

NEW YORK STATE BAR ASSOCIATION

Committee Chair Policy and Operations Handbook 2025-2026

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CALENDAR OF MEETINGS AND KEY DEADLINES

House of Delegates Dates:

Saturday, October 25, 2025 (hybrid) – Albany Friday, January 16, 2026 (hybrid) – NYC Hilton Saturday, April 11, 2026 (virtual only) Saturday, June 27, 2026 (hybrid) – Albany

Executive Committee:

Friday, October 24, 2025 – (hybrid) – Albany Thursday, January 15, 2026 - (hybrid) – NYC Hilton Friday, April 10, 2026 - Bar Center (Virtual Option Available) Friday. June 26, 2026 - (hybrid) – Albany

Annual Meeting:

January 13 - 16, 2026 January 19 - 22, 2027

Deadlines for Submission of Reports:

October 25, 2025 meeting – Monday, August 11, 2025 January 16, 2026 meeting – Sunday, November 2, 2025 April 11, 2026 meeting – Tuesday, January 26, 2026 June 27, 2026 meeting – Tuesday, April 13, 2026

Reports are due 75 days prior to meeting.

Committee Appointments Applications:

First week in March

Finance Committee meetings:

January, April, September, and October

Staff Contacts

Operations and Administration of the Association

Pamela McDevitt, Esq., Executive Director pmcdevitt@nysba.org (518) 487-5555

Address Changes and Membership Renewals

Member Resource Center mrc@nysba.org (800) 582-2452

Appointments to Committees

Melissa O'Clair, Assistant to the Executive Offices moclair@nysba.org (518) 487-5624

Budget, Financial Policies, and Travel Expenses

Amira Rizvanovic, Chief of Finance arizvanovic@nysba.org (518) 487-5512

Bylaws, Governance Policies, Reports to Executive Committee and House of Delegates, Litigation, and *Amicus Curiae* Briefs

David P. Miranda, Esq., General Counsel dmiranda@nysba.org (518) 487-5524

Continuing Legal Education and Law Practice Management

Katherine Suchocki, Esq., Sr., Associate Executive Director ksuchocki@nysba.org (518) 487-5590

Diversity Initiatives

Ernesto Guerrero, Section Liaison, Diversity Coordinator eguerrero@nysba.org (518) 487-5535

Government Relations

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News Releases and Communications

Susan DeSantis, Chief Communications Strategist sdesantis@nysba.org (518) 487-5780

Section and Meeting Services

Amy Travison-Jasiewicz, Associate Director of Section and Meeting Services Ajasiewicz@nysba.org (518) 487-5682

OVERVIEW

Given the complexity of our Association, policies have been developed to assure the smooth and efficient operation of our committees and so we align in non-profit governance with best practices. The following provides capsulized information regarding some of the Association policies and procedures that are most frequently encountered in considering and implementing activities of committees. Each item identifies the source of the full text for further reference. The staff liaison may be consulted for further information and copies of the full texts, as well as assistance in the administration and projects of the committee.

Link to Association Bylaws: Click here

ESTABLISHMENT, GOVERNANCE, MEMBERSHIP AND DIVERSITY OF COMMITTEES

Creation of Committees

The House, Executive Committee, or the President may designate and abolish committees, which have duties set forth in the Bylaws or the resolution establishing the committee.

Reference: Bylaws, Article VI, Section 1(A) and (B)

Governance

The House controls and manages the Association's affairs and determines policy of the Association; supervises, controls, and directs the officers, Executive Committee, sections, and committees.

Reference: Bylaws, Article V, Section 1

The Executive Committee may promulgate rules to supervise the action and functioning of committees (other than the Nominating Committee) and sections, including limits on public statements as deemed appropriate.

