

2011-2012 Achieving Success

Annual Report



TABLE OF CONTENTS

	<u>Page</u>
Letter from NYCLA’s President	1
Membership and Communications	2
2011-2012 Event Highlights.....	5
Continuing Legal Education Institute.....	9
Pro Bono Programs.....	11
Research and Technology.....	12
Justice Center	13
Task Forces and Working Groups	14
Honorable Harold Baer Jr. and Dr. Suzanne Baer Minority Judicial Internship Program	16
Public Policy Initiatives	16
NGO Status at the United Nations.....	18
Eppler Award	18
Kobak Award	19
NYCLA Foundation.....	19
In Memoriam	Back Cover

Dear New York County Lawyers' Association Member,



Wow. Time has flown by. It certainly does not seem like the first year of my Presidency has come to a close. I have been honored and privileged to serve as President of NYCLA and am very much looking forward to next year and building upon all that has been accomplished during this past year.

Over the past year, NYCLA has focused on increasing member satisfaction and value, as well as assisting its members in career building in these tough economic times. The Association also has made efforts to help the legal community network with one another, learn about relevant topics, and accomplish meaningful pro bono work.

Within this Annual Report, you'll read about our Membership programs, Continuing Legal Education; Pro Bono, and Justice Center programs; Research and Technology services; Public Policy initiatives; and our Task Forces and Working Groups, Foundation, and Committees.

We improved our publications and developed new communications channels (such as LinkedIn groups), fostered our existing Committees and developed new ones, and enhanced and added new programs to our roster including networking events, Meet-Ups, Public Forums, Work-Life Balance programs, Practice of Law Series, and special events. To aid you in keeping up-to-date on relevant topics in the legal field, our Continuing Legal Education Institute not only partnered with other organizations to develop programs in specialty areas, but also developed training programs on technological advances to help you keep up with the latest advancements in the legal field. In the Library, NYCLA installed 25 new computers with wireless access and expanded its Westlaw subscription with new resources to help you meet your clients' needs.

NYCLA aims to advance the science of jurisprudence, and promote the administration of justice and legal reforms. It carried on in that tradition during 2011-2012 by advocating for justice for a variety of groups and individuals and through our pro bono projects, such as the Manhattan CLARO project and free walk-in clinics that provide advice on self-representation strategies. We advocated for an increase in judicial salaries by testifying at a public hearing, issuing statements, and adopting a resolution through our Judicial Section.

Our Task Force on Judicial Budget Cuts made enormous efforts in shedding light on how the budget cuts are affecting the operation of the courts. It conducted extensive interviews with administrative judges, court personnel, and practitioners; published two reports last August; conducted an electronic survey; and held an all-day public hearing and issued a Hearing Report. Through the great efforts of the Task Force, it has become clear to the New York legal community that the public's access to justice had declined and efforts need to be made to restore funding.

Our Committees and Sections, which deliver your membership experience to your individual practice areas, provided opportunities for our members to interact with one another and consider issues within their jurisdictions. With over 50 Committees and Sections, there is a group for everyone to join. At the 2012 Annual Meeting, the Non-Profit Organizations Committee will receive the 2012 Eppler Award for its *Report on Proposed Revisions to the New York Not For-Profit Corporation Law*. Also, the 2012 Kobak Prize will be awarded to the Young Lawyers' Section for the development of engaging programs that combine legal education, career development, and networking. Finally, I am pleased to share that the NYCLA Foundation continued its fine work in fundraising for NYCLA's programs and objectives.

I thank the NYCLA Officers, the members of NYCLA's Board of Directors, members, and NYCLA staff for helping to bring us to where we are today. I am certain that with optimism in the air and the drive of our staff and members, we will continue to achieve success in the year ahead, and make the legal community a better place for all of us and for our clients.

Sincerely,

A handwritten signature in black ink, appearing to read "Stewart D. Aaron". The signature is fluid and cursive.

Stewart D. Aaron

President

New York Lawyers' Association

MEMBERSHIP AND COMMUNICATIONS

Member Benefits

NYCLA aims to keep its nearly 9,000 members—attorneys, judges, academics and law school students—up to date on trends in the field, engaged in professional development, and involved in the legal community through membership benefits and communications.

Benefits of membership include preferred pricing on CLE seminars and webinars; free professional and personal development opportunities through our monthly membership programs; and access to periodicals, case studies, and online resources through our Library. We strive to help you, our members, stay on top of emerging trends and legal news with NYCLA's weekly e-News and monthly *New York County Lawyer* newspaper, each delivering useful information regardless of how many years you have been practicing.

Your membership satisfaction is of the utmost importance to us. To understand what our members need and find valuable, we surveyed you and obtained helpful and insightful feedback that has allowed us to improve our offerings. We heard that NYCLA's continuing legal education classes are valuable to you, but that you want better career resources and information, want to learn how to use technology, want online resources, and want information delivered directly to you, electronically.

Since our members are interested in tapping into the organization to help build and improve their careers, we made efforts this year to enhance that aspect of membership. We created a career webpage where our members can search for job listings and post their resumes at no cost. In addition, NYCLA members who are employers can search for talent on the Association's Career Center and receive 20 percent off when posting jobs.

We partnered with career experts to provide articles for *New York County Lawyer* and launched a new series of events. Based on the survey and our online analytics, we determined that members are interested in technology, career, and work life balance. We launched interactive round tables on these topics and thus far they have proven to be successful, based on positive ratings from attendees and attracting a wide audience of new and experienced attorneys.

In addition, since last year, NYCLA's Membership Department has increased its other member benefits, including an array of discounts on services to enhance your professional and personal lives. We are committed to the expansion and enrichment of our benefits program and offer discounts on a range of services, including fitness clubs, insurance, publications, and web site development and Internet marketing.

We continue to expand and build upon our offering of Committees and Sections to deliver the membership experience to your personal practice area. Open to every member regardless of when they were admitted, new committees added this year include our Asian Practice, In-House/Outside Counsel, and Multilingual Lawyering Committees.

We thank the **Membership Committee** and its chair, Howard W. Burns, Jr., for their invaluable support and dedication to expanding NYCLA's membership offerings, and for ensuring that NYCLA membership is truly of value to those who belong to the organization.

Communications and Publications

To engage our members, this past year we took a deeper look at our communications that keep you, our members, informed, and made numerous improvements to deliver you more targeted and relevant news and announcements.

E-Newsletter

We redesigned our **weekly e-newsletter**, making it easier to read, and included more links to external resources and experts and articles that focus on career resources and opportunities to meet members' needs. We saw open rates increase by 100 percent within four months of the redesign and click through rates increase by 150 percent.



New York County Lawyer

Our **print newspaper**, *New York County Lawyer*, has been a membership staple for years. We are bringing it to the next level by making it more reader-friendly and improving content. Published 10 times per year, the newspaper now focuses on topics each month relevant to our membership base. Our March 2012 issue focused on Career while our April issue focused

on emerging issues in the law. We've invited partners and experts on particular topics to write articles and columns in order to make the newspaper content more informative and enjoyable. We know that our members are on the go more than ever before. We have kept up with your changing needs by offering—this year for the first time—*New York County Lawyer*—online and for download to your computer, mobile device, or tablet.

