

NEW YORK STATE BAR ASSOCIATION
MINUTES OF HOUSE OF DELEGATES MEETING
MARCH 31, 2007
BAR CENTER, ALBANY, NEW YORK

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PRESENT: Adler; Alcott; Alden; Asarch; Ayers; Barreiro; Berman; Bienstock; Boyers; Bracken; Brown Spitzmueller; Brown; Buonora; Burke; Burns; Buzard; Campanaro; Caraballo; Casey; Chambers; Cheng; Chin; Christian; Cloonan; Coffey; Cohen; Copps; Costello; Cullum; Davidoff; David; Dietz; Dixon; Dolin; Doyle, J.; Doyle, V.; Duffy; Egan; England; Eppler; Fennell; Fernandez; Ferradino; Fink; Fisher; Frank; Gerstman; Getnick; Gold; Goldblum; Golinski; Gordon Oliver; Gorgos; Gouz; Grays; Greeley; Green; Gregory; Gross; Grossman; Haig; Harren; Harris; Hassett; Hayes; Higgins; Hoffman; Hollyer; Horan; James; Kamins; Kelly; Matthew; Kiernan; Kougasian; Krane; Kranis; Kretser; Lagonia; Lamantia; Larose; Lau-Kee; Lawrence; Leber; Leinhardt; Leo; Lesk; Levin; Levy; Lieberman; Liebman; Lindenauer; Madigan; Makofsky; Margolin; Martin; Marwell; May; McCarthy, Jerry; Meislahn; Meyer; Mihalick; Miklitsch; Miller, M.; Miller, E.; Millett; Minkowitz; Miranda; Mitchell; Moore; Moy; Murray; Nashak; Nathanson; Netter; O'Donnell; Onderdonk; O'Neill; Opatowsky; Ostertag; Pellow; Peradotto; Perino; Porcellio; Potter; Priore; Privitera; Quinlan; Ravin; Reed; Reynolds; Richman; Rider; Rifkin; Robertson; Romero; Rosenthal; Rosner; Safer; Sandner; Sands; Schofield; Schrauer; Schultz; Seiden; Sheehan; Sherman; Sherwin; Shulman; Smith; Smolowitz; Sonberg; Sperendi; Steinberg; Stenson; Sterrett; Terranova; Tharp; Thompson; Wachtler; Walsh, J.; Walsh, O.; Warner; Wilson; Wimpfheimer; Winkler; Witmer; Young; Younger; Zeltner

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

1. Approval of minutes of January 26, 2007, meeting. A motion was unanimously adopted accepting the minutes as previously distributed.
2. Report of the Treasurer. Mr. Ayers, Treasurer, reviewed the Association's statement of activities for the year ending December 31, 2006, reporting that total revenue was \$23.5 million, an increase of \$1.7 million over 2005, and total expense was \$21.8 million, a decrease of \$650,000 from 2005. The operating surplus was \$1.7 million, an increase of \$2.3 million over 2005. For the first two months of 2007, he reported that total revenue was \$12.2 million, an increase of \$180,000 over 2006, and total expense was \$4.6 million, an increase of \$560,000 over 2006. He then provided a three-year comparison of CLE revenue and expense, noting that since CLE product and program prices were increased for 2007, it was anticipated that 2007 revenue would be closer to 2006 levels than 2005. The report was received with thanks.
3. Election of the Nominating Committee and NYSBA Delegates to the ABA House of Delegates. A. Thomas Levin, 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 2007-2008 Nominating Committee:

Members-At-Large: Kenneth G. Standard as Chair and A. Thomas Levin and A. Vincent Buzard as members.

District members and alternates of the Nominating Committee: First – Manuel Campos Galvan, Catherine A. Christian, Joel B. Harris, James B. Kobak, Jr., Ann B. Lesk, Ellen Lieberman, Gerald G. Paul, James R. Silkenat, and Lisa M. Stenson, with Louis Crespo, First Alternate, Jay G. Safer, Second Alternate, and Alan Rothstein, Third Alternate; Second – Rose Ann C. Branda and Barton L. Slavin, with Diana J. Szochet as Alternate; Third – Miriam M. Netter and Lorraine Power Tharp, with Hon. Gerard E. Maney as Alternate; Fourth – to be submitted; Fifth – Thomas E. Myers and Nicholas S. Priore, with Ellen Stempler Weinstein as Alternate; Sixth – James C. Gacioch and Mark S. Gorgos, with Shirley K. Egan as Alternate; Seventh – Michael T. Warren and G. Robert Witmer, Jr., with J. Thomas Reynolds as Alternate; Eighth – Maryann Saccomando Freedman and James M. Shaw, with Cheryl Smith Fisher as Alternate; Ninth – Frank M. Headley, Jr., Catherine M. Miklitsch and Joel H. Sachs, with Ira S. Goldenberg as Alternate; Tenth – John P. Bracken, Emily F. Franchina, Joshua M. Pruzansky and Jon N. Santemma, with Peter H. Levy as First Alternate and A. Craig Purcell as Second Alternate; Eleventh – Chanwoo Lee and Steven Wimpfheimer, with Arthur N. Terranova as Alternate; Twelfth – Steven E. Millon and Maxwell S. Pfeifer, with John E. Sands as Alternate.