Reference: Bylaws, Article VII Section 4

A Committee on Committees has been established to review committees' operations over a threeyear cycle. This committee is charged with reviewing all committees to assess whether their activities are within the scope of and relevant to the Association's purposes, whether the committee could be combined with another group or otherwise modified or constituted, and whether committees are functioning in a beneficial manner.

Reference: Executive Committee minutes, June 28-29, 2007

Duties of Committees

The powers and duties of a committee are set forth in the Bylaws generally and in the resolution creating it. Each committee has a stated purpose, set by the House of Delegates or Executive Committee. The chair has the responsibility of submitting to committee members, for their consideration, matters that the chair or any member considers appropriate to this purpose.

References: Bylaws, Article VI, Section 1(D) and (E), Section 2(C)

Each committee has the power to adopt rules and regulations for its own governance and conduct activities through correspondence, use of subcommittees, and by other means. Amendments to a committee's stated purpose must be approved by the Executive Committee.

Reference: Bylaws, Article VI, Section 3(E)

Stationery and envelopes can be provided for chairs. Requests for these materials should be made to the staff liaison.

Duties of the Chair

The committee chair is expected to schedule and preside over meetings, develop meeting agendas, and ensure that the committee is fulfilling the functions set forth in its stated purpose. The chair should ensure that discussions are on topic, productive, and professional. In addition, the chair should ensure that a person is designated to take minutes of the meeting. Sample minutes are included in the Appendix.

Duties of Committee Members

Committee members are expected to attend and participate in meetings, whether in person or remotely. Some committees establish subcommittees for specific purposes; if on a subcommittee, members are expected to participate in subcommittee activities.

Membership – Appointments and Terms

Unless otherwise provided in the resolution establishing the committee, the President annually designates the number of members and appoints the members and chair, who generally serve for three one-year terms, beginning June 1.

To increase awareness of the opportunities for involvement, a committee assignment request form is posted to the website for the general membership early in the year; committee chairs are also asked to recommend new members, give their views on reappointment and, if the chair is concluding his or her service, to suggest a successor. However, the President ultimately makes these decisions, effective at the beginning of his or her term.

Except as otherwise specifically provided, the President may fill vacancies in committee memberships and chairs.

<u>References</u>: Bylaws, Article VI, Section 1(B), Section 2(A), and Section 3(B)

Each committee also has the power to declare a vacancy after three successive absences of a member.

Reference: Bylaws, Article VI, Section 3(E).

The Member Resource Center should be advised of changes in address, telephone, fax, and e-mail so that the committee rosters can be updated.

Diversity Initiatives

The Association has taken action to promote opportunity for active participation and leadership in all aspects of the Association. In 2003, the House of Delegates approved the following statement of diversity which includes committee activities:

The New York State Bar Association is committed to diversity in its membership, officers, staff, House of Delegates, Executive Committee, Sections and Committees and their respective leaders. Diversity is an inclusive concept, encompassing gender, race, color, ethnic origin, national origin, religion, sexual orientation, age, and disability.

We are a richer and more effective Association because of diversity, as it increases our Association's strengths, capabilities, and adaptability. Through increased diversity, our organization can more effectively address societal and member needs with the varied perspectives, experiences, knowledge, information and understanding inherent in a diverse membership.

At the 2023 Annual Meeting, amendments were approved to incorporate a statement of commitment to diversity into the Purposes Article of the NYSBA Bylaws:

The Association holds an unwavering and longstanding commitment to diversity within its membership and leadership ranks based upon its firm belief that diversity, equity, and inclusion must be fostered within the legal community and in society at large. The Association is made stronger and more capable of implementing positive change through the law when its membership reflects the diversity of the individuals and communities served by the legal profession. Accordingly, the Association will promote and advance the full and equal participation of diverse attorneys in the profession and the Association, including diversity based on gender, race, color, ethnic origin, national origin, religion, sexual orientation, gender identity and expression, age, and disability.

Reference: Bylaws, Article II, Section 2.

