

NEW YORK STATE BAR ASSOCIATION



Helping Lawyers, Helping Clients

2008-2009 Report to Membership



2008-2009 Report to Membership

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Helping Lawyers, Helping Clients

“Our members and our indefatigable staff have impressed me with their willingness to undertake projects, a desire to make a difference in our profession and in clients' lives, and an overall infectious enthusiasm—a belief that despite the challenges and rocky economic road we have faced this year, we can do better; we can continue to improve our laws and do more for society and our profession.”



President Bernice K. Leber

The Year In Review

“Helping lawyers, helping clients.” This theme has guided us and our great Association this year. As your 111th President, I would like to update you about the progress made this year. During these difficult economic times, we focused on you, our members, who face considerable challenges in your everyday practices. We also focused on your clients, those who need our help and who also directly benefit from improving our laws and court processes. With the leadership of my predecessors (including Vince Buzard, Mark Alcott and Kate Madigan) and working collaboratively with your incoming President Mike Getnick, and his successor, Steve Younger, together with the Executive Committee, House of Delegates, sections, committees and capable staff, we have unified to strengthen and pursue those issues that most affect you. Our members and our indefatigable staff have impressed me with their willingness to undertake projects, a desire to make a difference in our profession and in clients’ lives, and an overall infectious enthusiasm—a belief that despite the challenges and rocky economic road we have faced this year, we can do better; we can continue to improve our laws and do more for society and our profession. Space does not allow me to detail every initiative. Below, I highlight some of them.

Helping You, As Lawyers

First and foremost, you who comprise our 80,000 members, matter most to our Association. Retaining you as members and continuing to grow our membership (up from 74,000 last year) are essential to our organization. Thus, as a new and fundamental part of our legislative mission this year for the first time, we added “lawyers and the legal profession” to the short list of our legislative priorities—on both a state and federal level. After the government announced the Temporary Liquidity Guarantee Program, designed to boost the banking system, few noticed that it included an interim rule that denied full insurance coverage for interest on lawyer trust accounts (“IOLA”). In addition, with IOLA here in New York supporting access to justice programs, provision of free civil legal services to the poor was at risk. We worked to secure FDIC insurance for IOLA accounts by writing over 350 letters to members of Congress and the FDIC about the fallout from such a rule and thereby obtained insurance coverage to lawyers’ accounts. Of the 500 who wrote from across the U.S., New York State Bar lawyers were thus the largest voice on this issue in Washington.

We also tracked any legislation or court rules that would affect lawyers in the practice of law. One proposal this year to solve the budget deficit concerned new fees upon lawyers. We successfully wrote and met with legislators, Office of the

Budget and the Governor to lobby against raising fees to take the bar examination, fees to file a motion in civil court, or higher fees for filing actions in Supreme Court and motions. We also successfully opposed an unsound jury bill that would have unwisely permitted Article 78 appeals during the jury selection process. We also opposed bills that would prevent lawyers from serving as title insurance agents. On the federal level, taking off from Vince Buzard’s efforts to organize members around the State with their congresspeople, I began a more formal committee this year, the Federal Legislative Priorities Committee, chaired by Steve Younger (Patterson Belknap LLP). This Committee targeted issues again that affect you and the profession. By April, we lobbied members of Congress to enact measures that will protect the attorney-client privilege in the wake of the Thompson Memoranda and secured support from Senator Charles Schumer and Congresswoman Carolyn Maloney both of whom offered to co-sponsor such legislation. For the first time in bar history, we also asked for and Senator Charles Schumer agreed that the State Bar would review candidates for the federal bench in order to ensure greater diversity and seek the best and the brightest members of our profession to serve. A. Vincent Buzard, one of our former State Bar Presidents (Harris Beach LLP), will chair this distinguished and important committee. I know that Mike Getnick, the 112th President, has already pledged to continue keeping lawyers as the top priority of our Association’s work so that you, the members, remain at the continued heart of our work in the coming year.

Closer to home, the theme of “Helping Lawyers” took on a profoundly personal dimension this year as the number of unemployed lawyers grew. Again, these difficult times called for an immediate response. In the fall 2008, I therefore asked Lauren J. Wachtler (Mitchell Silberberg & Knupp LLP) who chairs our Committee on Lawyers in Transition, to create specific programs for our members. The response has been overwhelming: on April 22, 2009, more than 350 attorneys attended the first in a series of working sessions designed to coach lawyers on resume building, transitioning to new areas of practice, networking to locate jobs and interviewing. The tools provided are readily available to download from our Web site: www.nysba.org/lawyersintransition. With assistance from Claire Gutekunst, chair of our Membership Committee, and Gary Munneke, chair of our Law Practice Management Committee, Lauren also created a special blog for attorneys, found coaches for lawyers, and single-handedly set up a state-wide network of members to assist lawyers. With the loss of a job often comes depression and related drug dependency. Our tireless Chair Sally Kraus of the Lawyers Assistance Program

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and Pat Spataro, our State Bar staff director, have worked to coordinate programs on depression and drug addiction in reinforcing the State Bar as a holistic place where lawyers and their families may call and find professional help—especially during these severe times.

Keeping pace with the massive technological and economic changes affecting us daily, I called upon Robert Ostertag, (Ostertag O’Leary & Barrett) one of our former Bar Presidents, spiritedly undertook a renewed study—aided by his capable team of similarly situated, geographically diverse lawyers. They tackled some of the big issues we face and prepared a report and recommendations for consideration by our House of Delegates at our upcoming June meeting. In focus groups that the State Bar conducted of a cross-section of our members this Spring, small and solo law firm lawyers who comprise 56% of our members, shared a profound concern over their practices and how the State Bar can help them thrive. By keeping ahead and by placing a targeted emphasis on our lawyer-members and by providing a concerted focus on you as lawyers, we have remained true to a core mission of the State: improving the profession.

Helping Clients

As the largest voluntary State Bar in the nation and as a leader in innovation and improving the law, we must continue to remain part of the solution for our clients, as well as assist lawmakers and court to implement fundamental legal policies that improve justice for all. To that end, the second prong of my focus this year was “helping clients.”

Wrongful Convictions

Last June, I asked Hon. Barry Kamins to chair (with my Arent Fox Partner, Scott Peeler to act as Secretary) and create the Task Force on Wrongful Convictions. Putting together a balanced group of prosecutors, defense counsel, judges, civil litigators, law school professors and good government groups, they were the first in this state to study all the causes of wrongful convictions. Barry and I have received over 200 requests from prisoners and their loved ones seeking to expand the study beyond the 53 cases that the task force tackled. The House of Delegates approved the report in April 2009. Ranking members of the New York Legislature and Chief Judge Jonathan Lippman have hailed the report, expressing interest in implementing legal reform. We have begun to meet with the Governor’s counsel and legislators in order to implement many of the recommendations into law. High on the priority list are: double blind administration of the identification procedure; improvements in lineups; expanded jurisdiction of the Forensic Science Commission including best practices for retaining DNA and other evidence; and expanding

custodial interrogations by electronically recorded means. Significantly, we also are advocating for reentry assistance for wrongfully convicted individuals. This will surely be a lasting tribute to Barry and his team.

Global Warming

In June 2008, I also invited Michael Gerrard, now director of Columbia Law School’s new Center for Climate Change Law, to study and propose a list of priorities for legislative, executive, agency and municipality action in order to reduce the effects of global warming. In a cogent legal study, co-sponsored by the Environmental Law Section, Michael and leading lawyers who concentrate in environmental law (along with a cadre of law students from Columbia Law School) took a fresh look at the key legal steps that must be undertaken in order to reduce greenhouse gas emissions 80% by 2050. The House of Delegates approved the Report in April 2009. The proposals for legal reform include, for example, amendments to the State Energy Code to cover more building renovations than presently exist and SEQRA regulations to consider greenhouse gas effects on the environment. The New York State Environmental Conservation Department has already embraced a recommendation in the report, which requires that whenever energy use or GHGs are significant in a development project, a developer would be required to report on it and mitigate its effects. We spoke with Congressman Eliot Engel and the other congresspeople in the NY Delegation who have expressed support and help in providing analyses on current energy proposals before Congress. We also held meetings with the Governor’s counsel, State legislators and Committee staff and have been given the green light to prepare amendments to bills pending in the Legislature in order to implement specific legal reforms in the report.

Courthouses

Courtrooms and courthouses can be intimidating places for clients and some are less than user-friendly for lawyers and their clients. The Task Force on the State of our Courthouses, chaired by Sharon Porcellio, Hon. Melanie Cyganowski and Greg Aronson, (my colleagues in the Commercial & Federal Litigation Section), began studying our courthouses across the state this year at my request. Undaunted and driven, they managed to complete a statewide survey and analyze how to make courthouses more user-friendly for lawyers and clients, judges and court personnel. This report and recommendations will be presented to the House of Delegates at our upcoming meeting.

Mortgage Foreclosures

The mortgage foreclosure crisis has absorbed us, lawyers and clients alike this past year, whether it concerned loan restructuring, bankruptcy or predatory lending, for instance.

In September 2008, the Legislature enacted a moratorium, banning the filing of mortgage foreclosures for the 4th quarter and providing for mandatory settlement conferences for so-called “toxic” or subprime, “high end” mortgages. Peter Coffey, Anne Reynolds Copps, and our CLE Director Terry Brooks organized free CLE programs on how to handle a mortgage foreclosure proceeding so that lawyers could help those who could not afford a lawyer. With the Queens County and Brooklyn Bar Associations, we held a CLE program in Queens County, where over 250 lawyers promised to give free help to homeowners threatened with the loss of their homes. The CLE program is available on our Web site. Peter, Anne and Terry then produced a wonderful “People’s Law School” video for the public. This video, “Saving Your Home from Foreclosure,” describes in plain English the rights that homeowners have during foreclosure proceedings. Over 450 visitors alone have heard the program at the Web site. These programs were among the first in the nation to address the needs of the poor and middle-class.

