

NEW YORK STATE BAR ASSOCIATION
MINUTES OF HOUSE OF DELEGATES MEETING
BAR CENTER, ALBANY, NEW YORK
NOVEMBER 5, 1994

Present: Members: Abrams; Adelman; Adler; Ange; Armstrong; Baer; Baldwin; Baum; Birmingham; Bohner; Bongiovanni; Bracken; Branca; Brenner; Buzard; Cashman; Castel; Ciulla; Civiletti; Clements; Coffey; Connolly; Cooke; Corcoran; Daly; Davidson; DelleCese; Drinkwater; Dwyer; Edmead; Edwards; Eppler; Epstein; Ettman; Fales; Farrell; Field; Finerty; R.L. Fink; R.S. Fink; Fishberg; Freedman; Friedman; Gardella; Geltzer; Gingold; P.S. Goldstein; Gouldin; Gross; Gutleber; Haig; Headley; Heming; Herold; Hoffman; Horowitz; H. Jones; M. Jones; Karson; M. Kessler; S. Kessler; Kettle; Kilsch; Lagarenne; Landy; Lazar; Lee; Leinhardt; Levin; Lindenauer; Lobis; J. Longo; M. Longo; Madigan; Maldonado; Malito; Maney; Marten; Martusewicz; Mayden; McCarthy; McGlenn; Meng; Meyer; Miklitsch; M. Miller; Millon; Moore; Morris; A. Murray; K. Murray; Netter; O'Connell; Offermann; Oliver; Ostertag; Palmer; Patrick; Pearl; Penzel; Pfeifer; Picotte; Plotkin; Pollio; Pool; Pruzansky; Purcell; Raysman; Remo; Rice; Richardson; Rider; Rosiny; Rothstein; Rubin; Ruslander; Sienko; Sirmans; Spellman; Standard; Stern; Sunshine; Taisey; Terranova; Tharp; Thomashower; Tishler; Tomaselli; Torres; Troeger; VanGraafeiland; Waldauer; Wales; C. Walker; S. Walker; J. Walsh; Weaver; Williams; Windstein; Witmer; Yanas; Zurlo.

1. Approval of minutes of June 25, 1994 meeting. The minutes were approved as distributed.

2. Report of Treasurer. Mr. Rice summarized the Treasurer's report covering the period January 1 to September 30, 1994, copies of which had been circulated to the members of the House. He reviewed the major elements of the income and expense budgets, and reported that the Finance Committee anticipated there would be a year-end deficit of approximately \$750,000. He indicated, however, of that figure, \$667,000 was for depreciation which needed to be recorded in connection with the installation of the Association's new computer system, and had no effect on the Association's cash flow. He noted that the strength of the Association's reserves had enabled it to absorb the cost of the new computer system and repairs to the older portion of the Bar Center without a need to borrow funds and incur interest expense. Mr. Rice indicated that the Association remained in sound financial condition at the three-quarter point in the fiscal year. The report was received with thanks.

3. Report and recommendations of Finance Committee.

a) Proposed dues increase. Richard Raysman, Chair of the Finance Committee, summarized a dues increase proposed by the Finance Committee to take effect in 1995. He noted that when the current dues level had been fixed by the House of Delegates for 1992, the Finance Committee had projected that the increase would be sufficient to meet Association expenses for three years. He reported that through careful financial management this projection had been met. He advised that the

proposed increase, amounting from nine to thirteen percent for most dues categories, had been coupled with extensive cost-savings measures to minimize the level of increase during an economically difficult time for many members. He stated, based on projections developed by the Finance Committee, that the proposed increase should permit the Association to sustain operations and member programs for the next three years. After discussion, a motion was adopted approving the following dues levels to become effective January 1, 1995:

Regular membership

Sustaining member:	\$400
Admitted 1987 and prior:	\$235
Admitted 1988-1989:	\$155
Admitted 1990-1991:	\$100
Admitted 1992-1994:	\$70
Admitted 1995:	Free
Special dues classes:	\$70
Law students	\$10