Committees are encouraged to consider the diversity policy in selecting speakers for CLE and other presentations. Several existing committees have been created to, in part, further the diversity of the Association, including the Committee on Diversity, Equity, and Inclusion, the Committee on Disability Rights, and the Committee on Veterans. The Women in Law Section has a committee that promotes opportunities for women in the Association. The LGBTQ Law Section and 50+ Section also have several relevant committees. The Committee on Leadership Development is charged with identifying, encouraging, and mentoring prospective leaders of the Association in general. Committees seeking to diversify their program faculty are encouraged to partner with these entities.

COMMITTEE OPERATIONS

Meetings

Chairs are urged to be cognizant of the costs and staffing necessary to run in-person or hybrid meetings. Videoconference or conference calls are a practical option, especially for brief or regular meetings. In-person or hybrid meetings should be held at members' offices, or at the Bar Center. Please contact your staff liaison to make necessary arrangements regarding the date and place of a meeting, and issuance of meeting notices and any materials to be distributed to committee members.

It is highly recommended that an agenda be used at all meetings.

The staff liaison can make arrangements for meeting sites, including beverages or food required, and for videoconference or conference call meetings of the committee or its subcommittees. Expenses for such meetings and luncheons are paid by the Association from the committee budget – if money was budgeted for these purposes.

The chair has the power to call a meeting upon due notice which may be by mail, telephone, or email. The staff liaison can send Microsoft Outlook invitations to members. A meeting shall also be called by the Association Secretary upon the written notice of five members of the committee or the President.

Reference: Association Bylaws, Article VI, Section 3(F).

Unless otherwise provided in the resolution establishing the committee, one-third of the members will constitute a quorum.

<u>Reference</u>: Association Bylaws, Article VI, Section 3(D).

Meeting Sites

Meetings of the Association and its committees and sections are to be held only at places that are non-discriminatory. Committees are encouraged to hold meetings at law firm conference facilities to minimize meeting expenses, or, via videoconference or conference call.

Reference: House of Delegates minutes, January 23, 1981.

Conference Calls and Videoconferencing

Under the Bylaws, committees, including the Executive Committee, may meet by conference call or similar communications equipment (including videoconference) upon at least 24 hours' notice, where all members participating can hear each other at the same time. A written record of actions taken at the meeting shall be maintained. Some committees have found it useful to conduct some meetings solely by videoconference or offer members the choice of attending or participating by telephone or videoconference, as a means of maximizing participation.

Reference: Association Bylaws, Article XIII

Minutes

Minutes must be taken for each meeting and should record motions and other formal action of the committee, as well as the committee's name, date and place of the meeting, names of attendees, and subjects discussed or reported. Projects or programs should also be listed, together with their status, members responsible, and scheduled completion dates, where appropriate. If the committee does not have a designated person to take minutes, the chair may designate a member to prepare the minutes. It may be appropriate for the staff liaison to prepare the minutes if it is determined that the liaison is sufficiently familiar with the subject matter of the committee's purview – please note that many staff liaisons are not attorneys.

The minutes should be made available as soon as possible after the meeting. The staff liaison will distribute copies to the committee and place the minutes on file at the Bar Center. If the committee uses an online community for archival purposes, then the minutes should also be uploaded to the online community.

Sample minutes may be found in the Appendix.

Reference: Association Bylaws, Article VI, Section 3(G).

COMMUNICATIONS DEPARTMENT

Department Responsibilities

The Communications Department has overall responsibility for communicating Association news to members, the news media, the legal profession, and the public. The Department provides professional communications, advice and counseling to Association officers, sections, committees, and other Association entities.

As a committee leader, you have an affirmative responsibility to assist the Association in achieving its strategic communication goals – informing and educating the public about the law, the role of lawyers in society, and the good things they do.

