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President's Report Annual Meeting of the New York State Bar Association January 30, 2021

Good morning, and welcome to the 144th Annual Meeting of the New York State Bar Association. Over the last 11 days our members – the bench and bar of New York – have gathered via Zoom for dozens of CLE programs, networking events, and section meetings. After registering approximately 4,000 total attendees, it is safe to say that this year's Virtual Annual Meeting was a resounding success. We are happy to report that, even going fully virtual and missing the various in-person networking opportunities that our traditional Annual Meeting provides, we have not seen a significant decline in registrations. Indeed, the level of participation and enthusiasm is as high as ever.

A review of the list of events and presenters explains why – our virtual Annual Meeting has been graced by such luminary guests as Attorney General Letitia James, Chief Judge Janet DiFiore, Senator Amy Klobuchar of Minnesota, and Secretary Jeh Johnson. COVID-19 has completely altered the practice of law, and our section and committee meetings have been full of content to help our members navigate these major changes. The Presidential Summit, featuring the esteemed scholars Dean Erwin Chemerinsky of UC Berkeley School of Law and Dr. Irwin Redlener of Columbia University Medical Center, was a thoughtful examination of the legal, constitutional, and public health issues surrounding the COVID-19 pandemic. I was beyond pleased to see so many cherished colleagues in the virtual audience of the Summit and at our other Annual Meeting events.

I extend my heartfelt congratulations to our members, many I consider dear friends, who have been honored with awards and commendations over the course of our Annual Meeting. Your dedication, service, and hard work are what makes NYSBA great, and, indeed, what defines us as a profession.

I would like to use this opportunity to extend my sincere congratulations to the Franklin H. Williams Judicial Commission, which is celebrating its Thirtieth Anniversary this year. This permanent commission, named in honor of distinguished attorney and civil rights leader Franklin H. Williams, is charged with promoting racial and ethnic fairness in the courts. In that regard, we commend the bold recommendations contained in the report from special adviser Secretary Jeh Johnson on equal justice in the New York State Courts and support all efforts on the implementation of these recommendations within the Unified Court System.

NYSBA, as always, stands ready to provide full support to our partners within the bench and bar in ensuring equal justice in the New York State Courts. Indeed, the ceaseless pursuit of equal justice for all guides our momentum as an Association.

Racial injustice – the stain on our national conscience – demands our entire civil society's immediate, careful, and considerable attention. I applaud the NYSBA Task Force on Racial Injustice and Police Reform, ably led by President-Elect T. Andrew Brown and Secretary -Elect Taa Grays, for its hard examination of the issues contributing to police brutality. This task force has held three public forums over the past six months, as well as a well-attended recent CLE that focused on the issue of community and civilian oversight of policing. I look forward to the continued work of the Task Force as they develop recommendations to end the destructive policing practices that disproportionately impact persons of color and contribute to such gross injustices.

I am pleased to report that the Association has taken an active lead in responding to the many major events that have gripped our nation since I last addressed the House in November. After what was surely the most consequential presidential election of our lifetime, we have witnessed a peaceful transition of power from the old administration to the new. The rule of law and our democratic traditions have prevailed. I thank our special Task Force on the Presidential Election for leading our response to the 2020 election – the informational webinars and articles prepared by this group were an informative and impartial resource for our profession and the public. From the election to the inauguration, from the second CARES Act to the first days of the Biden Administration, NYSBA truly reacted to history as it unfolded. Indeed, a special webinar on impeachment was presented mere minutes after the House of Representatives charged former President Trump. This is a true testament to the quick adaptability of our members, and another demonstration of the power and potential of our virtual Bar Center as a tool of communication.

2021 is only a month old, but it has already been a year of progress and action. At the federal level, the Biden Administration has taken executive action to preserve and fortify the Deferred Action for Childhood Arrivals ("DACA") immigration policy, revisit civil immigration enforcement, continue the pause of federal student loan payments, return the United States to the Paris Climate Agreement, and combat discrimination based on gender identity or sexual orientation – all goals and priorities of our Association.

