

NYWBA

NEW YORK WOMEN'S BAR ASSOCIATION

The New York Women's Bar Association
invites you to join us in honoring our special guests

***The Newly Elected, Newly Re-Elected,
and Newly Appointed Judges of
New York County***

at a **Cocktail Reception**

Tuesday, February 5, 2013

6:00 pm to 8:00 pm

The Yale Club, 50 Vanderbilt Avenue, NYC

(at 44th St., across from west
entrance of Grand Central)

Cost: **\$75 Members** (NYWBA & WBASNY) and
\$90 Non-Members (*paid in advance*);
\$100 for all if paid at door (*space permitting*)

Note: **No charge** for NY County Judges who are
newly elected, newly re-elected, or newly
appointed; for Justices of the Appellate Division,
First Dep't; or Judges of the New York Court of
Appeals

RSVP: Space is limited, so RSVP promptly at
www.nywba.org/JudgesReception

**We ask that all judges RSVP, even if they are
honorees, so we can account for all attendees.**

Sponsorship: Law firms, companies and individuals are
invited to make a donation to help support
this event at any of the following sponsor-
ship levels:

Platinum (\$1,000) Gold (\$750) Silver (\$500)

Sponsors will be acknowledged at the event, on
our website, and in the NYWBA Newsletter, and
they will be entitled to: Platinum - three admissions
to the event, Gold - two admissions, Silver / Friend
- one admission. (*Contributions of \$100 or more
are welcome and will be recognized at the
"Friend" level.*)

Info: For questions or info, email Executive Director
Karen Lu at ED@nywba.org or call 212-490-8202.

PRESIDENT'S MESSAGE ***Continuity and Influence***

FEBRUARY 2013



Hon. Jacqueline W.
Silbermann

The NYWBA Nominations Committee has
completed its deliberations and announced the
nominees for NYWBA Officer, Director and
Delegate positions for the coming year. (*See
full report, p. 2.*) I am honored to have been
asked to serve a second term as President,
and I am delighted to be able to serve with such
a distinguished group of Officers and Directors.

The elections will be held at our Annual Meeting in April, which will
be followed by a program on "Making the Most of Your Career"
being organized by Past President Hon. Lisa A. Sokoloff. I am cer-
tain all of the nominees will serve with distinction.

As most of you know, NYWBA is a founding Chapter of the
Women's Bar Association of the State of New York, and by joining
NYWBA every member is automatically also a member of WBAS-
NY. At the end of January, I attended a WBASNY Board meeting
with NYWBA members who serve as delegates on the WBASNY
Board and/or who serve as Chairs or members of WBASNY's
many committees.

(Continued on Page 2)

Announcements & Calendar of Upcoming Events:

- Nominations Report / Notice of Elections - p. 2
 - 2/5 - Judiciary Reception - p. 1
- 2/6 - CLE - "Examination of Forensic Custody Experts" - p.8
 - 2/6 - Women's Leadership Program - p. 10
- 2/7 - CLE "Insurance Issues Raised by Hurricane Sandy" - p. 10
 - 2/7 - Litigation Committee Meeting - p. 3
- 2/12 - WBASNY/Morgan Stanley - Retirement Plans CLE - p. 11
- 2/13 - "Dept of Consumer Affairs' Service of Process Rules" - p. 5
 - 2/21 - "How to Use LinkedIn to Grow your Practice" - p. 8
 - 2/21 - Solo and Small Firms Committee Meeting - p. 3
 - 2/25 - Civil Courts Committee Meeting - p. 3
 - 2/26 - Legislation Committee Meeting - p. 3
 - 2/27 - Programs & Events Committee Meeting - p. 3
- 2/28 - "Use and Benefits of Supplemental/Special Needs Trusts" - p. 9
 - 3/4 & 3/5 - CLE - Domestic Violence Conference - p. 11
- 3/6 - Matrimonial & Family Law Committee Meeting - p. 3
 - 3/14 - CLE - What If Your Client is a Veteran? - p. 7
 - 3/21 - Solo & Small Firms Committee Meeting - p. 3
- 4/14 - WBASNY / Chapters - Family Outing - "Charlotte's Web" - p. 7
 - 6/6 to 6/9 - WBASNY Convention - p. 10
 - Committee News - p. 3

Check www.nywba.org for more Meetings, Programs & Events

NYWBA NOMINATIONS COMMITTEE REPORT

At its January 18, 2013 meeting, the NYWBA Committee on Nominations nominated the following candidates to serve for the terms stated below. The elections will be held at the Association's Annual Membership Meeting in April 2013.

OFFICERS (2013-2014)

President:	Hon. Jacqueline W. Silbermann
Vice Presidents:	Yacine Barry Julie Hyman Jennifer P. Brown
Treasurer:	Deborah G. Rosenthal
Recording Secretary:	Amy B. Goldsmith
Corresponding Secretary:	Virginia A. LoPreto

**BOARD OF DIRECTORS
Class of 2013-2016**

Dawn M. Cardi	Hon. Kelly O'Neill Levy
Felice B. Ekelman	Kathryn E. Salensky
Myra L. Freed	Victoria A. Turchetti
Hon. Judith J. Gische	

Class of 2012-2015 (to fill an unexpired term)
Amy Saltzman

**COMMITTEE ON NOMINATIONS
Class of 2013-2015**

Elizabeth A. Bryson	Myra L. Freed
Jo Ann Douglas	Gretchen Beall Schumann

NYWBA MEMBERS OF WBASNY BOARD (2013-2014)

Yacine Barry	Hon. Betty Weinberg Ellerin
Jennifer P. Brown	Patricia Ann Grant
Elizabeth A. Bryson	Julie Hyman
Dawn M. Cardi	Marjorie Martin
Jo Ann Douglas	Hon. Lisa A. Sokoloff

NOTICE TO MEMBERS – ANNUAL MEETING & ELECTIONS

The Annual Meeting will be held in April 2013.

Article XIV, Section 1 of the By-Laws provides that only members who are in good standing and whose 2011-2012 dues were received by January 31, 2013 may vote at the Annual Meeting.

