NEW YORK STATE BAR ASSOCIATION MINUTES OF EXECUTIVE COMMITTEE CONFERENCE CALL MEETING JANUARY 14, 2013

Members Participating: Castellano, Doyle, Finerty, Gerstman, Gutekunst, James, Lau-Kee, Martin, Miranda, Myers, Romero, Safer, Schraver, Slezak, and Young.

Guest: Michele Kahn

Mr. James presided as President of the Association.

- 1. <u>Consideration of amicus curie</u> participation in *Windsor v. United States*. Michele Kahn, chair of the Committee on LGBT People and the Law, outlined a proposed *amicus curiae* brief to be filed in *Windsor v. United States*, which challenges the constitutionality of Section 3 of the Defense of Marriage Act and is scheduled for consideration by the United States Supreme Court. After discussion, a motion was adopted to approve the filing of a brief. Ms. Finerty, Ms. Gerstman, Ms. Gutekunst and Mr. Miranda were appointed to serve as a subcommittee to review the brief.
- 2. Report and recommendations of Working Group on Guidelines of the Committee to Review Judicial Nominations. Mr. Doyle reported that the Working Group had been appointed to review the appeals process contained in the guidelines. He reviewed the current appeals process and proposed amendments to the guidelines with respect to this process. After discussion, a motion was made to endorse the amendments for favorable action by the House, after which a motion to amend to eliminate the appeals process failed. A subsequent motion to amend to include ratings of "qualified" in the appeals process failed, after which the original motion was adopted. A motion to refer the recommendations to the House of Delegates for consideration at the January 25, 2013 meeting was then approved by a vote of 7-6.
- 3. <u>Possible NYSBA Action with respect to gun violence.</u> Mr. James and Mr. Schraver reviewed issues that might be considered by a Task Force on Gun Violence, with a view to appointing a balanced task force that would develop a report to serve as a resource for state and federal lawmakers. After discussion, a motion was adopted to approve the creation of a task force.
- 4. Proposed report and resolution for ABA House of Delegates. Mr. James reviewed a proposed report and resolution for submission to the ABA House of Delegates for consideration at its February 2013 meeting with respect to federal funding for courts and the Legal Services Corporation. After discussion, a motion was adopted to approve submission of the report and resolution.

There being no further business to come before the Executive Committee, the meeting was adjourned.

Respectfully submitted,

Suco Winda

David P. Miranda

Secretary