Department staff collaborates with committee and section chairs and staff liaisons to develop news stories and disseminate them to appropriate media outlets. They also prepare news releases; schedule news conferences and interviews; arrange for media training; and prepare fact sheets, press materials and other background information. The Department produces and disseminates the NYSBA Weekly email, which is sent to members each Wednesday, as well as the State Bar News, which comes out two times a year. The Department collaborates with the Publications Design Department on the NYSBA Journal, which comes out six times per year.

The Department is also responsible for the Association's institutional social media feeds, and for ensuring the currency of information for the public posted on the Association's website.

Communications advice and assistance may be specifically requested by an Association officer or a section or committee chair. The decision to make a public communication is made by the Communications Department Director in consultation with the President and Executive Director. Primary consideration is given to:

- Whether the publicity will serve the purposes of the Association;
- Whether the matter in question has sufficient news value;
- Appropriate timing.

Major Principles Guiding the Association's Media Relations Policy

- A. The Association acts on behalf of its members and in the public interest. Therefore, the Association is committed to informing the public of its work and to seeking public support on matters of interest to attorneys and the legal profession.
- B. To facilitate public understanding, the Association will cooperate with journalists from the news media whenever possible.
- C. In general, Association business is available for reporting by the news media. However, we recognize our obligation to maintain confidentiality on matters including pending litigation, personnel action, screening of nominees for appointment as Court of Appeals judges, confidential communications with court officials involving the administration of justice, meetings of the Committee on Professional Ethics, and such other matters are the President and the Executive Director determine.

- D. The Association recognizes that information available to members is automatically open to the public. Thus, with rare exception, materials disseminated for House of Delegates meetings are public information. Any privileged materials will be marked as CONFIDENTIAL or PRIVILEGED and will be accompanied by a note explaining the privileged status of the materials.
- E. The Association will provide only accurate information to reporters. When inaccuracies are published or broadcast, the Association will advise the media of the errors and seek appropriate correction.

Guidelines on Statements to the Media

The Guidelines approved by the Executive Committee in April 2018 are as follows:

- A. News releases relating to policy or positions of the Association shall be cleared by the Association President or authorized designee.
- B. News releases relating to section or committee activities and not involving Association policy or positions shall be cleared by the appropriate section or committee chair, the Association President or authorized designee, and shall be prepared and distributed by the Association's Department of Communications. All such releases shall make it clear that the position stated, or opinion expressed, is that of the section or committee and not that of the Association, unless authorized by the Executive Committee or the House of Delegates.
- C. Media inquiries regarding Association policy or positions shall be referred to the Department of Communications, with input, as needed, by Counsel's Office and Government Relations. Media inquiries directed to the Association shall be handled by the Association President, the Executive Director, the Director of the Department of Communications, or other authorized staff person, or, when appropriate, by a section or committee chair or another authorized designee.
- D. Media inquiries regarding section or committee activity, not involving Association policy or positions, may be answered by a section or committee chair, when appropriate or authorized, but all such public statements must make it clear that the position stated, or opinion expressed, is that of the section or committee and not that of the Association unless otherwise authorized by the Executive Committee or the House of Delegates.
- E. When practicable, a section or committee chair should advise the Department of Communications that he or she:
 - 1. Intends to make a public statement;
 - 2. Has been contacted by the media for a public statement; or
 - 3. Has made a public statement regarding a section or committee.

Providing Legal Expertise to the Media

The Association strives to cooperate with the media as much as possible. As such, many times journalists call the department looking to speak to a legal expert about an issue related to a specific area of law that has nothing to do with the Association or Association policies. When this occurs, the Department of Communications will refer reporters to the appropriate committee or section chair or official who may be able to assist. Whenever possible, we ask that section and committee chairs or their designees please provide assistance to the media in these circumstances, and that when doing so they stress that they are speaking as individuals, not as representatives of the Association or a section or committee.

Should you have any questions related to providing assistance to the media or would like guidance on how to handle requests from the media, the Department of and Communications is always willing and able to provide any help or guidance you need.