Associate membership out-of-state

Admitted 1990 and prior:	\$95
Admitted 1991-1994:	\$70
Admitted 1995:	Free

b) Approval of proposed 1995 income and expense budget. Mr. Raysman then summarized the significant components of the proposed 1995 budget, and advised that the recommended amounts would maintain the sound financial condition of the Association for 1995 and produce an adequate surplus to help meet expenses for the ensuing two years. After discussion, a motion was adopted unanimously approving the 1995 income and expense budget as proposed by the Finance Committee.

4. Presentation of Ruth G. Schapiro Award. Mr. Witmer presented the third annual Ruth G. Schapiro Award to former Association President Maryann Saccomando Freedman for her many noteworthy, law-related contributions to the concerns of women through her extensive leadership activities and efforts throughout her career in acting as a role model and catalyst for women; her work to improve opportunities for women involved in the legal profession; and the establishment of innovative programs to examine gender-related issues during her tenure as NYSBA President.

5. Report and recommendation of Environmental Law Section re ABA resolution on environmental justice. Michael B. Gerrard, First Vice-Chair of the Environmental Law Section, summarized that section's request that the NYSBA approve the American Bar Association's report and resolution with respect to environmental justice as adopted by the ABA's House of Delegates in August 1993. He described the thrust of the ABA position as supporting actions by all levels of government, private entities and academic institutions to achieve the implementation and enforcement of environmental measures such that a disproportionate share of the burden of environmental harm does not fall on minority or low income segments of the population. He noted that, among other initiatives, the ABA measure had also called

on legislative bodies at all levels to take appropriate steps to redress and eliminate situations in which minority or low income individuals have borne a disproportionate share of harm to the environment. He indicated the ABA's posture favored the urging of administrative agencies to give priority to the environmental justice problem, improve access to information and the decision-making process, adopt regulations to mitigate or remove disproportionate environmental impact, and better manage environmental risks so as to eliminate the inequities. Following discussion, a motion was adopted approving the American Bar Association's resolution and report with respect to environmental justice.

6. Memorial to J. Boyd Mullan. Hon. Ellsworth A. VanGraafeiland presented a memorial to former Association President J. Boyd Mullan, who had passed away recently. A moment of silence was observed out of respect for Mr. Mullan's memory and his contributions to the Association and the legal profession. A copy of the memorial is attached to these minutes.

7. Report and recommendation of Corporate Counsel Section re planning and budgeting of legal services for corporations by outside counsel. Mr. Pfeifer announced that the Corporate Counsel Section had requested that consideration of this item be deferred until the January meeting of the House to permit further consultation with other interested sections and committees concerning the merits of the proposal.

8. Report and recommendations of Committee on Bylaws. Joshua M. Pruzansky, Chair of the Committee on Bylaws, summarized Bylaws amendments proposed to address the following subject areas: a) broadening the eligibility requirements for service as a member-at-large of the Executive Committee; b) removing the concept of action units from the Bylaws; c) establishing a clear policy regarding the issuance of public statements by sections and committees; and d) granting associate members the privilege of voting and holding office. With respect to the expansion of privileges afforded to associate members, he explained the reasons underlying the proposal based on the position of the Internal Revenue Service with respect to the tax treatment to be afforded the dues of associate members of not-for-profit organizations, and the fact that the recommended change would eliminate any potential for the assessment of tax liability. Mr. Pruzansky advised, with regard to the suggested amendment affecting the issuance of public statements by sections and committees, that the proposal was intended to apply solely to the legislative area. Following discussion, the Committee on Bylaws accepted revisions to this amendment to clarify its limitation to legislative reports and the period of time for which determinations by the Executive Committee would be binding on other committees and sections of the Association.