Attorneys' Guide to Civil Practice in the New York Supreme Court

The *Attorneys' Guide to Civil Practice in New York County Supreme Court*, published in August 2011, serves as a valuable tool for all attorneys engaged in civil litigation in Manhattan. In its sixteenth edition, the 2011 *Guide* is a concise resource for details about judges, court personnel, and procedures in the Supreme Court. Special pricing is offered to NYCLA members.

Commercial Litigation in New York State Courts

The Third Edition of the treatise *Commercial Litigation in New York State Courts*, a highly successful joint venture between NYCLA and Thomson Reuters/West, continues to receive critical acclaim and to generate annual royalties for NYCLA. Thirty-one legal newspapers and bar journals throughout the State of New York have published favorable book reviews of the Third Edition since it was published during the fall of 2010, including the *New York Law Journal*, the *New York State Bar Association Journal*, and 14 county bar association newsletters. This six-volume, 7,769 page treatise, written by 144 distinguished judges and well-known litigators, contains 106 chapters and covers all aspects of civil procedure in New York State courts. The 129 registrants at NYCLA's May 4 CLE program, *Advice From the Experts: Successful Strategies for Winning Commercial Cases in New York State Courts*, each received these volumes, as the course materials, at this unique program that was led by former NYCLA President, Robert L. Haig, Editor in Chief of the Treatise.

New York City Criminal Courts Manual

The 2012 *New York City Criminal Courts Manual*, published last fall, helps practicing attorneys with the fundamentals of criminal law in New York and features comprehensive directories of judicial and non-judicial personnel in New York, Kings, and Richmond Counties. Highlights include the structure of Criminal

Court, commencement of action, arraignment practices in Criminal and Supreme Courts, and plea and sentencing issues. Special pricing is offered to NYCLA members.

The New York Rules of Professional Conduct

The second update to *The New York Rules of Professional Conduct*, edited by a sub-group of the Ethics Institute, was published by Oxford University Press in the fall of 2011. This scholarly publication, housed in two volumes, contains over 800 pages of analysis, practice pointers and advice, the full text of recent Ethics Opinions, articles, primary source materials, forms, and finding aids.

Publicity

In addition to publishing our own content, we tap into



external media outlets to get the word out in the



community about the great work being done by our members, including programming, advocacy work, and *pro bono* programs. We strategically position our members as experts, showcasing NYCLA's thought leadership. NYCLA has been front and center this year in the media, garnering significant media coverage in national media outlets, including



The Wall Street Journal, *The New York Times*, and Thomson Reuters; local media outlets, including *The Daily News*, *The New York Post*, NY1 News, and *amNewYork*; industry publications, including the *New York Law Journal*, *Crain's Insider*, *Metropolitan Corporate Counsel*, and *Money Management Executive* magazine; and industry blogs such as AABANY and Sui Generis. A great deal of coverage occurred around the Judicial Budget Cuts Task Force's efforts to raise awareness about the budget cuts to the federal and state courts.

NYCLA Rapid Response

Over the past two years, NYCLA's Rapid Response Initiative has enabled the organization to react and respond quickly to negative and unwarranted press attacks on the judiciary. It was designed specifically to respond to politically motivated or overly simplistic and inflammatory media attacks that threaten judicial independence or mislead the public. During 2011-2012, the Rapid Response Initiative enabled NYCLA to respond quickly and effectively to what it believed were inappropriate statements about the difficult decisions judges make, including those regarding bail.

Social Media



While tapping into local and national traditional media outlets to raise awareness about NYCLA's efforts, we also made great strides in 2011-2012 to utilize social media to interact with members and enhance our



image. Our LinkedIn group, started in November 2011, has nearly 1,900 professionals who engage in discussion with one another about various topics related to the legal industry and share job opportunities. In addition, many of our Committees and Sections have started subgroups to offer members the opportunity to engage online with others in their professional practice areas. Over 800 people are fans of



NYCLA on Facebook, and we aim to keep fans informed about the happenings here at NYCLA via our page, with informational and photo postings.

Meanwhile, over 350 Twitter users are now following NYCLA on Twitter, where we keep our followers up to date on industry news and Association

events and activities.

2011-2012 EVENT HIGHLIGHTS

In 2011-2012 NYCLA hosted a wide range of events to meet the needs of its membership, from networking events to professional development events, public forums, work-life balance programs, and special events.

Practice of Law Series

The following exclusive programs were designed by experienced attorneys to help members maintain their skills, manage their practice, and develop professionally.

- Writing Retainer Agreements
- Preparing a Trial Notebook
- Keeping Your Firm's Finances
- What Judges Want You to Know
- Legal Ethics You Need to Know
- Fee Disputes
- Trial Techniques for Beginners

Meet-Ups and Work-Life Balance

The following professional development programs were held over the past year for members to meet industry leaders, learn today's legal hot topics, and stay on the cutting edge of the profession.



- What Every Lawyer Needs to Know about the Part 137 Fee Dispute Resolution Program
- Guide to Leasing Law Firm Space
- How Forensic Social Workers Support Attorneys
- Marketing Your Firm with amNY
- Client-centric Marketing
- Tech Trends 2012
- Advance Your Career (photo: left)

The following events were organized to help members maintain a balance between their work and personal lives.

- Retirement 101
- Dress to Impress
- Boost Your Energy and Reduce Stress (photo: right)



Lunch with a Judge

Designed for summer associates, events included a lunchtime panel with members of the bench discussing various topics related to the law.

- During the summer of 2011, NYCLA held several sessions of Lunch with a Judge, a program sponsored by the Judicial Section and the Young Lawyers' Section. Speakers at the luncheons included Hon. Loretta Preska, Chief Judge of the United States District Court for the Southern District of New York, as well as Hon. Bernard Fried, Hon. Marcy Kahn, Hon. Shirley Werner Kornreich, Hon. Debra James, and Hon. Richard Braun.

Networking Events

The following events, hosted by the Young Lawyers' Section, were held in 2011-2012 to connect members of the legal community with one another to make new connections, expand their networks, and stay current, while opening the door to professional and personal opportunity.

- Networking Know-How
- Chivas Whisky Tasting Reception
- Summer Networking at Glass Bar
- Bowling at Lucky Strike Lanes
- Law Student Networking Reception
- Oktoberfest Meet & Greet
- Holiday Party at Traffic Bar
- Ring in the New Year
- NYCLA Squares
- 1990s Trivia Night
- Spring Fever
- Whisky Tasting Extravaganza

Lectures, Special Events, and Award Recognition

The following forums, lectures, special events, and award ceremonies were held in 2011-2012. We thank our Committees and Sections for organizing many of these valuable programs and events.