Rockefeller Drug Laws

Another compelling issue that we tackled this year is reform of the Rockefeller Drug laws. The State Bar has long-championed giving judges the authority to determine sentencing outcomes with respect to drug crimes. During a series of meetings that we began with the Governor’s counsel in October 2008 to discuss funding for civil legal services, I raised the possibility of Rockefeller Drug reform with the Governor’s counsel for the January start of the Legislature, which was favorably accepted. A trio of dedicated lawyers on our Executive Committee (Seymour James, David Cohen and Vincent Doyle) prepared thoughtful legal positions for the Association, which I used to advocate for needed reforms in letters and meetings with legislative leaders. In April the Governor and Legislature enacted drug law reforms that strike the right balance by providing rehabilitation services where they are most needed while at the same time ensuring that strong penalties for drug kingpins remain the focus of criminal prosecutions.

Privacy

Privacy law continues to concern lawyers and their clients. Whether dealing with identity theft, producing documents with sensitive information covered by privacy laws or advising others on the disclosure of health information, we must be aware not only of our clients’ needs but also our own. Here, I called upon Alison Arden Besunder and Kelly Slavitt to review the laws on privacy in the areas of health law, financial statutes, labor law, intellectual property and criminal law. They held the first Lawyers and Clients Summit to share ideas on the report. In this timely report, which was also approved by the House of Delegates in April 2009, for the first time addressed

privacy laws and made comparisons of how the laws as a whole work and impact us. Their work covers the meaning and implications of privacy and the attorney-client privilege, document retention, identity theft, protection of health information, social security numbers and the like.

Helping Others In Crisis

Speaking of help, we were assiduous this year (as Kate Madigan did last year) in helping restore the budget for civil and criminal indigent defense services. This year we went to work upon learning that the Governor initially proposed zero funding for civil legal services. We spearheaded hearings before the Legislature, worked closely with Assembly Chair Helene Weinstein and both Mike Getnick and I testified before the Judiciary Committee. We wrote letters and had meetings with the Senate Judiciary Chair John Sampson. At budget time, monies were restored to last year’s levels and increased for indigent legal services.

Diversity

Achieving greater diversity is vital among our members, our profession and our State Bar leadership. In December, Lillian Moy, who Chairs our Committee on Minorities in the Profession, Glenn Lau-Kee and I held a lunch for minority bar presidents. Over 40 bar leaders came to share ideas on how best to promote their associations, help their communities and promote future leaders in the State Bar. Lillian then followed up in January during Annual Meeting week with a conference designed especially for minority bar association leaders. With Lillian at the helm, we will make a lasting impact on increasing the diversity in our profession and in the State Bar.

Presidential Summit

Over 500 lawyers attended the Presidential Summit during our Annual Meeting in January, to learn more about the economic crisis and climate change. Speakers from the financial services industry, government and academia explained where things stood and should go. Steve Younger secured the memorable closing address by Dick Parsons and assisted, along with Mike Gerrard, in coordinating speakers for the conference, for which I thank them.

Final Thoughts

From my perspective, a year is a very short period of time. Working together, we have accomplished much. I have a had a wonderful run—watching our initiatives reported nationally and statewide in 270+ newspapers and media. The commitment and dedication that YOU bring are what continue to make our State Bar as great as it is. Thank you again for giving me the honor of serving the State Bar.



Helping Lawyers, Helping Clients: Advancing the Profession

The State Bar's action to oppose fee increases "is consistent with a top legislative priority of the Association: keeping alert to actions and proposals by the government that would impact on the profession, and opposing those that unfairly target or burden lawyers." President Bernice K. Leber

State Bar Advocates for Profession

The State Bar continued its advocacy efforts on a wide variety of issues, including increasing access to the justice system, funding for civil legal services, creating an independent indigent defense commission, judicial salary reform, equal legal rights for same-sex couples, the Compact for Long-Term Care, the Uniform Mediation Act, and support for the legal profession.

Judicial Salary Reform

Salaries of New York judges were last adjusted in 1999, when they were brought in line with salaries of federal district court judges. Since then, New York judicial salaries have fallen far behind those of federal judges, judges in other states and even behind the salaries of first-year associates in many large law firms. It is vitally important to have salaries that do not impose financial limits that might deter highly-qualified individuals from seeking judicial office, and to ensure that judges are fairly compensated on an ongoing basis. In 2008 and 2009, the State Bar has continued to urge the Legislature to give judges a much deserved and overdue raise, so that we can continue to attract the most qualified individuals to serve on the bench.

"While we cannot ignore the reality of the economically perilous times in which we live, we also must recognize the importance of reforming judicial salaries," said President Bernice K. Leber. "Judicial salaries reflect the value society places on the important work our judges perform, and it is of paramount importance to compensate judges fairly and without further delay."

Opposing Fee Increases

In view of the current economic crisis, state policy-makers drafted a proposal to generate \$35 million in revenue by adding fees and surcharges that would have affected litigants and the legal profession. Among the ideas

discussed by budget negotiators were proposed increases in the fees to purchase an index number and to take the bar exam, and two new fees—a "motion fee" in lower courts (civil court in the City of New York, district and upstate city courts, where individuals often appear pro se) and a fee on certain arbitrations.

The State Bar opposed any increase in fees that would further impede access to justice. In the course of a few hours, the State Bar, by letters, telephone calls, and in-person meetings, voiced concerns over this matter to the counsel to the Governor, the Division of the Budget, the Office of Court Administration, and the leaders of the state Legislature. The proposed fee increase was not included in the final budget legislation. The State Bar's action to oppose fee increases "is consistent with a top legislative priority of the Association: keeping alert to actions and proposals by the government that would impact on the profession, and opposing those that unfairly target or burden lawyers," said Leber.

Jury Reform

The Committee on Civil Practice Law and Rules continued its tradition of reviewing and commenting on legislation that impacts the statute that is so critical to litigation practice in New York. The proposed bill (A.11715) purported to clarify the manner in which jurors are selected in civil cases in the supreme and county courts, by making explicit that jury selection shall be conducted in the manner provided by the rules of the Chief Administrator of the Courts. The State Bar opposed the bill, believing it would have resulted in severe delays for jury trials, as well as raised constitutional issues regarding the provision for the Chief Administrative Judge to designate a supervising justice for *voir dire*.

In response to Governor Paterson's veto of the bill, President Leber stated, "We are very pleased that Governor

Paterson's analysis of this legislation led him to conclude, as did the State Bar, that this hastily drafted bill should be vetoed. While the intent of the bill was to clarify the jury selection process in civil cases, in fact, it would severely disrupt and lead to new, uncertain outcomes in the jury selection process, which is anathema to the trial process."

Power of Attorney

Another example of the State Bar's efforts to serve the profession and the public is seen in connection with the new state law on power of attorney. Legislation to amend title 15 of the General Obligations Law regarding gifting provisions to address issues regarding an agent's fiduciary relationship to the principal has for a number of years been an issue of great interest to practitioners and public interest advocates. The Assembly passed legislation on this topic in June 2008, prior to the end of the regular legislative session. However, the bill was not passed by the Senate until December 15, 2008, and it was not delivered to the Governor until December 30. Chapter 644 of the Laws of 2008 was ultimately signed by the Governor on January 27, 2009. The new legislation brings significant changes to the process for creating a Power of Attorney relationship.

Due to the time of the year that this bill was passed, an issue arose regarding the effective date—March 1, 2009—of the new statute. Leaders from the Association's Trusts & Estates Law and Elder Law sections were of the opinion that the extensive statutory changes warranted extending the effective date of the law, in order to allow practitioners and consumers to take into account the differences between the old law and the new law.

With the assistance of the sections' leaders, the Department of Governmental Relations reached out to the Governor's office and the Legislature to request extension of the effective date from March 1 to September 1, 2009. As a result of this effort, Chapter 4 of the laws of 2009 was enacted on February 25, 2009, extending the effective date to September 1.

Committee on Court Structure and Judicial Selection

The Committee on Court Structure and Judicial Selection, chaired by Past President G. Robert Witmer, Jr., presented an analysis of a September 2008 report by the Special

Commission on the Future of the New York State Courts, which made recommendations on improving justice courts.

The committee supported all of the Commission's recommendations except an "opt-out" provision, which would allow defendants in justice courts to demand that their cases be heard by an attorney-justice. The committee noted that the provision would lead to substantial delays and reduce public confidence in the justice court system. The State Bar House of Delegates approved the committee's report and voted to support the Commission's recommendation for an opt-out procedure.

Committee on Standards of Attorney Conduct

In December 2008, the Appellate Division announced the adoption of new Rules of Professional Conduct to replace the Code of Professional Responsibility, based upon the Association's recommendations developed by the Committee on Standards of Attorney Conduct. The rules became effective April 1, 2009.

"Because voluntary compliance with ethics rules is critical to maintaining the integrity of the Bar, it is essential that when lawyers have ethics questions they are able to locate easily and understand readily the rules governing them," said Committee Chair Steven C. Krane. "The structure of the Model Rules of Professional Conduct provides a

more readily accessible source of ethical guidance for New York lawyers than does the current Code of Professional Responsibility. We are therefore very pleased that the courts have decided to adopt the format of the Model Rules for the lawyers in New York."

Lawyer Advertising

In January 2009, the Second Circuit heard oral arguments in *Alexander v. Cahill*, which challenged the constitutionality of some of the rules governing lawyer advertising that were adopted by the Appellate Division in 2007. The Association participated as amicus before the Second Circuit, and President Leber, who chaired the State Bar's Task Force on Lawyer Advertising, presented the argument on the State Bar's behalf.