Mr. Pfeifer advised that the members of the House would be afforded the opportunity to subscribe separately to the four categories of amendments. Following the tally of the subscription forms signed by the members in attendance, the proposals dealing with eligibility to serve as a member-at-large of the Executive Committee, deletion of the action unit concept, and the privileges afforded associate members received the required number of subscriptions for filing with the Secretary for consideration at the January 1995 Annual Meeting. Mr. Pfeifer indicated that consistent with prior practice, the absent members would be afforded an opportunity to record their subscriptions by mail, and if the proposed amendment governing

legislative reports by sections and committees also received sufficient subscriptions, it would be added to the other three measures to be presented at the January 1995 Annual Meeting.

9. Preliminary report of Task Force on the Profession. Haliburton Fales, 2d, Chair of the Task Force on the Profession, and task force member Paul Michael Hassett presented an informational report summarizing the status of the group's efforts to date. They noted that the task force was exploring the decline in the public's perception of the legal profession and the sources of public dissatisfaction. They outlined the task force's preliminary recommendations intended to address these problems, including augmented skills training, particularly in client relations, both before and after admission to the bar; the development of programs to address client complaints that do not rise to the level of ethical violations; increased public and media outreach to increase public understanding of the law; and the enhancement of the Association's leadership role in promoting professionalism and reform. They stated that the preliminary report was being circulated for comment to interested sections and committees within the Association as well as to local bar associations before the preparation of a final report. They indicated that depending on the nature and extent of the views which were submitted, the final report might be submitted to the House for consideration as early as the January 1995 meeting. The preliminary report was received with the thanks of the House.

10. Report of President. Mr. Witmer reported the following matters:

a) In September he had met with Chief Judge Kaye and senior OCA officials to discuss matters of mutual interest. He elaborated on the topics as follows:

i) Judge Kaye had advised that since none of OCA's five major legislative initiatives (creation of a Fifth Department, judicial salary increases, trial court merger and merit selection, state takeover of the costs of Appellate Division facilities, and state assumption of responsibility for court facilities maintenance and repair costs) were passed during the last session, OCA would be assembling its legislative package earlier this year to allow more time for effective negotiation with the Governor and the Legislature.

ii) Judge Kaye announced that the legislative proposals emanating from the jury system study would be a key component of her 1995 legislative package, and that appropriate rules and administrative directives would accompany the legislation. Mr. Witmer noted that following the June House meeting, the Association's views in this area had been communicated to the Chief Judge. He indicated that at the September meeting, while he had reiterated the NYSBA's general support for the vast majority of the Jury Project's initiatives, particularly those dealing with the education of the profession and the public, there were elements, such as the proposed reduction in the number of peremptory challenges, with which the Association disagreed. He noted that representatives of relevant NYSBA groups, including the Ad Hoc Committee on the Jury System, and the Committees on Lawyers and the Community, Courts and the Community, Public Relations and Minorities in the Profession, had attended a recent meeting in New York City on juror education initiatives.

iii) Judge Kaye had announced the schedule for statewide public hearings to be held by the Committee on the Profession and the Courts. She indicated that the committee would likely submit its report in the spring of 1995.

iv) He had raised with Judge Kaye the degree of interest by the courts in pursuing the statutory revisions, court rules and Code of Professional Responsibility amendments proposed by the NYSBA's Special Committee on Lawyer Referral Services Regulation, and endorsed by the House, to address problems in the lawyer referral area. Judge Kaye had observed that translating the conceptual need for monitoring into a practical mechanism was beyond the current resources of the court system, particularly given the other problems the courts were confronting.

v) Judge Kaye advised of the formation of a Domestic Violence Task Force to be headed by Third Department Presiding Justice Anthony V. Cardona and by Associate Justice Sondra Miller of the Second Department. He indicated he had apprised her of the study being conducted by the NYSBA's Task Force on Family Law, which was addressing issues such as divorce grounds and defenses, equitable distribution, child support, spousal support, custody, contempt, and the judicial process.