Event	Date	About
Civil Court Practice Section Annual Dinner	June 2, 2011	This annual awards dinner was held at Little Italy's SPQR celebrating the supervising and administrative judges of the civil court, past and present.
Matrimonial Section Spring Cocktail Party	June 2, 2011	NYCLA's Matrimonial Law Section held its Annual Cocktail Party at Battery Park Gardens. Hon. Ruth Hassell-Thompson, Senator and Hon. Jonathan L. Bing, Assemblyman, were honored for their efforts in having no-fault legislation passed.
Public Forum: Vertical Patrol: NYC Housing's Policing Practices—Is it Effective? Fair? Appropriate?	June 8, 2011	This program, sponsored by the Civil Rights & Liberties Committee and co-sponsored by the Criminal Justice Section, Minorities & the Law Committee , and the Justice Center , explored the policing practice of "vertical patrol" in NYC public housing.
Book Discussion and Signing	June 23, 2011	Journalist Ellis Cose discussed his latest book, <i>The End of Anger: A New Generation's Take on Race and Rage</i> (Ecco Press, May 2011).
How Equality Was Won	August 1, 2011	The LGBT Committee and LeGaL presented this event, which discussed the historic passage of marriage equality in New York and presented some of the insiders who helped make history possible.
Special Event in Observance of the Tenth Anniversary of September 11	September 12, 2011	NYCLA hosted a screening of the documentary, <i>Out of the Ashes: 9/11</i> , which profiles seven 9/11 families and provides an unprecedented glimpse of the impact of the largest entitlement program to date, the 9/11 Victim Compensation Fund, which distributed \$7 billion to over 5,500 families.

Jack Newton Lerner Landlord Tenant Practice Institute	September 16, 2011	The Jack Newton Lerner Award was presented to Hon. Stephen G. Crane his outstanding contributions to continuing legal education.
Public Service Awards Ceremony and Reception	September 27, 2011	This event honored attorneys who have distinguished themselves in the public sector. Hon. Carmen Beauchamp Ciparick, Senior Associate Judge, New York State Court of Appeals, served as special guest speaker during the event in which seven attorneys were given awards.
Forum: Preservation of Affordable Housing	September 29, 2011	This panel addressed questions surrounding affordable tax credits and senior GSE-sponsored debts that are expiring in affordable housing projects developed throughout the 1990s.
Public Forum/Networking Mixer: Multilingual Lawyering—Challenges and Opportunities	October 12, 2011	Sponsored by the Young Lawyers' Section , multilingual attorneys from the private, government, and public sectors presented an overview of their career paths and ways in which they apply their multilingual skills; the job opportunities and career development resources available to multilingual attorneys; and challenges.
Luncheon Honoring the Federal Courts in New York City	October 26, 2011	NYCLA's Federal Courts Committee recognized Hon. John F. Keenan, Judge, United States District Court for the Southern District of New York, with the Edward Weinfeld Award for his distinguished contributions to the administration of justice.
Law and Literature Award Presentation	November 21, 2011	Jeffery Toobin, best-selling author, senior analyst for CNN, and staff writer at <i>The New Yorker</i> , was presented with NYCLA's 2011 Law and Literature Award .
Public Forum/Networking Mixer: So You Want to Be a Trial Lawyer	January 26, 2012	Adam J. Roth, Wingate Russotti & Shapiro, LLP moderated this panel of experts at this Young Lawyers' Section -sponsored event.
Public Forum: The 13th Annual FINRA Listens...and Speaks	February 6, 2012	The Arbitration and ADR, Labor Relations and Employment Law, and Securities and Exchanges Committees hosted the Financial Industry Regulatory Authority for an exchange of views among arbitrators, counsel for claimants, and counsel for respondents.
Tenth Annual Ida B. Wells-Barnett Justice Award Ceremony	February 21, 2012	NYCLA and the Metropolitan Black Bar Association honored Loretta E. Lynch, United States Attorney for the Eastern District of New York, with the Tenth Annual Ida B. Wells-Barnett Justice Award.
NYCLA Squares	February 23, 2012	The Young Lawyers' Section hosted this fun networking event, sponsored by Lucky Strike Lanes, where attendees enjoyed food and beer and played NYCLA's version of Hollywood Squares for an array of prizes.
Public Forum: Getting on the Catwalk: Careers for Lawyers in Fashion Law	March 8, 2012	At this Young Lawyers' Section -sponsored event, Quinn Taurman, <i>New York Law School</i> , moderated a panel of distinguished experts who had a candid conversation about career paths and developments in fashion law.

Judicial Reception	March 15, 2012	NYCLA's Committee on the Supreme Court hosted this reception honoring newly elected, appointed, re-elected, and re-appointed judges. Hon. Carmen Beauchamp Ciparick, Senior Associate Judge, New York Court of Appeals, gave welcome remarks, and Hon. Bernard J. Fried, Retiring Supreme Court Justice, Commercial Division, New York County, gave special remarks.
Public Forum: Challenges to the Pharmaceutical Industry-Drug Shortages	April 12, 2012	Distinguished panels spoke about the causes of drug shortages, its impact on public health, and possible solutions at this event sponsored by NYCLA's Health Law and Insurance Law Committees .
Public Forum: U.S. - Asia Lawyer Cooperation	April 16, 2012	This event, hosted by the Asian Practice Committee , brought together lawyers from China and the United States and discussed the cooperation opportunities between U.S. and Asian lawyers and related topics of economic globalization.
Edith I. Spivack Award Ceremony	April 23, 2012	The NYCLA Women's Rights Committee presented Donna Lieberman, Executive Director of the New York Civil Liberties Union, with the Edith I. Spivack Award for her work in the area of women's rights.
49th Charles Evans Hughes Memorial Lecture	April 26, 2012	NYCLA presented the 49th Charles Evans Memorial Lecture given by the Hon. Judith S. Kaye, of Counsel, Skadden, Arps, Slate, Meagher & Flom, Former Chief Judge, State of New York. Judge Kaye lectured on <i>Interbranch Tangling: Separating Our Constitutional Powers</i> , at the event sponsored by Hughes Hubbard.
Law Day Luncheon	April 27, 2012	On April 27, 2012 at its annual Law Day Luncheon sponsored by the Supreme Court Committee , NYCLA presented the Justice Louis J. Capozzoli Gavel Award to Hon. Sherry Klein Heitler, Administrative Judge for Civil Matters, First Judicial District. Hon. Loretta A. Preska, Chief Judge, United States District Court, Southern District of New York, presented Law Day remarks.
First Folio: Fifth Pairing	May 2, 2012	The Leap Year Creative Writing Group presented selected readings from <i>First Folio: Fifth Pairing</i> at this Art Committee event.
Portrait Unveiling: Catherine A. Christian	May 8, 2012	NYCLA held a special event to unveil the portrait of its former President, Catherine A. Christian, the first African American, the youngest person, and the second woman to be inducted as NYCLA's President.
Public Forum: "Lin-tellectual" Property	May 17, 2012	"Lin-sanity" was one of the biggest New York sports stories of the year. NYCLA's Entertainment, Media and Intellectual Property Section and its Sports Law Subcommittee presented an in-depth analysis about a variety of legal issues commonly involved in representing athletes.



