

# WOMEN'S BAR ASSOCIATION OF THE STATE OF NEW YORK

## Board of Directors Meeting

September 24, 2016

Columbia University Law School

New York, NY

### Minutes

A motion was made by Greta Kolcon seconded by Beth Krause to approve the Board of Directors meeting minutes of June 3, 2016. The motion passed.

### President's Message

President Flug welcomed everyone and explained why the officers are wearing blue scarves. The first-time attendees were introduced and all attendees were reminded that only Presidents and Directors can vote.

The chairs of the Elder Law / Trusts and Estates Committee spoke about health care proxies and urged the Board to complete one. Without a proxy New York state will appoint one for you. If you have several children, there is no order of succession for them.

The Executive Committee worked tirelessly this summer holding four conference calls. After convention there was a legislation call about a bill to make female genital mutilation a crime. WBASNY subsequently issued a position statement.

The New York Law Journal sought nominees for the 2016 Top Women Lawyers. One of WBASNY's nominees Carolyn Nussbaum from GRAWA was selected along with Prof. Deborah Archer who was the keynote speaker at Convention 2016.

WBASNY took a position on a proposed rule from the Commercial division. That led to a program in September at Kelley Drye; The Update on the Commercial Division which was hosted by Bob Hague. While some members practice in the Commercial Division, they are not a big part of our membership. Deirdre Hay, Megan McGuire and Beth Jacob are trying to figure out why attorneys at big law firms are not joining WBASNY.

President Flug met with Chief Administrative Hon. Lawrence Marks with Amy Littman and Beth Krause. We requested lactation spaces for litigants and attorneys and asked for a parental leave policy like Florida has. There is a mandatory and permissive version. Either side should be granted a continuation for family leave so the parent does not lose the case to someone else who gets the trial experience. WBASNY wants it to be an OCA rule. We also had an executive conference call regarding a federal bill related to foster care that OFCS asked WBASNY to review. Additionally, WBASNY submitted an amicus brief this summer.

The Board meeting materials include a press release about WBASNY and NYSBA's joint initiative on Domestic Violence. We have never done a joint NYSBA initiative before where they wanted to make domestic violence a priority. We called upon our Domestic Violence Co-Chairs, Amanda Norejko, Susan Pattenau and Susan Pollet for assistance. We are putting together a DV task force of practitioners and pro bono attorneys. One of the goals is to improve domestic violence training. Victims need access to services. From the legislation perspective, we want to use this task force to connect with the state bar and have NYSBA support for these initiatives. The work of the committee is taking place from now until next June. Judge Judy Harris Kluger and Amy Schwartz Wallace are chairs of the initiative.

President Flug is thrilled with the Voter registration drive. She has been receiving emails from chapters with impressive results. Our goal is to 1,000 individuals. Thank you to Susan Moss, Janet Cord and Martha Gifford for sponsoring the drive.

President Flug would like to take WBASNY's legislative impact to the next level so she has asked Helene Blank and Annette Hasapidis to help chapters create and build relationships with state representative and to improve Lobby Day. They spoke to the Executive Committee today and they hope that they will get legislators to speak at Chapter meetings. The tentative date for Lobby Day is May 9<sup>th</sup>.

The Board is reminded to complete and return the conflict of interest form.

### **Treasurer's Report**

Lourdes Ventura reported on the balance sheet assets of approximately 200,000. She stated that we are not over budget and that income is about \$1,500 and expenses are around \$88,000. At leadership training, Treasurers were told that the deadline for tax filing is October 15<sup>th</sup>. We need submissions from all nineteen chapters. Please provide any outstanding reports as soon as possible. We encourage anyone seeking reimbursement to use our new electronic system.

### **Professional Ethics Committee Chair Elections**

A motion was made by Dolores Gebhardt, seconded by Amy Saltzman to appoint Deborah Scalise and Meghan Brown to be the Professional Ethics Co-Chairs for 2016-2017. The motion passed with the usual abstentions. It was announced that the Ethics hotline will be converted to an email hotline.

