



Staff Memorandum

EXECUTIVE COMMITTEE Agenda Item #13

REQUESTED ACTION: Approval of an amendment to the Association Bylaws to provide for membership in the House of any NYSBA member who is currently serving or has served as President of the American Bar Association.

As you know, in August 2013 NYSBA member James R. Silkenat will become president of the American Bar Association. While Jim has served in our House of Delegates, he is not a current member of the House, and has not served as NYSBA President. Attached is a memorandum from General Counsel Kathy Baxter, outlining proposed Bylaws amendments that could be adopted in order to provide Jim – and any future NYSBA member who serves as ABA President – with life membership in the House.

David M. Schraever will present this proposal at the upcoming meeting.



NEW YORK STATE BAR ASSOCIATION

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May 29, 2013

To: David M. Schraver, Esq.

Re: Proposed Bylaws Amendments – ABA Presidents

Under the Association Bylaws, all past presidents of the Association are members of the House of Delegates for life. In addition, pursuant to amendments adopted in 2004, the ABA State Delegate and the New York State representative on the ABA Board of Governors are members of the House during their terms of service, provided that they are members of the New York State Bar Association. The purpose of these amendments was to facilitate communication with the ABA and give NYSBA leaders improved access to information about ABA activities.

Currently two former ABA Presidents are members of the House: Lawrence E. Walsh, who served as NYSBA President in 1966-67 and ABA President in 1975-76, and Robert MacCrate, who served as NYSBA President in 1974-75 and ABA President in 1987-88. Both are life members of the House by virtue of their service as NYSBA President.

This August, James R. Silkenat will become ABA President. Jim has been a member of our House in the past – as a delegate from the New York City Bar Association, as ABA State Delegate, and as one of the 11 NYSBA delegates to the ABA House. However, Jim has not served as NYSBA President and is not a current member of the House.

Given the prominence of the ABA President, it would be beneficial to the Association to have a New York lawyer serving (or having served) in that position as a member of the NYSBA House, provided that he or she is a member of NYSBA. As is the case with NYSBA Presidents, this person would be entitled to a term for life. This requires an amendment to Article V, section 3 of the NYSBA Bylaws, which governs the composition of the House, as well as Article V, section 4, which governs terms in the House. If approved by the Executive Committee, we would then ask the Bylaws Committee to prepare proposed amendments for subscription by the House at the

November 2013 meeting and, if subscribed by the requisite number of House members, voted upon at the 2014 Annual Meeting.

Please let me know if you need any additional information.

A handwritten signature in black ink, appearing to read "Kathy", with a stylized, cursive script.

Kathleen R. Mulligan Baxter