

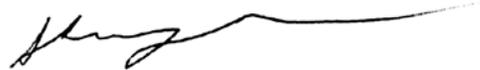
**NEW YORK STATE BAR ASSOCIATION
MINUTES OF EXECUTIVE COMMITTEE
CONFERENCE CALL MEETING
NOVEMBER 9, 2018**

Members Participating: Mark A. Berman, Matthew R. Coseo, Norman P. Effman, Margaret J. Finerty, Michael L. Fox, Sharon Stern Gerstman, Taa R. Grays, Henry M. Greenberg, Richard M. Gutierrez, Drew Jaglom, Scott M. Karson, Sherry Levin Wallach, Peter H. Levy, Richard C. Lewis, Michael Miller, Steven E. Millon, Aimee L. Richter, Robert T. Schofield, IV, Rona G. Shamoon, Carol A. Sigmond, David H. Tennant,.

Mr. Miller presided as President of the Association.

1. Report and recommendations of Committee on Communications and Publications. Prof. Fox reported that the Association's sections had requested three modifications to the report that had been presented to the Executive Committee at its November 2, 2018 meeting: sections that have previously sold advertising in their publications be able to retain future advertising revenue; for publications with a co-publisher, the agreement of the co-publisher be obtained prior to selling advertising; and all advertisers be subject to approval of the section in whose publication advertising is to be placed. Prof. Fox advised that the committee accepted these modifications. After discussion, a motion was adopted to approve the report and recommendations.
2. Adjournment. There being no further business to come before the Executive Committee, the meeting was adjourned.

Respectfully submitted,



Sherry Levin Wallach
Secretary

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF EXECUTIVE COMMITTEE
CONFERENCE CALL MEETING
NOVEMBER 19, 2018**

Members Participating: Mark A. Berman, Earamichia Brown, Norman P. Effman, Margaret J. Finerty, Michael L. Fox, Sharon Stern Gerstman, Henry M. Greenberg, Richard M. Gutierrez, Drew Jaglom, Scott M. Karson, Sherry Levin Wallach, Peter H. Levy, Richard C. Lewis, Michael Miller, Steven E. Millon, William T. Russell, Jr., Robert T. Schofield, IV, Rona G. Shamoon, Carol A. Sigmond, Tucker C. Stanclift, David H. Tennant, Jean Marie Westlake.

Guests: John H. Gross, David P. Miranda, Sandra Rivera (President's Rapid Response Advisory Group)

Mr. Miller presided as President of the Association.

1. Mr. Miller advised that he had scheduled this meeting to discuss possible responses that might be taken in the event that the Acting Attorney General were to dismiss Special Counsel Robert S. Mueller III to impede or terminate his investigation. The committee reviewed actions taken by the Association in response to the dismissal of Special Counsel Archibald Cox in 1973. It was agreed that the Association President should make appropriate statements as necessary to support the rule of law.
2. Adjournment. There being no further business to come before the Executive Committee, the meeting was adjourned.

Respectfully submitted,



Sherry Levin Wallach
Secretary

**NEW YORK STATE BAR ASSOCIATION
MINUTES OF EXECUTIVE COMMITTEE MEETING
BAR CENTER, ALBANY, NEW YORK
NOVEMBER 2, 2018**

Present: Karina E. Alomar, Jonathan B. Behrins, Mark A. Berman, Matthew R. Coseo, Norman P. Effman, Margaret J. Finerty, Michael L. Fox, Sharon Stern Gerstman, Sarah E. Gold, Evan M. Goldberg, Taa R. Grays (via conference call), Henry M. Greenberg, Richard M. Gutierrez, Erica M. Hines, Drew Jaglom, Scott M. Karson, Sherry Levin Wallach, Peter H. Levy, Michael Miller, Steven E. Millon, Aimee L. Richter, William T. Russell (via conference call), Robert T. Schofield, IV, Rona G. Shamoon, Carol A. Sigmond, Tucker C. Stanclift, David H. Tennant, Jean Marie Westlake.

Guests: James M. Barnes, T. Andrew Brown, Linda Gehron, Hilary F. Jochmans, Hon. Barry Kamins, Thomas J. Maroney, David P. Miranda, Ryan Michael Mott, Sandra Rivera, Samantha Segal, David M. Schraver, Stephen P. Younger, Richard K. Zuckerman.

Mr. Miller presided over the meeting as President of the Association.

1. Approval of minutes of meetings. The minutes of the June 14-15, 2018 meeting and the July 10 and August 17, 2018 telephone conference were approved as distributed.
2. Consent calendar:
 - a. Bylaws of Women in Law Section.

The consent calendar, consisting of the above item, was approved by voice vote.

