

[16183]

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

Held at the Association of the Bar of the City of New York  
42 West 44<sup>th</sup> St.

on  
Thursday, May 5, 2011  
at  
9 a.m.

The May 5, 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	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	

Also present at the invitation of the President was Joanne Zawitoski.

**SECRETARY'S REPORT**

Mr. Watson reported that mailing the Proceedings and the MLA Report together is saving the Association approximately \$2300 over what it would cost to mail these documents separately, and recommended that this practice be continued. He also reported that the project of gathering

[16184]

all the resolutions passed by the Association since its inception is nearing completion. Upon motion duly made and seconded, the minutes of the March 22, 2011 meeting of the Board of Directors and the Secretary's report were unanimously approved and accepted.

### **TREASURER'S REPORT**

Mr. Connor reported that the Association currently has approximately \$620,000 in its accounts, although approximately \$100,000 of this will be paid within days for the cost of the Spring Dinner. Dues collections to date are \$257,785.

There are 64 members who owe three years dues, 134 who owe two years, and 585 who owe this year's dues. A letter will be written to those who owe three years dues, informing them that they will be dropped from the rolls if they do not become current. Mr. Jackson pointed out that this letter should also remind those who are being dropped from the rolls of their ethical duty to delete any reference to their membership in the Association from their websites, curricula vitae, etc. The names of those owing two and three years dues will be divided among the Directors to contact. There was a consensus that it was probably too early to contact those who only owe this year's dues, but that a concerted effort should be made by the Board to contact all delinquent members before they become two years in arrears.

A discussion was held of whether the Association should accept credit card payments for dues. It was generally agreed that this would facilitate the payment of dues, and while there would be a cost associated with doing this, it would probably more than pay for itself in improved collections. Mr. Jackson is going to explore how the Houston Marine Insurance Seminar does this and report back to the Board. There was a consensus that the Association should move forward quickly so that, if possible, this could be made available for the Fall Meeting.

Mr. Connor reported that HSBC still cannot make a check scanner available, but hopes to be able to do this by the end of the summer.

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

**MEMBERSHIP SECRETARY'S REPORT**

Mr. Farrell reported that the following applications for membership have been received:

***Honorary (one)***

USCG ADM Thad W. Allen (Ret.), Arlington, Virginia

***Academic (two)***

CDR Preston C. De Jean, United States Merchant Marine Academy, Kings Point, New York

CDR James C. Kraska, JAGC, USN, U.S. Naval War College, Newport, Rhode Island

***Judicial (one)***

Walter J. Brudzinski, U.S. Coast Guard Administrative Law Judge, New York

***Proctors (six plus 1 reinstatement)***

Eli Bjornoy, Seattle

James N. Hurley, Miami

Sandra M. Kelly, Cleveland

William E. Lakis, Ramsey, New Jersey

Arthur A. Severance, Los Angeles

Deborah C. Waters, Norfolk

James C. Arnold (Reinstatement), Houston

***Associates (11)***

Kirby L. Aarsheim, Boston

John J. Benson, New York

Sean M. Brett, Vienna, Virginia

Wilton E. Bland, IV, New Orleans

Kip Brar, Houston

Trevor M. Cutaiar, New Orleans

Stacy Alison Fols, Cherry Hill, New Jersey

[16186]

R. Monica Hennessy, Cherry Hill, New Jersey  
Gini Mattson, Long Beach, California  
Melanie A. Mundle, Cherry Hill, New Jersey  
Robert E. O'Connor, Port Washington, New York  
William Tansey, New York  
Andrew J. Warner, Port Washington, New York

*Non-Lawyer (four plus one reinstatement)*

Claudio N. Crivici, Amityville, New York  
Chris Dye, Houston  
Mindy Nelson, New York  
Carole M. Siefkes, Waukesha, Wisconsin  
John A. Chamberlain (Reinstatement), Woodbury, Connecticut

*Law Student (7)*

Shawn Bevans, Charleston School of Law  
Patrick Aulton Chisum, Charleston School of Law  
Scott R. Gunst, Jr., Roger Williams School of Law  
Stephanie Hampton, Florida University A&M School of Law  
Brooke Shapiro, St. John's School of Law  
Jonathan Curthbert Wright, Florida A&M University College  
of Law  
Michael Zidanic, University of Maryland School of Law

On motion duly made and seconded these applications were approved.

Mr. Farrell also regretfully reported the death of J. Barbee Winston of New Orleans; Life Member, elected 1953; David C. Nolan, Walnut Creek, Proctor, elected 1972; and Gregg L. Spyridon, Proctor, elected 1981..

The membership of the Association is currently 2807, consisting of membership in the following categories:

Proctor	1,001
Associate (more than five years)	897
Associate (less than five years)	155

[16187]

Non-Lawyer	166
Academic	37
Law Student	80
Judicial	114
Honorary	5
Ex Officio	13
Life	
Proctor	307
Non-Lawyer	14
Judicial	14
Academic	4

The drop in membership is due to the purging of the rolls for non-payment of dues, which had not been done for a number of years.

President Bonner reported on the efforts to get lawyers involved in marine financing to join the Association. Lawyers attending events focused on this area of maritime practice have been contacted and invited to join, and one new member resulted from this. Mr. Nolan commented that this effort would be helped by getting the Marine Financing Committee to focus more on traditional blue water marine financing.

