

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

Held at the New York City Bar Association
on
Thursday, May 1, 2014
9:30 A.M.

The May 1, 2014, meeting was called to order by President Robert B. Parrish at 9:30 A.M. In addition to President Parrish, the following officers were also present:

Robert G. Clyne, First Vice President
Harold K. Watson, Second Vice President
David J. Farrell, Jr., Secretary
William Robert Connor, III, Treasurer
Barbara L. Holland, Membership Secretary

The following directors were present:

Patrick J. Bonner, Immediate Past President

Susan M. Dorgan	Joseph A. Walsh, II
Robert B. Fisher, Jr.	Christopher E. Carey
Alexander M. Giles	John S. Farmer
Edward J. Powers	Boriana Farrar
Charles B. Anderson	Lynn L. Krieger
Michael K. Bell	

At President Parrish's invitation, William M. Fennell, Frank P. DeGiulio, Henry C. Lucas, III, and Vincent J. Foley attended portions of the meeting to address the Board.

SECRETARY'S REPORT

On motion duly made and seconded, the Board unanimously approved the minutes from the March 8, 2014, meeting of the Board of Directors held in Atlantic Beach, Florida.

The Board then continued a full discussion on recent printing and mailing costs totaling \$40,795.09 for two volumes of *The MLA Report* and one volume of the *MLA Proceedings*, considering as well a thoughtful letter received from Past President Chester D. Hooper and David A. Nourse, Co-Editors of *The MLA Report*.

As discussed at prior Board meetings, it was assumed in very general terms that younger members would prefer reviewing these publications electronically while older members prefer receiving hard copy. For most Directors the question at hand was whether members should be asked in response to a blast email to designate their preference to receive the publications

electronically or in hard copy. Either way it was anticipated that a substantial decrease in printing and mailing costs would be realized.

Immediate Past President Bonner commented, however, that for many of our members around the country who do not attend meetings (he estimated 85% of the membership), mailing hard copies of these publications is money well spent, constituting the primary tangible contact many have with the MLA. He cautioned that as a practical matter a blast email will be overlooked by perhaps 30% of members such that if affirmatively opting for continued receipt of hard copies is required, the result will be an unwitting loss of tangible contact with the MLA for some members.

Various alternative approaches were considered by the Board but deemed impractical, such as emailing these publications to members, which would be ineffective given that one volume of a 200 page *MLA Report* would be too large as an attachment and the email would bounce back.

After due consideration and in recognition of trends strongly favoring paper and mailing cost reductions, and in conjunction with our new website roll out, the Board discussion strongly supported making these publications generally available electronically.

Accordingly, on motion duly made and seconded, the Board approved that following the new MLA website roll out an email blast would be sent to all members providing links to *The MLA Report* and the *MLA Proceedings* on the website and instructing members who desire to continue receiving hard copies by U.S. mail to specifically so designate, also making clear in the email that not exercising that option will mean hard copies will no longer be mailed to that member.

Mr. Farrell then read a proposed Board resolution in appreciation of USCG CAPT Melissa Bert's work with the MLA which on motion duly made and seconded was unanimously approved.

TREASURER'S REPORT

Mr. Connor reported that Citrin Cooperman & Co. conducted an audit approving the MLA's statement of cash receipts and disbursements for the year ended December 31, 2013.

Mr. Connor then provided a dues update as of April 24, 2014, noting that 450 members were delinquent in paying their dues this year, 67 members were delinquent for two years, and 93 were delinquent for three years. Some of these delinquencies can be explained by member job moves and delays in providing the MLA with updated contacts such that dues invoices might not be reaching them. Mr. Connor raised the possibility of having Directors follow-up and track down delinquent members directly, as has been done in the past -- an approach which may be revisited at the August Board meeting.

Mr. Connor also raised the possibility of raising dues, because revenues from the \$5 dues increase authorized by the December 2011 Board meeting have largely been offset by credit card

fees. He projected a \$10 increase would be needed in order to keep the MLA's cash flow in balance. After discussion, it was the consensus of the Board to monitor cash flow and consider a possible dues increase during the year ahead.

