

# Trial Lawyers Section Reports On Scope of Activities, Programs

BY DALE M. THUILLEZ

SO WHAT DO you get in return for your \$10.00 annual fee as a member of the Trial Lawyers Section of the New York State Bar Association? It may very well provide one of the best returns on any investment you made this year. Since it's not possible to gather all 5,000 plus members together at any one time, most of you never see what goes on throughout the year by those who serve on the various committees. You are probably most aware of our CLE program, our Law Digest, and the program put on at our Annual and Fall Meetings. Those are very important parts of what we do, but there is much more. Before I became actively involved in this Section, I had only a vague understanding of its structure and function. After becoming a member of the Executive Committee, I discovered there were numerous matters affecting our profession, and trial lawyers in particular in which I could have some input. So let me take a bit of your time to explain what we are and what we do. With that increased understanding, maybe we can look to you to help us out in the future and, most importantly, be sure that we accurately reflect the opinions of our members.

Trial lawyers encompass most specialties of the law profession. Naturally those areas which result in more litigation are more heavily represented in our Section. Since we are so broad based, we direct our attention primarily towards the procedural aspects of the practice of law and the actual trial of a lawsuit. Other sections, such as the Insurance, Negligence & Compensation Law Section, the Criminal Law Section, or the Environmental Law Section, become more involved in the substantive matters relating to their specialties. Nevertheless, on major issues, such as medical malpractice reform, we make our opinions known. Now, how do we do that?

## The Structure of the Section

The Executive Committee is made up of two representatives from each of the twelve judicial districts. In addition, four officers serve for one-year terms after election at our Annual Meeting. The terms of office run from June 1 through May 31. Various committees, which you will find listed in our recent Law Digest, are assigned different projects as they come up



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ing every citizen ready access to the courts to air their grievances without fear of punishment? These are just a sampling of the topics before us and on which we hope to have some significant influence for the benefit of our members and a better judicial system.

In addition to topics of immediate import, we have those undertakings that go on from year to year. This includes our continuing legal education program, our Law Digest and the Trial Advocacy Competition sponsored by our section. Each of these excellent projects has been made possible because a few people were willing to take charge and devote a considerable amount of their time and talent to ensure their success.

W. Robert Devine, of Lake Success, is the Chair of our Committee on Continuing Legal Education. I cannot begin to adequately describe how much time and effort Bob has put into this committee over the years. Practically all of our members have probably attended one or more seminars he has put together. I guess the best compliment is that we all take it for granted. Keeping our members up to date is certainly one of our most important functions. Recently working with Bob as one of our new non-executive committee members, is Arlene Zalayet of Garden City. Arlene has brought with

to the Executive Committee at its regular meetings. This information is provided to us by the extremely capable Thomas Barletta of the New York State Bar Association, the government liaison for the State Bar. The examples I noted above will all be discussed at our Annual meeting in January. After a position is taken, we submit a report to the appropriate body. This might be the NYSBA, the OCA, the Legislature, or the Governor. Most importantly we are not bound by the position of the NYSBA. We speak with an independent voice. Ours is a very democratic body and if you want your voice heard, contact any of us, particularly those representatives from your judicial district. We are fortunate that all of our members on the various committees are also active in their local legal communities. Consequently we do have a very good line of communication back to the Executive Committee. When dealing with proposed legislation, an important element is personal contact. If any of you have such contacts with the legislature or governor's office, please let us know. We are setting up a state-wide network so that we can respond as rapidly as possible to legislative proposals. If you can help us, we would like to include you in the network.

Richard J. O'Keefe of White Plains is Chair of the Judicial Administrative Committee. The most recent subject to be considered is that involving the rating of judges (and possibly lawyers). We trial lawyers and the judiciary work together daily. That relationship should be an amicable one that provides justice to all litigants. Overcrowded dockets, poor facilities, and limited staffs add a great burden to the task. Dick and members of his committee will be searching for ways to solve those problems.

Space limits my review, but let me note that many others have contributed. This includes Elliot Winograd of Uniondale who is now the chair of Training the Trial Lawyers Committee. He has already taken on the task of reviewing the voluminous studies regarding mandatory CLE and reporting to the executive committee on the results of his study. Elliot also undertook the formulation of a state-wide educational program directed at the young attorney. We shall be exploring this further to see how effectively it can be implemented in coordination with existing programs.

We have also enjoyed the addition of Eric L. Harris of White Plains as the chair of our Professional Liability and