A motion to elect the foregoing was adopted by unanimous voice vote.

- b. Election of Delegates to ABA House: A motion to elect the following for a two-year term commencing in August 2007 was adopted by unanimous voice vote: Mark H. Alcott, Bernice K. Leber, M. Catherine Richardson, Kenneth G. Standard, and Lorraine Power Tharp.
4. Report of the President. Mr. Alcott updated the House on the following developments and initiatives:
 - a. Reform
 1. With respect to merit selection of judges, he reported that as a result of the court decisions in *Lopez-Torres v. New York State Board of Elections* and the stated support of Governor Spitzer, there is new momentum for consideration of merit selection to replace the elective system of judicial selection. He had participated in panel discussions on the topic at the Monroe County Bar Association and at Cardozo Law School. On March 13, 2007, together with President-Elect Madigan, the Association's outside lobbyist and Association staff, he spent a full day at the State Capitol and discussed this topic with legislative leaders and staff as well as the Governor's staff. While the Supreme Court has granted certiorari in *Lopez-Torres*, there are no plans to slow efforts to implement merit selection. The Association plans to join with the New York City Bar Association and the

Fund for Modern Courts in filing an *amicus curiae* brief with the U.S. Supreme Court.

2. There has been great interest in the topic of age discrimination in the profession, heightened by the report of the Special Committee on Age Discrimination in the Profession and the Task Force on Mandatory Retirement of Judges. He has been interviewed by a number of media affiliates and participated on an ABA panel during the ABA's Midyear Meeting.
3. He is appointing a new committee, to be co-chaired by Anne Reynolds Copps and Gerald G. Paul, to revisit the topic of specialization in light of the House's adoption of proposed Rule 7.4 in November 2006 in connection with the report of the Committee on Standards of Attorney Conduct.
4. He sent out an e-mail to Association members requesting them to contact legislators and the Governor to support judicial salary increases, and approximately 2,000 members had responded. The Association will continue to advocate for salary increases.

b. Core values

1. The Association was the lead sponsor of a resolution adopted by the ABA House of Delegates meeting in February 2007 relating to the independence of the profession in light of the comments made by former Deputy Secretary of Defense Charles Stimson on lawyers providing representation to Guantanamo detainees.
2. The *amicus curiae* brief authorized by the Executive Committee in connection with the KPMG criminal prosecution was filed with the Second Circuit on January 29, 2007.
3. The public service announcements that he had recorded for broadcast in the New York metropolitan area were broadcast in November-December 2006 and again in January 2007. There were a total of 2,000 plays, representing approximately \$1 million worth of air time, for which we paid only \$30,000 as a donation to the State Broadcasters Association. He reported that he had recorded a new, 60-second public service announcement, and that the group of announcements would be broadcast statewide for four weeks, with approximately 4,500 anticipated plays, once again giving us a big value for minimal cost. The 60-second announcement was played for the House.
4. On February 14, 2007, he testified in favor of the court system's budget. He also observed that while efforts to attack judicial independence had subsided, the bar needs to remain vigilant against such efforts.
5. The Committee to Review Judicial Nominations met on January 30, 2007 to review the candidates for Chief Judge of the Court of Appeals, and had found all

seven candidates "well qualified." Thereafter, Governor Spitzer appointed Chief Judge Kaye to the position.

c. Diversity

He reported that the Special Committee on Senior Lawyers had prepared a report that had been distributed to the House for informational purposes. In addition, the Special Committee on Lawyers in Transition and the Special Committee on the Civil Rights Agenda are expected to prepare reports in the coming year. On March 31, 2007, following the House of Delegates Meeting, the Committee on Diversity and Leadership Development would host an outreach meeting for members interested in seeking leadership positions. Finally, he reported on communications he had with a member who complained that the mission of the Special Committee on the Civil Rights Agenda did not include gay rights. In repose, Mr. Alcott noted that while the Special Committee's scope is limited, other committees, including the Committee on Civil Rights and the Special Committee on Issues Affecting Same-Sex Couples and other Association initiatives, address a broad range of diversity issues, including gay rights.

d. Access to Justice

The Empire State Counsel program, which he had initiated in June 2006, had proved extremely successful with close to 500 members having certified that they had provided more than 50 hours of pro bono legal services in the prior year.

