

**NEW YORK STATE BAR ASSOCIATION  
MINUTES OF HOUSE OF DELEGATES MEETING  
HYATT REGENCY BUFFALO, BUFFALO, NEW YORK  
MARCH 31, 2012**

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**PRESENT:** Abella; Abernethy; Alcott; Arnold; Bakner; Behrins; Block; Brown, E.; Brown, T.; Castellano; Chambers; Chang; Cheng; Christian; Cohen, D.; Cohen, M.; Cohen, O.; Collins; Convissar; Cvek; D'Agostino; Di Pietro; Doyaga; Doyle; Edmunds; Effman; Enea; Eppler; Fay; Fennell; Fernandez, Hermes; Finerty; Fink; Fish; Fisher; Fox; Franchina; Galligan; Genoa; Gensini; Gerber; Gerstman; Getnick; Gordon-Oliver; Gorgos; Grays; Gutekunst; Gutenberger; Gutheil; Hager; Hanna; Hanson; Harren; Hassett; Hernandez; Hoffman; Honig; Hurteau; Jackson; James; John; Karson; Kiernan; Kurs; Laluk; Lashley; Lau-Kee; Lesk; Leventhal; Levin; Lindenauer; Lugo; Makofsky; Mayer; McAuliffe; McDermott; McDonald; McEntee; Meislahn; Miklitsch; Millon; Minkowitz; Miranda; Moretti; Moy; Murray; Myers; Napoletano; Nathanson; Onderdonk; Park; Perlman; Pogson; Prager; Privitera; Prowda; Radick; Randazzo; Reed; Richardson; Rodriguez; Romero; Rosenthal; Russ; Saccomando Freedman; Safer; Schofield; Schraever; Schwartz; Seitz; Sen; Slezak; Smith; Sonberg; Stanclift; Standard; Stapleton; Starkman; Stern; Strauss; Swanson; Sweet; Tennant; Torrey; Tsan; Vigdor; Walker; Wallach; Watkins; Wilsey; Witmer; Wolk; Young; Younger; Zuchlewski; and Zuckerman.

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

1. The meeting was called to order and the Pledge of Allegiance recited, with the presentation of colors by the Erie County Sheriff's Department. The members were welcomed by the Mayor of Buffalo, Hon. Byron W. Brown.
2. Approval of minutes of January 27, 2012 meeting. A motion was adopted accepting the minutes as previously distributed.
3. Report of the Treasurer. Claire P. Gutekunst, Treasurer, reviewed the end-of-year 2011 operating budget, reporting that total revenue was \$23.3 million, a decrease of \$164,000 from 2010, and total expense was \$23.7 million, a decrease of \$578,000 from 2010. The operating deficit was \$395,000, a decrease of \$414,000 from 2010. Ms. Gutekunst provided an overview of the impact of post-retirement employee benefits on the audited operating results. She then reviewed revenue and expenses for the first two months of 2012, reporting that total revenue was \$15 million, an increase of \$1.4 million over 2011, and total expense was \$4.7 million, a decrease of \$187,000 from 2011. The report was received with thanks.
4. Election of the Nominating Committee and NYSBA Delegates to the ABA House of Delegates. Michael E. Getnick, member-at-large 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 2012-2013 Nominating Committee:

Members-At-Large: Michael E. Getnick as Chair and Bernice K. Leber and Stephen P. Younger as members. A motion was adopted to elect the members-at-large.

District members and alternates of the Nominating Committee: First – Stewart D. Aaron, Mark H. Alcott, Vincent Ted Chang, Pui Chi Cheng, Taa R. Grays, James B. Kobak, Jr., Susan B. Lindenauer, Barbara Carol Moses, Peter J.W. Sherwin, and Hon. Michael R. Sonberg, with Lewis Tesser, First Alternate, Fernando A. Bohorquez, Jr., Second Alternate, Alan Rothstein, Third Alternate, and Marilyn J. Flood, Fourth Alternate; Second –Ethan B. Gerber and Domenick Napoletano, with David J. Doyaga as Alternate; Third – Harry P. Meislahn and Elena DeFio Kean, with Hermes Fernandez as Alternate; Fourth –Seth Rosner and Peter V. Coffey, with Marne L. Onderdonk as Alternate; Fifth – Stuart J. LaRose and Gioia Gensini, with Karen Stanislaus as Alternate; Sixth – Christopher Denton and Kathryn Grant Madigan, with Kristin Gutenberger as Alternate; Seventh – A. Vincent Buzard and C. Bruce Lawrence, with LaMarr Jackson as Alternate; Eighth – Paul Michael Hassett and David L. Edmunds, Jr., with Norman P. Effman as Alternate; Ninth – John S. Marwell, Joel H. Sachs, and Forrest Strauss, with Mark T. Starkman as Alternate; Tenth – John P. Bracken, Douglas J. Good, Peter H. Levy and Joshua M. Pruzansky, with A. Craig Purcell, First Alternate and John P. McEntee, Second Alternate; Eleventh – Chanwoo Lee and Steven Wimpfheimer, with Leslie S. Nizin as Alternate; Twelfth –Maxwell S. Pfeifer and Richard Weinberger, with Lawrence R. Bailey, Jr. as Alternate; Thirteenth – Thomas J. Hall and Jonathan B. Behrins, with E. Grace Mattei as Alternate.

