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NEW YORK STATE BAR ASSOCIATION State Bar News

Committee seeks official State Bar policy strengthening civics education in schools

By Patricia Sears Doherty

"The first duty of the State and the surest evidence of good government is the encouragement of education...."

— Governor DeWitt Clinton, Jan. 3, 1826, from an address to the State Legislature

When the House of Delegates convenes during the Annual Meeting in New York City in January, it will be asked to adopt a formal association policy advocating that the state's political and educational leaders take seriously their constitutional mandate to strengthen civics education, not diminish it, as appears to be the case in the rush to implement Common Core curriculum into classrooms throughout the state.

The report and recommendations on civics education by the Committee on Law, Youth and Citizenship (LYC) will be on the House agenda on January 31 for action. Former Chief Judge Judith Kaye will speak at the House meeting in support of the committee's report and recommendations.

Coincidentally, the committee, whose mission is to promote citizenship and law-related education in the state's schools, will mark the 40th anniversary of its creation at the House meeting.

The committee will ask the State Bar to adopt a policy on civics education that would "encourage policymakers



Teaching civics—The award-winning Law, Youth and Citizenship Program promotes professional development for educators throughout New York. Pictured above, iCivics instructor Desiree Bayonet works with teachers at the LYC/PATCH Summer Institute for civics and law-related education at Northport/East Northport UFSD. More than 100 teachers attend the annual June/July institute to learn about programs such as iCivics. LYC reaches hundreds of teachers each year, and thousands of K-12 NY students through a variety of programs. [Photo by Eileen Gerrish]

at all levels of government," including, but not limited to the governor, state Legislature, Board of Regents and state Department of Education, to ensure

that all students experience high quality civic learning and that it is given an

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Presidential Summit focuses on legal education, rapidly changing profession

By Mark Mahoney

Legal education and the legal profession each are in the midst of transition. Law schools are re-examining the way they prepare future lawyers. Practicing attorneys are acclimating to a rapidly changing business climate.

It is around this parallel convergence of change that State Bar President David M. Schraver of Rochester (Nixon Peabody LLP) has designed the 2014 Presidential Summit at the Annual Meeting.

The first of the two programs is entitled, "Educating Tomorrow's Lawyers: Can Lawyers, Employers, Regulators and Educators Come Together to

Address Our Challenges?" The second program is titled, "Supporting Today's Lawyers: The Rapidly Changing Legal Profession."

"They are so interrelated," Schraver said in a recent interview. "They are two parts to the same puzzle."

Schraver has made legal education one of the cornerstones of his administration. He says it is important that the State Bar take an active and meaningful role in bringing about necessary reforms.

"My hope is that this will help keep the discussion going," said Schraver.

Earlier this year, Schraver re-invigorated the State Bar's Committee on

Legal Education and Admission to the Bar, co-chaired by Eileen D. Millett of New York City (Epstein Becker & Green, P.C) and Eileen R. Kaufman of Central Islip (Touro College School of Law), to help assess the changes in the profession and legal education and to make recommendations next year.

In addition, Schraver is coordinating a convocation in May with the New York State Judicial Institute on Professionalism in the Law that will employ focus groups of legal education experts in hopes of framing issues and developing solutions.

Besides the State Bar, the American

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Presidential summit focuses on legal education, rapidly changing profession

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Bar Association (ABA) and the New York City Bar Association also are studying potential changes to legal education. (See box.)

During the Annual Meeting's Presidential Summit, ABA President James R. Silkenat of New York (Sullivan & Worcester LLP) will moderate the legal education panel. He, like Schraver, has made legal education one of the priorities of his term.

In announcing the ABA draft report on legal education, Silkenat said, "Legal education in the United States is the best in the world, but it must continue to evolve to match the rapid changes that are taking place in legal practice in the United States.

"This is a topic that is critical to our profession and essential to the delivery of legal services in the United States."

The keynote address for the panel will be delivered by William M. Sullivan, founding director of Educating Tomorrow's Lawyers, a University of Denver-based organization that works with law schools to promote excellence in legal education. Sullivan also was a co-author of the 2007 Carnegie Foundation report on legal education.

The panel for the program includes

Phoebe A. Haddon, dean and law professor at the Francis King Carey School of Law at the University of Maryland; Hon. Jenny Rivera, associate judge of the New York State Court of Appeals and a former law professor at the City University of New York School of Law; and Kent D. Syverud, chancellor and president of Syracuse University and the former dean of the Washington University School of Law in St. Louis.

