

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF EXECUTIVE COMMITTEE MEETING
THE OTESAGA, COOPERSTOWN, NEW YORK, AND REMOTE MEETING
JUNE 8-9, 2023**

Present: Bridgette Ahn, Gregory K. Arenson, Jane Bello Burke, Hon. Karen Beltran, David Louis Cohen, Sarah E. Gold, Taa R. Grays, Susan L. Harper, LaMarr J. Jackson, Richard C. Lewis, Michael A. Marinaccio, Michael A. Markowitz, Thomas J. Maroney, Michael R. May, Michael J. McNamara, Ronald C. Minkoff, Mark J. Moretti, Hon. James P. Murphy, Domenick Napoletano, Christopher R. Riano, Violet E. Samuels, Lauren E. Sharkey, Barry D. Skidelsky, Kathleen M. Sweet, Sherry Levin Wallach, Kaylin L. Whittingham, Pauline Yeung-Ha

Guests: Mark A. Berman, Christopher Bopst, Catherine A. Christian, Donald C. Doerr, Vincent E. Doyle, III, Clotelle D. Drakeford, Albert Feuer, John H. Gross, David E. Gutowski, Damaris Hernandez, Kevin Kerwin, Andy Kossover, Desmond C.B. Lyons, Anna Masilela, Merrill Sobie, Michelle H. Wildgrube

Mr. Lewis presided over the meeting as President of the Association.

1. Mr. Lewis called the meeting to order, and Bridgette Ahn, Jane Bello Burke, Hon. Karen Beltran, Susan L. Harper, and Barry D. Skidelsky were welcomed as new members of the Executive Committee.
2. Approval of minutes of March 31 and May 17, 2023, meetings. The minutes were accepted as distributed.
3. Consent Calendar
 - a) Confirmation of appointments to Finance Committee
 - b) Proposed Name Change for Committee on Court Rules and Practice
 - c) Approval of Mission Statement of Task Force on Combating Antisemitism and Anti-Asian Hate
 - d) Approval of Bylaws of Cannabis Law Section
 - e) Amendment of Bylaws of Women in Law Section

The consent calendar, consisting of the above items, was approved by voice vote.

4. Report of Executive Director. Executive Director Pamela McDevitt and Associate Executive Director Katherine Suchocki updated the Executive Committee with respect to the administration of the Association, including the scheduling of Section meetings and CLE programming, planning for the 2024 Annual Meeting and Gala, operations at the print shop, and staffing and employee benefits. The report was received with thanks.
5. Report of Treasurer. In her capacity as Treasurer, Ms. Harper reported that through April 30, 2023, the Association's total revenue was approximately \$13,200,000, an increase of approximately \$1,218,000 from the previous year, and total expenses were approximately

\$7,568,000, an increase of approximately \$1,525,000 over 2022. Ms. Harper encouraged members of the Executive Committee to promote sponsorship of NYSBA products, events, and publications. The report was received with thanks.

6. Report of President. President Lewis highlighted the items contained in his written report, a copy of which is appended to these minutes.
7. Discussion of Executive Committee liaison responsibilities and duties of Vice Presidents. Mr. Lewis reviewed the listing of Executive Committee member liaison assignments and led a discussion on liaisons' roles in facilitating communication, providing guidance on policy and procedure, and encouraging sections and committees to undertake projects. Mr. Lewis reminded the members that they are *ex officio* members of their assigned groups and should abstain from all votes taken by the assigned committee or section.

Mr. Lewis asked liaisons to maintain regular contact with their groups, and, as necessary, with the respective chairs and staff liaisons, and to encourage the assigned groups to submit reports for consideration by the Executive Committee and/or House of Delegates and comment on reports submitted by other groups, and to be mindful of the need for diversity at all levels of the Association.

Mr. Lewis also reviewed the responsibilities of Vice Presidents, as set forth in the Bylaws, to promote relations with local bars, affinity bars, and members in their respective districts. He encouraged the Vice Presidents to advise the Executive Committee of local bar concerns and noted his expectation that both Executive Committee liaisons and Vice Presidents will make reports to the Executive Committee with respect to the activity within their respective districts and/or their assigned groups, or on other matters of interest or concern.