Article XVII, Section 10 of the By-Laws provides that any fifty members eligible to vote at the Annual Meeting may, by a writing delivered to the Corresponding Secretary not less than forty days prior to the Annual Meeting, propose candidates for officer or director positions to be voted on at the Annual Meeting. Such petition must be sent to Corresponding Secretary Deborah G. Rosenthal, New York Women's Bar Association, The Chrysler Building, 132 East 43rd Street, # 716, New York, New York 10017-4019.

President's Message (Continued from Page 1)

The WBASNY Board and Committee meetings are always informative and compelling. At the January meeting, the WBASNY Board and its Committees reviewed legislation at the state and federal level and voted on positions we will advocate in coming legislative sessions. The state Nominations Committee also interviewed candidates for WBASNY Officer positions. The representatives on that Committee will consult with their Chapters in February, and the names of the final nominees will be published in the NYWBA's March Newsletter.

The most exciting news from the January WBASNY meeting, however, was the announcement that WBASNY's Awards Committee has selected our own NYWBA Past President **Elizabeth A. Bryson** to be the recipient of WBASNY's prestigious **Marilyn Menge Award**, which is presented to a member who has provided extraordinary service to her Chapter and WBASNY. This epitomizes my friend Beth Bryson, who has served as NYWBA President, Officer, and Director; has served as a WBASNY Officer and Director; has chaired numerous NYWBA and WBASNY Committees; and has mentored and supported too many leaders and members of this Association to count. The award will be presented to Beth at the WBASNY Convention in June (*see notice on p. 10*). I hope you will mark your calendars now and plan to join us at Convention, so we can all celebrate when Beth receives this wonderful award.

Speaking of influence, I love opening our Newsletter and noting all of the wonderful CLE programs, events, and meetings offered by our Committees. I truly commend them for their outstanding work.

I hope everyone also recognizes the importance of our sponsors - those who place ads in our Newsletter, who sponsor our events, and whose contributions make it possible for us to do so much. If you see an ad in our Newsletter, or the name of a sponsor at an event or on our website, I hope you will recognize their important role in supporting the NYWBA and will consider using their services in your practice. They deserve our support.

Finally, I look forward to seeing all of you at our Judiciary Reception on February 5!



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401 Broadway, Suite 2001, N.Y.C. 10013
Please contact Sharon @ 212-431-8016
or email betterhelpers@verizon.net.

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COMMITTEE NEWS

• The **Civil Courts Committee** will present a *Civil Court Express Lunch* on **February 13** at 1:00 p.m. "How the Department of Consumer Affairs' "Service of Process Regulations' Affect My Practice" (see announcement p. 5). There will also be a Committee meeting on **February 25** at 5:30 at Ephron-Mandel & Howard, LLP, 299 Broadway, Suite 1615, NYC. Members are invited to attend. Email CivilCourtsChairs@nywba.org for questions or additional info.

• The **Criminal Law Committee** is planning several programs, such as "Jury Selection in Criminal Cases," "The Art of Cross-Examination," "The 'How to' Guide to 440 Motions" and "The Changing Padilla Landscape". Email CrimLawChairs@nywba.org for more info, to join the Committee, or to volunteer to work on programs.

• The **Domestic Violence Committee** & NYWBA are proud sponsors of the **17th Annual Fordham Forum on Domestic Violence** (CLE), on **March 4 & 5** (see announcement, p. 11). This year's forum focuses on national laws and policies, including the Violence Against Women Act, among others.

• The **Elder Law & Disabilities Committee** will present a program on **February 28** on the "Uses and Benefits of Supplemental / Special Needs Trusts" (see announcement p. 9). On **March 14**, the Committee will present a CLE program on "Why Your Client's Status as a Veteran Can Be Important to Your Client and Your Practice" (see announcement, p. 7). Members should consider making an application to practice before the VA as soon as possible, so the CLE credits earned at the March program will count towards VA accreditation. More info is available in the notice on p.7 of this Newsletter and in an article in the January Newsletter (p. 11) by Elder Law and Disabilities Co-Chair Antonia Martinez. Planning is also underway for a CLE program on **April 18** on "The Basics of Medicaid Planning." Email ElderLawChairs@nywba.org for details on these events or the Committee.

• The **Legislation Committee** will meet on **February 26** at 6:00 p.m. at the Law Office of Amy Saltzman, 114 West 47th Street, 19th floor (btw 6th and 7th), NYC. The Committee will review pending state and federal legislation and make recommendations to the Board and the WBASNY Legislative Committee on policy and legislative initiatives. The committee thanks Amy Saltzman for hosting. RSVP - Legislation@nywba.org.

• The **Litigation Committee** will meet on **February 7** at 6:30 p.m. The Committee will discuss plans for programs, events and activities in 2013. Email LitigationChairs@nywba.org for details, location and to RSVP.

• The **Matrimonial and Family Law Committee** holds meetings on the first Wednesday of each month at 6:00 p.m. at Blank Rome, LLP, 405 Lexington, NYC (at 42nd St.). RSVP - MFRsvp@nywba.org. On **February 6**, the committee will present a CLE on the "Examination of the Custody Forensic Expert as Attorney for the Child" (see announcement, p. 8). Other programs are being planned for **March 6** (on interim stays and appeals before the Appellate Division), **April 3** (on preparing and defending support cases before the Family Court), **May 1** (joint program with New York City Bar on navigating special needs issues for children in divorce cases), and **June 5** (common problems in post-judgment proceedings and how attorneys can draft agreements to avoid them).

• The **Programs & Events Committee** will meet on **February 27** and **April 17** at 6:00 p.m. to make plans for 2013 events. The February

WELCOME NEW MEMBERS

Nida M. Alvi
Carla A. Barone
Jennifer L. Del Medico
Alice Reiter Feld
Naomi Friedland-Wechsler
Misty W. Hardison
Helaine Hausner
Eve F. Helitzer
Mickheila N. Jasmin

Lydia A. Keaney
Stacy Nettleton
Rosaline Rosenfeld
Valentina Shenderovich
Mikael S. Shterman
Joanna S. Smith
Vivian C. Sobers
Yves-Merry Telemaque
Regina Valdes Montalva

SUSTAINING MEMBERS

With their generous contributions, our sustaining members make it possible for us to accomplish so much more. We honor and thank them for their support.

Susan L. Bender
Peter D. Morris
Donna M. Praiss

Karen B. Rosenthal
Barbara A. Ryan
Ellen R. Werther

NOTES ON MEMBERS

Has something noteworthy happened to you or another member? Send your news to Newsletter@nywba.org.

