

[16175]
**MINUTES OF THE BOARD OF DIRECTORS MEETING
OF THE MARITIME LAW ASSOCIATION OF
THE UNITED STATES**

Held at the offices of
Sher Garner Cahill Richter Klein & Hilbert LLC
909 Poydras,
New Orleans, Louisiana
on
Tuesday, March 22, 2011
at
9:00 a.m.

The March 22, 2011 meeting was called to order by President Patrick J. Bonner at 9:00 a.m. In addition to President Bonner, the following officers were also present:

Robert B. Parrish, First Vice President
Robert G. Clyne, Second Vice President
Harold K. Watson, Secretary
William Robert Connor, III, Treasurer
David J. Farrell, Jr., Membership Secretary
Warren J. Marwedel, Immediate Past President

The following directors were also present:

Frank P. DeGiulio
Robert B. Hopkins
Barbara L. Holland
Kimbley A. Kearney
Joshua S. Force
Bradley A. Jackson
James F. Moseley, Jr.
Arthur J. "Skip" Volkle
Dennis Minichello
Thomas J. Muzyka
Francis X. Nolan, III
George W. Nowell

SECRETARY'S REPORT

Upon motion duly made and seconded, the minutes of the July 24, 2010 meeting of the Board of Directors were unanimously approved and accepted. Mr. Watson also reported that the next edition of the MLA Report is being prepared. The editors, Messrs. Hooper and Nourse, have recruited members of the Young Lawyers Committee to do a formal "Blue Book" edit, and the next edition should be ready for publication before the May meeting. Mr. Watson also reported that mailing the MLA Report together with the Proceedings achieves some cost savings, and that he will try to coordinate the mailing accordingly.

TREASURER'S REPORT

Mr. Connor delivered the Treasurer's report. As of January 31, 2011, the Association had \$494,068 in cash and investments, and \$2182 in the convention account. The third dues invoice will be mailed in two weeks, and will hopefully get a positive response from members who have not responded to the invoices they have received electronically.

The Houston Fall meeting was very successful from a financial viewpoint, yielding a small surplus. The Planning Committee for the meeting will ask the contributors if they want a pro rata return, but will present an alternative use for these funds.

A new form is being devised to request reimbursement for Officer and Board meetings. Mr. Connor asked that this be submitted to him electronically.

Consideration is being given to determining whether alternative accountants can be found that will be less expensive. However, it was decided to defer this until next year, so that Mr. Connor can go through his first audit with accountants who are familiar with the Association's accounts.

The Board was requested to make comments on the Whistle-blower and Document Retention policies that have been circulated.

Mr. Connor reported that a check scanner will not be available till late summer.

[16177]

A letter will be sent to former members to see if they would like to rejoin the Association.

On motion duly made and seconded, the Treasurer's report was approved.

MEMBERSHIP SECRETARY

Mr. Farrell delivered the Membership Secretary's report. The following applications for reinstatement have been received:

Harry R. Allen, Gulfport, Mississippi
Les Reardanz III, Everett, Washington
Robert A. Suarez, Hackensack, New Jersey

In addition, the following applications for Associate membership have been received:

Tyler Arnold, Seattle
B. Jason Barlow , Norfolk
Meighan G. Burton, Baltimore
Timothy S. Bush, Houston
Minseo Choi, Seoul, Republic of Korea
Daniel J. Cragg, St. Paul, Minnesota
Timothy D. DePaula, New Orleans
J. Ward Guilday, Wallingford, Pennsylvania
Jay Hamad, Roseland, New Jersey
Christopher L. Johnson, Houston
Nikeyla T. Johnson, Houston
James G. Lare, Philadelphia
Mitchell R. Machann, Houston
Brett T. Parks, Nashville, Tennessee
Gene F. Price, Louisville, Kentucky
Timothy D. Rau, Philadelphia
Charles D. Schmidt, Waukesha, Wisconsin
Martin H. Sitler, Jacksonville, Florida
Timothy E. Steigelman, Portland, Maine
Charles R. Wood, Jacksonville, Florida
Jonas Sarunas Zikas, New York

[16178]

The following applications for Law Student membership have been received:

Andrew Botts, St. Thomas University
Melanie C. Collins, University of Alabama
Cara J. Condit, Suffolk Law School
Edwardo A. Guerra, St. Thomas University School of Law
Edward Barrett Hails, University of Alabama
Joseph Frederick McGowin, University of Alabama
Christopher D. Odom, University of Alabama
Alejandro Sims, InterAmerican University School of Law
Britton Edward Turner II, University of Alabama

It was also recommended that former Commandant of the Coast Guard, Thad Allen be approved for Honorary Membership.

Upon motion duly made and seconded, these applications for membership were approved.

Mr. Farrell also reported the deaths of the following members:

Joseph A. Goetzke, of Fort Meade, MD; Associate: elected 1990
Charles C. Goodenough, of Deltona, FL; Proctor: elected 1973
Hon. Wendell C. Radford, of Beaumont, TX; Life Member: elected 1969
Hon. Howell Cobb, of Beaumont, TX; Judicial: elected 1986
Edward F. Cummerford, of Poway, CA; Life Member: elected 1948
Michael A. Snyder, of Palo Heights, IL; Life Member: elected 1969
Stephen H. Fields, of White Plains, NY; Life Member: elected 1965
John H. Sweeney, of Duxbury, MA; Associate: elected 1995
Francis X. Byrn, of New York, NY; Life Member: elected 1952
Andrew J. Goldstein, of Flemington, NJ; Proctor: elected 1974
Hon. Alexander T. Howard, of Mobile, AL; Life Member: elected 1967
Prof. T.A. Clingan, Jr., of Coral Gables, FL; Academic: elected 1977
Robert P. Whelan, of New York, NY; Life Member: elected 1946

He also reported that Charles D. Meadows, a former member, had died.

