

NEW YORK STATE BAR ASSOCIATION  
MINUTES OF HOUSE OF DELEGATES MEETING  
BAR CENTER, ALBANY, NEW YORK  
APRIL 10, 1999

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PRESENT: Attea; Ayers; Baldwin; Bass; Benesch; Bergen; Berlin; Berman; Bohner; Bowler; Brett; Brevorka; Cioffi; Clements; Cloonan; Coffey; Coleman; Cometa; Connery; Connolly; Contiguglia; Cooper; Cops; Corcoran; Cyrulnik; Denton; DiGirolomo; Dwyer; England; Eppers; Farrell; Felder; Field; Flood; B. Freedman; M. Freedman; Friedberg; Galloway; Gardella; Garson; Gerstman; Getnick; Glanzer; Glover; Golinski; Gregory; Gutleber; Haig; H. Hall; Hallenbeck; J. Harris; M. Harris; Hassett; Hayes; Headley; Helmer; Heming; Hesterberg; Higgins; Hirsch; Hoffman; Inclima; Jacobs; James; Jordan; Kahler; Kahn; Kendall; Kennedy; Kenney; Kenny; Kessler; Kilsch; Kougasian; Krane; Lagarenne; Lawrence; Levin; C. Levy; Lieberman; Lilly; J. Longo; Mandell; McCarthy; McClusky; McGlinn; Meyer; Mihalick; Miklitsch; Millon; Miranda; Moore; A. Murray; K. Murray; Netter; Ostertag; Patrick; M. Patterson; Peckham; Peradotto; Pfeifer; Porter; Pruzansky; Reede; Reich; Reiniger; Reizes; Rice; Richardson; Rider; Rifkin; Robinson; Rosner; Rothenberg; Rothkopf; Rothstein; Samel; Schraver; Snyder; Spitzmiller; Sunshine; Taylor; Terranova; Tharp; Thompson; Tishler; Trevett; D. Tyler; Vigdor; Wales; O. Walsh; Whalen; Williams; Witmer; Wolf; Wollman.

1. Approval of minutes of January 29, 1999 meeting. The minutes were deemed accepted as distributed previously.

2. Report of Treasurer. Mr. Headley summarized the Treasurer's report covering the period January 1 - February 28, 1999. He reviewed the major income and expense items contained in the budget and noted they were within the Finance Committee's estimates for the initial two months of the fiscal year. He indicated that the increased attendance at the Annual Meeting in connection with mandatory continuing legal education programming had generated increases in both income and expense as compared to the previous year. Mr. Headley also noted that while continuing legal education publications income was down slightly, this situation should improve with the release of new book titles later in the spring. He stated that the Association remained in sound financial condition and, as required under the Bylaws, the audited report for the 1998 fiscal year would be presented at the June House meeting. Mr. Headley observed, in connection with the 1998 figures, that careful financial management coupled with a strong fourth quarter performance had enabled the Association to achieve a modest surplus instead of the deficit anticipated at the fall meeting. The report was received with thanks.

3. Report of The New York Bar Foundation. Maryann Saccomando Freedman, President of The New York Bar Foundation, acknowledged and expressed appreciation to former President Charles E. Heming who was retiring from the Board of Directors of The Foundation after thirteen years of devoted service. She then described

the nature of the law-related projects being supported by The Foundation and encouraged continued support by the members of the House for these worthwhile endeavors. Ms. Freedman then introduced Paul A. Golinski, who described the work of the Brooklyn Bar Association Volunteer Lawyers Project in providing legal assistance to victims of domestic violence. The report was received with the thanks of the House.