Here in New York, Governor Cuomo in December signed into law an Association-advanced bill that simplifies and improves the state's power of attorney form. This was truly a cause for celebration. NYSBA had long advocated for reform of the power of attorney form – the older form, quite simply, was an unnecessarily complicated document, and needlessly confusing. The new user-friendly – and consumer-friendly – form benefits not just attorneys but our clients and all New Yorkers and their families who rely on these documents for essential life-planning purposes.

Going forward, NYSBA will continue to monitor and participate in the ongoing state budget negotiations. Governor Cuomo's recent State of the State address contained several items of interest to our membership, including the legalization and regulation of cannabis for recreational adult-use, the expansion of reliable broadband service in underserved rural and urban areas, and full funding of the Liberty Defense Project.

Of special note is the Governor's creation of a statewide New York Vaccine Equity Task Force to monitor the vaccination of millions of New Yorkers against COVID-19. As the House is well-aware, NYSBA, in the adopted resolutions of its Health Section, has rightfully called for assurance that all New Yorkers have equitable access to the vaccine. NYSBA will continue to guide our policymakers and elected leaders as New York as they navigate through the COVID-19 crisis. Although the light is not yet in sight, I am confident that the end of the tunnel is soon approaching.

In the meantime, I encourage you to be steadfast in your support for the underprivileged in this extraordinary time of need. As president-elect, I pledged to take on a pro bono matter while serving as president of the Association. I am pleased to say that I have taken on a pro bono appeal to the Appellate Division, Fourth Department through the Committee on Courts of Appellate Jurisdiction's Pro Bono Appeals Program.

I am even more pleased that so many of you have also heeded the call to help, whether through participation in the COVID-19 pro bono initiative, which is co-partnered by NYSBA and Unified Court System, or through service with your local bar association, law school, or legal service provider. Over 2,250 New Yorkers have been helped through the NYSBA Unemployment Insurance and Surrogate's Court small estates pro bono projects since May. To further help small businesses avoid evictions, New York State, alongside Start Small Think Big and the New York State Bar Association, will next launch the Commercial Eviction Prevention Partnership to provide mediation for landlords and commercial tenants facing eviction. I look forward to sharing more information on this initiative with you in the days to come.

As we approach the spring, the Task Force on Nursing Homes and Long-Term Care and the Task Force on COVID-19 Immunity and Liability continue in their earnest work to investigate and make recommendations in these critical areas. The Task Force on Attorney Well-Being is likewise persistently engaged in efforts to support and improve the quality of life of all lawyers. And our sections and committees will continue, as always, to present CLE webinars, publish articles and other useful content, and develop cutting-edge public policy proposals.

We do not know what the next few months will hold, but we can be cautiously optimistic that life will get better. I am proud that NYSBA has risen to meet the many challenges presented over the past year and has reinvented itself in order to continue to serve its members and advocate for its policy priorities.

The pandemic has upended every aspect of our lives – both professional and personal – and NYSBA has been well-positioned to quickly adapt to the new virtual reality in which we live. We will continue to refine our approach going forward to ensure we are both providing the real-time information and programs our members have come to expect and also are being responsible stewards of their hard-earned membership dues.

The Association is reviewing every aspect of its operations, including the future of its brick-andmortar home at One Elk Street. While we all feel emotionally connected to the Bar Center and have many happy memories there, we must be realistic about whether the considerable space, which requires a significant financial investment to be brought up to code, continues to be necessary in the so-called new normal. We will continue to keep our members up to date as this situation unfolds. I look forward to addressing you again in April. As always, I thank my fellow officers – President-Elect T. Andrew Brown, Secretary Sherry Levin Wallach, Treasurer Domenick Napoletano, and Immediate Past President Hank Greenberg – for their service, wisdom, advice, and friendship. I also thank Executive Director Pamela McDevitt and our unparalleled staff for their tireless performance during these difficult times. I thank our section and committee chairs and all presenters for their exceptional dedication in ensuring that this virtual Annual Meeting was a success. And I thank you, our delegates, and members, for all that you do to make our Association great. It is my pleasure to serve as your NYSBA president. Stay well.