

NEW YORK STATE BAR ASSOCIATION
MINUTES OF HOUSE OF DELEGATES MEETING
APRIL 30, 1982 - NEW YORK HILTON HOTEL, NEW YORK CITY

PRESENT: Members Aspland, Baer, Beinecke, Beshar, Bracken, Brenner, Brick, Callahan, Cardozo, Citrynell, Colish, Cook, Daly, Dee, deSilva, Diamond, Dougherty, Dunne, Dwyer, Emmett, Eolis, Erickson, Fales, Feldman, Field, FitzPatrick, Ford, Forger, Garaufis, Geltzer, Gilinsky, Goldblum, Graff, Hackbarth, Hall, Hart, Haskel, Haynes, Headley, Heming, Hewitt, Hoffmann, Jones, Kahn, H.L. King, Klein, Lagarenne, Laughlin, Levy, Lifland, MacCrate, Magavern, Marcus, Matte, McDowell, Meriam, H.G. Miller, S.W. Miller, Muenkel, G.F. Murphy, J.H. Murphy, Neale, O'Brien, Palermo, Patterson, Pearl, Peet, Perrin, Pritchard, B.J. Reilly, Ritholz, Robfogel, Rosenthal, Rothenberg, Russell, Sachs, Santemma, Schapiro, Smith, Spivack, Stave, Tucker, D.A. Whalen, Williams, Witmer, Yanas, Yetter, Young and Zimmer.

1. Approval of minutes of January 16, 1982 meeting. The minutes were approved as distributed.

2. Report of Nominating Committee. Mr. Patterson, chairman of the Nominating Committee, reported that the Committee had met at the Bar Center on January 15, 1982 and nominated the following persons for election to the respective offices indicated:

President-elect	Haliburton Fales 2d
Secretary	Louis Yo-ng
Treasurer	John J. Yanas
Vice President, 1st District	Charles E. Heming
Vice President, 2nd District	Harold A. Meriam, Jr.
Vice President, 3rd District	Lawrence E. Lagarenne
Vice President, 4th District	George F. Murphy
Vice President, 5th District	John J. Dee
Vice President, 6th District	James A. Haynes, Jr.
Vice President, 7th District	Justin L. Vigdor
Vice President, 8th District	Richard F. Griffin
Vice President, 9th District	Henry G. Miller
Vice President, 10th District	Michael P. Aspland
Vice President, 11th District	Donald J. Zimmer
Vice President, 12th District	Maxwell S. Pfeifer
(effective January 1, 1983)	
Member of Executive Committee	Charles H. Dougherty
Member of Executive Committee	Henry L. King
Member of Executive Committee	Gordon D. Henderson
Member of Executive Committee	Robert L. Klein
Member of Executive Committee	Ruth G. Schapiro
Member of Executive Committee	Maryann S. Freedman

There being no further nominations, a motion was made and carried that the nominations be closed. The Secretary then cast one ballot for the election of the officers and members of the Executive Committee.

3. Election of Nominating Committee. Mr. Patterson, chairman of the Nominating Committee, reported that the committee recommended and nominated Charlotte S. Cook, Alexander D. Forger and Anthony R. Palermo as members-at-large of the Nominating Committee. A motion was adopted electing said members.

A further motion was adopted electing Anthony R. Palermo chairman of the Nominating Committee.

The following members from each Judicial District, as selected by the vice-president and elected delegates from each Judicial District, were nominated as members of the Nominating Committee.

1st district	Christine Beshar and Charles E. Heming
2nd district	Edward J. Connolly and Bernadette Dolan
3rd district	James Brearton and Thomas M. Whalen, III
4th district	Bernard McPhillips and Edward Trombley
5th district	William FitzPatrick and James Kernan
6th district	Thomas Emmett and James A. Haynes, Jr.
7th district	G. Robert Witmer, Jr. and Justin Vigdor
8th district	Benjamin Hewitt and Wallace Stakel
9th district	Henry J. Smith and Benjamin I. Taylor
10th district	John P. Bracken and Joseph Tobin, Jr.
11th district	Jules J. Haskel and Robert L. Klein

A motion was adopted electing said members.