He observed that he had had an extraordinary experience as President and thanked the House for its support during his term.

5. Report and recommendations of Task Force on E-Filing of Court Documents. Sharon Stern Gerstman, co-chair of the Task Force, reviewed the recommendations contained in the Task Force's report, highlighting the need for adequate funding and training, uniform access throughout the state, and a lengthy transition period after which e-filing would become mandatory. She outlined the changes made to the report in light of comments received from interested groups. With respect to the issue of whether participation in e-filing should be mandatory, she advised that it was the view of the Task Force that the system would not function properly unless it were made mandatory and the best way to address concerns is through suitable training and a sufficient lead-in period. The House was informed of the action of the Executive Committee on this matter. A motion was made and seconded to approve the resolution offered by the Task Force, following which a motion to amend the resolution to delete the recommendation that participation in e-filing be mandatory failed by voice vote. The following resolution was then adopted by the House on voice vote:

WHEREAS, the Task Force on the Electronic Filing of Court Documents was created and charged with collecting data on the e-filing initiatives and programs throughout the United States, analyzing the best practices from each, and making

recommendations to the Office of Court Administration regarding whether and how e-filing might best be implemented within the New York State courts; and

WHEREAS, the Task Force has conducted surveys of New York attorneys, the New York County Clerks and the Chief Clerks of New York Surrogate's Courts, and has studied the electronic filing program of the United States Courts, and has studied the filing programs and pilots of other state courts, and has extensively studied the currently authorized pilot of Filing By Electronic Means (FBEM) conducted in New York State courts; and

WHEREAS, electronic filing of court documents offers significant advantages over paper filing including savings of costs and time to clients and attorneys, savings of storage costs to the court system, minimalization of misfiling of documents, access to filed documents at any time from a remote location, and uniformity of filing procedures, among other advantages; and

WHEREAS, attorneys within New York who have participated in mandatory electronic filing in Federal Court or in New York State Supreme Court under the FBEM pilot program have by significant majority indicated an overall positive experience; and

WHEREAS, the FBEM pilot has been successful where employed, but is seriously underutilized due to the requirement that all participants to an action under the pilot affirmatively opt into electronic filing; and

WHEREAS, the Task Force has issued a report, analyzing the electronic filing of court documents and making recommendations regarding the full scale implementation of an electronic filing system;

NOW, THEREFORE, IT IS

RESOLVED, that the New York State Bar Association hereby endorses the report and recommendations of the Task Force on Electronic Filing of Court Documents; and it is further

RESOLVED, that the officers of the Association are hereby empowered to take such steps as they may deem warranted to implement this resolution, and to affirmatively take such steps to ensure a fully implemented electronic filing system, including but not limited to (1) support for implementation of electronic filing in the Supreme Court and Surrogate's Court in each county as the county becomes ready to undertake it, and in the Court of Claims, (2) support for the authority of the Chief Administrator of the Courts to plan and direct future expansion of electronic filing in New York, and (3) support for the provision of resources to the Office of Court Administration and the Offices of the County Clerks to properly enable electronic filing, and to consider the creation of an entity within the Association to collaborate with the Office of Court

Administration and the New York State Legislature in order to ensure such implementation.

6. Report and recommendations of Special Committee on Sarbanes-Oxley Issues. James B. Ayers, chair of the Special Committee, reported that the committee had been appointed to study the Sarbanes-Oxley Act of 2002 and to recommend corporate controls that would be appropriate for adoption by the Association. He noted that the Code of Conduct for Association Leaders, contained in chapter 5 of the report, was under review by the Special Committee and would not be considered at this meeting, but would be scheduled for consideration at the June meeting. The House was advised of the action by the Executive Committee. After discussion, a motion to approve the following resolution was adopted on voice vote:

WHEREAS, the Sarbanes-Oxley Act ("SOX") was enacted in 2002 in response to the failures of Enron, WorldCom and other large public companies and was intended to restore investor confidence in public companies by improving the integrity and reliability of their financial reporting; and