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

#### **SECOND VICE PRESIDENT'S REPORT**

Mr. Clyne reported that a draft of the proposed amendments to Section 504 of the By-Laws will be circulated. He also reported that the Code of Ethics will be brought to the August Board meeting for signature by the Board, and that the Whistle Blower/Document Retention policies have been posted on the website.

Mr. Clyne also reported on the Committee Chairs meeting held on Wednesday, May 4. Lynn Kreiger, Vice-Chair of the Website and Technology Committee, gave a demonstration of the website. The Committee Chairs were asked to poll their members regarding their preference for downtown versus mid-town venues for committee meetings, with a view to instituting the proposal of the study done by the Committees subcommittee of the Board to have one day of meetings in each location.

It was also mentioned that large committee meetings needed to be coordinated to avoid conflicts.

Mr. Clyne also advised that the Committee Chairs Handbook was going to be revised and circulated.

## **ASSOCIATION MANAGEMENT**

President Bonner reported that Richard M. Leslie's term as the Association's representative to the American Bar Association will expire after the August meeting of the ABA, and that James Bartlett, Vice-Chair of the Committee on American Bar Association Relations will be named as his successor.

President Bonner also reported that Rand Pixa has been reappointed as the Association's representative to the Government and Public Sectors Lawyer Division of the ABA.

## **BOARD SUB-COMMITTEE REPORTS**

### *Meetings*

Mr. DeGiulio reported on the study that has been done by the Meetings subcommittee of the Board on Board meetings and activities. He reported that the Directors were divided over whether the Board should be more involved in administration of the Association or whether the current level of involvement was proper, but no one thought that the Board should be less involved. He indicated that the Directors were unanimous in the view that Board meetings should be held in venues where there are significant numbers of members of the Association. The Directors also favored having Saturday evening events at Board meetings held on Saturdays, but that attendance at these events should be optional. He also noted the suggestion that Directors be assigned to a specific officer to assist that officer.

### *Maritime Law*

Mr. Force reported that the Maritime Law subcommittee has explored whether the Federal Judicial Center might be receptive to the As-

sociation assisting with the education of judges and clerks with regard to maritime law. It was noted that the Association had participated in a retreat for federal judges put on by the Federal Judicial Center, but that thereafter, attempts by the Association to follow up on this meeting were not successful. More recently, there have been indications from the Center that they have the misconception that the Association is an interest group, and is apparently unaware of the broad base of the membership of the Association. Mr. Hopkins suggested that the Association offer assistance on the development of Pacer. Mr. Force suggested that an approach be made to judicial members of the Association, and to the Judicial Councils of the various circuits.

Mr. Volkle reported that he had spoken with Larry Kiern regarding raising the profile of the Association with Congress, and how to be more effective when we had a view to express on legislative matters. It was suggested that a legislative liaison committee be set up, and that this committee set up meetings with the staff of the committees that have involvement with maritime affairs. The need was expressed that the Association avoid any inference that we engage in lobbying, and that we emphasize that our interests are in improving maritime law and promoting uniformity, and not in advocating the interests of any particular group.

#### **DISCUSSION ITEMS**

President Bonner reported that Robin Becker will continue working with the Association. Mr. Marwedel reported on his efforts to locate a management company that could replace Robin Becker when that becomes necessary. He reported that he has investigated approximately 75 management firms, most of which are small family-run business, and has narrowed this list down to approximately 15 companies. He also reported that any updating on the website should probably be coordinated with a change of management companies

President Bonner reported that Tradewinds has offered to give the Association's members a free trial subscription, and that he will communicate this to the membership.

He also reported that the CMI has asked for our members' email addresses. In keeping with our policy of protecting our members' pri-

[16190]

vacy, this request was refused, but we offered to distribute communications from the CMI through the Association's normal communications channels.

#### *Pacific Admiralty Seminar*

Mr. Nowell reported that the Pacific Admiralty Seminar is going to continue its relationship with the San Francisco Bar Association for the time being, but is still interested in working with the Association.

#### *USCG and others agency forums*

Mr. Marwedel reported that a follow up meeting is to be scheduled with the Coast Guard and domestic pollution insurers, and that Cal Lederer of the Coast Guard has suggested that the Association assist the Coast Guard with developing guidelines for one-man investigative boards. He also reported that MARAD has suggested a similar forum. Mr. Volkle was asked to discuss this with Denise Krepp of MARAD.

#### *Open Houses at May Meeting*

President Bonner reported that a German law firm is holding an open house. Since this was open to all members of the Association, advertising this on the MLA website did not run counter to the Association policy regarding private parties, whereby only events open to the entire membership are listed.

### **REPORTS**

#### *Report on Hawaii Meeting*

Ms. Zawitoski reported that the room nights at the hotel reserved for the Fall Meeting are already 84% booked, and encouraged everyone to book their rooms quickly. She also reported that the planning committee had arranged good rates for people that wanted to come early or extend their stay, including those who wanted to go to other islands.



*American Marine Highways*

Mr. Farrell reported on the report of MARAD to Congress regarding American Marine Highways. MARAD reported that while there were definite environmental and economic benefits to encouraging more marine traffic, growth in this area would probably require government expenditure in the form of tax credits to shippers and tax benefits and loan guarantees to build ships. The Inland Waters and Towing Committee will continue to study this issue.

**CALENDAR**

*MLA Summer Board Meeting- August 12-14, 2011- Gettysburg*

President Bonner announced that there would be a long range planning session at this summer's Board meeting.

**ADJOURNMENT**

There being no further business to come before the Board of Directors, the meeting was then adjourned.

Harold K. Watson  
Secretary