It is now my privilege and my great pleasure, as required by the Bylaws to give the President's Annual Report, and this year, my final thoughts on this great bar association.

This report is really a postscript to what is already evident from listening to the accomplishments of our Committees, Sections and our Foundation – a Cliff Notes version of the complete printed report that is available to you. I want to proceed in a somewhat unorthodox order, discussing the Present, the Future and finally, the Past.

THE PRESENT

Simply put, the State of your Association is the best it has been in many, many years. Three and a half years ago, I undertook the assignment to lead a Task Force on the Future to design a strategic plan to guide NYCLA toward its Centennial in 2008. The Task Force undertook a top to bottom review of every aspect of NYCLA’s operation.

By the Fall of 2003 the Board had adopted an interim report of the Task Force. And in the Fall of 2004 the Board adopted a final strategic plan.

That plan has now been implemented, virtually in its entirety. We have completely restructured NYCLA and we have reinvigorated the NYCLA Foundation. We have created a New NYCLA in virtually every aspect of our operation. It is apparent in every department:

– A vast and ever-increasing array of Member benefits
– Regularly scheduled member receptions and special programs
– New and expanded research technologies, building on our Library’s comprehensive print collection
– One of the most extensive and reasonably priced CLE curricula with a vast array of in-person, online and digital programming
– Completely revamped communications tools, including an extraordinary website featuring our unique “NYCLA Express” feature – a remarkable desktop tool - and our redesigned New York County Lawyer newsletter
– Vastly expanded pro bono opportunities and new programs designed to afford lawyers the chance to serve by expanding access to justice for the un-represented and the under represented

And yes, we have accomplished all of this while achieving our first surplus in more than a decade and on a path to our first two-year surplus and balanced budget in more than a generation! And, all the while, we have remained faithful to NYCLA’s mission – leading the profession in so many ways as we seek to expand justice and opportunity and promote reform of our legal system.

So where has the Arc of Justice taken us? It has taken us to the leadership of an effort to achieve the dream of civil Gideon – a right to counsel in civil matters affecting fundamental rights. NYCLA continues to press for a pilot program to provide counsel for indigent elderly tenants in eviction proceedings. We WILL succeed.

It has kept us in the forefront of the struggle for indigent defense reform; NYCLA’s long leadership in this area bore tangible results with the interim Report of the Chief Judge’s Commission on the Future of Indigent Defense calling for a statewide indigent defense system. We look forward to the release of the final report in a few weeks.

Make no mistake about it: NYCLA’s efforts in this area for more than ten years are shaping the future. The arc of justice has taken us into the forefront of the struggle for Equal Marriage Rights, protection of gender expression and identity and advocacy for reform of our judicial selection system, including the most comprehensive proposal for reform released by any bar association, outlining “A Roadmap to Reform” – under
any selection model, while reconfirming NYCLA’s preference for a commission-based selection system.

And through the NYCLA Justice Center, chaired by Dean John Feerick, the **first** of its kind in our community, we have launched an extraordinary array of collaborative projects designed to bridge the gulf between the profession and the community, while fostering extraordinary collaborations among bench, bar and the academia.

Our new Housing Court Task Force, chaired by Justice Marcy Freedman and NYU Professor Paula Galowitz, is up and running and is expected to issue a report in the Fall.

A Family Court Conference Planning committee chaired by Columbia Professor Jane Spinak is well along in planning for what will be an extraordinary two-day conclave on the Family Court in October.

And we will soon launch a Youth Law Education program of unprecedented ambition, training 100 teachers and parent coordinators and seeking to reach 15,000 in the next 18 months.

So that is the NYCLA of today: the New NYCLA.

**FUTURE**

Now, let me turn to the future.

You know, it’s always risky for an outgoing leader to offer advice. We don’t have a good history of that in America. Just think about it....Take George Washington’s famous farewell recommendation: “Avoid Entangling Foreign Alliances.” Has there ever been a country that has had more entangled foreign alliances?