Congratulations to Immigration Committee Co-Chair **Vanesa I. Pagán** and her husband Hussein Allibhai on the birth of their daughter, Keila Isabel Allibhai, on November 17, 2012. Best wishes to the whole family.

NYWBA is saddened to report the passing of member **Philip Sherwood ("Woody") Greenhaus**, who was a family law practitioner and long-time member of the NYWBA and its Matrimonial and Family Law Committee. A memorial service is being planned, and details will be available on the NYWBA website shortly.

NYWBA expresses condolences to member and NYWBA Foundation Past President **Katherine B. Posner** and her family on the passing of Ms. Posner's mother, Mary Jewell Burks, at age 80 in Louisiana. Mrs. Burks was great reader and supporter of the Jefferson Davis Parish Library BookMobile, which serves rural Louisiana communities and the housebound elderly. Donations may be made to the Library at 118 West Plaquemine St., Jennings, Louisiana 70546. Condolences may be sent to Ms. Posner at Condon & Forsyth LLP, 7 Times Square, 18th Floor, New York, NY 10036-6524.

meeting will be at the Law Offices of Jennifer Brown, 570 Lexington Avenue (btw 50th & 51st), Suite 1600, NYC. RSVP - Events@nywba.org.

• The **Solo and Small Firm Practice Committee** will meet on **February 21** at 6:30 p.m. at Foley & Lardner LLP, 90 Park Avenue, NYC. The meeting will feature speaker **Vikram Rajan**, co-founder of Phoneblogger.net, who will speak on "How to Use LinkedIn to Grow Your Practice" (see notice p. 8). The Committee will also meet on **March 21** at 8:30 A.M. For details & RSVP - SSFChairs@nywba.org.

• The **Working Parents Committee** meeting that was to be held on January 16 at 12:30 p.m. was canceled due to the weather. Contact the Chairs at WPChairs@nywba.org for the rescheduled date. At the next meeting, members will discuss topics of interest and make plans for 2013.

New York County's Innovative Response to Intimate Partner Sexual Assault By Anna Ulrich

In 2010, the New York County Supreme Court - in collaboration with The Center for Court Innovation, Safe Horizon¹, the Crime Victim Treatment Center at St. Luke's-Roosevelt Hospital, and the New York County District Attorney's Office - began planning for the creation of a new Intimate Partner Sexual Assault ("IPSA") Court in Manhattan. The first of its kind in New York State, this new specialized IPSA Court would focus exclusively on felony and misdemeanor criminal cases involving sexual assault perpetrated by intimate partners: spouses, ex-spouses, dating partners, former dating partners, co-parents, and partners living together.

Specialized domestic violence and integrated domestic violence courts have long existed in New York City, but there has never been a dedicated court similar to IPSA. The need for this special court is due to systemic misunderstandings about the dynamics underlying both domestic violence and sexual assault. As survivors of domestic violence and sexual assault, victims of intimate partner sexual assault often experience a *dual* stigma and accompanying barriers to disclosing, accessing, and navigating the system. Moreover, historic bifurcation of domestic violence and sexual assault services has sometimes forced victims of intimate partner sexual assault to choose between their experience as a victim of domestic violence and their experience as a victim of sexual assault. Finally, many court-mandated batterer intervention programs have not historically addressed the topic of intimate partner sexual abuse in their curricula, and many sex offender treatment programs make no distinction between their treatment of sex offending within the context of intimate partner relationships and their treatment of sex offending in other contexts, such as sexual assault by strangers.

The New York County Supreme Court and stakeholders recognized a need for a holistic and integrated response to intimate partner sexual assault, due to the substantial correlation between physical and sexual violence perpetration within intimate partner relationships. Forty-five to seventy-five percent of women who are physically abused by an intimate partner have also been sexually abused by their partner,² and at least thirty percent of all sexual assaults are perpetrated by intimate partners.³ More specifically, a 2010 survey by the Centers for Disease Control and Prevention ("CDC") indicates that *more than half* (51.1%) of female victims of rape and *three quarters* (75.4%) of female victims of sexual coercion were victimized by a current or former intimate partner.⁴ These statistics, along with research correlating IPSA victimization and domestic violence homicide perpetration,⁵ indicated to the IPSA Court planning team that a dedicated court response to intimate partner sexual assault could provide not only necessary holistic services for victims, but could also assist in helping to prevent life-threatening consequences.

Building on lessons learned from the many specialized domestic violence courts across New York State, the IPSA Court operates as an enhancement to New York County's existing specialized domestic violence court. Judge Tandra L. Dawson - the Presiding Judge for Manhattan's existing specialized Domestic Violence Court - presides over the new IPSA Court, which is located at 100 Centre Street in downtown Manhattan. The aim of the new court, which began to screen for eligible misdemeanor and felony cases in May 2012, is to extend the full benefits of the specialized domestic violence court model to victims of intimate partner sexual assault in criminal cases. Over the past six months, the IPSA Court Planning Team has already begun to see the benefits of a specialized IPSA Court for victims and stakeholders. Through the formation of strong relationships with community-based domestic violence and sexual assault victim service agencies like Safe Horizon and St. Luke's-Roosevelt Crime Victim Treatment Center, coordination of services facilitated by a dedicated IPSA

Resource Coordinator, and enhanced judicial monitoring by Judge Dawson, the IPSA Court provides enhanced victim services and increased offender accountability.

There have also been challenges. The historic separation of domestic violence and sexual assault cases within the criminal justice system, as well as severe under-reporting in *both* types of cases, continues to present challenges for prosecutors, court staff, and advocates, particularly in the area of case identification. The IPSA Court Planning Team continues to meet frequently, however, to respond to these challenges and to evaluate and improve the accuracy and appropriateness of IPSA case identification.

The goal of the new Intimate Partner Sexual Assault Court is to improve the way the criminal justice system responds to victims of intimate partner sexual assault. Through the creation of this specialized court, it is our hope that New York County will gain a clearer understanding about what is happening in cases involving intimate partner sexual assault and will demonstrate for specialized domestic violence courts throughout the country how to better support victims, improve victim safety, and hold offenders accountable in these difficult cases.