WHEREAS, while the provisions of SOX only apply to public companies, state and federal regulators of nonprofit organizations have considered adopting SOX-inspired financial reporting and governance reforms for nonprofits;

WHEREAS, while SOX-inspired financial reporting and governance reforms for nonprofits have not as yet been adopted in New York, many nonprofit corporations have undertaken a review of the SOX reforms to determine if elements of those reforms should be adopted on a voluntary basis as "best practices"; and

WHEREAS, the New York State Bar Association Special Committee on Sarbanes-Oxley Issues was appointed in 2005 to study the provisions of the Sarbanes-Oxley Act "in relation to the governance, administration and financial controls of the Association," including issues such as the appropriate responsibility of management for internal controls, fiduciary duties and conflicts of interest, appropriate codes of conduct for Association officers, as well as pertinent antitrust considerations; and

WHEREAS, the Special Committee has completed an extensive evaluation of those and other related issues and has released a comprehensive report and recommendations dated October 2006 which report was revised and updated in January 2007; it is hereby

RESOLVED, that, with the exception of Chapter 5 and the recommendation set forth therein of a Code of Conduct to Govern Association Leaders, the New York State Bar Association approves the balance of the report of the Special Committee on Sarbanes-Oxley Issues and the recommendations summarized in Chapter Six and the Addendum of the Report including:

A. Chapter Two: Governance Structure.

1. No Bylaws Amendments Are Necessary.

The Association's Bylaws provide a clear and unambiguous chain of command over the financial affairs of the Association which delineates the respective authority and responsibility of the House of Delegates, the Executive Committee and the Finance Committee. Ultimate authority resides in the House of Delegates with the Executive Committee having the full authority of the House except for those matters specifically addressed by the House, and with respect to those matters, the Executive Committee has the authority and responsibility to insure that the policy of the House is carried out. The Finance Committee is given the authority to supervise the financial affairs of the Association, but it does so subject to the direction of the Executive Committee.

Accordingly, no amendment to the Bylaws is necessary to comply with the governance structure principles of the Sarbanes reforms which require that an organization have a clear chain of command over its financial operations.

2. The Executive Committee Should Review Its Role in the Supervision of the Financial Affairs of the Association

The Executive Committee should undertake a review to determine whether its role in the supervision of the financial operations and the determination of policy decisions inherent in setting financial policies is commensurate with the responsibility and authority given to it by the Bylaws including consideration of issues such as:

- a. Whether the Executive Committee should devote more of its time to the oversight of Association financial operations that have significant policy implications for the Association; and
- b. Whether the Executive Committee should receive more information about the financial and other operations of the Association.

B. Chapter Three: Internal Controls and Management Certifications.

1. Internal Controls.

The Special Committee's original report recommended that in view of the substantial costs of full compliance with the internal control over financial reporting requirements of Section 404 of SOX, and the likelihood of insignificant benefits, the Association should not attempt to become fully 404 compliant. Instead, the Special Committee recommended that the Audit Committee (or the Finance Committee if an Audit Committee is not created) work with the Association's auditor to prepare a list of specific internal controls that could be documented and tested to ensure that they are working efficiently and effectively. The selection of internal controls for this review would be based on various

factors including the importance of the control and the likelihood, after a preliminary assessment, that improvements would be desirable.

In December of 2006, the Securities and Exchange Commission ("SEC") issued proposed interpretive guidance and the SEC and the Public Company Accounting Oversight Board ("PCAOB") issued proposed amended rules regarding evaluations of internal controls. It appears that the SEC's proposed guidance and the SEC's and PCAOB's proposed amended rules, if adopted, will address most of the major criticisms that were made of the existing internal control rules.

Nevertheless, for the reasons stated in the Addendum to the Special Committee's report, the Association should not commit at this time to becoming fully 404 compliant. Instead, the Association should implement the selected internal controls assessment project described in the Special Committee's original report, with the Audit Committee (or Finance Committee) determining what is a reasonable period for completion of the project. In doing so, however, the Audit Committee (or Finance Committee) should review the SEC's interpretive guidance and the amended rules of the SEC and the PCAOB and should use the guidance and amended rules as a basis for assessing the adequacy of the Association's internal controls over financial reporting.

2. Management Certification of Financial Reports.

The Association should adopt a certification requirement for financial reports, with the certifications to be made by the Executive Director and the Director of Finance, given their operational responsibility for the Association's financial systems, but only after the Audit Committee, or Finance Committee if an Audit Committee is not created, provides recommendations to the Executive Committee regarding the specific terms and conditions of the certification requirement.

