

# THE PRESIDENT'S NEWSLETTER

Winter 2006

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*The Palace Hotel's Garden Court*

## **A Wonderful Meeting in San Francisco**

*"Tell me you're the heart of all the golden west."*

Our Fall 2006 meeting exceeded everyone's expectations, proving that our new "tradition" of holding every other Fall meeting in a port allows us to combine the very best of MLA activities with the unique attractions of a destination city. For those who were unable to attend, I can only refer you to the pictures on the last pages of this NEWSLETTER to give you some idea of the grandeur of the venues in which we had our social events, winding up with an incredible performance over the Bay by the Blue Angels, swooping and diving near enough to rattle our bones. Pictures cannot, however, convey the vigor of the committee meetings and the excellence of the speakers at the Pacific Admiralty Seminar. Our Arrangements Committee<sup>1</sup> deserves unrestrained praise for their tireless work, which ensured a splendid time was had by all.

Full Standing Committee reports will appear in THE PROCEEDINGS and on the website.

## **Fall Meetings to Come**

*Time keeps on slipping into the future.*

In Fall 2007, we will meet at the Sanibel Harbour Resort, <http://www.sanibel-resort.com/index2.asp>. To meet the challenge of finding a city venue as congenial as San Francisco for our Fall 2008 meeting, I have

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1. Forrest Booth, Chair, John A. Edginton, Vice-Chair, George Nowell, Meeting Treasurer, Ray Paetzold, Publicity, Gregory W. Poulos, John D. Giffin, R. Michael Underhill, Robert J. Zapf, C. Kent Roberts, and Stephen B. Johnson.

created a Special Site Selection Committee, chaired by Past President Ray Hayden, and have appointed members from a number of different candidate ports. If you have any suggestions, please send Ray an e-mail.

## **The Board Takes on New Responsibilities (August 2006 Board meeting in Mystic Seaport, Connecticut)**

*"It was a dark and stormy night . . ."*

History demonstrates that an MLA event can bring rain to a desert, but for the summer board meeting, the weather outdid itself when a severe storm blacked out all of Eastern Connecticut just as I approached the hotel driveway. Apart from the inconveniences that leap to mind—no elevators, no air conditioning, no restaurant facilities—we discovered that hotel key cards cannot be made without electricity, depriving most board members of accommodations, as well. Still, with much scrambling, cooperation, and good humor, we managed to have a very productive meeting.

This meeting featured the new responsibilities of Board members as active managers of the Association through the recently-created Board Subcommittees on Finance, Membership, and Committees,<sup>2</sup> as well as each Board member's increased oversight of the Standing Committee to which he or she is liaison. With Board involvement and support, Committee Chairs were encouraged to plan their meetings well in advance, with the result that the programs were exceptionally interesting and polished, teleconferencing was available

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2. The Board Subcommittees' mission statements and current activities are summarized in the Minutes, which are attached to this message.

for those who could not join us in San Francisco, and full agendas were published on the website several weeks beforehand so that members could decide if they wanted to take part either in person or on the phone.

### **Progress on MLA Environmental Crimes Initiative**

*“There must be some way out of here.”*

The current status of compliance with and enforcement of environmental laws is unsatisfactory to both industry and government. In an effort to resolve or at least ease some of these problems, Immediate Past President Tom Rue started an MLA initiative to moderate discussions between industry and the government with the hope of developing a program that would both promote observance of environmental rules and give consideration to the compliance efforts of responsible owners if there were an accidental breach.

Both industry groups and government agencies have responded favorably to the MLA initiative and are moving forward with the development of possible proposals and programs. Although it takes time to move forward on a subject of this complexity and difficulty, if the outcome is successful, the Association will have contributed something of value to all maritime interests.

### **New Website Features to Keep Informed and Say Your Piece**

*“I think we’re not in Kansas anymore.”*

Because of the features added with the Members Only Portal, you can now access and take part in almost any Committee activity from your desk. You also have complete control over the extent of your participation.

All MLA members, regardless of their Committee memberships, can use the members-only section of each Standing Committee page to learn about and have a say in the Committee’s work, including all drafts and discussions.

If you want to track Committee activities more closely by receiving correspondence, agendas, and other communications when they first distributed, then sign up as a “Listening Member” of that Committee. There is no limit on the number of your Listening memberships.

To cast an official vote, you must join a Committee as a Voting Member. You may be a Voting member of up to three Standing Committees. The Young Lawyers Committee and Special or Ad Hoc Committees do not count towards the limit.

To get started—and to find out the status of your current Committee memberships—go to the website, <http://www.mlaus.org>, and use the Member Log-in. There are instructions in case you have forgotten or wish to change your username and password (the latter is a new feature). The log-in fields are case-sensitive.

