasts raised NYSBA's profile a BlogTalkRadio series could do the same, but with a more important and vulnerable member audience.

A Vision for the Future

Predicting what will happen on the Internet in five years is truly impossible, but in order to get to the future there must be a plan in place. Five years ago no one was talking about social media or social networking. Facebook was still just for Harvard students. Twitter didn't exist. MySpace was considered an up-and-coming technology. Streaming audio and video existed but were not widely used (as many users still didn't have fast enough Internet connections) and Podcasts were in their infancy. While Blackberries and other smart phones were in existence, their usefulness was mainly for keeping up with e-mails, as there were very few mobile-friendly Web sites available.

Leaping forward five years, the Internet will look completely different from how we see it today. Earlier in this report we discussed the obsolescence of traditional Web sites. This is likely to be the biggest shift we can expect. Instead of users visiting a site, gathering information, then going to another site, and then another I predict what I refer to as the "element-ization" of Web content.

Users will have a type a personal portal and they will visit sites and tag information to their portal page. When they visit their portal the information they receive will be aggregated from a number of sites but completely customized to the needs and desires of the user. Each content element will have a specific purpose, such as offering news, connecting to a specific social networking feed, allowing the user to conduct business transactions such as purchasing e-books or forms or articles, etc.

By reducing content to its elemental form it strips organizations of the ability to use their Web presence for branding and marketing. Instead, each piece of content needs to be able

to stand alone and to represent the brand and attract users or languish unread. This “element-ization” raises the stakes for both commercial and non-profit information providers.

The fragmentation of traditional content is already happening through the creation of apps for mobile devices. An app user isn’t accessing an organization’s Web site – and yet the user is interacting with the organization and taking advantage of something offered by the organization. Well-designed apps will bring users to the organization’s site for additional information, etc. but careful forethought needs to be applied in terms of branding, marketing and what role the app plays in terms of the Web site. Currently there are more than 100,000 apps for iPhones and more than 10,000 for Android phones with the apps library growing rapidly.

Rather than approaching this fragmentation of traditional Web content as a negative, there are opportunities for NYSBA in this process. Offering Web elements to members-only solidifies the relationship with members. Providing content members see every time they access their customized Internet view offers repetitive branding if done well. And when it comes time for membership renewal it is unlikely that the loss of content from a personal portal would go unnoticed. By integrating NYSBA content into the work lives of members NYSBA creates a closer bond and offers a more relevant and desirable product.

Another aspect of Web sites that can be expected to change radically over the next five years is the traditional Web browser. Newer browsers like Google Chrome are already changing the face of the Web. The browser is becoming the new operating system and as the industry moves more and more toward software-as-a-service (cloud computing) users will come to rely on their browser more than on any particular piece of software or operating system. The divergence away from the operating system as the controlling entity is driven heavily by reliance on mobile devices and demand for mobile-friendly sites and in turn mobile-friendly browsers, apps, software, etc.

In an effort to plan ahead, it is fair to estimate that the current NYSBA Web site has 18 months to two years more of useful life, especially as there have been ongoing updates and changes along the way.

Recommendations: By the beginning of 2012 NYSBA should be:

- offering a variety of apps (on multiple platforms),
- offering e-books on multiple platforms,
- offering a robust mobile Web presence,
- optimizing the site for newer Web browsers,
- offering significantly greater flexibility for choosing what types of information a user chooses to show in a MyNYSBA-type page. (For example, the MyFavorites option could be executed and would allow users to select the parts of the site THEY want to see on their MyNYSBA page. MyFavorites does not currently exist and would require custom coding in order to.)

- ready to launch (or already have) a dramatically improved free legal research offering,
- developing Solo/small firm resources enough to warrant main navigation status
- redesigning the site to take advantage of apps, mobile Web and the coming elementalization of content
- building the site in a new content management system that offers flexibility in the face of a changing Internet and accommodates digital audio and video files and allows embedding of clips into content pages

By 2015 NYSBA will need to have fully embraced the elemental aspects of content and strive to compete with commercial content providers by offering members-only apps, elements, etc. that are closely tied to membership status. Content will be flexible and users will expect to be able to rate content, comment on it, and choose content from aggregators based on ranking and user reviews.

