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## **President's Report to the House of Delegates**

### I. New Staff Leadership to Advance our Mission

As you are all aware, the Association has undergone substantial change during the past year. Significantly, we welcomed two new executive leaders whose mission is to help the Association best serve our members in a rapidly evolving legal environment.

*David R. Watson* officially began his job as Executive Director on July 21 with a breakfast for the Association staff, which also was attended by Dave Schraver, Dave Miranda and me. The new “Dave” oversees the day-to-day operations of the Association, which has 125 employees in Albany and its nearby print shop. He also helps implement policies approved by the HOD and Executive Committee. Watson brings to the Association his experience as a manager of three law-related associations and a legal technology company, as well as a practicing attorney and financial advisor. Most recently, he has been Executive Director of the Cleveland Metropolitan Bar Association (“CMBA”). Dave is active in the National Association of Bar Executives, where he enjoys an excellent reputation. We are confident his leadership will serve the Association well as we look to the future.

*Elizabeth Derrico* returned to our staff on October 30 as Associate Executive Director of strategic member engagement. Between 1984 and 1995, she worked at the Association, first as a local bar services representative and then as associate director of communication. She then took a 19-year detour to Chicago where she was associate director for the division of bar services at the American Bar Association. In this position, she had management responsibility for the division’s consulting services and field services program, clearinghouse and information services, Bar Leadership Institute, and social media and marketing initiatives. Elizabeth is well respected among the bar association community nationwide. News of her appointment on Facebook reached 3,500 people within 24 hours, a record for the NYSBA President’s Page.

### II. Pro Bono Affairs

#### Mandatory Pro Bono

President-elect David Miranda and I recently concluded a series of meetings with Chief Administrative Judge A. Gail Prudenti and Co-chair Helaine M. Barnett, the chair of the Task

Force to Expand Access to Civil Legal Services in New York. I will be presenting my report and recommendation separately on this issue to the House of Delegates.

#### 2014 Legal Assistance Partnership Conference

*Moving towards Civil Gideon* was the theme of the 2014 Partnership Conference which was held in Albany, New York on September 10 through September 12 at the Albany Marriott. Sponsored biennially by the Association's Committee on Legal Aid, the Partnership Conference has earned the reputation of being the premier continuing legal education training program for civil legal services attorneys. This year I had the honor of presenting opening remarks for the conference, which was attended by more than 650 attorneys and paralegals – an unprecedented jump in attendance of more than 48% from the 2012 conference which peaked at 450 registrants.

Conference registrants were able to choose from among 30 workshops, the overwhelming majority of which were CLE accredited. Among other subjects, workshops were offered in the Affordable Care Act; the nuts and bolts of establishing a lesbian, gay, bisexual and transgendered practice; immigration; Social Security Disability benefits; pro bono; expanding access to justice through the use of technology; language access; and ethics.

During the conference, the Committee on Legal Aid presented the Civil Denison Ray Awards. Named in honor of career civil legal activist Denison Ray, these awards are highly respected among civil legal services practitioners. A total of four awards were presented: two civil legal services attorneys were recognized for their zealous representation of vulnerable clients in government benefits cases and veterans' rights advocacy. A legal services program director with over 30 years of experience was recognized for his vision and leadership in building community collaborations and leveraging resources to better serve the low-income Rochester community. In addition, a non-profit organization was recognized for its decades of providing civil legal services to persons incarcerated in New York State correctional facilities.

#### Legal Services Corporation Board Meeting

The Legal Services Corporation, the largest funder of civil legal services programs in the country, marked its 40<sup>th</sup> anniversary by hosting its board meeting and pro bono awards ceremony in Albany, New York. The Board Meeting preceded the Third Department Hearing of the Chief Judge's Task Force to Expand Access to Civil Legal Services. I had the honor of participating in the Task Force hearing and attending the LSC Board meeting. Later that evening, I welcomed members of the LSC Board and their guests to the Great Hall where NYSBA hosted the LSC Pro Bono Awards Ceremony.