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The Voice of the Profession

In 2008-2009 the State Bar continued to be the voice of the profession, speaking out on behalf of members and the public to various local, state and national media outlets on a wide variety of important topics affecting the legal profession. This outreach led to extensive media coverage of many successful State Bar initiatives and also provided several opportunities for our members to showcase their expertise on key issues, such as mortgage foreclosures and improving access to justice.

The Association also continued its efforts to enhance the image of the profession and to better educate the public through a series of radio campaigns. Partnering with the New York State Broadcasters Association, the State Bar produced a series of Non-Commercial Sustaining Ads (NCSAs) that ran in the fall of 2008 and spring of 2009.

The fall campaign featured three radio spots covering critical legal rights issues including reducing the number of wrongful convictions, protecting attorney-client privilege, and making our courthouses more user-friendly to the public they serve. The radio spots played on stations across New York, from Buffalo to Long Island, and aired more than 4,650 times. The spring campaign also featured three radio spots that highlighted climate change, mortgage foreclosures and civil Gideon. The State Bar received more than 270 placements in media outlets this year.

More than 22,900 potential clients called the State Bar's Lawyer Referral and Information Service (LRIS) last year. One attorney collected over \$220,000 from a case.

In keeping with President Leber's theme of "Helping Lawyers, Helping Clients," the Association's Lawyer Referral and Information Service also produced two radio spots promoting the ability to assist the public in finding attorneys who could provide legal advice and assistance during these challenging economic times. These spots aired more than 4,200 times on stations across the state over a four-week period in January-February 2009.

Committee on Lawyer Referral Service

More than 22,900 potential clients called the State Bar's Lawyer Referral and Information Service (LRIS) last year. The LRIS receives inquiries from all over the United States, as

well as from foreign countries. The LRIS is recommended to potential clients by various courts, community and state agencies. One attorney collected over \$220,000 from a case.

The committee presented the Capital District Women's Bar Association Legal Project, Inc. ("The Legal Project") with the 2009 Angelo T. Cometa Award. The Legal Project, a private, non-profit organization, provides legal information and representation for battered women and their children in family court, and also provides civil legal services for the working poor.

Lawyer Assistance Program

The New York State Bar Association Lawyer Assistance Program (LAP) provides education and confidential assistance to attorneys, judges, and law students who are affected by alcoholism, drug abuse, gambling, depression, stress or other mental health issues. Volunteers from the legal community along with a staff of licensed mental health professionals provide compassionate, competent services. LAP also provides assistance to colleagues, law partners, and family members who are concerned about a member of the legal community.

On October 30, 2008, the Second Annual Volunteer Appreciation Dinner was held at the State Bar Center. Volunteers were recognized for their dedication and commitment to the life-saving work of the statewide LAP.

The Lawyer Assistance Committee presented 24 CLE programs in 2008 attracting 2,000 participants and also gave presentations at several New York State law schools.

In May 2009, the Lawyer Assistance Program and NYSBA's Lawyer Assistance Committee co-sponsored the 19th Annual Spring Retreat at the Silver Bay Association in Silver Bay (Lake George), New York. This well-attended and inspirational annual event brings together attorneys, judges and others concerned about the problem of substance abuse and mental health issues in the legal profession to share their experience, strength, and hope as well as develop strategies for outreach in a serene, relaxed atmosphere.

Initiatives to Improve the Practice of Law

Task Force on Privacy

President Leber appointed this task force to identify certain privacy issues impacting lawyers and their clients in the areas of health, criminal law, employment, litigation, business, and intellectual property law. Since its formation

in early October 2008, the task force has grown to include 26 attorneys with representative interests in six identified areas. The House of Delegates unanimously approved the task force's final report in April 2009.

Special Committee on Solo and Small Firm Practice

The Special Committee on Solo and Small Firm Practice was created to study the issues and challenges currently confronting attorneys who work in solo practices and small firms. Chaired by Past President Robert L. Ostertag, the committee has undertaken a comprehensive study of specific issues and challenges facing solo practices and small firms, and recommended ways in which bar associations, the courts, and other entities can assist these practitioners in meeting these challenges and will recommend new programs, benefits, resources, and services that should be developed in the future, with an eye toward achieving successful law practices and balanced lives for the attorneys working in these firms.

“Solo and small practice firms represent nearly 60% of the Association’s membership, and we are always looking to provide new ways to help these firms succeed,” said President Bernice K. Leber. “Coupled with the recently created Solo/Small Firm Practitioner Resource Center on NYSBA’s Web site, this new special committee is a tremendous asset that provides even more opportunities for solo and small practice firms to grow and thrive.”

The newly-created Solo and Small Firm Resource Center provides a comprehensive set of resources targeted to meet the needs of the solo and small firm practitioners. The Center launched a blog geared to solo and small firm practitioners in May. Receiving 11,500 views in its first year, the Web site features a number of specific tools for lawyers, including news articles, marketing tips and a compilation of forms. To take advantage of these resources, visit: www.nysba.org/solo.

Task Force on the State of our Courthouses

The task force was charged with studying ways to make courthouses in New York more user-friendly for clients, lawyers and judges. “Courthouses have a direct impact upon peoples’ lives, the delivery of justice, the rule of law and the legal profession,” said Leber. “For many people, a courthouse can be an intimidating place, and this task

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force is examining the conditions that currently exist from whether there is adequate meeting space for confidential discussions to whether there is basic information available to people as they walk in the door and provide recommendations on how to improve on the conditions that currently exist.”

The task force began by conducting a survey of members of the bar, judges and their staffs and visiting a representative sampling of

courthouses throughout New York. Based on the findings, they presented an informational report on courthouse conditions to the House of Delegates at the April 2009 meeting. A final report is expected in June 2009.

**Building Diversity in the Profession
Committee on Diversity and Leadership Development**

On January 27, 2009 the Committee on Diversity and Leadership Development presented a program at Annual Meeting moderated by Immediate Past President and Committee Co-Chair Kathryn Grant Madigan. The program, “A Lawyer Walks Into a Bar...,” focused on educating individuals on the obstacles they will face when seeking leadership positions within bar associations and how to overcome them.



Immediate Past President Kathryn Grant Madigan moderates the enthusiastic discussion at the Committee on Diversity and Leadership Development’s program “A Lawyer Walks Into a Bar...” on January 27.

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Committee on Minorities in the Profession

The committee's work during the past year helped set the stage for a groundbreaking summit held on January 26, 2009 during the State Bar's Annual Meeting.

"Miles to Go—Moving Forward Together," was convened by President Bernice K. Leber and sponsored by the Committee on Minorities in the Profession. The program was designed to introduce leaders of the State Bar to leaders of minority bar associations throughout the state. The summit focused on specific areas identified as priorities for joint projects and future collaboration: networking and mentoring, the development of leadership opportunities for minority bar association leaders, and efforts to diversify the legal profession.

As a result of the information gathered during the meeting, working groups were formed in the areas of Networking/Leadership Opportunities, Diversity and CLE/Member Benefits.



Lance Clarke, immediate past president of the Nassau County Bar Association, speaks to more than 80 high school students on pursuing a career in law at the Youth Law Day at Hofstra University School of Law on March 6.

In March 2009, the committee hosted a Youth Law Day program at Touro College, Jacob D. Fuchsberg Law Center. Youth Law Day programs are one-day events uniquely tailored to boost minority enrollment in law schools.

Committee on Women in the Law

The Committee on Women in the Law presented a CLE program titled "Advancing Women in the Law: Past Triumphs, Present Accomplishments and Future Challenges" at Annual Meeting in January 2009. The three-part program, featuring panelists Hon. Dora L. Irizarry and the 2009 Diversity Trailblazer Award recipient Laurie N. Robinson, examined the challenges experienced by women and minorities in the workplace, such as work/life imbalance, unequal pay, slower promotions, a lack of family-friendly

policies, and a disproportionate number of male partners and judges. In April 2009, the committee presented "Women on the Move: In the Driver's Seat," which included a keynote address on leadership by President Leber.

Smooth Moves

The **Commercial and Federal Litigation Section** presented "Smooth Moves III: Business Development Strategies for Attorneys of Color in Challenging Economic Times" on March 25 at the Lincoln Center for the Performing Arts. The program imparted practical advice from a panel of experts on effective techniques toward developing a client base in a down economy, including expanding subject matter expertise, mining business contacts, and other ways to proactively translate contacts into lucrative business.

Special Committee on LGBT People and the Law

Immediate Past President Kate Madigan formed this special committee to promote equality in the law for LGBT people; eliminate discrimination against LGBT attorneys and litigants; promote equality of opportunity for, and increase the visibility of, contributions made by LGBT attorneys; and promote diversity in the bench by inclusion of all minorities, including LGBT people.

In January 2009, the special committee held its inaugural annual meeting program: "Meeting the LGBT Client: Intake Assessment and Intake Strategies." The workshop provided an overview, primarily for non-LGBT attorneys, concerning the legal issues that may be raised at the beginning of the attorney-client relationship.



Committee on Minorities in the Profession Chair Lillian M. Moy and President Bernice K. Leber congratulate Laurie N. Robinson, founder of Corporate Counsel Women of Color, upon receiving this year's Diversity Trailblazer Award at the Celebrating Diversity Reception in January.

Helping Lawyers, Helping Clients: Supporting our Members

*“Our uniqueness as a statewide association allows our members to see the State Bar as an organization that contributes to their professional growth through a vast array of programs, resources and services.”
President Bernice K. Leber.*

Membership Challenge

The State Bar Leadership continued efforts to meet the 2010 Membership Challenge. The goal is to achieve a 5% increase in Association membership and an annual 10% increase in section membership through 2010. This year, the Association’s membership grew 3%, or about 2,109 members, which was the largest single-year increase in more than a decade. There are currently more than 35,600 members enrolled in a section, a 4% increase from last year.