There is a whole new world facing Web content in the not-too-distant future. Most of the changes will be uncomfortable and will not carry the traditional return-on-investment model. The NYSBA will be forced into being more open in allowing members to comment, rate and rank content (hopefully with moderation!). The value of the site will be its content and not its existence as a virtual representation of the Bar. The implications for Marketing and Membership are rather significant but can be addressed through careful planning and close monitoring of where the industry is going.

Appendix 3-B

ELECTRONIC COMMUNICATIONS COMMITTEE

October 27, 2010

David M. Schraver, Esq.
Nixon Peabody LLP
1100 Clinton Square
Rochester, NY 14604

Dear Mr. Schraver:

The New York State Bar Association's Web site, www.nysba.org, has displayed its current design for more than two years. In anticipation of a future redesign during 2011 the Electronic Communications Committee has begun preliminary research and study to determine the best ways to present the extensive information contained on the site.

The committee has received a proposal from a vendor specializing in Web site usability. While the NYSBA Web site has won awards and accolades there remains the opportunity to provide a more intuitive interface based on feedback from actual users. The vendor, Gloria Petron of Intuitive UX, Inc., is the current president of the New York City Chapter of the Usability Professionals Association and has consulted for Weil Gotshal & Manges, LLP and HSBC International Private Bank among others.

The proposal offers two options – a more limited version and a more comprehensive version. Members of the ECC voted to request funding for the more comprehensive version. In the limited version the consultant would conduct user interviews, develop user-type personas and provide guidelines for staff to implement a new interface. In the comprehensive version the consultant would conduct user interviews, develop user-type personas, reorganize the site's information architecture, assess usability of navigation through card sorting, provide a prototype (mock version) of the Web site, conduct usability testing on the redesigned site and offer guidelines for implementing the new architecture, navigation and interface.

At this time the Electronic Communications Committee is requesting that the Finance Committee approve the expenditure of \$20,000 to secure the services of Gloria Petron of Intuitive UX, Inc. for usability consulting and testing as outlined in the attached proposal. It is important to note that the scope of this proposal does not include the technical implementation of the redesign such as programming and graphics. The consultant's efforts will focus on defining usability, navigation and content strategy. The resulting recommendations will provide a foundation for redesigning the site that incorporates the feedback of our membership.

Please contact us if you have any questions or would like greater detail of the usability testing proposal. Your assistance in this matter is greatly appreciated.

Sincerely yours,

John Szekeres, Chair

Paul Gillan, Vice Chair

David P. Miranda, Executive Committee Liaison

Appendix 3-C

MEMORANDUM

TO: David P. Miranda, Esq.

FROM: Hon. Deborah Kaplan

RE: Technology Subcommittee-NYSBA Strategic Planning Committee: Draft Memorandum on
The Use of Social Media by NYSBA

DATE: October 18, 2010

In today's competitive bar association marketplace, in order to attract, engage and retain members, the use of social media presents an effective and necessary tool. Lawyers today regularly engage in online applications and weblogs such as Facebook, Twitter, LinkedIn, MySpace and others to share legal information, attract clients and even gather evidence for cases. On-line social media sites also provide an opportunity for lawyers to share information about current cases or legal developments in a particular practice area. Instead of traveling to attend a meeting, one may now actively participate on an association page dedicated to a shared interest. These pages could cover such diverse interests as new lawyers seeking mentors to a group anxious to discuss the latest development in patent law. The availability of live feed on many sites permits an opportunity for up to date reporting about current cases of interest. The rapid expansion of mobile communicating allows members to be linked to the Association and its services wherever they are.