b) On September 30, the New York State Conference of Bar Leaders had conducted a program at the Bar Center entitled, "Communications Barriers Broken: Lawyers Learn it Takes One Client at a Time - Media Strategies Revealed." He indicated the program, which dealt with various aspects of lawyer bashing, public perception of the legal profession and attorney-client relations, was well-received by those in attendance.

c) In a September 25, 1994 segment on CBS' 60 Minutes, Andy Rooney had made several derogatory remarks about attorneys and the legal profession. Mr. Witmer indicated he had submitted a written response to the misperceptions created by Mr. Rooney's remarks, and a copy of this letter had been printed in the October issue of the State Bar News.

d) Consistent with the position taken by the House of Delegates in January 1993, Judge Milonas had established a "Joint New York State Court System - New York State Bar Association Committee on Electronic Recording." He stated that this group, which is being chaired by former State Supreme Court Justice Michael Dontzin, includes several NYSBA designees and has been charged with evaluating the role of electronic recording in the court system and making recommendations concerning its use.

e) The resolution adopted at the April 1994 House meeting with respect to the IRS' interpretation of Sec. 60501 of the Internal Revenue Code as requiring the disclosure of the identity of clients who pay cash fees exceeding \$10,000 had been conveyed to the IRS. Mr. Witmer indicated that the IRS was continuing to adhere to its existing position despite the concern of the NYSBA and other groups that the required disclosure would breach client confidentiality under the Code of Professional Responsibility. He indicated that former Criminal Justice Section Chair Martin B. Adelman had met with Attorney General Reno and with Treasury Department and IRS officials to review the NYSBA's concerns. He stated that the Criminal Justice Section would continue to coordinate with other bar groups, including the ABA and the Florida Bar, to secure change in this area.

f) Pursuant to the authorization granted at the April House meeting, the Ad Hoc Committee on Fiduciary Compensation had pursued negotiations with the Legislature's Advisory Committee on the EPTL and SCPA. He indicated these discussions had resulted in minor modifications being made to the proposed Section 2307A of the SCPA governing the commissions of an attorney-executor. Mr. Witmer noted that the modifications were consistent with the position adopted by the House and received the endorsement of the Executive Committee before being filed with the Legislature. He advised, however, that the Legislature had not passed the Association's measure during the closing days of the session. He noted that the Ad Hoc Committee would continue to pursue this matter to achieve the adoption of a statute implementing the House's recommendations.

g) Effective January 1, 1995, the Association's Department of Communications and Public Affairs would change its title to the Department of Media Services and Public Affairs. He advised that this name change was intended to emphasize the department's mission of media outreach and providing services to the membership as well as to those outside the Association.

h) In conjunction with its annual report, the Committee on Professional Discipline had released for comment a proposed draft of uniform rules for lawyer discipline in the state. He noted that, in part, the proposed rules would permit public hearings in most cases where formal disciplinary proceedings are held, but only after probable cause has been established and the Appellate Division has determined that the public interest would be served by an open hearing. He indicated that once comments had been received and reviewed, the committee would be submitting its proposal for consideration by the Executive Committee and the House of Delegates.

i) In recent weeks, he had visited a number of county bar associations including Delaware County, Orange County, Monroe County, Broome County, Rockland County, Nassau County, and the counties of Jefferson, St. Lawrence and Franklin in a combined meeting. He noted he had also attended meetings of the Family Law, Real Property Law, Municipal law, Business Law, Environmental, Judicial, International Law, and Labor and Employment Law Sections as well as the Canadian Bar Association's Annual Meeting. Mr. Witmer reported that he had also met with the editorial boards of Newsday, the Syracuse Herald-Journal, the Buffalo News, and the Watertown Times. He indicated he had also been interviewed by KRLO in Dallas regarding expansion of the jury pool, and had appeared on WWOR's "Viewpoints" with respect to jury system issues.

j) The Software Defined Network Program which the Association had established with AT&T was now ready for offering to the members. He indicated that the members of the House would be among the first to receive material concerning the program. Mr. Witmer encouraged the members to review this information when they received it, as AT&T was offering substantial discounts on long-distance telephone service, as well as other related features, which the members should find attractive.

k) Several Association members had received federal judicial appointments. These included Harold Baer, Jr. and Shira Scheindlin to the U.S.

