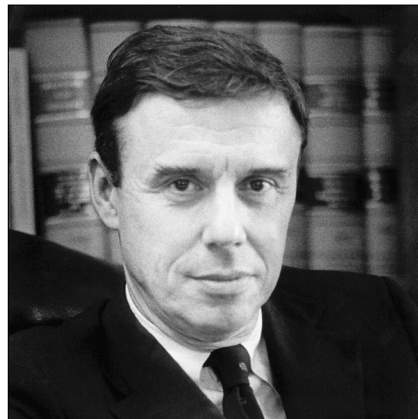




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NEW YORK STATE BAR ASSOCIATION State Bar News



Patterson

MOURNING OUR LOSS

With sadness, we honor Past President Robert Patterson, Jr. for his accomplishments for the public good.

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ELDER LAW AND SPECIAL NEEDS SECTION PROFILE

Section Chair Richard Weinblatt discusses the many ways section members contribute to the future of their area of practice.

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Miranda's presidency will focus on practical ways to shape legal profession

By Patricia Sears Doherty

Most people who know David P. Miranda—the State Bar's next president—would describe him as having a calm and steadying demeanor....except when moved to humorous commentary.

Case in point—last year's House of Delegates meeting in Cooperstown. It was the first meeting Miranda would chair as president-elect and, normally, a bit nerve-wracking for a newly minted future president.

On the agenda, a potentially heated discussion about Chief Judge Jonathan Lippman's mandatory pro bono reporting rule—a topic that had been hotly debated for the past year at House meetings.

As Executive Committee member Scott M. Karson of Melville (Lamb & Barnosky LLP) took the podium to present the Executive Committee's resolution, Miranda quietly donned a baseball catcher's mask and matter-of-factly faced the room. The ensuing laughter set the stage for a collegial and courteous exchange of viewpoints.

When Miranda becomes president on June 1, he will focus on the many ways that the State Bar's voice can be heard loud and clear on issues that will affect society and the future of the legal profession. And that sense of comedic timing undoubtedly will be put to the test again.



Members' voice—David P. Miranda, who will become State Bar president on June 1, intends to use the collective knowledge of members to contribute to the good of society at large during his term. [Photo by Marty Kerins, Jr.]

The diversity of the State Bar's membership, its 25 sections full of attorneys and judiciary concentrating on at least as many areas of practice, its 47 committees focusing on additional

topics of legal interest, and at least one special committee that he will name, means that Miranda's presidency could have a strong influence on many

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Longtime member Claire Gutekunst well-prepared to serve as president-elect

By Christina Couto

An active member of the State Bar since 1988, Claire P. Gutekunst will be even busier when she becomes president-elect on June 1.

Gutekunst has been deeply involved with Association business since, as a young lawyer at Proskauer Rose LLP, she was recruited to join the Committee on Women in the Law. The invitation by Ruth G. Schapiro, the first chair of that committee, marked the beginning of Gutekunst's 27 years of service—in a multitude of capacities—to the State Bar.

Gutekunst does not merely join committees, she actively participates in

them. "What's the point of being on a committee if you're not involved?" said Gutekunst. She later chaired the committee from 1993 until 1996.

Bar service

Gutekunst said her involvement gave her a broad knowledge of what the State Bar has to offer. "I've learned a lot about the Association and all the good work we do by working in so many areas," she said in an interview.

Most recently, she was a member of the House of Delegates and the State Bar's treasurer before that. She has been chair of the Committee on



Gutekunst

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President Miranda will focus on finding practical ways to shape the legal profession

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issues affecting life in New York for years.

Miranda, of Albany, is a partner at the intellectual property firm of Heslin Rothenberg Farley & Mesiti P.C.). He is an experienced trial attorney whose practice includes trademark, copyright, trade secret, false advertising and patent infringement, as well as licensing and Internet-related issues.

As president-elect, Miranda worked closely with President Glenn Lau-Kee on two issues of great concern to State Bar members: the chief judge's mandatory pro bono reporting rule and the proposal to replace the current bar examination with the Uniform Bar Examination being used in other states.

In private and group meetings with the chief judge and his staff, Lau-Kee and Miranda persuaded the court to protect lawyers' rights of privacy and independence in pro bono work and contributions.

Miranda also provided crucial testimony on behalf of the State Bar to Court of Appeals Judge Jenny Rivera's study committee about the need to retain a strong New York-centric bar exam in order to protect the state's nationwide reputation as being the gold standard of legal practice.

In presiding over the quarterly meetings of the House of Delegates, Miranda steered the discussions on those issues and many others in a way that allowed for discussion, dissent, and collegiality.