Introduction and Background

Facebook, MySpace, and Twitter are social networking sites which allow users to create a “profile” consisting of “personal information including name, birthday, political and religious views, online and offline contact information, gender, relationship status, education and employment history, and pictures. Social networking sites also offer tools for users to search out and add contacts.¹ Profiles also have a “wall where other users can post messages, send and receive messages, and share photos”² with other members of the social networking site. Social networking sites have become hugely popular. Facebook currently has around 400 million users.³

With so many users it is not surprising to see that many lawyers regularly use Facebook. Social networking sites have been called “backyard barbeques” and “professional Rolodexes” because users are able to connect on professional and social levels.”⁴ Social networking sites allow lawyers to “broaden the base of their online exposure through networking and communication.”⁵ Of interest, a practitioner in Wisconsin generated half his client base from social networking sites, by using the networks to communicate his professional association with others.⁶

¹ James Grimmelman, *Saving Facebook*, 94 Iowa L. Rev. at 1149 (2009).

² *Id.* at 1145.

³ Stephanie Chen, CNN, Tech, *Divorce attorneys catching cheaters on Facebook*, <http://www.cnn.com/2010/TECH/social.media/06/01/facebook.divorce.lawyers/index.html?hpt=C2> (June 1, 2010).

⁴ State Bar of Wisconsin, *Home, Local and specialty bar association leaders learn the benefits and risks of social media*, <http://www.wisbar.org/AM/Template.cfm?Section=News&Template=%2FCM%2FContentDisplay.cfm&ContentID=92290> (April 19, 2010).

⁵ *Id.*

⁶ *Id.*

Even Judges across the nation have become engaged in the social network trend. A recent study by the Conference of Court Public Information Officers revealed that “Judges appear to be adopting and accepting new media at about the same rate as the general population.”⁷

At least one court system has begun to experiment with the use of social networking sites. The Tennessee court system has been using Twitter for more than a year and has over nine-hundred followers. The Communications Director for the Tennessee court has said “It’s a great way to communicate with the public.”⁸

Despite the benefits of social networks, there are still several risks for lawyers and judges. Social networking sites might not create ethical violations, but they do provide new avenues to violate the ethical rules.⁹

Summary of the Use and Prohibitions of Social Networking Sites

Use in trials

Recently the New York State Bar Association (NYSBA) and the New York City Bar Association issued opinions finding that lawyers are allowed, under certain conditions, to obtain information from individual’s social networking sites to use in cases. The State Bar said that as long as the information on someone’s page is open for all the public to see, then a lawyer can look at it to acquire information.¹⁰

⁷ Tony Mauro, New York Law Journal, *Judges Approach Social Media Cautiously*, <http://www.law.com/jsp/nylj/PubArticleNY.jsp?id=1202471571764> (September 3, 2010).

⁸ *Id.*

⁹ State Bar of Wisconsin, *Home, Local and specialty bar association leaders learn the benefits and risks of social media*, <http://www.wisbar.org/AM/Template.cfm?Section=News&Template=%2FCM%2FContentDisplay.cfm&ContentID=92290> (April 19, 2010).

¹⁰ John Eligon, New York Times, *When Lawyers Can Peek at Facebook*, <http://cityroom.blogs.nytimes.com/2010/10/01/when-lawyers-can-peek-at->

The New York City Bar took its opinion one step further saying that lawyers can go so far as “friend” someone not represented by an attorney, so long as they make it clear who they are and why they are “friending” that person.”¹¹ The City Bar reasoned that “in the virtual world an attorney or her investigator could easily create a false Facebook profile listing schools, hobbies, interest, or other background information likely to be of interest to a target witness. After creating the profile, the attorney or investigator could use it to make friend requests falsely portraying the attorney or investigator as the witness’s long lost classmate, prospective employer, or friend of a friend. Many casual network users might accept such a friend request or even one less tailored to the background and interests of the witness.”¹²

The Philadelphia Bar Association has also made recommendations for lawyer’s use of social networking sites to gather evidence to impeach witnesses. In the advisory opinion the association described the following scenario. A witness has both a Facebook and MySpace page. A lawyer is attempting to gather information from those sites to impeach the credibility of the witness. However, the witness has restricted accesses to those pages only to those who the witness first approved or “friended”. The lawyer has a third person send a friend request to the witness, using all truthful information. However the third person did not reveal their intent for the request. If the witness allowed access, the third person would then provide the information posted on the page to the lawyer.¹³

facebook/ (October 1, 2010).