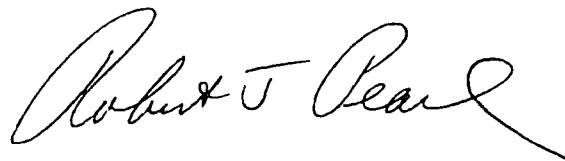
District Court for the Southern District and Frederic Block to the U.S. District Court for the Eastern District.

11. Report and recommendation of Commercial and Federal Litigation Section re civility in litigation. P. Kevin Castel, past Chair of the Commercial and Federal Litigation Section, and section member Vincent C. Alexander summarized the section's report proposing guidelines on civility in litigation to address the problem of incivility and the negative perception it creates both within the profession and among the public. They indicated that education of the bar in this area would be beneficial, and that the dissemination of written guidelines underscoring the value of civility would assist the educational process by providing a discussion tool for use in law school courses, law firm training sessions, and continuing legal education programs. Messrs. Castel and Alexander emphasized that the proposed guidelines were not intended for adoption as mandatory rules, as the section viewed them as an advisory document to facilitate the education of attorneys. They also explained revisions made to the guidelines based on comment by interested Association sections and committees. Discussion then ensued during which it was suggested that the proposed guidelines be circulated to county and local bar associations for their review and comment. A motion was adopted tabling further action until the January meeting to allow for input from county and local bar associations.

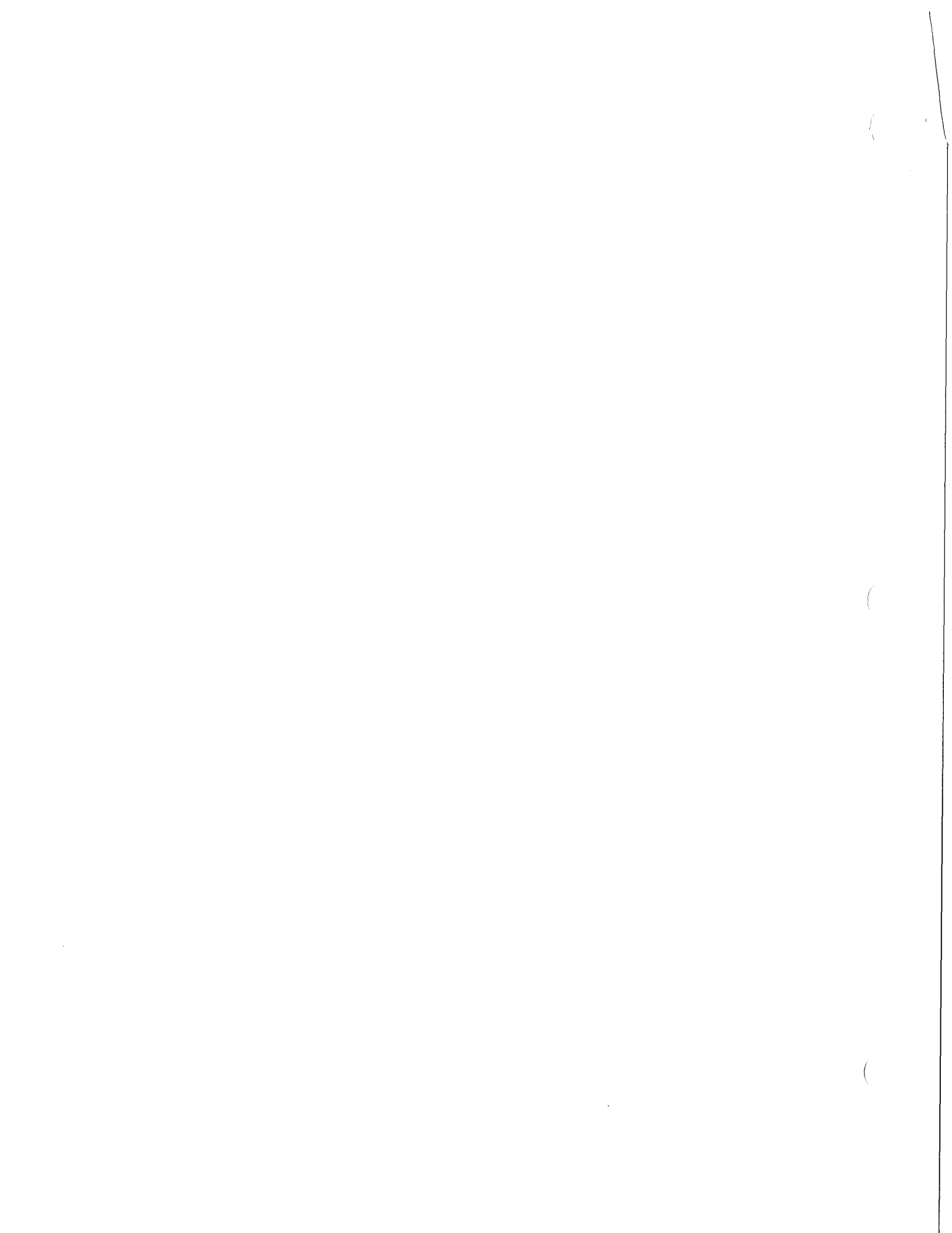
12. Report of Chair. Mr. Pfeifer advised that the report of the Intellectual Property Law Section regarding a model state trademark bill, which had been deferred from the June House meeting and scheduled for presentation at this session, would be considered at the January 1995 House meeting.

