2000

Neil T. Shayne Memorial Lecture: Foreword

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On September 26, 1998, the legal profession lost one of its preeminent scholars, Neil T. Shayne, a member of the New York Bar since 1954. Aside from his remarkable success as a lawyer in private practice for forty-four years, Neil was a champion of high professional standards and was deeply committed to teaching legal ethics and educating lawyers and future lawyers on the importance of practicing law as a profession.

During his long and distinguished career, Neil served his fellow attorneys by sharing his talents through the Nassau County Bar Association, the New York State Bar Association, and the American Bar Association. He held many important positions, including Dean of the Nassau Academy of Law, which presented this lecture in his memory.

As a member of the Appellate Division, Second Department, Committee on Character and Fitness, Neil applied his considerable energy and skill to guarding the profession from unsuitable applicants, and alerting our new colleagues to the professional standards by which they would be judged and the exhortatory goals for which they should strive.

Neil would never pass on the opportunity to speak on the topic of professional ethics, and lectured to professional responsibility classes at the local law schools, including Hofstra University School of Law. He was a wonderfully informative, humorous, and interesting public
speaker, who was able to draw on his vast personal experience and high moral standards to relate ethical principles to memorable real life situations. However, Neil may have influenced an even greater number of lawyers on a personal basis. Neil would never refuse a request to help a lawyer with a question on ethics, or fail to volunteer his view on a colleague's conduct when warranted. He was known for the passion of his views and his honest, pragmatic advice.

Those of us who had the privilege to know, work with, rely upon, and learn from Neil miss him greatly. In these times when professionalism seems so highly stressed by the economic realities of practice, and when the application of market driven business strategies frequently displaces professionalism, the loss to the legal profession is even more keen.

This lecture was organized to honor Neil Shayne and to acquaint the bar with the recent changes to the New York Code of Professional Responsibility ("Code").¹ The speakers were chosen for their insight into the changes to the Code as well as their involvement and knowledge of the process.

Norman Dachs, Neil's partner for all of his forty-four years of practice, opened the lecture with some personal remarks about Mr. Shayne.

Grace Moran spoke about some of the changes to the Code from an enforcing agency's point of view. Ms. Moran is a graduate of Fordham University and St. John's University School of Law. She has worked as counsel to the Grievance Committee for the Tenth Judicial District since 1979. She was promoted to Deputy Chief Counsel to the Committee in 1986, and to Chief Counsel in 1999. She was the first female President of the Nassau County Bar Association, elected in 1994. Ms. Moran frequently lectures on professional ethics; both locally and nationally.

Steven Krane is a graduate of New York University School of Law, and a former Law Clerk to the Honorable Judith Kaye. He is currently a partner in the law firm of Proskauer Rose LLP, where he concentrates on sports law and legal ethics. Mr. Krane is an influential member of the New York Bar, who has received too many awards and held too many respected positions to mention. Suffice it to say that when the New York State Bar Association convened a special committee to examine the Code and recommend changes, Mr. Krane was named Chair of that


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committee. The committee became known as the Krane Committee, and issued its findings and conclusions in a report dated February 29, 1996. The Report led to sweeping changes adopted by the Appellate Divisions effective June 30, 1999.

Roy D. Simon Jr., is a Professor of Law at Hofstra University School of Law. Professor Simon first taught at Washington University School of Law from 1983 until 1992, when he came to Hofstra University. He has taught professional responsibility since 1985, and is the Director of Hofstra's Institute for the Study of Legal Ethics. Professor Simon has written numerous books and articles about lawyers and lawyering, including *Simon's New York Code of Professional Responsibility Annotated.* He regularly lectures on the topic of professional responsibility to bar groups, law schools, and law firms.

The Honorable Kenneth L. Gartner of the Nassau County District Court and M. David Tell, a partner in the law firm of Worumser, Kelly, Galef & Jacobs, both of whom are past Chairmen of the Nassau County Bar Association Committee on Professional Ethics, graciously assisted in the program by introducing the speakers and participating in the question and answer session which followed.

The lecture was originally presented on November 16, 1999, at the home of the Nassau County Bar Association.

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2. See Maxwell S. Pfeifer, *President's Message*, N.Y. St. B.J., May/June 1996, at 5 (Statement by then-President, Maxwell S. Pfeifer: "I appointed Steven C. Krane, of New York City, to chair the special committee to review the Code of Professional Responsibility").


6. ROY SIMON, SIMON'S NEW YORK CODE OF PROFESSIONAL RESPONSIBILITY ANNOTATED (2000 ed.).