¹¹ *Id.*

¹² *Id.*

¹³ Philadelphia Bar Association Professional Guidance Committee, *Opinion 2009-02*, http://www.philadelphiabar.org/WebObjects/PBAReadOnly.woa/Contents/WebServerResources/CMSResources/Opinion_2009-2.pdf (March 2009).

The Philadelphia Bar Association advised that the above course of conduct would violate ethical rules because the communication by the third party with the witness is deceptive. "It omits a highly material fact, namely that the third party who asks to be allowed access to the witness's pages is doing so only because he or she is intent on obtaining information and sharing it with a lawyer for use in a lawsuit to impeach the testimony of the witness. The omission would conceal that fact from the witness that the purpose of allow access would be to obtain information for the purpose of impeaching her testimony."¹⁴

Prosecutors have used photos from social networking sites to seek increased sentences in DUI cases. A Rhode Island Assistant Attorney General displayed a Facebook photo of a defendant joking wearing an orange prison jumpsuit during a Halloween Party. The photo was part of a PowerPoint presentation with the title "Remorseful?" The Superior Court Judge focused in part on the photo when deciding to sentence the defendant to two years in state prison. In a trial before the Superior Court of California in Santa Barbara County, a defendant received two years in prison after posting pictures of herself on the internet drinking and partying just months after causing the death of her best friend in a drunken driving accident. Another defendant in a separate case before the court received five years for a fatal DUI accident after refusing her attorney's advice to remove incriminating photos of her on her MySpace profile page.¹⁵

Domestic Relations attorneys have also made extensive use of evidence found on social networking sites. Divorce and family law firms regularly cull information posted on social

¹⁴ *Id.*

¹⁵ Philip K. Anthony and Christine Martin, *The National Law Journal, Social media go to court*, <http://www.law.com/jsp/nlj/PubArticleNLJ.jsp?id=1202427868517> (February 2, 2009)

networking sites to support their case.¹⁶ Attorneys say that Facebook's relaxed privacy settings have enabled personal details to be leaked without the user realizing it. Users could enable further protection, but those protections are difficult to understand and can take "hours to figure out".¹⁷

Rules for Lawyers

Many bar associations and disciplinary committees have adopted rules for lawyer's use of social networking sites. The State Bar of Wisconsin advised that lawyers "must be careful and diligent about how they use social networking sites, and never to post anything they would refrain from saying aloud or write in other professional settings."¹⁸

The Washington State Bar Association has stated that "posting" on a website may violate Washington's Rules of Professional Conduct which prohibit disclosure of "information relating to the representation of the client" without informed consent. Nor may lawyers make "extrajudicial statements that the lawyer knows or reasonably should know will be disseminated by means of public communication and will have substantial likelihood of material prejudicing an adjudicative proceeding in the matter."¹⁹ When posting about favorable results achieved on behalf of their clients lawyers should be aware that is not "misleading if presented so as to lead a

¹⁶ Stephanie Chen, CNN, Tech, *Divorce attorneys catching cheaters on Facebook*, <http://www.cnn.com/2010/TECH/social.media/06/01/facebook.divorce.lawyers/index.html?hpt=C2> (June 1, 2010).

¹⁷ *Id.*

¹⁸ State Bar of Wisconsin, *Home, Local and specialty bar association leaders learn the benefits and risks of social media*, <http://www.wisbar.org/AM/Template.cfm?Section=News&Template=%2FCM%2FContentDisplay.cfm&ContentID=92290> (April 19, 2010).

