

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

at a **Cocktail Reception**

Tuesday, February 4, 2013, 6:00 to 8:00 p.m.

The Yale Club, 50 Vanderbilt Ave., NYC
(at 44th St., across from Grand Central's west entrance)

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 for New York Court of Appeals Judges

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 the following sponsorship 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.)

Annual Mentoring Circles

Open Enrollment and Feb. 3 Reception

NYWBA's Mentoring Circles Program will hold its **Annual Reception** for new and continuing members on February 3, 2014 (see full announcement, p. 5).
Interested in mentoring? Join the Mentoring Circles Program now, during open enrollment.

PRESIDENT'S MESSAGE

FEBRUARY 2014

HONORING OUR JUDICIARY AND PLANNING FOR THE FUTURE



Hon. Jacqueline W. Silbermann

I am delighted to invite you to our **Judiciary Reception** at the Yale Club on February 4, 2014 (see notice, at left). At this annual cocktail reception, NYWBA honors all of the newly elected, newly re-elected, newly appointed, and newly elevated judges in New York County. This is always a wonderful event, bringing together attorneys and jurists to celebrate the passing of the torch to a new wave of judges who will uphold our joint mission to ensure the fair and equal administration of justice.

Among the honorees this year is **Hon. Barbara R. Kapnick**, who was recently appointed to the Appellate Division of the New York Supreme Court for the First Department. Justice Kapnick is a long-time member and a past Chair of our Litigation Committee. We congratulate her and the other new and reappointed judges who will be honored at the Reception. Many thanks to Vice President **Jennifer P. Brown** and member **Magnolia Levy**, who served as Co-Chairs of the event, Executive Director Karen Lu, and the entire Judiciary Reception team.

We are about to certify our annual membership, so if you haven't renewed yet, please do so as soon as you can. Among the many benefits of membership, NYWBA is a founding organization of the Women's Bar Association of the State of New York (WBASNY). By joining the NYWBA, you automatically become a member of WBASNY's

(Continued on Page 2)

Announcements & Calendar of Upcoming Events

- 2/3 – Annual Mentoring Circles Reception – pp.1, 5
- 2/4 – Reception for Newly Elected, Re-Elected & Appointed Judges – p.1
- 2/5 – M&F - Post-Judgment Blues with Judges Sattler & Cooper – p.10
- 2/5 to 7 – Clients & Counsel: Partnering for Success (DRI) – p. 10
- 2/11 – A Night at the Opera: 'Die Fledermaus' at the Met – p. 10
- 2/12 – International Human Rights Committee Meeting – p.3
- 2/13 – Civil Courts Committee Meeting – p.3
- 2/13 – Reproductive Rights & Women's Health Committee Meeting – p.8
- 2/13 – Students & New Lawyers - Keeping Sanity during Bar Prep – p.4
- 2/27 – Elder Law Comm. - Uniform Adult Guardianship Act – p. 8
- 2/27 – Solo & Small Firm Comm. - Women & Money – p.9
- 3/5 – M&F - CLE - Tax Issues in Matrimonial Cases (Part 2) – p. 5
- 3/12 – International Human Rights Committee Meeting – p.3
- 3/13 – Reproductive Rights & Women's Health Committee Meeting – p.8
- 3/13 – Students & New Lawyers Program featuring Leona Beane – p.3
- 3/20 – Elder Law Comm. - Life Care - Hospice & Palliative Care – p.3
- 3/27 – Solo & Small Firm Comm. – CLE – Using Social Media – p.3
- 4/23 – Solo & Small Firm Comm. – Women & Rainmaking – p.3

NYWBA NOMINATIONS COMMITTEE REPORT

At its December 4, 2013 meeting, the *NYWBA Committee on Nominations* nominated the following candidates to serve for the positions and terms stated below.