FINANCIAL POLICIES

The topics in the Financial Policy for Committees are budget procedures, control of Association funds, adjustments and supplements to committee budgets, reconsideration and appeals, payment, or reimbursement of expenses of committee members, and consultants' expenses.

Budget Preparation

Each committee chair is responsible for the preparation of the proposed annual budget. Requests for proposed budgets are sent to committee chairs and the proposals should be submitted by the first week of July. The financial impact of meetings and continued and new projects should be considered. The Finance Committee requests that all expenses be carefully reviewed with the goal of reducing costs while still maintaining necessary and beneficial services. Cost-saving ideas include using videoconference or conference calls rather than on-site meetings and using law offices or the Bar Center rather than private clubs for in-person meetings. Additionally, the Association's print shop is significantly less expensive than using outside printers. Assistance in preparing the budget is available from the staff liaison, the Senior Director of Finance, Associate Director of Finance, or, for specific activities, from the relevant departments on staff. In accordance with the above-referenced Financial Policy, if the proposed budget is not received by the date set, the budget will be prepared by the Senior Director and liaison.

<u>Reference</u>: Financial Policy for Committees of the Association, as amended effective January 1, 2015, Section B (2) and (3)

The Finance Committee approves income and expense budgets for each committee. In November, the House of Delegates reviews and approves the Association budget for the forthcoming year. Committee budgets are effective upon adoption by the House.

Reference: Financial Policy for Committees, Section B (4)

It is generally expected that committees, with the assistance of Association staff, will perform all reasonable tasks, such as preparation of studies and reports. Where particular projects require special expertise or effort beyond that which may be reasonably expected of volunteers, consultants may be retained. Such retention by a committee requires specific advance approval from the President or Finance Committee, including the terms of employment and compensation limitations.

Reference: Financial Policy for Committees, Section G

Outside Grants

Association committees, section Executive Committees, and section committees are required to obtain approval of the Finance and Executive Committees prior to the filing of applications for financial grants from sources other than The New York Bar Foundation.

Reference: Executive Committee Minutes, January 29, 1976, Paragraph 4

Reimbursement

The Association pays for reasonable telephone, postage, or reproduction expenses incurred in connection with committee business. Please note, however, that the bulk of mailings and reproduction should be handled through the Bar Center to reduce the burden on committee members' staffs and costs. A reimbursement request form and supporting receipts and related information should be submitted through the committee liaison to request reimbursement of travel and other expenses.

Travel Expenses

Association members are encouraged to participate in meetings of committees in person, by video or by telephone conference call. Committees are encouraged to hold meetings by video or conference call where practicable; when an in-person meeting is necessary, meetings should be scheduled at a centralized location and appropriate time to complete all business within a single day and to allow members to complete travel within a single day. Committees are encouraged to make use of the Bar Center as a meeting site for in-person or hybrid meetings.

<u>Reference</u>: Financial Policy for Committees, Section F (1)

Committee members may apply for reimbursement of actual, reasonable travel expenses after attending the first committee meeting of the calendar year (including the Annual Meeting if the committee meets during the Annual Meeting). Committee members will not be reimbursed for expenses relating to the first meeting of the calendar year, including if the first meeting is held concurrent with the Annual Meeting.

Reference: Financial Policy for Committees, Section F (1)

The following categories of actual, reasonable travel expenses of a committee member who travels to a committee meeting held at a location 100 miles or more away from the member's office are reimbursable: a) air, train or bus fare at economy rates; b) reasonable ground transportation; c) an auto mileage allowance at a rate per mile determined annually by the Finance Committee for driving his or her own vehicle, plus actual tolls and parking charges incurred; d) overnight hotel or model accommodations, but only if the committee meeting is so early or late in the day as to prevent the member from completing travel during the day of the meeting. The total reimbursement allowed per meeting (currently \$600) is reviewed annually by the Finance Committee.