¹⁹ Diana M. Darmin, Washington State Bar Association, *Lawyers Tweeting, Blogging, and IMing- Oh My!*, <http://www.wsba.org/media/publications/barnews/april10-lawyerstweeting.htm> (last modified March 31, 2010).

reasonable person to form an unjustified expectation that the same result could be obtained for other clients in similar matters without reference to the specific factual and legal circumstances of each client's case."²⁰

The Florida Bar has also indicated rules for lawyers advertising on social networking sites. Pages appearing on networking sites that are used to promote the lawyer or law firm's practice are subject the lawyer advertising rules. Florida regulations prevent lawyers from posting misleading information, posting statements characterizing the quality of legal services and visual or verbal portrayals that are false, misleading, manipulative or confusing related. Lawyers are also responsible for third party content posted on the lawyer's page if the lawyer prompted the third party to post information.²¹

Rules for Judges

Last year, the Unified Court System of the State of New York's Advisory Committee on Judicial Ethics weighed in on the issue of judges' use of social networking sites. The Committee concluded that there was nothing "inherently inappropriate about a judge joining and making use of a social network." However, judges should be conscious of the appearance created if the judge establishes a connection with an attorney or anyone else appearing in the judge's court through a social network. Judges must weigh whether an online connection, "alone or in combination with other facts, rises to the level of a 'close social relationship' requiring disclosure and/or recusal," the opinion states.²²

²⁰ *Id.*

²¹ The Florida Bar, *The Florida Bar Guidelines for Networking Sites*, <http://www.floridabar.org/tfb/TFBLawReg.nsf/9dad7bbda218afe885257002004833c5/a502e8b302def7a5852576e3004fc685!OpenDocument> (February 9, 2010).

²² Tony Mauro, *New York Law Journal, Judges Approach Social Media Cautiously*, <http://www.law.com/jsp/nylj/PubArticleNY.jsp?id=1202471571764> (September 3,

Florida and South Carolina have also approved judges' use of Facebook. South Carolina states that a judge may "be friends with law enforcement officials and employees of the Magistrate as long as they do discuss anything related to the judge's position as magistrate."²³ Florida states that judges may not "add lawyers as friends on the social network site who may appear before the judge, nor may lawyers be permitted to have judge who they will appear before as a "friend." Other states have yet to address this issue.²⁴ Such "friending" between lawyers and judges can create the appearance of impropriety.²⁵

Discipline of Lawyers

Lawyers have been disciplined for posting information about clients on internet blogs. In the Matter of Peshek²⁶, an assistant public defender had a blog discussing her work at the public defender's office and her clients. In several instances the public defender made specific references to her clients, listing one according to his jail identification number²⁷ and on a

2010).

²³ James M. Dedman, DRI, *Four Suggestions for Lawyers' Social Media Usage*, <http://clients.criticalimpact.com/newsletter/newslettercontentshow1.cfm?contentid=994&id=196>, and see South Carolina Judicial Department, *Advisory Committee on Standards of Judicial Conduct, Opinion No. 17-2009*, <http://www.judicial.state.sc.us/advisoryOpinions/displayadvopin.cfm?advOpinNo=17-2009> (October 2009).

²⁴ James M. Dedman, DRI, *Four Suggestions for Lawyers' Social Media Usage*, <http://clients.criticalimpact.com/newsletter/newslettercontentshow1.cfm?contentid=994&id=196>.

²⁵ Edward Cheng and John Nagle, Law.com, *Avoiding the Ethical Minefield of Social Media: Do You Know Who Your Friends Are?*, <http://www.law.com/jsp/cc/PubArticleCC.jsp?id=1202472253611> (September 21, 2010).

²⁶ Illinois Attorney and Disciplinary Committee, *In the Matter of Kristine Ann Peshek*, <http://www.iardc.org/09CH0089CM.html> (August 25, 2009).