### **Non-WBASNY Awards**

Deborah Rosenthal presented Martha Gifford as the nominee for the Margaret Brent Women Lawyers of Achievement Award. A motion was made by Deborah Rosenthal, seconded by Joan McNichol to nominate Martha Gifford for the Margaret Brent Women Lawyers of Achievement Award. The motion passed.

Beth Krause presented Katherine Tracey and Deborah Scalise presented Hon. Lisa Margaret Smith as the nominees for the Kay Crawford Murray Award.

A motion was made by Donna Frosco, seconded by Deborah Scalise to nominate Hon. Lisa Margaret Smith for the Kay Crawford Murray Award. The motion passed.

Susan Colson presented Hon. Janet DiFiore for the Ruth G. Schapiro Memorial Award. A motion was made by Susan Colson, seconded by Tammy Smiley to nominate Hon. Janet DiFiore for the Ruth G. Schapiro Memorial Award. The motion passed.

Susan Colson presented Deborah Scalise and Deborah Rosenthal presented Virginia LoPreto for the American Inns of Court Professionalism Award. A motion was made by Shari Gordon, seconded by Susan Pollet to nominate Deborah Scalise for the American Inns of Court Professional Award. The motion passed.

Susan Colson presented Kim Berg as the nominee for the Haywood Burns Memorial Award. A motion was made by Susan Colson, seconded by Dolores Gebhardt to nominate Kim Berg for the Haywood Burns Memorial Award. The motion passed.

Beth Krause presented Lauren Norton-Lerner for the Root/Stimson Award. A motion was made by Beth Krause, seconded by Eileen Malunowicz to nominate Lauren Norton-Lerner for the Root/Stimson Award. The motion passed.

## **International Women's Rights Committee**

Fay Parris reported that the committee was a co-host with the New York City Bar for a program for children fleeing from the Northern Triangle area and seeking asylum in United States. The Committee is discussing a bill with the Children's Rights Committee. The EJW PACE community and others are helping to mentor volunteers to represent minors. EJ Thorsen, on behalf of the Queens chapter, established a march (put forward by the UN) on June 24 as a national day for refugees. In 2014 Prof. Leni Benson of New York Law School made an audio cassette showing the movement of refugees throughout NYC.

We were happy to receive an invitation from Tarja Krehic to attend the Croatia Women's Bar Association Conference. Hon. Pamela Jackman Brown and Fay Parris will be attending in Croatia. Fay has been asked to speak about our task force and WBASNY's role in ECOSOC and as a DPI NGO. They will meet with bar leaders from other European countries.

## **Legislation Committee Report**

Proposed legislation:

A.80 – A bill which relates to requirements regarding disbarred or suspended attorneys so those aggrieved are notified of their application to be allowed back. The bill adds confusion on what needs to be done before reinstatement, does not solve the problem and creates more work. At Lobby Day, members met with Assemblyman David Buchwald and he asked WBASNY to look at it. We want to write a letter rather than oppose it so that we can inform his constituents and educate the Assemblyman. Deborah Scalise explained the current process of reinstatement. A motion was made by Deborah Scalise, seconded by Shari Gordon to write a letter to Assemblyman David Buchwald. The motion passed with the usual abstentions.

HR.3551 - Safe Student Study Abroad program sponsored by Shaun Moloney. The Legislation Committee voted to send a letter in support of this bill. A motion was made by Eileen Malunowicz, seconded by Jennifer Brown to vote in support. The motion passed with 2 abstentions.

A.10 - Patrick Fahey's bill to ensure funding for indigent criminal defendants. The bill requires to the state to pay money towards counties cost for indigent representation. Legislation voted to send a letter to the Governor in support of him signing this as soon as possible. The Criminal Law Committee voted unanimously to approve the bill. A motion was made by Joan McNichol, seconded by Laura Parker to support the bill. The motion passed with one abstention.

Shari Gordon and Heidi Schult Gregory, chairs of the Health and Reproductive Rights Committee presented a bill that ensures infertility coverage for same sex couples. Legislation voted unanimously to support the measure. A motion was made by Elizabeth Bryson seconded by Jennifer Brown to support the bill. The motion passed with the usual abstentions.