And recently, a documentary reminded us of Eisenhower’s Farewell Advice, when the former five-star general and war hero warned the country to “Beware of the military-industrial complex.” Did that fall on deaf ears or what? Here we are in what some call the “United States of Halliburton.”

Then there was McArthur’s famous farewell: “Old soldiers never die, they just fade away.” Guess what? It wasn’t so – McArthur died.

And my all-time favorite, Richard Nixon, at the end of the road in 1962, defeated for Governor of California: “You won’t have Nixon to kick around anymore.” But we sure did, didn’t we? So unchastened and undaunted by the lessons of history. Here’s what I have to say on my way out: NYCLA: Keep doing what you have done for the past 98 years.


The Bar Association of the Future must always provide benefits and service to its members and the broader legal community, but bar Associations have proliferated to an unprecedented degree in recent decades. Those Associations that will thrive in the 21st century will be those that transform themselves into broad community legal service centers.

I urge you and all of NYCLA’s future leaders to build on the platform of our magnificent **Pro Bono** Department and our Justice Center to forge new partnerships to serve the legal needs of all New Yorkers.

We should look to the model of the 4 C’s project in which we partnered with the Chief Judge and academia, and we should look to the structure of several of our Task Forces – Criminal, Housing and Family Court, Professionalism, Independence of the Judiciary – and seek new synergies through collaboration.

In short, NYCLA in its Second Century must be a Home of Law not just for lawyers and judges. It must be a Home of Law for all People who need legal assistance. It must be a Home of Law that cultivates and nurtures professionalism and integrity among the bench and bar. And finally, it must be a Home of Law for the
preservation of judicial independence and the principles of a constitutional democracy. We should use all of our resources in the community and all of the promise of technology to champion these values.

In a few moments you will elect a new team to lead us into the future. Now, let me tell you something: NYCLA is about to have the strongest, most talented leaders ever assembled. The breadth and depth of their experience and knowledge is unprecedented. Dave Robertson, Catherine Christian and Ann Lesk have been constant and effective partners. The three of them helped design the strategic plan and have served this Association in more ways than you can imagine.

They will be joined by Joel Harris, whose talents as Treasurer we have already noted and Lou Crespo, who will become Secretary after serving NYCLA in many ways on the Board and on committees. And I especially note Lou’s unstinting commitment to the Minority Judicial Internship program and his tireless efforts to support the Silent Auction.

As for our new president, for the past four years, barely a day has gone by where I have not sought Dave Robertson’s counsel and wisdom. And, as luck would have it, my weaknesses were his strengths. He is as prepared and qualified as any man or woman who has ever held the position.

So we have the mission and we have the people. The future of NYCLA is secure.

PAST

I just want to reflect for a moment on what this experience has been for me.

They say the devil is in the details. And I am a detail guy, as my colleagues and the staff had the misfortune to experience. Well, let me give you some detail to put my experience as President into perspective. Since assuming the duties of NYCLA’s President, I have sent or received 87,541 NYCLA-related emails, I have delivered 76 speeches, I have attended 1,941 meetings, I’ve been to 99 bar dinners.

And, in my bar travels, including State Bar, the ABA and two trips to Europe, I have PERSONALLY met 1,457,322 of the Greatest Bar Leaders in the World. At least that how many it seemed to be. And, I kid you not, everyone claimed to be the greatest bar leader in the world!

In truth, this has been one of the most rewarding, challenging and intellectually stimulating experiences one could imagine.

Poor Robert Bork probably lost his nomination to the Supreme Court not because of his ideology, which I know many thought was justified, but because of one line for which he was unfairly and mercilessly mocked: Asked why he wanted to serve, he said, “I would consider it an intellectual feast.” I know what he meant. Believe me, I don’t compare the two jobs, but that really does capture what a great challenge this has been.

