

The logo for the New York City Bar, featuring the text "NEW YORK CITY BAR" in a serif font, centered between two horizontal blue bars.

NEW YORK
CITY BAR

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April 3, 2014

Hon. Melissa Mark-Viverito
Speaker
New York City Council
250 Broadway, Suite 1856
New York, NY 10007

Dear Speaker Mark-Viverito:

Congratulations on your election as Speaker of the City Council. I am writing to introduce myself and the New York City Bar Association as a resource for your office and the City Council.

The City Bar, which was founded in 1870, is an independent organization and professional home for over 24,000 lawyers and law students dedicated to improving the administration of justice and addressing legal and public policy issues in ways that promote law reform. The City Bar has 150 committees and various task forces which focus on the courts, the legal profession and specific areas of law; they regularly issue reports and policy statements, submit amicus curiae briefs, draft public policy proposals, provide comments on pending legislation and testify at hearings on issues of public concern at the city, state and federal levels. The City Bar has earned its reputation as a public-spirited bar association by speaking up strongly for integrity in the political process and a fair and effective judicial system.

Our committees are extremely active in commenting on and proposing legislation at both the city and state levels, covering a wide variety of issues from animal law to trusts and estates. I write to highlight a few of the issues our committees have been working on that we thought might be of particular interest to the City Council.

First, in May 2013, the City Bar issued a report, *Policy Recommendations for New York City's Next Mayor*. A collaborative effort of 27 committees, the report discusses and makes recommendations regarding access to justice and a number of important policy matters facing New York City today, from the perspectives of lawyers who work daily on issues vital to the City's welfare. We applaud the City Council and Mayor de Blasio's administration for beginning to address many of our shared concerns, including issues such as paid sick leave, reforming the NYPD's stop-and-frisk policy and addressing traffic fatalities, but with more work to be done, we wanted to take this opportunity to highlight the concerns of the City Bar. I have

enclosed for your reference our full report of recommendations.¹ In conjunction with this report, our committees have been issuing transition memos to the Mayor and other City officials to highlight many of the pressing issues facing New Yorkers. We have created a webpage to house all of these reports and invite you and your staff to review it at your convenience.²

Second, the City Bar's Domestic Violence Committee and International Human Rights Committee have drafted a resolution which declares that freedom from gender-motivated violence is a fundamental human right. The resolution defines "gender-motivated violence" to include domestic, dating and sexual violence perpetrated by a stranger, acquaintance, relative, or intimate partner; stalking; sex trafficking; and hate violence against LGBTQ people. This resolution affirms the valuable role of human rights in promoting and protecting victims of gender-motivated violence. While gender-motivated violence, including domestic violence, is often treated as a private matter, the human rights framework provides a tool to challenge this perception and reframe it as a collective, societal problem that must be addressed. Similar resolutions have been passed in at least nine other cities, including Albany and Washington, D.C.³ We hope that the City Council will consider introducing and passing this resolution. The proposed resolution and a memo of support are enclosed for your consideration.

Finally, at the state level, there are a number of areas of overlap between the Council's State Legislative Agenda and our own. Enclosed is a copy of the City Bar's 2014 State Legislative Agenda.⁴ This agenda represents only a portion of the dozens of positions generated by our committees over the course of each legislative session. It focuses on issues that are relevant to the current legislative debate or of particular importance to the City Bar, as well as legislative proposals drafted by our committees. In particular, I wanted to highlight our shared support for issues such as the Women's Equality Act,⁵ the Gender Expression Non-Discrimination Act,⁶ election law reforms,⁷ reforming the Temporary Assistance for Needy Families program,⁸ and reducing gun violence.⁹

¹ Report available online at www.nycbar.org/images/stories/pdfs/mayoralreport04302013.pdf.

² See <http://www.nycbar.org/legislative-affairs/policy-issues-aamp-advocacy/new-york-city-policy-recommendations>.

³ Recognizing Freedom From Domestic Violence as a Fundamental Human Right: Local Resolutions Across the United States, Miami Law Human Rights Clinic and Columbia Law School Human Rights Clinic, as of Jan. 24, 2013, at http://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/dv_memo.pdf (last visited March 27, 2014).

⁴ Report available online at <http://www2.nycbar.org/pdf/report/uploads/2014StateLegislativeAgendaFINAL..pdf>.

⁵ Report in support of the Women's Equality Act (A.8070), Sex & Law Committee of the New York City Bar Association, June 2013, at <http://www2.nycbar.org/pdf/report/uploads/WomensEqualityBillA8070SexLawReportFINAL6.20.13.pdf>.

⁶ Report in support of A.4226-B/S.195-B, the Gender Expression Non-Discrimination Act, Committee on Lesbian, Gay, Bisexual & Transgender Rights, Committee on Civil Rights, Committee on Labor & Employment Law, and the Committee on Sex & Law of the New York City Bar Association, Reissued Feb. 2014, at <http://www.nycbar.org/pdf/report/GENDA.pdf>.

⁷ See *supra* note 1 at 45-46 and note 3 at 1.

⁸ Report in support of A.2471/S.2323, Committee on Social Welfare Law of the New York City Bar Association, Reissued Feb. 2011, at <http://www.nycbar.org/pdf/report/uploads/AdvancedDegreesWorkParticipationSocWelfareReissuedFINAL3.16.10.pdf>.

We would welcome the opportunity to meet with you or members of your staff to further discuss these issues and how the City Bar can be helpful to your office and the City Council. Please feel free to contact the City Bar's Legislative Director, Maria Cilenti, if you would like to set up a meeting or discuss any other areas of interest.

Sincerely,


Carey Dunne

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Enclosures

⁹ "Continuing to Strengthen New York's Gun Laws," Criminal Advocacy Committee and Criminal Law Committee of the New York City Bar Association, April 2013, at <http://www2.nycbar.org/pdf/report/uploads/20072462-ContinuingtoStrengthenNYGunLaws.pdf>.