On motion duly made and seconded, the Treasurer's Report for the three months ending March 31, 2014, was unanimously approved.

MEMBERSHIP SECRETARY'S REPORT

Ms. Holland reported there were seven applicants recommended for Proctor membership:

Olaf Aprans of Boston, MA

Ryan D. Gilsenan of Charleston, SC

Thomas M. Grasso of Cranford, NJ

Cheryl A. Morris of San Francisco

Herbert H. Ray, Jr. of Anchorage, AK

Thomas C. Sullivan of Jacksonville, FL

Stanley W. Weston of Jacksonville, FL

Ms. Holland reported there were eighteen applicants for Associate Lawyer membership:

Spencer Aronfeld of Coral Gables, FL

Katharine R. Colletta of New Orleans, LA

Alan R. Davis of New Orleans, LA

Juan Carlos Deliz of San Juan, PR

Alton J. Evans, Jr. of Red Bank, NJ

Claire E.B. Garza of Houston, TX

Kasee G. Sparks Heisterhagen of Mobile, AL

Joseph B. Marino, III of New Orleans, LA

Huyen-Lam Nguyen-Bull of Seattle, WA

Dustin M. Paul of Norfolk, VA

Jason C. Pedigo of Savannah, GA

USCG LT Sean T. Pribyl of New Orleans, LA

USCG LCDR Lineka N. Quijano of Washington, DC

Stephanie Camille Reifers of Memphis, TN

Zoë E. Sajor of New York, NY

Brett Saunders of Norfolk, VA

John L. Schouest of Houston, TX

Christopher Clay Trundy of New Bedford, MA

Three applications for membership reinstatement were received:

Loren Andrea Friedel of Fairfax, VA
Associate Lawyer

Capt. Michael J. Kucharski of Pembroke Pines, FL
Associate Lawyer

Capt. J. Michael Shea of Tampa, FL
Proctor

Ms. Holland reported there were seven applicants recommended for Non-Lawyer membership:

Kenneth E. Challenger of Kirkland, WA

Lawrence Malizzi of Wilmington, DE

John A. Miklus of New York, NY

Captain William B. Polikoff of Bohemia, NY

Matthew Roethke of Berkeley Heights, NJ

Todd Roper of Bristol, RI

Kenneth J. Weinbrecht of Yaphank, NY

Six law students had become Law Student members since our March meeting:

Kathleen Banaszak
American University Washington College of Law

Daniel DeRight
University of Pittsburgh School of Law

Michael-Javad Hedayat
New York Law School

USCG LT Edward J. Quinn
Temple University School of Law

William C. Royal, III
Rutgers School of Law – Newark

Stanton James Terranova
Roger Williams University School of Law

Ms. Holland regretfully reported learning of the following four deaths since our March meeting:

Jeffrey A. Barnwell of Charleston, SC
Associate Member: elected 2002

Gene B. George of Cleveland, OH
Proctor Member: elected 1975

Walter C. Hartridge of Savannah, GA
Life Member: elected 1972

Christina H. Sullivan of New York, NY
Associate Member: elected 2011

Ms. Holland referred two requests she had received to the Board, which denied them. First, a Law Student applicant who noted on his application that he was not in good standing at his law school was denied membership under By-Law 208. Second, a part-time law school teacher's request for reduced dues was denied because all Academic members are charged dues under By-Law 210.

With the above membership changes, the MLA's total membership now stands at 2,846 and is comprised as follows:

VOTING MEMBERS

Proctors	1295
Associates	1167
Non-Lawyers	179
Academic	27
Subtotal	2668

NON-VOTING MEMBERS

Ex-Officio	15
Honorary	5
Judicial	122
Law Students	36
Subtotal	178

On motion duly made and seconded, the Board unanimously adopted Ms. Holland's report.