“In New York, lawyers can join any of 200 other bar and judicial associations. Our uniqueness as a statewide association allows our members to see the State Bar as an organization that contributes to their professional growth through a vast array of programs, resources and services,” said President Leber. “Our management team under the direction of Patricia Bucklin and our Membership Committee under the guidance of Chair Claire Gutekunst should be commended for their hard work and extraordinary success in this area.”

Factors for the growth include: strategic attention to membership development and retention; in-depth research conducted by the State Bar to meet ever-changing member needs; and increased professional development opportunities for members to get involved in the Association.

Spotlight on Member Benefits

Insurance

With more than 76,000 members, the State Bar can provide a wealth of resources often at a discounted rate. Three new preferred provider organization plan designs offering comprehensive medical and prescription coverage are now available to meet the needs of solo,

small and mid-sized firms with competitive, regionalized rates. Members and their employees now have access to competitive rates, an extensive provider network and dedicated customer care.

The Committee on Association Insurance Programs recommended, and the Executive Committee approved, a new health insurance program for members offered through MVP Health Care and administered by USI Affinity, the Association’s insurance administrator. In addition, a new dental program became available, offered through United Concordia and also administered by USI Affinity.

Case Law Updates

Members can receive the latest updates through CasePrepPlus, a weekly service highlighting and summarizing the most recent and significant New York appellate cases (with links to the full opinions), and Second Circuit and U.S. Supreme Court cases having significance for New York practitioners—plus alerts and reminders about recent legislation and uniform rules changes. This is distributed to members as a weekly listserv message. A 15% discount to a full-service package also is offered.

Providing Cutting-Edge CLE

During 2008, the Continuing Legal Education Department presented 72 topics and 209 programs around the state, including 11 telephone conference/Webinar events and 18 video replays, with a live commentator present at the video replay to answer questions. Attendance figures for 2008 exceeded 21,000 registrants for these events. The 2009 Webinar, “Meet the New York Rules of Professional Conduct—What’s New, What’s Changed and What’s Remained the Same,” attracted more than 480 participants.

The State Bar’s CLE programs are accredited for more MCLE-approved alternative formats for delivery of CLE

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programs in New York than any other sponsor of CLE in this state. The department recently received accreditation for webconferences and webcasts, and commenced programs in those formats in spring 2009. The two-day Bridging the Gap program held last fall in New York was another great success, offering a new alternative delivery format as a means of participation for recently admitted attorneys in the Albany area. In addition to the live session held in New York, the program also was broadcast via simultaneous interactive video conference to an audience at the State Bar Center in Albany. Feedback from the attendees at both sites was positive—attendees enjoyed the interactive video conference option and indicated that they would participate in more of them in the future.

The department will add two new institutes to its offerings in 2009: one will be in the area of international law, and another will deal with health law. The Corporate Counsel Institute and two trusts and estates institutes will be presented in 2009.

State Bar Publications

The State Bar also publishes many invaluable reference books and form products. Written by leading attorneys, judges and experts in the field, this ever-growing reference library includes some of the most authoritative books available to New York attorneys on New York law. They are available for purchase at exclusive discounts for State Bar members.

More than 30 books, supplements and form products were released in the past year, including *The Plaintiff's Personal Injury Action in New York State*. This two-volume, 1,734-page reference includes 43 chapters and covers all aspects of a personal injury action. Edited by Patrick J. Higgins, this comprehensive text was written by some of New York's most experienced personal injury lawyers.

The 2008–2009 edition of NYSBA's New York Practice Monograph Series was released in early 2009. Sponsored by the **General Practice Section**, the Monograph Series focuses on handling a basic case or transaction, filling the gap between sketchy outlines—which are of little help for the novice attorney—and the voluminous reference sources that are often too general or too difficult to understand. These monographs are updated annually and include many sample forms, checklists and other exhibits. A full list is available at: www.nysba.org/pubs.

Serving non-residents

The House of Delegates approved an amendment to the bylaws to designate two out-of-state members as

members to the House of Delegates. In 2008, the State Bar began webcasting House of Delegates meetings and the Presidential Summit to enable all members to view important State Bar events on issues affecting the profession.

Resources for Law Practice Management

The **Law Practice Management Committee** Web site (www.nysba.org/lpm) has information on risk management, marketing, technology, human resources, and finances. It also contains free downloadable publications on such topics as: Business Continuity; Computer Guide for Lawyers; and Establishing an Advance Exit Plan.

The committee offers continuing legal education programs in various formats. Discounts to State Bar members and current CLE pricing make it financially advantageous to become a State Bar member. Lawyers who obtain the majority of their CLE credits through the State Bar's live or recorded programs effectively receive free membership, as the cumulative discount applied to every program is more than the cost of membership during a 24-month period.

In 2008, the committee started offering more telephone seminars specifically designed to assist solo and small firm lawyers. In 2009, the seminars have been expanded due to their success and popularity. The seminars are conveniently offered at lunchtime and are typically two hours in duration.

Career Resources

The State Bar Web site contains a convenient listing of all the career and employment resources provided to members (www.nysba.org/jobs). Listings include State Bar committees, pro bono opportunities, networking tools, law school career centers, job banks, and the new NYSBA Instant Job Search tool powered through our partnership with lawjobs.com.

Lawyers in Transition

At the November 2008 House of Delegates meeting, the Special Committee on Lawyers in Transition was made a standing committee of the State Bar. Its mission is to provide information and assistance to lawyers who leave the workplace temporarily in order to take care of personal needs and obligations—to raise children, perform military service, care for elderly parents, nurse a friend, get an advanced degree—and who then want to re-enter the workforce. For 2009, the committee is focused on attorneys who have been laid off due to the economic downturn.

"This is a very scary time for people who have never had to face a lay-off or a career change," said Committee Chair Lauren J. Wachtler. "It is going to be a concentrated effort for members to reach out to other members to let them know they are not alone, and we are going to get through this. We are here to help."

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In cooperation with the Law Practice Management Committee, the committee also presented an Annual Meeting Career Development Conference, "Career Transitions in a Volatile Market." The program provided an overview of what attorneys need to know when making a career transition in a volatile market, the ethics of transitioning, information on resumes and cover letters, interviewing tips, and networking techniques for maximizing success in transitioning. The video recording of the Annual Meeting program is available at the committee's Web site: www.nysba.org/LawyersinTransition.

The committee also sponsored free live webcasts for all attorneys in need of career assistance in the spring as part of its "Career Development Series." Topics included interviewing tips, maintaining a positive attitude, networking techniques, resumes and cover letters, and transitioning your career.

In addition, the Committee on Lawyers in Transition established an ambassador/mentoring program to help transitioning attorneys. Section chairs have been asked to select members to serve as ambassadors. Ambassadors are available to answer general questions from attorneys who are re-entering the profession and want to know more about a specific practice area. The list of ambassadors, articles of interest and additional resources also are available at the Committee's Web site. The Committee has created a blog to initiate discussion: <http://nysbar.com/blogs/lawyersintransition>.

New York State Conference of Bar Leaders

Integral to the work of the Department of Bar Services is the New York State Conference of Bar Leaders. The Conference is comprised of bar leaders from each of the more than 170 local, ethnic, minority, special purpose, specialty and women's bar associations throughout the state.

In November 2008, the New York State Conference of Bar Leaders held a first-of-its-kind program in New York, "Leadership Skills for Lawyers." The interactive

CLE-accredited program featured nationally acclaimed leadership consultant Dr. Roland Smith, senior faculty member at the Center for Creative Leadership in Colorado Springs. Participants included leaders from major county bars in the metro area and upstate, the Korean, Muslim, and Puerto Rican bar associations, and members of the Law Practice Management Committee, which co-sponsored the program.

Helping and Honoring Those Who do the Public Good

Legal Assistance Partnership Conference

Sponsored biennially by the Legal Aid Committee, the 2008 Partnership Conference was held in Albany on September 22-24, 2008. The theme of this year's conference was "Justice in a Challenging Time." During the two-and-a-half day conference, approximately 44 workshops were offered on critical housing, disability, immigration, welfare, family law issues affecting the poor, and ethical considerations that arise in such representation. The training was attended by approximately 450 persons—attorneys, paralegals, and pro bono volunteer lawyers who represent low-income clients across New York.

Empire State Counsel

It was yet another successful year for the Empire State Counsel program, which recognizes Association members who perform 50 hours or more of free legal services to the poor and to not-for-profit, governmental or public services organizations whose services are designed primarily to address the legal and other basic needs of persons of limited financial means.

Our Empire State Counsel donated more than 118,256 hours of pro bono services this year.

In the program's third year, the goal was to honor 1,000 members for donating more than 50 hours of pro bono service. More than 1,300 attorneys qualified for the honorable distinction of Empire State Counsel, doubling last year's total. The number of law firms with 10 or more attorneys who became Empire State Counsel substantially increased from 14 in 2007 to more than 32 firms in 2008. Our Empire State Counsel donated more than 118,256 hours of services this year.

Increased Focus on Technology

Web site

In 2008, after extensive review and deliberation by the Electronic Communications Committee, the State Bar launched a complete redesign of its Web site. The new design features a clean graphical interface, intuitive navigation, and a number of changes designed to make the user experience more accessible to people with disabilities. The design was created by the State Bar's in-house design services team. The design features a rotating series of images of the Bar Center, designed to remind virtual users of the unique experience and historic nature of the building. The design has been well-received by members and Web traffic numbers reflect the success of the project.