8. Report of Committee on Legislative Policy. Committee chair Kevin Kerwin, together with general counsel David P. Miranda, reviewed advocacy activity undertaken by the Association during the 2023 legislative session, including an update on the status of the Association's legislative priorities and various affirmative legislative proposals. Mr. Miranda reported on staffing changes within the Government Relations office. The report was received with thanks.
9. Report of Lawyer Assistance Committee. Committee co-chair David E. Gutowski and Stacey Whiteley, director of the Lawyer Assistance Program, reported on the ongoing work of the Lawyer Assistance Committee and Lawyer Assistance Program, including the recently held annual retreat in Silver Bay, attorney wellbeing programming, and staffing. The report was received with thanks. Mr. Gutowski then presented an award to Sherry Levin Wallach for her support of the Lawyer Assistance Committee and Lawyer Assistance Program during her presidency.
10. Report and recommendations of Trusts and Estates Law Section. Albert Feuer and Anna Masilela, members of the section, outlined an affirmative legislative proposal in support of


the Fiduciary Authority Pertaining to a Decedent’s Benefit Plan Act. After discussion, a motion was adopted to approve the proposal.

10. Report of Special Committee to Examine Selection of Judges for the Court of Appeals. Special Committee co-chairs Damaris Hernandez and Vincent E. Doyle, III, presented on the role, composition, and work of the special committee since its establishment in January 2023. The report was received with thanks.
11. Report and recommendations of Committee on Children and the Law. Prof. Merrill Sobie, a member of the Committee on Children and the Law, outlined an affirmative legislative proposal to merge the Adolescent Offender Act (“AO”) and the Juvenile Offender Act (“JO”) and commence very case involving a youth less than 18 years of age in the Family Court. After a discussion, a motion was adopted to table the proposal so that input could be sought from the Judicial Section, the Office of Court Administration, and other relevant stakeholders, and so that the report could be further developed with additional statistics and support.
12. Report and recommendations of Committee on Committees. Donald C. Doerr, chair of the committee, reviewed the committee’s report and recommendations with respect to the operation of thirteen committees, as well as general recommendations. After discussion, a motion was adopted to approve the report and recommendations.
13. Report of Task Force on the Post-Pandemic Future of the Profession. Task Force co-chairs Mark A. Berman and John H. Gross reviewed the recommendations contained in the report in advance of its final consideration at the November 2023 meeting of the House of Delegates. The report was received with thanks.
14. Report of Working Group on Facial Recognition Technology and Access to Legal Representation. In his capacity as Working Group chair, Mr. Napoletano updated the members of the Executive Committee on the mission, composition, and goals of the Working Group, including a review of activity since the group was established in February 2023. The report was received with thanks.
15. Report and recommendations of Task Force on Modernization of Criminal Practice. Task Force co-chairs Catherine A. Christian and Andy Kossover outlined the recommendations contained in the report pertaining to justice courts, sentencing reform, technology, discovery, and e-filing, and the Vehicle and Traffic Law. After discussion, a motion was made to endorse the report for favorable action by the House, after which a motion to amend the report “to provide for a waiver mechanism for laypersons serving as justices on a county-by-county basis during the court consideration process” failed to carry. The main motion was then approved, and the report endorsed for favorable action by the House of Delegates. Judge Murphy abstained from both votes.
16. Reports and recommendations of Committee on the New York State Constitution. Committee chair Christopher Bopst, together with Desmond C.B. Lyons, chair of the committee’s subcommittee on simplification of the state constitution, reviewed the

committee's proposals for simplification of articles VI (Judiciary), VII (State Finances, and VIII (Local Finances) of the New York State Constitution. After discussion, a motion was adopted to endorse the report for favorable action by the House.

17. Report and recommendations of Committee on Membership. Clotelle D. Drakeford and Michelle H. Wildgrube, co-chairs of the Committee on Membership, reviewed the committee's proposal to implement a revised fee structure and subscription model of membership. After discussion, a motion was adopted to endorse the report for favorable action by the House.
18. Date and place of next meeting. The next meeting of the Executive Committee will take place on Friday, November 3, 2023, at the Bar Center in Albany, with an option for remote participation.
19. Adjournment. There being no further business, the meeting of the Executive Committee was adjourned.

Respectfully submitted,



Taa R. Grays
Secretary