#### Legal Services Initiative

Launched by Governor Andrew Cuomo in the fall of 2012, the Legal Services Initiative is tasked with increasing access to affordable legal assistance, support services, and community resources for three targeted population groups: New York's older adults, individuals of all ages with disabilities and the unpaid caregivers for these groups. Besides the New York State Office for the Aging, the other Initiative partners include the Office of Court Administration, NYSBA, and the Office for People with Developmental Disabilities.

Initiative partners assembled a team of Think Tank members from around the state knowledgeable in the legal, socio-economic, health and safety issues impacting the targeted groups. During October, two Think Tank meetings were held during which members were charged to begin thinking about ways to increase access to affordable legal services for the

identified groups; how to raise the Judiciary's awareness about the special needs of the targeted groups and their effect on the group members' ability to successfully benefit from interactions with the legal community and the courts; what steps can be taken to increase the numbers of attorneys providing legal assistance to the target populations; and how to expand the numbers of attorneys providing pro bono legal assistance to the targeted populations. Immediate Past President David M. Schraver represented the Association at the first Think Tank meeting which was held on October 10 in Batavia, New York, and I participated in the October 29 Think Tank meeting in Castleton, New York.

#### Pro Bono Recognition and Recruitment

On October 9th the Association joined with the Honorable Thomas A. Breslin, Administrative Judge for the Third Judicial District, and other community partners to host a pro bono recruitment breakfast for managing partners. The event was very well attended by more than 40 attorneys, representing many of the law firms located in the Third Judicial District.

The Albany Celebration of National Pro Bono Week kicked-off on Tuesday, October 14th. President-Elect David P. Miranda was joined by Chief Judge Jonathan Lippman in recognizing seven area attorneys and one paralegal who made exemplary contributions to pro bono. The honorees were recognized for providing legal assistance to Iraqi refugees to resettle in the area; helping an incarcerated young person successfully challenge a claim of paternity; mentored law students in the delivery of pro bono services; assisted survivors of domestic violence in a variety of legal matters; and launched several innovative pro bono recruitment efforts.

The NYC Annual Pro Bono Recognition Awards Ceremony and Reception on October 23 was attended by more than 200 lawyers. Past President Seymour James Jr, represented the Association at the event which was held at the New York County Lawyers Association. NYSBA joined with the Court's Access to Justice Programs and the New York County Lawyers Association in recognizing more than 60 attorney volunteers. The Association's honorees included two Attorney Emeritus volunteers; two attorneys who counsel low-income debtors in the Staten Island CLARO project; and an attorney who has volunteered with the Refugee Assistance Project since 2002.

October 26-31 marked the fifth anniversary of National Pro Bono Week. As in previous years, the Association continues to play a leading role in organizing and supporting pro bono recruitment and recognition events in the Third and Fourth Judicial Districts aimed at raising awareness about pro bono opportunities and to encourage attorneys in the Capital District to become involved.

For the past several years, during National Pro Bono Week, the Association proudly collaborates with the Albany County Bar Association ("ACBA") and the Legal Aid Society of Northeastern New York ("LASNNY") in offering the Landlord-Tenant Continuing Legal Education training program. The program is free for attorneys who agree to accept pro bono referrals from the ACBA and LASNNY. Attorneys who successfully complete the landlord tenant training staff the Attorney-for-the-Day program in Albany City Court where they represent low-income tenants during their first appearance in an effort to prevent evictions and avoid homelessness. The October 16 evening training program recruited approximately 27 new pro bono volunteers.

The Association joined with Albany Law School and other community partners in sponsoring the biannual Senior Citizens Law Day on October 25. Senior citizens from throughout the tri-cities

and their caregivers attended a variety of informative workshop sessions on a diverse range of topics such as living wills, wills, health care proxies, power of attorneys, do not resuscitate orders, Medicare eligibility requirements, and the Affordable Health Care Act. Attendees also were able to meet one-on-one with an attorney and a law student to receive brief advice and consultation.

