



Staff Memorandum

EXECUTIVE COMMITTEE Agenda Item #15

REQUESTED ACTION: Input with respect to unaddressed recommendations in the reports of the Task Force on the Future of the Legal Profession and the Task Force on New York Law in International Matters.

Attached are memoranda from David P. Miranda, chair of the Committee on Resolutions, outlining recommendations made by these task forces in their reports that are not being addressed by a section or committee. The committee would like to receive your input as to how these issues might be addressed.

Mr. Miranda will present the report at the June 21 meeting.



NEW YORK STATE BAR ASSOCIATION

One Elk Street, Albany, New York 12207 • 518.463.3200 • www.nysba.org

COMMITTEE ON RESOLUTIONS

DAVID P. MIRANDA

Chair
Heslin Rothenberg Farley & Mesiti PC
5 Columbia Circle
Albany, NY 12203
518/452-5600
FAX 518/452-5579
dpm@hrfmlaw.com

June 11, 2012

TO: Members of the Executive Committee

RE: Task Force on the Future of the Legal Profession

Dear Executive Committee Members:

In June 2011, the Executive Committee approved a plan for the implementation of recommendations contained in the report of the Task Force on the Future of the Legal Profession. The Committee on Resolutions subsequently sent letters to appropriate sections, committees, and other entities requesting assistance with implementation. Some of the entities responded by sharing their plans, and we reported their responses to you. Since that time, we have identified recommendations that are not being addressed. The most significant "gaps" in implementation are identified in the enclosed chart. We are seeking input from the Executive Committee about appropriate next steps with respect to these gaps.

Sincerely,

David P. Miranda

Enclosure

New York State Bar Association
Resolutions Committee
Report of the Task Force on the Future of the Legal Profession
Significant Gaps in Implementation of Recommendations

Recommendations	Implementing Entities	Analysis
1. Work with ABA on standardized reporting of law school placement data. (71)	Committee on Legal Education and Admission to the Bar	Not covered. Committee is unsure what role it should play.
2. Encourage law schools to require capstone courses in the third year of law school. (49-50)	Committee on Legal Education and Admission to the Bar	Not covered. Committee is unsure what role it should play (although it is in favor of capstone courses, which reflect real-world scenarios).
3. Encourage law schools to provide meaningful placement information to law students and LLM's. (71-72)	Committee on Legal Education and Admission to the Bar	Not covered. Committee is unsure what role it should play.
4. Address concerns regarding limitations on accreditation for programs relating to job searches. (64)	- Committee on Continuing Legal Education - Committee on Lawyers in Transition	- Not covered. The CLE Board has ruled definitively in this area, and the Committee on Continuing Legal Education does not see any value in pursuing this issue at this time. - Not covered. Committee does not appear to have addressed this in its response.
5. Encourage law schools to increase educational opportunities about practical uses of technology and project management. (9, 99, 111)	Committee on Legal Education and Admission to the Bar	Not covered. Committee characterized this as a "huge undertaking." [Encourages NYSBA to devote resources to this and spread the word through the sections.]



NEW YORK STATE BAR ASSOCIATION

One Elk Street, Albany, New York 12207 • 518.463.3200 • www.nysba.org

COMMITTEE ON RESOLUTIONS

DAVID P. MIRANDA

Chair

Heslin Rothenberg Farley & Mesiti PC

5 Columbia Circle

Albany, NY 12203

518/452-5600

FAX 518/452-5579

dpm@hrfmlaw.com

June 11, 2012

TO: Members of the Executive Committee

RE: Task Force on New York Law in International Matters

Dear Executive Committee Members:

In November 2011, the Executive Committee approved a plan for the implementation of recommendations contained in the report of the Task Force on New York Law in International Matters. The Committee on Resolutions subsequently sent letters to appropriate sections, committees, and other entities requesting assistance with implementation. Some of the entities responded by sharing their plans, and we reported their responses to you. Since that time, we have identified recommendations that are not being addressed. The most significant "gaps" in implementation are identified in the enclosed chart. We are seeking input from the Executive Committee about appropriate next steps with respect to these gaps.

Sincerely,

David P. Miranda

Enclosure

New York State Bar Association
Resolutions Committee
Report of the Task Force on New York Law in International Matters
Significant Gaps in Implementation of Recommendations

Recommendations	Implementing Entities	Analysis
1. NYSBA should support the adoption of the Uniform Fraudulent Transfer Act. (18-20, 46)	- Committee on Federal Legislative Priorities - Real Property Law Section	- Not covered. Committee was notified about this item for informational purposes only. - Not covered. Section did not provide a response.
2. NYSBA should investigate with the New York Legislature amending Article VI, § 3 of the New York Constitution to permit responding to certified questions of law from foreign courts, and it should give further consideration to whether it would be useful to enact a statutory provision as to the confidentiality of evidence and awards in international arbitration. (38-39, 48)	- Commercial and Federal Litigation Section - Committee on Legislative Policy - Dispute Resolution Section - International Section	- Not covered. Section did not provide a response. - Not covered. Committee was notified about this item for informational purposes only. - Partially covered. Section has arranged for Marc Goldstein to study the second topic. The first topic is not yet assigned. - Not covered. Section did not indicate in its response what it is willing to do with respect to this item.
3. NYSBA should study, through the appropriate NYSBA Sections, whether to recommend the adoption of the Uniform Trade Secrets Act. (18, 22-23, 48)	- Committee on Federal Legislative Priorities - Intellectual Property Law Section	- Not covered. Committee was notified about this item for informational purposes only. - Not covered. Section did not provide a response.
4. NYSBA should consider studying and attempting to alleviate the problem that parties occasionally have difficulty obtaining visas when they need to come to the U.S. solely for arbitrations. (38)	- American Bar Association State Delegation - Committee on Civil Rights	- Not covered. Delegation did not provide a response. - Not covered. Committee has no comment at the present time.
5. NYSBA should encourage parties to consider	Business Law Section	Not covered. Section did not address this in its

adapting model contract provisions to the circumstances of particular international agreements. (37, 54-55, 56-58)	• Corporate Counsel Section • International Section	response. • Not covered. Section does not have any interested volunteers. • Not covered. Section did not address this in its response.
---	--	--