4. Election of Delegates to American Bar Association House of Delegates. Mr. Reilly, reported that the Nominating Committee recommended and nominated Alexander D. Forger, Anthony R. Palermo, Bernard J. Reilly, Henry J. Smith and David S. Williams as delegates to the American Bar Association House of Delegates. A motion was adopted electing said delegates.

Mr. Reilly further reported that the Nominating Committee recommended and nominated as the young lawyer delegate (less than 35 years of age), Alan Levine. A motion was adopted electing Mr. Levine as the young lawyer delegate to the American Bar Association House of Delegates.

5. Report of Treasurer. Mr. Yanas' report, copies of which previously had been furnished to all members of the House, was received with thanks.

6. Membership Committee Awards to Student Representatives.

Mr. Yetter, Chairman of the Membership Committee, summarized the status of the committee's efforts to increase Association membership, which numbered 35,803 as of March 31, 1982. He then described the on-campus recruitment program which had been instituted in 1980 as part of the membership campaign. Mr. Yetter then presented awards to the following student representatives who had enrolled the most members during 1981: Edward Solomon, Touro Law School; David W. Shipper, New York Law School; and Audrey Sergold-Levinson, Benjamin N. Cardozo Law School.

7. Presentation of Media Awards. Hon. Francis Bergan,

Chairman of the Committee on Media Awards, in recognition of outstanding reporting on the administration of justice, made presentations to the following winning entries in the listed categories:

Publications:

Investigation or Analytical Reporting on the Law:

Daily newspapers of under 100,000 circulation: Robert J. Baird, John Castellucci, Kevin McCoy and Tom Pica, Nyack Journal-News, for a series on the Rockland County Jail, "Crisis Behind Bars."

Daily newspapers of 100,000 or more circulation: Sherry Jacobson, John Koenig and Lou Ziegler, Rochester Times-Union, for a series on police informants.

Continuing Coverage of Law-Related News:

Daily newspapers of under 100,000 circulation: Gary Febbo, Syracuse Post-Standard.

Daily newspapers of 100,000 or more circulation: E.R. Shipp, New York Times.

Weekly Newspapers:

Nat Hentoff, The Village Voice, for a series on law enforcement in Abscam.

New York State Magazines:

Eric Freedman, Empire State Report, for an article entitled, "The Judges Come Out Swinging."

National Publications:

National Magazines: Steven S. Andreder, Barron's National Business and Financial Weekly, for an article entitled, "White Collar Criminal? A Hard Look at the Trial and Sentence of Paul Luftig."

National Wire Services:

Sid Moody, Associated Press, for an article on a district attorney's day.

Radio and TV:

New York State TV: John McLoughlin, WTEN-TV Albany, for a documentary entitled, "A Case of Insanity."

New York State Radio: Mary Jane Medvecky, WRFM, New York City, for a series entitled, "Crime - In Search of Solutions."

8. Presentation of Trial Lawyers Section National Trial Advocacy Competition Awards. Anthony J. DeMarco, Jr., Chairman of the Trial Lawyers Section Committee on National Trial Advocacy Competition, presented the Trial Lawyers Cup and Scholarship to Syracuse University College of Law as the New York State law school placing highest in the National Trial Advocacy Competition.

9. Report of Action Unit No. 5 re regulatory reform.

Mr. Heming, Chairman of Action Unit No. 5, summarized the Action Unit's report concerning government overregulation, including analyses prepared regarding occupational licensing, the regulatory process, inter-governmental relations, and recent legislation affecting the regulatory area. He then outlined the recommendations made by the Action Unit to eliminate unnecessary regulation, reduce occupational licensing requirements, reform the regulatory process and promote legislative restraint. Mr. Heming indicated that the initial step in reducing duplicative and undesirable regulation would be provided through an independent, comprehensive review of all state regulatory requirements designed to eliminate those that are obsolete or unnecessary. He stated that this further study in the form of Regulatory Review Project was being undertaken by the Center for Governmental Research, Inc. of Rochester, New York. The report was received with the thanks of the House.