²⁷ Entry: "#127409 This stupid kid is taking the rap for his drug-dealing dirtbag of an older brother because "he's no snitch." I managed to talk the prosecution into treatment and deferred prosecution, since we both know the older brother from prior dealings involving drugs and guns. My client is in college. Just goes to show you that higher education does not imply that you have any sense."

different entry discussing confidential information²⁸ about another client.²⁹ In disciplining the attorney, the Illinois Attorney Registration and Disciplinary Committee held that the public defender “knew or reasonably should have known that the information was confidential” and revealing the information was a violation of the Illinois Rules of Professional Conduct.³⁰

Discipline of judges

Judges have also been disciplined for ethics violations stemming from social networking site use. In April 2009, Judge B. Carlton Terry Jr. of North Carolina was publicly reprimanded for Facebook *ex parte* communications with counsel for a party in a matter being tried before him.³¹ During a case the judge and attorney for the defendant had spoken about Facebook, and subsequently became friends. The attorney for the defendant posted something related to the case on a Facebook wall. Judge Terry then posted that he had “two good parents to choose from” and the attorney for the defendant then replied “I have a wise Judge.”³² The attorney for the plaintiff filed an action for cause and the North Carolina Judicial Standards Commission held that “Judge Terry’s actions evidenced a disregard of the principles of conduct...including failure

²⁸ Entry: “‘Dennis,’ the diabetic whose case I mentioned in Wednesday’s post, did drop as ordered, after his court appearance Tuesday and before allegedly going to the ER. Guess what? It was positive for cocaine. He was standing there in court stoned, right in front of the judge, probation officer, prosecutor and defense attorney, swearing he was clean and claiming ignorance as to why his blood sugar wasn’t being managed well.”

²⁹ Illinois Attorney and Disciplinary Committee, *In the Matter of Kristine Ann Peshek*, <http://www.iardc.org/09CH0089CM.html> (August 25, 2009).

³⁰ *Id.*

³¹ The North Carolina Court System, *Public Reprimand, B Carlton Terry, Jr. District Judge, Judicial District 22*, <http://www.aoc.state.nc.us/www/public/coa/jsc/publicreprimands/jsc08-234.pdf> (accessed October 2, 2010).

³² *Id.*

to personally observe appropriate standards of conduct to ensure that the integrity and independence of the judiciary shall be preserved.”³³

In 2009, a New York City Criminal Court Judge was reassigned from Staten Island to Manhattan after attorneys complained to court officials that the judge had tried to friend them on Facebook.³⁴

Conclusion

While there are numerous personal and professional benefits with the use of social networking sites by lawyers and judges there are also some prohibitions that must be remembered. Also of concern so is the sharing of personal information and improper data collection. However, if properly administered the potential benefits to the Association are enormous. Frankly, there is tremendous potential for development in this area, and NYSBA should move to the forefront.

Some potential uses may include, pages dedicated to particular Sections or Practice Areas. More general social pages could also be created. These would allow Association members to meet and interact with colleagues from across the State without the need for extended travel. Information about important cases or new legislation could be easily disseminated. Feedback and input could occur in rapid response. Members would become regularly engaged and more interested and actively involved in the Association. Potentially they would visit Association related sites regularly. Members could increase their own involvement and broaden their NYSBA participation.

³³ *Id.*

³⁴ Tony Mauro, New York Law Journal, *Judges Approach Social Media Cautiously*, <http://www.law.com/jsp/nylj/PubArticleNY.jsp?id=1202471571764> (September 3, 2010).

The Association could post available Services and Benefits in the advertisement section of these pages. For example, on a page dedicated to Labor and Employment Law, there could be a link to join the Practice Section as well as one to books and professional materials for sale. Current CLE offerings, either for purchase or to be viewed online could also be easily accessed. Revenues to the Association could be increased at the touch of a button. Or the Association could consider allowing approved outside providers to purchase advertising space.

Clearly there are concerns about use of these sites and weblogs but properly maintained they offer great potential for future of the Association.

Appencix 3-D

To: Keith Soressi, Esq.
From: Roger Buchanan
Date: November 3, 2010
Subject: Graphics Department Strategic Planning

The Graphic Department Print Shop is currently located at 70 Cohoes Avenue in Green Island, New York. We moved into this facility in August 2009 and are currently in the second year of a 15 year lease with two 5 year lease extension options. Our current monthly payment is \$21,933.72.

The total number of employees at this facility is 12. This is the breakdown.

3 employees work for the CLE department:

2 employees do order fulfillment and ship seminar materials.
1 employee does Audio/Video production.