13. Date and place of next meeting. Mr. Pfeifer announced that the next meeting of the House of Delegates would be held on Friday, January 27, 1995 at the Marriott Marquis in New York City.

Respectfully submitted,

A handwritten signature in cursive script that reads "Robert J. Pearl". The signature is written in dark ink and is positioned above the typed name and title.

Robert J. Pearl
Secretary



MEMORIAL RESOLUTION

J. BOYD MULLAN, ESO. 1903-1994

One of the most heartwarming practices of the New York State Bar Association is the one that gives past presidents a life membership in this House of Delegates. However, even this admirable practice is not without its adverse consequences. Whenever you permit an old fogey member such as I to get behind a microphone, you are almost sure to be subjected to reminiscences. This is particularly true when, as now, the speaker is assigned the pleasant task of memorializing a man who was President of this Association 33 years ago. I refer, of course, to J. Boyd Mullan, who died at the age of 91 on May 27, 1994.

The New York State Bar Association was organized on November 21, 1876. By 1961 it had over 10,000 members. Although it was by then the largest voluntary bar organization in the country, it still was somewhat in the developmental stage. It was governed by an Executive Committee made up of three members and a vice president from each district who, together with past presidents and section chairmen, comprised a total of approximately 65 to 70 members. Because to some extent the Executive Committee was self-perpetuating in nature, it was not exactly a model of democracy. Committee members knew which persons in their districts were interested in State Bar activities, and they took steps to see that these persons were given an opportunity to participate in the work of the Association by becoming members of the Executive Committee. It is not surprising, therefore, that the Executive

Committee, as it then existed, had more of a family atmosphere than does this larger, less homogeneous House of Delegates. Almost everyone who had been a member of the Executive Committee for any length of time knew just about everyone else on the Committee. As a result, it was not de rigueur to campaign for the office of Association President. In effect, the president was selected, not elected. In 1961, the "selectee" was J. Boyd Mullan, and his ascension to the office of President proved that the system, as it then existed, worked, and worked well.

