

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF HOUSE OF DELEGATES MEETING
NEW YORK HILTON MIDTOWN, NEW YORK, AND REMOTE MEETING
APRIL 2, 2022**

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PRESENT: Abneri; Adigwe; Alcott; Alomar; Arenson; Asher; Battistoni; Baum; Beltran; Berlin; Berman; Boston; Braunstein; Bray; Brown; Bunshaft; Burke; Buzard; Caceres; Chambers; Chang; Christian; B.Cohen; D.Cohen; O.Cohen; Cohn; Coreno; Crawford; D'Angelo; Dean; Degnan; Doerr; Effman; Engel; England; Evangelista; Fallek; Feal; Fellows; Filemyr; Finerty; Fogel; G.Fox; M.Fox; Franzella; Friedman; Gerbini; Gerstman; Getnick; Gilbert; Gilmartin; Gold; Good; Grays; Griesemer; Griffin; Gross; Gutekunst; Ha; Haig; Hartman; Heath; Hill; Himes; Hobika; Hoffman; Holder; Houth; Islam; Jackson; Jaglom; James; Jamieson; Jimenez; Kamins; Karson; Kaufman; Kelly; Kiernan; Kimura; Klass; Klugman; Kobak; Kretser; Kretzing; LaBarbera; LaRose; Lau-Kee; Leventhal; Levin; Levy; Lewis; Lindeauer; Lisi; Loyola; Lynn; Madigan; Marinaccio; Markowitz; Maroney; Martin; Matos; Mazur; McGinn; McNamara; Messina; Meulen; Meyer; Middleton; C.Miller; M.Miller; Minkoff; Minkowitz; Montagnino; Moretti; Mukerji; Napoletano; Nielson; Nowotarski; O'Connell; O'Connor; A.Palermo; C.Palermo; Pruzansky; Quaye; Quist; Radick; Ravala; Riano; Richman; Rosenthal; Russ; Russell; Ryan; Safer; Samuels; Sanchez; Santiago; Schram; Schrauer; Sciocchetti; Scott; Seiden; Sen; Shafiqullah; Sharkey; Silkenat; Silverman; Slavitt; Smith; Sonberg; Starkman; Stephenson; Stong; Strenger; Suzanne; Swanson; Tambasco; Taylor; Telfeyan; Treff; Triebwasser; Velez; Wallace; Wallach; Wan; Ward; Weis; B.Wertz; D.Wertz; Wesson; Westlake; Wimpfheimer; Wolff; Woodley; Zweig.

Ms. Levin Wallach presided over the meeting as Chair of the House.

1. The meeting was called to order and opened with the presentation of colors by the New York State Courts Ceremonial Unit and a rendition of the National Anthem.
2. Approval of Minutes of January 22, 2022, meeting. The minutes were deemed accepted as distributed.
3. Reports of Treasurer. Domenick Napoletano, Treasurer, reported that through February 28, 2022, the Association's total revenue was \$6,992,673, a decrease of approximately \$1.3 million from the previous year, and total expenses were \$2,872,314, an increase of approximately \$373,000 over 2021. Mr. Napoletano also reported on the termination of the lease to the Green Island print shop and relocation to another facility in the Albany area. The report was received with thanks.
4. Election of Nominating Committee and NYSBA Delegates to the ABA House of Delegates. Michael Miller, chair of the Nominating Committee, presented the report of the Nominating Committee.
 - a. Election of members of the Nominating Committee. The following were nominated for service on the 2022-2023 Nominating Committee:

District members and alternates of the Nominating Committee: First – Bridgette Ahn, Jai Chandrasekhar, Vincent Chang, Lisa Stenson Desamours, Adrienne Koch, Susan Lindenauer, Seth Rosner, Jay Safer, Stephen P. Younger, First Alternate Richard Swanson, Second Alternate Margaret J. Finerty, Third Alternate Mira Weiss; Second – Hon. Cheryl Chambers, Aimee Richter, and Alternate Andrea Bonina; Third – Elena DeFio Kean, Matthew Griesemer, Alternate Matthew J. Kelly; Fourth – Peter Coffey, Martin Gilmartin, Alternate M. Elizabeth Coreno; Fifth – Timothy J. Fennell, Michael E. Getnick, Alternate Donald C. Doerr; Sixth – Alyssa M. Barreiro, Kathryn Grant Madigan, Alternate Bruce McKeegan; Seventh – June Castellano, Amy Schwartz Wallace, Alternate Eileen Buholtz; Eighth – Norman P. Effman, Leah Nowotarski, Alternate Thomas O'Donnell; Ninth – Clare J. Degnan, James L. Hyer, John A. Pappalardo, Alternate Hon. Jonah I. Triebwasser; Tenth – Justin Block, Lynn Poster-Zimmerman, Second Alternate Ilene Cooper, two remaining members and alternate to be submitted; Eleventh – Richard Gutierrez, Zenith Taylor, Alternate Arthur Terranova; Twelfth – Samuel M. Braverman, Renee C. Hill, Alternate Steven E. Millon; Thirteenth – Jonathan B. Behrins, Robert Mulhall, Alternate Sheila T. McGinn.

A motion to elect the foregoing was adopted.

- b. Election of Delegates to ABA House. A motion was adopted to elect the following for a two-year term commencing in August 2022: T. Andrew Brown, Sharon Stern Gerstman, Henry M. Greenberg, Richard C. Lewis, and David P. Miranda.
 - c. Election of Young Lawyer Delegate to ABA House: A motion was adopted to elect Jacob Petterchak as Young Lawyer Delegate to the ABA House of Delegates.
5. Report of President. President Brown highlighted the items contained in his written report, a copy of which is appended to these minutes. He thanked the officers, members of the House of Delegates, Executive Committee members, and staff for their support during his term, and thanked the members of the House for their service.
 6. Presentation of 2022 Ruth Bader Ginsburg Memorial Scholarship Award. President Brown presented the inaugural Ruth Bader Ginsburg Memorial Scholarship Award to Sierra Sanchez, a second-year law student at the Maurice A. Deane School of Law at Hofstra University, in recognition of her academic achievements and commitment to advancing women of color in law.
 7. Address by Hon. Hector D. LaSalle – Presiding Justice, Appellate Division, Second Department. Presiding Justice LaSalle provided an update on initiatives being undertaken in the Second Department with respect to post-COVID court operations, virtual and in-person proceedings, and the Special Masters' program. He also spoke to the importance of cooperation between the bench and bar and support for the practitioner amidst change in the practice of law and changing client expectations. The Chair received the report with thanks.
 8. Report of The New York Bar Foundation. Carla M. Palumbo, President of The Foundation, updated the House members on Foundation activities, including the awarding of grants,

fellowships, and scholarships, and a review of The Foundation's 2022 Annual Meeting and Assembly of The Fellows. The report was received with thanks.

9. Report of Task Force on Racism, Social Equity, and the Law. Task Force co-chairs Taa R. Grays and Lillian M. Moy presented on the Task Force's ongoing work and its planned recommendations. The report was received with thanks.
10. Report and recommendations of Committee on Families and the Law. Committee co-chairs Linda Gehron and Susan B. Lindenauer, and committee members Angela O. Burton and Janet Fink, presented a "Resolution Addressing Systemic Racism in the Child Welfare System of the State of New York" and reviewed the proposals contained in the accompanying report. After discussion, a motion was made and the following resolution was adopted:

The New York State Bar Association recognizes:

Systemic racism resulting from the history of slavery in the United States exists within the NYS child welfare system, impacting Black families disparately. Collective responsibility of legislators, policymakers, judges and attorneys for creating, promulgating, maintaining, implementing and/or enforcing laws, policies, rulings and practices that have not adequately valued Black families and have often resulted in their unnecessary investigation and separation of families.