97th Annual Dinner

This event, held at the Waldorf Astoria Hotel on December 13, 2011, celebrated legal compliance and enforcement. In addition to honoring 30 Chief Compliance Officers of major corporations, the 2011 William Nelson Cromwell Award, which is presented to a member of the New York Bar for “unselfish service to the profession and the community,” was presented to Mary Jo White, Partner at Debevoise & Plimpton LLP, and the only woman to serve as the United States Attorney for the Southern District of New York in the more than 200-year history of that office. Rosalind S. Fink, the first woman President of NYCLA and Of Counsel at Brill & Meisel, received the Boris Kostelanetz President’s Medal, which is conferred upon a member whose record of dedication and service to the Association and legal profession comport with its highest standards. After the award presentations, Hon. Preet Bharara, United States Attorney for the Southern District of New York, presented remarks.



CONTINUING LEGAL EDUCATION INSTITUTE

Educating and Training Attorneys

The CLE Institute continued to educate and train attorneys in law practice management, ethics and professionalism, professional practice and skills. Many new programs were developed in 2011-2012 to keep pace with the changing needs of the legal profession, especially in light of the stagnant economy, advances in technology and the ever present need to sharpen skills. An unparalleled roster of experts from the bench, bar, government, academia, and related disciplines taught the programs, offering their insights, knowledge, tactics and guidance to attendees.

Extensive Selection of Live Programs

Programs were offered in both substantive law and skill building. While some programs focused on new developments in specific practice areas, such as **Pay-to-Play in the Financial Sector: Know the Rules**, others explored new areas of the law, such as **What Attorneys Need to Know About Cyberforensics**. The CLE Institute partnered with other organizations to develop programs in specialty areas, such as **IP Protection in the Apparel and Fashion Industries**, co-sponsored by the Federal Bar Association, New York Chapter. Among the programs developed to assist lawyers in honing both their legal and business skills, while also dealing with the economic downturn, were **Succession Planning for Attorneys and Their Clients** and **Freelance Freedom: How to Get Started as an Independent Contractor Lawyer**.

The CLE Institute also sought to train attorneys on technological advances and the ways technology is changing the practice of law by offering **How to be a Virtual Lawyer** and **E-Discovery 101: A Practitioners Guide**. In addition, for the fourth consecutive year, our seminal program, **Art Litigation and Dispute Resolution Institute**, co-chaired by Hon. Stephen G. Crane and Raymond J. Dowd, was a sold-out success.

In September, Hon. Sherry Heitler presented Judge Crane with the **Jack Newton Lerner Award** for Outstanding Contributions to Continuing Legal Education at the **Jack Newton Lerner Landlord Tenant Practice Institute**, before an audience that included Jack Newton Lerner’s wife and family and members of the NYCLA Board.

NYCLA CLE Institute Receives Accreditation in New Jersey

Along with being an Accredited Provider of Continuing Legal Education programs in New York State, NYCLA's CLE Institute has also been granted Accredited Provider status in New Jersey. The Institute conducted three very successful **Bridge the Gap New Jersey** programs that satisfy the requirement that newly admitted attorneys earn 15 credit hours in five of nine specified practice areas. Many live and DVD/CD programs offered by NYCLA qualify for both New York and New Jersey credit.

Ethics Institute

NYCLA's Ethics Institute continued to be extremely productive this year. The second update to *The New York Rules of Professional Conduct*, edited by a sub-group of the Ethics Institute, was published by Oxford University Press in the fall of 2011. This scholarly publication, housed in two volumes, contains over 800 pages of analysis, practice pointers and advice, the full-text of recent Ethics Opinions, articles, primary source materials, forms and finding aids.

The Institute continued to offer monthly substantive law CLE programs on diverse topics, each one with a strong ethics component emphasizing how to deal with the ethical questions arising in different practice areas. Programs offered by the Ethics Institute have included: **Ethical Issues in Intellectual Property**, **Tackling Ethical Issues Arising in Federal Criminal Law**, and the **Ethics for Lunch Program on Understanding the Attorney Advertising Rules**.

In addition, NYCLA's **Task Force on Professionalism**, chaired by Ronald Minkoff and under the aegis of the Ethics Institute, has been commenting on issues of professionalism and developing programming aimed at improving attorneys' professional lives. In June the Task Force conducted a program at the NYS Courthouse, **District Attorneys and Defense Attorneys: When Should They Co-operate; When Shouldn't They?** and co-sponsored with the **Ethics Institute** a provocative class on **Alternative Litigation Financing: A New Way to Help Pay for Lawsuits and Stay Out of Trouble while Doing So**. The Task Force also sponsored a screening of *UNRAVELD*, a documentary about Marc Dreier, followed by a panel discussion about ethics, values and decision making in today's society.

On October 19, 2011, NYCLA's **Professional Ethics Committee** issued Ethics Opinion 744, the first ethics opinion in New York State to interpret a new amendment to Rule 6.4 of the Rules of Professional Conduct, which addresses a lawyer's involvement in law reform activities. The prior rule had required a lawyer to disclose to a client a lawyer's engagement in law reform activities that might adversely affect a client's interests. Because that rule had a chilling effect on pro bono law reform activities, it was modified. The new rule permits lawyers to engage in law reform activities provided that there is no conflict of interest within the meaning of RPC 1.7. In addition, the new rule requires a lawyer to disclose to the law reform organization (such as NYCLA) advocacy that may benefit a client.

NYCLA's Mentoring Program

NYCLA's Mentoring Program (*photo: right*), which seeks to enhance the experience of junior attorneys in the legal profession by providing the tools and resources necessary for their professional and personal development, is currently in its third session. In January, the Program was the recipient of the **Network of Bar Leaders Innovation Award** for Large Bar Associations. Not only is the current "class" of mentees reaping the benefits of the one-on-one mentor/mentee relationships, structured and informal programs, but many "alumni" of the program also continue to have contact with their mentors and have become involved members of NYCLA.



CLE Programs Available Online, on CD and DVD

Attorneys have online access to selected programs from NYCLA's CLE Institute available on the website of NYCLA's strategic partner, MarinoLegal.com. In addition, the Institute continues to offer selected programs as part of its DVD/CD Audio Reference Library, providing experienced attorneys with the option of satisfying their MCLE requirements from the convenience of their home or office.

NYCLA thanks the **CLE Committee** and its co-chairs, Hon. Stephen G. Crane and Lewis F. Tesser, the **Board of Advisors of the Ethics Institute**, members of the **Task Force on Professionalism, Mentoring Program Advisory Board**, and **2011/2012 Mentors** for their invaluable support and guidance throughout the year.

