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**Report of President Richard C. Lewis to the House of
Delegates of the New York State Bar Association January 19, 2024**

Dear Colleagues:

We are being confronted by modern and historical issues that are impeding the ability of lawyers to practice. Some of these matters arise from the complexities of burgeoning technology and others are rooted in more practical causes.

For lawyers to operate more efficiently, we'd like to see court rules further simplified and made more uniform. In particular, we believe that allowing lawyers to employ technology that helps us do our jobs better is a necessity. For instance, rural lawyers need the option of choosing virtual appearances for routine matters, which would save them from long drives within some of New York's larger and remote counties. Urban lawyers must be afforded virtual alternatives when traffic conditions or the need to be in two places at once makes travel impossible. On our part, lawyers need to be willing to embrace modern methods of completing routine tasks, even if it takes us out of our comfort zone.

These ways of practicing law can and should be in our control. But for other important matters, we will need to turn to the court system, local and tribal governments, the state Legislature, Congress, and the president for solutions.

This past year, the New York State Bar Association's Government Relations Department had its most successful legislative session in years. Significant NYSBA priorities were signed into law, including our long-term efforts to increase hourly rates for attorneys in 18b/assigned counsel cases, as well as enactment of the Clean Slate Act, amendments to Notary Requirements, the formation of a commission to study reparations and movement to amend the New York State Constitution to include an ERA amendment.

We were pleased that the Legislature heeded our call to pass a repeal of Judiciary Law 470, the in-state office requirement for out-of-state lawyers that continues to make it difficult for New York admitted lawyers who live in other states to practice. Unfortunately, Gov. Hochul vetoed it. We believe her decision to do so was misguided, and we vow to redouble our efforts to convince the governor that action needs to be taken to shore up representation in rural areas. In addition, we have worked with the California Lawyers Association and the ABA to advocate for student loan forgiveness for lawyers who commit to working and living in rural areas. We need this as well to begin to solve the access to justice issue in upstate New York.

Rest assured that our legislators are listening to us. Our expert analysis on legal and societal matters is working its way into executive decisions, legislation and agency rules. We have met with the chief judge, who will address us today, and the chief administrative judge. They promise to listen to our proposals and respect our expertise when making decisions. Likewise, we are committed to listening to them. The door is open in both directions.

And today, our expertise will once again be on display when we vote on the reports of our Task Force on Combating Antisemitism and Anti-Asian Hate and our Task Force on Medical Aid in Dying.

The report of our Task Force on Advancing Diversity continues to provide significant guidance to universities and colleges, the courts, and the business sector. The response has been overwhelmingly positive. We have heard from several state bar associations including California and Pennsylvania who have turned to us for inspiration and direction. We have been commended for being thorough and balanced, for developing our response without criticizing the U.S. Supreme Court and for producing the report in record time. We intend to present the report at the American Bar Association Mid-Year Meeting in early February because we believe the ABA should adopt it as policy, making our report available nationwide. In connection with that presentation, I have been invited to serve on a panel to discuss the impact of the Affirmative Action decisions.

Our Task Force on Combating Antisemitism and Anti-Asian Hate has worked diligently to formulate recommendations on how we can redefine hate crimes and remove the burden on prosecutors so that they can effectively prosecute hate crimes when appropriate. The standards for charging a hate crime right now are unrealistically high. The report recommends that more offenses be added to the state hate crime statute through the Hate Crimes Modernization Act. It would expand hate crime eligible offenses to include charges such as graffiti, criminal obstruction of breathing and rape in the third-degree. Additional recommendations for improving the reporting and prosecution of hate crimes and preventing the spread of online hate speech are also included in the report. We support the Stop Hiding Hate Act, which would require social media companies to disclose the measures they take to address hate speech. The issues of antisemitism and anti-Asian hate were worsening exponentially when this task force was formed last June and today the level of intolerance is beyond comprehension.

