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

Held at the JW Marriott Ihilani Hotel
Ko Olina, Oahu, Hawaii
on
Saturday, December 3, 2011
at
3:30 p.m.

The December 3, 2011 meeting was called to order by President Patrick J. Bonner at 3:30 p.m. In addition to President Bonner, the following individuals 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:

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
Susan Dorgan	Robert B. Fisher, Jr.
Alexander M. Giles	Edward J. Powers

Also present at the invitation of the President were Raymond P. Hayden and Joanne Zawitoski.

SECRETARY'S REPORT

On motion duly made and seconded, the minutes of the August 13, 2011 meeting of the Board of Directors were approved.

TREASURER'S REPORT

Mr. Connor reported that the Association currently has assets of \$597,337, of which approximately \$127,000 will be spent in connection with the Fall 2011 meeting. This represents an improvement over prior years as a result of improved dues collection and a reduction of administrative costs as a result of the transfer of administrative functions from PC Solutions to Robin Becker.

Mr. Connor also reported that the check scanner should be available by the beginning of 2012, and that the accountant who has been handling the Association account has moved to another firm. Mr. Connor will investigate whether moving the account to the new firm could effect savings in the amount paid for accounting services, and make a recommendation at the next meeting.

Delinquent dues amount to approximately \$60,000. Members who are three years in arrears will be informed that they will be dropped from membership, and members who are one or two years in arrears will be requested to become current.

The arrangements with Affinipay to allow members to pay dues by credit card should be complete by the time the next dues statement goes out in January 2012, and the Association will explore expanding the use of credit cards to pay for the May dinner. There will be a \$150 startup fee to establish the gateway for this service, a \$10 per month fee, and a charge of 2.19% per transaction for use of bank cards, and 2.8% for use of non-bank cards such as American Express. Mr. Connor recommended an across-the-board dues increase of \$5 to offset these costs.

On motion duly made and seconded, the Treasurer's Report, including the proposed dues increase, was approved.

MEMBERSHIP SECRETARY'S REPORT

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

Ex-Officio

Rear Admiral Wendi B. Carpenter, President, SUNY Maritime College,
Bronx, New York

Rear Admiral Sandra Stosz, Superintendent, United States Coast Guard
Academy, New London, Connecticut

Judicial

Hon. Thomas A. Dickerson, White Plains, New York
Academic

Michael A. Sevel, University of Miami School of Law, Coral Gables,
Florida

Proctor

W. Richmond Beevers, Washington, D.C.
Franciso Carreira-Pitti, Panama, Republic of Panama
Jason W. Gaarder, Baltimore
Normand R. Lezy, Honolulu
Samuel R. Mandelbaum, Tampa

Associate

Theodore H. Adkinson, Long Beach
John R.C. Bowen, Hilton Head Island, South Carolina
Noe S. Hamra, Jersey City, New Jersey
Adam D. Johnson, Dorchester, Massachusetts
Jin Jeong Kim, Garden Grove, California
Pamela F. Lafreniere, New Bedford, Massachusetts
Rebecca Lasoski, New York
Guy Manchuk, Bellevue, Washington
Kurt C. Odell, New Canaan, Connecticut
Timothy F. Schweitzer, New York
Jude Smith, Pittsburg, Pennsylvania
Christina H. Sullivan, New York
Jill S. Willhoft, New Orleans
Nathan T. Williams, New York
Justin M. Woodard, Charleston, South Carolina
Paige Young, New Orleans

Law Student

Kevin P. Albertson, Tauro Law School, Floral Park, New York
David Garfinkel, Columbia Law School, New York
Randall B. Gleason, Suffolk Law School, Dedham, Massachusetts
Julie Nociolo, New York Law School, Brooklyn, New York
Kyle C. Smith, Roger Williams School of Law, Warren, Rhode Island
Ryan F. Tennant, Charleston School of Law, Mt. Pleasant, South Carolina
On motion duly made and seconded, these applications for membership were approved.

Mr. Farrell also regretfully reported the deaths of the following members since the last meeting of the Board of Directors:

Albert S. Commette of Port St. Lucie, Florida; Life Member:
elected 1954
Gerard T. Gelpi, of Bay St. Louis, Mississippi; Life Member:
elected 1962
David J. Kadyk of Tampa, Life Member: elected 1969
Arden J. Lea, of St. Thomas, Virgin Islands, Proctor:
elected 1975
Charles E. Lugenbuhl of Covington, Louisiana, Life Member:
elected 1956
Henry S. Morgan, Jr. of Annapolis, Proctor: elected 1979
Past President David R. Owen, David R., of Lutherville,
Maryland; Life Member: elected 1952
Hon. Jamie Pieras of San Juan, Puerto Rico, Judicial Member:
elected 1967
Prof. Wallace S. Reed of Castine, Maine, Academic Member:
elected 1995
George W. Sullivan Summit, New Jersey; Life Member:
elected 1953
Robert K. Tisdall of Milford, Connecticut; Life Member:
elected 1970
Francis W. Turner of New York, Associate Member:
elected 2003

With these changes, the current membership of the Association currently stands at 2,969, a figure that has remained relatively stable over the last several years.

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Mr. Farrell also reported that approximately 400 persons attended the Pacific Admiralty Seminar or the Tulane Admiralty Law Institute that are not members of the Association. Mr. Farrell is going to contact these persons and invite them to join.