### III. Legislative Activities

#### State and Federal Legislative Priorities

The process for selecting the Association's 2015 Legislative Priorities began in July, when I sent a message to members of the Association asking for their input. In September, the Committee on Federal Legislative Priorities, chaired By John Nonna, and the Committee on Legislative Policy, chaired by Hermes Fernandez, met to consider the recommendations that were submitted. In early October, the Steering Committee on Legislative Priorities, comprised of the President, President-Elect, Executive Director, and the chairs of our two legislative committees, met to discuss the committees' recommendations. After consideration of the report of Messrs. Nonna and Fernandez, the Executive Committee adopted the Association's legislative priorities for 2015.

While the process for selecting our 2015 priorities began in July, we have been active this summer and fall in continuing to advocate for our 2014 priorities. In September, Rick Collins from the Criminal Justice Section met in Albany with key legislative staff to discuss the Association's "second-chance" proposal to seal the records of certain criminal convictions. In the coming days representatives of the Business Law Section will be having a similar meeting with regard to revision of New York's Franchise Act. The goal of this advocacy activity is to continue earlier steps on these proposals for appropriate action when the new legislative session begins in January.

#### Section Legislative Priorities

In addition, while not legislative priorities of the Association, I would like to recognize the hard work of the Trusts and Estates Law Section for successfully advocating for two of the Section's legislative priorities, which were signed into law since June, when we last met. The first law — Chapter 115 of the Laws of 2014 — amends to the Surrogate's Court Procedure Act in relation to the Uniform Transfers to Minors Act, a relatively new proposal from the Section. The second law — Chapter 404 of the Laws of 2014 — amends the Estates, Powers and Trusts Law, in relation to the interest payable on delayed legacies. The Section has advocated for this proposal and addressed questions raised by policy makers over the last several years. I congratulate them on their success, and wish them future success in their legislative advocacy.

### IV. Civics Education

#### Annual LYC Conference

The 38<sup>th</sup> Annual Law, Youth and Citizenship Conference was held on October 10 at Stony Brook University, and co-hosted by the University's School of Journalism. The over 140 attendees attended workshops and a presentation by Mary Beth and John Tinker (*Tinker v Des Moines*) and Cathy Kuhlmeier Frey (*Hazelwood v Kuhlmeier*), who related their respective experiences before

the Supreme Court. Dean of the School of Journalism, Howard Schneider, was the luncheon keynote speaker.

This year has also been the 40<sup>th</sup> anniversary of the New York State Bar Association's LYC Program. As part of the celebration, Governor Andrew Cuomo presented the Association with an Executive Chamber Special Citation. It noted congratulations to "the administrators, volunteers and beneficiaries of this revered and successful initiative with its longstanding tradition of educational guidance, public service and community involvement."

#### LYC Leadership

LYC's new director Martha Noordsy began on October 6, replacing retiring director Eileen Gerrish. Martha is a graduate of St. Lawrence University where she studied American History; she continued her education with Masters' degrees in Law Related Education and Educational Administration. Prior to joining LYC, Martha taught grades 7-12 Social Studies, At-Risk students, Career and Technical students, Adult learners and Incarcerated students. She resides in Glens Falls with her family where she is actively involved in her community.

We would like to thank Eileen for her many years of excellent service and congratulate her on both the many successes she achieved at the Association, and her recent retirement.

### V. Judiciary Matters

#### Judicial Nominations

In September, the State Commission on Judicial Nomination released the names of seven candidates for appointment by the Governor to the State Court of Appeals in connection with the expiration of the term of Hon. Victoria A. Graffeo. Our Committee to Review Judicial Nominations reviewed the qualifications of the candidates and interviewed each of them, finding five to be "well qualified" and two "qualified" for appointment to the court. On October 17, the Governor announced that he would appoint Hon. Leslie E. Stein, Associate Justice of the Appellate Division, Third Department, to the court. The Senate Judiciary Committee is expected to hold confirmation hearings in November, and we will advise the committee that we found Justice Stein to be "well qualified" for appointment.

