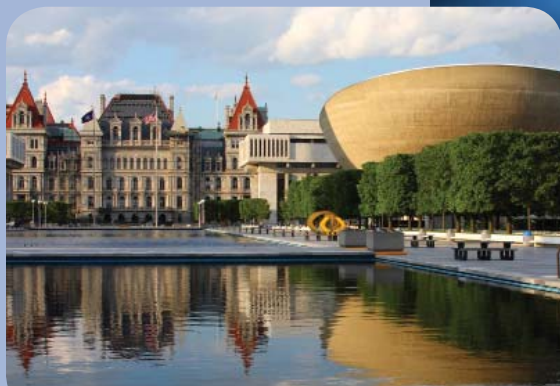


Shaping the Future of the Profession



2010-2011
Report to
Membership

2010-2011 Report to Membership

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Shaping the Future of the Profession

“We have endeavored this year to address the many concerns that face our profession. By fulfilling our role as stewards of the profession, we help achieve our ultimate goal of transforming the practice of law into a profession that is satisfying not only to the lawyers of today, but one that will be rewarding and fulfilling for generations to come.”

President Stephen P. Younger



The Year in Review

Back to the Future

It has always been human nature to try to predict what the future will hold. For example, consider TV shows like the *Jetsons* and classic films like *2001: A Space Odyssey*, which captured our imaginations and compelled us to think ahead.

At the beginning of my term, I challenged all lawyers to help move our profession forward by going back to the future. Now, at the end of my term, let me renew that challenge.

In the wake of the Great Recession, which so deeply affected our profession, we have entered what appears to be a period of recovery. During this time, it remains imperative to focus on how we can shape the future of our profession in a way that protects us from future economic threats.

As I have often said over the past year, we are called to be stewards of our profession. It is our duty to play an important role in the evolution of our profession. This is an obligation that my mentors, including Judge Hugh R. Jones and Judge Richard J. Bartlett, considered to be paramount in their own professional lives.

Over the past year, we have endeavored to shape the future in many areas. And, we have accomplished much. Space does not permit me to thank every person who made these successes possible. However, I would be remiss not to mention the tremendously talented officer team who supported our efforts this year: President-elect Vince Doyle; Treasurer and President-elect Designee Seymour James; Secretary David Miranda; as well as our phenomenal Executive Director Patricia Bucklin.

Set out below is an overview of the important work we have done through the contributions of numerous dedicated volunteers.

Future of the Profession

Last June, we began exploring the future of the practice of law by bringing together some of the foremost thought leaders in our profession to form a Task Force on the Future of the Profession. The Task Force included: managing partners, law school professors and deans, general counsel, technology experts and work-life balance consultants.

Under the dedicated leadership of Linda Addison and T. Andrew Brown, the Task Force focused on (1) training new lawyers; (2) work-life balance; (3) law firm structure, particularly alternative billing methods; and (4) technology.

The Task Force held forums both upstate and downstate to gather the views of managing partners of firms of all sizes, general counsel, law school deans, and bar leaders. In addition, I emailed all State Bar members seeking their input on these important issues, which affect the practice of law for all lawyers in our state.

The result of this intense study is a comprehensive report, which the House of Delegates accepted on April 2. In the coming weeks, the report will be referred internally to State Bar sections and committees for development of proposals they deem appropriate to implement the recommendations. The report will also be shared with bar associations, law schools, and other entities for their consideration.

“We are called to be stewards of our profession. It is our duty to play an important role in the evolution of our profession.”

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The Task Force's key observations include:

Training New Lawyers: Increasingly, clients do not want to pay for the work of new lawyers, many of whom have never interviewed a client or drafted a contract. To meet the demands of the modern client and law firm, new lawyers need more skills-based learning.

Work-Life Balance: To help lawyers integrate their work lives and personal lives and to find balance in the virtual 24/7 workplace, employers should consider policies that encourage flexible work arrangements and other initiatives that promote a healthy workplace.

Law Firm Structure: To stay competitive, law firms should engage in long-term examination of their structures and expand their use of alternative fee arrangements.

Technology: Emerging technologies are perhaps the glue that holds together all of the issues covered in this study of the profession. The Task Force recommended that law firms employ systems-based analyses when considering the use of new technologies and that they invest in increased technology training for lawyers. While technology can be an impediment to work-life balance, it also can provide the means to achieve appropriate balance.

I encourage you to read the report at www.nysba.org/futurereport.

Government Ethics Reform

In the wake of recent political corruption scandals that have dominated the headlines in New York State, public confidence in our government is at an all-time low in our state. Serious concerns have been expressed about the strength of New York's ethics codes for government officials, and the call for reform has been raised in many quarters. While thousands of public servants – many of them lawyers – make positive contributions on a daily basis through their government service, the unethical actions of a relative few tarnish the hard work of those who are dedicated to serving the public good.

As a result, we formed a Task Force on Government Ethics to conduct a systematic review of public sector ethics issues that impact the legal profession. Led by Professor Patricia E. Salkin and Hon. Michael J. Garcia, the Task Force focused on four key areas: financial disclosure by public officials, honest services crime, enforcement and due process issues, and municipal ethics.

At its January 28, 2011 meeting, the House of Delegates unanimously approved the Task Force's report and recommendations. Key recommendations of the task force include: (1) requiring disclosure of indirect sources of income above a \$10,000 threshold with the exception that attorneys would not be required to disclose clients where such disclosure would harm the client or be detrimental to representation; (2) creating a single ethics commission to oversee both the Executive and Legislative branches of government; (3) imposing additional penalties for public officials found to have violated ethics laws, including suspension and expulsion from office; (4) subjecting public officials who violate confidentiality of ethics investigations to new penalties; (5) enacting tougher laws to give state and local prosecutors more tools to fight "honest services fraud"; and (6) adopting a comprehensive municipal ethics code. The Task Force's full report can be viewed at: www.nysba.org/tfgefinalreport.

Since the approval of this report, I have communicated the State Bar's recommendations to the Governor and our legislative leaders who are currently working on a comprehensive state ethics bill. Bar associations can and should play an important role in shaping the debate over government ethics and helping to restore the public trust. The State Bar has a responsibility to preserve the pillars of our democracy, including government ethics, and I am grateful for the work of our member volunteers who have ensured that we were prepared to enter this debate in a timely and thorough way.

Legislative Successes

This past year, we were fortunate to experience some significant legislative successes, which led *Crain's Insider* to dub 2010 a "Banner Year" for the Bar. Some of our legislative victories included the passage of no-fault divorce, the creation of the Office of Indigent Legal Services to improve the criminal defense system for the poor, the approval of the Judiciary's \$15 million IOLA budget allocation to fund civil legal services for the poor, and the establishment of a commission to recommend long overdue pay raises for our judges.

As the legislative session continued, we remained committed to advocacy on behalf of our profession and the public. We successfully urged the Legislature to adopt the Judiciary's \$15 million allocation to help offset declining IOLA revenue, as well as its allotted \$12.5 million request for additional funding of civil legal services. We were disappointed at the level of budget cuts imposed on the

Judiciary but are hopeful that the cuts will not deprive New Yorkers of access to our justice system. In addition, we have supported the Governor's \$1.5 million appropriation for the new Office of Indigent Legal Services, and we will continue to seek adequate funding for this important office.

We helped lead the effort to defeat caps on non-economic damages in medical malpractice cases. We are pleased that the proposed caps were not included in the Governor's budget agreement with the legislative leaders. These changes would go to one of our association's core values – promoting access to justice – and we spoke out vigorously against them. As noted above, we are involved in the ongoing debate on government ethics reform.

We were disappointed to see \$170 million cut from the Judiciary budget. These cuts will deeply affect court operations and all our members, and will mean the loss of valuable programs. We are working in partnership with the courts to identify innovations that can save funds going forward.

On the federal level, we are fighting against efforts to cut funding for the Legal Services Corporation, which in 2010 provided more than \$28 million for legal services programs in New York. Our efforts to overturn the red flags rule won the State Bar the ABA's Grassroots Advocacy Award. And, we were instrumental in the effort to secure a lawyer's exemption in the Dodd-Frank Act.

Our legislative successes are attributable to the vast expertise and tremendous dedication of our members, sections and State Bar staff. We can all take pride in these accomplishments, and I am very grateful for the work of those who contributed to our success.

Youth Courts

Another way our profession can affect the future is to provide opportunities for young people to become active participants in our society. The more than 100 youth courts operating in New York use positive peer pressure as an early intervention tool to help teens who have committed low-level offenses. Moreover, they educate young people about and instill respect for the rule of law. Teens who participate are trained to serve as jurors, judges and attorneys. They hear real-life cases of their peers involving minor offenses. Sanctions typically include community service, letters of apology and counseling.

To help strengthen Youth Courts in our state, our Special Committee on Youth Courts, which is led by Chief Judge Emeritus Judith S. Kaye and Patricia L. R. Rodriguez, has been extremely active on several fronts. Last fall, the Special Committee held a forum in Albany to encourage local agencies to establish a Youth Court. As a result, the committee forged relationships with the Albany City School District, which is establishing a school-based Youth Court. This summer, they will begin training student members to hear school-related cases and will begin hearing cases in September 2011.

In addition, the Special Committee sponsored a demonstration by the Greenpoint Youth Court held during the January 2011 House of Delegates meeting, as well as a special January issue of the *Bar Journal*, which is now in its second printing. The Special Committee is also working with the Association of New York State Youth Courts to develop a data collection program that will serve the needs of individual Youth Courts and be accessible to others seeking information and statistics on Youth Courts.

