

NEW YORK STATE BAR ASSOCIATION  
MINUTES OF HOUSE OF DELEGATES MEETING  
BAR CENTER, ALBANY, APRIL 16, 1977

PRESENT: Members Abrams, Amdursky, Aspland, Bachman, Baltimore, Barlow, Barrera, Bellamy, Beshar, Blauvelt, G.A. Brooks, L.R. Burns, W.J. Condon, Connelly Corbin, Cornfield, Cosgrove, Dettor, Erickson, Fales, Fallon, Fitzgerald, FitzPatrick, Forger, Hart, Hewitt, Hoyt, Karatz, Keeler, Kennedy, Kirsch, Lagarenne, Lasher, Lea, Lindsay, Lord, Maggipinto, McDonald, Meyer, W.A. Miller, Mintz, Mousaw, G. Murphy, J.H. Murphy, Murray, O'Brien, Ostertag, Palmer, Patterson, Pritchard, Reilly, Russell, H.J. Smith, J.V. Smith, Stakel, Stone, B.I. Taylor, L.B. Taylor, Thoron, Tucker, Whalen, Williams, Withrow.

1. Approval of Minutes of January 28, 1977 meeting. The minutes were approved as distributed.
2. Confirmation of Annual Meeting dates. A motion was adopted confirming January 26-30, 1982 and January 25-29, 1983 as Annual Meeting dates at the New York Hilton Hotel.
3. Amendment of Bylaws. Mr. Erickson summarized proposed amendments to the bylaws. Upon motion, the following amendment was approved:

ARTICLE XIV. STANDING COMMITTEES, 1, GROUP B. and 2. Duties of Committees.

1. GROUP B. Committee on Professional Discipline
2. Duties of Committees.

The Committee on Professional Discipline shall refer to the appropriate agency allegations of professional misconduct brought to its attention against any member of the Bar. It shall cooperate with all grievance committees and agencies to promote the effective administration of disciplinary procedures. It shall promote uniform and effective disciplinary action by all disciplinary committees and agencies and shall recommend to the Executive Committee such changes and modifications in disciplinary rules and procedures as may from time to time seem appropriate, and shall report to the House of Delegates with respect to the status of disciplinary rules, procedures and their administration throughout the State at least annually and as from time to time seems appropriate.

4. Election of Nominating Committee. Mr. Whalen reported for Mr. Mullan, chairman of the ad hoc nominating committee, that the committee recommended and nominated Frank A. Barrera, Philip A. Erickson and Robert MacCrate as members-at-large of the Nominating Committee. A motion was adopted electing said members. A further motion was adopted electing Robert MacCrate chairman of the Nominating Committee. A motion was adopted electing the following members from each Judicial District, as selected by the vice-president and elected delegates from each District:

FIRST DISTRICT  
Christine Beshar  
Haliburton Fales, II

SECOND DISTRICT  
Walter A. Miller  
George Wildermuth

THIRD DISTRICT  
Lawrence Lagarenne  
Thomas M. Whalen, III

FOURTH DISTRICT  
Kenneth Holcombe  
George Murphy

FIFTH DISTRICT  
William F. FitzPatrick  
James S. Kernan, Jr.

SIXTH DISTRICT  
A. Lawrence Abrams  
Eland B. Taylor

SEVENTH DISTRICT  
Peter M. Blauvelt  
~~Homer H. Marks~~ DANIEL KENNEDY

EIGHTH DISTRICT  
Adelbert Fleischmann  
Clarence R. Runals

NINTH DISTRICT  
Frank H. Connelly  
Isaac Rubin

TENTH DISTRICT  
Charles R. Carroll  
James V. Fallon

ELEVENTH DISTRICT  
John J. Clabby  
John A. Murray, Jr.

5. Report of Special Committee on Tort Reparations. Mr. Amdursky reviewed pending no-fault insurance legislation and summarized the work of the committee in connection therewith. He stated that an actuarial report and report to the Legislature had been prepared and would be sent to all members of the Legislature, House of Delegates and County Bar Association Presidents. The report was received with thanks.

6. Resolution supporting proposed court reform amendments. Mr. Russell provided background information on the resolution which urges second passage of court reform legislation. A motion was adopted approving the following resolution:

WHEREAS, the New York State Bar Association, acting through its House of Delegates, last summer urged first passage of the proposed constitutional amendments providing for merit appointment of judges to the Court of Appeals, improved court administration and management, and strengthened judicial discipline machinery; and

WHEREAS, the Legislature in special session thereafter gave first passage to such proposed amendments; and

WHEREAS, it is desirable to submit the amendments for consideration by the people at the earliest opportunity, and the consequences of delay will be an unseemly scramble for party nominations and popular election of the next Chief Judge, which should be avoided in the interest of the Court and the people; it is hereby

RESOLVED, that the New York State Bar Association reaffirms its support of the proposed court reform amendments and urges the Legislature to vote second passage without further delay so that the voters of the State may have the opportunity to express their views on the adoption of these amendments at the polls this November.

7. Report and resolutions of Action Unit No. 3. Mr. Palermo reviewed the report of his committee, a copy of which had been furnished to members of the House. His report was received with thanks.

8. Report of Committee on Unlawful Practice of the Law. Mr. Webster summarized the report of his committee, copies of which had been previously furnished to members of the House. He noted the inability of the committee to implement its opinions when voluntary compliance has been refused. He explained that the Attorney General's Office does not have sufficient staff to prosecute these cases, but that the Attorney General would deputize attorneys recommended by the Association to act in these cases. A motion was adopted approving, in principle, the suggestion that attorneys be sought who would agree to be deputized to act in these cases, but would act in their individual capacities and not in any way as representatives of the Association.

9. Report of Treasurer. Mr. Pritchard summarized his report which had been previously furnished to members of the House. His report was received with thanks.

10. Report of President. Mr. Russell reported on the following matters: (a) that John Berry had undergone surgery and that he was now at home making a steady recovery. He mentioned that he had been coming to the Bar Center on a regular basis during Mr. Berry's absence and complimented the staff for its fine work during this period; (b) his attendance at the ABA Mid-Year Meeting in Seattle; and (c) his attendance at numerous Association and Section committee meetings and speaking engagements before county and local bar associations.

11. Report of Chairman. Mr. Smith reported the following matters: (a) that he had attended a number of Association and Section committee meetings and (b) that it was necessary to fix a date certain for membership count to determine the number of delegates to which county and other bar associations are entitled for a one-year term commencing July 1, 1977, and that the officers of the Association chose April 5, 1977 as such date. A motion was adopted ratifying the action of the officers.

12. Date and place of next meeting. The next meeting of the House will be at The Playboy Resort and Country Club at Great Gorge, New Jersey on Saturday, June 25, 1977.