OFFICERS (2014-2015)

President:	Yacine Barry-Wun
Vice Presidents:	Jennifer P. Brown Julie Hyman Amy B. Goldsmith
Treasurer:	Deborah G. Rosenthal
Recording Secretary:	Virginia A. LoPreto
Corresponding Secretary:	Myra L. Freed

BOARD OF DIRECTORS

Directors – Class of 2014-2017

Michael W. Appelbaum	Susan M. Moss
Elizabeth A. Bryson	Francesca A. Sabbatino
Hon. Laura E. Drager	Hon. Jacqueline W. Silbermann Hon. Sherry Klein Heitler

Director – Class of 2013-2016 (to fill an unexpired term)

Morgan M. Fraser

Directors – Continuing in Office

Leona Beane	Hon. Kelly O'Neill Levy
Dawn M. Cardi	Kay Marmorek
Jo Ann Douglas	Monique McClure
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Catherine M. Foti	Amy Saltzman
Hon. Judith J. Gische	Victoria A. Turchetti
Patricia Ann Grant	

COMMITTEE ON NOMINATIONS

Class of 2014-2016

Patricia Ann Grant	Hon. Lisa A. Sokoloff
Hon. Kelly O'Neill Levy	Andrea Vacca

Class of 2013-2015 (to fill an unexpired term)

Hon. Jacqueline W. Silbermann

NYWBA MEMBERS OF WBASNY BOARD (2014-2015)

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

The elections will be held at the Association's Annual Membership Meeting on April 24, 2014. (See *meeting notice*, page 3.)

President's Message (Continued from Page 1)

statewide network of attorneys and judges. You can review and comment on proposed legislation and policy initiatives of concern to women and children at the city, state, federal, and international level. There are many opportunities for members to participate in quarterly WBASNY meetings, and to get to know and work with members of other Women's Bar Chapters across New York State.

Among the events being planned for later this year is the annual WBASNY Convention, which will take place June 5-8 at the exquisite Seaview Stockton Hotel and Golf Club in Galloway, New Jersey, along the shores of Reed's Bay. I look forward to seeing NYWBA members at the Convention, where we can enjoy a full-service Elizabeth Arden Red Door Spa, a state of the art 24-hour fitness center, two swimming pools, championship golf courses, and a satellite art gallery from the renowned Noyes Museum of Art. Add cutting-edge CLE programs, prestigious awards, and the chance to get to know practitioners from other parts of the state, and it's the perfect weekend to network and enjoy ourselves.

Speaking of WBASNY, NYWBA hosted a Reception Dinner at Pangea to welcome the WBASNY Officers, Board members, Delegates, Committee Chairs, and Chapter representatives to Manhattan on January 24, the night before the January WBASNY Board and Committee meetings. The food was great, and the company was even better. Kudos to Past President **Jo Ann Douglas** and WBASNY Officer and NYWBA Board member **Amy Saltzman** for handling the arrangements. We hope to hold similar events before future WBASNY quarterly meetings.

I also encourage you to join us on February 3 for a unique opportunity to connect with peers and foster your personal and professional development at our Mentoring Circles Reception at Covington & Burling, LLP. The event will feature author Sharon Melnick, Ph.D., who will provide insights into ways we can stay confident and achieve success in times of stress and despite challenges. The Mentoring Circles Program is an innovation that we developed, and it is one of our singular achievements. I hope you will take advantage of this program.

We are also excited about other programs being planned for the balance of my term and into the new fiscal year. These include fun events like the opera on February 11, many CLE programs, and innumerable committee meetings. (See list of coming events on page 1, in "Committee News" on page 3, and in postings on the calendar of our website at www.nywba.org.)

For each of our programs, there has to be a concept; selection of speakers and/or venues; preparation of materials; drafting of notices for the website and the Newsletter; ordering of refreshments; and finally the execution of the actual event. They wouldn't happen without our fabulous Committee Chairs, Board members, Executive Director, and website team, and I am grateful for their vision and their hard work.