PRO BONO PROGRAMS

NYCLA has a long history of providing *pro bono* legal services. Our **Pro Bono** programs enable NYCLA to fulfill its core mission of providing free legal services to low-income individuals and make a difference in the lives of hundreds of New Yorkers.

Often when people cannot afford legal counsel or they are uncertain about how to obtain legal assistance to solve a particular problem, they become discouraged by the legal system. Consequently, they either endure needless and unjust hardship or give up on problems that might otherwise be easily solved. This past year, NYCLA's **Legal Counseling Project** gave the public the opportunity to meet one on one with an attorney to discuss legal problems and explore options and solutions in the areas of landlord/tenant, consumer bankruptcy, employment, and family law. As a result of the sharp downturn in the economy and the growing number of New Yorkers using credit cards to make ends meet, the Civil Courts are being inundated with consumer debt cases. The **Manhattan CLARO Project** responded by offering free walk-in clinics that provided advice on self-representation strategies.

Unemployment is the persistent factor most strongly correlated with recidivism. Obtaining gainful employment, however, is typically difficult for a person with a criminal history, particularly one who seeks to enter a vocation requiring state licenses. NYCLA's **Project Restore** provided representation to those individuals who were denied vocational licenses and who challenged the denial.

Most taxpayers who appear in front of the Tax Court are unrepresented and cannot afford to pay an attorney to represent them. While some calendar call locations have Low Income Taxpayer Clinics, such clinics in New York only provide representation to taxpayers who are already clients. This leaves many *pro se* taxpayers at calendar call without access to legal advice. NYCLA's **U.S. Tax Court Project** provided limited legal assistance to those unrepresented *pro se* petitioners at calendar call. In February 2012, NYCLA member Frank Agostino, one of the Program's more active volunteers, received the ABA Tax Section's **Janet R. Spragens Pro Bono Award**.

With the support of dedicated volunteers, NYCLA's *Pro Bono* programs provided assistance to over 1,500 individuals this past year. The programs are a source of great pride and we are grateful to each volunteer. We are deeply proud of our tradition of public service and look forward to continuing to serve those in need. NYCLA's *pro bono* efforts are made possible by the generous support of NYCLA members, the IOLA Fund and the New York Bar Foundation.

As the communities we serve and the legal needs of those living in them change, we will continue to redefine and revise our program to meet those needs. This cannot be done without the support of the extraordinarily committed group of members on the **Pro Bono Committee**. NYCLA acknowledges their tireless work and especially thank its Chair, Lisa Cleary.

Part 137 Attorney-Client Fee Dispute Program

In its ninth year of operation, the Part 137 Attorney-Client Fee Dispute Program has continued to ensure that attorneys and clients have an informal and expeditious way of resolving fee disputes through arbitration or mediation. The success of the Program is a tribute to the volunteer arbitrators and mediators. A special thank you to James E. Daniels, chair of the **Joint Committee on Fee Disputes and Conciliation**, for his invaluable support and guidance.

RESEARCH AND TECHNOLOGY

The Library continues to serve members as the “lawyers’ toolbox” for the 21st century. Today’s “lawyers’ toolbox” contains a mixture of digital, print, and microform resources selected to meet the needs of NYCLA’s onsite users, and the many off-site users who utilize the NYCLA Library’s fee-based services.

The NYCLA Library provides members with complimentary on-site access to Lexis, Westlaw, and Bloomberg Professional at the Library. Members may also use Loislaw, Proquest Congressional (aka Congressional Universe), Legaltrac, IndexMaster, State Capital Universe, Mergent Online, Science Direct, Proquest Statistical Insight (aka Statistical Universe), and scores of non-legal databases at the Home of Law.

The NYCLA Library has been successfully promoting programs that offer qualifying NYCLA members access to certain off-site legal research databases. Every day newly admitted attorneys, seasoned members of the Bar, paralegals, and law students visit the NYCLA Library to access the resources assembled—old and new—and to tap into the expertise of the NYCLA Library staff. Some NYCLA members visit several times a week, while others drop in once a month or just as needed. The highly experienced and trained staff offers assistance to patrons in the efficient and effective use of Library resources and legal research in general. Other members e-mail, fax, or phone in requests for assistance and avail themselves of the Library’s fee-based services, which offer good value. Library service requests come, for the most part, from New York attorneys and law firm libraries, but requests also come from out of state and around the world.

The reference librarians access databases not available directly to the library patron, including public records, verdict research, and New Jersey and Connecticut treatises, and through various sources the Library staff can identify and track down expert testimony and reports. Fee-based services span the gamut from merely pulling cases to providing professional librarian research in discrete areas of the law.

Library Usage and Holdings

The Library’s patron computer network continues to be heavily used for research sessions. At the end of 2011, 25 new computers replaced the 14 old patron computers in the Library, an 80 percent increase. Each patron computer runs Microsoft Windows 7 and has Microsoft Office 2010 and Adobe Acrobat X Pro (to prepare an electronic filing). Several computers also have WordPerfect Office X5 and NYCLA members may tap into the NYCLA Library’s wireless network.

On request, new and existing NYCLA members can request a tour of the Library to familiarize themselves with the available resources. Likewise, specialized tours are given to NYCLA Committees whenever requested.

The NYCLA patron Westlaw subscription has been expanded and includes additional resources in Entertainment Law (with Intellectual Property enhancements); Immigration Law (with the Fragomen treatises and a formfinder function); Uniform Commercial Code Law; Employment Law materials; and New York Civil Pleadings, Motions, and Memoranda.

The NYCLA collection includes Records and Briefs from the Court of Appeals for the State of New York, and Records and Briefs from the four Appellate Divisions. In addition, selected Records and Briefs for the U.S. Court of Appeals for the 2d Circuit, as well as the U.S. Supreme Court Records and Briefs are in the collection.

The NYCLA Library has also retained the “take out” pages from the Administrative Code for the state, the *New York Code Rules and Regulations*, and can retrieve historical administrative regulations on request. The NYCLA Library is one of the few libraries in the state that can retrieve old NYCRR provisions. The NYCLA Library regularly assists patrons assembling legislative histories of New York and federal statutes.

Finally, the NYCLA Library has the complete back file of the *New York Law Journal* in microform, a broad collection of current treatises in many subject areas and a collection of superseded treatises and administrative materials with great historical depth.

Bloomberg Professional, Westlaw, Lexis, and the Bankruptcy Court continue to offer CLE programs in the Library, with registrations filling up quickly. The Library catalog, found at nycla.org, enables attorneys to view NYCLA Library holdings from any computer, anywhere, and anytime.

The Library continues to review resources based on an assessment of patrons’ needs. Shifts from print to electronic resources are progressing in a manner intended to be the least disruptive to users.

The Gladys Glickman NYCLA Authors display contains recently published works by our members. Please let the NYCLA Library know when you have published a book or article or have established a substantive blog of note so that it may be considered for display. Providing the Library with a copy of the published item will be of great assistance.