The State Bar is proud to support Youth Courts and their mission of providing a juvenile justice alternative that is operated for and by young people. There are numerous ways that our members can help Youth Courts. In addition to volunteering at your local Youth Court, you can contribute to The Bar Foundation's special fund for Youth Courts, which is named in honor of former Chief Judge Kaye. You can contribute online at www.tnybf.org.

Family Courts

Family Courts support the most vulnerable segment of society – our children – at the most vulnerable points in their lives. From foster care to child abuse and neglect, family courts make key decisions every day that can have lasting effects on children and their parents.

However, our Family Courts face overcrowded dockets, too few judges, and protracted delays, and have been hit hard by the Judiciary budget cuts. Under the leadership of Judge Rita Connerton and Susan Lindenauer, and with guidance from experts on the front lines of our family courts, our Task Force on the Family Courts is tackling the problems faced in operating this important branch of our court system. The topics that the task force is exploring include: (1) what additional resources the family courts need, in what functional areas; (2) what improvements are required in case management and utilization of family court staff; (3) what new technologies can judges and attorneys use to

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improve efficiency; and (4) what operational improvements are needed to better serve our state's families.

In addition to focusing on these important topics, members of the Task Force are meeting with court officials from neighboring states to learn about the best practices that these states are using to ensure efficient operation of family courts in their jurisdictions. To date, task force members have met with judicial officers in New Jersey and Connecticut.

Given the influence that family courts exert on the lives of our citizens, we must do all we can to ensure that members of the public have equal access to our justice system. The Task Force's work is ongoing and will continue into the upcoming bar year. I look forward to what is sure to be a comprehensive and innovative report.

New York Law in International Matters

New York domestic law plays a critical role in governing a large number of cross-border business and international commercial transactions. However, the economic challenges that have confronted the legal profession and our global economy, coupled with strong competition from emerging financial centers abroad, have made it necessary to re-examine the role of New York law as an international standard. Indeed, shaping the future of our profession in New York must involve efforts to preserve the position of New York law as an international legal standard of choice for commercial transactions.

Our Task Force on New York Law in International Matters, led by Joseph T. McLaughlin and James B. Hurlock, has developed comprehensive recommendations to promote New York as an attractive environment for investment and as a preferred site for business endeavors. The Task Force has examined the important role that New York courts and arbitration forums play in resolving international business disputes. The Task Force's Report will be presented to the House of Delegates, at our June meeting in Cooperstown. It is my expectation that the Task Force's efforts in these key areas will help re-establish New York law as a key standard in private international law and a force throughout the world.

We have endeavored this year to address the many concerns that face our profession. By fulfilling our role as stewards of the profession, we help achieve our ultimate goal of transforming the practice of law into a profession that is satisfying not only to the lawyers of today, but one that will be rewarding and fulfilling for generations to come.

"If I leave you with one thing, let it be a calling to continually seek to better our profession and to extend a helping hand to our new lawyers, who represent our future."

As you can see, we have made great strides toward these goals. But, there is still more to do, and we need the help of every member. Get involved in a section or committee. Volunteer to do pro bono. Become a mentor to a law student or new attorney.

I firmly believe that it is our ongoing responsibility not only to shape our profession but also to nurture new lawyers and to serve as the mentors that we once benefited from. If I leave you with one thing, let it be a calling to continually seek to better our profession and to extend a helping hand to our new lawyers, who represent our future.

I am grateful for the opportunity to serve as your President, and for those who supported my journey, including first and foremost my wife and life's partner, Prue; my family; all those who served on our task forces and committees this year; and my partners at Patterson Belknap. It has been an honor and privilege.



Shaping our Profession

"I am convinced there is a better way to practice law. We need only to figure out how to do it – for the good of our profession, the good of our clients, and – simply – because we owe it to each other and to lawyers of tomorrow to begin shaping the future of our profession today." President Stephen P. Younger

Future of the Legal Profession

President Younger established the Task Force on the Future of the Legal Profession in June to help members of the legal profession plan for tomorrow.

"After weathering one of the worst years in recent memory due to the economic downturn, bar leaders across New York and globally are cognizant of the need to fundamentally change the way we as attorneys do business. As a bar association, we are obligated to serve as stewards of our profession. As a result, our new task force will receive the benefit of a wealth of expertise from some of the brightest minds in the legal world. We will harness their talents and take advantage of this opportunity to make lasting, positive changes that will chart a bold new course for our profession," said President Younger.

After 10 months of study, the House of Delegates unanimously approved the task force's comprehensive report at its April meeting.

Under the leadership of co-chairs, Linda Addison and T. Andrew Brown, the study focused on four areas: law firm structure; training new lawyers; work-life balance; and technology.

Regarding law-firm structure, the task force predicted that law firms will need to engage in long-term restructuring and expand their use of alternative fee arrangements to stay competitive. The changing marketplace will require new approaches to the education and training of lawyers, with an emphasis on skills-based learning.

With respect to work-life balance, the task force analyzed the business case for adopting healthier policies and issued specific recommendations favoring flexible work arrangements and other initiatives. Finally, the task force recognized technological innovation as a driving force in the legal profession and recommended that law firms employ

systems-based analyses when considering the use of new technology and invest in increased training for lawyers.

The task force also sponsored a law firm managing partners' forum in New York City and Rochester, a private breakfast for past presidents, and a forum for all New York law school deans.

Task Force on New York Law in International Matters

Seeking to highlight the critical role that New York domestic law plays in a wide variety of cross-border business and international commercial transactions, President Younger established the Task Force on New York Law in International Matters in October 2010.

"As the financial capital of the world, it is imperative that lawyers, business leaders and commercial investors understand the international dimension that New York law plays in guiding cross-border transactions and resolving international disputes. Our aim is not just to educate the legal community and the business world about the benefits of using New York law, but to advance comprehensive recommendations that will ensure New York law retains its position as an international legal standard for commercial transactions in the global marketplace," said Younger.

The task force, headed by Joseph McLaughlin and James Hurlock, issued its report in April.

The task force undertook a systematic review of New York law to gain a more critical understanding of its strengths as an international standard and formulated proposals designed to promote the use of New York law in cross-border transactions and to encourage parties to use New York as a forum for the resolution of disputes.

The task force is meeting its goals through four subcommittees: New York Legislative and Caselaw Review subcommittee; Use of New York Courts to Resolve International Disputes subcommittee; Use of New York as

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a Forum for Arbitration and Alternative Dispute Resolution subcommittee; and Communications to Promote Use of New York Law and New York as a Forum subcommittee. The subcommittees are working both independently and collaboratively to generate drafts and supporting materials for the task force's report.

The task force hosted a forum for New York State Commercial Division judges, as well as four focus group meetings, including one in London.

Government ethics

Created by President Younger in June, the Task Force on Government Ethics Reform undertook a systematic review of public sector ethics issues that impact the legal profession.

"Despite the many positive contributions made by public servants, New York's citizens have lost confidence in the integrity of their government institutions," said Younger. "To regain their trust, we need comprehensive ethics proposals that will restore New Yorkers' confidence in government."

The task force was asked to propose recommendations for reforming public sector ethics laws, focusing on four areas: improving the structure of the state's enforcement mechanisms in the area of ethics, consistent with our notions of fairness and due process; enhancing the ability of state prosecutors to bring criminal charges where a public official failed in his or her obligation to provide honest services to the public; enhancing requirements of public disclosure where needed to increase transparency and the public's knowledge of potential conflicts; and modernizing the ethics laws applicable to municipal and local governments.

In its comprehensive report, the task force presented its recommendations for bolstering the ethics climate in New York State, which should help enhance the public's view of state government.

The report was approved by the House of Delegates at the January meeting. Following the House's approval of the report, President Younger has communicated with the critical players in the ongoing negotiations concerning a state ethics bill. In addition, Younger met with the State Comptroller to discuss the municipal ethics section of the report.

Advocating for the Profession

The State Bar continued its advocacy efforts on a number of issues including access to the justice system, funding for civil legal services, creating an independent indigent defense commission, equal rights for same-sex couples, medical malpractice reform, and support for the legal profession.

Judicial salary reform

President Stephen Younger commended Governor David A. Paterson for signing into law legislation to establish a commission to review and recommend appropriate adjustments to judicial compensation for New York's judges. He also urged the swift implementation of the new commission to enact the long overdue pay increases that judges deserve.

"For more than a decade, our judges have expertly handled expanding dockets, while seeing their pay diminished due to the lack of fair and adequate pay raises," Younger said. "Our judges have gone far too long without any adjustment in their pay. With the signing of this bill, New York will finally have a permanent mechanism that will ensure that



Justice for judges—President Stephen P. Younger delivers remarks at the December 10, 2010 ceremony at the Governor's Office in New York City where Gov. David A. Paterson signed the Commission on Judicial Salaries legislation into law, days after the landmark legislation was passed by the State Legislature. Pictured with Chief Judge Jonathan Lippman (left) and Governor Paterson, Younger commended Paterson for signing this important legislation. The commission will review and recommend appropriate adjustments to judicial compensation for New York's judges.

our Judiciary never again goes through a decade-long drought, without a sound way to adjust their pay.”

Younger said, “The creation of a judicial compensation commission is extraordinarily important to our state. For our judges, it means that they can choose a career in public service knowing that they will not have to sacrifice the support they need for their families. For New Yorkers, it means that we will be able to attract and retain a diverse and exceptional judiciary, one that is essential to ensuring the high level of justice that our citizens are entitled to expect.”

Medical malpractice

During his State of the State address on January 5, Governor Andrew Cuomo said that: “[w]e need to redesign the Medicaid program.” Consequently, the Governor created a Medicaid Redesign Team (“MRT”) to “find efficiencies in the program so we actually provide a better service for less money.” The MRT was said to include “stakeholders,” who would re-invent the Medicaid program as part of the 2011-12 state budget due to be in place by April 1.

