

NEW YORK STATE BAR ASSOCIATION  
MINUTES OF HOUSE OF DELEGATES MEETING  
THE OTESAGA, COOPERSTOWN, NY - JUNE 28, 1980

PRESENT: Members Acker, Amdursky, Aspland, Auser, Baer, Barlow, C. Beshar, R. Beshar, Brearton, Britt, Brown, Cahn, Callahan, Clabby, Cohen, Colish, Cometa, Connolly, Cook, Daly, Dee, DelleCese, Denton, Diamond, DiStasi, Drazen, Eisenberg, Eolis, Erickson, Fallon, Fisher, FitzPatrick, Forger, Friedman, Frizzell, Gold, Greenberg, Hackbarth, Hall, Harrigan, Hart, Haynes, Heming, Hester, Hoffmann, Jones, Kilsch, Klein, Lagarenne, Lapp, Levy, Lifland, Longo, MacCrate, Manley, Meriam, Meyer, Miller, Mitchell, Mousaw, G.F. Murphy, J.H. Murphy, J.C. O'Brien, R.E. O'Brien, Palermo, Patterson, Peet, Piazza, Pritchard, B.J. Reilly, K.C. Reilly, Robfogel, Rosch, Rosenthal, Russell, Schrade, Smith, Stave, Sugnet, Swett, Tarnow, B.I. Taylor, L.B. Taylor, Thoron, Tondel, Tucker, Urbano, T.M. Whalen, Witmer, Wright, Yanas, Yetter.

1. Approval of minutes of April 26, 1980 meeting. The minutes were approved as distributed.

2. Recognition of retiring members of the House of Delegates. Mr. Forger recognized those delegates who were completing their terms, expressing gratitude for their service. Remarks on behalf of the retiring members were offered by Mr. Amdursky, who was accorded special recognition for his twenty-five years of service to the Executive Committee and House of Delegates. The following is a list of the retiring members of the House:

Christopher B. Acker	John P. Hederman	Leland B. Taylor
John E. Adamson, Jr.	Palmer J. Kennedy	Gray Thoron
Sheridan Albert	Gunther H. Kilsch	Joseph H. Traficanti, Jr.
Leonard H. Amdursky	Charles E. Lapp, Jr.	Charles M. Wright
Wallace Van C. Auser	John D. LeSeur	Alfred D. Youngwood.
Christine Beshar	Joseph J. Lombardo	
Samuel L. Brennglass	Loring K. Manley	
Philip J. Britt	Frederick M. Marshall	
Merrell E. Clark, Jr.	Leonard E. Maas	
David Clurman	Randolph A. Meyer	
Diane Durgin	Richard G. Moser	
Richard Denton	Edward J. Moses	
James J. Devine, Jr.	Frank A. Nemia	
John B. Garrity	Maurice N. Nessen	
Elizabeth E. Granville	Robert E. O'Brien	
R. Scott Greathead	Michael J. Ostrow	
John G. Herriman	James M. Pedowitz	
James A. Haynes, Jr.	John E. Swett	

3. Introduction of new members. Mr. Forger welcomed the new members of the House who would be taking office with commencement of the new Association year on July 1.

4. Certification of local and county bar delegates. Mr. Forger announced that bar associations entitled to delegates had filed their designations of delegates for the year 1980-1981. On motion, said designations were approved as filed and the filed roster of members of the House approved as the official list for 1980-1981.

5. Report of Treasurer. Mr. Pritchard's report, copies of which previously had been furnished to all members of the House, was received with thanks. In addition, Mr. Pritchard advised that the Association could encounter a budget deficit this year due to the renovation of the south wing of the Bar Center, and acquisition of the adjacent buildings, combined with the effect of an inflationary economy on Association expenses. He indicated that the situation was under review by the Finance Committee which, among other options, was considering the necessity for a dues increase in 1981.

6. Presentation of Root/Stimson Award. Thomas M. Whalen, III, Chairman of the Special Committee on Lawyers and the Community, presented the award to Albany attorney J. Vanderbilt Straub for outstanding service to the community.

7. Presentation of Public Service Award. Hon. Domenick L. Gabrielli, Chairman of the Community Awards Committee, presented the award to Joseph S. Dominelli, Chief of Police of the Rotterdam Police Department, for his outstanding contribution to the betterment of the administration of justice.

8. Report of Committee on Judicial Administration re plan to reduce court congestion and delay. Mr. Horan, Chairman of the Committee on Judicial Administration, summarized the Committee's preliminary report analyzing the interim effect of the judicial transfer plan instituted by the Office of Court Administration, and recommending methods for the Association to address the long-term problems associated with court congestion and delay.

Mr. Palermo announced that copies of the report would be distributed to appropriate committees and sections of the Association, county and local bar associations, as well as other interested groups. He indicated that study of the problem would continue, and welcomed comments from members of the House, or any section or committee having an interest in the area.

