

**NELA/NY Executive Board Meeting**  
**August 12, 2021 at 6 pm**  
**By Zoom/Telephone**  
**Minutes by Amy Hong**

Attendees: Nikki (temp), Marjorie, Laurie, Nicole G., Amy, Jacob, Cyrus, Magda, Nicole S., Harvey, Miriam, Tricia, Zach, Rebekah

Quorum: Yes (8)

**I. Call to Order**

Meeting was called to order at 6:03 pm.

**II. Meeting Minutes**

A. July Meeting Minutes

Jacob asserted that he reported on May financials in addition to June financials as part of his July Treasurers' Report. The change was approved by general consensus and the correction was made.

Cyrus suggested there was no need to refer to gender when discussing membership complaints. The change was approved by general consensus and the correction was made.

Harvey noted that he left July's meeting during the Committee reports. The change was approved by general consensus and the correction was made.

Rebekah noted that her name was spelled wrong. The change was approved by general consensus and the correction was made.

**III. Officers' Reports**

- A. President Report, *Marjorie* - no report
- B. 1st Vice President Report, *Laurie* - no report
- C. 2nd Vice President Report, *Nicole G.* - no report
- D. Secretary Report, *Amy* - no report
- E. Treasurer Report, *Jacob*

1. P&L for July 2021: Jacob reported that this time last year we were worse off but not doing so great now either. Jacob moved for the acceptance of the July 2021 financial statements and report, subject to audit. There were no questions or objections. The motion was seconded and passed unanimously.

Rebekah inquired about the cycle of dues in terms of cash flow and Marjorie explained that the membership dues are collected annually with renewals usually in November.

2. Tax Return: Jacob reported that the tax return is ready to be filed. Jacob moved for the approval of the 2020 tax return to be filed. The motion was seconded and passed with 10 yays, no objections and 2 abstentions.

3. 401k deductions: Jacob asked to move this discussion to an executive session. Executive Session.

F. DEI Report, *Cyrus*

1. Polling Diversity Candidates: Cyrus reported that Locksley raised a concern stemming from a Florida decision invalidating ABA's policy goals on diversity which seemed to say it's a quota based system. Cyrus circulated these documents. Cyrus reported that the DEI Committee is working on making changes/amendments/revisions to the DEI policy and goals anyway so will look into this further. Cyrus shared that the prior DEI officer raised an issue about accountability/analysis on meeting diversity goals on conference panels so this is why DEI wanted to send a survey to conference panelists. Cyrus suggested we table this discussion until after DEI Committee makes its proposal for DEI policy changes. Cyrus also asked for Board members to join DEI Committee to work on some of these issues.

**IV. Board Committee Reports**

A. Membership Committee, *Marjorie*

1. Membership Benefits

a. BenAdvance Update – Marjorie reported that she and Harvey provided a markup with additional edits for the additional member benefits offered through Colonial i.e. term life insurance, accident insurance. Harvey wanted to make clear that members are responsible not the organization. Marjorie moved for authorization to sign the agreement proposed by Skye Legal with the requested revisions. The motion was seconded and passed with 10 yays and 3 abstentions.

B. Communications & Marketing Committee, no report

C. Programming Committee

1. Conference Committee, *Jacob*

- a) Fall Conference: October 1, 2021 – Jacob reported that we just need confirmation of titles, panelists, etc. from conference organizers. Locksley is working on a proposal for technology vendors to help with the virtual conference.

D. Finance Committee, *Jacob*

1. Lease Renewal Update: Jacob reported that the Finance Committee decided to go with the small office/storage option at \$750 per month on a month-to-month basis with the ultimate goal to go fully digital. We are not in a position to do so by August 31<sup>st</sup>. There were no questions.

Jacob signed off of zoom meeting.

E. NELARS Committee, *Magda*

Magda reported on revisions made to NELARS rules mostly from Cyrus and Jacob who have experience as panelists. Magda reported that the revisions are mostly about compliance on how to keep revenue coming in. i.e. if a case settles, then an amount should be recorded. Cyrus shared that NELARS is an underutilized source of income for NELA and wants to see an improved process to help generate more income as there are definitely back end fees that are not being collected. Cyrus reported that they are now working on a form to use to get callers to fill in a questionnaire online. After that, they want to potentially explore using a virtual receptionist to answer the phone calls that do not go to the online questionnaire. Magda moved for the adoption of the revised NELARS rules. The motion was seconded and passed with 11 yays, no oppositions and 1 abstention.

