

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF HOUSE OF DELEGATES MEETING
BAR CENTER, ALBANY
APRIL 2, 2016**

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PRESENT: Alden; Alomar; Arenson; Baker; Barcham; Barreiro; Behe; Block; Bonina; Braverman; Brown, E.; Bruno; Buholtz; Burns, S.; Calcagni; Calderón; Chakansky; Chambers; Chandrasekhar; Chang; Christopher; Clarke; Coffey; Cohen; Connery; Coseo; Crummey; Doyle; Effman; England; Fernandez; First; Fisher; Fox, G.; Fox, M.; Freedman, H.; Freedman, M.; Friedman; Gaffney; Gallagher; Galligan; Gensini; Gerbini; Gerstman; Goldberg; Goldenberg; Goldfarb; Grays; Greenberg; Gross; Grossman; Gutekunst; Gutierrez; Hage; Hall; Halpern; Hanson; Hersh; Hetherington; Higgins; Himes; Hoffman; Hollyer; Hyer; Jaglom; James; Jankiewicz; Jochmans; Kamins; Karson; Kase; Keiser; Kenney; Koch; LaRose; Lau-Kee; Lawton-Thames; Lessard; Lewis; Ling-Cohan; Makofsky; Mancuso; Mandell; Marangos, D.; Marangos, J.; Marinaccio; Maroney; Martin, D.; Martin, E.; McCafferty; McCarron; McGinn; Miller, M.; Millon; Minkowitz; Miranda; Morrissey; Moskowitz; Mulhall; Napoletano; Nathanson; Nowotarski; Nowotny; O'Donnell, J.; O'Donnell, T.; Ogden; Onderdonk; Ostertag; Owens; Poster-Zimmerman; Prager; Quist; Raskin; Richter; Rivera; Robertson; Rodner; Rodriguez; Rothenberg; Rothstein; Rowe; Ryba; Safer; Salkin; Samuels; Sciocchetti; Sen; Shafer; Shamoan; Sharkey; Sheehan; Silkenat; Silverman; Spirer; Spiro; Spitler; Standard; Stanislaus; Starkman; Stenson Desamours; Stong; Strenger; Sullivan; Sunshine; Tarver; Terranova; Thaler; Tully; Vigdor; Vorkas; Walsh; Weathers; Weinberger; Weis; Welch; Westlake; Whittingham; Wicks; Wildgrube; Williams; Winograd; Witmer; Younger; Zuchlewski.

Ms. Gutekunst presided over the meeting as Chair of the House.

1. The meeting was called to order and the Pledge of Allegiance recited.
2. Approval of minutes of January 29, 2016 meeting. The minutes were accepted as previously distributed.
3. Report of Treasurer. Sharon Stern Gerstman, Treasurer, provided a financial report focusing on the Association Sections' income and expenses. Ms. Gerstman also reviewed membership dues and CLE revenue. The report was received with thanks.
4. Election of the Nominating Committee and NYSBA Delegates to the ABA House of Delegates. Seymour W. James, Jr., chair of the Nominating Committee, presented the report of the Nominating Committee.
 - a. Election of members of the Nominating Committee. The following were nominated for service on the 2016-2017 Nominating Committee:

District members and alternates of the Nominating Committee: First –Mark H. Alcott, Fernando A. Bohorquez, Jr., Lisa Stenson Desamours, Karen Fisher Gutheil, Robert L. Haig, Stephen C. Lessard, Michael J. McNamara, Carol Ann

Sigmond, and Hon. Michael R. Sonberg, with Megan P. Davis, First Alternate, Adrienne Beth Koch, Second Alternate, and Alan Rothstein, Third Alternate; Second – Andrew M. Fallek and Hon. Cheryl E. Chambers, with Barton L. Slavin as Alternate; Third – David W. Myers and Hermes Fernandez, with Sarah E. Gold as Alternate; Fourth – Michelle H. Wildgrube and Peter V. Coffey, with Jeremiah Wood as Alternate; Fifth – Karen Stanislaus and Gioia Gensini, with Mary C. John as Alternate; Sixth – Mark S. Gorgos and Kathryn Grant Madigan, with Bruce G. McKeegan as Alternate; Seventh – LaMarr Jackson and Keith McCafferty, with June M. Castellano as Alternate; Eighth – Vincent E. Doyle III and Kathleen Marie Sweet, with Robert N. Convissar as Alternate; Ninth – Jessica D. Thaler, Mark T. Starkman, and Dawn Kirby, with Hon. Arlene Gordon-Oliver as Alternate; Tenth – Steven G. Leventhal, A. Thomas Levin, A. Craig Purcell and Richard A. Weinblatt, with Rosemary Tully, First Alternate, and Marian C. Rice, Second Alternate; Eleventh – Violet E. Samuels and Steven Wimpfheimer, with Arthur N. Terranova as Alternate; Twelfth – Carlos M. Calderón and Michael A. Marinaccio, with Richard Weinberger as Alternate; Thirteenth – Jonathan B. Behrins and Michael J. Gaffney, with Robert Mulhall as Alternate.