As soon as it became clear that the MRT was proposing significant changes to the civil justice system related to medical malpractice lawsuits, namely instituting a \$250,000 cap on non-economic damages and establishing a neurologically impaired infant fund, President Younger met with the Governor’s Deputy Secretary for Health, to determine how the Bar could contribute to the process. During this meeting, He expressed to the Deputy Secretary the Bar’s long-standing position opposing caps.

On February 23, the Committee on the Tort System presented its objections to the Executive Committee with respect to the MRT’s proposals to create the fund and institute a cap on non-economic damages. The committee’s objection to the cap was based on this Association’s long-standing opposition to such caps. The objection to creating the fund was based on the process by which the proposal was devised, namely, the lack of notice that medical malpractice proposals were being considered as part of the process to cut the State Medicaid budget, and the lack of representation on the MRT of groups most familiar with the civil justice system.

The MRT was to submit its first report with findings and recommendations to the Governor by March 1 for consideration in the budget process. However, it completed its work early, submitting its recommendations to the Governor on February 24, which unfortunately limited the opportunity for any meaningful input from groups that would be impacted by the MRT’s proposals.

On March 3, President Younger met on this issue with Senate Majority Leader Skelos and his Counsel, Assembly Speaker Silver and his counsel and many other members of both the Assembly and the Senate. In addition, Past President John Bracken testified before the Joint Legislative Hearing on the Health Budget to deliver the Bar’s message to the Legislature.

On March 27, the Governor and Legislative leaders announced a budget agreement which eliminated the proposed cap on pain and suffering. The budget still includes a neurologically impaired infant fund but several of its provisions were improved.

On April 2, 2011, the Committee on the Tort System presented and the House of Delegates approved a memo seeking Bar support for its position on malpractice reform. This report reconfirmed the Bar’s opposition to caps on damages and opposed the newly created Neurologically Impaired Infant Medical Indemnity Fund.

Support for the Interest on Lawyer Account (IOLA) Fund

The State Bar urged creation of the IOLA Fund in 1983, and civil legal services programs throughout the state have benefited each year from millions of dollars generated through the fund. But plummeting interest rates and a recession in the housing market during the past two years resulted in a dramatic reduction in revenue for the Fund and thus a decrease in funding for civil legal services for the poor. As a result, the Bar urged emergency assistance for IOLA. The 2010-11 Judiciary Budget included a \$15 million emergency appropriation that will help support IOLA.

Increased court fees

During the June session, state policy makers again struggled to cope with a huge budget deficit. In order to close the deficit, Governor Paterson proposed an increase in court filing fees for the entire court system. The Governor’s proposal would have increased the state’s portion of the index number fee for all actions in Supreme Court, fees for motions and cross-motions in supreme and appellate courts, and the “first-paper fee” for all actions in several lower courts. The State Bar vigorously opposed these proposed increases as a burden on the entire court system and a serious impediment to access to our justice system. At the time of this message, this proposal was not adopted as part of the budget bills that were passed and signed into law, although fee changes were made.

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Long-term care financing

The state health budget included a demonstration program based on the Bar's proposal for a "Compact for Long-Term Care." The compact was designed to provide a fair and equitable way to finance long-term care for elderly and disabled persons in New York State, in contrast to the current "all-or-nothing" approach that requires individuals to be impoverished in order to qualify for Medicaid. The compact would promote personal responsibility on the part of the elderly and chronically disabled for a fair share of their long-term care costs. After payment of that fair share by the individual, the government would provide a financial subsidy for additional long-term care services, without requiring that the individual be impoverished. The demonstration program is a step in the right direction in this important area.

Fostering Relationships with the ABA

An *ad hoc* committee of President's Committee on Access to Justice (PCAJ) and Committee on Legal Aid members was formed to review and comment upon the American Bar Association's (ABA) *Model Access Act* and *ABA Basic Principles of a Right to Counsel in Civil Legal Proceedings* – two proposals which were to be voted on at the ABA's summer meeting in August. On June 3, the committee issued a written report recommending that State Bar support the ABA resolutions as they adhere to the principles previously adopted by the State Bar and the ABA regarding the need for publically paid counsel to represent low-income people when basic human needs are at issue, such as in the areas of income, safety, children, and medical benefits. On June 14, during a joint meeting of the PCAJ and Legal Aid Committee members unanimously approved the report and recommendations of the *ad hoc* committee to be submitted to the State Bar's Executive Committee and House of Delegates for their consideration and approval.

State Bar delegates attended the ABA's House of Delegates meeting on February 14, which was held in Atlanta. Days before that meeting, the House of Representatives voted to cut \$70 million from the Legal Services Corporation. The State Bar introduced a resolution opposing this cut, and led the effort to have it adopted at the ABA House meeting. The bill passed unanimously, following the State Bar's obtaining 21 co-sponsors.

Commenting on the House proposal, President Younger said, "We are in an access to justice crisis in this country. The fiscal crisis has turned our courts into hospital emergency rooms leaving millions of Americans litigating without benefit of counsel. This is not the justice system we

believe in. We are so pleased that the ABA has passed this critical resolution and call on Congress to restore sufficient funding to meet demonstrated legal needs."

Following the February 16th ABA Meeting, President Younger and members of the Committee on Federal Legislative Priorities travelled to Washington to meet with members of the New York Congressional delegation. The State Bar emphasized its opposition to the LSC cuts, and discussed other priorities. Leaders visited with members and staff of each of the newly-elected members from New York in an effort to establish a relationship with them, as well as visited with counsels to Senators Schumer and Gillibrand.

Advocacy Award

On April 13, the American Bar Association recognized the New York State Bar Association with its 2011 Grassroots Advocacy Award for its judicial and legislative campaign to defeat new federal restrictions on the legal profession.

The ABA credited the State Bar Association for "its successful efforts in rallying more than 50 state and local bar associations" in opposition to the Federal Trade Commission's Red Flag rule. The federal agency required creditors to develop programs to identify, detect and respond to identify theft. The State Bar Association successfully argued the FTC had exceeded the intent of Congress by applying the rule to lawyers.

Three years ago, under the leadership of then-President Bernice Leber of New York (Arent Fox), the State Bar Association launched its federal lobbying initiative, due to concerns that isolated contacts with members of Congress were not sufficient to carry the message of our 77,000 members. Receiving this award validates the effectiveness of these efforts on behalf of lawyers in New York.

Lawyer Assistance Program

In its 20th year of operation, the New York State Bar Association's Lawyer Assistance Program (LAP) provided education and confidential assistance to attorneys, judges, and law students who are affected by alcoholism, drug abuse, gambling, depression, stress or other mental health issues. Volunteers from the legal community along with a staff of licensed mental health professionals provided compassionate, competent services. LAP also provided assistance to colleagues, law partners, and family members who are concerned about a member of the legal community.

In May, the Lawyer Assistance Program and the Bar's Lawyer Assistance Committee co-sponsored the 21st Annual Spring

Retreat at the Silver Bay Association in Silver Bay (Lake George), New York. This well-attended and inspirational annual event brings together attorneys, judges and others concerned about the problem of substance abuse and mental health issues in the legal profession to share their experience, strength, and hope as well as develop strategies for outreach in a serene, relaxed atmosphere.

For the first time, a committee meeting was held in Buffalo in August. The meeting was so successful that it will become an annual event.

The Fourth Annual LAP Volunteer Appreciation Dinner was held at the State Bar Center in November to recognize the selfless efforts and invaluable service of our statewide volunteers. During the evening, Mark Ochs received the Ray of Hope Award. The Capital District Lawyers Helping Lawyers Committee conducted a successful silent auction to raise funds for the Ray Lopez Scholarship Fund. The fund provides financial assistance and support for newly recovering attorneys to attend the LAP Spring Retreat.

Enhancing diversity efforts

The Committee on Minorities in the Profession became the Committee on Diversity & Inclusion this year to better meet the goals of highlighting diversity awareness within the profession and providing a concentrated outreach to potential leaders within and outside the State Bar.

The committee is co-chaired by Past President Kenneth G. Standard and Betty Lugo.

The committee honored Sharon Y. Bowen (Latham and Watkins), with its 2011 Diversity Trailblazer Award and Hon. Theodore T. Jones with its Lifetime Achievement Award during January's Eighth Annual Diversity Reception Celebrating Diversity in the Bar. More than 400 people attended this year's reception.

During the Annual Meeting, the committee sponsored a CLE program on January 24, entitled, "Do the Right Thing: Networking, Mentoring, Business and Leadership Development—Challenges, Issues and Best Practices for the Diverse Attorney," as part of the Seventh Annual Constance Baker Motley Symposium. The program addressed the challenges and issues faced by diverse attorneys with respect to effective networking, mentoring, business and leadership development along their career paths, including challenges faced by those who reach the top of their professions.

The committee hosted a meeting and luncheon of bar leaders from minority, ethnic and women's bar associations in April to discuss issues affecting their associations and what the State Bar can do to assist. Representatives from the Senior Lawyers Section and the Committee on Issues Affecting People with Disabilities were also invited to take part.

Nationally recognized—Past presidents Mark H. Alcott and Bernice K. Leber, President Younger, and John Nonna, co-chair of the Committee on Federal Legislative Priorities accept the ABA's Grass-roots Advocacy Award at the U.S. Supreme Court on April 13th.



Serving our Members

"No organization is a better reflection of the legal community than the New York State Bar Association. We represent large firms, small firms, big cities, suburbs, and rural areas. Our work throughout the year and the best practices we propose regularly serve as national models to improve the profession."