As president, he wants the State Bar to be an active, thoughtful contributor to the initiatives and problems facing the profession. "One of the jobs of the Association is to speak out for attorneys," he said. "When we (the State Bar) advocate, one of our roles is to do so on behalf of the legal profession."

He will seek initiatives that will increase the State Bar's membership. "I want to make sure we remain relevant to members of our many constituencies," said Miranda during a recent interview at the Bar Center in Albany. He will use a "multi-pronged approach" to finding ways to add to the membership and make members' concerns the daily action plan for the State Bar.

For instance, members of the Young Lawyers Section and its programs and initiatives "will be crucial to attracting and integrating young lawyers into our association," he said. "We also have senior attorneys who want to give something back and the association can help make that connection."

In the year ahead, Miranda intends to promote initiatives to increase the relevance of NYSBA membership to attorneys in public service.

"We have thousands of government lawyers throughout New York state. They have different concerns than lawyers in private practice," Miranda said. The changes planned, such as greater involvement in sections, facilitating pro bono opportunities, and targeted CLE programs, are designed to reassure those attorneys in state and local government that "there is a place for you in NYSBA."

Supporting change

He possesses more technology skills than many lawyers and wants the State Bar to facilitate the use of efficient technology tools for its members.

A past chair of the Electronic Communications Committee, Miranda had been its Executive Committee liaison. His private law practice is focused on intellectual property and technology law. Miranda intends to further the

use of technology to enhance the provision of valuable association services and to increase the use of innovative social media to get out the Association's message to members and the legal community.

"I want to make sure we remain relevant to members of our many constituencies"

— David P. Miranda

He served as a member-at-large of the Executive Committee from 2006–2010, and chaired the Young Lawyers Section from 2002–2003. He was the Young Lawyer delegate to the American Bar Association from 1998–2000. Miranda is the first former Young Lawyer Section chair to lead the Association.

Miranda also co-chaired the Committee on Strategic Planning and served on the Task Force on E-Filing and the Special Committee on Cyberspace Law. He has been chair of the State Bar's Resolutions Committee, a member of the Intellectual Property Law and the Commercial and Federal Litigation sections, and the Committees on Continuing Legal Education, the Annual Award and Membership.

Another focal point of Miranda's presidency will be bringing the State Bar into the anticipated dialogue about a potential New York State Constitutional Convention in 2017, and ensuring that the State Bar has a strong voice in advocating for legisla-

tive changes embedded in the state Constitution.

He has tapped Henry M. Greenberg of Albany, a shareholder at Greenberg Traurig and former counsel to then-New York State Attorney General Andrew M. Cuomo, to chair a Committee on the New York State Constitution. Greenberg has been chair of the State Bar's Committee on Court Structure and Operations.

"Our state Constitution is full of very specific protections," said Miranda. He expects the new committee to also have liaisons from interested State Bar sections and committees and use that depth of knowledge "to review and comment on" articles of interest in the current Constitution.

For instance, both the Criminal Justice Section and the Committee on Civil Rights "can both have an impact" on studying improvements to the grand jury system, covered in our state Constitution. "I want our association to be part of the thoughtful dialogue on these issues," said Miranda.

Thought leader

Miranda is a past president of the Albany County Bar Association. In 2009, he served on the Independent Judicial Election Qualification Commission for the Third Judicial District. In 2002, then-Chief Judge Judith Kaye appointed him to the New York State Commission on Public Access to Court Records.

A resident of Voorheesville, Miranda received his undergraduate degree from the State University of New York at Buffalo and earned his law degree from Albany Law School. He has three adult children. ♦

Sears Doherty is State Bar News editor.

ABA says New York lawyers key to shaping future legal services

By Christina Couto

In light of new technologies, it is critical that lawyers in New York embrace the opportunity to help shape how legal services are delivered in the future, the chair of the American Bar Association's Commission on the Future of Legal Services told the House of Delegates March 28.

"This is a pivotal time for our profession," said Judy Perry Martinez. It is "a time when we can sit back and do nothing—and let others shape the future for the very people to whom we have dedicated our lives—or we can lead in the interests of the public."

Taking action assures access to justice, preserves the rule of law and will help make the legal profession more

diverse, she said, adding that the future of legal services is complex. "But it should be no surprise to any of you, as it has been in development for quite some time."

The future of legal services presents challenges and opportunities. "We have the canvas. We have the brush. We have the paints to help make the public's access to justice meaningful and to help us see the access to justice in a different light," she said. "A justice for all—that's exactly what we must do."

Lack of access to justice

Among countries in North America and Europe, the United States ranks 18th out of 24 on civil justice, Perry



ABA support—Judy Perry Martinez, chair of the American Bar Association's Commission on the Future of Legal Services, calls on New York lawyers to lead the way to more access to justice at the House of Delegates meeting. [Photo by Marty Kerins, Jr.]

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