4. Election of Nominating Committee and NYSBA Delegates to ABA House of Delegates. Maxwell S. Pfeifer, Chair of the Nominating Committee, reported that the committee had nominated M. Catherine Richardson, John P. Bracken and Joshua M. Pruzansky as members-at-large of the Nominating Committee and Ms. Richardson as its Chair for the 1999-2000 Association year. A motion was adopted electing said Chair and members. Mr. Pfeifer then reported that the Nominating Committee had selected Maryann Saccomando Freedman to serve as an alternate at-large member. A motion was adopted electing Ms. Freedman to that position. Mr. Pfeifer next reported that the vice-president and elected delegates from each district had nominated the following individuals to serve as members and alternates of the Nominating Committee from their respective districts for the 1999-2000 Association year:

**FIRST DISTRICT**

MICHAEL A. COOPER  
ROSALIND S. FINK  
MICHAEL B. GERRARD  
STEPHEN D. HOFFMAN  
ALFREIDA B. KENNY  
CRAIG A. LANDY  
SUSAN PORTER  
CAROL R. SHERMAN  
EUGENE P. SOUTHER  
MARTTIE L. THOMPSON, FIRST ALTERNATE  
ALAN ROTHSTEIN, SECOND ALTERNATE  
PETER M. KOU GASIAN, THIRD ALTERNATE

**SECOND DISTRICT**

MIRIAM CYRULNIK  
PAUL A. GOLINSKI  
STEVEN D. COHN, ALTERNATE

**THIRD DISTRICT**

JACOB J. EPSTEIN  
MIRIAM M. NETTER  
LORRAINE I. REMO, ALTERNATE

**FOURTH DISTRICT**

MARK M. RIDER  
NICHOLAS E. TISHLER  
PAUL L. WOLLMAN, ALTERNATE

**FIFTH DISTRICT**

MICHAEL E. GETNICK  
KIM H. MARTUSEWICZ  
DAVID M. HAYES, ALTERNATE

**SIXTH DISTRICT**

KATHRYN GRANT MADIGAN  
LEONARD E. SIENKO, JR.  
JAMES C. GACIOCH, ALTERNATE

**SEVENTH DISTRICT**

JUSTIN L. VIGDOR  
G. ROBERT WITMER, JR.  
CAROLYN G. NUSSBAUM, ALTERNATE

**EIGHTH DISTRICT**

GRACE MARIE ANGE  
ERIN M. PERADOTTO  
PAUL C. WEAVER, ALTERNATE

**NINTH DISTRICT**

H. GLEN HALL  
MARY ELLEN MANLEY  
ROBERT L. OSTERTAG  
HENRY S. BERMAN, ALTERNATE

**TENTH DISTRICT**

HARVEY B. BESUNDER  
ROBERT W. CORCORAN  
JOHN L. JULIANO  
JON N. SANTEMMA  
EMILY F. FRANCHINA, FIRST ALTERNATE  
VINCENT A. MALITO, SECOND ALTERNATE

**ELEVENTH DISTRICT**

SEYMOUR W. JAMES, JR.  
ARTHUR N. TERRANOVA  
SPIROS A. TSIMBINOS, ALTERNATE

**TWELFTH DISTRICT**

LAWRENCE R. BAILEY, JR.  
MAXWELL S. PFEIFER  
RICHARD M. HOROWITZ, ALTERNATE

A motion was adopted electing the foregoing district representatives and alternates.

Mr. Pfeifer then reported that the Nominating Committee had selected the following individuals to serve a two-year term commencing in August 1999 as delegates to the House of Delegates of the American Bar Association: Maryann Saccomando Freedman, Paul Michael Hassett, James C. Moore, M. Catherine Richardson and G. Robert Witmer, Jr. A motion was adopted electing said individuals.

5. Presentation of Trial Lawyers Section National Trial Advocacy Awards. In cooperation with Anthony J. DeMarco, Jr., Chair of the Trial Lawyers Section Committee on Trial Advocacy Competition, Mr. Moore presented the Trial Lawyers Cup and Scholarship to Hofstra University School of Law as winner of the National Trial Competition for Region II. Syracuse University College of Law was recognized for its second place finish. Representatives of the two schools expressed their appreciation for the awards and the valuable training provided by the competition. Mr. DeMarco then acknowledged House member and former Trial Lawyers Section Chair Gunther H. Kilsch for his efforts in helping to establish the program twenty-four years ago.