Anna Ulrich, Esq. is the Court Enhancement Coordinator for the Intimate Partner Sexual Assault Court. She is employed by the Center for Court Innovation and works in the IPSA Court at 100 Centre Street in Manhattan.

Endnotes:

¹ Safe Horizon is a New York City-based victim assistance agency that provides support, prevents violence, and promotes justice for victims of crime and abuse, their families and communities (www.safehorizon.org).

² Campbell, J.C., Kub, J., Belknap, R., & Templin, T.N., *Predictors of Depression in Battered Women*. Violence Against Women 3(3), 271-293 (1997). See also, McCloskey, L.A., Treviso, M., Scionti, T., & dal Pozzo, G., *A Comparative Study of Battered Women and Their Children in Italy and the United States*, Journal of Family Violence, 17(1), 53-74 (2002).

³ Mahoney, P. & Williams, L.M., *Prevalence, Incidence, and Consequences of Violence against Women: Findings from the National Violence Against Women Survey*, Washington, D.C., National Institute of Justice (1998).

⁴ Black, M.C., Basile, K.C., Breiding, M.J., Smith, S.G., Walters, M.L., Merrick, M.T., Chen, J., & Stevens, M.R., *The National Intimate Partner and Sexual Violence Survey (NISVS): 2010 Summary Report*, Atlanta, GA, National Center for Injury Prevention and Control, Centers for Disease Control and Prevention, 21-22 (2011). "Sexual coercion" is defined as unwanted sexual penetration that occurs after a person is pressured in a nonphysical way. In NISVS, sexual coercion refers to unwanted vaginal, oral, or anal sex after being pressured in ways that included being worn down by someone who repeatedly asked for sex or showed they were unhappy; feeling pressured by being lied to, being told promises that were untrue, having someone threaten to end a relationship or spread rumors; and sexual pressure due to someone using their influence or authority.

⁵ Campbell, J.C., Webster, D., Koziol-McLain, J., Block, C.R., Campbell, D., Curry, M., Gary, F., McFarlane, J., Sachs, C., Sharps, P., Ulrich, Y., & Wilt, S.A. (2003). *Assessing Risk Factors for Intimate Partner Homicide*, National Institutes of Justice Journal, 250, 14-19.



Civility in Civil Court Practice - An Update on the Rules of Civility & Tips for Dealing with an Uncivil Adversary

By Julie Devine Gartin

On January 16, 2013, the NYWBA Civil Courts Committee hosted the third event in its **Civil Court Express Lunch Series**. The topic of this month's event was "**Civility in Civil Court Practice**" and featured distinguished speakers **Hon. Betty Weinberg Ellerin**, past president of the New York Women's Bar Association, Senior Counsel at Alston & Bird LLP, and current Vice Chair of the Advisory Committee on Judicial Ethics; and **Vincent Syracuse, Esq.**, founder and chair of the litigation department of Tannenbaum Helpert Syracuse & Hirschtritt LLP and chair of the New York State Bar Association's program on ethics and civility in litigation.

Justice Ellerin opened the program by discussing the Standards of Civility, aspirational guidelines that set forth principles of behavior for the bar, the bench and court employees. Justice Ellerin emphasized the vast benefits of civil behavior in litigation, including fostering working relationships with adversaries, promoting efficiency in litigation, and maintaining one's own credibility before the court and with colleagues.

Mr. Syracuse then discussed various strategies that can be used to effectively handle an uncivil adversary. Whether the adversary's offending behavior is to continuously interrupt during a deposition or sending hostile e-mails, Mr. Syracuse stressed the importance of not escalating the situation by responding in kind, while at the same time creating a record of the behavior, so that appropriate action can be taken if the improper conduct continues.

Questions and comments from the audience were met with experienced advice from members of the bench and the bar in attendance. Two NYWBA Directors, **Hon. Sherry K. Heitler**, New York County Supreme Court Justice and Administrative Judge for Civil Matters for the 1st Judicial District, and **Hon. Phyllis Gangel-Jacob**, retired New York County Supreme Court Justice and current Judicial Hearing Officer for the New York County Supreme Court, offered further insight on the benefits of civility in the courtroom based on their experience on the bench and in practice. **Hon. Andrea Masley**, Judge of the Civil Court and Co-Chair of the NYWBA Civil Courts Committee, posed questions for the panel and offered advice on dealing with an uncivil adversaries. Questions from attorneys who regularly practice in the Civil Courts, including New York County Housing Court, reinforced the importance of an ongoing dialogue on this topic.

The Civil Courts Committee sincerely thanks Justice Ellerin, Mr. Syracuse and all of the attendees for their participation. The next Civil Court Express Lunch Series event will be held on February 13, 2013. (See announcement at right for details.)

Julie Devine Gartin is a member of the Civil Courts Committee and an associate at Ephron-Mandel & Howard, L.L.P.



Standing: NYWBA Civil Courts Committee Co-Chairs **Melissa Ephron-Mandel**, **Hon. Andrea Masley**, and **Meryl H. Waxman**;
Seated: Speakers **Vincent Syracuse** and **Hon. Betty Weinberg Ellerin**

New York Civil Court Express Lunch Series

"How Do the Department of Consumer Affairs' 'Service of Process' Regulations Affect My Practice?"

featuring distinguished speakers from the
New York City Department of Consumer Affairs

- Date:** Wednesday, February 13, 2013
Time: 1:00-2:00 p.m.
Place: New York Civil Courthouse
 111 Centre St., 12th Floor Boardroom, NYC
(Attendees must enter via White Street Entrance)
Cost: Complimentary for Women's Bar Members
 \$20 for Non-Members & Guests
(A light lunch is included with the program)
RSVP: CivilCourtsChairs@nywba.org

Due to space limitations, advance registration is required.

~ NOTICE TO MEMBERS ~

Online Access to "Members Only" Sections of NYWBA Website

An email was sent recently to all current members providing the new password for access to the "members only" areas of the NYWBA website. If you are not yet a member for 2012-2013, please join or renew as soon as possible at our secure online membership form at www.nywba.org/membership. If you are a current member but did not receive the recent email, contact Executive Director, Karen Lu (ED@nywba.org) to get the new password or to inquire about your membership status.