The **Library Committee** and its chair, Tom Draper, deserve all of our thanks, and they and the Library staff invite you to drop in and “take a look” to see what the Library can do for you and your practice.

JUSTICE CENTER

Under the leadership of Hon. George Bundy Smith as Chair and Hon. Joseph Kevin McKay as Vice Chair, the dedicated **Justice Center Advisory Board** continued to make substantive contributions to issues such as civics education and access to justice.

Essay Contest

The **High School Essay Contest** has been sponsored for many years by the **Law-Related Education Committee**, chaired by Hon. Richard Lee Price. In May 2012, the Committee presented cash prizes and certificates to public high school students who wrote essays on the topic: “You caught Derek Jeter’s 3,000th hit ball and the Commissioner of Major League Baseball has written you a letter asking you to turn the ball over to him. What are the arguments in support of keeping and turning over the ball? What would you do and why?”

Public Forum

In December 2011, the Justice Center co-sponsored a forum organized by the NYCLA **Criminal Justice Section, When Bail Means Jail—Are NYC Criminal Courts Setting Bail Appropriately?** Panelists discussed the effects of pre-trial detention, research on the efficacy of bail in rates of return to court, current litigation about the forms of bail, and alternatives to customary practices in New York City Courts.

Racial Disparities in the Criminal Justice System

On the recommendation of **Justice Center Advisory Board** member Justice Marcy S. Friedman, a planning committee was set up to develop a proposal for a major conference on racial disparities in the New York City criminal justice system. Plans are well underway for a three-day conference at NYCLA in October 2012, co-sponsored by the Brennan Center for Justice at New York University Law School, National Association of Criminal Defense Lawyers, Association of Prosecuting Attorneys, and Center for NuLeadership on Urban Solutions. The goal of the conference is to bring together prosecutors, defense attorneys, judges, scholars, community leaders, law enforcement officials, and formerly incarcerated advocates to develop a menu of practical reforms to reduce racial disparities at different stages of criminal proceedings from arraignments through sentencing.

Trafficking

The Justice Center is focused on the issue of local, national, and international trafficking of women and girls for commercial sex purposes. Over the past year, representatives of NYCLA as a Non-Governmental Organization (NGO) at the United Nations, including Barbara T. Rochman, Justice Center Advisory Board Member, and Marilyn J. Flood, counsel to NYCLA, have served on the Stop Trafficking in Persons Committee (STIP) of the Commission on the Status of Women/NY and attended programs and briefings on the issue of trafficking. In October 2012, the Justice Center will co-sponsor, with the Feerick Center for Social Justice, a conference at Fordham Law School to assess the effectiveness of various anti-trafficking laws and programs and recommend reforms to strengthen them.

Youth Law Education Project

In partnership with Hon. Richard Lee Price, chair of the NYCLA **Law-Related Education Committee**, and Debra Lesser, Executive Director of the Justice Resource Center, the NYCLA **Justice Center** hosted its fifth high school student conference utilizing the *NYC Youth Law Manual*, published by NYCLA. Hosted by New York Law School, the conference featured skits illustrating confrontations with school safety officers and the police and engaged students in small group discussions about social justice issues and careers in the law. NYCLA is indebted to the volunteer lawyers and judges who generously donate their time to educating young people about their rights and responsibilities.

TASK FORCES AND WORKING GROUPS

Task Force on the Family Court

The Task Force on the Family Court, co-chaired by Hon. Howard Miller and Professor Jane Spinak, had recommended, and the Family Court initiated, a pilot project on the use of affidavits instead of direct testimony. To focus more attention on this practice, in use in the Commercial Division of the New York State Supreme Court and the federal courts, Hon. Richard Berman, a member of both the Task Force and the NYCLA Justice Center, organized a CLE program in September 2011, held at the Daniel Patrick Moynihan United States Courthouse, that attracted over 500 registrants. The program was co-sponsored by the New York State-Federal Judicial Council and the Second Circuit Judicial Council.

Task Force on Judicial Budget Cuts

Shortly after his inauguration last May, NYCLA President Stewart D. Aaron announced the establishment of a **Task Force on Judicial Budget Cuts** and named Hon. Stephen G. Crane and NYCLA Past President Michael Miller as Co-Chairs. With a mandate to prepare an initial assessment within 60 days, the Task Force conducted extensive interviews with administrative judges, court personnel, and practitioners and published two reports in August—**Preliminary Report on the Effect of Judicial Budget Cuts on New York State Courts** and **Preliminary Report on the Effect of Judicial Budget Cuts on the U.S. District Court for**

the Southern District of New York. Both reports highlighted how budget cuts affected the operations of the courts, particularly the effects on litigants, lawyers, and the public.

In November, the Task Force conducted an electronic survey about state judicial budget cuts, which generated 759 responses from attorneys, court system employees, judges, government attorneys, lawyers with legal services organizations, and non-lawyers. Nearly 85 percent of respondents either “strongly agreed” or “agreed” that the court’s efficiency had been compromised and almost 70 percent “strongly agreed” or “agreed” that the public’s access to justice had declined.



As the third component of its action plan, the Task Force conducted an **All-Day Public Hearing** on December 2, 2011, at the Home of Law. Five panels of Task Force members, NYCLA



officers, and other NYCLA leaders heard testimony from 17 presenters, including the chief judges of the U.S. Courts for the Eastern and Southern Districts of New York, about how budget cuts affected issues from court security to arraignments (*photos: left and right*). **The Hearing Report**, issued in January, provides details about the consequences of severe budget cuts on the administration of justice.

To honor non-judicial court personnel of both the state and federal systems who have labored under difficult circumstances to serve the public, the Task Force created an **Unsung Heroes Award** to be presented at the **2012 NYCLA Annual Meeting** to honor non-judicial members of the court system who have distinguished themselves in the exemplary performance of their duties during these difficult times of reduced resources and increased caseloads.

Task Force on Judicial Independence

Co-chaired by Hon. Betty Weinberg Ellerin and NYCLA Past President Norman L. Reimer, the **Task Force on Judicial Independence** co-sponsored, with the NYCLA **Judicial Section**, a forum last November on judicial independence, where panelists discussed whether judicial disciplinary hearings should be open or closed, as well as what the press’s responsibility is to ensure balanced reporting of public accusations against a judge.

Task Force on Judicial Selection

Now in its eighth productive year, the **Task Force on Judicial Selection**, co-chaired by Hon. Margaret J. Finerty and Susan B. Lindenauer, continued to focus on the performance of administrative law tribunals in New York City, including the Office of Administrative Trials and Hearings (OATH), the composition of judicial screening committees, and legislation to permit a ten-year term for Housing Court judges upon reappointment. The Task Force also considered bills to raise the mandatory retirement age for judges and approved a recommendation from NYCLA’s **Election Law Committee**, subsequently adopted by the NYCLA Board, to increase ballot access by adding a filing-fee alternative to the current nominating petition requirement for judicial candidates.