6. Report and recommendations of Task Force to Consider Tort Reform Proposals. David M. Gouldin, Co-Chair of the Task Force to Consider Tort Reform Proposals, summarized the approach taken by the task force in reviewing the Civil Justice Reform Act, legislation intended to restructure the state's tort system in many significant respects. He noted that the legislation was the product of modifications proposed by New Yorkers for Civil Justice Reform, a group representing business, insurance, and government interests, as well as various associations. He indicated that as part of its review process, the task force had met with insurance and business leaders as well as legislators to obtain a balanced perspective on the measure. He indicated that based on its analysis, the task force could endorse only one section of the

Civil Justice Reform Act, as it believed the balance of the proposals would not produce positive change in New York's civil justice system.

The House then considered the various sections of the report separately, with motions to change the recommendations with respect to sections 8, 12-14 and 22-23 being defeated by vote of the House. During these discussions, some members voiced concerns that while elements of the Civil Justice Reform Act may be flawed and could not be endorsed, some of the concepts being offered were deserving of further study, and the enactment of well-considered measures after dialogue among the relevant parties could improve New York's legal system and business climate as well as benefit the general public. A motion to approve the task force report as submitted was amended to include a preamble to be drafted by the Association's leadership, reflecting the view as stated by a minority of the task force and by a number of House members that some beneficial modification of the tort system may be possible and that dialogue should be encouraged among the relevant parties towards that end. As amended to include such a preamble, the task force report was approved by vote of the House. A further motion to establish a separate group to consider legislation to modify the tort system was defeated by the House given the existence of the task force.

7. Report of President. Mr. Moore advised that, as was done at previous meetings, to allow as much time as possible for the discussion of substantive items, he had furnished a detailed, written report to the members, and would provide only a brief oral summary of significant items. A copy of the written report is attached to these minutes. Mr. Moore then reported the following matters:

a) Earlier in the year, John G. Lynch had become Chief Executive Officer of Bertholon-Rowland Corp., the administrator for the Association's sponsored insurance program. Mr. Moore indicated this step had been taken to enhance program development and marketing as well as to strengthen the offerings available to members. He indicated that he and senior members of the Association staff had met with Mr. Lynch, and that Mr. Lynch, in turn, had met with the Committee on Association Insurance Programs to review plan performance and future initiatives. Mr. Moore stated that the leadership transition had proceeded smoothly and that the insurance program was functioning effectively.

b) In March, Chief Judge Kaye had released a Comprehensive Civil Justice Program to improve the quality and efficiency of New York's civil justice system. Mr. Moore indicated that proposed initiatives touched on a number of courts and practice fields, and that a 60-day comment period had been announced. He advised that he had designated a Special Committee to Review the Court System's Civil Justice Program, headed by current Trial Lawyers Section Chair Richard B. Long, with members drawn from other relevant sections and committees, to review the proposal and submit a response on behalf of the Association.

c) He had met with a number of legislators to discuss the need to raise 18-B panel fees and restore funding for civil legal services. He indicated that while legislators were sympathetic to the request, there had been an almost universal response to the effect that funds were unavailable for 18-B fee increases, and there had been hesitancy to make any commitments regarding restoration of legal services funding to the state's fiscal 1999-2000 budget.

d) The Committee on Attorneys in Public Service, which had been established in 1998, with Tricia Troy Alden as Chair and Henry M. Greenberg as Vice-Chair, was off to a successful start. He indicated that the committee had hosted a well-attended reception in the fall, had co-sponsored programs dealing with issues of interest to government attorneys, and had plans for several other initiatives, including a newsletter.

e) Congress was considering legislation to limit liability created by year 2000 related computer problems that would limit damages, with strict standards established for punitive damages, impose a notice requirement and set a two-year statute of limitations. He stated that he had spoken to knowledgeable individuals in Congress, and it was likely that legislation would be enacted by early May, leaving the Association insufficient time to analyze and comment on the pending bills. Mr. Moore stated that the proposals were significant in terms of their impact and he urged members with views to communicate them to Congress.