C. Chapter Four: The Audit Committee and the Auditor Independence Rules.

1. The Audit Committee.

The Association should create an Audit Committee separate from the Finance Committee. The Audit Committee shall be responsible for the appointment, compensation and oversight of the Association's independent auditor and the review of the results of annual audits, management letters and other aspects of the Association's financial reporting, including its internal controls. It shall also be responsible for the establishment of whistleblower protection measures to provide for confidential, anonymous submission by employees or others of concerns regarding questionable financial or accounting matters.

The Committee on Bylaws shall be requested to prepare an amendment to Article IX of the Association Bylaws to provide for the separate Audit Committee and

shall take into consideration the suggested provisions contained in the Special Committee's report.

2. Auditor Independence.

To ensure the independence of the Association's auditor, the Association shall take the following steps through its Audit Committee, or Finance Committee if an Audit Committee is not created:

- a. Adoption of a policy which would prohibit the Association's auditor from providing certain non-audit services to the Association;
- b. Adoption of policies and procedures to ensure that the Audit Committee (Finance Committee) is informed of any services to be performed by the auditor;
- c. Consideration of whether to adopt a policy that the lead partner of the Association's audit team should be rotated off the Association's audit after a predetermined period of time;
- d. Adoption of a policy providing for the Audit Committee (Finance Committee) to be informed by the auditor if any audit partner receives any compensation for cross-selling non-audit services to the Association; and
- e. Adoption of a policy that before any former accountant or professional employee of the auditor may be hired by the Association, the Audit Committee (Finance Committee) must be consulted.

It is further RESOLVED that the officers and the executive staff of the Association are empowered to take such other and further steps as may be necessary to implement the recommendations as described hereinabove.

7. Report and recommendations of Special Committee on Age Discrimination in the Profession. Mark C. Zauderer, chair of the Special Committee, outlined his committee's report and recommendations with respect to law firm mandatory age-based retirement policies. The committee concluded that mandatory age-based retirement is inconsistent with accepted employment practices and is not in the best interest of firms or their clients. Instead, the committee has recommended that firms adopt a "best practices" approach, by which firms would evaluate the partner's contributions to the firm and treat him or her accordingly rather than mandate retirement based on age. The House was advised of the action by the Executive Committee. After discussion, a motion to approve the following resolution was adopted unanimously on voice vote:

inability to enter into an express agreement. In certain circumstances, a lawyer may act as lawyer for a purported client even without express or limited agreement from the purported client, and may take those actions necessary to maintain the status quo or to avoid irreversible harm, if:

(1) An emergency situation exists in which the purported client's substantial health, safety, financial, or liability interests would be irreparably damaged;

(2) The purported client, in the lawyer's good faith judgment, lacks the ability to make or express considered judgments about action required to be taken because of an impairment of decision-making capacity;

(3) Time is of the essence; and

(4) The lawyer reasonably believes in good faith that no other lawyer who has an established relationship with the purported client is available or willing to act on behalf of the purported client.

(e) The lawyer should not be subject to professional discipline for invoking or failing to invoke the permissive conduct authorized by this rule if the lawyer has a reasonable basis for his or her action or inaction.

10. Report and recommendations of Task Force on Mandatory Retirement of Judges. Hon. E. Leo Milonas, chair of the Task Force, presented the Task Force's recommendations that the system of certification currently available to Supreme Court justices from age 70 to 76 be expanded to include judges of all courts of record and that the retirement age for judges of the Court of Appeals be raised from 70 to 76. The House was advised of the action of the Executive Committee. The resolution offered by the Task Force was moved and seconded, following which a motion to amend the resolution to provide for certification of Court of Appeals judges after age 70 was approved on a standing vote of 71-48. A second motion to amend the resolution adding language relating to the establishment of a certification process meeting constitutional requirements was approved on voice vote. The House then adopted the following resolution on voice vote:

WHEREAS, the Task Force on the Mandatory Retirement of Judges has completed an examination of New York's current system of mandatory retirement of judges at age 70; and

WHEREAS, the Task Force has concluded that mandatory retirement of judges deprives the courts and the people of New York of experienced and productive individuals and discourages otherwise qualified and experienced judicial candidates from seeking judicial offices; and

WHEREAS, the Task Force has recommended that (a) all state judges of the County, Surrogate, Family, City, District, New York City Civil and New York City Criminal Courts and of the Court of Claims be allowed to serve to age 76, subject to the two-