Boyd was born in Rochester on May 7, 1903. His father, John B. Mullan, a long-time resident of Rochester, was the local Postmaster and State Senator. Boyd's first name was James. However, throughout his legal career he was known and addressed simply as Boyd. Although Boyd and I were friends for almost a half a century, I never once called him "Jim." Interestingly enough, he never once called me "Ellsworth," for which I was most grateful.

Boyd was graduated from Rochester's West High School in 1921. At Colgate, where Boyd went following his high school graduation, he played soccer and lacrosse, and when he wasn't playing, he was cheerleading. He belonged to the Varsity "C" Club and the Rochester Club. He served as vice president of his class and as a delegate to the students' House of Representatives. A member of Phi Gamma Delta Fraternity, he was honored by his fraternity in 1987 for his continued help and interest. Upon his graduation from Colgate, Boyd enrolled in Syracuse Law School from which he was graduated in 1930. In 1938, the Law School

established a Board of Visitors, consisting of prominent alumni and friends of the School who were interested in its progress, and who met periodically for the purpose of providing advice and suggestions. It was most fitting that Boyd should and did become a life member of this Board.

In 1932, Boyd married Dorothy Drakely, a member of a prominent Penn Yan family. This was an ideal mating. Dottie was a talented singer and thespian and Boyd was a talented wit and wordsmith. They played off each other's talents like a vaudeville team. They were a joy to be with. After his marriage, Boyd divided his allegiance between Rochester and Penn Yan, although his first love was Rochester. He and several colleagues did toy with the idea of emulating Statler and Hilton on a small scale when they purchased the Town Motel in Penn Yan. This venture collapsed in 1972 when the motel was seriously damaged by fire.

The bulk of Boyd's legal career was spent in Rochester in what was known familiarly as the Moser Johnson Office but ended up with the official title of Johnson, Mullan and Brundage. Boyd was an excellent trial lawyer, a member of the National Association of Railroad Trial Counsel and a Fellow of the American College of Trial Lawyers. The Moser Johnson firm was local counsel for the Lehigh Valley Railroad. If you would like to see an example of a good trial lawyer at work, examine the records on appeal in Brown v. Lehigh Valley Railroad Co., 284 A.D. 932, and Peterson v. Lehigh Valley Railroad Co., 270 A.D. 1072, in both of which Boyd

successfully defended the Railroad. Following Boyd's retirement, he served his firm in an of-counsel capacity.

Boyd's extra-office legal activities were many and varied. In the late '20's and early '30's, the concept of federations of local bar associations received substantial support in upstate New York, the idea being that local bar associations could channel their individual interests and talents into a federation which in turn would pass them on to the State Bar Association. In 1949-1950, Boyd served as President of the Federation of Bar Associations of Western New York. As time went by, the work of the Federation duplicated increasingly that of the Association itself, and it gradually ceded its position to the larger Association. Boyd concentrated his activities in the Association, and, in 1961, after serving as chairman of the Trial Lawyers section, a member and chairman of the Association's Executive Committee, and vice president of the Association, he became its President. He also belonged to the International Bar Association and the American Bar Association and was a Fellow of the American and New York State Bar Foundations.

In attempting to describe Boyd as an individual, certain attributes readily come to mind. He was an extremely able speaker and raconteur. He had stories for every occasion and an exquisite choice of language with which to tell them. He maintained a collection of specially selected words and phrases that he could draw upon as needed. Before the New York State Bar Association became as large as it is now, the President customarily concluded

the annual Bar meeting with a dinner to which members of the Executive Committee, section chairmen and a few selected guests were invited. No speeches were given at this dinner. Instead, the President relied upon amusing sallies from well-known raconteurs such as Cloyd LaPorte and Whitney North Seymour. Boyd could hold his place with the best of them and he always was summoned to the cause. He was such a great storyteller that he could repeat an anecdote several times and receive the same gleeful reception each time. For some reason, the name Wappinger Falls intrigued him. His story of the fictional wife of the fictional mayor of Wappinger Falls was among those that never became outdated.