A motion to elect the foregoing was adopted.

- b. Election of Delegates to ABA House: A motion was adopted to elect the following for a two-year term commencing in August 2016: Sharon Stern Gerstman, Michael E. Getnick, Kathryn Grant Madigan, David P. Miranda, and Kenneth G. Standard.
 - c. Election of Young Lawyer Delegate to ABA House: A motion was adopted to elect Alena Shautsova as Young lawyer Delegate for a two-year term commencing in August 2016.
5. Report of Committee on Membership. Sherry Levin Wallach, chair of the committee, updated the House on the committee's work, including membership renewal efforts and targeted membership marketing. The report was received with thanks.
 6. Report of the President. Mr. Miranda highlighted the items contained in his written report, a copy of which is attached to these minutes. He observed that this meeting is his last as President and he thanked the members for the opportunity to serve. The House gave Mr. Miranda a standing ovation.
 7. Report and recommendations of Committee on the New York State Constitution. Henry M. Greenberg, chair of the committee, outlined the committee's report on Home Rule in the state Constitution and the committee's recommendation that Home Rule be studied and debated in connection with the decision whether a constitutional convention should be convened. After discussion, a motion was adopted to approve the report and recommendations.
 8. Report of Commercial and Federal Litigation Section. Mark Arthur Berman, chair-elect of the section, reviewed the section's report on the use of social media by jurors and

attorneys and the need to provide explicit instructions so that social media is not misused during trials. The report was received with thanks.

9. Report of The New York Bar Foundation. John H. Gross, President of The New York Bar Foundation, updated the House on The Foundation's work, focusing on support for veterans; human trafficking; immigration; domestic violence; and re-entry. The report was received with thanks.
10. Report of NYSBA/TNYBF Joint Pro Bono Task Force. Marion Hancock Fish and Hon. Barry Kamins, co-chairs of the task force, presented an informational report on the task force's work to date, focusing on existing services and programs under development, lawyer recruitment, financial resources, and structure. The report was received with thanks.
11. Report of Executive Director. David R. Watson, Executive Director, updated the House on staff activities to address challenges faced by the Association, including membership initiatives, LawHUBSM, and communities on the Website. The report was received with thanks.
12. Administrative items. Ms. Gutekunst reported on the following:
 - a. Motions to approve the designation of delegates filed by the county and local bar associations for the 2016-2017 Association year and to approve the filed roster of the members of the House for the 2016-2017 year were requested and approved.
 - b. She announced that immediately following the meeting, the Committee on Leadership Development would host a meeting for members interested in exploring leadership opportunities in the Association.
 - c. She observed that this meeting represents the last House meeting of the Association year and noted that a number of House members were completing their terms, expressing appreciation for their service. She encouraged these members to consider applying to join an Association committee.
 - d. She noted that registration materials for the June 2016 meeting in Cooperstown had been distributed to those in attendance and encouraged members to register promptly for the meeting.
 - e. She noted that this meeting represents her last as Chair of the House and thanked the House for the opportunity to serve. She introduced Ms. Gerstman as the next Chair of the House and presented her with the House's gavel.
13. New Business.
 - a. Mr. Jaglom observed that Lauren Rachlin, founding chair of the International Section, passed away in March. A moment of silence was observed in his memory.

- b. Ms. Gutekunst encouraged sections, committees and local bar associations to bring reports to the House for consideration.
- 14. Date and place of next meeting. Ms. Gutekunst announced that the next meeting of the House of Delegates would take place on Saturday, June 18, 2016 at The Otesaga in Cooperstown.
- 15. Adjournment. There being no further business to come before the House of Delegates, the meeting was adjourned.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Ellen G. Makofsky", written in a cursive style.

Ellen G. Makofsky
Secretary