As noted in the announcement at left, the NYWBA Nominations Committee has completed its deliberations and announced the nominees for NYWBA Officer, Director and Delegate positions for the coming year. I am delighted that our nominee to be the next President is Yacine Barry-Wun. Yacine, who currently serves as Special Counsel for Housing Court Initiatives for the New York State Courts Access to Justice Program, has had a distinguished track record as a Board member, Officer, and as my Liaison to the Committee Chairs, and I am so pleased that the Association will be in such capable hands next year. The elections will be held at our Annual Meeting on April 24, which will be followed by an Ethics CLE program at Frankfurt Kurnit Klein & Selz, PC. I am confident all of the nominees for next year's Officer, Director and Delegate positions will serve with distinction.

As we prepare for a busy spring, I look forward to seeing all of you at our exciting programs and events!



COMMITTEE NEWS

- **Civil Courts Committee Meeting – Feb. 13, 1:00 p.m.** – Planning meeting for future programs and events. For details & to RSVP, email CivilCourtChairs@nywba.org.
- **Elder Law & Disabilities Committee – “Uniform Adult Guardianship Act – What You Need to Know” – CLE** on Feb. 27, 6:15 p.m. (see notice, p.8). Future programs include: **“Life Care – Wishes, Wants & Needs – Hospice and Palliative Care” – Mar. 20; “Retirement Planning (Social Security, Long-Term Care, Medicare)” – April** (date pending); **“Article 81 Guardianship Proceedings” – May 1.**
- **International Human Rights Committee Meetings – Feb. 12 & Mar. 12.** (email IntlChairs@nywba.org for details and to RSVP). Planning is underway for a spring program on immigration and a summer CLE.
- **Litigation Committee** is planning a **Legal Writing CLE** for **April 1.** Email LitigationChairs@nywba.org for details or to get involved.
- **Matrimonial & Family Law Committee** meets the first Wednesday of most months. **Feb. 5** Program – **“Post-Judgment Blues”** (see notice, p.10); **Mar. 5** CLE Program – **“Tax Issues in Matrimonial Law Cases (Part II)”** (see notice, p.5).
- **Mentoring Committee – Annual Mentoring Circles Reception – Feb. 3** (see article and announcement, p.1, 5).
- **Programs & Events Committee – “A Night at the Opera: ‘Die Fledermaus’ at the Met” – Feb 11** (see notice, p.10).
- **Reproductive Rights & Women’s Health Committee** meets the second Thursday of each month. Next meetings are **Feb. 13** and **March 13, 6:30 to 8:00 p.m.** at Rottenstreich & Ettinger, 150 E. 58th St., 21st Fl. For details and to RSVP, email ReproductiveRights@nywba.org.
- **Solo and Small Firm Practice Committee Programs – “Women and Money” – Feb. 27, 8:30 a.m.** (see notice, p.9); **CLE Program: “How to Effectively and Ethically Use Social Media to Grow Your Practice” – March 27, 6 p.m.; “Women and Rainmaking” – April 23, 8:30 a.m.** (see website calendar). RSVP for programs at SSFChairs@nywba.org.
- **Students and New Lawyers Committee** meets on the second Thursday of most months – Program on **Feb. 13 – “How to Get Organized Early, Prepare for the Bar Exam, and Keep Your Sanity”** (see notice, p.4); **Program featuring Elder Law & Guardianship Attorney Leona Beane – March 13** (see website calendar).

OTHER EVENTS

- **Judiciary Reception – Feb. 4** (see notice, p.1)
- **Fordham Law Women’s Networking Conference – “Second Generation Gender Bias” – Feb. 6** (see website calendar).
- **NYWBA Annual Meeting & Elections, and Annual Ethics CLE Program – April 24** (see website calendar).
- **NYCLA Foundation honors Hon. Betty Weinberg Ellerin – April 24** (see website calendar).
- **NYWBA Annual Dinner – May 8** (see website calendar).
- **WBASNY Annual Convention, Installation Dinner & Awards Dinner – June 6 to 8** (see website calendar).
- **Women in the Law Committee of DRI – “Clients and Counsel: Partnering for Success” – Feb. 5 to 7** (see notice, p.10)

Check the NYWBA Calendar at our website (www.nywba.org) for the latest info on meetings, programs & events.