Once signed in, you will be taken to your personal home page. From there, you can click on the Portal Usage Guide to learn about all of the members-only features, including how to add or change your Standing Committee Voting and Listening memberships.

### **New Committee Leadership Positions Open**

*“Who seeks, and will not take when offered, Shall never find it more.”*

As the Association has provided more and more credits (which are free to our members in many contexts), the burden of compliance with the New York CLE Board’s requirements has exceeded the capacities of any single Committee. I have therefore created the position of “CLE Liaison” for each Standing Committee in to assist Chairs who seek to have a meeting certified for credit.

This is a position especially suited to younger lawyers. I will be seeking recommendations from the Standing Committee Chairs, so if you are interested, please contact the relevant Chair as soon as possible.

### **Representing the Association**

*“Nobody expects the Spanish Inquisition.”*

Because I have had the privilege of serving on the Board under seven Presidents, I thought I had a good idea of the demands of the post. I was wrong. Being President is more than a full-time job all by itself. Nevertheless, apart from writing the requisite papers and the fact that I no longer distinguish between a bed and an airplane seat, I have greatly enjoyed representing the Association in many places and appreciate all the more the work of all of the MLA’s other volunteers whose efforts make this Association the exceptional organization that it is.

## What's Coming Up

*"The future has already arrived. It's just not evenly distributed yet."*

In January, the officers will hold a meeting in Washington D.C. in conjunction with our annual luncheon for governmental officials with roles in maritime affairs. These luncheons provide a valuable forum for informal discussion of matters of concern to the Association.

In March, the Board will hold a joint meeting with the Board of the Canadian Maritime Association in conjunction with the Tulane Admiralty Law Institute (March 14-16, 2007). I urge you all to consider attending the ALI, this time not only for the great program but also to make a small contribution towards the recovery of New Orleans.

In 2007, our Spring General Meeting will be held from May 1-4 in New York, and our Fall General Meeting will be from October 24 to 27 at the Sanibel Harbour Resort. After our lovely experience last year, we will be returning to Pier 60 and its spectacular views of sunset over the Hudson for the New York Spring dinner.

## Acknowledgements

I owe my captions to the following authors:

*San Francisco* by Jurmann and Kaper;  
*Fly Like an Eagle* by Steve Miller;  
*Paul Clifford* by Edward Bulwer-Lytton,;  
*All Along the Watchtower* by Bob Dylan;  
*The Wizard of Oz* by Langley, Ryerson, & Woolf  
*Antony and Cleopatra* by William Shakespeare  
"Monty Python" comedy sketches  
William Gibson

The photographs above and below were taken by Phil Berns, Forrest Booth, John Edginton, and Geoff Ginos.

We were also fortunate to have sponsors for the San Francisco meeting whose contributions allowed us to make registration and other member costs more manageable. The sponsors were: Matthew Bender; National Maritime Services, Inc.; American Maritime Cases; Emard Danoff Port & Tamulski; Flynn, Delich and Wise LLP; Gibson Robb & Lindh LLP; Keesal Young & Logan; Law Offices Of George W. Nowell; Severson & Werson; Cox Wooten Griffin Hansen & Poulos; Bingham McCutchen; Law Office Of John A. Edginton.

And now, some great pictures from the San Francisco meeting



*Oh, what a beautiful city! The President's Welcome Reception was held at the World Trade Club on the Waterfront.*



*Our Committee meetings featured informative sessions with government personnel involved in matters central to our practices. Here, CAPT Chuck Michel, Chief, Coast Guard Office of Maritime and International Law, speaks at a joint meeting of the Committee on Marine Ecology and Maritime Criminal Law and the Committee on Regulation of Vessel Operations, Safety, Security and Navigation*



*Mike Underhill, U.S. Department of Justice, spoke about criminal proceedings.*



*As usual, discussions extended beyond the assigned meeting periods.*



*Representatives of banking interests addressed a capacity crowd at the Practice and Procedure Meeting*



*Some Committee meetings, like Uniformity, offered CLE credit.*



*Not everyone agreed with their position on the relationship between Rule B and state law.*



*And for a block of CLE credit, The Pacific Admiralty Seminar had an exceptional group of speakers.*



*The San Francisco Bar Association facilities provided exquisite surroundings for the PAS lectures.*



*The Palace allowed us to sample the many cuisines of San Francisco.*



*We had a bird's eye view of San Francisco during the PAS lunch break.*



*The students of The California Culinary Academy all deserved an A+.*



*And did I mention the food at our social events?*



*The Blue Angels gave a thrilling performance as we enjoyed lunch and cruised the Bay.*



*The maneuvers went beyond breathtaking.*



*A lovely conclusion to a great meeting.*