9 employees work in the print and finishing operations and are as follows:

1 Print Production Manager
1 Equipment Maintenance Manager.
3 Press Operators.
1 Computer to Plate/Copy Clerk operator.
1 Copy Clerk.
2 Finishing Technicians.

The Print Production Manager oversees the entire workflow for the Association's printing and copying requests and prioritizes by due dates.

The Equipment Maintenance Manager performs regular maintenance on all the Association equipment and makes any repairs necessary to keep all the Association equipment properly maintained. This allows us to save significant costs over maintenance contracts.

We currently have 3 printing presses, one 4-color press and two 2-color presses and are in the process of trading in the two 2- color presses and replacing it with another 4-color press. We expect to have this completed by the end of this year. Each of the 3 press

operators have been cross-trained on each of the presses and will be trained on the new 4-color press when it is installed.

The Computer to Plate operator takes electronic files produced by our Design Services department and converts the files to printing plates for the presses. This position does not require a full time employee so when this function is completed and the plates are turned over to the press operators that individual is reassigned to the copy center area to assist in producing course materials for all Section programs, CLE seminars and soft cover publications.

The Copy Clerk is responsibly for producing course materials for all Section programs, CLE seminars and soft cover publications.

The two Finishing Technicians perform the following duties: binding course materials and books, trimming paper and books, and folding printed materials such as CLE seminar brochures and due invoices, letters and membership materials. They also collate, stitch and trim all Association booklets and section newsletters.

Additional Graphic employees located at the NYSBA headquarters:

2 Copy Clerks.

These clerks produce all the materials for all Committees such as House of Delegates, Executive, Finance and Foundation. They also produce course materials for all section programs and CLE seminars. Small mailings are also produced and mailed from this area along with speaker and table signs. Once the course materials are printed they are converted into PDF files and burned onto CDs for future reprints or for posting onto the website.

Graphic Print Shop Equipment.

- 1 Heidelberg 4-color press
- 2 Omni 2-color presses - Currently being traded in for 1 Komori 4-color press.
- 2 High Speed copiers.
- 1 Color Copier
- 1 Computer to Plate system
- 1- Flat sheet paper cutter
- 1 Single pocket perfect binder
- 1 4 pocket perfect binder
- 1 Three knife trimmer
- 1 10 station collator
- 1 Folder

Graphic Elk Street Equipment.

2 High Speed Copiers
1 envelope inserter
1 Flat Sheet paper cutter
1 Small tabletop paper folder

All the equipment above is owned outright by the Association except for the Color and High Speed copiers. The color copier is on a three year lease with a fair market buyout which is to expire in June 2011. All 4 of the high Speed copiers are on 5 year leases with a fair market buyout lease. Two of the copier leases expire in July of 2011 and the other two copier leases expire in July 2014.

Total production volumes over the last 9 years are as follows:

2002	52,336,790	2006	73,259,498
2003	61,732,234	2007	72,852,931
2004	70,165,658	2008	75,596,173
2005	78,299,867	2009	67,011,590

Please note the volume for 2009 was down from previous years due to the move to the new printing facility. We had several large printing requests which needed to be printed out of house in order to meet our customer's deadlines.

It is projected approximately 60% of the above volumes are printed pieces and the other 40% is copying pieces.

The Association works with volunteers which are typically late in submitting their materials to be reproduced. 85% of what is produced is time sensitive. The way we currently handle late submissions is to put on a temporary split shift in both facilities which allows us to utilize the equipment to its fullest and eliminates overtime.

In planning for the future the following steps will be considered should volumes start to decrease.

- Consider investing in mailing equipment to start mailing section newsletters and CLE brochures in-house.
- Consider investing in equipment to burn high volume CDs for course materials.
- Consider partnering with Local, County and neighboring State Bars Associations to produce their printing and finishing needs.

- Consider partnering with local non-for-profit entities to produce their printing and finishing needs.

I hope this is the information you were requesting. Should you find anything that needs further explanation, please let me know.

Respectively submitted.