DISCUSSION ITEMS

Association administration

Mr. Parrish reported that he had met with Robin Becker at her home outside Charleston, South Carolina and reviewed her operation in great detail. He reported that he is very comfortable with the transition to her from PC Solutions. The Association has remote access to the electronic records that Ms. Becker maintains, and ICVM has offsite backup. He also reported that Ms. Becker is preparing a detailed outline of all of her activities so that someone could step in if she was incapacitated for some reason.

Mr. Marwedel reported on his review of companies that provide web support and planning support for associations and noted that many are relatively small family run businesses. He has identified three larger companies that provide this type of service. Further review of these companies will be on going.

The Association is currently paying Ms. Becker approximately \$60,000 a year for her services, which are provided as an independent contractor through a company that she owns. This is a savings of approximately \$30,000 over what the Association was paying PC Solutions. President Bonner reported that he wanted to increase Ms. Becker's responsibilities to include activities in connection with the Spring dinner and future city and resort meetings.

On motion duly made and seconded, the Board approved the continued use of Ms. Becker's services for the foreseeable future, and agreed to pay her a \$5000 bonus as a sign of the Association's appreciation for her excellent service. The Board also authorized the hiring of an outside consultant to review the Association's software, website and administrative procedures, and make recommendations regarding possible improvements.

Web page

President Bonner reported on efforts that have been made to determine whether the membership is satisfied with the web page. He reported that complaints have generally been few. As noted above, a consultant will be asked to address possible improvements.

CMI—New York, Spring 2012

The Board approved President Bonner's recommendation that the Association invite the CMI to hold a meeting in New York in the Spring of 2016.

International Bar Association

The Association has been asked to post the dates of meetings of the International Bar Association. While recognizing the importance to members of the MLA of having opportunities to meet and network with foreign lawyers, the consensus of the Board was that this could be better accomplished by increasing the attendance of foreign lawyers at MLA events, and that committee chairs should be asked to look for opportunities to invite foreign lawyers as speakers at MLA committee meetings.

Bankruptcy Committee

President Bonner reported that he is forming a new Standing Committee on Maritime Bankruptcy, and that he has asked John Bradley to serve as chairman.

Fall Meeting, New York 2012

President Bonner and Mr. Clyne reported on the plans for the Fall 2012 meeting in New York. The Edison Ballroom on 47th St. and Seventh Ave. is being considered as a venue for the closing night dinner dance. The only potential drawback is that the room can only accommodate approximately 500 people. However, the attendance at the last dinner dance held at a Fall meeting in New York was approximately 500, and the Board was of the view that attendance would probably not exceed this. The dinner dance is being scheduled for November 9, 2012 so as not to conflict with the New York Marathon the week before. The Board approved this date.

Ship Finance Membership

In an effort to increase membership of lawyers who do ship finance work, a seminar on this subject is being planned.

Board Subcommittee Reports

Proctor Status

Mr. Powers reported that the subcommittee had canvassed a sampling of the membership about the idea of eliminating the distinction between Proctor and Association membership. Younger members generally opposed elimination of an elevated class of membership, and former Board members did not believe that the failure of some Associate members to seek Proctor status presented a problem. Accordingly, the subcommittee recommended retaining the current distinction. On the other hand, the subcommittee did recommend having the Membership Secretary reminding eligible Associate members of their eligibility for Proctor status and sending these members applications, amending the by-laws to allow one of the Proctor members sponsoring an application of Proctor status to be a colleague of the applicant, and waiving the four year waiting period where appropriate. The subcommittee will prepare a document to be sent to eligible Associate members urging them to apply for Proctor status.

Membership Issues

Mr. Muzyka reported that two factors that inhibit membership growth are the shrinking business base of maritime practice and the unwillingness of some firms to support membership financially. He recommended a survey of the membership to determine ways in which the Association can enhance the value of membership.

Reports

UNCLOS status

President Bonner reported that the Senate plans on scheduling hearings on ratification of UNCLOS in May 2012 after the Republican Party primaries are concluded. The Association has offered to provide testimony.

American Marine Highways

Mr. Farrell reported that he has coordinated with the Coastwise Coalition to write Congress in support of a repeal of the portion of the Harbor Maintenance Tax that inhibits coastwise shipping.

NAVSAC Membership

President Bonner reported on changes the Coast Guard has made regarding this organization. Jeffrey S. Moller is the Association's official delegate, but the Coast Guard has asked that other Association members who serve on this organization also be appointed by the MLA.

BIMCO/NSA SALEFORM

President Bonner reported that Keith Heard had been successful in his efforts to have BIMCO retain New York as one of the venues for arbitration under this form.

Salvage Convention

Stuart Hetherington, Chair of the CMI International Working-Group on the Salvage Convention, has asked the Association to state its views on the proposed amendments to the Convention regarding environmental salvage. President Bonner stated that he intends to put this to a vote of the membership in May 2012.

Calendar

The next meeting of the Board of Directors is scheduled for March 31, 2012 in Norfolk, Virginia. President Bonner asked Messrs. Parrish and Clyne to explore possible sites for future Board meetings.

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

Respectfully submitted,

Harold K. Watson, Secretary