

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF EXECUTIVE COMMITTEE MEETING
BAR CENTER, ALBANY
APRIL 13, 2018**

Present: Karina E. Alomar, Jonathan B. Behrins, Matthew R. Coseo, Norman P. Effman, Margaret J. Finerty, Michael L. Fox, Michael W. Galligan, Sharon Stern Gerstman, Sarah E. Gold, Henry M. Greenberg, Claire P. Gutekunst, Richard M. Gutierrez, Bryan D. Hetherington, Drew Jaglom, Scott M. Karson, Elena DeFio Kean, Stuart J. LaRose, Sherry Levin Wallach, Peter H. Levy, Michael Miller, Steven E. Millon, Domenick Napoletano, Bruce J. Prager, Sandra Rivera, William T. Russell, Jr., Carol A. Sigmond, David H. Tennant.

Guests: James R. Barnes, Sandra S. Baron, Mark A. Berman, Angela O. Burton, Robert M. Elardo, Erica M. Hines, Diego Alberto Ibarguen, Richard C. Lewis, Susan B. Lindenauer, Thomas J. Maroney, Edwina F. Martin, Lillian M. Moy, Karen L. Murtagh, Leah R. Nowotarski, Aimee L. Richter, Robert T. Schofield, IV, Rona G. Shamoan, Tucker C. Stanclift, Jean Marie Westlake.

Ms. Gerstman presided over the meeting as President of the Association.

The members were welcomed and Messrs. Berman, Lewis, Schofield and Stanclift, together with Ms. Hines, Ms. Richter, Ms. Shamoan and Ms. Westlake, were introduced as incoming Executive Committee members for the term commencing on June 1, 2018. It was noted that Evan M. Goldberg will serve as member-at-large; he was unable to attend the meeting.

1. Approval of minutes of meetings. The minutes of the January 25, 2018 meeting and the March 5, 2018 teleconference meeting were approved as distributed.
2. Consent calendar:
 - a. Amendments to name and stated purpose of Committee on Procedures for Judicial Discipline.
 - b. Memorandum of Understanding between NYSBA and Seoul Bar Association.

The consent calendar, consisting of the items listed above, was approved by voice vote.

3. Confirmation of presidential appointments to the House of Delegates. Mr. Miller reported that he had recommended the appointment of 12 delegates to further racial and ethnic diversity in the House and two non-resident members for the 2018-2019 Association year. After discussion, a motion was adopted to confirm the appointments.
4. Report of Treasurer. In his capacity as Treasurer, Mr. Karson reported that through February 28, 2018, the Association's total revenue was \$13 million, a decrease of approximately \$5,400 over the previous year, and total expenses were \$4.7 million, a decrease of approximately \$365,000 over 2017. The report was received with thanks.

5. Report of staff leadership. Pamela M. McDevitt, Executive Director, together with Daniel Weiller, Managing Director of Marketing and Communications and Jason Nagel, Managing Director of IT, updated the Executive Committee with respect to membership, open staff positions, delivery of NYSBA content to members, e-mail communications, and delivery of online CLE, and web development. The report was received with thanks.
6. Report of Executive Subcommittee on Association Publications. In his capacity as chair of the subcommittee, and together with Director of Marketing Adam Rossi, Prof. Fox provided an update on the subcommittee's work, including publications, an e-mail marketing plan, and a NYSBA blog. The report was received with thanks.
7. Report of Committee on Continuing Legal Education. Committee chair James R. Barnes, together with Senior Director Katherine Suchocki, provided an update on CLE programming and delivery. They discussed a one pass plan for obtaining CLE is in the works which will allow a member to get all of their CLE credits for a set price. The report was received with thanks.
8. Report and recommendations of Committee on Media Law and Committee on Civil Rights. Sandra S. Baron, chair of the Committee on Media Law, together with committee member Diego Alberto Ibarquen and Karen L. Murtagh, a member of the Committee on Civil Rights, presented a legislative proposal to repeal Civil Rights Law §50-a, relating to the confidentiality of personnel records. After discussion, a motion was adopted to create a working group with representation from the two committees which would include members from or collaboration with the Labor and Employment Law Section, the Criminal Justice Section, and the State and Local Government Law Section to examine the issues raised by the report and to ask the two committees to refrain from issuing comments on the proposed legislation until the working group reports back to the Executive Committee.
9. Update on legislative activities. In her capacity as chair of the Committee on State Legislative Policy, Ms. Rivera updated the Executive Committee on legislative activity, particularly with respect to the recently adopted state budget. The report was received with thanks.
10. Report of Vice Presidents and Executive Committee liaisons. Executive Committee liaisons reported on the activities of the following sections and committees: Mr. Galligan – the Trusts and Estates Law Section, the Committee on Legal Education and Admission to the Bar, and the Committee on LGBT People and the Law. Mr. Hetherington – the Committee on Association Insurance Programs. Ms. Kean – the Labor and Employment Law Section and the Committee on Leadership Development. Ms. Gutekunst – the International Section. In his capacity as Second District Vice President, Mr. Napoletano reported on bar association activities in Kings County. The reports were received with thanks.

