

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF HOUSE OF DELEGATES MEETING
BAR CENTER, ALBANY
MARCH 28, 2015**

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PRESENT: Abbott; Abella; Aidala; Ajaiyeoba; Alcott; Alomar; Arenson; Baker; Barnes; Barrett; Behe; Behrins; Bloom; Brown, J.; Brown, T.A.; Bruno; Buholtz; Calareso; Calcagni; Calderón; Carola; Chandrasekhar; Chang; Christopher; Clarke; Collura; Cooper; Crummey; Dean; DeMartino; Denton; DiLorenzo; Effman; Eng; England; Fallek; Fay; Fennell; Fernandez; First; Fisher; Flynn; Freedman, H.; Friedman; Gaffney; Gallagher; Galligan; Gensini; Gerbini; Gerstman; Gold; Goldberg; Goldenberg; Greenberg; Gross; Grossman; Gutekunst; Hage; Haig; Hetherington; Hillman; Himes; Hines; Hollyer; Hutter; Jaglom; James; Jankiewicz; Jochmans; Jones; Karson; Kean; Kiernan; Kiesel; King, B.; Kirby; Klass; Klein; Kretser; Kyriakopoulos; Lau-Kee; Lee; Lessard; Leventhal; Levin; Lindenauer; Ling-Cohan; Lugo; Madigan; Makofsky; Mandell; Marangos; Martin, D.; Martin, E.; Marwell; McCafferty; McCarron; McDonald; McKeegan; Miller, M.; Minkoff; Minkowitz; Miranda; Moses; Moxley; Mulhall; Napoletano; Nathanson; Nowotny; O'Donnell; Ostertag; Owens; Prager; Protter; Prudente; Radick; Ranni; Raskin; Richman; Richter, A.; Richter, R.; Riley; Rosiny; Rosner; Rothenberg; Rothstein; Rowe; Safer; Saleeby; Saleh; Samuels; Schofield; Schrauer; Shafer; Shamoan; Sheehan; Silkenat; Silver; Silverman; Slezak; Smith, S.; Spitler; Spodek; Stanislaus; Stern; Sullivan; Swanson; Sweet; Tennant; Terranova; Tesser; Thaler; Tully; Ugurlayan; Walsh; Weinberger; Weinblatt; Weis; Welch; Westlake; Wildgrube; Wimpfheimer; Yeung-Ha; Young; Zuchlewski; Zuckerman.

Mr. Miranda 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 30, 2015 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 selected revenue and expense items. 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., 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 2014-2015 Nominating Committee:

Members-At-Large: Seymour W. James, Jr. as Chair and Vincent E. Doyle III and David M. Schrauer as members. A motion was adopted to elect the members-at-large.

District members and alternates of the Nominating Committee: First –Mark H. Alcott, Fernando A. Bohorquez, Jr., Vincent Ted Chang, Karen Fisher Gutheil, Susan B. Lindenauer, Michael J. McNamara, Barbara Carol Moses, Carol Ann Sigmond, and Hon. Michael R. Sonberg, with Lisa Stenson Desamours, First Alternate, Lewis Tesser, Second Alternate, and Alan Rothstein, Third Alternate; Second – Andrew M. Fallek and Hon. Cheryl E. Chambers, with Barton L. Slavin as Alternate; Third –Lillian M. Moy and Sandra Rivera, with Hermes Fernandez as Alternate; Fourth – Seth Rosner and Peter V. Coffey, with Marne L. Onderdonk 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 David H. Tennant, with Keith McCafferty as Alternate; Eighth – Norman P. Effman and Kathleen Marie Sweet, with David L. Edmunds, Jr., as Alternate; Ninth –Joel H. Sachs, Mark T. Starkman, and Dawn Kirby, with Jessica Thaler 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 Denise Marangos, with Orin Cohen 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 2015: Claire P. Gutekunst, Seymour W. James, Jr., Glenn Lau-Kee, Bernice K. Leber, and Stephen P. Younger.
5. Address by Judy Perry Martinez. Ms. Martinez, chair of the ABA Commission on the Future of the Legal Profession, reviewed the Commission’s work to date in shaping the better delivery of legal services, leveraging technology, and seeing access to justice in a different light. She reported that the Commission is seeking comments and holding meetings in order to develop its report and recommendations. The report was received with thanks.
6. Report of the President. Mr. Lau-Kee highlighted several items in his written report, a copy of which is attached to these minutes, including a “trailblazer” exhibit prepared by the Committee on Women in the Law that was on display in the Bar Center; mandatory pro bono reporting; the Uniform Bar Examination proposal; the appointment of David Ferstendig as the new editor of the *Law Digest*; and the Association’s relationship with the court system. He observed that this meeting is his last as President and he thanked the members for the opportunity to serve.
7. Task Force on Gun Violence. David H. Tennant and Earamichia Brown, the Task Force’s co-chairs, presented the Task Force’s report and recommendations, including the need for additional research and statistical analysis. They noted that the report is intended to serve as an educational resource. After discussion, a motion was adopted to approve the report and recommendations.

8. Report and recommendations of Committee to Ensure Quality of Mandated Representation. Committee member Robert S. Dean outlined proposed amendments to the committee's Standards of Mandated Representation, originally adopted by the House in 2005 and modified several times in the ensuing period. After discussion, a motion was adopted to approve the report and recommendations.
9. Report and recommendations of Committee on Standards of Attorney Conduct. Committee chair Prof. Roy D. Simon and vice chair Prof. Barbara S. Gillers outlined proposed amendments to the black-letter rules and the comments of the New York Rules of Professional Conduct, noting where the committee had amended its original proposals to take into account comments received from interested groups. They reported that consideration of comments 6A and 8 to Rule 1.1 was being deferred for editing of the comments. After discussion, a motion was adopted to approve the proposed amendments.
10. Report and recommendations of Committee to Study the Court Advocates Proposal. Kathryn Grant Madigan, co-chair of the committee, reviewed the committee's report recommending that the Association support the legislation proposed by the Unified Court System to permit limited representation by Housing Court Advocates and Consumer Advocates and to make recommendations for the court rules to be adopted if legislation is enacted. After discussion, a motion was adopted to approve the report and recommendations.
11. Report of The New York Bar Foundation. Cristine Cioffi, President of The New York Bar Foundation, reported that the 2015 grants program had resulted in the awarding of 94 grants with a total amount of over \$500,000. She recognized retiring board member Robert L. Haig for his years of service and introduced John H. Gross and incoming President of The Foundation. Mr. Gross thanked Ms. Cioffi for her service as President. The report was received with thanks.
12. Administrative items. Mr. Miranda reported on the following:
 - a. He 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.
 - b. 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.
 - c. He noted that registration materials for the June 2015 meeting in Cooperstown had been distributed to those in attendance and encouraged members to register promptly for the meeting.
 - d. He noted that this meeting represents his last as Chair of the House and thanked the House for the opportunity to serve. He introduced Ms. Gutekunst as the next Chair of the House and presented her with the House's gavel.

13. Date and place of next meeting. Mr. Miranda announced that the next meeting of the House of Delegates would take place on Saturday, June 20, 2015 at The Otesaga in Cooperstown.
14. 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