Working Group on Court Reorganization and Mandatory Judicial Retirement

In response to a new effort to reform the New York State court structure, NYCLA President Stewart D. Aaron established a **Working Group on Court Reorganization and Mandatory Judicial Retirement**, co-chaired by Hon. Margaret J. Finerty and Susan B. Lindenauer. Working group members have attended

meetings of a coalition formed by the Fund for Modern Courts to consider a simplified court structure and develop a strategy for passing a bill in two successive sessions of the New York State Legislature so that a constitutional amendment can be presented to New York State voters.

HONORABLE HAROLD BAER JR. AND DR. SUZANNE BAER MINORITY JUDICIAL INTERNSHIP PROGRAM

Renamed in honor of its founders, the **Honorable Harold Baer Jr. and Dr. Suzanne Baer Minority Judicial Internship Program** has been an integral part of NYCLA's mission to increase diversity in the legal profession. Established in 1989, the program provides law students of color with the unique opportunity for exposure to the judicial system when it would not otherwise be financially feasible. The program is administered by NYCLA's Minorities and the Law Committee and accepts first- and second-year law students from the five law schools in New York County, as well as Brooklyn Law School, St. John's University School of Law, and City University of New York School of Law. To promote the program, a kick-off reception was held in October, attended by eligible law students, law school administrators, sponsors of the program, and NYCLA Board members. Financial support for the program is provided by NYCLA's **Federal Court** and **Supreme Court** Committees, NYCLA members, and MetLife.

Evaluations for the interns help provide the **Minorities and the Law Committee** with an indication of the program's success. As one intern from the 2011 program, Queenie Paniagua from St. John's University School of Law, said:

"Interning for Judge Baer this summer has been an amazing experience. I cannot think of a better way to have spent my final year as a law student. My first summer as a law student, I interned at a District Attorney's Office where I observed the practices inside a courtroom. This summer, I interned for a judge and became a part of the inner workings of the courtroom. I am grateful to have had an experience that built upon my first summer and has surely taught me skills that I will employ during my final year of law school and beyond. I can genuinely say that this internship has made me a better writer, thinker and well-rounded future lawyer.

I sincerely want to thank the New York County Lawyers' Association for the opportunity. This is a wonderful program that looks beyond a law student's GPA and rank. The MJIP gets to know each candidate and selects students based on overall qualifications and what they will bring to the program."

PUBLIC POLICY INITIATIVES

Amicus Briefs

June 13, 2011 – In the matter of *Grosz v. the Museum of Modern Art*, the NYCLA **Entertainment Intellectual Property and Sports Section** submitted an *amicus* brief asking the U. S. Court of Appeals for the Second Circuit to grant a writ of *certiorari* for guidance in resolving disputes over Nazi-looted art.

April 6, 2012 – In the matter of *Lino v. City of New York*, NYCLA submitted an *amicus* brief to the Appellate Division, First Department, in support of a private right of action to enforce sealing statutes.

Litigation

March 15, 2012 – In a 3-2 decision in the *Matter of New York County Lawyers' Assn. v. Bloomberg*, the Appellate Division, First Department denied the county bars' appeal of the lower court decision upholding the City's proposed revisions to its Indigent Defense Plan.

March 19, 2012 – On behalf of NYCLA and the other four county bar associations, *pro bono* counsel at Haynes and Boone, LLP filed a notice of appeal in Supreme Court, New York County and on **March 28, 2012**, counsel filed the Preliminary Appeal Statement with the New York State Court of Appeals.

Other Public Policy Initiatives

June 13, 2011 – NYCLA adopted a report, prepared by the **Non-Profit Organizations Committee**, calling for reform of New York’s not-for-profit corporation law, eliminating Type C classifications and limiting the scope of organizations required to seek the Department of Education’s consent to various filings.

June 15, 2011 – The **Supreme Court Committee** issued a report opposing S. 5212, as it imposes significant and unwarranted burdens on the Appellate Court while permitting intrusive second-guessing of certain functions of trial courts.

June 28, 2011 – NYCLA issued a statement on Rule 151, reaffirming its commitment to an appointive system for selecting judges.

July 12, 2011 – NYCLA sent a letter to William C. Thompson, Chair of the Judicial Compensation Commission, recommending an immediate increase in judicial salaries together with cost-of-living increases.

July 20, 2011 – NYCLA President Stewart D. Aaron testified at a public hearing held by the 2011 Commission on Judicial Compensation, advocating for an immediate increase in judicial salaries together with an adjustment for inflation.

August 15, 2011 – NYCLA adopted a Preliminary Report, prepared by the **Task Force on Judicial Budget Cuts**, detailing how the State courts have been affected by the judiciary budget cuts.

August 19, 2011 – NYCLA adopted a report, prepared by the **Election Law Committee**, advocating a filing-fee alternative to the petitioning process for getting on the ballot for state judicial candidates.

August 26, 2011 – NYCLA adopted a Preliminary Report, prepared by the **Task Force on Judicial Budget Cuts**, detailing how the Southern District of New York has been affected by the judiciary budget cuts.

August 26, 2011 – NYCLA President Stewart D. Aaron issued a statement on proposed judicial salary increases.

September 16, 2011 – The **Judicial Section** adopted a resolution on judicial salaries in New York State.

September 26, 2011 – NYCLA President Stewart D. Aaron provided written testimony to the Chief Judge’s Hearings on Civil Legal Services, advocating the need for a funded right to counsel.

October 3, 2011 – Eugene J. Glicksman, Co-Chair of the **Immigration and Nationality Committee**, testified at the New York City Council Committee on Immigration regarding Int. 656–In Relation to Persons Not to be Detained, advocating that the City adopt the amendment to bring it in line with federal policy.

October 27, 2011 – The **Election Law Committee** sent a letter to Hon. Amy M. Loprest of the New York City Campaign Finance Board concerning freedom of speech guarantees for those engaged in independent political activity.

December 12, 2011 – NYCLA published comments, prepared by the **Federal Courts Committee**, advocating that Federal Rule of Civil Procedure 11 not be changed.

December 12, 2011 – NYCLA adopted an Electronic Survey Report, prepared by the **Task Force on Judicial Budget Cuts**, of responses by court employees, lawyers, and judges about the effects of state budget cuts on efficiency and morale.

January 9, 2012 – The **Environmental Law Committee** sent a letter to Peter S. Briggs of the NYSDEC Division of Mineral Resources opposing natural gas drilling in the Marcellus Shale.

January 9, 2012 – The **Civil Rights and Civil Liberties Committee** sent a letter to Council Member Dan Garodnick supporting City Council Bill INT 0072-2010, which will strengthen the quality of internal NYPD prosecutions.

January 18, 2012 – NYCLA adopted a report, prepared by the **Task Force on Judicial Budget Cuts**, on a public hearing held at NYCLA about the impact of budget cuts on the operations of the State, Eastern District and Southern District courts.

February 3, 2012 – The **Environmental Law Committee** sent a letter to Robert Simson of the NYSDEC Division of Water on proposed regulation 6 NYCRR Part 601, advocating a more progressive fee framework tied to water consumption.