Systemic racism and disparate treatment of Black families in the NYS child welfare system have often resulted in:

Undue investigation into and control over Black families in New York.

Unequal and inadequate distribution of necessary resources for the preservation of Black families;

Unnecessary harm to children of color and poor children due to trauma of separation from their caregivers; and

The economic and social toll on communities and society as a whole.

WHEREFORE, it is

RESOLVED, that the New York State Bar Association shall

Promote action by legislators, policymakers, judges and attorneys to:

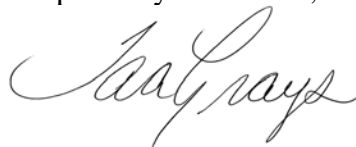
Create, promulgate, maintain, implement and/or enforce laws, policies, rulings and practices that value and preserve Black families; and

Bring about the repeal of child welfare laws and policies enacted upon racist goals and assumptions that disproportionately impact Black Families; or result in unequal consequences.

[Emphasis in original]

11. Report of Committee on Law, Youth, and Citizenship. Committee member Hon. Jonah I. Triebwasser reviewed recommendations on how the Association can commemorate Constitution Day through relevant programming, articles, publicity, and other public engagements. The report was received with thanks.
12. Administrative items. Ms. Levin Wallach reported on the following:
 - a. Motions to approve the designation of delegates filed by the county and local bar associations for the 2022-2023 Association year and to approve the filed roster of the members of the House for the 2022-2023 year were requested and approved.
 - b. She reminded delegates to renew their Association membership dues if they had not already done so and to encourage colleagues to renew or join the Association.
 - c. She noted that this meeting represents her last as Chair of the House and thanked the House for the opportunity to serve. She thanked the departing members of the Executive Committee and the House for their service and thanked the staff for their support. She introduced Richard C. Lewis as the next Chair of the House and presented him with the House's gavel.
13. New Business. Mark A. Berman and John H. Gross, co-chairs of the Task Force on the Post-Pandemic Future of the Profession, called for delegates to participate in upcoming two-hour focus group meetings to discuss the subject matter and ongoing work of the Task Force.
14. Date and place of next meeting. Ms. Levin Wallach announced that the next meeting of the House of Delegates would take place on Saturday, June 18, 2022, with options for participation in person at The Otesaga in Cooperstown or remotely via Zoom.
15. Adjournment. There being no further business to come before the House of Delegates, the meeting was adjourned.

Respectfully Submitted,



Taa R. Grays
Secretary



**Report of President T. Andrew Brown to the
House of Delegates of the New York State Bar Association
April 2, 2022**

A Vision for the Future – Forward into the Future

Dear Colleagues:

As with all previous times that I have had the honor to address the House of Delegates, it is once again my pleasure to thank you for taking time out of your busy lives to join us today. Whether you are here in person or have signed in virtually, your presence and participation is critically important to ensuring the vitality and longevity of our Association and determining its path forward. I greatly appreciate the investment you are making in the future of our organization, our industry, and your own professional development.

While we come together to conduct the business of our Association, we cannot ignore that we also come together at a time of great upheaval. I know we are all watching in horror at the war taking place in Ukraine and the significant humanitarian crisis this senseless violence has created. While it is easy to feel overwhelmed and powerless in times of international crisis, I am deeply proud of the efforts this Association is making to assist both our fellow attorneys in Ukraine and the refugees who have been displaced by the unwarranted attacks on their homeland.

Members of the International Section’s Ukrainian Task Force have worked around the clock over the last month to support our Ukrainian colleagues and have been in near-constant contact with the members of our Ukraine Chapter. I applaud the International Section’s Ukrainian Task Force and chair Edward Lenci for their dedicated efforts here – and I encourage all our members to assist in whatever way they can.

As an organization with members in over 100 countries, the New York State Bar Association has a special duty to promote, support, and protect international law and the rule of law. We stand with Ukraine, the Ukrainian Bar Association, and our Ukrainian members and will continue to identify ways for the Association and attorneys to help throughout this crisis.