9. Joint report and resolution of Committees on Federal Constitution, Federal Courts and Federal Legislation re Judicial Conduct and Disability Act of 1979. Mr. Feerick, Chairman of the Committee on Federal Constitution, summarized the content and recommendations contained in the joint report. After discussion, the following resolution was adopted upon motion by the House:

BE IT RESOLVED, that the New York State Bar Association opposes enactment of the proposals embodied in Senate 1873 which would establish a legislative mechanism for processing complaints against federal judges.

10. Application for the establishment of Environmental Law Section.

Mr. Witmer, member of the Committee on Environmental Law, summarized the proposal of the Committee to establish an Environmental Law Section to replace the current Committee. A motion was adopted approving the following resolution:

RESOLVED, that there be established an Environmental Law Section within the New York State Bar Association, and it is further

RESOLVED, that the chairman of the Standing Committee on Environmental Law shall serve as chairman of a steering committee, composed of the members of the Standing Committee on Environmental Law, to take all steps necessary to implement the establishment of an Environmental Law Section, and it is further

RESOLVED, that an appropriate budget be approved by the Finance Committee and that the necessary funds be allocated from the general funds of the Association to carry out the foregoing.

A further motion was adopted approving the bylaws as proposed.

11. Report of Committee on Professional Discipline. Mr. Lagarenne, member of the Committee on Professional Discipline, described the activities of the Committee during the past year, and outlined the majority and minority positions expressed by the Committee regarding the proposal by Hon. Francis T. Murphy, Jr., Presiding Justice of the Appellate Division of the Supreme Court, First Department, that a statewide disciplinary system be established in New York State. He indicated that the Committee would continue to keep abreast of developments in the area, and inform the members of the House accordingly.

12. Report of President. Mr. Palermo reported the following matters, in addition to his written report previously furnished to all members of the House:

- a) The Committee on Constitution and Bylaws had made a preliminary report to the Executive Committee on June 27, 1980, and had been formally requested by the Executive Committee to continue its review of the Constitution and Bylaws with a view towards revising them to meet both the long and short term needs of the Association.
- b) Through the cooperative efforts of the Committee on Association Insurance Programs and Bertholon-Rowland Corp. a new disability benefits insurance plan would soon be offered to Association members.
- c) The Executive Committee had approved an amicus curiae brief in connection with Matter of Koffler, and same would be filed with the Court of Appeals before the mid-July filing deadline.

- d) The Executive Committee had adopted a policy that it would meet only at places which did not discriminate on the basis of race, religion or sex, and where the facilities used are available on a non-discriminatory basis.
- e) The FTC had circulated informal advance copies of a revised, voluntary questionnaire with official issuance to state bar associations tentatively scheduled for later this year. Mr. Palermo indicated that the Executive Committee had authorized the officers of the Association, upon advice of counsel, to explore available options and take any legal action necessary to protect the interests of the Association.
- f) In view of the report of the Treasurer and the review of the Association's financial situation by the Finance Committee, the sections and committees would be requested to exercise restraint in expending budgeted funds during the remainder of the year.
- g) Pursuant to the authorization granted by the House at the January 25, 1980 meeting, the New York Prepaid Legal Services Corporation, under the sponsorship of the Association, was formed on May 12, 1980, and an organizational meeting had been held June 27, 1980.
- h) A Special Committee to Review ABA Draft Model Rules of Professional Conduct had been appointed, and would have a detailed report prepared for distribution prior to the House of Delegates meeting in November.
- i) The Section on General Practice of Law was continuing its rapid growth, and now numbered 1,610 members.
- j) To improve communications and foster closer relationship with county and local bar associations, he had travelled to most areas of the State, and the meetings with local bar groups had been beneficial in demonstrating Association interest in and concern for common problems.

13. Report of Chairman. Pursuant to the request by Mr. Forger, and upon motion adopted by the House, the terms of the following special committees were extended for an additional year:

Copyright Law  
Group and Prepaid Legal Services Plans  
Procedures for Judicial Discipline  
Lawyers and the Community  
Patents and Trademarks  
Specialization in the Law.

Mr. Forger expressed appreciation to Mr. Palermo for his energetic and dedicated leadership as President during the past year, and presented him with a plaque inscribed as follows:

THE NEW YORK STATE BAR ASSOCIATION PRESENTS THIS TESTIMONIAL  
TO ANTHONY R. PALERMO IN RECOGNITION OF HIS DEVOTED SERVICE  
TO THE ASSOCIATION IN THE SUCCESSFUL FURTHERANCE OF ITS  
IDEALS AND IN THE PROMOTION OF THE BEST INTERESTS OF THE  
PROFESSION THROUGH HIS SERVICE AS PRESIDENT OF THE ASSOCIATION  
1979-1980.

14. Date and Place of Next Meeting. Mr. Forger announced that the next meeting of the House of Delegates will be held at the Bar Center in Albany on Saturday, November 1, 1980.