February 10, 2012 – NYCLA President Stewart D. Aaron sent letters to New York Senators and Representatives regarding the severity of federal judicial budget cuts.

February 24, 2012 – NYCLA adopted a report and recommendation, prepared by the **Committee on Lesbian, Gay, Bisexual and Transgender Issues**, on revision of policies on change of sex designation on New York State and New York City birth certificates for transgender individuals.

March 16, 2012 – NYCLA President Stewart D. Aaron sent a letter to Attorney General Eric Holder about activities of the New York City Police Department.

April 5, 2012 – The **Civil Rights and Civil Liberties** Committee sent a letter to Public Advocate Bill de Blasio supporting City Council Bill INT 0130-2010, which will increase transparency with regards to claims filed against the NYPD.

April 12, 2012 – The **Justice Center** adopted a report on NYCLA’s activities as a Non-Governmental Organization (NGO) at the 2012 UN annual conference of the Commission on the Status of Women.

May 7, 2012 – NYCLA’s **Women’s Rights Committee** wrote to President Obama to express its opposition to his proposal to reduce by 37 percent the U.S. Department of Labor Women’s Bureau’s staffing, downsize the regional offices from ten to six, and reduce overall funding by 22 percent.

NGO STATUS AT THE UNITED NATIONS

In 2003, NYCLA was granted special consultative status at the United Nations, which permits NYCLA representatives to participate in UN conferences, briefings by the United States Mission to the UN, and activities sponsored by other Non-Governmental Organizations (NGOs). In 2011, NYCLA submitted its quadrennial report to the Economic and Social Council, which approved NYCLA’s continued status as an NGO.

In the past year, NYCLA representatives to the UN, Marilyn J. Flood, Christina T. Holder, and Barbara T. Rochman, were actively engaged in activities of the NGO Commission on the Status of Women/NY, serving on the Stop Trafficking in Persons (STIP) Committee and assisting in the preparation of two statements STIP submitted to UN entities. In addition to briefings on various topics sponsored by the United States Mission to the UN, NYCLA representatives participated in sessions of the General Assembly and the Commission on Population and Development, as well as numerous events held during the two-week 56th Annual Meeting of the UN Commission on the Status of Women (CSW). The representatives’ summary report on the CSW meeting was adopted by the NYCLA Justice Center.

Other initiatives help NYCLA maintain its NGO status, such as CLE programs and forums on international issues. Last May, NYCLA co-sponsored with the **New York State Judicial Institute** and the United States Holocaust Memorial Museum a program on **Law, Ethics and the Holocaust**. Last June, the NYCLA Justice Center co-sponsored a program with the Lille (France) Bar Association, with whom NYCLA has a longstanding sister-bar relationship, comparing civil legal services in the United States and France.

EPPLER AWARD

Each year, NYCLA awards a committee or section that has written a report that has had or may have the greatest impact in effecting improvements in the law or in our judicial system with the **Eppler Award**. It consists of a certificate and a \$500 stipend to enhance the committee’s work.

The Non-Profit Organizations, which concerns itself with the legal questions raised by the operation and formation of non-profit organizations, as well as matters related to the funding of those organizations, will receive the 2012 **Eppler Award** at the Annual Meeting for its *Report on Proposed Revisions to the New York Not For-Profit Corporation Law*, which was approved by the NYCLA Board of Directors at its regular meeting on June 13, 2011.

The New York Not-for-Profit Corporation Law (NPCL), has not seen thorough revision since it was enacted over 40 years ago. Because of the difficulties created for non-profit corporations by outdated and idiosyncratic provisions in the NPCL, many New York practitioners now choose to incorporate non-profit organizations in other jurisdictions, even though such corporations will be required to register with the

New York State Attorney General and file an application for authority with the New York Department of State to conduct fundraising and other activities in New York. In the last few years, there has been a growing call for reform of the NPCL. Because of the extent of the energy and resources that would be required to overhaul the law, a comprehensive revision of the NPCL is unlikely to take place in the near future. However, there are more discrete changes that could bring greater clarity, simplicity, and relevance to the law. The report provides a summary of some of the proposals for reform of the NPCL that have been advanced recently, in particular the proposal of the New York State Bar Association's Corporation Law Committee, and recommends several changes to the law that address some of the more urgent needs of New York's non-profit sector.

KOBAK AWARD

This is the first year of the Kobak Award, arranged for by immediate Past President Jim Kobak. This award is "to be awarded annually to the Regular or Special Committee, Section or Task Force ... which has, during the Association year then ended, developed a program or project which, in the sole judgment of the President-Elect of the Association, has been innovative, of high quality, and has had or is likely to have an impact in the betterment of the law, our judicial system, or the Association itself." The first **Kobak Award** will be presented at the 2012 Annual Meeting to the **Young Lawyers' Section** for the development of dynamic and varied programs that combine legal education, career development, and networking—not to mention fun—and are having a positive impact on both the law and the Association.

NYCLA FOUNDATION

Under the leadership of Foundation Board Chair Carol A. Sigmond and President Barbara Moses, who is NYCLA President-elect, Foundation Board members gave generously of their time to both governance and fundraising. The Foundation's **Second Century Campaign**, which helps support the building and NYCLA projects, raised funds to assist NYCLA with its mission. In addition to contributions to the Public Service Fellowships and Summer Minority Judicial Internship Program, the Foundation obtained a second grant from The New York Bar Foundation for **Project Restore** (*photo: right*), a *pro bono* project that assists people convicted of misdemeanors and felonies obtain vocational licenses. Thanks to the generosity of NYCLA Past President James B. Kobak Jr., the Foundation also established the **Kobak Award**, discussed above.



In November 2011, the Foundation hosted a reception honoring donors to the Centennial Capital Campaign and installed a commemorative plaque in the Lounge at the Home of Law. NYCLA Past President Kenneth J. Bialkin presented special remarks on that occasion.

Support for NYCLA through the Foundation takes many forms, from direct gifts and pledges to remembering NYCLA in one's will. NYCLA and the Foundation gratefully acknowledge the firms and individuals who have contributed to the well being of the Association and its landmarked building.

IN MEMORIAM

The NYCLA community was saddened by the passing of the following members this past year:

- C. Murray Adams
- Eugene R. Anderson
- Clarence S. Barasch
- Joel K. Bohmart
- Richard S. Ciacci
- Randall J. Cude
- Daniel C. Draper*
- Sandra L. Gabrilove
- Arthur L. Galub
- Hyman Goodman
- Hon. Bruce Gould
- Lawrence Earl Grimm
- Joseph J. Kelly
- Bevin D. Koeppel
- Samuel Morganroth
- Irvin H. Rosenthal
- Estella J. Schoen
- Dennis Charles Trott
- Seymour J. Ugelow

* Daniel C. Draper was President of the New York County Lawyers Association from 1984 to 1986 and was a Partner at Cadwalader, Wickersham & Taft.