Caring for Aging Parents: Don't Wing It

By Michael B. Salmon

As the boomers and their parents age, more and more family members are managing eldercare responsibilities. The emotional, physical and financial demands of caring for aging parents can be extensive. What's more, the healthcare needs of aging parents can become overwhelmingly expensive - and may include costs that affect their family members in ways that aren't immediately apparent.

Healthcare and finances aren't easy topics for many families to broach. In fact, research from the *Money Across Generations ISM* study shows that 36 percent of boomers' parents feel that healthcare discussions with their family members are likely or very likely to create tension or spark an argument.¹

Having a long-term road map and a savings plan in place can help you care for your parents in the way they desire while enabling you to continue working towards your financial goals. This can be helpful in making informed short-term decisions, especially when there are unexpected expenses and emotions involved.

To get started:

- **Talk about finances now.** While it may be uncomfortable for your parents to discuss their finances with you, it's essential that you are familiar with their financial strategy and resources. This includes knowing what type of medical, disability and long-term care insurance they have and what those policies cover. Use this information - along with if and how much you're willing to help from your own funds - to evaluate which healthcare options are realistically within reach when medical needs arise.
- **Create a contact list.** Medical emergencies and sudden changes in a person's health can happen as parents age. Because you may eventually need access to your parents' bank accounts and other financial resources on short notice, make sure they've compiled a list of account numbers, computer login names and passwords, and the names, addresses and phone numbers of the professionals they work with. In addition to knowing the location of the list, you'll also need to know the location of important financial and legal documents and lockbox keys.
- **Identify current healthcare costs and needs.** Become familiar with the medical and pharmaceutical costs that your parent(s) currently incur and determine if there are ways to reduce these expenses. For example, you or your parents may consider moving from a name brand to a generic prescription or, instead of filling prescriptions at your local pharmacy, ordering a long-term supply from a mail-order provider.
- **Build a support network.** Talk with siblings or other family members, neighbors and industry professionals to determine who can help you care for your aging parents - and in what capacity and at what cost. Proactively establishing a support network can help you avoid a strain on your time and energy down the road.
- **Anticipate future lifestyle changes and challenges.** Even if they aren't yet needed, explore the costs of in-home, senior apartment, assisted living and memory care housing and services, as well as the costs of having a parent live with you. This includes determining whether your home would need to be modified to provide additional space or comforts, such as wheelchair access. Understanding these costs ahead of time can help you identify what you and your parents can afford and will give you time to consider the pros and cons of each option.

- **Become familiar with assistance programs.** Your parents may qualify for government programs, supplements or services. Visit the government hosted benefits site - www.govbenefits.gov - for information. Also, your county or city has a federally mandated "Area Agency on Aging," staffed by professionals who can provide you with information about elder programs and services in your area.
- **Keep your retirement goals in mind.** Continue to manage your budget and save for your future. Be mindful that leaving the workforce even temporarily, may seem tempting - and in some cases may be necessary - but exiting and re-entering affects your immediate income and can impact your ability maintain your earning power. What's more, it can impact your ability to take advantage of an employer-sponsored retirement plan. Consider these factors when you evaluate the total costs of any option.
- **Know your rights at work.** The Federal Family and Medical Leave Act of 1993 (FMLA) allows covered employees up to 12 weeks of unpaid leave to provide care for a family member with a serious health condition.² If you are caring for a parent, inform your Human Resources department about your situation to take advantage of this legal protection, if relevant, and create a workable plan within your company's policies.

Thinking about caring for an ill or aging parent isn't always easy to do, but creating a plan now can save you headaches down the road when new circumstances may suddenly arise as your parents age. Consider working with a financial advisor who can help you plan for unexpected expenses and prepare for the costs of healthcare during your own retirement.

Endnotes:

¹ The *Money Across Generations ISM* study was commissioned by Ameriprise Financial, Inc. It was conducted by telephone by GfK in December 2011 among 1,006 affluent baby boomers (those with \$100,000 or more in investable assets); 300 parents of baby boomers; and 300 children of baby boomers at least 18 years old. The margin of error is +/- three percentage points for the affluent boomers segment and +/- six percentage points for the parents and children of boomers segments.

² United States Department of Labor, Wage and Hour Division, Family and Medical Leave Act <http://www.dol.gov/whd/fmla/>.



Michael Salmon is a Senior Financial Advisor with Ameriprise Financial, specializing in Financial Planning, Investment Portfolio Management, Retirement Planning Strategies, Estate Planning Strategies, and Saving for Education. He is an active public speaker and financial columnist. He is licensed and registered to conduct business in NY. Based on licenses and registrations he holds, he may also conduct business in MI, MA, OR, FL, PA, NM, NC, CA, RI, CT, KY, NJ, and LA. You can reach him at 646-964-9470 or michael.b.salmon@ampf.com.

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**NYWBA's Elder Law and Disabilities Committee
Presents a CLE Program**

***"Why Your Client's Status as a Veteran is
Important to Your Client & Practice"***

featuring

Felicia Pasculli, Esq., Certified Elder Law Attorney

Asking clients "Are you or your spouse a veteran?" can help you identify clients and family members who may be entitled to receive important veterans' benefits, such as prescription drugs, medical coverage, pension benefits, and burial rights, to name a few.

At this CLE program, Felicia Pasculli, Esq., an elder law practitioner and expert on veteran's benefits, will share her expertise and discuss eligibility guidelines for veterans' benefits and other information you can use to enhance your practice and qualify you to be accredited to practice before the Veteran's Administration.

For additional information how you can become certified to practice before the Veterans Administration and use this CLE program to meet your VA CLE requirements, see the announcement at right, or the article on p. 11 of the January Newsletter (www.nywba.org/members).

- Date:** Thursday, March 14, 2013
- Time:** 6:00 p.m. to 9:00 p.m.
- Place:** Tarter Krinsky & Drogin LLP
1350 Broadway (btw 35th and 36th), NYC
Host: Amy Goldsmith
- Cost:** Free for NYWBA/WBASNY Members*
(\$50 for non-members)** (The Committee thanks NYWBA for helping to underwrite this program.)
- CLE:** 3.0 MCLE Credits*** (Accreditation pending)
- RSVP:** ElderLawChairsRSVP@nywba.org

Due to space limitations, advance registration is required.