I commend co-chairs Brian Cohen and Vince Chang for their diligent work to present solutions to deescalate some of the most entrenched forms of hate.

Also, our Task Force on Medical Aid in Dying under the leadership of Mary Beth Morrissey will present its report, which contains strong recommendations to support the New York Medical Aid in Dying bill. The task force has spoken with diverse parties including attorneys, physicians and social workers, and others with relevant experience. An open forum was held in November to afford people outside the legal community a chance to express their ideas and insights. The Task Force's suggestions include safeguards for special populations, funding and insurance to ensure citizens have equal access to comprehensive end-of-life care, and the development and provision of Medical Aid in Dying training.

In addition to the work of the Task Force on Combating Antisemitism and Anti-Asian Hate, we are partnering with the Israel Bar Association and the legal tech company Paladin to create an innovative pro bono website that connects Israel residents with legal professionals to resolve legal issues related to the Oct. 7 attacks. Even before the website launched, the Israel Bar Association received hundreds of requests for help with relocation, Social Security, medical benefits and other issues. The efforts of Greenberg Traurig and Paul, Wess have been a significant help to the bar association in this initiative.

Our task forces do work that we can all be proud of, but I would be remiss if I didn't mention the achievements within the bar association as well.

One example is our Lawyer Assistance Program. I recently attended its annual dinner, and I was touched by the bravery shown by our colleagues who are willing to confront issues of substance misuse and mental illness. Their courage is an inspiration to all of us. The Lawyer Assistance Program continues to provide well-being programming including a six-week ADHD workshop series this past fall and ongoing outreach to local bar associations with educational programming regarding the L.A.P. and its services. It also continues to work with lawyers who are in

crisis and struggling with professional or personal issues such as substance use disorder or mental health challenges.

We need to espouse the same fearlessness as those individuals. One way we can do that is by joining other good people throughout the world who refuse to remain silent and are raising their voices to fight hate. We need to continue to speak up because a failure to do so is synonymous with complicity.

Our commitment to combating hate is illustrated through our crucial decision to confront it in our public statements and other publications while intentionally looking at it from many perspectives.

We also need to be mindful of the future.

Artificial Intelligence will have a bigger impact on our profession than any other technology we have ever witnessed, which is why it was the theme of this week's Presidential Summit. It will inevitably become a major part of our professional toolbox. It therefore behooves us to put aside any hesitation we may have to use it and instead embrace its potential. However, we cannot do so blindly. Instead, we need to be focused on proactively developing regulations to help ensure that the technology is not misused.

In May, we will hold a compelling forum to address civics education in our schools. This is central to our way of life as a democratic society. Our children are the next generation of voters and so it is imperative that they are educated about the power and importance of democracy. They must understand that the best way to maintain the rule of law is to better understand it. This is a central issue to the long-term success of our nation, our state, and our organization. Among the speakers will be the co-chairs of our Task Force on 2024 Civics Convocation, Jay Worona of the New York State School Boards Association and Gail Ehrlich, chair of the Committee on Law, Youth and Citizenship.

On a personal note, I'd like to thank President-Elect Domenick Napoletano who has been a partner and sounding board for me throughout the past eight months and Immediate Past President Sherry Levin Wallach for her dedication to our association. I also want to acknowledge Secretary Taa Grays and Treasurer Susan Harper for their support. In addition, I would like to commend the Nominating Committee for selecting Kathleen Sweet to assume the office of president-elect in June. We are proud and fortunate to have someone as talented and dedicated as Kathleen ascending to the presidency.

In closing, I would like to say again how wonderful it was to have everyone gather in person at this week's Annual Meeting and how our collaboration and willingness to listen to each other only makes our association stronger. We should be proud of the work we are doing.

Thank you.

Now, I am pleased to ask Chief Judge Rowan Wilson to come forward and offer his remarks.

A handwritten signature in cursive script that reads "Richard C. Lewis". The signature is written in dark ink and is positioned above the typed name and title.

Richard C. Lewis, Esq.
President