The NYSBA Web site enjoyed great success both in terms of usage and online sales in 2008. More than 1.7 million visitors accessed the site—an average of more than 140,000 visitors monthly. Those visitors viewed the State Bar home page more than 800,000 times in 2008.

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Overall, online sales were up 20% in terms of dollars and 12% in terms of quantity of items purchased. Strong increases were recognized through increased online registrations for meetings (up 25% in terms of dollars and quantity), increases in members joining and renewing online (up 22% in terms of dollars and 12% in terms of quantity) and sales of CLE programs, recordings and publications (up 12% in terms of dollars and 2% in terms of quantity). Online sales reached \$3.8 million in 2008.

Membership information provides another key resource on the site and had 78,000 page views and 66,500 visitors. The Join and Renew functions received roughly the same number of visitors—15,500 and 17,000 respectively.

Consistent with the strong Web sales numbers, the Shop function (the NYSBA Online Store) had 48,500 visitors.

The customizable MyNYSBA page had 37,500 visitors—a strong increase from years past and attributable in large part to an ongoing promotional campaign educating

users on how to customize the page. Anecdotal evidence supports the idea that the CLE Credit Tracker is the main draw of the page and keeps users returning once they have customized the page.

Blogs

New to the Web site navigation is a heading for Blogs. The State Bar now publishes more than 20 blogs on topics ranging from general practice to specific section executive committee communications. Several State Bar blogs have been recognized in the blogosphere for excellence, including the Torts, Insurance and Compensation Law blog, which was named a key resource by Lexis Nexis, and the Health Law blog, *Supraspinatus*, which has received wide acclaim from several health insurers and health-related associations as an important place to turn for information on health law topics.

While most State Bar blog posts are of a substantive legal nature, some blogs have a different purpose. The State Bar Journal blog offers an opportunity for readers to interact by answering blog poll questions and to respond to Journal articles with letters to the editor.

Social Media

During the past year the State Bar has opened several additional channels of communication and networking by joining the burgeoning world of social media. The State Bar's LinkedIn.com group has gained in popularity and topped 700 members in early 2009. The LinkedIn group offers professional networking and connections through a virtual interface. Members can connect with other members, seek out other members for referrals or post discussion questions to the group. Members interested in being part of the LinkedIn group can find it at www.nysba.org/linkedin.

Another element of the State Bar's social networking efforts is a Twitter feed. Twitter is a microblogging site (posts are limited to 140 characters) that allows posters to generate a following of readers. The State Bar tweets its news release headlines as a way of broadcasting to the Internet community at large what the Bar is doing. Upon launching www.twitter.com/nysba, the Bar immediately generated a large and growing group of followers.

Helping Lawyers, Helping Clients: Serving the Public

"We must re-double our efforts to maintain and expand adequate funding so every New Yorker can have counsel when they seek justice in critical areas such as housing, sustenance, safety and child custody. If we believe in 'justice for all,' we can do nothing less." President Bernice K. Leber

Access to Justice

One of the core values of the Bar Association remains promoting access to justice for all citizens. At a time when New York's unemployment continues to rise, foreclosures continue to surge and access to competent legal representation is financially out-of-reach for more and more New Yorkers, civil *Gideon* issues are more relevant today than at any recent time in memory. The State Bar once again lead the way in fighting to create a civil right to counsel for matters of basic human needs including areas such as shelter, sustenance, health care, and services for vulnerable populations, as well as advocating for increased funding for civil legal services and criminal defense representation of the indigent.

Civil Gideon

In 2007, the President's Committee on Access to Justice formed a subcommittee to study the right to counsel needs of poor and low-income individuals in five basic human needs areas: sustenance, housing, child custody/safety, health and the legal needs of special vulnerable populations. In 2008, the subcommittee authored a white paper entitled, "Toward a Right to Counsel in Civil Cases in New York State" setting forth proposed action steps the Association could take to achieve a right to counsel in certain types of civil cases.

The President's Committee on Access to Justice presented the white paper to the Executive Committee and House of Delegates in Fall 2008; the paper was approved for publication and a resolution was adopted calling for the Association to urge the State Legislature to expand the right to counsel by enacting legislation that would provide a right to counsel for vulnerable and low-income people who face eviction or foreclosure, and to extend the right to counsel presently afforded claimants in unemployment insurance benefits proceedings.

In January 2009, the white paper was published in the 25th Silver Anniversary Special Edition of the *Touro Law Review*, "An Obvious Truth: Creating an Action Blueprint for a Civil Right to Counsel in New York State." This edition was dedicated solely to the issue of establishing a civil right to counsel analogous in breadth and scope to the right to counsel afforded indigent criminal defendants and was unveiled at the Association's 2009 Annual Meeting during the Justice for All Luncheon.

Civil Legal Services: Securing Funding Through Legislative Advocacy

The Association also renewed its efforts in advocating for an adequate source of funding for civil legal services. With an unprecedented number of mortgage foreclosures and the unemployment rate skyrocketing to its highest level since the 1970s, the demand for civil legal services has never been greater.



President Bernice K. Leber and Immediate Past President Kathryn Grant Madigan congratulate the contributors of the 25th Anniversary edition of the *Touro Law Review*, entitled "An Obvious Truth: Creating an Action Blueprint for a Civil Right to Counsel in New York State," at the 8th annual Justice for All luncheon.

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Testifying on February 24, 2009 before the New York State Assembly Standing Committees on Codes, Judiciary, Government Operations, and Corrections, President Leber and President-elect Michael E. Getnick called for increased funding for civil legal services to assist the poor, the unemployed, and homeowners facing the potential loss of their homes through foreclosure.

"Keeping people in their homes, with a roof over their heads, is and should be an essential priority. The need for civil legal services programs is critical and the financial commitment of the State of New York is absolutely necessary," Leber said.

"It is not enough to say that we stand for 'equal justice under the law' and 'access to justice.' It is our obligation to provide the same. There is no access to justice without adequate legal representation. Without such representation, our system of justice fails," Getnick said.

When the budget passed in April, more than \$11 million in civil legal services funding has been restored to the state budget.

Mortgage Foreclosures

With the recent economic downturn and mortgage foreclosure crisis resulting in the loss of more than 41,200 homes throughout the state last year, members of the State Bar came together and produced a video specifically designed to help homeowners retain their most important investment—their homes. The free service was part of the State Bar's People's Law School—a series of online and recorded programs covering today's most important legal topics.

The easy-to-understand, 25-minute program, called "Saving Your Home from Foreclosure," explained the complex details of the mortgage foreclosure process. The video focused specific attention on the provisions of New York's new Foreclosure Prevention and Responsible Lending Act of 2008 that entitles all state homeowners with subprime loans in foreclosure to a mandatory court settlement conference. The settlement conference is designed to provide a forum for the lender and the borrower to meet together with a mediator with the ultimate goal of achieving a workable resolution to avoid a loan foreclosure.

"It is not enough to say that we stand for 'equal justice under the law' and 'access to justice.' It is our obligation to provide the same. There is no access to justice without adequate legal representation. Without such representation, our system of justice fails."

In addition to covering the mortgage foreclosure settlement conferences, the program advised homeowners of where they can find qualified housing counselors, legal service offices, and other sources of assistance. It describes the documents that homeowners should assemble before meeting with a housing counselor or an attorney, and provides information for those who need help finding an attorney. The video is available for downloading and viewing at www.nysba.org/thepeopleslawschool.

Additionally, in its continuing effort to fill the need for enhanced pro bono civil legal services, the State Bar, in conjunction with several local bar associations and the Empire Justice Center, sponsored a free CLE seminar in December 2008 where more than 250 volunteer attorneys received the training needed to assist homeowners facing foreclosure.

The seminar also provided attorneys with background information

regarding the foreclosure process, and explained the potential remedies that borrowers can employ to protect their homes. An expert panel of attorneys, educators and civil legal service providers gave an overview of recent legislation and discussed how new developments may effect the ability of borrowers to negotiate short sales, deeds in lieu of foreclosure, forbearance agreements, and other settlement tactics.

Mass Disaster Response

The committee was called into action to assist with three disasters in New York.

After the plane crash of US Airways Flight 1549 into the Hudson River in Manhattan, committee members worked with state and city authorities, as well as emergency response personnel, to provide assistance to the passengers, who were miraculously spared serious injury, but required help with a variety of issues.

The committee also deployed to Buffalo to assist with the Continental Airlines Flight 3407 tragedy. Members of the committee set up an assistance center for the families of the crash to provide important information and disseminated pamphlets that explain basic legal rights.

"It has been a myriad of issues that we have seen, from families needing to know how to get a death certificate

to people with immigration issues who don't have a U.S. passport and need to get into the country to attend a memorial service or funeral," said Committee Chair Robert J. Saltzman.

"Our heartfelt thoughts and prayers go out to the friends and families affected by this horrible tragedy. I want to commend all of the members of the Mass Disaster Response Committee for their outstanding efforts and quick response in ensuring that the families involved in this terrible accident receive the help and support they need," said President Leber.

The committee later assisted with the fatal shootings at the American Civic Association in Binghamton. Committee members worked with state and local authorities to provide legal assistance to the family members of those who were killed in the incident.

Members of the Committee volunteered at the family assistance center in Binghamton in order to provide important information to the families about their basic legal rights, as well as issues related to immigration, property matters, and other areas. The legal team, led by Maria Lisi-Murray and aided by Immediate Past President Kathryn Grant Madigan, provided ongoing assistance and counsel.

Association Legislative Program Serves the Public

State Bar committees and sections continued to provide vast experience and expertise on many policy issues, serving as an important resource for Association leaders and for policy-makers in Albany. In keeping with longstanding tradition, the Association renewed its commitment to advocating for proposals that enhance the interests of the public and preserve the integrity of the judicial system in New York.