f) He was continuing his meetings with bar organizations throughout the state and in the future would be attending meetings of the Tompkins County Bar Association, the National Bar Association and the Fourth District Federation of Bar Leaders. He indicated he would also be participating in the American Bar Association's upcoming lobbying day with Congress and the Chief Judges Conference on the Justice System in Washington, D.C., as well as attending the spring meeting of the Commercial and Federal Litigation Section.

g) He would welcome ideas or suggestions concerning initiatives the organized bar could undertake to alleviate the suffering and related problems in Kosovo.

h) He expressed appreciation to the members of the House for their encouragement and cooperation during his tenure as President, and acknowledged the other officers, staff and the Executive Committee for their counsel and support. He also thanked the outgoing members of the Executive Committee for their service. The House members acknowledged Mr. Moore's service with a standing ovation.

8. Preliminary report by Special Committee on Multi-Disciplinary Practice and the Legal Profession. Robert L. Haig, Chair of the Special Committee on Multi-Disciplinary Practice and the Legal Profession, summarized the nature and complexity of the issues connected with multi-disciplinary practice, which involves the grouping of

professionals from several fields, such as law and accounting, in the same firm to provide services in those fields to clients. He described the various forms that multi-disciplinary practice can take, developments in various jurisdictions, and the conflicting views which exist regarding this subject. He outlined the methodology employed by the committee in conducting its study, and noted that due to the magnitude and complexity of the issues involved, the committee had concluded that a need existed for further study in a number of areas before definitive recommendations can be made. He indicated that these included the gathering of empirical data from lawyers and clients regarding the demand for multi-disciplinary practice; the gathering of information regarding the intentions and positions of other professions, particularly the accounting profession, including an evaluation of the ethical rules governing those professions; evaluating the risks created or exacerbated by changing statutes and ethics rules to accommodate multi-disciplinary practice as well as the safeguards designed to minimize those risks; evaluating pertinent antitrust and trade regulation issues; and analyzing the need for and desirability of a regulatory body to license, regulate and discipline at least some forms of multi-disciplinary practice. Mr. Haig invited comments from interested groups and individuals to assist the committee in preparing for formal consideration of this matter at the June House meeting.

Mr. Rosner apprised the House of the study being conducted of this subject by the American Bar Association's Commission on Multi-Discipline Practice and indicated that group was scheduled to report to the ABA House at the August 1999 meeting. He encouraged bar associations and sections to make their views known to assist study in this area.

9. Report on participation by women in Association governance. Mr. Rice noted that the relatively low number of women reaching the upper levels of leadership in the Association was a cause for concern and that he and Mr. Moore had encouraged the formation of a group of some of the more active women in the NYSBA to address this situation. Miriam M. Netter, Vice-President for the Third District, reported concerning the meeting of this group in January in conjunction with the Annual Meeting. She reviewed statistics compiled by the group showing the comparatively few who reach the level of Vice-President. She summarized possible initiatives to be pursued to remedy this situation, including the provision of information to women on becoming section or committee leaders; the similar provision of information on the nominating and election process; encouraging sections to advance women to leadership positions; maintaining a list of women interested in appointment to committees or task forces; continued meetings by the women's working group to include discussions with district vice-presidents; and considering the benefit of a Bylaws amendment to reduce the maximum number of consecutive terms for a vice-president from the present figure of six years. Mr. Rice indicated these recommendations would be taken under advisement. The report was received with thanks.