* **Membership:** If you are not a current member, it's easy to join or renew using our secure online membership form at www.nywba.org/Membership.

** **Financial Hardship Scholarships:** Full and partial scholarships are available based on financial need. For info, contact Amy B. Goldsmith, CLE Chair (CLE@nywba.org). All requests are confidential.

*** **CLE:** NYWBA is a chapter of the Women's Bar Association of the State of New York, an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established attorneys and as transitional credit hours for newly admitted attorneys.

NYWBA wishes to acknowledge the generous gift from

***FOUNDER AND PAST PRESIDENT
HON. FLORENCE PERLOW SHIENTAG (1908-2009)***

Her financial bequest has helped to underwrite the cost of this newsletter and several CLE programs mentioned herein.

Expand Your Practice!
**Apply to Represent Clients before
the VA, and Use NYWBA's March 14 CLE
to Meet VA CLE Requirements!**

As noted in Elder Law & Disabilities Committee Co-Chair Antonia Martinez's article on page 11 of the January Newsletter (www.nywba.org/members), veterans are often entitled to different rights and benefits than non-veterans. Some of those rights can be asserted in court proceedings, but others must be adjudicated before the Veterans Administration (VA).

Attorney Certification - Attorneys must be certified to practice before the VA. (See application instructions, below).

VA CLE Requirements - Lawyers seeking certification must have attended at least three CLE hours on veterans' rights and benefits.

NYWBA CLE on Veterans Benefits - On March 14, NYWBA will present a 3-credit CLE program that qualifies participants for VA accreditation. (See announcement, at left.)

VA Attorney Practice Application Procedure -

- Go to www.va.gov, click on "About VA", then "Organizations," then "General Counsel," and select "Accreditation." Complete VA Form 21a, and respond to all questions, including providing references.
- Email a PDF of completed form to ogcaccrreditationmailbox@va.gov, fax it to 202-495-5457, or mail it to U.S. Veterans Administration, Office of General Counsel (022D), 810 Vermont Ave., NW, Washington, DC 20420.
- Initial accreditation takes about 30 days. Notice of approval (or rejection) is sent in writing, with an accreditation number. To verify you are correctly listed go to www.va.gov/ogc/apps/accreditation/index.html.
- You need 3.0 total CLE credits from coursework relating to veterans' benefits to complete accreditation.
- To have CLE credits earned at the NYWBA's **March 14 CLE program on Veterans' Benefits** count toward your VA CLE accreditation, you must apply for VA certification in advance (at least a month before the program). Therefore, you should submit your application to the VA as soon as possible, and no later than early to mid-February.

Attention Parents - Save the Date!

**Children's Theatre Event & Lunch
A Chance to Play and Network!**

"CHARLOTTE'S WEB"

- Date:** Sunday, April 14, 2013
- Time:** Noon to 3:00 p.m. (*show starts at 1:00 p.m.*)
- Place:** Queens Theatre in the Park
Flushing Meadow Park, Queens
- Cost:** \$12.00 per person for Theatre Tickets
\$15.00 per family for pizza & beverages
before the show (*lunch starts at noon*)
Free on-site parking available
- RSVP:** JFlug@wbasny.org

Hosted by:

Women's Bar Association of the State of New York,
New York Women's Bar Association, Bronx Women's Bar Association,
Brooklyn Women's Bar Association, Queens County Women's Bar
Association, Westchester Women's Bar Association

NYWBA Matrimonial & Family Law Committee CLE Program
"Crafting an Examination of the Custody Forensic Expert as the Attorney for the Child"

This CLE program will feature speakers *Susan Bender, Esq.*, distinguished matrimonial & family law attorney and partner at Bender Rosenthal Isaacs & Richter LLP, and *Hon. Debra Kaplan*, Justice of the Supreme Court, New York County. Planning for this program is underway and additional details will be available soon.

- Date:** Wednesday, February 6, 2013
- Time:** 6:00 p.m. (*No one will be admitted after 6:30 p.m.*)
- Place:** Blank Rome LLP, 405 Lexington Avenue
The Chrysler Building at 42nd Street, NYC
- CLE:** 2.0 Credits* (*accreditation pending*)
- Cost:** Free for members**
(*You must be a member to attend*)
- RSVP:** MFrsvp@nywba.org (*Due to space limitations, advance registration is required.*)

The Committee thanks Blank Rome LLP for hosting.

* CLE: NYWBA is a chapter of the Women's Bar Association of the State of New York, an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established attorneys and as transitional credit hours for newly admitted attorneys.

** Membership: If you are not a current member, it's easy to join or renew using our secure online membership form at www.nywba.org/Membership.

NYWBA Solo and Small Firms Committee

presents

"How to Use LinkedIn to Grow Your Practice"

featuring distinguished speaker

Vikram Rajan

Co-Founder of Phoneblogger.net

This program will provide members with tips and strategies for using LinkedIn and other social media tools to expand your practice. Speaker **Vikram Rajan** is the author of the book *365 Personal Brand Marketing Thumb-Rules*, a co-founder of Phoneblogger.net, and a frequent speaker on the topic of branding and marketing for attorneys. Bring your questions!

Prior to the program, there will also be time for networking and discussion among Committee members and guests. *Space is limited, so register ASAP!*

- Date:** Thursday, February 21, 2013
- Time:** 5:00 p.m. to 6:30 p.m.
- Place:** **Foley & Lardner LLP**, 90 Park Avenue, NYC
- Cost:** No Charge for NYWBA members
Light refreshments will be served.
- RSVP:** Email SSFChairs@nywba.org
(RSVPs required for building security)

The Committee thanks Foley & Lardner LLP for hosting.

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Reinvigorated NYWBA Legislation Committee Supports State and Federal Legislative Initiatives

By *Elba Galvan, Judith Rifkin and Elizabeth A. Bryson*

Under the leadership of NYWBA Vice President and long-time Board member **Amy Saltzman**, the Legislation Committee has been revitalized and is actively involved in reviewing and commenting on proposed legislation and policy initiatives at the state and federal level. **Elba Galvan** and NYWBA Board member **Dawn M. Cardi** are Co-Chairs of this Committee with Ms. Saltzman.

Under the By-Laws of the Women's Bar Association of the State of New York (WBASNY), all statewide and federal issues are the province of WBASNY, but each of the 18 WBASNY Chapters across New York State, including NYWBA, have the opportunity to be heard on all issues.

