

**NEW YORK STATE BAR ASSOCIATION  
MINUTES OF HOUSE OF DELEGATES MEETING  
NEW YORK HILTON MIDTOWN, NEW YORK CITY  
JANUARY 30, 2015**

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**PRESENT:** Abella; Alcott; Alden; Alomar; Arenson; Baker; Barnes; Barreiro; Baum; Bauman; Behe; Bloom; Bracken; Brown, T.A.; Bruno; Buholtz; Burns; Buzard; Calcagni; Cecero; Chandrasekhar; Chang; Christopher; Cilenti; Cohen, D.; Cohen, O.; Connor; Cooper; Coseo; Crummey; Dean; DeHaven; Denton; DiLorenzo; Doyle; Edmunds; Eng; England; Feinberg; Fennell; Fernandez; Ferris; Finerty; First; Fishberg; Fisher; Flynn; Fox, G.; Freedman, H.; Freedman, M.; Friedman; Gaffney; Gallagher; Galligan; Gann; Genoa; Gerace; Gerbini; Gerstman; Gold; Goldberg; Goldfarb; Green; Greenberg; Gross; Gutekunst; Gutierrez; Haig; Hayes; Hetherington; Higgins; Himes; Hines; Hollyer; Hoskins; Hutter; Jaglom; James; Kamins; Karson; Kean; Keiser; Kerson; Kiernan; Kiesel; Kirby; Klass; Klein; Koch; Kretser; Kyriakopoulos; Lanouette; LaRose; Lau-Kee; Lawrence; Lawten-Thames; Leventhal; Levy; Lewis; Lindenauer; Ling-Cohan; Makofsky; Marinaccio; Martin, D.; Martin, E.; Marwell; McCafferty; McCarron; McDonald; McGinn; McKay; McKeegan; Meacham; Meyers; Miller, M.; Minkowitz; Miranda; Modica; Napoletano; Mathanson; Nowotny; O'Donnell; Ogden; Ostertag; Owens; Prager; Preston; Prudente; Radick; Ranni; Raskin; Reitzfeld; Richman; Richter, A.; Richter, R.; Riley; Rivera; Rosiny; Rothenberg; Rothstein; Rowe; Ryan; Safer; Saleeby; Samuels, V.; Sarkozi; Scanlon; Schofield; Schrauer; Sen; Shafer; Shamoony; Shautsova; Silkenat; Silver; Silverman; Simmons; Pressment; Slavin; Slezak; Smith, A.; Smith, S.; Sonberg; Spiro; Spitler; Spodek; Standard; Stanislaus; Stenson Desamours; Sunshine; Swanson; Tennant; Terranova; Tesser; Tilton; Tollin; Ugurlayan; Vigdor; Weinberger; Weinblatt; Welch; Westlake; Wildgrube; Williams; Wimpfheimer; Wood; Yeung-Ha; Young; Younger; Zuckerman.

Mr. Miranda presided over the meeting as Chair of the House.

1. Approval of minutes of November 1, 2014 meeting. Mr. Richman requested that the minutes reflect his opposition to the report and recommendations of the Finance Committee with respect to the 2015 budget. The minutes were deemed accepted.
2. Report of the Treasurer. The Treasurer's report for the preceding fiscal year, which had been presented by Treasurer Sharon Stern Gerstman to members of the Association at the Annual Meeting, was received with thanks.
3. Report of the Nominating Committee and election of officers and members-at-large of the Executive Committee. Vincent E. Doyle III, chair of the Nominating Committee, reported that the Committee had nominated the following individuals for election to the indicated offices for the 2015-2016 Association year: President-Elect: Claire P. Gutekunst, Yonkers; Secretary: Ellen G. Makofsky, Garden City; Treasurer: Sharon Stern Gerstman, Buffalo; and Vice Presidents: First District – Taa R. Grays and Michael Miller, New York City; Second – Domenick Napoletano, Brooklyn; Third – Hermes Fernandez, Albany; Fourth – Matthew R. Coseo, Ballston Spa; Fifth – Stuart J. LaRose, Syracuse; Sixth – Alyssa M. Barreiro, Binghamton; Seventh – T. Andrew Brown, Rochester; Eighth – Cheryl Smith Fisher, Buffalo; Ninth – Sherry Levin Wallach, Mount Kisco; Tenth – Scott M. Karson, Melville; Eleventh – Richard M. Gutierrez, Forest Hills; Twelfth – Steven E. Millon, New

York City; Thirteenth – Michael J. Gaffney, Staten Island. Nominated as members-at-large of the Executive Committee were Michael L. Fox, Walden; David Louis Cohen, Kew Gardens; Evan M. Goldberg, New York City; Ira S. Goldenberg, White Plains; John S. Marwell, Mount Kisco; and Sheldon K. Smith, Buffalo.