**V. New Business**

A. Standing Rules Amendment, *Marjorie*

Marjorie shared 3 proposals:

- 1) Design a way for members to attend board meeting: There was a general discussion about members attending and speaking at Board meetings without

being disruptive to business. Marjorie suggested we bifurcate the vote on whether members should attend and/or speak. Cyrus pointed out that there is nothing in bylaws that would require members to attend. Tricia confirmed that there is nothing in Not-for-Profit law that refers to it.

Marjorie moved for NELA members be permitted to attend board meeting. The motion was seconded and passed unanimously.

Marjorie moved for NELA members be able to speak at board meetings. Laurie made a point of inquiry assuming that we will have an agenda, meeting minutes, etc. received all in advance. Executive Committee as well as Committee chairs have committed to send everything in advance within 1 week of meeting. The motion was seconded and passed unanimously.

Rebekah suggested one thing that would be very helpful in terms of the Board materials, would be to have the docs linked to the agenda items so that when reading the agenda we can make sure we're looking at the right docs.

Marjorie moved for the Membership Committee to come up with a process for members to speak at board meetings. The motion was seconded and passed unanimously.

2) Usage of chat for recognition so every has opportunity to speak: Cyrus moved for chat recognition. There was a brief discussion about it. The motion was seconded and passed with 10 in favor, 1 opposition and 1 abstention.

Rebekah asked via CHAT as a new board member if there is a cheat sheet of key NELA board rules that stem from Sturgis or were generally adopted (like the one we adopted today about how to be recognized to speak and/or the rule about only speaking once).

3) Meetings to be recorded: Marjorie moved to have meetings recorded. There was a general discussion about it. Cyrus made a point of clarification referring to the discussion on transparency before today and now allowing members to attend meetings based on today's votes eliminates need for any recordings. The motion failed with 0 yays, 12 oppositions and 1 abstention. When we previously discussed, we did not have quorum.

## **VI. Old Business**

A. Gala Committee Report, *Nicole Tyree*

Nikki reported that Manhattan Penthouse is very costly and since there will probably not be that many people who attend, a restaurant might be a better fit. Nikki proposed 3 locations, 2 of which are in Brooklyn and 1 in midtown east. All can accommodate hybrid. Brooklyn venues have outdoor heat and covers. The midtown east side location did not have AV included in the rental price. The theme would be celebrating NELA and main honoree would Paul Tobias. There was a discussion about whether the Brooklyn locations were near public transportation, whether this was a final list and what the financial cost would be to us if we had to go all remote. Nikki stated that the contingency of refund would be a refund or roll over to next year.

Harvey moved to go with Strangeways in Brooklyn as long as the deposit can be refunded. The motion was seconded and passed with 6 yays and 4 oppositions.

Marjorie moved that Thursday be the day. The motion was seconded and passed with 11 yays and 1 abstention.

B. Judiciary Committee Report and Recommendation, *Patricia*

There was a request to move this discussion into executive session. Executive Session. A decision was made. Patricia will reach out to the member who made a complaint regarding the Board decision.

C. Amicus Committee Report and Recommendation, *Zach*

Zach moved to approve all recommendations in his report with the proposed friendly amendments that the Amicus Committee communicate the results and reasoning for their decisions, that the Executive Council or President have ability to veto the decision, that a subcommittee of the Board be appointed to exercise the veto power suggested in the report and that the veto requires Board approval and not one single person. The motion was seconded and passed with 11 yays.

D. Member Complaint, *Marjorie*

Marjorie requested that this discussion be tabled to next meeting

**VII. Announcements**

- A. NELA Nite Series: Starting Your Own Practice: September 14, 2021, 6-8 PM
- B. NELA Nite Series: Part 2, Second Generation Claims: October 27, 2021, 5:30-7:30 PM

## **VIII. Adjourn**

The meeting was adjourned at approximately 8:11 pm.