On January 8, 2013, the Committee met to review and discuss legislative initiatives on a wide range of issues, including gun control; comprehensive immigration reform; the New York Dream Act; protection for sex trafficking victims; raising the minimum wage; legalizing medical marijuana; reproductive rights; and modifications to juvenile criminal justice, including safeguards during interrogations.

The NYWBA Committee presented its recommendations on these and other issues during the WBASNY Legislation Committee meeting on Saturday, January 26, 2013. The WBASNY Committee, with representatives from across the State, then made recommendations to the WBASNY Board, which met on the same day. The Women's Bar, through WBASNY, has a strong voice in the New York Legislature, and we are heard on federal legislation and policy matters.

If you are interested in joining this Committee, the next meeting will be on Tuesday, **February 26, 2013** at 6:00 p.m. at the Law Office of Amy Saltzman, 114 West 47th Street, 19th floor (between Sixth & Seventh Avenues), NYC. Send your RSVP to Legislation@nywba.org.

Elba Galvan is Law Clerk for Hon. Analisa Torres, Justice of the New York Supreme Court. *Judith Rifkin* is Court Attorney for Hon. Lisa A. Sokoloff, a newly-elected Judge of the New York Civil Court and a NYWBA Past President. Ms. Galvan and Ms. Rifkin are members of the NYWBA Legislation Committee and, with Committee Co-Chair **Amy Saltzman**, are delegates to the WBASNY Legislation Committee. **Elizabeth A. Bryson** is a litigator and appellate attorney in Manhattan. She is a Director and past Officer of WBASNY, a Director and Past President of NYWBA, and currently serves as Co-Chair of the WBASNY Amicus Curiae and By-Laws Committees and the NYWBA By-Laws, Membership and Website Committees.

NYWBA Elder Law & Disabilities Committee and Trusts & Estates Committee present:

"Use and Benefits of Supplemental / Special Needs Trusts"

featuring distinguished speaker

Jay Sangerman, Esq.

Distinguished Guardianship and Trusts & Estates Practitioner

Jay J. Sangerman is renowned for his expertise in the development of supplemental / special needs trusts in medical malpractice cases, personal injury matters, and for estate planning and other situations. At this program, he will discuss circumstances where a supplemental / special needs trust is appropriate, as well as critical elements needed to plan for the placement of settlement proceeds, addressing case settlement issues, and key document preparation, including infant compromise orders, parents affidavits and attorney affirmations. Mr. Sangerman's expertise also includes guardianship and Medicaid planning as they relate to case settlement, as well as general estate planning and administration.

Date: Thursday, February 28, 2013

Time: 6:00 to 7:30 p.m.

Place: TBA (check website for details)

CLE: 1.5 CLE Credits* (Accreditation pending)

Cost: No Charge for Women's Bar Members

\$50 for Non-Members & Guests

Light refreshments will be served.

RSVP: Members and non-members should register at ElderLawRSVP@nywba.org. Non-members should send payments by check to NYWBA, 132 East 43rd Street, #716, The Chrysler Building, New York, NY 10017-4019, & mark "Sangerman CLE" in memo field.

Due to space limitations, advance registration is required.

The Committee thanks the NYWBA Board and the Hon. Florence Perlow Shientag Bequest for helping to underwrite this program.

***CLE:** New York Women's Bar Association is a chapter of the Women's Bar Association of the State of New York, an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for established attorneys and as transitional credit hours for newly admitted attorneys.

****Membership:** If you are not a current member, go to www.nywba.org/membership to join or renew.

*****Financial Hardship Scholarships:** Full and partial scholarships are available based on financial need. For info, contact CLE Chair Amy B. Goldsmith (agoldsmith@tarterkrinsky.com). All requests are confidential.

Check out job postings on the NYWBA website:
http://new.nywba.org/job_postings/.

To post a job opening, please contact info@nywba.org.



CLE Program

"Hurricane Sandy: Insurance Coverage Disputes and Regulatory Issues"

presented by
NYCLA Insurance Committee and
Nelson, Levine de Luca & Hamilton

Insurance Companies have been impacted by hundreds of thousands of claims arising from Superstorm Sandy, all of which have to be reviewed and adjusted, and some of which will result in disputes between insurers and policyholders. In addition to policy requirements, regulatory changes imposed in Sandy's wake significantly impact this process.

The program includes presentations by three insurance industry experts on key issues relating to the storm and its impact on the insurance industry and policyholders, and an insurance company executive who will speak to the effect of the storm on an insurer.

Program Chair - Norma Levy

Nelson, Levine, de Luca & Hamilton
Chair, NYCLA's Insurance Law Committee

Moderator

William O. Krekstein

Partner, Nelson, Levine de Luca & Hamilton

Panelists

Steven Nassi

Partner, Nelson, Levine de Luca & Hamilton

Thomas Olson

Senior Vice President AIG

Jeffrey Schulman

Partner, Dickstein Shapiro LLP

James Veach

Partner, Mound Cotton Wollan & Greengrass

Date: Thursday, February 7, 2013

Time: 6:00 p.m. to 8:00 p.m.

Place: NYCLA, 14 Vesey Street (between Broadway and Church), 2nd Floor Auditorium, NYC

CLE: 2.0 MCLE Credits

Cost: \$75 - NYCLA & NYWBA members

\$100 - Non-members \$100

NOTE: NYWBA members must register by phone (212-267-6646, ext. 215) to get the member rate - *do not register online.*



The Puerto Rican Bar Association Women's Committee and The New York Women's Bar Association

present

"Women's Leadership: Keys to Rebranding Yourself for the New Year"

featuring distinguished speakers

Hon. Melissa Mark-Viverito

Council Member, District 8, Manhattan

Hon. Margarita Lopez-Torres

Surrogate Court Judge, Kings County

Lorraine Cortes-Vasquez

Executive Vice President of Multicultural Markets and Engagement, AARP

Rossana Rosado

Publisher & CEO, *El Diario*

Rebrand yourself in 2013. Define your destination. Take control of your personal brand and leverage what is unique about you. Exceed the expectations of others, while managing your personal life. Exercise your options for more flexibility and support. Prioritize what's important. Understand your passions, values, weaknesses and goals. Please bring your questions!