3. Report of Treasurer. In his capacity as Treasurer, Mr. Karson reported that through September 30, 2018, the Association's total revenue was \$19.7 million, an increase of approximately \$334,000 from the previous year, and total expenses were \$17 million, a decrease of approximately \$746,000 over 2017. Mr. Karson also provided a report on the status of the long-term reserve investments. The report was received with thanks.
4. Report of Working Group on Judiciary Law §470. David M. Schraver, chair of the Working Group, reviewed the Working Group's report which recommends that Judiciary Law §470, which requires non-resident New York attorneys to maintain a physical office in New York, be repealed. The report will be presented for debate and vote at the January 2019 House meeting. The report was received with thanks.
5. Report of Committee on Standards of Attorney Conduct. David M. Schraver, a member of the Committee on Standards of Attorney Conduct, reviewed proposed amendments to the Rules of Professional Conduct relating to conflicts of interest and tribunals. The proposals will be presented to the House for debate and vote at the January 2019 meeting. The report was received with thanks.

6. Report of Task Force on Mass Shootings and Assault Weapons. In her capacity as co-chair of the Task Force, Ms. Finerty, together with co-chair David M. Schraver, reviewed the Task Force's work to date in developing a report that will recommend ways to reduce mass shootings while protecting Second Amendment rights. The report was received with thanks.
7. Report and recommendations of Commercial and Federal Litigation Section. Stephen P. Younger, past chair of the Section, together with Section member Ryan Michael Mott, outlined the Section's proposed Guidelines for Obtaining Cross-Border Evidence. The International Section has been asked to review the report and it will be scheduled for a vote at the January 2019 Executive Committee meeting. The report was received with thanks.
8. Report and recommendations of Committee on Children and the Law. Samantha Segal, a member of the Committee, reviewed the recommendations of the committee with respect to the administration of child welfare as related to the care and safety of children and youth in the foster care system. After discussion, a motion was adopted to approve the report and recommendations.
9. Report of staff leadership. Pamela McDevitt, Executive Director, together with Jason Nagel, Managing Director of IT and Adam Rossi, Director of Marketing, reviewed membership initiatives, marketing campaigns, digital advertising, and a planned update of the management information system which has been in use since 1998. The report was received with thanks.
10. Report and recommendations of Committee on Communications and Publications. In his capacity as chair of the committee, Mr. Fox, together with Ms. Gold, presented a report with respect to section publications, making recommendations with respect to best practices, content marketing and social media strategies, electronic memberships, and advertising and subscription revenue. After discussion, a motion to approve the report subject to review by the Sections Caucus failed, and a motion to table the report for one week to allow additional time for review was approved.
11. Report of Committee on Continuing Legal Education. James R. Barnes, chair of the Committee on Continuing Legal Education, together with Senior Director Katherine Suchocki, provided an update on the Association's continuing legal education program, including revenue and expenses and new policies and initiatives. They reported that there will be a single New York City location for CLE programs in 2019. The report was received with thanks.
12. Report and recommendations of Finance Committee re proposed 2019 income and expense budget. T. Andrew Brown, chair of the Finance Committee, reviewed the proposed budget for 2019, which projects income of \$23,006,890, expenses of \$23,006,588, and a projected surplus of \$302. After discussion, a motion was adopted to endorse the proposed budget for favorable action by the House.

13. Report of President. Mr. Miller highlighted the items contained in his written report, a copy of which is appended to these minutes.
14. *Reports of Vice Presidents and Executive Committee liaisons.* Messrs. Behrins, Jaglom, Levy and Scofield, Ms. Hines, Ms. Sigmond, and Ms. Shamoan reported on the activities of sections and committees for which they serve as Executive Committee liaisons. Messrs. Coseo, Effman and Schofield reported on local bar activities in their respective district which they serve as Vice President.
15. Report of Committee on Membership. Thomas J. Maroney, chair of the Membership Committee, reviewed the committee's work with respect to membership and marketing, noting that membership dues collection had reached 98% of the projected 2018 budget. The report was received with thanks.
16. Report on legislative matters. Sandra Rivera, chair of the Committee on State Legislative Policy, Ms. Rivera provided a preview of the 2019 legislative session. Hilary F. Jochmans, chair of the Committee on Federal Legislative Priorities, updated the Executive Committee on federal legislative activities. The reports were received with thanks.
17. Report and recommendations of Steering Committee on Legislative Priorities.
 - a. Committee on State Legislative Policy. Sandra Rivera, chair of the Committee on State Legislative Policy, reported on the committee's recommendations of the following items for inclusion on the list of the Association's state legislative priorities: integrity of New York's justice system; reform statutory power of attorney; right to discovery in criminal justice matters; increase compensation for lawyers providing mandated representation; enhance consumer protection for dealings with online providers of legal documents; and support for the legal profession.