Just last week, close to 750 attorneys participated in a special pro bono CLE webinar on how to help Ukrainian refugees apply for Temporary Protected Status or TPS. The designation allows those fleeing wars and natural disasters to seek protection here in the U.S.

Every lawyer has the opportunity to change someone’s life – if you have not already done so, I encourage you to reach out to our colleagues with the International Section and find a way to help in this time of extraordinary humanitarian need.

We will continue to build chapters around the globe and support our members wherever they reside – including by calling out and confronting egregious affronts to the rule of law and international peace such as the illegal invasion of Ukraine by the Russian Federation.

We are lucky here in the U.S. to be living in a relatively peaceful society and also to have the freedom to gather in person for a House of Delegates meeting in New York City for the first time in over two years.

It was wonderful to break bread with you last night at our House reception and dinner and at the diversity reception. And I am thrilled to be here today among the leaders of the Empire State’s bench and bar – as we gather again here in Manhattan to conduct important business on behalf of our organization.

Being here is also bittersweet. It was not all that long ago that New York City was the epicenter of the COVID-19 crisis and was all but shuttered in an effort to prevent the virus from spreading. Hundreds of our members, friends, and colleagues lost their lives in this pandemic. Meeting here makes this moment even more poignant. I am keeping all those who were impacted by the pandemic in my thoughts and prayers, and I ask that you do the same.

The pandemic was a pivotal moment in history that resulted in tremendous loss but also opportunities for transformation. From the outset, NYSBA led. We developed new ways to meet the needs of our members. We reimagined the delivery of member services. And in so many ways, we realized the purpose and potential of the Association “to apply its knowledge and experience in the field of the law to promote the public good.”

The NYSBA COVID-19 Pro Bono Network, which launched two years ago, has now helped over 3,200 New Yorkers with unemployment insurance matters. Our members help on many other fronts as well – supporting Afghan refugees, aiding New Yorkers displaced by Hurricane Ida, assisting our neighbors confronting the challenges of the ongoing housing crisis. We are grateful for all the service offered – indeed, only a few hours of legal help can make a difference in the lives of our fellow citizens. I must also note– as the managing partner of a small law firm myself – that so many of our most dedicated volunteers come from solo and small firm practice settings.

The ongoing work of the Task Force on the Post-Pandemic Future of the Profession reminds us that we cannot take the significant changes we have collectively experienced over the past two years for granted – including the role and use of technology, the future of legal education, and evolving workplace dynamics in the profession. I thank the Task Force members for their diligent work and look forward to supporting the report when presented to the House later this year.

All of our sections, committees, and task forces are hard at work, addressing issues critical to the state and country. That includes but is not limited to efforts undertaken by members of the Task Force on Racism, Social Equity, and the Law; Voting Rights and Democracy; and the Treatment of Transgender Youth in Sports. Support for disenfranchised communities has been a hallmark of my professional career and at the heart of my initiatives as your president. I continue to be moved and impressed by NYSBA’s willingness to confront societal challenges, address access to justice head on, and develop recommendations for changes in law and policy that will provide equal rights to all and truly help us form “a more perfect union.”

I am particularly proud to have chaired the Task Force on Racial Injustice and Police Reform which presented a report to the House that was adopted in June of 2021. And the work of making the sensible recommendations in that report a reality is ongoing.

Tackling racial justice advocacy must be more than just platitudes – it must be concentrated action to help “reclaim our brothers and sisters back into society.” With that in mind, I am thrilled to announce that last week the Executive Committee approved support of the Clean Slate Act, which, if enacted into law, would provide for the automatic sealing of certain conviction records. This is one simple step we can take to help confront the pervasive problem of racial injustice in the criminal justice system.

Other Association entities – including the Criminal Justice Section, the Task Force on the Parole System, and the Committee on Mandated Representation – continue to review the criminal justice system through the lens of both access to justice and racial justice.