President Stephen P. Younger

2010 Member and Lapsed Member Survey

The State Bar has been actively seeking ways to improve the value of services that it delivers to its members, and to enhance its relevancy to their professional lives. The Bar also wanted to better understand members' thoughts regarding our current products and services, and what would be of greater value to them. Toward that end, the Bar retained Spectrum Associates, a professional, independent research firm to conduct a survey of member and lapsed member attorneys.

In November of last year, Spectrum Associates conducted focus groups with members and lapsed members to explore a range of topics, and to obtain a better understanding of areas where the Bar could improve the value that it delivers to members. The focus group findings were reported to the leadership and were used to modify and update a member satisfaction survey that was last administered in 2005.

The revised survey included an expanded section on perception of value; added a new section on familiarity with Bar products and services – and our means of communication; added a new section on the expanded use of technology; and many questions were updated.

On March 31st, results were presented to a joint meeting of the Strategic Planning and Executive Committees. The data collected provided a good foundation for discussions on how to be more responsive to member's needs and how to improve the value of State Bar membership.

Moving forward with technology

Upgrades at the Bar Center

This past spring the State Bar upgraded the audio and video capabilities of its public meeting space in the Great

Hall and Peck Room. Improvements to the Great Hall included the installation of a new audio system, including new microphone technology and speaker system designed specifically for the unique configuration of that space. There is now an 85-inch flat panel plasma display mounted at the front of the Great Hall behind the dais for displaying presentation materials. There are two other flat panel displays mounted on articulating brackets to service the back of the room.

Improvements to the Peck Room included the installation of an audio system, including wireless microphone technology and speakers in the ceiling, along with a 65-inch flat panel plasma display for presentations. The system components in the Peck Room include an integrated teleconference unit which utilizes the installed microphone and speaker technology.

The project also included the configuration of a mobile cart for video teleconferencing (VTC). The mobile cart system will allow us to hold Video Teleconferences from the Peck, Cromwell or Heming Rooms.

New email system

In 2010, the State Bar transitioned to a new e-mail service provider, allowing us to improve and monitor the deliverability of our e-mail messages and ensure CAN-SPAM compliancy. E-mail messages are now able to render in formats compatible to the varying needs of our members including HTML, text and mobile formats. Advanced diagnostics and white-listing capabilities help us maintain a high ranking as a legitimate sender of e-mail messages. Tracking reports reveal that the Bar is able to reach approximately 73 percent of members via e-mail. Based on open-rate statistics, 88% open e-mail messages on a computer and 12 percent open messages on a mobile device (this has increased two percent over the past six months).

Website

The State Bar website (www.nysba.org) continued to provide substantive legal information to members and to offer curated resources for specific membership types, such as non-residents, solo and small firm attorneys, young lawyers, judges and newly admitted attorneys. In 2010 the website averaged 171,000 visitors a month – an increase of 11 percent over 2009.

Website users also made excellent use of the online store. More than 5,000 users a month visited the store and made purchases of more than \$4.4 million online. This shows an increase of 12 percent over the prior year. Online sales include product sales, membership transactions and meeting registrations.

The Bar's new CLE interface debuted in 2010 and offers options for searching or sorting CLE programs by credit, topic, location, format and more. This new interface was immediately adopted by users and significantly improved the ease of access to CLE information online.

Customized content continues to increase in importance and the MyNYSBA personalized/customized NYSBA experience shows great increases in traffic. Members show more willingness to manage their personal information online and to indicate types of content they want to receive.

The Bar also contracted with legal-industry search giant Recommind to create a new enterprise-level search engine for the website. The new Recommind search will offer contextual searching – for example differentiating between a search for Java as coffee, software, or the country in Indonesia. In addition the search tool will feature robust advance searching and categorization of content, filtered search results and more.

Social content continued to grow in prominence in 2010 as well. The Bar's substantive legal blogs cover more than 25 topic areas and have a stable and growing readership. A new blogging platform debuted in late 2010 offering bloggers greater flexibility in linking to related stories, adding graphical elements to posts, embedding video and using other blog widgets.

In 2010, the Bar also debuted the inaugural President's Facebook Page. This social media vehicle allows the President to interact directly with the membership online. It has a large following, an engaged readership and a lively conversation relating to the President's travels, policy positions and activities of the Presidential Year.

Providing High-Quality Education to Members

During 2010, the Committee on Continuing Legal Education (CLE) co-sponsored 89 CLE programs at 214 statewide locations in live and online formats with a total audience of 18,691 attendees. In spite of the hard economic times, CLE net revenue for 2010 was at an all-time high testifying to the vitality of the State Bar's CLE programming. Building on its reputation for being the first to present programs addressing important legal developments in a timely manner, the CLE Department produced sessions on the two areas of particular interest to New York attorneys in 2010: the amendments to the recently revised Power of Attorney statute and forms; and the enactment of the no fault divorce statute.

The State Bar is accredited for more MCLE-approved alternative delivery formats of CLE programs in New York than any other CLE accredited provider in the state. This includes the interactive video conference format which was used with a number of courses during 2010 and continues in 2011. The department's signature transitional two-day program, Bridging the Gap, was presented for the first time in July 2010, in addition to its traditional presentations in the Spring and Fall. The summer and fall 2010 and spring 2011 programs were offered live in New York City with a video conference link to the State Bar's Great Hall in Albany. Each program averaged 400 registrations.

Looking forward, the department plans to continue using the video-conference format to extend the reach of our CLE programming to other parts of the state. The department is committed to developing and producing new and exciting conferences and seminars in 2011 in both live and electronic formats.

New York State Bar Publications

The State Bar publishes many invaluable reference books and form products written by leading attorneys, judges and experts in the field. The focus of bar publications is to provide comprehensive, practical guidance which can be used by a practitioner in his or her daily practice. This ever-growing library, which is available online through Loislaw, includes some of the most authoritative books available to New York attorneys on New York law. The reference library also includes several document assembly products and forms which can be downloaded from the State Bar website. Books and form products are available for purchase at exclusive discounts for State Bar members.

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More than 30 books, supplements and form products were released in the past year, including *Depositions: Practice and Procedure in Federal and New York State Courts, Second Edition*. This 750-page, loose-leaf book includes the most recent changes to rules of professional conduct. Written by Hon. Harold Baer, Jr. and Robert C. Meade, Jr. Esq., this practical, comprehensive and timely reference covers all aspects of depositions. The Bar also released *Foundation Evidence, Questions and Courtroom Protocols, Third Edition*. Written by Hon. Edward M. Davidowitz and Robert L. Dreher, Esq., this-240 page book guides the attorney through the proper questions which need to be asked to introduce evidence and adds new sections on direct examination and cross examination.

The New York State Public Health Legal Manual, was released in early 2011. The *Legal Manual* is a timely and important resource for dealing with public health disasters and clarifies the issues which may arise when dealing with state and local government and the governing laws that are in affect. This book is the result of a collaboration between the New York State Unified Court System, the New York State Bar Association, the New York State Department of Health and the New York City Department of Health and Mental Hygiene. Michael Colodner served as editor-in-chief.

The Bar also released the 2010–2011 edition of its New York Practice Series. Sponsored by the General Practice Section, the Monograph Series, which now includes 16 books, focuses on handling a basic case or transaction, filling the gap between sketchy outlines—which are of little help to the novice attorney—and the voluminous reference sources which are often too general or too difficult to understand. These monographs are updated annually and include many sample forms, checklists and other exhibits.

For more information on publications, please visit: www.nysba.org/pubs.

Law Practice Management

The Committee on Law Practice Management (LPM) produced many live programs this year, including: "Protecting Your Practice: Risk Management for Solo/Small Firms;" "Building a Successful Solo/Small Firm Practice: Taking Steps to Achieve Success;" "Technology You Can Use in Your Practice . . . Right Now: Mandatory E-Filing, Social Networking, Cloud-Based Practice Management, and Tools That You Already Have;" "Landing a Great Job in a Not-So-Great Economy: Job Search Secrets from Lawyers Who Beat the Odds;" "Getting (and Keeping)

the Clients You Want: Effective Ways to Market Your Practice;" "Starting Your Own Practice;" "Law Firm Strategic and Organizational Planning;" "Law Firm Business Development;" "Applying Business Management to Your Practice;" "Practicing in the Cloud: Computing for Small Firms and Solo Practitioners;" and "Protecting People and Property: Security Tips for Small-Firm Practitioners."

The committee also developed the following books for publication, which are available for sale on the website: *Best Practices in Legal Management: A Comprehensive Guide*, and *Model Partnership Agreements for New York Law Firms*.

Looking forward, the committee is developing the following publications: *Marketing a Law Practice in New York*, *Starting a Practice in New York*, *Guide to Practice Continuity in New York* and *New York Lawyer's Guide to Retirement*.

Developing future bar leaders

New York State Conference of Bar Leaders

Earamichia N. Brown succeeded Linda Clark as chair of the New York State Conference of Bar Leaders' Executive Council for a two-year term. Karla Wilsey was elected vice-chair.

The conference resumed its schedule of providing two programs annually to bar leaders. The fall program was held at the State Bar Center in Albany and presented topics in marketing, publicity blueprints, assertive communications and breakout sessions on how to recruit and retain solo and small-firm practitioners in a bar association and creative ways to breathe new life in associations. The spring program, held in New York City, provided in-depth sessions on social networking as a tool for use by bar associations and their members.

Also this year, the conference began a series of teleconference sessions with bar leaders and directors every other month to discuss issues affecting their organizations. Between 15 and 20 participants take part in each call.