Date: Wednesday, February 6, 2013

Time: 5:30 to 7:30 p.m.

Place: *El Diario*, 1 Metro Tech Center, Brooklyn

Cost: No Charge for PRBA / NYWBA members

Light refreshments will be served.

RSVP: Email rsvp@prba.net by Feb. 4

Save the Date!

WBASNY CONVENTION Philadelphia ~ June 6-9, 2013

The WBASNY Annual Convention is a great opportunity for Women's Bar members across the state to meet and mingle, to attend cutting-edge CLEs, and to celebrate as WBASNY presents its prestigious awards and installs its officers for the coming year.

NYWBA Member to Receive Award at WBASNY Convention

On January 26, 2013 the WBASNY Awards Committee voted to present its Marilyn Menge Award for extraordinary service to the Women's Bar, to a long-time NYWBA member:

Elizabeth A. Bryson

Beth is a past NYWBA President, a past WBASNY Officer, and has chaired many NYWBA and WBASNY committees. Look for more info on Convention, this award, and other WBASNY developments in the next Newsletter. We hope you will join us in Philadelphia in June. As past attendees can attest, Conventions are great fun!

WBASNY and MORGAN STANLEY CLE PROGRAM

"ERISA and RETIREMENT PLANNING"

presented by

WBASNY's Preferred Provider for Corporate Retirement Solutions:
The Napolitano Group at Morgan Stanley

The Napolitano Group has been recognized as one of the nation's "top 100 advisers for 2012."** They offer you and your firm industry knowledge on a wide range of investment and retirement planning issues, including: Why there has been such a dramatic increase in retirement plan litigation, and why litigation against plan sponsors will continue to increase.

Featured Speaker:

Ary Rosenbaum, Esq.
Rosenbaum Law Firm P.C.

Mr. Rosenbaum is an ERISA/retirement plan attorney and has been quoted as an expert in retirement plans in Long Island Business News, PlanSponsor.com, DailyFinance.com, American Express Open Forum, Marketwatch.com, Pittsburgh Post-Gazette, the Wall Street Journal, and FiduciaryNews.com, among other publications.

- Date:** Tuesday, February 12, 2013
- Time:** 5:00 to 8:00 p.m.
5:00 to 6:00 p.m. - Networking and Dinner
6:00 to 7:30 p.m. - ERISA CLE Presentation
- Place:** Morgan Stanley, 750 Seventh Avenue, NYC
(between 49th & 50th Streets; Conf. Room 5M)
- Cost:** Complimentary
(Open to members and non-members at no charge.)
- CLE:** 1.5 CLE Credits**
- RSVP:** For details and to register, contact Donald Stegall, Financial Advisor, Morgan Stanley (201-712-4057 or donald.stegall@mssb.com).

* Morgan Stanley Smith Barney LLC, member SIPC - Source: PLANSPONSOR Magazine, February 2012, "PLANADVISER's 2012 Top 100 Retirement Plan Advisers." PLANSPONSOR /PLANADVISER magazines base their rankings on quantitative and qualitative criteria. For more information on ranking methodology, go to www.planadviser.com/Magazine/Article.aspx?id=16840. The rating may not be representative of any one client's experience because it reflects a sample of all of the experiences of the Financial Advisor's clients. The rating is not indicative of the Financial Advisor's future performance. Neither Morgan Stanley Smith Barney nor its Financial Advisors pay a fee to Plan Sponsor / Plan Adviser in exchange for the rating. Tax laws are complex and subject to change. Morgan Stanley Smith Barney LLC, its affiliates and Morgan Stanley Smith Barney Financial Advisors do not provide tax or legal advice and are not "fiduciaries" (under ERISA, the Internal Revenue Code or otherwise) with respect to the services or activities described herein except as otherwise agreed to in writing by Morgan Stanley Smith Barney. This material was not intended or written to be used for the purpose of avoiding tax penalties that may be imposed on the taxpayer. Individuals are urged to consult their tax or legal advisors before establishing a retirement plan and to understand the tax, ERISA and related consequences of any investments made under such plan.

** CLE: Morgan Stanley is an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established attorneys and as transitional credit hours for newly admitted attorneys.

NYWBA and its Domestic Violence Committee are proud sponsors of

The 17th Annual Fordham Forum on Domestic Violence (CLE Program)

"Beyond the Big Apple - Responding to National Laws and Policies"

Monday & Tuesday, March 4 & 5, 2013
9:00 a.m. to 5:00 p.m. (12 CLE Credits)

Fordham University School of Law
140 West 62nd Street, NYC
(between Columbus & Amsterdam Avenues)

Keynote Speaker

Honorable Susan B. Carbon
Justice of the New Hampshire Circuit Court
(Former Director, Office of Violence Against Women, United States Department of Justice)

Topics will include the Violence Against Women Act, Defense of Marriage Act, Americans with Disabilities Act, Technology, and New Community Responses, among many other issues.

Cost: **\$165** - Full conference (both days)
\$110 - One conference day

CLE: This program is appropriate for newly admitted and experienced attorneys and is approved for up to 12 transitional and non-transitional credit hours. Fordham's financial aid policy for accredited CLE programs applies.

RSVP: For details and to register, go to the NYWBA website at http://www.nywba.org/calendar/calendar.cgi?month=3&year=2013&view=Event&event_id=666.

NYWBA Membership Information

We thank our current members for their continued support and involvement, and we look forward to welcoming new and renewing members. Take advantage of our many member benefits - join committees, network, participate in mentoring circles, attend our signature events, and get CLE credits at our innovative and compelling programs at a significantly reduced cost. It's easy to join or renew - go to www.nywba.org/Membership to access our secure online membership form.

Current members should send updated address and contact information to ED@nywba.org. This will help us keep you informed about our programs, events and other benefits of membership.

Newsletter and Advertising Information

Submissions must be sent to the Newsletter Committee by the **10th** of the month for publication in the following month's Newsletter. Please submit articles, announcements, upcoming event programming, photos, committee news, member news and ads to newsletter@nywba.org. Submissions should be proofed and cite-checked, and NYWBA retains the usual editorial discretion to omit or edit all contributions. Please send an email to newsletter@nywba.org if you have questions or are interested in joining the Newsletter Committee.

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