Throughout the years, I have tried to use my time at the podium judiciously. And in so doing I have usually stayed on message and not taken time to acknowledge others. But tonight I want to thank all of those who have made it possible for me to do whatever it is I have done. First, our Board, our Committee and Section Chairs, and our members — you are what makes NYCLA tick. I especially want to thank my Executive Committee - exactly the same for two years: the officers, plus:

Klaus Eppler
Jim Kobak
Bob Goldstein
Michael Miller
Sue Jacobs
Susan Walsh
Lucas Ferrara
Barry Levy

Thanks also to several past Presidents, besides Klaus and Michael, Bob Haig, John Kenney, Rosalind Fink,
Steve Hoffman, Harold Baer, Gene Souther and Art Field.

Most importantly, I thank NYCLA’s incredible staff. Under the leadership of Sophia Gianacoplos, our Executive Director, they are the people who make everything possible. Sophia, please come forward...

I cannot mention all of the staff, but would the directors please come forward:

Harriet Astor    Membership
Bari Chase      CLE
Lois Davis      Pro Bono
Nuchine Nobari  Library – Research/Tech

And, on the other side of the House, Marilyn Flood, Executive Director of the Foundation and Counsel to NYCLA, responsible for NYCLA’s public policy initiatives, and the Director of Communications - Anita Aboulafia. Come forward and take a bow.

On the personal side, I want to thank my firm. I thank the members of my firm who promised their complete support and particularly those who actually gave it. I especially want to thank Marcia Goffin, who not only gave unstinting support but along with Judge Eileen Rakower has done a splendid job of carrying on the tradition of Edith Spivack as co-chairs of the Women’s Rights Committee. And Susan Walsh, also for her unwavering support in the firm, but also for her extraordinary work as Chair of the Criminal Court Task Force, Co-Chair, with Barry Levy, of Membership and an invaluable member of the Executive Committee.

Most important to me personally, my family, for indescribable sacrifice and complete and total support – for six years. To my son Sean, thank you for being born in 1986 so that you would be away at college during the two years that I was President. Thank you for having two spectacular years so that I didn’t have to worry about you. And thanks for taking care of my car while I was too busy with bar stuff to use it. You should know that in every task I tried to comport myself in a way that would bring you a measure of pride.

As for Linda, my wife, permit me to let you all in on a secret. Whatever I learned about leadership I learned from her. Linda, who is the Senior Vice President at The New School, is one of the most talented and inspiring leaders and managers I have ever encountered. Don’t take my word for it. You can ask the two presidents she has served. Jonathan Fanton, now head of the McArthur Foundation, and Senator Bob Kerrey, who as many of you now know is a close friend of John McCain. By the way, that gutsy student who made headlines from coast to coast last week was personally selected by Linda. Way to go Linda!

Linda has rarely been present at NYCLA but her presence has been felt here through her constant advice to me and her encouragement. She has been an invaluable resource whose managerial experience and insight were essential and whose personal acceptance of all the nights and weekends I spent on bar business was unequivocal. I am forever grateful.

Linda and Sean, please stand up and I ask you all to join me in saluting them as I say thank you.

Well, it is now time to write the last paragraph of the last chapter. I choose to do so, not in my own words, but in the words of a favorite poet. This poem perfectly captures how I viewed the responsibility of leading a great and cherished institution. It’s by a former poet laureate of the United States, Mark Strand, and it’s called: Keeping Things Whole.

In a field, I am the absence of field.
This is always the case.
Wherever I am,
I am what is missing.
When I walk, I part the air
and always the air moves in to fill the spaces
where my body has been
We all have reasons for moving.
I move to keep things whole.
Only time will tell if, while passing through NYCLA’s leadership ranks, I managed to keep things whole. But of this I am certain: I did my best; I gave it everything I had to give. I regret nothing.

Thank you for the honor of permitting me to serve as NYCLA’s 53rd President.