Helping The Public

"A core mission of the State Bar Association is to provide a voice for members of the legal profession and for the public. Whether it is advocating for effective counsel for indigent New Yorkers or seeking equal legal rights for all citizens, we are committed to enhancing citizens' trust and confidence in our justice system and government institutions." President Stephen P. Younger

Equal Access to Justice For All

The New York State Bar Association has long advocated for equal access to justice for all. The State Bar encourages its members and the entire legal profession, to selflessly embrace our ethical obligation to provide free legal assistance to low income and vulnerable New Yorkers. The President's Committee on Access to Justice (PCAJ) and the Legal Aid Committee (COLA) are extremely active developing strategies and policies aimed at making the civil legal justice system accessible to all, without regard to a litigant's ability to pay for legal representation.

President's Committee on Access to Justice

The President's Committee on Access to Justice submitted for approval a proposed resolution commending Chief Judge Jonathan Lippman and other leaders of the Judiciary for taking prompt action to address the revenue shortfall in the Interest on Lawyer Account (IOLA), a significant source of funding for New York's civil legal services, by proposing an emergency \$15 million appropriation as part of the Judiciary budget to assist the IOLA fund during the 2010-2011 fiscal year. The proposed resolution further commended the Chief Judge's decision to conduct hearings in each Judicial Department to examine the civil legal services delivery system in New York State so that appropriate areas for improvement could be identified and specific steps formulated to improve its overall operation. The House of Delegates unanimously approved the resolution at its November 6, 2010 meeting.

Committee on Legal Aid

During 2010, the Committee on Legal Aid formed three subcommittees to propose legislation, which would implement recommendations contained in the State Bar's Report on the Collateral Consequences of Criminal Convictions in the areas of housing, family law, and public benefits. The housing subcommittee gathered

information from around the country regarding housing and re-entry issues, and examined other states' model anti-discrimination statutes to determine whether they would be appropriate for enactment in New York to prohibit discrimination against former prisoners.

The public benefits subcommittee continued its efforts to draft legislation which would repeal Social Services Law § 153(8) eliminating the 45 day waiting period for receipt of Safety Net Assistance by eligible applicants. The benefits subcommittee also is formulating a proposed rule, which would require local services departments to accept applications from incarcerated persons who are about to be released from confinement while they are still incarcerated. If enacted, this legislation would help to facilitate an ex-prisoner's re-entry into mainstream society.

The Family Law subcommittee is drafting legislation which would require the Department of Correctional Services (DOCS) and the Office of Children and Family Services (OCFS) to maintain and share data on incarcerated parents whose children are in foster care and require the agencies to collaborate in developing visitation plans for these parties.

Partnership Conference

Sponsored biennially by the Committee on Legal Aid, the Department of Pro Bono Affairs presented its two-and-a-half-day continuing legal education conference for legal services providers, pro bono coordinators, and advocates on a myriad number of poverty law topics. More than 350 advocates attended the June conference and were able to earn 12 or more MCLE credits. During the conference, the Denison Ray Awards were presented to a director of a civil legal services program, an outstanding attorney employed by such a program, and to an innovative program which has made a significant contribution to the delivery of free legal services.

Doing the Public Good

For 135 years, the New York State Bar Association has been a leader in advocating for the provision of high quality legal services to the poor. Over the last several years, the State Bar has specifically studied the state system of providing indigent defense and other mandated legal services and has sought to ensure the quality of mandated representation for those unable to afford counsel, whether in criminal or Family Court proceedings. Although neither the dedicated attorneys who provide mandated representation nor the volunteer lawyers who generously donate free legal services want or expect to be recognized for their invaluable contributions, the Bar nonetheless believes it is vitally important to publically congratulate and salute these members of our profession who tirelessly seek to ensure that, regardless of income, all New Yorkers will have meaningful access to justice.

Empire State Counsel Program

The Empire State Counsel continued to grow in its fifth year. This year, 1480 members from 70 different law firms donated 50 hours or more of free legal services to low-income and vulnerable persons, non-profit organizations and governmental programs that provide legal and other essential services to these groups. Eighteen firms were first-time participants in the program. Collectively, the 2010 Empire State Counsel® donated nearly 300,000 hours of free legal services, up from 247,550 hours in 2009. During the Justice for All Luncheon special plaques were presented to the six law firms which enrolled the most Empire State Counsel®.

Pro bono hero—Thomas A. Cox, a retired attorney from Maine, recounts how he stemmed the national tide of mortgage foreclosures with one pro bono case at the “Justice For All” luncheon during Annual Meeting.



Honorees were treated to a celebration luncheon in their honor and a keynote address from Thomas A. Cox, the retired volunteer lawyer from Maine, who stopped mortgage foreclosures across the nation when he uncovered the massive robo-signing scandal.

President's Pro Bono Service Awards

The Bar proudly bestowed its President's Pro Bono Service Awards on members of the legal profession, law students, law school groups and law firms whose outstanding pro bono contributions have greatly expanded equal access to justice for the most vulnerable members of our society, including children, disabled, abused, homeless, low-income, unemployed and individuals with limited English proficiency. Twenty-two awards were presented on May 2nd.

National Pro Bono Week

The second anniversary celebration of National Pro Bono Week took place during October 23-30 with kick-off events in Albany and in New York City. The opening celebration in Albany was held at the New York Court of Appeals and in New York City at the 60 Center Street Courthouse. Both events were well-attended. The Bar, in conjunction with the Albany County Bar Association, Legal Aid Society of Northeastern New York, the Legal Project and the Third Judicial District Pro Bono Planning Group, sponsored several training/recruitment events for lawyers in the Third and Fourth Judicial Districts in the following areas: landlord-tenant law to recruit area attorneys to provide limited representation to tenants facing eviction in Albany City Court; bankruptcy; and mortgage foreclosure. In addition, over a four-week period, staff from the Department of Pro Bono Affairs and the local legal services programs volunteered their time at a different courthouse within the Third and Fourth Judicial Districts recruiting area attorneys to volunteer to do pro bono.

Recruiting efforts

The Department of Pro Bono Affairs joined with the New York State Unemployment Insurance Appeal Board, the Legal Aid Society of Northeastern New York, and the Albany County Bar Association to sponsor a free MCLE training program for attorneys in the 3rd and 4th Judicial Districts who agree to represent at least two low-income claimants without charge before the Unemployment Insurance Appeal Board.

According to the Unemployment Insurance Appeal Board, the majority of employers are represented by counsel. In contrast, most claimants are not. Studies have shown that claimants who are represented by counsel in proceedings

before the Board are much more likely to prevail in their claims for benefits than those who are unrepresented. Approximately 50 attorneys attended the March 10th day-long training program in Albany.

Chief Judge Report

In 2010, Chief Judge Jonathan Lippman formed the Task Force to Expand Legal Services to assess the extent and nature of the current unmet civil legal needs of low-income New Yorkers throughout the State and to identify the level of public resources necessary to meet that need.

The task force, chaired by Helaine M. Barnett, former president of the Legal Services Corporation, included Past President Michael E. Getnick; Hon. George H. Lowe, co-chair of the President's Committee on Access to Justice; as well as Executive Committee members Lillian Moy and Emily Franchina. President Stephen P. Younger presided over several hearings on civil legal services with Chief Judge Lippman.

Hearings were held in each of the four Departments at which testimony was received from judges, lawyers, business executives, local government officials, legal services providers and clients. Testimony from this expansive group of constituents was critical to demonstrate how society is harmed when litigants lack counsel in matters dealing with basic life necessities such as shelter, subsistence benefits, and personal safety.

Through these hearings, New York became the first state to have the entire leadership of the judicial branch and the bar present a unified, strong voice stressing the importance and urgency of providing civil legal representation to our most vulnerable citizens.

In November 2010, the task force issued a comprehensive report integrating the Task Force's independent investigatory findings with the evidence developed during each of the Departmental hearings. The report provides a thoughtful analysis of the current civil legal services delivery system, and also sets forth a practical, incremental plan for alleviating some of the barriers that impede low-income and vulnerable persons' access to our civil courts.

Looking forward, the President's Committee on Access to Justice is reviewing the Report and will identify specific areas where the State Bar can be most helpful in implementing the Task Force's recommendations.

Advocacy efforts

In a letter to Congressman Frank Wolf (R-10th), the State Bar opposed proposed budget cuts to the Legal Services Corporation as well as the notion that increased pro bono

contributions by lawyers will be able to offset the loss of federal funding relied upon by legal services providers. Over the years, the State Bar has strongly encouraged its members and the profession as a whole to generously donate free legal services to low-income and vulnerable persons and the organizations that serve their needs. Yet despite the overwhelming amount of pro bono contributed by our members -- in 2009 nearly 250,000 hours and in 2010 close to 300,000 hours -- more than 2.3 million New Yorkers remain unrepresented. These numbers clearly demonstrate that the demand for free legal services is so great, it cannot be filled by pro bono.

Honorable George H. Lowe, co-chair of the President's Committee on Access to Justice (PCAJ), tapped Past President Bernice K. Leber to chair a subcommittee to identify potential federal cases in which a *cy pres* award may be feasible. Leber and Judge Lowe were both instrumental in raising the federal judiciary's awareness that unclaimed funds remaining in class action lawsuits could appropriately be used to augment funding of related civil legal services program.

Pro Bono News

During 2010-2011, the Department of Pro Bono Affairs published two editions of the Pro Bono News. The issues included articles written by staff members employed in legal services programs from across the State, Judicial District Pro Bono Coordinators, deferred associates, county bar associations and specialty legal groups. Topics included mortgage foreclosure; the findings of the Task Force to Expand Access to Civil Legal Services in New York, bankruptcy clinics, and law school pro bono projects.

Each issue has been well received by the legal services community and can be viewed at: www.nysba.org/probono.