10. Report of Chairman.

a) Mr. Reilly announced that bar associations entitled to delegates had filed their designations of delegates for the year 1982-83. On motion, said designations were approved as filed, and a further motion was adopted approving the filed roster of members of the House as the official list for 1982-83.

b) Pursuant to request by Mr. Reilly, and upon motion adopted by the House, the terms of the following special committees were extended for an additional year:

Advisory Committee on Legislation
Alternatives to Court Resolution of Disputes
Association House Committee

Copyright Law
Group and Prepaid Legal Services Plans
International Trade and Transactions
Juvenile Justice
Lawyer Alcoholism and Drug Abuse
Lawyers and the Community
Military and Veterans Affairs
Patents and Trademarks
Procedures for Judicial Discipline
Public Access to Information and Proceedings
Committee to Review ABA Draft Model Rules of
Professional Conduct
Senior Volunteer Lawyers
Social Services
Specialization in the Law.

c) Mr. Reilly announced that Kent H. Brown would be retiring later this spring as Legislative Counsel to the Association, and on behalf of the House, expressed appreciation to Mr. Brown for his years of dedicated service to the Association, to which Mr. Williams added his congratulations as President. Mr. Reilly then introduced Donovan E. Kretser, recently hired as Association Counsel who, among other duties, would be assuming responsibility for legislative matters upon Mr. Brown's retirement.

11. Report of President. Mr. Williams reported the following matters:

a) In connection with the delivery of adequate legal services to the indigent, lobbying efforts on behalf of the Association had resulted in the introduction of a bill endorsed by fifty sponsors in both houses of the Legislature which would create a council on legal services to distribute funds to legal services offices in New York State, with funding provided by an appropriation of \$5.5 million. He indicated that passage was still uncertain, but the Association would continue its efforts to alleviate the problems posed by the federal budget reductions to the Legal Services Corporation.

b) He expressed appreciation to Mr. Forger for his successful efforts during his term as President in obtaining passage of legislation permitting insurance carriers to participate in open panel group and prepaid legal services plans, and presented him with a pen certificate commemorating enactment of the statute.

c) With regard to the group and prepaid legislation, he encouraged members to submit suggestions for implementation of insurance carrier participation in open panel group legal services plans.

d) He commended the Special Committee on Lawyer Alcoholism and Drug Abuse for its concerned efforts since the committee's formation in 1979. He indicated that the committee was progressing in its cooperative efforts with county and local bar associations to encourage the development of suitable informational and rehabilitative programs in all areas of the state.

e) The Clients' Security Fund of the State of New York, as created in 1981 by Association endorsed legislation, had begun functioning as of April 1, with the Association's existing Committee on Clients' Security Fund phasing out its active operation and aiding with the transition to the new program.

f) The Executive Committee at its meeting on April 29, 1982, at the request of the Council of Judicial Associations, had adopted a resolution supporting the reappointment of those temporary Court of Claims Judges serving as Acting Supreme Court Justices under

the Emergency Dangerous Drug Control Program instituted by then Governor Nelson A. Rockefeller. Mr. Williams indicated that the Executive Committee had also adopted a resolution supporting, in principle, the creation by the Legislature of additional judgeships, without specifying the courts, districts or counties where such judicial appointments should be made. A motion was adopted ratifying these two actions by the Executive Committee and adopting same as the official position of the Association for communication to the appropriate governmental and legislative leaders.

12. Date and place of next meeting. The next meeting of the House of Delegates will be held on Saturday, June 26, 1982 at The Ottesaga, Cooperstown, New York.