Extending Deposit Insurance to IOLA

Due in large part to a grassroots effort of State Bar members and the coordination of the Governmental Relations department, the Federal Deposit Insurance Corporation (FDIC) extended unlimited insurance coverage to Interest on Lawyer Accounts (IOLA) under the FDIC's new Temporary Liquidity Guarantee Program (TLGP).

"It has been a myriad of issues that we have seen, from families needing to know how to get a death certificate to people with immigration issues who don't have a U.S. passport and need to get into the country to attend a memorial service or funeral."

"The FDIC's decision to grant IOLA funds unlimited deposit insurance coverage is a resounding victory that protects precious funding that is so desperately needed in order to deliver vital civil legal services to the poor, not only in New York but also in the 36 other states that rely on interest generated from lawyer accounts," said President Leber. "The FDIC's considerate action ensures the safety of client funds deposited in IOLA, regardless of the amount. With home foreclosures and evictions on the rise, and with a growing number of low-income people—from single mothers to the elderly—struggling to survive, we must continue to do everything we can to protect this critical source of

legal funding. This announcement brings a ray of good news during these difficult economic times."

Rockefeller Drug Laws Reform

The State Bar continued its advocacy efforts to reform the longstanding Rockefeller Drug Laws, believing that by allowing judicial discretion with regard to sentencing guidelines, there could be an annual cost savings of \$280 million for the state. In April, the Legislature approved legislation that would substantially overhaul and reform the laws.

"For many years, there has been a general recognition that the Rockefeller Drug Laws have failed to achieve their goal of deterring drug use," said Leber. "Today, with passage of this comprehensive reform legislation, New York is taking a giant step toward eliminating the devastating cycle of drug abuse with no hope of rehabilitation. This legislation recognizes the critically important need to provide for judicial discretion—a common sense criminal justice reform that will lead to additional drug treatment opportunities for non-violent drug offenders, saving taxpayers millions of dollars currently being wasted on ineffective and unduly harsh prison sentences."

"The State Bar has long-championed giving judges the authority to determine sentencing outcomes with respect to drug crimes," Leber continued. "These new reforms strike the right balance by providing rehabilitation services where they are most needed while at the same time ensuring that strong penalties for drug kingpins remain the focus of criminal prosecutions."

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Wrongful Convictions

Created by President Leber in June 2008, the Task Force on Wrongful Convictions was tasked with studying the systemic, procedural and statutory causes that contribute to wrongful convictions and propose solutions to this growing problem.

“For each wrongful conviction that surfaces, how many others are still unfairly resolved? Ensuring the fair administration of justice must be the number one priority in our criminal justice system. As leaders of the profession, we have a responsibility to do everything we can to protect the innocent and make sure men and women are not punished—not even for even one day—for crimes they did not commit,” said President Leber.

The task force submitted an initial report to the House of Delegates at the Annual Meeting in January 2009. Following that submission, it held two public hearings on its proposals in New York and Albany.

The 21-member Task Force selected 53 cases in which convictions were judicially overturned and identified six root causes for wrongful convictions: government practices, identification procedures, mishandling of forensic evidence, use of false confessions, use of jailhouse informants, and

“As leaders of the profession, we have a responsibility to do everything we can to protect the innocent and make sure men and women are not punished—not even for even one day—for crimes they did not commit.”

defense practices. The report was unanimously approved by the House of Delegates in April 2009.

Global Warming

President Leber created the Task Force on Global Warming, chaired by Michael B. Gerrard, to address the profound impact climate change is having on our natural environment and ecosystems. The task force issued its final report, “Taking Action in New York on Climate Change,” in

April 2009. The report contained 22 specific legislative proposals that the task force believed New York should adopt in order to further its work in reducing greenhouse gas emissions by 80 percent below 1990 levels and preparing for the effects of climate change.

Following the House’s approval of the report, the State Bar called on Governor Paterson to immediately

implement eight actions that would have a significant reduction in greenhouse gases with little to no fiscal impact, including amending the State Energy Code to cover more building renovations and calling on the Department of Environmental Conservation to revise its environmental impact assessment requirements under the State Environmental Quality Review Act.

Equal Legal Rights for Same-Sex Couples

Under current state law, there are significant differences in the legal treatment of marital relationships compared to the relationship of committed same-sex couples in a wide range of matters, including property rights, financial support, responsibilities to children, health care, social security, long-term care, domestic violence, access to the court system and more. The Association has called for legislation that would provide same-sex couples with the comprehensive set of rights and responsibilities now available to opposite-sex couples. Granting such rights could be accomplished by enacting a domestic partnership registry or a civil union statute, or by amending the statutory definition of marriage.

Educating New York’s Children

For three decades, the **Law, Youth and Citizenship Program** (LYC) has served the needs of the New York education community. Through State Bar programs and grant-funded programs, LYC reaches more than 500,000



Task Force on Wrongful Convictions members Prof. Laurie Shanks, Vincent E. Doyle, III and Robert C. Gottlieb listen as exoneree Roy Brown testifies about how to improve the justice system. Brown served 15 years before being exonerated in 2007.

students and 5,000 teachers through its statewide network.

The committee administers two national/international programs through the Center for Civic Education (CCE) in California. Project Citizen and We the People are funded through the Education for Democracy Act passed by Congress. With these funds, LYC staff train teachers at professional development events, and supply participating teachers with free sets of books for their classrooms.

The Law, Youth & Citizenship Committee conducted the fourth annual Mock Trial Summer Institute which occurred in August 2008 and took place at the historic Darrow School campus in New Lebanon, NY. Forty six students participated in this intensive five-day, six-night educational experience. Instructors and counselors from across the state assisted in the facilitation of this learning experience. The New York Bar Foundation provided base funding and the LYC program provided the additional financial support.

Through its nearly 70 district coordinators, the committee places approximately 45,000 books a year in schools through the CCE grants. The committee hosts the We the People State Competition in Albany in March. Regional finalists from nine high schools participate in simulated Congressional hearings. The schools are judged by State Bar members and members of the legal and education community. This year's state winner, Edward R. Murrow High School of Brooklyn, went on to Washington, DC, to represent New York at the National Finals.

In September 2008, the committee announced the creation of a new, free Web site designed to help educators instill civic values in young children. The Web site—www.nyscms.org—is a preK-12 civics education online resource for New York's teachers, supervisors, and curriculum developers. It contains several components to assist teachers with preparing civic education activities, including links to important concepts, content understandings, learning objectives, knowledge goals, learning skills and civic dispositions. The information is broken down by grade level in an easy-to-use, teacher- and student-friendly format and is linked to state and national education standards.

In February 2009, the LYC received the Excellence in Education Award by the Empire State Society of Association Executives. The award recognizes achievements by an ESSAE member for a particular project, idea, publication, practice or membership service.



Penny Murphy, president and CEO of Empire State Society of Association Executives, presents this year's Excellence in Education Award to Eileen Gerrish, director of the Law, Youth & Citizenship Program. The LYC program was cited for "reaching over 500,000 students with its many and diverse programs which positively impact so many in the education community in New York."

Judith S. Kaye Youth Court Fund

The State Bar partnered with The New York Bar Foundation to rename the Foundation's Youth Court Fund in honor of retired Chief Judge Judith S. Kaye, who is widely recognized as an innovative problem-solver and for her staunch advocacy and commitment to children during her 25-year tenure on the Court of Appeals. The Judith S. Kaye Youth Court Fund will provide financial support for a host of programs and activities undertaken by Youth Courts across New York.

Youth Courts are emerging as one of the fastest growing juvenile intervention programs in the country. With more than 100 locations in cities, towns and villages throughout New York, Youth Courts – a collaborative initiative between local criminal justice agencies, schools and the community – seek to improve juvenile justice outcomes through an alternative to the criminal justice system for community youth. For more information, or to make a donation to the Fund, please visit www.tnybf.org.

Section Reports

In 2009, the State Bar increased the number of *sections* offered to members to 25. Nearly 15 years had passed since the State Bar created a new section. With the addition of two new sections—Dispute Resolution and Senior Lawyers—there are now even more opportunities for members to become involved in the Association and stay current with their practices.

Antitrust Law Section

In 2008, the Antitrust Law Section presented three programs as part of its Luncheon Forum Antitrust Series. On July 30, 2008, the program's topic was "To Agree or Not to Agree: That is the (First) Questions Under Section 1 of the Sherman Act." On December 5, 2008, the program addressed "Basic First Aid: Antitrust Injury Under Clayton Act Sections 4 and 16." On April 8, 2009, the program examined "Are Decisions Permitting Reverse-Payment Settlements Anti-Consumer?" On July 16, 2008, the section held its Annual Program for Law Students interested in Antitrust Law.

Business Law Section

Business Law Section Chair Rebecca Simmons, Program Chair Bruce Baker and a committee of volunteers presented a two-part Annual Meeting program focused on the challenges and opportunities of restructuring the U.S. financial services system.

The section also created the Public Utility Committee as a new section committee.

Criminal Justice Section

The Collateral Consequences of Criminal Charges Calculator, created by the Partners in Justice Colloquium's Working Group, in partnership with the Lawyering in the Digital Age Clinic of Columbia University School of Law, made its debut at the section's Annual Meeting program on January 29. The Calculator provides users with access to the broad spectrum of collateral consequences that can result from criminal charges. As an aid for legal research, judges and attorneys can better determine what aspects of accused persons' lives might be affected if they are convicted of a given crime. Such aspects include public housing, child custody, immigration and the right to vote.