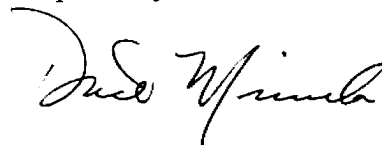
A motion to elect the foregoing was adopted.

- b. Election of Delegates to ABA House: A motion to elect the following for a two-year term commencing in August 2012 was adopted: A. Vincent Buzard, Vincent E. Doyle III, Michael E. Getnick, Kathryn Grant Madigan, and David M. Schrauer.
  - c. Election of Young Lawyer Delegate to ABA House: A motion was adopted to elect Michael L. Fox for a two-year term commencing in August 2012.
5. Presentation re Veterans Treatment Court. Hon. Robert T. Russell, Jr., a judge of the Buffalo City Court, led a presentation on the operation of the Buffalo Veterans Treatment Court, joined by court coordinator Pamela LaMancuso and program graduates David Krieger, Manny Welch, and Britt Walker, who discussed their experiences with the court. The presentation was received with thanks.
6. Report of Special Committee on Veterans. Committee co-chairs Michael C. Lancer and Karen R. Hennigan provided an update on the committee's work to date, including a study of ways to expand veterans courts throughout the state, the development of a mentors' guide and resource guide, legislation to enable veterans to have access to treatment courts, and increased legal services for veterans. The report was received with thanks.

7. Report of Committee to Ensure Quality of Mandated Representation. Norman P. Effman, the committee's chair, presented the committee's report and recommendations with respect to methods of sharing resources between providers of mandated representation, including efforts to promote the sharing of resources. After discussion, a motion was adopted to approve the committee's report and recommendations.
8. Report of Special Committee on Immigration Representation. Committee co-chairs Jojo Annobil and Joanne Macri reported on the committee's development of a report on improving the quality of representation in immigration matters, noting that there is a direct correlation between success rates in removal proceedings and being represented by counsel/detention status. The committee will present its report to the House at the June 2012 meeting. The report was received with thanks.
9. Report of Committee on Membership. Committee co-chairs Glenn Lau-Kee and Sherry Levin Wallach presented a final report on the President's Diversity Challenge, reviewing section initiatives to increase diversity including providing internships, collaborating with minority bar associations, developing mentoring programs, and including diversity positions on section executive committees. The report was received with thanks.
10. Report of the Secretary. Association Secretary David P. Miranda highlighted information contained in his printed report, a copy of which is appended to these minutes. The report was received with thanks.
11. Report of Judicial Wellness Committee. Hon. Paula L. Feroletto, a member of the committee, provided an update on the committee, which has as its goal the provision of support for judges and treatment of impaired judges. She reported that the committee had developed a legislative proposal, approved by the Executive Committee, to amend Judiciary Law §499 to expand the statute's protections to judges. The report was received with thanks.
12. Report of Special Committee on Strategic Planning. Committee co-chairs Sharon Stern Gerstman and David P. Miranda reported on the development and implementation of a strategic plan for the Association, focused on membership value and technology. They noted that the committee is in the process of identifying and prioritizing action steps to implement the plan. The report was received with thanks.
13. Report of ABA State Delegate. ABA State Delegate Mark H. Alcott updated the House on ABA activity and initiatives, including Ethics 20/20 and the upcoming presidency of James R. Silkenat. He noted that upcoming events include ABA Day at the United Nations and ABA Day in Washington DC. The report was received with thanks.
14. Report of the President. Mr. Doyle highlighted several items in his written report, a copy of which is attached to these minutes. He reviewed the activities that took place during "Buffalo Bar Week." Finally, he observed that this meeting is his last as President and he thanked the past presidents, officers and Executive Committee members, the staff, his firm and his family for their support during his term.

15. Report of Executive Director. Patricia K. Bucklin, Executive Director, updated the House with respect to staff and internal operations, highlighting the operations of the Department of Bar Services. The report was received with thanks.
16. Report of The New York Bar Foundation. M. Catherine Richardson, President of The New York Bar Foundation, reported on grant applications approved by The Foundation's Board (72 awards totaling approximately \$750,000) and on a communications plan adopted by the Board to better educate lawyers about The Foundation. Finally, she observed that this is her last meeting as Foundation President and she thanked the members for the opportunity to serve. The report was received with thanks.
17. Administrative items. Mr. James reported on the following:
  - a. He reported that there would be a vacancy in the position of member-at-large of the Executive Committee on June 1, 2012 and that the Executive Committee had approved T. Andrew Brown of Rochester to fill the vacancy. A motion was adopted to confirm the Executive Committee's selection of Mr. Brown.
  - b. Motions to approve the designation of delegates filed by the county and local bar associations for the 2012-2013 Association year and to approve the filed roster of the members of the House for the 2012-2013 year were requested and approved.
  - c. He 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. He also expressed appreciation to Mr. Doyle for his leadership as President of the Association. He noted that this meeting represents his last as Chair of the House and thanked the House for the opportunity to serve. Finally, he introduced Mr. Schraever as the next Chair of the House and presented him with the House's gavel.
18. Date and place of next meeting. Mr. James announced that the next meeting of the House of Delegates would take place on Saturday, June 23, 2012 at The Otesaga in Cooperstown.
19. Adjournment. There being no further business to come before the House of Delegates, the meeting was adjourned.

Respectfully Submitted,



David P. Miranda  
Secretary