11. Report and recommendations of International Section. In his capacity as past section chair, Mr. Jaglom reviewed the guidelines developed by the Section's Latin American Council to guide lawyers and law firms in best practices. After discussion, a motion was adopted to approve the guidelines subject to editing. Messrs. Galligan, Jaglom, and Prager and Ms. Gutekunst will serve as an editorial subcommittee.
12. Report and recommendations of Criminal Justice Section. Leah R. Nowotarski, chair of the section's Town and Village Justice Courts Committee, together with section chair Tucker C. Stanclift, outlined the section's report and recommendations with respect to counsel at first appearance, education and training, and consolidation. The section agreed to modify Recommendation 9 to recognize the existence of a current website and to recommend that it be made more publicly available. It also agreed to amend Recommendation 10 to refer to "expanded use of courts of record." After discussion, a motion was adopted to endorse the report and recommendations, as amended, for favorable action by the House.
13. Report of President. Ms. Gerstman highlighted the information contained in her printed report, a copy of which is appended to these minutes. She also reported on the large firm membership pilot project that Mr. Miller and she are pursuing, noting that the first large firm, Paterson Belknap, had agreed to participate and that they are identifying 19 other firms for participation.
14. Report and recommendations of Committee on Diversity and Inclusion. Lillian M. Moy, past chair of the committee, together with Diversity and Inclusion Specialist Minika Udoko, reviewed the committee's biennial Diversity Report Card, noting the need to increase the number of members who participate in the census. After discussion, a motion was adopted to endorse the report and recommendations for favorable action by the House.
15. Report of Committee on Membership. Committee chair Thomas J. Maroney, together with Patricia K. Wood, Associate Director of Attorney Engagement and Retention, reported on membership statistics and efforts to renew members. The report was received with thanks.
16. Report and recommendations of Committees on Families and the Law. Committee chair Susan B. Lindenauer, together with committee member Angela O. Burdon, reviewed the committee's report recommending that the State fund and oversee mandated representation provided to indigent parents in Family Court. After discussion, a motion was adopted to endorse the report and recommendations for favorable action by the House.
17. Proposed guidelines on media statements. Daniel Weiller, Managing Director of Communications and Marketing, outlined proposed guidelines to govern statements made on behalf of the Association or Association entities. The guidelines will be considered at the June Executive Committee meeting. The report was received with thanks.

18. Report and recommendations of President's Committee on Access to Justice. Edwina F. Martin, co-chair of the committee, together with committee member Robert M. Elardo, reviewed proposed guidelines for attorneys providing limited scope representation and guidelines for programs operating pursuant to Rule 6.5 of the Rules of Professional Conduct. After discussion, a motion was adopted to approve the guidelines.

16. New Business.

Ms. Gerstman observed that Alyssa Barreiro, Michael Galligan, Claire Gutekunst, Bryan Hetherington, Elena DeFio Kean, Stuart LaRose, Domenick Napoletano, Bruce Prager and Sandra Rivera are rotating off the Executive Committee and that this is their last meeting. She thanked them for their service and their participation. She thanked the officers, members of the Executive Committee, and staff for their assistance during her term as President.

17. Date and place of next meeting.
Thursday and Friday, June 14-15, 2018
The Otesaga, Cooperstown

18. Adjournment. There being no further business, the meeting of the Executive Committee was adjourned.

Respectfully submitted,



Sherry Levin Wallach
Secretary