Dispute Resolution Section

Debuting on June 1, the newly-created Dispute Resolution Section is fast-approaching 800 members. The section's Annual Meeting program attracted more than 100 attendees and focused on ethical challenges and new developments in arbitration. Chief Administrative Judge Ann T. Pfau was the luncheon keynote speaker.

The section created a report on the use of discovery in domestic commercial arbitration matters presented at the April House of Delegates meeting. The report contained a series of Precepts that will help arbitrators handle discovery in domestic commercial cases in a cost-effective and fair manner, consistent with the expectation of the parties who selected the arbitration process. The section's report was unanimously approved by the House of Delegates.

Environmental Law Section

In October 2008, the Environmental Law Section created a "Classroom Project" for section members. This project



Dispute Resolution Section Chair Simeon H. Baum welcomes Chief Administrative Judge Ann T. Pfau to the section's inaugural Annual Meeting luncheon.

provides section members with the necessary tools and curriculum information to visit their local schools and teach middle school and high school students about various environmental law topics. The project provides teaching materials to section attorneys, lesson plans and topics for discussion.

In May 2009 the Environmental Law Section held its annual Legislative Forum and Luncheon, entitled "New Possibilities: Environmental Legislative Initiatives for 2009."

Elder Law Section

The Elder Law Section held its summer meeting in Baltimore. Co-sponsored with the Maryland State Bar Association's Elder Law Section, the program included an Elder Law Update, discussion of Medicaid's coverage of long-term care, and health care advance planning with a national overview. The keynote speaker included Barbara J. Collins, from the U.S. Department of Health and Human Services, who discussed "Implementing the Deficit Reduction Act of 2005: Medicaid Policies Affecting the Elder and Individuals with Disabilities."

Family Law Section

The Family Law Section held its summer meeting at the Equinox in Manchester, Vermont. Attendees heard an update from Hon. Jacqueline Silbermann, retired Deputy Chief Administrative Judge for Matrimonial Matters.

The section's Annual Meeting program focused on updates in matrimonial law and ethics. Hon. Theodore T. Jones, Jr., associate justice of the New York State Court of Appeals, was the keynote luncheon speaker.

Food, Drug & Cosmetic Law Section

The Food, Drug and Cosmetic Law Section developed a new program: Coffee, Croissants and CLE Credit Program Series. Topics included "Working with Clinical Research Organizations," "Update on NAD and Lanham Act Cases Involving Food, Drug and Cosmetic Products," and "Clinical Research Compliance: Handling Investigator and Institution Risk throughout April."

The section's Annual Meeting program featured several topics, including "Dietary Supplements: FTC and NAD Claim Substantiation Requirements and an Overview of the FDA cGMP Regulatory Scheme," "Cosmetics Enforcement, FTC and Competition in the Pharmaceutical Industry," and

"FDA's Oversight of Drug and Medical Device Direct-to-Consumer Advertising."

Health Law Section

The Health Law Section's Committee on Public Health sponsored a CLE program in May 2009 in Yonkers. The program, "Getting Ready in New York: Public Health Emergency Legal Preparedness," attracted attorneys, government officials and first responders. The covered topics included: public health emergencies and new threats such as antibiotic resistant infections and TB, SARS, dirty bombs, floods and more, as well as an overview of the various governmental players involved and their powers.

Intellectual Property Law Section

With its 15 committees, the Intellectual Property Law Section provides a multitude of programs on timely topics, networking opportunities and other initiatives.

The section began the summer season with its annual Women in Intellectual Property Law program and networking reception. In July, the section held its second annual summer meeting with IPIC in Montreal. The section's two-day Fall Meeting, titled "The World Series of IP Law: How Current Intellectual Property Laws Are Changing the Way Corporate & Outside Counsel Play the Game," was held from October 16-19 in Cooperstown, NY. The fall season also boasted two MCLE roundtables: "Spicing Up your IP Strategy in India" and "So, You (or Your Client) Want to Use Music on a Website?" and a networking event for in-house counsel. The section's Annual Meeting featured panelists from Fortune 500 companies and senior practitioners, discussing multiple aspects of global IP. In the spring, the section welcomed the Register of Copyrights and other distinguished, top officials from the United States Copyright Office at its annual program "Copyright Office Comes to New York;" held a roundtable titled "Recent Developments in Trademark and Unfair Competition Law; and presented a program titled "Design Patents After Egyptian Goddess."

This year's initiatives include a new Greentech Committee to explore the intellectual property law concerning new and developing clean-energy technologies. The section's Legislative Amicus Committee is working with the Association's Governmental Relations department on a proposed amendment to the Patent Act to provide for compulsory forum-administered arbitration in civil actions against the PTO. The Pro Bono Committee joined with

Volunteer Lawyers for the Arts for a VLA Clinic in August, which allowed VLA members to seek advice on their arts-related issues in half-hour private appointments with volunteer attorneys.

International Section

The International Section's Annual Meeting Program focused on compliance and enforcement issues under the Foreign Corrupt Practices Act, topics that are very timely in light of clear indications that the U.S. Justice Department has made enforcement of the Act a top priority.

The fall meeting of the International Law and Practice Section took place in Stockholm from September 17-20, 2008. The theme of the meeting was "Globalization: Harmonization of Laws, Is It Real?" There were more than 25 panels divided into three tracks: Corporate, Litigation/ Arbitration and General. Social programs included a welcome reception at Stockholm City Hall, dinner at the Skansen Open Air Museum and a gala dinner at the Vasa Museum.

Labor and Employment Law Section

The section's fall meeting, held September 19-21, 2008 in Cooperstown, featured a full lineup of CLE programs, including programs on employee privacy, and employment arbitrations and mediations.

Eugene Orza, the chief operating officer of the Major League Baseball Players Association, was the keynote speaker. Newly confirmed Commissioner of the State Division of Human Rights Galen D. Kirkland also was a program presenter.

Municipal Law Section

The October 10-12, 2008 fall meeting of the Municipal Law Section was held in Cooperstown.

The program offered five MCLE hours in professional practice and one hour in ethics.

This year's Annual Meeting program topics included: "Home Rule in New York: Implied Preemption and Matters of State Concern," "Ethics in the Public Sector, Municipal Labor and Employment Law in Tough Economic Times," and "Electronic Discovery: What Municipalities Need to Know."

Real Property Section

The Real Property Section has greatly increased its involvement in monitoring and proposing legislation and was a significant player in the historic rewriting of the adverse possession statute. The section worked closely with the State Realtors Association in continuing discussions regarding the disclosure statute and in the broker's lien statute.

The section created a new Committee on Real Estate Construction Law and a Task Force on Hydrofracking. The section co-sponsored a recorded seminar in New York to assist those with troubled mortgages.

Senior Lawyers Section

This past November, the House of Delegates took a historic step and unanimously approved a resolution sponsored by the Special Committee on Senior Lawyers; the resolution created a new section dedicated solely to the needs and interests of attorneys who are age 55 and higher. The Executive Committee of the new Senior Lawyers Section met for the first time during the Annual Meeting in January and continued to flesh out the chair positions and memberships for its 11 subcommittees, including Age Discrimination, Employment Opportunity, Law Practice Continuity, Legislation, Pro Bono, and Retirement Planning and Investment to name a few. Within just eight weeks of beginning its active member recruitment efforts, the section had already surpassed the 1,000-member mark.

Tax Section

The Tax Section prepared more than 25 detailed and technical reports on specific tax issues that were sent to prominent state and federal government officials. These reports focused on proposed regulations or legislation, or made suggestions on drafting future regulations. Rather than interpreting and applying the law to further section members' client interests, the reports attempt to appropriately balance the interests of the government (e.g., in preventing abuses by taxpayers), taxpayers (e.g., in having clear guidance and in not being unduly impeded from engaging in legitimate commercial activities) and tax practitioners (e.g., in being able to fulfill their ethical obligations to clients without undue constraint).

In fall 2008, the section presented in New York City a special panel on opportunities in government service for tax lawyers. In addition to the chief of staff of the Joint Committee on Taxation, and the chief counsel of the Internal Revenue Service, representatives from the U.S.

Treasury Department, the U.S. House Ways and Means Committee, the U.S. Senate Finance Committee, and the New York State and City Departments of Taxation and Finance participated in the program.

Torts, Insurance and Compensation Law Section

On October 7, the Torts, Insurance and Compensation Law Section used web-cutting technology to make State Bar history by holding the first-ever Web cast of any section's Executive Committee meeting. Members from across the state were able to witness live the section's discussion of upcoming events and plans from the comfort of their law offices. President Bernice K. Leber attended the landmark meeting and provided welcoming remarks.

Trusts & Estates Law Section

Three of the Trusts and Estates Law Section's Affirmative Legislative Proposals were enacted into law:

Chapter 176 of the Laws of 2008 amended the Mental Hygiene Law to provide limits on a court's power to invalidate or revoke the will or codicil of an incapacitated person after appointment of a guardian.

Chapter 177 of the Laws of 2008 amended the Mental Hygiene Law, in relation to proceedings upon the death of an incapacitated person. As amended, the law authorizes the guardian to pay the funeral expenses of the incapacitated person and estimated estate and income tax charges, and authorizes promulgation of necessary rules and regulations.

Chapter 305 of the Laws of 2008 amended various statutes to provide clarification by changing the phrase "natural" to "birth" when referencing mother, father or parents.

The section held its spring program in Amelia Island, Florida on March 19-21, 2009. The program focused on "Estate Planning in Uncertain Times: Tax and Non-tax Considerations."

Young Lawyers Section

As the Association's second oldest section, the YLS turned 70 in 2008. To commemorate the landmark event for the 3,200-member section, more than 100 people attended the section's cocktail reception on June 6 at the Katra Lounge in New York.