#### Judicial Diversity

Having a diverse judiciary is in the public interest. This summer, the Association's Judicial Section completed a study of diversity in New York's judiciary, which was approved by the Executive Committee for distribution in September. As part of our ongoing commitment to this important issue, the Committee on Diversity and Inclusion has been asked to continue our review of judicial diversity.

### VI. Noteworthy Events

#### David Siegel

On October 9 Professor David Siegel passed away at his home in Massachusetts. He was 82. Professor Siegel's contributions to not only the New York State Bar Association, but also the legal profession as a whole, are beyond measure. We thank the entire Siegel family for his many years of service and friendship to the Association.

### Local Bar Association and NYSBA Section Events

President-Elect David Miranda and I were pleased to participate in several local and minority bar association events, as well as programs sponsored by chapters of the Women's Bar Association of the State of New York. These included attending the Capital District Women's Bar Association 36th Installation Dinner, the Capital District Black and Hispanic Bar Association Reception for Court of Appeals Judges, the Bar Association of Erie County's Annual Dinner, the Brooklyn Bar Association Officer Induction, the Suffolk County Bar Association Annual Installation Dinner, the Dutchess County Bar Association Past President's Dinner, the Bronx County Bar Association 112th Officer Installation Dinner, a meeting with minority bar association leaders and directors in New York, the Network of Bar Leaders Officer Installation, the New York Women's Bar Association 2014 Installation and Award Dinner and the Onondaga County Bar Association Annual Dinner.

Dave and I also attended the National Conference of Bar Presidents in Boston, MA last August and a meeting of the Mid-Atlantic Bar Conference in Atlantic City, NJ in October. I also had the pleasure of meeting with Paris Bar Association President and Vice President in New York. We extend our thanks to these bar associations for including us in their outstanding events and look forward to future occasions to join our colleagues.

On October 14 I traveled to Vienna Austria, where I had the great pleasure of participating in a four-day event alongside members of our International Law Section. The Federal Chancellor of Austria, Werner Faymann, commenced the event, which explored the rejuvenation of the transatlantic marketplace through entrepreneurship and innovation. We also had the privilege of participating in discussions with the United Nations Commission on International Trade Law ("UNCITRAL") at the Vienna International Centre, where UNCITRAL expressed its interest in our continued counsel on future projects.

Thereafter, I traveled to Rio de Janeiro, Brazil, where I met twice with, Marcus Vinicius Furtado Coelho, President of the Federal Council of the Brazilian Bar Association. At his invitation, I joined President Marcus at Brazil's 2014 Conference of Bar Associations alongside some 16,000 attorneys on October 21. Together, we signed a memorandum of understanding at the Conference's opening ceremony; the memorandum highlights the importance of the rule of law for the protection of human rights and the vital role played by attorneys in preserving and enforcing the rule of law. I also had the honor of speaking as part of an international arbitration panel. We anticipate a continued relationship and look forward to future collaboration with the Federal Council of the Brazilian Bar Association.

### Personnel Announcements

The Association is pleased to welcome Grazia Yeager, the new director of marketing, who joined our staff as at the end of September. Grazia is coordinating the Association's outreach to both members and non-members. She is working closely with the Membership, Continuing Education, Publications, Design Services, Management Information and our Printing departments. For more than a decade, she was manager of membership and special initiatives at the New York State Archives Partnership Trust in Albany.

Radio spots

I recently recorded radio announcements to educate the public on two topics: the importance of designating a health care agent and the importance of having a will, especially for parents of young children. The spots will be broadcast for four weeks, beginning November 10, in cooperation with the New York State Broadcasters Association.

Annual Meeting in New York City

Our next House of Delegates and Executive Committee meetings will be held on January 29 and 30 as part of the Annual Meeting at the Hilton New York in New York City. A variety of other events are planned for the week, including the Presidential Summit and Reception on January 28 and a House of Delegates dinner on January 29. I hope you will join us!

Sincerely,

A handwritten signature in cursive script, appearing to read "Glen S. Katz".