



# Staff Memorandum

**HOUSE OF DELEGATES  
Agenda Item #3**

Attached for your reference are the statements submitted by Thomas F. Liotti and David P. Miranda, candidates for President-Elect, as published in the *State Bar News* this past fall.

# Candidates for president-elect present their platforms and views to members

Thomas F. Liotti

I am seeking a leadership position because our profession is taking too many wrong turns. We are in need of strong, courageous and independent leadership.

I have practiced high profile civil and criminal law in the state and federal courts for 36 years and been a village justice for more than 22 years. I have published over 200 legal articles and book reviews, six books and 36 reported judicial decisions.

I have been a member of this Association's House of Delegates, chair of the Criminal Justice Section and editor of its journal. Then-President Steven C. Krane appointed me to chair the Anti-Terrorism Task Force after 9/11. I am a member of the Commercial and Federal Litigation Section. I know how to run an organization, democratically and inclusively.

I am a past president of the New York State Association of Criminal Defense Lawyers, Nassau Criminal Courts Bar Association, Columbian Lawyers' Association of Nassau County (I also received their distinguished service award) and was chairman of the Board of the Nassau Lawyers' Association. I have been chair of the Nassau County Bar Association's Civil Rights Law Committee and a member of its Professional Ethics Committee.

I have been general counsel to a poor, all minority school district and special counsel to a town; chair of my Village Code Review Commission; a member of the Town of North Hempstead Councilmanic Commission which established, on my initiative, a minority Council District. Hon. Charles P. Sifton, chief judge of the U.S. District Court for the Eastern District of New York, appointed me to the panel of attorneys who advise and assist the Committee on Grievances of the Board of Judges in the discipline of attorneys. In 1997, I received the Martin Luther King, Jr. Award from Nassau County and its Human Rights Commission.

The Association needs better vehicles for communication. We need to improve on our website and journal. We should sell more advertising. We should have a TV show and help lawyers to develop websites. We need to use the Internet more to help lawyers market their practices and more easily do legal research.

I will support civil *Gideon*, more funding for legal services, the courts and judicial salaries. I will review all CLE programs to determine what is working. I will push each section to do more and I will tour the state to recruit new members.

I will establish a Strategic Litigation Committee to initiate *pro bono publico* litigation involving policy issues, such as the state's compliance with the mandate of *Gideon*. I would establish a Strike Force that will help lawyers who are unfairly under attack and a hotline for ethical questions. I will establish an *Amicus* Committee. I would support establishing September 17 as Constitution Day throughout the state and federal courts.

I will review the disciplinary process of lawyers and judges to insure that our Rules of Conduct are being fairly and objectively implemented. I support the merit selection of judges and objective standards to determine qualifications. I would promote a role for NYSBA in the nomination of federal judges.

I would propose that all town and village judges be attorneys. I would review our costs and sanctions statutes and rules to provide for uniform standards. I also would strive to provide affordable legal malpractice insurance and paid mentoring programs for new attorneys.

Overall, I believe in the preservation of the adversary system and jury trials as the core of our democratic form of government. I am opposed to so-called tort reform. Instead, there should be greater access to the courts for consumers, for example, by expansion of the statute of limitations for Notices of Claim and all other actions.

The glut of cases in our courts can be alleviated if we curtail pre-trial conferences and defer to the Internet for case management.

Judges need not be involved in the plea bargaining process. Allocutions should be cut to a minimum. Global sentencing reform is needed to provide more alternative sentencing that allows those accused to earn their way back into society through rehabilitation, restitution and community service.

We need to reduce crime, our prison population and jails by providing educational programs and jobs to those most in need. I am opposed to capital punishment and "stop and frisk." We also must implement immigration reform by giving people a meaningful path to citizenship.

If elected, I would immediately develop a plan to implement these reforms. I believe in promoting my fellow attorneys by bringing those interested in public service and reform into the fold. Let's make for a better world together! ♦

*Liotti is principal of the Law Offices of Thomas F. Liotti, LLC. He is the Westbury Village Justice and an adjunct professor of litigation at Nassau Community College.*

# Candidates for president-elect present their platforms and views to members

David P. Miranda

I am honored to be considered for the position of president-elect of the New York State Bar Association. One of the great strengths of our Association is its diversity of thought. While we must continue our commitment to race, gender and orientation diversity in positions of influence within our Association and the legal community, we also must harness, nurture and leverage our natural diversity of thought.

The positions taken by our Association on issues of importance carry the weight of being vetted by both plaintiff and defense bars, trial lawyers and corporate counsel, prosecutors and defenders, young and senior lawyers. If provided the privilege of leading our Association, I intend to work closely with section and committee leaders to bring forward issues on their agenda that will benefit from the input and support of our full Association. Strengthening the ability of our sections to serve the practical and substantive needs of our members will enhance the bonds necessary for membership retention.

We also must continue to vigorously advocate for the preservation of the core principles of our profession, continuing our pursuit of access to justice for all New Yorkers, an independent and properly funded judiciary, and continuing our commitment to diversity in our profession and our Association. I will work closely with local and specialty bars, and have our Association continue to lead the collective voice of our profession on issues where we share common ground.

As co-chair of the Special Committee on Strategic Planning formed by then-President Stephen P. Younger, I am fully committed to support and pursue the Strategic Plan's goals of increasing membership value through programs and services and enhancing our communications through better use of technology.

Having served as chair of our Young Lawyers Section, I understand the importance of keeping our Association relevant to a new generation of attorneys. I will seek to strengthen our membership base by attracting newly admitted attorneys through a close relationship with New York's 15 law schools, and encouraging the efforts of our Young Lawyers Section. We also can look for ways to leverage, in a positive way, the dueling concerns of newly admitted attorneys remaining underemployed, and the unmet legal needs of many segments of our population.

Our recent Report on the Future of the Legal Profession recognizes that the practical realities of law practice are evolving, and, thus, the manner in which our Association remains relevant to members also must continue to evolve. This fall, we will be implementing our new website that will facilitate access to the volumes of substantive content our Association offers, not only via office computers, but also to iPads and smartphones. Our attention to the use of new technology is a work in progress and, as president, I shall remain vigilant in finding ways to use technology to communicate effectively with our membership, attract and retain new members, and increase the value and relevance of our Association to our membership.

I am grateful to the New York State Bar Association for providing me with the opportunity to work collectively with my colleagues as a section and committee chair, Executive Committee and Finance Committee member, and officer of this Association. If chosen to serve as president of our Association, I will devote all my energies to serving the needs of our members and maintaining our status as one of our nation's most influential bar associations. ♦

*Miranda is a partner in the Albany office of Heslin Rothenberg Farley & Mesiti P.C. He concentrates his practice on intellectual property law and related litigation. His current State Bar activities include serving as secretary of the Association, as a member of the Executive and Finance committees and as chair of the Resolutions Committee. He is past chair of the Young Lawyers Section and the Electronic Communications Committee and co-chair of the Special Committee on Strategic Planning.*