10. Preliminary report by Committee on Alternative Dispute Resolution. Stephen P. Younger, Chair of the Committee on Alternative Dispute Resolution, summarized the committee's report evaluating the current status of alternative dispute resolution (ADR) and setting forth its recommendations concerning the future direction ADR should take in New York. He noted that the focus of the report was on non-binding ADR, as contrasted with binding ADR processes, such as arbitration, in which a neutral decides the dispute. He reviewed major developments with respect to ADR, including the 1996 study by the Chief Judge's Task Force on Alternative Dispute Resolution, and described the various forms of ADR presently being utilized, as well as issues connected with the provision of ADR services. Mr. Younger then outlined the committee's major conclusions with respect to ADR to the effect that the Association should seek a more active role in shaping the future of ADR; there should be greater education of the public and profession regarding the subject; court-sponsored ADR programs should be expanded and receive additional funding; appropriate standards should be developed to ensure a minimum level of quality in ADR practice; and the need for legislation to provide a statutory privilege protecting the confidentiality of communications in non-binding ADR processes and to confirm immunity for neutrals in court-annexed ADR programs.

Mr. Rice noted that the committee would welcome comments to the report in advance of formal consideration at the June 26, 1999 meeting.

11. Report of Chair. Mr. Rice noted that continuing past practice, he had circulated a written Chair's report to allow additional time at the meeting for the discussion of substantive items. A copy of that report is attached to these minutes. Consistent with the information set forth in that report, Mr. Rice announced:

a) Bar associations entitled to delegates to the House of Delegates had filed their designations of delegates for the 1999-2000 Association year. On motion, said designations were approved as filed, and a further motion was adopted approving the filed roster of members of the House as the official list for 1999-2000.

b) He and Mr. Moore were continuing their active outreach in furtherance of diversity to increase minority participation in the Association. He noted that as part of this effort, the Association would be participating in reception and dinner functions at the upcoming April 15-18 meeting of the National Bar Association in Brooklyn.

c) The presence of the reports of the Committee on Alternative Dispute Resolution and the Special Committee on Multi-Disciplinary Practice and the Legal Profession on the June agenda might require an expanded meeting of the House in Cooperstown to include the afternoon of Friday, June 25 to allow reasonable time for the consideration of those items and the other matters scheduled to come before the House. He inquired as to the ability of the members to attend such a session and

indicated they would be informed as early as possible should the Friday session be required.

d) He recognized the retiring members of the House and expressed appreciation to them for their service. Mr. Rice also thanked the House for its support and collegial approach to issues during his tenure as Chair.

12. Date and place of next meeting. Mr. Rice announced that the next meeting of the House of Delegates was scheduled for Saturday, June 26, 1999 at The Otesaga, Cooperstown, New York.

Respectfully submitted,



Lorraine Power Tharp  
Secretary



# New York State Bar Association

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To: Members of the House of Delegates  
Re: Recent Activities of NYSBA President James C. Moore  
Date: March 30, 1999

Because there will be a number of issues which will consume our time during the April meeting of the House of Delegates, I am taking the liberty of again submitting a written report to you regarding my activities since we last met in January.

- ABA and NCBP Meetings. As many of you know, Bill Carroll, Tom Rice and I attended meetings of the National Conference of Bar Presidents and the American Bar Association's House of Delegates in Los Angeles in early February. Among the issues which were discussed at length during those meetings were how to increase fees paid for indigent criminal defense work, funding for civil legal services, multi-disciplinary practices, and the continuing public hostility toward the legal profession. Notable events which occurred during the meeting of the ABA's House of Delegates included a vote to recommend that the Independent Counsel Act be allowed to sunset, a vote to recommend that the ERISA law be amended so that negligence claims could be asserted against HMOs, and the election of Martha Barnett of Florida as the incoming president-elect of the ABA.
- Legal Services for the Poor. The NYSBA's director of *pro bono* affairs, Tony Cassino, and I have continued to visit legal service providers in New York State. With Tony's guidance, I have now visited the offices of 45 providers. In addition, Tony and I have met with key legislators in Congress to encourage their support for funding the Legal Services Corporation, which is seeking \$340 million in funds for fiscal year 2000. We also met in mid-February with John McKay, president of LSC, to coordinate our efforts with him. With the assistance of Tom Barletta, the NYSBA's director of governmental relations, we met and corresponded with several state legislators about increasing 18-b fees and restoring some funding for civil legal services. I also testified before the NYS Joint Committee on the Budget about those issues. Michael Cooper, president of the ABCNY, Dean John Feerick of Fordham Law School and I also met with Governor Pataki's counsel, Jim McGuire, to encourage the governor's support for the proposal to modify the Abandoned Property Laws to generate funds for civil legal

services. The NYSBA has also retained a consultant to assist in our effort to bring about increases in the 18-b fees.