A discussion was then held on membership recruitment. Second Vice President Watson related that he had recently attended a Greater New Orleans Barge Fleeting Association (GNOBFA) meeting and identified roughly 50 lawyer attendees who are not MLA members. It was also noted that roughly 200 Southeastern Admiralty Law Institute (SEALI) members are not MLA members. Similarly, it was recognized that other regional groups, such as the Pacific Admiralty Seminar (PAS), have some attendees who are not MLA members. It was decided that appropriate means to contact these potential new MLA members would be considered in the future, perhaps in conjunction with the roll out of the new MLA website.

Regarding the reinstatement of former MLA members, a distinction was noted between those whose memberships were terminated for three years' non-payment of dues in contrast to those who resigned their memberships with up-to-date dues payments. The Board concluded that reinstatement fees should be similarly distinct and it was decided that Mr. Connor would draft a policy statement accordingly for the Board to consider at its August meeting.

DISCUSSION ITEMS

MLA Response to CMI Questionnaire on the Fair Treatment of Seafarers in the Event of a Maritime Accident

Further to the discussion held at the March Board meeting, Mr. Walsh reported he had coordinated with Ms. Newman and Charles G. DeLeo in finalizing edits to a succinct response to a *Comite Maritime International* (CMI) questionnaire, which the Board approved.

Future of the CMI Working Group

President Parrish referred to the March Board minutes and his solicitation for Directors' comments and suggestions for any ideas on how the CMI might benefit MLA members, noting however, that none were received. He again asked the Board for any specific suggestions and input on an appropriate message the Board would like to send back with Past President Burrell when she reports to the Future of the CMI Working Group.

Website

Ms. Krieger reported that roll out of the new MLA website would need to be extended to no sooner than June 2014, due to additional time needed to organize and transfer the voluminous "content" of MLA online documents from our current website.

Utilizing a large screen display, Ms. Krieger provided the Board with updates on the development of the public side of the website, including online membership applications, and on the development of the private side of the website, including a sample member's personal home page, online committee discussions, and integrated online payment functions.

Prior to roll out Ms. Krieger anticipated there would be two weeks of testing the website's functionalities by Boost by Design, the Board of Directors, and committee chairs. Video instructions for various functions and tasks will be provided to enhance member education, with detailed instructions, for example, on how to set up a committee vote for chairs.

The Board made several decisions on issues that had been raised at its March meeting.

Regarding access to the website's private side when a member is dues delinquent, the Board decided there will be no cutoff of website privileges during 2014 for anyone. Thereafter, however, on motion duly made and seconded, the Board unanimously approved as MLA policy that if a current year's dues are not paid by December 31, the member's private side website access will be terminated. The Board also decided there would be frequent notices to delinquent members prior to December 31, including specific dunning pop-ups when they log on to the private side of the website.

Regarding safeguards to protect the MLA's interests, the Board decided that a virus disclaimer should be displayed on the website and that a standard statement should appear in conjunction with the calendar of events that the MLA is not endorsing non-MLA events.

Regarding the MLA copyright, the Board concluded it needs to determine what materials and documents that should encompass.

Regarding Second Vice President Watson's updating the *Committee Chairs' Guide* and policies regarding the reprinting of MLA publications, these projects will be coordinated with the new website's roll out. First Vice President Clyne also recognized that following roll out a variety of policy questions will undoubtedly arise requiring Board consideration.

At the conclusion of the website discussion President Parrish expressed appreciation for Ms. Krieger's successful efforts in obtaining input from various stakeholders and looked forward to the roll out in the near future.

RECENT INTERNATIONAL MEETINGS

President Parrish reported on two international meetings he recently attended.

First, he attended the March 2014 meeting of the *Instituto Iberoamericano de Derecho Maritimo* (IIDM) meeting in Rio de Janeiro, reporting that the IIDM is very pleased with its MLA relationship, mutually enhanced by our joint Fall 2014 Puerto Rico resort meeting.