WHEREAS, the Special Committee on Age Discrimination in the Profession has completed an examination of law firm retirement policies in New York; and

WHEREAS, the Special Committee has concluded that mandatory age-based retirement is inconsistent with accepted employment practices and is not in the best interests of either law firms or their clients; and

WHEREAS, the Special Committee recommends that law firms instead evaluate a senior partner individually in accordance with his or her attributes and interests and the firm's generally accepted performance criteria;

NOW, THEREFORE, IT IS

RESOLVED, that the New York State Bar Association hereby approves the report and recommendations of the Special Committee on Age Discrimination in the Profession; and it is further

RESOLVED, that the officers of the Association are hereby empowered to take such steps as they may deem necessary to pursue implementation of the recommendations contained in the report.

8. Report of Special Committee to Ensure Quality of Mandated Representation. Vincent E. Doyle, III, chair of the Special Committee, outlined the proposals contained in the report of the Chief Judge's Commission on the Future of Indigent Defense Services, which recommended the establishment of a statewide defender office including an Indigent Defense Commission, a Chief Defender and Regional Defender and Local Defender Offices, a Deputy Defender for Appeals, and a Deputy Defender for Conflict Defense. The Special Committee plans to present its report and recommendations relating to the Commission's report at the June 2007 meeting. In addition, on March 26, 2007, the Association hosted a "Summit on the Future of Indigent Defense in New York" that was well attended not only by defender groups, but also by prosecutors, judges and legislative/governmental staff. The report was received with thanks.
9. Report and recommendations of Committee on Standards of Attorney Conduct. Steven C. Krane, chair of the committee, and associate reporter Steven Wechsler presented the proposed Rules scheduled for consideration at this meeting in accordance with the scheduling resolution adopted by the House in November 2005. Following discussion, motions were approved to adopt the following Rules as proposed by the committee: 1.5, 5.4, 5.5, 5.6, 5.7, 5.8, and 8.5. A motion to amend proposed rule 1.14 by adding the following provisions was approved on voice vote:

(d) A lawyer is an agent who acts upon the authority of a principal. In many cases, the lawyer will have a pre-existing relationship with a person or that person's family. In the absence of such a pre-existing relationship or contractual agreement, express or implied, a lawyer generally may not act on behalf of a purported client. A purported client is a person who has contact with a lawyer and who would be a client but for the

year certification process currently in place for Supreme Court Justices with certification beginning at age 70 and service until age 76 and (b) the retirement age for Court of Appeals judges be raised from 70 to 76, with no certification required;

NOW, THEREFORE, IT IS

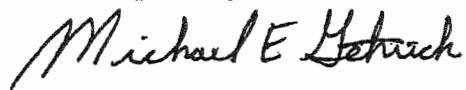
RESOLVED, that the New York State Bar Association hereby approves the report and recommendations of the Task Force on the Mandatory Retirement of Judges, provided that a process be established for certification of Court of Appeals judges at two-year intervals after age 70 and subject to the establishment of a judicial review certification structure and implementation process that will satisfy the requirements of the Constitution; and it is further

RESOLVED, that the officers of the Association are hereby empowered to take such steps as they may deem necessary to pursue implementation of the recommendations contained in the report.

11. Report of The New York Bar Foundation. John R. Horan, President of The Foundation, presented an informational report on recent developments with respect to The Foundation, including the approval of an amended lease of the Bar Center to the Association, fundraising initiatives, and grants awarded. The report was received with thanks.
12. Remarks of the Chair. Ms. Madigan reported on the following:
 - a. Motions to approve the designation of delegates filed by the county and local bar associations for the 2007-2008 Association year and to approve the filed roster of the members of the House for the 2007-2008 year were requested and approved.
 - 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. She expressed appreciation for their service. She also expressed appreciation to Mr. Alcott for his leadership as President of the Association. Finally, she noted that this meeting represents her last as Chair of the House and thanked the House for the opportunity to serve.
13. New Business. Lorraine Power Tharp, co-chair of the Committee on Diversity and Leadership Development, reminded the delegates that the committee would host an outreach meeting for members interested in leadership positions immediately following the House meeting.
14. Date and place of next meeting. Ms. Madigan announced that the next meeting of the House of Delegates would take place on Saturday, June 30, 2007 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 cursive script that reads "Michael E. Getnick". The signature is written in dark ink and is positioned above the printed name and title.

Michael E. Getnick
Secretary