Reference: Financial Policy for Committees, Section F (1)

WEBSITE AND SOCIAL MEDIA

The Association website is a fully featured site, offering opportunities for personalization and customization. In addition, the site serves as a home for individual committee webpages.

Each committee is asked to assign a content coordinator to manage the flow of content from members to the committee website. Coordinators should forward all requests to the committee liaison who will communicate with the NYSBA Marketing Department to satisfy these requests.

In addition to a website, committees may establish "Communities," private discussion groups enabling committee members to join in discussions and share resources. The Association also has a strong social media presence, including Facebook, Instagram, and Twitter.

The Association's Social Media and Digital Communications Policy, Blogging Policy, and Communities Policy are included as appendices to this manual.

REPORTS

Committees are encouraged to prepare reports on means of improving the legal system. A committee may report to the House of Delegates at any time or shall report when requested to do so by the President or Chair of the House, or by vote of the House. Any committee, with House approval, may report to the Association at any time.

Reference: Association Bylaws, Article VI, Sections 1(F), 2(D) and 3(J)

Executive Committee and House of Delegates Consideration

Committees bringing reports to the House of Delegates and/or Executive Committee are asked to submit reports at least 75 days in advance of the meeting at which the report will be considered. Please submit all reports in Word format. The scheduling of reports after the 75-day deadline requires the approval of the Association President and, for reports requiring approval of the House of Delegates, the Chair of the House (i.e., the President-Elect). The report will be converted to PDF format and posted to www.nysba.org/reportsgroup. A notice about the report will then be emailed to the Reports Group — all members of the House of Delegates, Executive Committee, section chairs, committee chairs, and staff liaisons. Those wishing to comment on reports are asked to do so at least 15 days before the meeting; comments may be sent to reportsgroup@nysba.org. Comments will be distributed to the House and/or Executive Committee in advance of the meeting. The NYSBA Affirmative Legislative Proposal Form is included as an appendix to this manual and should be submitted to the Reports Group together with the report / affirmative legislative proposal.

These scheduling rules do not apply to: reports relating to internal finance, governance, or membership benefit issues of the Association, unless a majority of the Officers, in their discretion, decide that these rules or a variant of these rules should apply to a particular report; requests for amicus briefs; or requests to support, sponsor or oppose proposals to the American Bar Association House of Delegates. The Executive Committee and/or House of Delegates may consider and act on such reports or proposals without prior notice to the Reports Group.

Sections and committees that are preparing a report for submission to the House and/or Executive Committee are encouraged to contact other sections and committees that are likely to have an interest in the subject matter of the report for their input as part of the drafting process.

Reference: Rules for Consideration of Reports, Section 4

Committees also are encouraged to establish a rapid response system for expediting review and comment in those situations where the Association needs comments on a report in a short time frame.

Release of Reports

Reports of an Association group other than legislative reports (see "Legislative Action" section) may be distributed by the group in its own name to the public, government entities, and other appropriate recipients if the report does not conflict with Association policy and if it is conspicuously noted that the positions expressed are solely those of the group and not the Association. Notice of the intended release of such reports should be given to the President and Executive Director, in coordination with the staff liaison to the committee, at least five business

days in advance. The President may waive this notice requirement at the request of the group chair. When a waiver request is made, authorization is deemed provided unless the President notifies the group to the contrary prior to the intended release date. There are procedures concerning the withholding of approval or request for modifications.

Reference: Rules for Consideration of Reports, Section 4(b).

Communication with Executive Committee and House of Delegates

In addition to having a staff liaison, each committee is assigned a member of the Executive Committee to serve as liaison, aiding in communication and coordination between the committee and the Executive Committee on matters pertaining to the governance of the Association and issues of interest to the committee.

Minutes of the Executive Committee and House of Delegates meetings are posted online after meetings.