Boyd and I traveled many miles together on Bar matters. He kept me constantly entertained. On one occasion I was driving Boyd to Syracuse for a meeting with Bill Fitzpatrick, a former president. The New York Thruway has five Syracuse exits. I was so intrigued by a story that Boyd was telling that I drove past all five exits and was well on my way to Canastota before I woke up and apologetically called Bill to tell him that we would be slightly delayed.

Boyd was a local history buff and could speak with authority about such Rochester landmarks as Rattlesnake Pete's, the statue of Mercury and Kimball's Castle. The statue of Mercury was of particular interest to Rochester lawyers. For many years it was located on the chimney of an old tobacco and shirt factory on Court Street which ended its years as the somewhat unusual home of Rochester's City Court. In 1951, the statue was taken down when

the building was demolished in preparation for the construction of the Rochester War Memorial. No one lamented its removal more than did Boyd and no one exulted more when over the opposition of the National Organization for Women it was restored to its present place atop the Lawyers Cooperative Building. Because an article Boyd wrote about Mercury prior to its restoration typifies Boyd himself, I quote it in part:

All my life I have been fascinated by the statue of Mercury.

I suppose that is due in part to a sense of provincial pride. When my college classmates visited me in Rochester, three things I showed them: The Rochester birthday cake which was Cobb's Hill at night, Rattlesnake Pete's which was excitement in the daytime or at night--and the statue of Mercury.

I had a sense of ownership in Mercury. My family had lived here for half a century before the statue was created. Any time, even now, when I close my eyes and visualize the skyline of Rochester the central figure is not Midtown Plaza nor the Xerox Building nor the Marine-Midland Building, not even the fast rising Lincoln Tower. It is that soul-stirring dramatic figure against the sky, Mercury the Messenger of the Gods.

My father spoke of Mercury with the same sense of ownership and familiarity. He used to tell about the time the great steam whistle of the Kimball factory blew just as he was driving a team west on Court Street and "the horses never had four feet on the ground again until they has passed the Four Corners."

I always thought this was asking quite a bit of a steam whistle until in reading through the ancient newspapers, I discovered an account of a Sibley, Lindsay & Curr team running away, jumping a fence and ending up in the Erie Canal, all because the whistle blew as they were passing the factory.

The day that Mercury was lowered, I spent the afternoon taking pictures and agreeing with all the other bystanders that it was truly a sad day for Rochester.

Boyd took time from his busy practice to participate in the activities of the Rochester University Club, which he served for a term as president. He also played a pivotal role in the construction of the beautiful Twelve Corners Presbyterian Church where a memorial following his death was held. Because of Boyd's outstanding service to the Masonic Fraternity and his service to others that reflected credit upon the Fraternity, he was awarded the Thirty-third Degree of the Scottish Rite, which is the highest degree that Rite can confer.

Boyd and Dottie were happiest when relaxing at their summer home on the shore of Keuka Lake, at a spot alleged by Boyd to be the only level area of note on the entire shoreline. Located in their garage was an old-fashioned popcorn machine of the type that used to be seen at fairs and amusement parks. Because of the traditional Sunday afternoon picnics that Boyd hosted with the aid of this machine, he became known as the popcorn king of Willow Point. Boyd was an adept angler who fished regularly and quite successfully for bass. In his later years, he became somewhat leery of fishing from his small boat and replaced it with a pontoon craft. Fishing from a comfortable chair on his pontoon boat, impeccably dressed as usual, Boyd epitomized the gentleman sportsman at leisure. Indeed, this was to be expected. Boyd was a consummate gentleman in everything he did. Those who knew him best admired him most. That certainly was true of the members of

the New York State Bar Association who chose him as their 64th President.

Boyd is survived by his daughter and son-in-law Jean and Paul O'Neill, seven grandchildren, and three great-grandchildren.

Mr. Chairman, I move that this tribute to Boyd be filed in the minutes of this Association and a copy forwarded to Boyd's daughter, Jean.