After discussion, a motion was adopted to approve these items as the Association's 2019 state legislative priorities.
 - b. Committee on Federal Legislative Priorities. Hilary F. Jochmans, chair of the Committee on Federal Legislative Priorities, presented the committee's recommendations of the following items for inclusion on the list of the Association's 2018 federal legislative priorities: integrity of the justice system; support for the Legal Services Corporation; support criminal justice reform; support for legislation to address immigration representation; support for states' authority to regulate the tort system; sealing records of criminal convictions; and support for the legal profession.

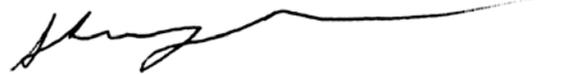
After discussion, a motion was adopted to approve these items as the Association's 2019 federal legislative priorities.

18. Report and recommendations of Local and State Government Law Section. Richard K. Zuckerman, chair of the section, outlined the section’s proposed Model Pro Bono Policy for Attorney Employees of Local Governments and Local Government Agencies. After discussion, a motion was adopted to endorse the policy for favorable action by the House.
19. Report and recommendations of Committee on Mandated Representation. Linda Gehron, a member of the Committee on Committee on Mandated Representation, presented the committee’s report recommending an amendment to the Standards for Mandated Representation to provide for the pre-petition representation of parents in child welfare cases modifying the current provision mandating representations at the “early stages” of a Family Court proceeding. After discussion, a motion was adopted to endorse the report and recommendations for favorable action by the House
20. Report of Task Force on Wrongful Convictions. Hon. Barry Kamins, co-chair of the Task Force, reviewed the Task Force’s work to date in updating the report approved by the House in 2009 and new developments to reduce wrongful convictions. He reported that the Task Force plans to present its report with recommendations on an informational basis at the January 2019 meeting with debate and vote to follow in April 2019. The report was received with thanks.
21. Report and recommendations of the Committee on Bylaws. IN his capacity as chair of the Bylaws Committee, Mr. Schofield presented the Committee’s proposals to amend the Bylaws to remove the requirement that candidates for member-at-large of the Executive Committee be “members of the House of Delegates or section or committee chairpersons” at the time of selection or within three years preceding selection and replace it with a requirement that candidates be “Active members of the Association.” After discussion, a motion was adopted to recommend subscription to the proposed amendments by the House.
22. Report of Nominating Committee. David P. Miranda, chair of the Nominating Committee, reported that the Committee had nominated the following individuals for election to the indicated offices for the 2019-2020 Association year: President-Elect: Scott M. Karson, Melville; Secretary: Sherry Levin Wallach, White Plains; Treasurer: Domenick Napoletano, Brooklyn; Vice Presidents: 1st District – Diana S. Sen, New York City and Carol A. Sigmond, New York City; 2nd District – Aimee L. Richter, Brooklyn; 3rd District – Robert T. Schofield, IV, Albany; 4th District – Marne Onderdonk, Saratoga Springs; 5th District – Jean Marie Westlake, East Syracuse; 6th District – Richard C. Lewis, Binghamton; 7th District – David H. Tennant, Rochester; 8th District – Norman P. Effman, Warsaw; 9th District – Mark T. Starkman, New Windsor; 10th District – Donna England, Centereach; 11th District – Karina E. Alomar, Ridgewood; 12th District – Michael AS. Marinaccio, White Plains; 13th District – Jonathan B. Behrins, Staten Island. The following individuals were nominated to serve as Executive Committee Members-at-Large for a 2-year term beginning June 1, 2019: Richard M. Gutierrez (Diversity Seat), Forest Hills; Margaret J. Finerty, New York City and William T. Russell, Jr., New York City Nominated as Section Member-at-Large was Andre R. Jaglom, New York City. Nominated as Young Lawyer Member-at-Large was John P.

Christopher, Glen Head. The following individuals were nominated as delegates to the American Bar Association House of Delegates for the 2019-2021 term: Claire P. Gutekunst, Yonkers; Seymour W. James, Jr., New York City; Scott M. Karson, Melville; Bernice K. Leber, New York City; and Michael Miller, New York City. The report was received with thanks.

23. New Business. Mr. Miller reminded the members that the Annual Meeting will be held January 14-19, 2019, a week earlier than usual. The President's Summit will take place on Wednesday, January 16, and will cover three topics. Mr. Greenberg advised the members that he, together with staff and others, is reviewing possible changes to events at the 2020 Annual Meeting.
24. Date and place of next meeting.
Thursday, January 17, 2019
Hilton Midtown New York, New York City
25. Adjournment. There being no further business, the meeting of the Executive Committee was adjourned.

Respectfully submitted,



Sherry Levin Wallach
Secretary