- Conference on the Justice System. Chief Judge Kaye and I and several other invited guests attended a second symposium on the subject of restoring the public's confidence in the justice system. The meeting was held in Washington in mid-February. During the conference, a recently completed ABA survey revealed that while the public generally remains pleased with the American system of justice and has a high level of confidence in its judges, lawyers in general are discouragingly low in the public's esteem. Indeed, only members of the media ranked lower in the survey results. A number of approaches to this problem were considered but no "magic bullet" was discovered. A third symposium on this subject will take place in Washington, D.C. in May at which a course of action will be agreed upon and steps to implement it will be taken.
- Meetings at Law Schools. I spoke to students and faculty members at Cardozo Law School ("The State of the Legal Profession") in New York City, Pace Law School ("Are the Interests of the Client Best Served When Legal Services are Delivered Through Multi-Disciplinary Practices?") in White Plains, and at CUNY Law School ("The Role of the Private Bar in Delivering Legal Services to the Poor in the 21<sup>st</sup> Century") in New York City. I also judged the Wagner Moot Court competition's semi-final rounds at New York Law School. At each of those events, I was struck by the enthusiasm of the students with whom I came in contact and their interest in the organized bar. I left those events hopeful about the future of our profession.
- Meetings with Judiciary. Since reporting to you last, I met with Chief Judge Kaye in her chambers for frank discussions about relations between the practicing bar and the judiciary. I am pleased to report that she was very responsive to each of the concerns which I expressed. Indeed, Chief Judge Kaye has organized a series of meetings with bar leaders around the state during which she intends to listen to the concerns of practicing lawyers. Bill Carroll, Tom Rice and I also met with Chief Administrative Judge Jonathan Lippman and his deputy, Judge Ann Pfau, for a day to discuss issues such as the "pay to play" proposal, changes in the Code of Professional Responsibility, electronic court reporting, changes in the matrimonial rules and the proposals to reorganize the courts. I also met for lunch with the judges of the appellate Division, First Department, at the invitation of then Acting Presiding Justice Joseph Sullivan. During that meeting, I talked with members of the court about concerns expressed to me by the practicing bar.
- Tort Laws. As you know, under the guidance of John Bracken and Dave Gouldin, the NYSBA retained Professor David Capra of Fordham Law School to evaluate the Business Council's report on the tort laws, "An Accident and a Dream." Professor Capra's comprehensive report has been sent to every state legislator and members of the executive staff. The May issue of the *New York State Bar Journal* will be entirely devoted to the tort laws. In

addition, Tom Barletta and I met with several state legislators in March, including the "reform" proponents, Sen. Dale Volker and Assembly Member Joe Morelle, to discuss the tort laws and to listen to the contrasting views. We also attempted to objectively discuss whether there is any need for change and, if so, in which areas. It was clear to us that the tort laws are an important issue for both the business and legal communities and will receive some legislative attention in the near future.