And later today, the House of Delegates will vote on a resolution offered by the Committee on Families and the Law addressing systemic racism in New York State’s child welfare system. I commend the Committee for their thoughtful report and can tell you that I will be supporting this resolution. I also note that the Task Force on Racism, Social Equity, and the Law will give an informational update to the House this morning – I thank the members of this Task Force as they continue to draft the report and recommendations and look forward to the final report that will be presented before the House in Cooperstown this June.

In both Albany and Washington, the Association is lobbying vigorously for our legislative priorities including the long overdue increase to 18b rates, repeal of Judiciary Law 470, development of sensible gun control legislation, enactment of a right to counsel in immigration proceedings, and the implementation of the Chief Judge’s court simplification plan.

I have already said much, both today and in other addresses over the course of my term as president, on the importance of relevance. There is an old truism that “words without action are meaningless” – and indeed, continued relevance can only be ensured by deliberate and concerted action. I am announcing today that I have formed a new Strategic Planning Committee that is charged with developing actionable goals that will enable NYSBA to grow, retain, and better serve our members.

Taa R. Grays, NYSBA secretary and co-chair of the Task Force on Racism, Social Equity, and the Law, and Christopher R. Riano, Executive Committee member and chair of the LGBTQ Section, will chair the committee. The members have been strategically selected from across NYSBA – including members who have “been in the trenches” the last few years – bold leaders who are committed to driving our Association forward.

It has been over a decade since our Association last developed a comprehensive Strategic Plan to guide our operations, and truly, much has changed both within the practice of law and NYSBA itself over this period. We have had many organizational successes in recent years – such projects as the launch of the Virtual Bar Center, the successful pivot to webinars and hybrid programming during the COVID-19 crisis, a revamped multi-prong communications strategy, and focused

advocacy on innovative public policy initiatives – but there is much left to be done to guide our organization forward. We must ensure the full participation of our members in the activities, benefits, interests, and successes of the Association – this is the key to our future.

Simply put, it is my charge that the Strategic Planning Committee will secure NYSBA’s continued preeminent position in influencing and driving change in the law and the legal profession. As we approach our 150th anniversary in 2026, we must ensure that our Association remains relevant, nimble, adaptive, and strong, not just for the next decade, but for years beyond.

To help move forward, we have recommitted to the importance of diversity at all levels and activities within the Association – indeed, diversity is a foundational element to the continued success and livelihood of NYSBA, and I thank the Committee on Diversity, Equity, and Inclusion for their outstanding and constant work helping us improve. Equally, we have been reminded of the importance of focusing on generational changes in the practice of law, the legal profession, and certainly the role of the bar association.

We have also realized that there are new and exciting ways to engage with our members – including through remote events, virtual public forums, CLE webinars, and hybrid meetings like today’s meeting of the House of Delegates. As we gradually return to in-person events, we cannot forget the ease by which technology allows us to connect with so many more attorneys than before – and we have an obligation to our members and the public to ensure that our Association remains as accessible as possible.

Colleagues, it has been the privilege and pleasure of my professional career to serve as the one-hundred and twenty-fourth president of the New York State Bar Association. I wish to thank my fellow officers and friends President-Elect Sherry Levin Wallach, Immediate Past President Scott M. Karson, Treasurer Domenick Napoletano, Secretary Taa R. Grays, and President-Elect-Designee Richard C. Lewis, for their strong support over the course of my presidency. I also wish to thank the members of the Executive Committee, our section and committee chairs, and you, the members of the House of Delegates, for your exemplary leadership and service to our Association. And I would especially like to thank our staff for their diligent efforts to ensure that NYSBA is – and will continue to be – the greatest and most impactful bar association in the country.

We must not overlook the importance of this moment. We will not wait to seize this opportunity. I challenge you, the leaders of our Association and the profession, to commit to building a better NYSBA for the good of our Association, for the good of our members, and for the good of our state as a whole.