S.214/HR.448 – Women's Health Protection Bill. The bill codifies a woman's right to a safe and legal abortion in response to SCOTUS saying Texas you cannot limit a right anymore unreasonably. The Federal Women's Health Protection Act would codify that case. The Health and Reproductive Rights, Family and Matrimonial Law and Legislation Committees support the bill. A motion was made by Jennifer Brown, seconded by Susan Bender to support the bill. The motion passed.

The legislation committee discussed forming a task force to continue the momentum of these issues going forward. Christine Weinberg is interested in joining the task force.

## **Voter Registration Drive**

President Flug explained that it is important for WBASNY to participate in the voter registration drive. Everyone who has run for office was asked to stand and applauded. President Flug stated these members were a member benefit, that anyone thinking of running for office should speak to these women. WBASNY needs to create a pipeline of female candidates for office.

## **Fundraising**

Janet Cord the committee chair stated that if you don't ask people to sponsor WBASNY they can't say yes. If they say no, don't take it personally. There are 4,500 lawyers in WBASNY. Please ask people and organizations to sponsor us. Sponsorship starts at \$50. The budget line for fundraising this year is \$5,000. There will be a board appeal later this fall and winter. Contribute the money you would spend on breakfast and lunch today.

## **Nominations Committee**

Co-Chair Hon. Marguerite Grays reported that she, Lenore Kramer and Hon. Marilyn O'Connor are the Co-Chairs for the Nominations Committee this year. Chapter Presidents have been contacted to designate a delegate and alternate to the Committee. As last year, the nomination application will be available online.

## **Convention**

Susan Yellen and Dawn Reid-Green reported that Convention 2017 will be held May 18-21, 2017 at Waters Edge Resort and Spa in Connecticut. The facility is close to Mystic Connecticut and the Mohegan Sun Casino.

## **Amicus Curiae Committee**

Elizabeth Bryson and Susan Moss reported that WBASNY participated in two amicus cases.

*Brooke SB and Estrolita A.* We are thrilled to say the Court of Appeal reversed a 25 year old decision and held that same sex couples do have standing to go to court and look to what is in the best interests of the child.

On August 4, WBASNY was asked to file an amicus in the Etzion case. Etzion is a matter that WBASNY had previously voted to file an amicus years ago. The case was now back before the Court of Appeals. The case deals with the ongoing duty to disclose in relation to finances. The brief was due in a very tight timeframe. Matrimonial and Family Law committee voted to file an amicus brief and Amicus committee voted not to. The WBASNY Executive Committee voted to file the amicus and Annette Hasapidis agreed to prepare the brief.

## **Diversity Report**

The Committee Chairs Yacine Barry-Wun, John Coffey and Betsey Jean-Jacques reported there is a letter from the City Bar Association and other bar association requesting that OCA make diversity a mandatory CLE category. The letter addressed the ABA's resolution that this should be required. California and Minnesota already have this as a stand-alone credit. The Committee noted that because WBASNY is the second largest statewide bar association and we are gender specific, talking about diversity is a big issue for us and we should do our own letter explaining to the courts why it is important to WBASNY. A discussion ensued. The National Conference of Women's Bar Associations is setting up modules about how to teach people about bias interrupters, etc. They teach leaders of meetings to be aware of who is making recommendations. Pamela Reynolds said in Rochester they had one of the first programs on

transgender issues. A motion was made by Yacine Barry-Wun, seconded by Heather Neu to draft a letter to the OCA CLE Committee in support of requiring New York lawyers to have diversity and inclusion as a CLE. The motion passed with 6 in opposition, and 1 abstention.

### **Cuba**

Amy Saltzman reported that there are twenty-two attendees for the Cuba trip. They will be meeting representatives of the Federation of Cuban Women and are also meeting the Cuban Institute of Sex Education and other professionals and judges. They will spend the day with artists and go to cultural places.

### **Adjournment**

A motion was made by Susan Yellen, seconded by Betsey Jean-Jacques to adjourn the meeting. The motion passed.

The meeting was adjourned at 3:02 p.m.

Respectfully submitted,

Deirdre L. Hay  
Vice President for the Recording Secretary