4. Memorial to Prof. David D. Siegel. Michael J. Hutter, Jr., Professor of Law at Albany Law School, presented a memorial in honor of Prof. David D. Siegel, Professor Emeritus at Albany Law School and Editor of the Association's *Law Digest*, who passed away in October 2014.
5. Address by Hon. Jonathan Lippman, Chief Judge of the State of New York. Chief Judge Lippman addressed the House of Delegates with respect to the status of Unified Court System initiatives. He provided an update on public confidence in the justice system; the Judiciary budget; funding for civil legal services; juvenile justice; the "Navigators" program; and legal education. The report was received with the thanks of the House.
6. Presentation of the Ruth G. Schapiro Memorial Award. Mr. Lau-Kee presented the annual Ruth G. Schapiro Award to Hon. Joan S. Kohout of Rochester in recognition of her contributions to advocating for the needs of women and children.
7. Report and recommendations of Task Force on Criminal Discovery. Hon. Mark R. Dwyer, co-chair of the Task Force, together with Task Force member John C. Schoeffel, outlined the Task Force's recommendations to expand discovery in New York criminal proceedings. After discussion, a motion was adopted to approve the report and recommendations.
8. Report of Committee on Legal Education and Admission to the Bar. Eileen D. Millett, co-chair of the Committee, together with Prof. Sarah E. Valentine of CUNY School of Law, outlined the Committee's report recommending opposition to the implementation of the Uniform Bar Examination in New York as currently formulated. They noted that given the short amount of time within which comments are to be submitted to the Chief Judge's study committee, the report had been previously approved by the Executive Committee. The report was received with thanks. Mr. James abstained from participating in the discussion of this report.
9. Report of Committee on Standards of Attorney Conduct. Prof. Roy D. Simon, chair of the Committee, together with vice chair Barbara S. Gillers, presented an informational report on proposed amendments to the New York Rules of Professional Conduct and the Comments to the rules, highlighting proposals for which the Committee particularly would like to receive comments. The report was received with thanks.
10. Report and recommendations of Committee on Immigration Representation. Jojo Annobil and Joanne Macri, co-chairs of the Committee, outlined the Committee's request to distribute the Standards for Immigration Representation to promote effective representation in immigration matters and to encourage other states to develop standards. After discussion, a motion was adopted to approve the following resolution:

WHEREAS, the Committee on Immigration Representation (CIR), pursuant to its mission to improve the quality and availability of legal representation in immigration cases, drafted and adopted the Standards for Providing Immigration Representation, (NYSBA Standards); and

WHEREAS, in 2012 the New York State Bar Association endorsed the NYSBA Standards; and

WHEREAS, the CIR has proposed that the NYSBA Standards be distributed to each bar association within New York State and to the New York City Bar Association for purposes of promotion and adoption; and

WHEREAS, the CIR has proposed that the NYSBA Standards be distributed to the American Bar Association and the American Immigration Lawyers Association for purposes of promotion and adoption;

NOW, THEREFORE IT IS

RESOLVED, that the New York State Bar Association approves the distribution of the NYSBA Standards to the New York State county and New York City Bar Associations, the American Bar Association and the American Immigration Lawyers Association for adoption; and it is further

RESOLVED, that the officers of the Association are hereby directed to transmit the NYSBA Standards to the New York State county and New York City Bar Associations, the American Bar Association and the American Immigration Lawyers Association for distribution and promotion of the NYSBA Standards; and to take such other and further action as they may deem appropriate to implement this resolution.

11. Report of Task Force on Gun Violence. Task Force co-chairs Earamichia Brown and David H. Tennant presented an informational report on the Task Force's recommendations with respect to gun violence, noting that the Task Force's report is intended to serve as an educational resource. The report was received with thanks.
12. Report of President. Mr. Lau-Kee highlighted items contained in his written report, a copy of which is appended to these minutes.
13. Report of ABA State Delegate. Mark H. Alcott, ABA State Delegate, provided an update on ABA activity and leadership. The report was received with thanks.
14. Administrative items. Mr. Miranda reported on the following:
  - a. NYSBA delegates to ABA House of Delegates. At the March 28, 2015 meeting, the House would be requested to elect six of the Association's 11 delegates to the American Bar Association House of Delegates. The Nominating Committee had nominated the following individuals: Claire P. Gutekunst, Yonkers; Seymour W. James, Jr., New York; Glenn Lau-Kee, New York; Bernice K. Leber, New York; and Stephen P. Younger, New York.

15. Date and place of next meeting. Mr. Miranda announced that the next meeting of the House of Delegates would take place on Saturday, March 28, 2015 at the Bar Center in Albany.
16. Adjournment. There being no further business to come before the House of Delegates, the meeting was adjourned.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Ellen G. Makofsky".

Ellen G. Makofsky  
Secretary