- County Bar Events. Since my last report to you, I have broken bread with the members of the Albany County Bar Association at its annual Court of Appeals dinner (a huge and spectacular event presided over very ably by president Jim Kelly), the members of the Oswego County Bar Association (a youthful, interested and exciting group of mostly younger lawyers), and the Wyoming County Bar Association (today's difficult question: What is the county seat of Wyoming County?; a wonderful turnout and a very warm reception on a very cold evening in mid-February).
- Meetings with Press. I have continued to meet with boards of editors from time to time. To that end, since my last report to you, I met with the editors of the Syracuse newspapers, and the Rochester *Democrat & Chronicle* (for the second time).
- Meeting with Attorney General. Tom Rice, Bill Carroll and I also met for most of a morning with recently elected New York Attorney General Eliot Spitzer. During that meeting, the Attorney General spoke with us about his plans for his office ("integrity in government", gun litigation, and HMO liability), and we reviewed the issues which most concern members of the practicing bar.
- Women in the Organized Bar. I have continued to urge both at meetings and in my writings that women be allowed to play a more significant role in the senior leadership of the NYSBA. To that end, a group of women met in New York City during the annual meeting to talk about how that goal might be achieved. Those women hope to meet from time to time to discuss ways in which their role in the leadership of the NYSBA can be enhanced.
- Reports on Major Issues. You will recall that significant reports on key issues have now been produced by groups within the NYSBA; specifically, the Special Committee on Multi-Disciplinary Practice and the Legal Profession chaired by Bob Haig has issued its report, the Committee on Alternative Dispute Resolution chaired by Stephen P. Younger has issued its report, and the Task Force to Study "Pay to Play" Concerns chaired by Tom Levin has issued its report. Each of these reports is a masterpiece in its own right and reflects the deep well of talent within the NYSBA.
- "Granny's Advisor Goes to Jail" Law. I am pleased to report the U.S. Justice Department has notified us that it will not pursue appeal of the District Court ruling which held unconstitutional the 1997 "Granny's Advisor Goes to Jail" statute prohibiting attorneys and other professional counselors from advising

clients on the lawful transfer of Medicaid assets. This puts the matter to rest with a final result entirely favorable to the Association. My sincere thanks to former President Bob Witmer and his firm for the quality of their *pro bono* representation of the Association in this matter, as well as to our former President Josh Pruzansky and our Elder Law Section for having brought this issue to the attention of the House initially.

I conclude this final report to you by expressing my deep appreciation and respect for my predecessor, Josh Pruzansky and all that I learned from him, and to my successor, Tom Rice, for all that he has done to make this year a very pleasant experience for me. I also want to express my most heartfelt gratitude to the members of the NYSBA staff who have responded promptly to my every question and need, who have helped me to write hundreds of letters and memoranda, who have told me when my ideas were dumb and should be discarded, and everyone of whom I count as dear friends. Most especially, I want to thank Bill Carroll, John Williamson, Beth Krueger, Kathy Heider, Tony Cassino, Pat Wood, Brad Carr, Frank Ciervo, Tom Barletta and Terry Brooks for their extraordinary support during this past year. And where would I be if it were not for that terrific administrative staff at the headquarters including Betty Brewer, Kim McHargue, Barb Mahan, Joyce Kimball, Sheilah Sable, and Terry Scheid.

To all of them and to every one of you I say thank you and Godspeed.



c. Thomas O. Rice, Esq.  
William J. Carroll, Esq.

# New York State Bar Association

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March 31, 1999

To: Member of the House of Delegates

Re: Report of Chair

As was done at past meetings, I am dispensing with the formal report of the Chair to allow maximum time for the discussion of the substantive agenda topics. Jim Moore will be reporting to you on major policy issues affecting the Association as well as other items of interest to you.

There are two "housekeeping" matters to be dealt with at the meeting:

1. Each year, those county and local bar associations entitled to delegates in the House of Delegates are asked to file designations of delegates. Those bar associations have filed their designations for the 1999-2000 Association year. At the meeting, you will be asked to approve the designations as filed.

2. At the April meeting, the House of Delegates is also requested to approve the filed roster of House members as the official list for the 1999-2000 Association year. I shall ask for your approval of this item at the meeting.

Since this constitutes my final report as Chair, I would like to take this opportunity to express my appreciation for your support, collegiality and civility in addressing the complex and difficult issues which came before the House during the past year. It has been a high point of my professional career to have served as your Chair, and I will carry with me many fond memories of the experience. It is also comforting to know that I will continue to have your support when I assume the presidency on June 1, 1999, and that together we can accomplish much to advance the Association and the organized Bar.

Respectfully submitted,

Thomas O. Rice  
Chair of the House