Seizing Every Opportunity

I n my first message to you in this space last June, I spoke of the abiding strengths of this organization, including our membership's extraordinary experience and expertise and commitment to the rule of law and working for justice. I talked about seizing every opportunity to share and apply those strengths for the public good in the broadest sense and in our being a forum of diversity, a place to hear new and old voices with new ideas and to provide for a collegial but candid exchange of perspectives. As my service as president is drawing to a close, it is a time of reckoning. Did we put our strengths to maximum use? Did we make progress?

I considered these questions as I drove home from this past weekend’s meetings of the House of Delegates and the Executive Committee, the latter of which included a special strategic planning session. The issues addressed in each of these meetings were challenging and complex, and involved not only examining concerns of today but working to ensure that our Association remains vital in the years and generations ahead.

You may recall that Lorraine Power Tharp, during her presidency in 2002, convened the Executive Committee in a strategic planning retreat that led to a report with objectives and action steps to promote membership development and service, advance diversity, and strengthen our advocacy with lawmakers, in the media and the general public. On March 31st, we revisited that report. We reviewed our achievements during Lorraine’s presidency, Tom Levin’s and mine and made plans to continue and build upon that work. Clearly, we have made tremendous strides in getting our message heard in legislative halls and in the media, but we have more to do to coordinate with sections and committees and in sharing agendas and building alliances with groups when we have mutual interests. We also have more to do to build our network of members assisting us in grassroots advocacy for our positions. We have more avenues of communication to pursue with the public. We reviewed our efforts to increase member involvement and member services, and we charted additional means of meeting the needs of both new and experienced members, both private practitioners and those in public service, in the corporate world and in education, and those from large and small offices. We assessed our diversity initiatives, including the very recent addition of new members to the Executive Committee and House of Delegates, noted our progress but also that we have more work to do to open further our profession and our Association.

Our review also noted that in the two-and-a-half years since the development of the strategic plan, we have increased our use of technology in delivering publications, courses and other resources and we have introduced ways for you to share your thoughts, knowledge and views with us and with your colleagues in the Association. We have added programs on practice and procedure. We will be expanding these initiatives, law office management, guidance and other services to help meet your needs in these demanding times. As to all these endeavors, we want to hear what you think, and what more we can do to help you and the profession.

In our day-long strategic review and planning session, President-Elect Vince Buzard talked about some of his planned initiatives. That illustrates another strength of the Association – a continuity of leadership that allows a project begun in one term to be completed in a subsequent presidential term on an equal footing with that president’s initiatives. We have seen this continuity at work in our efforts to improve and modernize our
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governance and to foster diversity, which have transcended several presidencies and seem likely to continue as a work in progress because of our Association’s commitment to these efforts.

Our role as a forum for thoughtful discussion of the issues and for a diversity of voices was demonstrated as delegates rose to speak at the House meeting, two days after our Executive Committee planning session, where we discussed matters ranging from the standards that should be maintained by offices defending the indigent; to the definition and nature of pro bono services — and recognition of the extensive volunteer service rendered by attorneys; to issues affecting same-sex couples and what is the proper role for our Association in that regard. Delegates spoke passionately about their perspectives and I believe all who were present agreed that whatever the outcome of the vote on each issue, we could take pride in the debates.

In my initial message, I called upon us to seize opportunities to advocate for the rule of law, for our members and for the profession, and I urged that we be proactive in educating the public, encouraging “legal check-ups,” and overcoming misperceptions about the roles of the profession and the judicial branch of government. The events of the past weeks surrounding the Terri Schiavo situation in Florida created a tragic opportunity to inform the public about the value of planning and making wishes known in advance of an illness or accident that may come at any age or any time to any of us and to explain the documents that can be used to accomplish this planning.

Our Association has long been involved in this educational effort. For the past 11 years, through the Elder Law Section’s award-winning Decisionmaking Day Project, volunteer attorneys from across the state have educated thousands of New Yorkers about living wills, health care proxies and other advance directives, in presentations at libraries, senior centers, schools and community halls. These forms and related information also can be accessed on our Web site and as we publicized the availability of these resources in the past month, more than 100,000 individuals visited these pages. In addition, hundreds of thousands more received our documents in their copies of the New York Post.

Beyond the personal question of “who should speak for me” and what each of us can do about that, the Schiavo case raised another concern about which we spoke out — the need to preserve and perpetuate respect for the rule of law and the proper roles of our three co-equal but independent branches of government. As I said in my recent statements to the media, threats against judges, elected officials, the various lawyers or members of the two families that have been devastated by this tragedy are not appropriate, are not to be tolerated, and must stop immediately. I spoke of the right to go to Congress or state legislatures to voice views and seek amendment of laws, but that it is the responsibility of our courts to interpret and apply the laws, as well as determine if they pass constitutional muster.

In our collective role in this Association and as individual members of the legal profession, we must continue to confront the difficult issues, we must continue to educate, to share our knowledge, and to work for the public good. This past year we, as an Association, again have demonstrated that we make a difference. We have advanced the cause of justice, and we have put into effect procedures that will be building blocks for us — and for our successors — to make further progress to champion the rule of law and the cause of justice. It has been a privilege and honor to be your president for the last 12 months. Thank you.

KENNETH G. STANDER can be reached by e-mail at president@nysbar.com.

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