Committee on Lawyer Referral Service

The Lawyer Referral and Information Service (LRIS) received 14,961 calls in 2010. Of these calls, 2,728 were referred to panel attorneys in 43 counties. Other calls were referred to appropriate government agencies and referral services outside of our coverage area. In 2010 the LRIS received \$49,526 in percentage fees.

The LRIS is joining efforts with the U.S. Department of Labor and the American Bar Association to coordinate a nationwide ABA-approved hotline of lawyer referral services for contingency fee Fair Labor Standard Act (FLSA) and Family and Medical Leave Act (FMLA) cases. To qualify, attorneys must have handled at least three FLSA cases or

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three FMLA cases through discovery in the last five years. For more information on how to sign-up, please visit: www.nysba.org/DOLreferrals.

Looking forward, the LRIS will begin a Google Word Ad campaign, Facebook advertising and a small Capital District billboard campaign. These new efforts will complement our already existing advertising in yellow pages, TV, internet and print ads.

Educating New York's Children

The Committee on Law, Youth and Citizenship (LYC) continues its mission of bringing free and low-cost resources and training in law-related and civic education to the teachers and classrooms of New York State. LYC is the state administrator of several national/international programs funded through the Education for Democracy Act passed by Congress. Over 70 congressional district coordinators throughout the state help LYC bring the quality programs of We the People, Project Citizen, School Violence Prevention and Representative Democracy in America to more than 700 New York school districts. The program places approximately 45,000 books a year in schools through the grants.

The newest program added to LYC's repertoire is a partnership with iCivics, a non-profit organization dedicated to reinvigorating civic learning and stimulating youth civic engagement through innovative web-based resources. Founded by Justice Sandra Day O'Connor, iCivics.org offers students a growing number of online games and other experiences that allow them to experience different aspects of civic systems. Judge Judith Kaye, retired chief judge of the State of New York, chairs the New York State partnership to bring awareness of this resource to New York State classrooms. LYC and Judge Kaye work with school boards, principals, curriculum coordinators, and other education stakeholders to raise awareness of iCivics' free resources throughout New York.

The New York State 2010-11 Statewide High School Mock Trial Tournament materials, prepared by the Law, Youth and Citizenship Mock Trial Sub-Committee, were distributed to approximately 4,000 students on 300 teams across New York State in the fall. One Mock Trial coach commented, "The case this year is absolutely brilliant!" The New York Bar Foundation has sponsored the tournament for 30 years now, with additional funding provided through the LYC Program. Following local and regional competition, six regional winning teams are invited to compete in the state semi-finals in Albany held in May.

The Mock Trial Summer Institute was held for the fifth year in July. Students from across the state participated in an intensive, week-long educational experience. Instructors and attorneys assisted in preparing the students for a mock trial case on the final day. The New York Bar Foundation provided base funding for this program, with supplemental funding being supplied by LYC and a per student fee. One student received the Lorraine Power Tharp Scholarship, created and funded by Whiteman, Osterman & Hanna. Donations from Young Lawyers, Labor and Employment, and General Practice sections helped additional students.

In response to the ever-growing community of LYC network educators in western New York, LYC held its annual Civics and Law-Related Education Conference in Wyoming County. The change of venue was such a success, that the October 2012 Annual LYC Conference will be held in Port Jefferson on Long Island.

Students, teachers, administrators and attorneys interested in LYC programs can now stay up to date with social network sites such as Facebook, Twitter, YouTube and blogs. Links to those networks can be accessed on the LYC website, located at www.lycny.org

The support of these programs through the New York State Bar Association, The New York Bar Foundation and the legal community at large, has a deep and meaningful impact on the education community of New York.

Task Force on Family Courts

Family Courts serve society's most fundamental building block – our families. From foster care to child abuse and neglect, every day our Family Courts make critical decisions that can have lasting effects on New York's children and their families.

Last July, we formed the Task Force on Family Courts to identify and address issues that need to be resolved for the improved operation of these courts. Co-chaired by the Hon. Rita Connerton (supervising family court judge, 6th Judicial District) and Susan B. Lindenauer (retired general counsel, Legal Aid Society), the Task Force examined key issues affecting our family courts across the state.

In addition to focusing on these important topics, members of the task force are meeting with court officials both from New York and from neighboring states to learn about the best practices that states are using to ensure efficient operation of Family Courts. To date, task force members have met with judicial officers in New Jersey and Connecticut, and follow-up meetings are being planned for the near future.

Under the leadership of Judge Connerton and Susan Lindenauer, and with guidance from experts on the front lines of our Family Courts, our task force is tackling problems faced by this important branch of our court system. At the end of the process, we will have a road map that will chart a new course for addressing these challenging problems so we can have a Family Court system that fully protects our children and families when they most need it.

Special Committee on Youth Courts

President Younger created the Special Committee on Youth Courts, chaired by former Chief Judge Judith S. Kaye and Patricia Rodriguez, in June to examine what roles the State Bar can play in strengthening Youth Courts, defining best practices, identifying locations where new Youth Courts can be established, and developing strategies for raising funds to enlarge the initiative.

Seeking to build on the success of youth courts established in recent years throughout the Capital Region, members of the Special Committee held an informational forum for local stakeholders at the Bar Center in Albany. The goal was to encourage local agencies to take the lead in the establishment of a Youth Court in Albany that would serve the youth of the capital city. More than 100 local law enforcement, judiciary, social services, and educational professionals attended this event. A demonstration of a typical Youth Court proceeding was provided by the members of the Colonie Youth Court.

Members of the Committee have been working closely with the Albany City School District as they work toward the establishment of a school-based Youth Court that will handle school based offenses. The Albany High Student Court is well underway in the planning stages and will begin training student members during the summer of 2011, with the first cases being heard in September. A grant through the Project Safe Neighborhoods and the Department of Justice was secured by the Albany High School Student Court to provide start up funding for this project. Judge Kaye and Albany City School District Superintendent Ray Coluciello issued the

following statement in regard to the grant and the establishment of the Albany High School Youth Court:

“We are thrilled that the Albany City School District is making a school-based Youth Court a reality, and we are grateful to Richard Hartunian, U.S. Attorney for the Northern District of New York, for providing the funding to make this happen. Youth court has the potential to educate young people about the law, to encourage a greater sense of civic engagement, and to offer an important early intervention for misbehaving teenagers. The creation of a Youth Court in Albany High School sends a powerful message about the importance of creating off-ramps that give troubled kids a real chance to step off the fast track to incarceration.”

The committee arranged for a special demonstration by the Greenpoint Youth Court during the January 28 House of Delegates meeting. The demonstration was well received and met with a standing ovation.

The committee also worked on assembling a special issue of the *Bar Journal* dedicated to Youth Courts. This issue was published and distributed in January. It contained a number of articles and photos that discuss the effectiveness of the Youth Court program and highlight Youth Courts across the state. Due to the great demand for copies of this issue, it is now in its second printing.

The committee is working with the Association of New York State Youth Courts toward the development of a data collection program that will serve the needs of individual Youth Courts and be accessible to others seeking information and statistics regarding Youth Courts functioning in New York State.

Youth judging youth—Ryan Stephens, a member of the Greenpoint Youth Court, acting as the youthful defense attorney, sums up her case during a court demonstration for the House of Delegates on January 28th.



Section Reports

"One of the best benefits of Bar Association membership is Sections. I'm a member of Corporate Counsel, International and Young Lawyers Sections and I find their publications and CLE-sponsored seminars to be invaluable. I've had the good fortune to serve the in-house bar community as chair of the Corporate Counsel Section. It's a bonus really to my NYSBA membership. I would recommend all young attorneys take advantage of the many similar leadership opportunities that the Bar Association has to offer."

—Alison Tomlinson, immediate past chair of the Corporate Counsel Section

Antitrust Section

The section honored Robert D. Joffe with its Public Service Award and Ilene Knable Gotts at its William T. Lifland Service Award in January.

Hon. Christine Varney, assistant attorney general of the Department of Justice's Antitrust Division, was the keynote speaker at the section's annual dinner.

Business Law Section

During the fall meeting of the section at the Gideon Putnam Resort in Saratoga Springs, the section filmed two-minute welcome messages from the section chair and chairs of the sub-committees. The section's website has been updated to show a photo of the chair and each sub-committee chair with their personal welcome videos.

Commercial and Federal Litigation Section

Among its many activities and programs over the past year, two reports prepared by the section offered a proposal for enhanced expert disclosure in the New York State Commercial Division and, secondly, an analysis of the differences between New York state and federal antitrust law. The section's fifth annual *Smooth Moves: Career Strategies for Attorneys of Color* took place on April 14th. The theme of this year's event was "Creating a Professional Home Where All Can Thrive: Diversity Best Practices in the Legal Profession."

In November, the section kicked off a new mentoring initiative that pairs veteran practitioners with young attorneys. The goal of this initiative was to provide newer attorneys with the opportunity to build relationships with seasoned practitioners, thereby creating for them a meaningful avenue for professional development. Related

to the mentoring project is the launching of a *Commercial Litigation Academy*, the first presentation of which took place in early May. The program brings together distinguished and well-known commercial litigators and judges as faculty members who review federal and state commercial litigation practice so that attendees will receive training and skills necessary for handling all aspects of commercial litigation in New York state and federal courts.

Corporate Counsel Section

2011 marks the 6th year of the Corporate Counsel Section's Kenneth G. Standard internship program, which focuses on identifying and supporting in-house internship opportunities for law students from a diverse range of backgrounds. The program is named in honor of Past President Kenneth G. Standard, and his commitment to initiatives aimed at increasing diversity in the legal profession. Twenty-four students have been placed in the program since its inception.