Throughout the year, the Young Lawyers Section conducted numerous networking events that included a holiday Toy-for-Tots Drive in Albany, a champagne tasting in Rochester, and a "Membership Drive" Boat Cruise around Manhattan. More than 500 attendees participated in a three-hour reception on the Spirit of New York boat. State Bar leaders, section representatives, young attorneys and law students enjoyed a full reception and a DJ, as well as a tour of memorable sites of New York harbor. This event provided a great opportunity for attendees to meet State Bar members and learn about ways to become more involved with other sections, and make an even greater difference in the legal profession.

The section continued its electronic newsletter publication, "Electronically In Touch," as a service to its membership. In Touch features guidance and tips useful to members both professionally and personally, including "nuts and bolts"



President Leber welcomes members of the Young Lawyers Section to the membership drive boat cruise.

information about substantive legal issues, highlights of cases and decisions of interest, updates from section liaisons and district/alternate representatives, employment resources and opportunities, and a calendar of events, activities, and programs.

The section also published its print newsletter publication, "Perspective." The biannual publication offers substantive legal articles, section news and events, Association information, and a forum for expressing opinions or commentary on issues affecting young lawyers and law students today. The section also oversees the production of the online student resource center, Law Student Blog, and the student newsletter, "Law Student Connection."

Committee Reports

Committee on Animals and the Law

The Special Committee on Animals and the Law became a standing committee in November. The committee now has eight subcommittees: Animal Welfare Act, Education, Legislation, Mentor Program, Public Outreach, Publications/Scholarly Writings, Resources/Webpage/Blog, and Student Writing Competition.

The committee held a public outreach program "Teen Animal Cruelty: Legal Issues & Practical Solutions" in September at Cardozo Law School. Six speakers offered varying perspectives on teen animal cruelty based upon their different backgrounds and experiences. They identified areas where more research is needed, developed potential strategies to help reduce teen animal cruelty in the future and discussed how cruelty cases are being handled by the legal profession.

Committee on Attorneys in Public Service

The committee honored retired Chief Judge Judith S. Kaye at its Annual Meeting program "Judith S. Kaye: A Legacy of Visionary Leadership" on January 27. Former Court of Appeals judges and attorneys praised Kaye for her myriad accomplishments, including jury reform, the establishment of the Commercial Division, and fighting for access to justice.

At the conclusion of the program, Kaye presented her take on her 25-years as a Court of Appeals Judge, including 15 as Chief Judge. "Together, we learned that, though courts are vitally independent in their decision-making, the court system need not be passive and isolationist but rather can and must seek out ways to use the opportunities, the interventions, the time and resources spent, to assure access to justice and to deliver justice most effectively," said Kaye.

Committee on Children and the Law

The committee submitted to the State Bar's Executive Committee for review and approval revised standards for

attorneys representing children in New York in Person in Need of Supervision proceedings and revised standards for attorneys representing children in New York in Custody, Visitation and Guardianship proceedings. The Executive Committee approved the standards on June 19, 2008. The standards are the result of a comprehensive review of what New York attorneys are obligated to do in all aspects of representing children.

The committee is in the process of updating Standards for Attorneys Representing Children in Juvenile Delinquency Proceedings in 2009.

The Committee presented its annual Robert J. Schack Memorial Program CLE program "Challenges for Law Guardians: The Attorney for the Child in the New Era" on January 30. The program provided an overview of the role of the attorney for the child, and speakers covered a range of the most challenging aspects of the newly defined role of the attorney for the child, analyzing an assortment of representational problems facing the attorney.

Committee on Civil Rights

At the February 2009 meeting, the American Bar Association House of Delegates adopted a resolution, presented by Civil Rights Committee Chair Fernando A. Bohorquez, Jr., calling for the Obama Administration

to ensure that detainees held at Guantanamo Bay receive all due process rights afforded to them by law.

The success of the committee's *Report on Executive Detention, Habeas Corpus, and The Military Commission Act of 2006* and the supplemental report on *Boumediene v. Bush and the Procedural Framework for Guantanamo Detainee Habeas Petitions* before the State Bar Executive Committee and House of Delegates in 2008 prompted New York to bring a resolution before the ABA's decision-making body, which approved the resolution.

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Committee on Civil Rights member Patrick T. Campbell listens intently as Committee Chair Fernando A. Borhorquez, Jr. presents the committee's report on executive detention, habeus corpus and the Military Commissions Act of 2006 at the June 2008 meeting of the House of Delegates in Cooperstown.

Committee on Courts of Appellate Jurisdiction

The committee's ongoing projects include: production of a checklist/pamphlet exhibiting the different rules and procedures among the four appellate division departments; studying the rules and practice in New York's Court of Appeals concerning the granting or denial of leave to appeal in criminal cases with an aim to issue an eventual report; and working with the appellate divisions in considering the feasibility of a program for pro bono representation in civil appeals.

All current and several retired Court of Appeals judges attended the committee's annual dinner honoring retired Chief Judge Judith S. Kaye in January 2009.

Committee on Issues Affecting People with Disabilities

In 2008 the Committee on Issues Affecting People with Disabilities produced a video program, "Advice, Advocacy and Appreciation," aimed at educating and informing viewers about the legal rights of individuals with disabilities.

The committee sponsored a MCLE program during the Association's Annual Meeting addressing the subject of Individuals with Disabilities Education Act (IDEA) and recently formed a subcommittee to establish a committee Web site.

Plans for 2009 include the sponsorship of an additional MCLE program, an update of the "Representing People with Disabilities" book, production of a video entitled, "Returning Vets with Disabilities," and the creation of a pamphlet for jurors with disabilities.

Committee on Professional Ethics

The committee issued formal opinions and informal letters to attorneys inquiring about their own proposed ethical conduct. Subjects of formal opinions included: reporting of ethical violations; representing joint clients; a lawyer providing unrelated legal services; referrals from an employee assistance program; client conflicts; and certain billing practices.



Retired Chief Judge Judith S. Kaye was the guest of honor at the October 31, 2008 House of Delegates Dinner. President Leber and Executive Director Pat Bucklin presented Kaye with a new pair of red running shoes, which Kaye proudly displayed.

Financial Support

Statements of Financial Position Years Ended December 31, 2008 and 2007

	2008	2007
ASSETS		
Cash	\$ 700,264	\$ 870,837
Continuing legal education receivable	36,895	35,505
Royalty and fees receivable	693,858	652,301
Accrued interest receivable	53,576	89,346
Prepaid expenses	550,389	442,416
Inventories	284,428	300,286
Investments	27,942,988	31,234,483
Net property and equipment	1,288,057	1,453,303
Total assets	\$31,550,455	\$35,078,477
LIABILITIES AND NET ASSETS		
Accounts payable and accrued expenses	\$ 1,313,963	\$1,004,328
Deferred dues revenue	8,544,744	7,919,676
Other deferred and unearned revenue	564,286	644,244
Payable to The New York Bar Foundation	37,338	33,429
Accrued pension and profit sharing plan costs	2,859,100	792,000
Accrued postretirement plan costs	3,349,900	3,167,600
Accrued postemployment termination plan costs	348,600	305,500
Other liabilities	211,186	220,876
Total liabilities	17,229,117	14,087,653
NET ASSETS - UNRESTRICTED		
Designated by the governing boards:		
Cromwell fund	1,352,316	2,046,960
Replacement reserve account	2,571,798	2,108,530
Long-term reserve account	3,852,996	11,137,571
Sections' accounts	2,533,286	2,411,216
Undesignated:		
Invested in property and equipment, net	1,288,057	1,453,303
Other	2,722,885	1,833,244
Total net assets	14,321,338	20,990,824
Total liabilities and net assets	\$31,550,455	\$35,078,477

Statement of Activities

Years Ended December 31, 2008 and 2007

	2008	2007
Revenues		
Membership dues	\$10,717,424	\$10,132,273
Section revenues:		
Dues	1,462,305	1,444,108
Programs	1,753,237	1,795,092
Continuing legal education	6,436,108	5,741,913
Administrative fee and royalty revenue	2,255,658	2,245,223
Annual meeting	880,803	720,396
Investment income	690,971	936,231
Other revenue	728,981	597,819
Total revenue	24,925,487	23,613,055
Program Expenses		
Continuing legal education	5,738,073	5,026,371
Graphics	2,396,034	2,082,544
Governmental relations program	393,675	234,932
Law, youth & citizenship program	231,113	216,748
Lawyer assistance program	227,486	193,373
Lawyer referral & information services	159,541	152,187
Law practice management	225,747	193,863
Media services	534,042	462,843
Meetings	530,254	430,605
Membership services	1,207,173	1,202,406
Pro bono program	236,249	120,784
Local bar program	236,354	202,301
House of Delegates	414,515	386,022
Executive committee	43,823	39,690
Other committees	1,259,399	1,221,322
Sections	3,115,951	2,871,100
Section newsletters	150,905	122,391
Publications	1,213,176	1,193,285
Annual meeting expenses	299,582	289,651
Total program expenses	18,613,092	16,642,418
Management & general expenses		
Salaries and fringe benefits	4,263,589	3,010,997
Rent and equipment costs	1,282,962	1,315,592
Consultant and other fees	832,696	787,866
Depreciation and amortization	374,319	405,821
Other expenses	328,514	364,763
Total management & general expenses	7,082,080	5,885,039
Change in net assets before investment transactions and other items	(769,685)	1,085,598
Realized and unrealized gain (loss) on investments	(5,899,801)	1,385,315
Incremental effect of applying SFAS 158 and other post-retirement plan changes/amendments	-	2,096,100
Change in net assets	(6,669,486)	4,567,013
Net assets, beginning of year	20,990,824	16,423,811
Net assets, end of year	\$14,321,338	\$20,990,824



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