The panel will discuss the cost of legal education, the extent to which the curriculum prepares students for practice, the need for greater diversity in the profession, the relevance of the bar exam to the practice of law, the job market facing law school graduates, and other relevant issues.

Legal profession panel

Once law students graduate, they will encounter a new set of challenges already being faced by current members of the profession, Schraver said. Among those challenges are developments in technology, increasing globalization, competition from non-traditional vendors of law-related services, changing expectations and demands from clients, a tougher job market, and the difficulty of maintaining a quality lifestyle in the face of

lower compensation and large student-debt burdens.

"A lot of lawyers are either unaware or may be in denial, but they are going to be affected by it," Schraver said of the changes in the profession.

Stephen P. Younger of New York City (Patterson Belknap Webb & Tyler LLP), a former State Bar president, will moderate the legal profession panel. As president, Younger appointed the Task Force on the Future of the Legal Profession, which issued a report in February 2011 on the rapid pace of change in the profession and recommending ways for attorneys to adapt.

In a recent interview, he said many of the issues raised then are similar to what is happening today. He said there has been some self-correction caused by the glut of lawyers, as law school enrollments have dropped. But he said it is as difficult for lawyers to find jobs as it was a few years ago, and lawyers have to be more resourceful in landing a job.

Younger said he hopes through the Presidential Summit panel to provide insight from those in solo practices, small firms and large firms as to how best to serve clients in an era when technology and other changes have altered the way legal services are delivered.

"Clients are looking for more expertise, and more sorts of senior, value-added opinions. This leaves us in the quandary of how do you get to that level when clients don't need as many young lawyers to crank those things out," Younger said. "Hopefully, the summit will generate different people's ideas about what clients want from us

so that we know how to fulfill those expectations."

The keynote address for the second panel will be delivered by Bruce MacEwen, president of Adam Smith, Esq. LLC in New York City, which provides consulting services to the legal profession, focusing on law firms, legal professionals and legal vendors. MacEwen also wrote the book, "Growth is Dead: Now What?" on the challenges facing big law firms.

Panelists will be Ben Wilson, principal at Beveridge & Diamond P.C., a large Washington, D.C.-based law firm; Anne Reynolds Copps (Law Office of Anne Reynolds Copps), owner of a small law firm in Albany; and Frank Jimenez, general counsel, secretary and managing director of government affairs at Bunge Limited, a White Plains-based food processing company.

The panel will address the challenges and changes facing today's lawyers, including developments in the provision of law-related services, new technology, increased globalization, a changing economic climate and new client demands. It also will discuss how these factors are affecting the practice of law, and how lawyers, law firms and clients are responding to them.

The Presidential Summit will take place during the Annual Meeting in New York City on January 29 from 2 to 5 p.m. Attorneys who pay the general registration fee for Annual Meeting may attend the summit and will receive 3 MCLE credits. ♦

Mahoney is NYSBA's associate director of media services.

Other bars also studying legal education, possible changes

American Bar Association

In September 2013, the ABA issued a draft report from its Task Force on the Future of Legal Education. The report called for changes in the pricing of legal education, liberalizing or eliminating certain accreditation standards, and speeding the pace of innovation and practical-skills training at law schools. It also called on courts and bar authorities to devise new frameworks for licensing legal service providers.

Specifically, the task force called for "serious re-engineering" of the complex practices involved in funding legal education; repealing or dramatically liberalizing the ABA Standards for Approval of Law Schools that establish strict standardization levels for law schools; fostering innovation through changes to the ABA accreditation system; shifting the emphasis in education more toward developing attorney competencies; and expanding the pool of those who can deliver legal services beyond just lawyers.

New York City Bar Association

In mid-November 2013, the City Bar's Task Force on New Lawyers in a Changing Profession issued a report that examined the complex legal landscape, identified innovative trends in preparing new lawyers and looked at careers and their relationship to meeting unmet needs in the community.

Its recommendations include supporting innovations in legal education that provide skills and expertise needed in a changing legal landscape; providing students with opportunities to obtain "hard skills" and gain practical experience; finding ways for law schools to reduce costs; ensuring diversity in the profession; removing structural impediments that inhibit innovation, such as reducing the impact of the U.S. News & World Report rankings and reforming ABA standards to allow flexibility in curriculum design; reforming bar exams; and seeking new "sustainable career opportunities."

—Mark Mahoney

NEW MEMBER BENEFIT

It's All New!

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TAKE YOUR COMMUNITIES WITH YOU TOO!

Take your Communities with you using the new MemberCentric mobile app and make the most of NYSBA meetings using NYSBA's new EventSentinel mobile app. Both apps are available in the Apple and Android App stores.