Through its Diversity Internship Committee, the section is one of a handful that has produced a program of this nature that has continued to grow since its inception. The section provides in its budget funds for half of each student's salary, but many of the host companies over the years fully provide for the students' salaries. Due to the generosity of the host companies, more students each year are able to participate in the program.

Past in-house counsel offices participating have included Alliance Bernstein, FINRA, Goldman Sachs, Con Edison, McGraw-Hill, the New York Power Authority, Oneida, Pepsi, Pfizer and the Institute for Conflict Prevention & Resolution.

Law schools participating in the program have included Albany, Brooklyn, Buffalo, Cardozo, City University of New York, Hofstra, New York, Pace and St. John's.

Dispute Resolution Section

The section recently prepared a 20-page high-quality brochure, "Choose New York for International Arbitration" for wide distribution. The brochure explains the benefits of choosing New York as the venue for an international arbitration. Quoted parties include Chief Judge Jonathan Lippman and Mayor Michael Bloomberg.

Elder Law Section

The section sponsored the 2011 Mitchell Rabbino National Healthcare Decisions Day to inform the public about advanced directives. The 2011 National Healthcare Decisions Day was held on April 16th. The section, in conjunction with the Health Law and Trusts and Estates Law Sections, held a number of programs in the community to educate New Yorkers on issues affecting healthcare decisions. Through this public service project, volunteer lawyers give free presentations explaining legal procedures and documents to help New Yorkers make better, more informed healthcare and financial decisions.

Environmental Law Section

The section sponsored an Oil Spill Symposium in April, which featured a navigation case law update, oil spill fund case law update, and round table discussions on property owner liability, spill reporting obligations, and supplier liability.

The section approved and submitted comments in November to the Department of Environmental Conservation regarding severe budget cuts to the department, which the Section stated would severely compromise DEC's ability to carry out its mission of environmental protection.

The section, in celebration of its 30th anniversary, and in recognition of the 40th anniversary of the NYS Department of Environmental Conservation, held a series of nine regional programs across New York State with officials from DEC, in the summer. The programs featured a local NYSDEC Regional Director providing an historical perspective, followed by a speaker on local issues affecting the region as well as a fieldtrip to a local environmental site. The series was designed to showcase, acknowledge and celebrate the work being done in each of the state's nine DEC regions. Programs were held in Buffalo, Schenectady, Stony Brook, Waterloo, Syracuse, Lake Placid, New York City, Loweville, and Beacon.

The section continues to promote its "Classroom Project" for section members. Now in its second year, this project

provides section members with the necessary tools and curriculum information to visit their local schools and teach middle school and high students about various environmental law topics. The project provides teaching materials to section attorneys, lesson plans and topics for discussion.

Family Law Section

The section held a number of networking events over the course of the year in conjunction with the Young Lawyers Section, both in New York City and Rochester.

In March, the section submitted a resolution and comments to the Office of Court Administration, regarding their concern regarding the Court's intention to discontinue the Judicial Hearing Officers program due to budget constraints. The section, concerned about potential delays in Family Court Cases and matrimonial matters, urged the court to continue to the program in trials that had already commenced.

Food, Drug & Cosmetic Section

The section's annual meeting program included, "Biologics and the Biosimilars Approval Pathway," "Health Reform and the Pharmaceutical Industry," and "Food: Issues Relating to Safety and Claims."

Health Law Section

More than 100 section members attended two networking events for members and potential members in May and December in New York City.

Hon. Richard N. Gottfried, New York State Assembly Committee on Health, was the section's keynote luncheon speaker during the Annual Meeting.

Intellectual Property Section

In addition to its 15 standing committees, the Intellectual Property Law Section recently formed a Special Committee on Advancing Diversity within the field of Intellectual Property Law. The committee is currently conducting research in preparation for a report on recommendations and a plan for implementation.

The section renamed its fellowship to honor the late distinguished attorney and section leader Miriam "Mimi" Maccoby Netter, who passed away on September 9th.

In September, the section held its First Annual General Counsel IP Forum Breakfast in New York City, which provided an opportunity for General Counsels to discuss intellectual property as a means to increase revenue and

NYSBA 2010-2011 Report to Membership

market share for a sustainable competitive advantage in the worldwide marketplace. The section also presented its Eighth Annual “Women in Intellectual Property Law Go Global” event in June, where a panel of distinguished women spoke about working and succeeding in the international field of intellectual property.

More than 160 attorneys attended the section’s Annual Meeting program. Panelists covered recent developments in all areas of intellectual property law, including key cases, legislative developments, counterfeiting, alternative dispute resolution, intellectual property protection in China and ethics issues raised by practice in the courts and before the U.S. Patent and Trademark Office, as well as ethics issues raised by recent developments in cloud computing and other technology.

International Section

The 2010 seasonal meeting of the section was held in Sydney, Australia and attended by a host of lawyers from all over the world. Highlights of the meeting included a videocast presentation by Chief Judge Jonathan Lippman and Hon. James J. Spigelman, chief justice of New South Wales, Sydney.

The section hosted Global Week in May, beginning with a Fundamentals program and ending with a presentation from the Task Force on New York Law in International Matters, which the section was instrumental in forming.

Labor and Employment Law Section

The section celebrated its 35th anniversary at Longboat Key Club in Longboat Key, Florida.

New fellows of the section’s Diversity Fellowship program for 2010-2011 include: Molly Thomas-Jensen, a law clerk to Hon. Robert Patterson (Southern District of New York); Charles F. Coleman, Jr. (Equal Employment Opportunity Commission); and Vicki R. Walcott-Edim (Jones Day).

Municipal Law Section

The section’s fall meeting took place at the Ritz Carlton hotel in Washington, D.C. A highlight of the meeting included the U.S. Supreme Court Admissions program, where 23 section members were admitted to the Court. The section is currently working on a new blog. The section also was asked to participate in the State Bar’s Task Force on Government Ethics. Mark Davies chaired the section’s effort.

Real Property Section

The section’s Committee on Condos and Co-Ops has been active in responding to proposed federal regulations.

Brian Lawlor, commissioner/chief executive officer of NYS Homes and Community Renewal, was the luncheon speaker at the section’s annual meeting program.

The section’s summer meeting took place at the Seaview A. Dolce Resort Hotel in Galloway, NJ from July 22-25, attracting more than 100 attendees.

Senior Lawyers Section

The section undertook an aggressive member recruitment initiative in 2010 by which all association members that turned age 55 during the year were invited to receive a year of free membership in the section. Renewal data for 2011 indicates that at least 35 percent of those who were offered the year of free membership have renewed. The section will continue this program for 2011.

Tax Section

The section prepared 30 detailed and technical reports on specific tax issues that were sent to prominent state and federal government officials. These reports commented on proposed regulations or legislation, or made suggestions on drafting future regulations. The reports consider both policy objectives, such as fairness and consistent treatment of similar transactions, and practical objectives such as reducing complexity and streamlining administration of the tax laws. The reports are highly regarded by the government recipients, and many of the section’s recommendations are adopted.

More than 1,000 attorneys attended the section’s January 2011 annual meeting and luncheon in New York City, which included a presentation by William Wilkins, chief counsel of the Internal Revenue Service. In co-sponsorship with the CLE Committee, the section presented in April its ongoing and advanced-level New York State and City Tax Institute.

Trusts and Estates Law Section

The section had three affirmative legislative proposals pass in the last legislative session. They include:

Chapter 27 of the Laws of 2010 (Renunciation of Property Interests), which revised provisions of Section 2-1.11 of the Estates, Powers and Trusts Law pertaining to the renunciation of property interests, and to make New York practice in this area more consistent with federal tax law.

Chapter 437 of the Laws of 2010 (Expansion of Personal Property Exemptions), which amended Section 5-3.1 of the Estates, Powers and Trusts Law, expanding some articles personal property to be exempt from the provisions of a will or intestate distribution and to be automatically set off to the decedent's surviving spouse to provide support for him or her and the children during the period of estate administration.

Chapter 545 of the Laws of 2010 (Exercise of Right of Election), which clarifies that a surviving spouse's right of election, under Section §5-1.1-A of the Estates, Powers and Trusts Law, must be exercised within two years of the deceased's spouse's death, except that a court may, in its discretion for good cause shown, extend the time for a surviving spouse to exercise such right.

Young Lawyers Section

Throughout the year, the section conducted numerous networking events across the state that included a holiday Toys-for-Tots Drive in Albany, champagne tasting in Rochester, and several co-sponsored section events in New York City.

The section's Annual Meeting Bridging-the-Gap program in January consisted of two and a half days of CLE programming, specifically designed for young attorneys. The 2011 program attracted a near-sellout crowd. The section awarded its annual Outstanding Young Lawyer Award to Anting Wang of New York City (Hahn & Hessen LLP) on January 27.

The section's fall program took place in Albany at the Bar Center from October 21-22. The program included MCLE in practical skills and a Webcast ethics program. The event

also included a Welcome Networking Reception at Taste Restaurant in Albany, along with the Senior Lawyers Section.

In March, the section conducted its second trial training program at Cornell School of Law, from March 23-27. Experienced lawyers and judges throughout the state joined with the section at Cornell Law School to provide hands on training in trial techniques. The faculty provided instruction through lectures and critiques of the attendee's presentations.

The section, in cooperation with the Elder Law Section, continues to work on revisions to the "Senior Citizen Handbook." The section enhanced and continued its electronic newsletter publication, *Electronically InTouch*, as a service to its membership. *InTouch* features advice, guidance, and tips useful to members both professionally and personally, including "nuts and bolts" information about substantive legal issues; highlights of cases and decisions of interest; updates from section liaisons and district/alternate representatives; employment resources and opportunities; and a calendar of events, activities and programs.