[16179]

The membership of the Association is now 2947, consisting of the following categories of members:

Proctor	994
Associate (more than five years)	1054
Associate (less than five years)	152
Non-lawyer	162
Academic (more than five years)	36
Academic (less than five years)	2
Law student	74
Honorary	4
Judicial	141
Ex-officio	13
Life (Proctor)	309
Life (Non-lawyer)	14
Life (Judicial)	14
Life (Academic)	4
Total	2947 (2475 dues paying , 472 non-dues paying)

The decrease in membership is the result of the removal from the membership rolls of those members who did not pay dues in December 2010.

Mr. Farrell reported that of the 40 Law Student Members that graduated last year, only two have become Associate Members.

On motion duly made and seconded, the Membership Secretary's report was approved.

BOARD SUBCOMMITTEES

Meetings

Mr. Hopkins reported that attendance at the committee meetings at the May meeting in New York was affected by the location; attendance

was up at meetings held downtown, but down at meetings held in midtown. He recommended that the Association may want to consider having all morning meetings midtown and all afternoon meetings downtown or one day midtown/one day downtown, adopting a two hour lunch break to accommodate travel between uptown and downtown, ensuring that certain meetings do not overlap, and indicating on the schedule whether the address for a particular meeting is uptown or midtown. Appreciation was expressed to Mr. Hopkins for his thorough study of this issue. It was the general consensus that it would be difficult to implement any of these suggestions for the upcoming New York meeting, but that these recommendations should be considered for future meetings.

Ms. Holland reported that Fall Meeting in Houston was very successful, but that there were certain suggestions made that could improve future meetings. Some of the committee meetings were held in venues that were too small for the number of attendees. It was suggested that committee chairs be urged to keep careful attendance records so that the space can be matched to the likely attendance. In addition, there were inadequate hotel rooms at the main meeting hotel, and some members have requested that the Association commit to rooms for city meetings. Finally, the General Meeting was poorly attended, and there was a suggestion that this be moved to Friday afternoon.

Maritime Law

Mr. Moseley reported that the Maritime Law subcommittee had discussed the role of the Association in developing the maritime law, and concluded that the Association could be more active in this regard. It was recognized that this generally needs to be done on a case-by-case basis, with a view to enhancing the uniformity of the maritime law and to increasing maritime commerce.

The Board discussed ways in which this could be accomplished. It was suggested that the Association could offer to provide education for judges and Supreme Court clerks to orient them to maritime law. It was also recognized that while the Association does not engage in lobbying, Congress should be informed that the Association is a resource regarding legislation on maritime matters, and Mr. Volkle was asked to talk to Larry Kiern to determine what contacts we have with Congress.

DISCUSSION ITEMS

Coast Guard and other agency forums

President Bonner reported that Cal Lederer of the Coast Guard had suggested that the issue of one man boards of inquiry is one that might merit inclusion in the Coast Guard Forum, and that we may be able to assist the Coast Guard in developing better standards for these boards. Other issues that might warrant inclusion in future discussions include a follow-up on environmental cleanup and economic loss claims made to the Fund. It was also reported that the Maritime Administration has suggested initiating a similar forum with the Association.

CMLA 60th Anniversary Dinner

President Bonner reported that he will be attending the 60th Anniversary Dinner of the Canadian Maritime Law Association to be held in Vancouver on June 3.

Arctic Working Group

President Bonner reported that the CMI has formed a working group to study the effect of global warming and loss of Arctic ice on maritime commerce, and that he has appointed Doug Davis of Anchorage to represent the Association on this working group.

BIMCO Representative

President Bonner reported that Keith Heard has served his seven year term as the delegate to the BIMCO Documentary Committee, but that he is reappointing Mr. Heard to this position until after the Vancouver meeting in June of this year. This is being done at the request of BIMCO because a large number of new delegates will be joining the Documentary Committee. After this meeting, Mr. Heard will be replaced by Ms. Liz Burrell.

Hellenic American/Norwegian American Chamber of Shipping

President Bonner reported that the Association had previously provided free publicity to these organizations in return for a reduced

[16182]

rate for MLA members. These organizations are no longer providing a discount, so the Association will no longer be publicizing their meetings other than to place them on the schedule of events on the MLA website.

Pacific Admiralty Seminar

Mr. Bonner reported that the Association and the Pacific Admiralty Seminar have been unable to work out the details necessary for the MLA to take over the sponsorship of this seminar. This issue will be discussed at the next meeting.

Oral remarks at MLA Dinner

President Bonner reported that a suggestion has been made that we have a speaker at the May dinner. It was the consensus of the Board that this would create difficulties with the length of the dinner and would interfere with members' ability to have sufficient time to mingle at the cocktail party, and accordingly, should not be pursued.

2012 and 2013 Fall Meetings

Mr. Parrish indicated that he is giving consideration to having the Fall 2012 Meeting in New York with a dinner dance, and having the Fall 2013 Meeting in Puerto Rico. These ideas were well received by the Board and will be given further consideration.

2011 Summer Board Meeting

President Bonner announced that the Board of Directors will meet in Gettysburg, Pennsylvania on Saturday, August 13.

NEW BUSINESS

Mr. Clyne reported that he will draft and circulate a proposed amendment to By-Law 504 to clarify that only unanimous Standing Committee reports may be acted on at any meeting of the members.

Respectfully submitted,
Harold K. Watson, Secretary