LEGISLATIVE ACTION

Unless the Association has taken a contrary position, committees are permitted to announce their support or opposition to pending legislation at the state or federal level but must conspicuously disclose that the position is their own and not that of the association. Committees may not present positions that are contrary to policy adopted by the Executive Committee or House of Delegates. All legislative activity must be coordinated with the Department of Government Relations.

Legislation being proposed by a committee requires the approval of the Executive Committee or, in some cases in which the bill is of broad interest to the membership, the House of Delegates. After a proposal is approved and introduced in the Legislature, the committee chair or designee may be called upon to assist in guiding the bill through the legislative process, including in the drafting of legislative memoranda, support letters, and other advocacy-based communications.

The Department of Government Relations monitors bills introduced in the State Legislature and will work with committees regarding legislation falling within their areas of expertise. In preparing comments on bills, the chair or designee may select bills that warrant reports, memoranda, or statements of a position.

Additionally, the Department may solicit comments from a committee at a legislator's request. The NYSBA Legislative Memorandum Form is included as an appendix to this manual and should be submitted to the Government Relations Department together with the comments / legislative memorandum prepared by the committee.

Committees should consider designating certain members or a subcommittee to handle legislative requests and liaise with the Department of Government Relations, especially if the committee has a strong legislative focus.

A report, memorandum, or other statement representing the work of a committee should be prepared with the same precision as a memorandum of law or a pleading. The name of the committee must be prominently displayed on the document. Immediate action may be necessary to ensure that the comments are received by members of the Legislature in a timely manner.

When legislation passes both Houses in the Legislature, the Governor's Office often requests input from the Association. In those instances where a legislative report or memorandum has previously been prepared on a bill that is before the Governor for action, that report or memorandum will be delivered to the Governor's Counsel by the Department of Government Relations. When no report or memorandum has been prepared, the Department will coordinate activity on the bill with the person designated by the committee chair to handle comments on bills. The substantive text of comments should first be sent to the Department. The text will be placed in the appropriate format and delivered to the Governor's Office by the Department. Meetings with the Governor's Office will be arranged by the Department when appropriate. To ensure compliance with the NYS Lobbying Law, all legislative activity must be coordinated with the Department of Government Relations.

AMICUS CURIAE RULES

Amicus briefs are filed only in the name of the Association upon Executive Committee approval. Committees cannot make filings on their own but may propose briefs for Executive Committee consideration. The filings must be made at the appellate level in a Federal or a New York State Court or the highest appellate court of another state. The brief must focus on issues of law, not fact. Except in cases where the court has requested the Association's participation, the proposed brief must be expected to make a significant contribution to the resolution of issues in the case and must be:

- 1. consistent with previously stated policy of the Association; or
- 2. plainly one that would be supported by a large majority of the membership as policy to be adopted by the Association; or
- 3. of particular importance to the Association or lawyers generally.

Reference: Rules for the Filing of Amicus Curiae Briefs, Sections A and B.

LITIGATION

On rare occasions, it may be appropriate for the Association to serve as a party to litigation to advance the interests of its members. Such litigation must be commenced in the name of the Association. Executive Committee approval is required; when appropriate, the Executive Committee may ask for House of Delegates consideration.

Sections and committees cannot initiate litigation on their own. Applications are to be submitted to the President. If the President and Chair of the House believe the proposal has no substantial chance of approval, they may disapprove the application and so advise the submitting group. Executive Committee approval requires a two-thirds vote of those present at a meeting but no less than a majority of the full committee.

Litigation is to be brought only in New York State or Federal courts on the basis that:

- 1. The issues are of unique significance to the Association or lawyers generally, consistent with Association policy, or likely to be supported by a large majority of the membership.
- 2. The interests to be protected are germane to the Association's stated purposes.
- 3. Individual Association members would have standing to commence the litigation but neither the claim presented, nor the relief requested, requires the participation of individual members.

Reference: Rules for Commencement of Litigation, Sections A-D.