The section also published its print newsletter publication, "Perspective". The biannual publication offers substantive legal articles, section news and events, and a forum for expressing opinions and/or commentary on issues affecting young lawyers and law students today. The section also oversees the production of the online student resource center, and the student newsletter *Law Student Connection*.

Recruiting new members—Young Lawyers Section Chair Philip M. Fortino of Utica (NYCM Insurance) speaks with new law students at Albany Law School's Career Week Kickoff Reception on September 16th.



Committee Reports

The State Bar has more than 65 standing committees, special committees and task forces dedicated to developing initiatives, policies, and programs to serve our members, the public and the profession.

Committee on Attorneys in Public Service

At the 2011 Annual Meeting, the committee presented two programs. The first, *Supreme Court Update: The Roberts Court at Age Five* was presented by William D. Araiza and Jason Mazzone, Brooklyn Law School. During Justice Roberts' five years as chief justice of the United States, two Justices have retired and two new justices have joined the Court. The session discussed Supreme Court decisions of the October 2009 term and cases pending in the 2010 term and explored where the chief justice has taken the Court and Constitution to date and what the future holds.

The second program, *Don't Let a Good Crisis Go to Waste: Opportunities Created in Times of Fiscal Hardship*, included speakers Chief Administrative Judge Ann Pfau, Office of Court Administration; Richard Ravitch, lieutenant governor to Governor David Paterson; and Blair Horner, legislative director, NY Public Interest Research Group. The second program also covered *Labor Issues in a Time of Cutbacks and Utilizing Federal Resources to Mitigate those Issues*. Speakers were Robert Ward, deputy director, Rockefeller Institute of Government; Mark Page, NYC Budget Director; and Timothy J. Gilchrist, president of the Moynihan Station Development Corporation (MSDC), a subsidiary of Empire State Development.

The committee, in conjunction with the Committees on Legal Aid and Membership, created the new Government and Public Interest Attorneys Resource Center, the latest resource for members in the non-profit, public interest and government service sector on the State Bar website. The site pulls together resources – ethics opinions (judicial ethics, labor and employment ethics, municipal) and professional standards, relevant Rules, Regulations, Laws, upcoming CLE Events of interest, links to employment assistance at the Bar's Career Center, publications, and much more. Of special note is a new blog sponsored by the committee, edited by committee member Jacqueline Gross.

Committee on Civil Rights

The committee's Annual Meeting program, "The New Civil Rights Struggle—The Civil Rights and Liberties of Immigrants in the Wake of Arizona SB 1070 et al.," addressed the challenges to the civil rights and liberties of immigrants—documented and undocumented and citizens alike—posed by state and local laws seeking to regulate immigration. The panel included practitioners, advocates and academics who discussed in depth the complexities of these issues. The committee presented its 2011 Haywood Burns award to Cesar A. Perales, one of the original founders of Puerto Rican Legal Defense and Education Fund, on January 27. Attendees included the David Dinkins, former mayor of New York City, and Hon. Victor Marrero, U.S. District Judge, Southern District of New York.

The committee continues to highlight substantive legal issues affecting Guantánamo Bay detainees through its blog, "Guantánamo and Beyond: A Blog on Executive Detention, National Security and Due Process," found on the committee's homepage through www.nysba.org/committees.

Committee on Courts of Appellate Jurisdiction

In response to requests from the New York Court of Appeals for comments on electronic filing of briefs and record material in that Court, the committee issued a report in September expressing its views on a potential electronic filing system in the Court. The committee is considering issuing a report urging the adoption of a uniform system for electronic filing in all appellate courts in the state.

In partnership with The Legal Project and The Rural Law Center, two providers of legal services to low-income New Yorkers, the committee launched what is expected to be a high-profile *Pro Bono Pilot Program*. This initiative will make volunteer appellate lawyers available to individuals wishing to appeal to the Appellate Division Third Department trial court decisions in the areas of family law

or matrimonial law. If successful, the committee will seek to expand the program to other judicial departments.

The committee accepted and joined in the recent report of the CPLR Committee recommending that New York's current procedure for interlocutory appeals be maintained. The Executive Committee approved this report in January.

The committee also honored recently retired chief appellate court clerks, Stuart M. Cohen, David Spokony, James Edward Pelzer and Michael J. Novack, for their invaluable contributions to New York's justice system and the appellate process at its January 2011 Annual Dinner.

Looking forward to fall 2011, the committee expects to present its biennial, statewide CLE program on New York appellate practice.

Task Force on the State of Our Courthouses

Chief Administrative Judge Ann Pfau reviewed and approved the task force's process and protocols for quarterly inspections of local court facilities. One of the mechanisms for following up the recommendations of the Task Force would be to coordinate involvement of task force members and members of county bar associations in quarterly inspections of courthouses throughout the state on behalf of the Office of Court Administration (OCA).

As such, task force members were assigned to each of the 13 judicial districts and will work with the Executive Committee's vice presidents for each district to identify representatives of the applicable county bar association for participation at least annually in one of the quarterly OCA courthouse visits. After participants have been identified, the task force member will coordinate with the person at OCA who schedules courthouse visits the inclusion of the bar association representative.

On the inspections, the bar association representative will use as a guide for their inspections of courthouses the survey that was developed by the task force, supplemented by any findings of task force members on their visits to some of the courthouses described under Best and Worst Practices in the task force's report and in Appendix H to the report. Following the inspection, the representative will prepare a written report or evaluation to be sent to the task force member and then distributed to appropriate persons in OCA and in the bar associations.

Hail to the chiefs—The Committee on Courts of Appellate Jurisdiction honors recently retired chief clerks, Stuart M. Cohen, David Spokony, James Edward Pelzer, and Michael J. Novack for their invaluable contributions to New York's justice system and the appellate process. L to R: Hon. Karen Peters; Novack; Hon. Carmen Beauchamp Ciparick; Cohen; Committee Chair Hon. Betty Weinberg Ellerin; Pelzer; Hon. A. Gail Prudenti; Spokony; Hon. Luis A. Gonzlaez; and President Younger.



Financial Support

Statements of Financial Position Years Ended December 31, 2010 and 2009

	2010	2009
ASSETS		
Cash	\$ 138,763	\$ 555,803
Continuing legal education receivable	77,497	34,431
Royalty and fees receivable	636,910	762,042
Accrued interest receivable	32,665	52,098
Inventories	377,770	369,433
Investments	30,382,088	27,727,673
Net property and equipment	2,714,332	1,952,472
Prepaid expenses	1,342,740	658,183
Total assets	\$35,702,765	\$32,112,135
LIABILITIES AND NET ASSETS		
Accounts payable and accrued expenses	\$ 1,508,774	\$ 1,126,457
Deferred dues revenue	8,850,845	8,639,407
Other deferred and unearned revenue	674,195	590,605
Payable to The New York Bar Foundation	88,247	54,103
Accrued pension and profit sharing plan costs	1,701,300	1,586,500
Accrued postretirement plan costs	6,190,000	4,022,200
Accrued postemployment termination plan costs	-	359,200
Other liabilities	155,384	133,507
Total liabilities	19,168,745	16,511,979
NET ASSETS - UNRESTRICTED		
Designated by the governing boards:		
Cromwell fund	1,599,763	1,432,289
Replacement reserve fund	2,107,650	2,849,696
Long-term reserve fund	5,428,746	5,817,251
Sections' fund	2,631,964	2,676,318
Undesignated:		
Invested in property and equipment, net	2,714,332	1,952,472
Other	2,051,565	872,130
Total net assets	16,534,020	15,600,156
Total liabilities and net assets	\$35,702,765	\$32,112,135

Statement of Activities

Years Ended December 31, 2010 and 2009

	2010	2009
Revenues		
Membership dues	\$10,549,066	\$10,566,842
Section revenues:		
Dues	1,427,403	1,446,055
Programs	1,735,375	1,639,840
Continuing legal education	6,066,538	5,689,902
Administrative fee and royalty revenue	2,250,983	2,255,434
Annual meeting	818,363	764,052
Investment income	462,008	566,822
Other revenue	482,946	681,193
Total revenue	23,792,682	23,610,140
Program Expenses		
Continuing Legal Education	4,668,704	5,010,405
Graphics	1,747,476	1,858,412
Governmental Relations program	319,831	309,739
Law, Youth & Citizenship program	219,040	209,532
Lawyer Assistance Program	186,084	183,409
Lawyer Referral & Information Services	115,989	118,898
Law Practice Management	105,834	159,390
Media services	268,136	261,316
Meetings	410,896	399,919
Membership services	1,122,260	1,154,106
Pro bono program	179,496	178,275
Local bar program	160,531	161,201
House of Delegates	415,763	411,700
Executive Committee	39,999	51,509
Other committees	1,256,508	1,264,816
Sections	3,183,820	2,965,960
Section newsletters	104,804	103,181
Publications	1,135,105	1,171,454
Annual meeting expenses	344,566	273,859
Total program expenses	15,984,842	16,247,081
Management & general expenses		
Salaries and fringe benefits	3,199,565	3,125,112
Pension plans and other employee benefit plan costs	2,451,475	1,278,186
Rent and equipment costs	1,208,497	1,214,565
Consultant and other fees	691,343	697,445
Depreciation and amortization	354,520	350,214
Other administrative expenses	355,453	389,758
Total management & general expenses	8,260,853	7,055,280
Change in net assets before investment transactions and other items	(453,013)	307,779
Realized and unrealized gain on investments	1,386,877	971,039
Change in net assets	933,864	1,278,818
Net assets, beginning of year	15,600,156	14,321,338
Net assets, end of year	\$16,534,020	\$15,600,156



NEW YORK STATE BAR ASSOCIATION

One Elk Street
Albany, New York 12207
518.463.3200
www.nysba.org