

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF HOUSE OF DELEGATES MEETING
JUNE 22, 2013
THE OTESAGA, COOPERSTOWN, NEW YORK**

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PRESENT: Abbot; Abella; Abernethy; Ajaiyeoba; Alcott; Arenson; Ayers; Baker; Barnes; Barrett; Baum; Bauman; Beckford; Brown, C.; Brown, J.; Brown, T.A.; Brown, T.; Buholtz; Canary; Castellano; Chambers; Chase; Christian; Coffey; Cohen, D.; Cohen, O.; Collins; Cooper; Cosco; Crummey; Curley; Davis, T.; Dean; DeFelice; DeHaven; DeMartino; Denton; Donaldson; Doyle; England; Eppler; Fallek; Fay; Feinberg; Feinman; Fenchel; Ferris; Finerty; Fisher; Fontaine; Friedman; Gall; Genoa; Gensini; Gerace; Gerstman; Getnick; Giordano; Gold; Goldberg; Goldenberg; Gordon-Oliver; Gorgos; Gross; Gutierrez; Haig; Hamm; Harper; Hetherington; Higgins; Hillman; Hilowitz-DaSilva; Hoskins; Hutter; Jaglom; James; Kamins; Karson; Kelly, M.; Kenney; Kerson; Keschenat; Kiernan; Kirby; Kobak; Kretser; Larose; Lashley; Lau-Kee; Lawrence; Leventhal; Lewis; Lindenauer; Ling-Cohan; Lugo; Madigan; Makofsky; Marinaccio; Martin, E.; McAuliffe; McCafferty; McCarron; McDonald; McEntee; McKeegan; Meacham; Meislahn; Meyers; Miller, M.; Millon; Miranda; Modica; Moretti; Moses; Moy; Mulhall; Myers; Napoletano; Nowotny; O'Donnell; Ostertag; Otis; Pantaleo; Perlman; Pettit; Prager; Preston; Reitzfeld; Richardson; Richman; Riley; Risi; Rivera; Rodriguez; Romero; Rosner; Rothstein; Russ; Sachs; Safer; Sapir; Schofield; Schrauer; Shamoon; Sheehan; Siegel; Sigmond; Silver; Silverman; Simmons; Singer; Slavin; Slezak; Smith, S.; Standard; Stanislaus; Stankus; Stenson Desamours; Stern; Sweet; Taylor; Tennant; Terranova; Tollin; Tully; Ugurlayan; Valet; Valk; Vigdor; Walker; Wallach; Weinberger; Welch; Wimpfheimer; Witmer; Woronov.

Mr. Lau-Kee presided over the meeting as Chair of the House.

1. Call to order, introduction of new members. The meeting was called to order and the Pledge of Allegiance was recited, and Mr. Lau-Kee welcomed the new members of the House.
2. Minutes of April 6, 2013 meeting. The minutes were accepted as previously distributed.
3. Report of the Treasurer. Sharon Stern Gerstman, Treasurer, reported that she would focus her reports at each meeting on a different aspect of the Association's finances and at this meeting she would focus on the Association's expenditures. She reviewed expenditures with respect to Bar Center operations; administration; technology; marketing, membership and member benefits; governance; programming; CLE and publications; and advocacy and improvement of justice. In addition, she provided an update with respect to the 2013 CLE budget. The report was received with thanks.
4. Report and recommendations of Finance Committee. Mark S. Gorgos, a member of the committee, outlined the proposed dues for the new Affiliate category of membership for which the Committee on Membership recommended, and the Finance Committee endorsed, a flat fee of \$185. After discussion, the following motion was adopted:

RESOLVED, that the Association approves the report and recommendations of the Finance Committee to set dues for the Affiliate Member category of membership at \$185 beginning in 2014.

5. Presentation of Root-Stimson Award. President Schraver presented the Root-Stimson Award, which honors members of the profession for outstanding community service, to Elizabeth A. Wolford of Rochester. A partner at the Wolford Law Firm, she was honored in particular for her community service.
6. Installation of President. Mr. Schraver was formally installed as President. The oath of office was administered by Past President G. Robert Witmer, Jr., Mr. Schraver's partner at Nixon Peabody LLP. Mr. Schraver then addressed the House with respect to his planned initiatives for his term as President.
7. Report and recommendations of Committee on Diversity and Inclusion. Sharon Stern Gerstman and John Eric Higgins, members of the committee, reviewed the committee's recommendations that the Bylaws provisions for two members-at-large of the Executive Committee and twelve House members to further racial and ethnic diversity be extended for an additional ten years and that the impact of these positions on the demographics of each body be reviewed on an annual basis. After discussion, a motion was adopted to approve the following resolution:

WHEREAS, in 2004 the Association's Bylaws were amended to add two at-large seats to the Executive Committee and twelve members to the House of Delegates to further racial and ethnic diversity in each body; and

WHEREAS, these Bylaws provisions are due to expire on November 6, 2014; and

WHEREAS, the Committee on Diversity and Inclusion has completed a review of these provisions and has recommended that they should be continued for an additional ten-year period;

NOW, THEREFORE, IT IS

RESOLVED, that the Association approves the report and recommendations of the Committee on Diversity and Inclusion to continue these provisions for an additional ten years; and it is further

RESOLVED, that the Committee on Bylaws is hereby directed to review the report and recommendations and prepare appropriate amendments to the Bylaws to implement these recommendations for subscription by the House of Delegates at its November 2013 meeting.

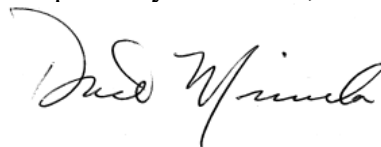
8. Report of President. Mr. Schraver highlighted the information contained in his printed report, a copy of which is appended to these minutes. In addition, he reported that at the June 21 Executive Committee meeting, the committee had approved proposed Bylaws

amendments to provide life membership in the NYSBA House of Delegates for a New York State Bar Association member who is either a current or former president of the American Bar Association. The committee also approved the submission of a letter from the President to the Chief Judge outlining the Association's opposition to the mandatory reporting of pro bono service and contributions on biennial registration forms. Finally, he announced that with the approval of the Executive Committee, the April 2014 Executive Committee and House of Delegates meetings would be held in Rochester.

9. Address by ABA President-Elect James R. Silkenat. Mr. Silkenat outlined the issues and initiatives he plans to pursue as President of the American Bar Association, with an emphasis on finding meaningful employment for lawyers and ensuring access to justice. He noted that many of the initiatives he plans parallel those highlighted by President Schraver. The report was received with thanks.
10. Report of New York State Conference of Bar Leaders. Karla D. Wilsey, chair of the Conference, presented an overview of the Conference's operations and updated the House on the Conference's recent activities. The report was received with thanks.
11. Report of the Secretary. David P. Miranda, Secretary, highlighted the information contained in his printed report, a copy of which is appended to these minutes. The report was received with thanks.
12. Presentation of Trial Lawyers Section National Trial Advocacy Awards. Thomas P. Valet, past chair of the Trial Lawyers Section, presented awards to teams from Hofstra University School of Law and Fordham University School of Law, and recognized the Hofstra team as overall champion for advancing farthest in the national competition.
13. Report of ABA State Delegate. Mark H. Alcott, ABA State Delegate, updated the House on ABA activity and the upcoming August 2013 House of Delegates meeting. The report was received with thanks.
14. Report of Nominating Committee. Michael E. Getnick, member-at-large of the Nominating Committee, reviewed the open positions for which the committee is seeking nominations and the nomination process. He encouraged interested members to submit applications. The report was received with thanks.
15. Report of The New York Bar Foundation. Cristine Cioffi, President of The Foundation, presented an informational report on recent developments with respect to The Foundation. She introduced Lesley Friedman Rosenthal as the Foundation's Vice President and welcomed the new Foundation Board members. She noted the partnership between the Association and The Foundation with respect to Superstorm Sandy efforts and that the Foundation will partner with the Association in future endeavors. The report was received with thanks.
16. Administrative items. Mr. Lau-Kee reported on the following:

- a. Reappointment of special committees. Special committees are appointed initially for a fixed period of time not to exceed three years and, when that time has elapsed, House approval is required to extend the term of such committees. A motion was adopted to extend the terms of the Steven C. Krane Special Committee on Student Loan Assistance for the Public Interest for an additional year.
 - b. Discharge of special committees. The Special Committee on Discovery and Case Management in Federal Litigation and the Special Committee on Voter Participation have been discharged with the concurrence of their respective chairs. Where appropriate, the work will be continued by existing committees and sections.
 - c. He encouraged members to review the written report submitted by Executive Director Patricia K. Bucklin, who was unable to attend the meeting due to her daughter's high school graduation.
 - d. He reported that David P. Miranda and Tracee E. Davis would serve as captains for the afternoon softball game and encouraged members to play.
17. Date and place of next meeting. Mr. Lau-Kee announced that the next meeting of the House of Delegates would take place on Saturday, November 2, 2013 at the Bar Center in Albany.
18. 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 "David P. Miranda". The signature is fluid and cursive, with the first name "David" and last name "Miranda" clearly distinguishable.

David P. Miranda
Secretary