Second, President Parrish attended the May 2014 meeting of the International Maritime Organization (IMO) Legal Committee, 101st Session, in London. By virtue of the office, the President of the MLA is an official member of the United States delegation to the IMO. President Parrish reported that with the reassignment of USCG CAPT Melissa Bert, the new Coast Guard Chief, Office of Maritime and International Law, will be USCG CAPT P.J. McGuire.

UPCOMING EVENTS

The Board reviewed the status of upcoming events.

Cipriani Wall Street Dinner, May 2, 2014

Mr. Fennell, the New York Dinner Arrangements Chair, was pleased to report that turnout for tomorrow night's dinner would be the same as last year, even though this year there would be no band and spouses would generally not be attending. Thanks to hiring a new printer, last year's glitch with name tags and dinner brochures would not be repeated. And last year's congestion around the upstairs bar would be relieved since two downstairs bars would be open from the start.

President Parrish then thanked Mr. Fennell for his committee's hard work and Mr. Connor noted that Cipriani Wall Street had agreed to reserve Friday May 1, 2015, for MLA use at this year's price, if we desire it.

Seattle Board Meeting, August 8-9, 2014

Ms. Holland reported on plans for the Seattle Board meeting and related functions, which will include attendance by members of Seattle's and also Vancouver's maritime bars.

Philadelphia City Meeting, October 22-24, 2014

Messrs. DeGiulio and Lucas, the Philadelphia Meeting Co-Chairs, presented an update on plans for the fall meeting, to be held Wednesday, October 22, to Friday, October 24, 2014.

Generally the Philadelphia meeting will follow the New York City meeting format, with a full array of committee meetings to be held in law firm offices, which Mary Elisa Reeves is coordinating.

There will be a cocktail reception with heavy *hors d'oeuvres* Thursday evening. On Friday, the morning Association General Meeting, the afternoon CLE program featuring a federal judge and Department of Homeland Security official, and the closing dinner will be held in the National Constitution Center. Room blocks will be reserved at the nearby downtown Marriott.

Messrs. DeGiulio and Lucas were pleased to report there is widespread local support in hosting the Philadelphia meeting, with thirty-five MLA members on the arrangements committee, which will meet this afternoon. One of the important topics it will be considering is the attendance fee for the Thursday cocktail reception and Friday dinner, preliminarily projected at \$350 per person including both events, based on 200 attendees.

Bermuda Resort Meeting, October 2015

First Vice President Clyne reported James F. Moseley, Jr., had been appointed as Chair of the Bermuda Meeting Arrangements Committee, on which Ms. Farrar will also serve. There will also be a meeting of that committee this afternoon.

CMI New York Conference, Spring 2016

Mr. Foley was pleased to report that the MLA and CMI were very close to co-signing a contract with the soon-to-be renovated New York Hilton Midtown where the joint gala dinner will be held, with an excellent overnight room rate of \$279. After some extensive back and forth with the CMI, as addressed at the past several Board meetings, the Board was satisfied that the CMI had agreed to share costs and revenues with the MLA for this meeting.

New Orleans City Meeting, Fall 2016

Second Vice President Watson reported that former MLA Director Grady S. Hurley has agreed to jointly chair the fall 2016 city meeting in New Orleans, which will be held in conjunction with the 50th anniversary of the Tulane Admiralty Law Institute.

Napa Valley Resort Meeting, Fall 2017

Second Vice President Watson also reported that he had made preliminary contacts towards arranging a fall 2017 resort meeting in the Napa Valley.

SUMMATION

After devoted service on the Board for 19 years, Immediate Past President Bonner was recognized by the Board for his excellent work throughout, including his stewardship in rebuilding the MLA's reserves after the 1999 centennial celebration.

President Parrish then thanked the Board from his heart for the opportunity to serve The Maritime Law Association of the United States and expressed his deep appreciation to the Board of Directors – which he emphasized throughout his tenure is the MLA's policymaker – for its thoughtful direction and timely responsiveness.

There being no other business, President Parrish adjourned the meeting.

Respectfully submitted,

/s/ David J. Farrell, Jr.

David J. Farrell, Jr.
Secretary