NOTICE TO MEMBERS – ANNUAL MEETING & ELECTIONS

The NYWBA Annual Membership Meeting will be held on **April 24, 2014**, when the President & Treasurer will present reports on the State of the Association and its finances, and the Association will hold elections for Officer, Director, and Delegate positions. (See p.2 for the NYWBA Nominations Committee Report, which includes a list of all open positions, terms of office and nominees, as well as a list of Directors continuing in office.)

Article XIV, Section 1 of the By-Laws provides that only members who are in good standing and whose membership dues were received by **January 31, 2014** 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 *received* no later than **March 15, 2014** and must be addressed to Corresponding Secretary Virginia A. LoPreto, New York Women’s Bar Association, The Chrysler Building, 132 East 43rd Street, # 716, NYC 10017-4019.

The Annual Meeting and Elections will be held at **Frankfurt Kurnit Klein & Selz, PC**, 488 Madison Avenue, 10th Floor, NYC (btw 51st/52nd Sts). Immediately after the elections, NYWBA will present an Ethics CLE Program (*details to be announced soon*).

WELCOME NEW MEMBERS

Arielle J. Albert Alexa Bonaros Georgina J. Brown Alexandra Campbell Diana M. A. Carnemolla Melissa Cook	Cara S. Kelly Jina Moon Elizabeth A. Stevens John Teufel Deborah F. Truhowsky
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as of 01/17/2014

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.

Marjorie E. Berman

as of 01/17/2014

NYWBA Newsletters Are Available Online

The current issue of the NYWBA Newsletter, along with past editions (back to 2004), is available online at www.nywba.org/members. As part of our "green" initiative, half of our Newsletters now appear only in an electronic format. The "eNews" editions have the same layout and all of the great articles, photos and announcements as the print editions. You can easily read the eNewsletter on your computer or print it out.

Note: You must have the current user name and password to access the "Members Only" areas of the NYWBA website where the electronic editions of the Newsletter can be found. If you are not yet a member for 2013-2014, please join or renew using our secure online membership form at www.nywba.org/membership. Contact Executive Director Karen Lu (ED@nywba.org) to inquire about your membership status.

New York Women's Bar Association Foundation Hosts Breakfast Featuring Honorable Nancy Gertner

By Annie M. Ugurlayan

The New York Women's Bar Association Foundation welcomed **Hon. Nancy Gertner** to its speaker breakfast program on May 20, 2013 at the Cornell Club in New York. Judge Gertner is the author of the highly acclaimed book, *In Defense of Women: Memoirs of an Unrepentant Advocate*. **Karen Mitchell**, Foundation President, welcomed attendees, spoke about the Foundation's recent initiatives, and introduced Judge Gertner.

Judge Gertner served on the U.S. District Court of Massachusetts from 1994 until her retirement in 2011. She is a Professor of Practice at Harvard Law School and the winner of the 2008 Thurgood Marshall Award of the American Bar Association. Judge Gertner recently delivered the New York City Bar Association's Annual Justice Ruth Bader Ginsburg Distinguished Lecture on Women and the Law.

Judge Gertner's talk centered on the three themes in her book: her life before becoming a judge; her life as a judge; and the status of women in the profession today. Judge Gertner came from a middle class background, the first in her family to go to college. She discussed her first major case, defending Susan Sacks, a lesbian civil rights leader charged with the murder of a police officer. Despite her inexperience, she plowed ahead and discovered the gross inequities facing women lawyers. For example, the Boston Globe's reporting included descriptions of circumstances where the judge sustained objections against her by describing Gertner as having been "chastised," while commenting on the "forceful" arguments of her opposing counsel, F. Lee Bailey. The trial ended in a hung jury and catapulted Gertner into stardom, allowing her to pick and choose her cases.

Despite her accomplishments, sexist attitudes lingered throughout her career. She recounted how a reporter compared her to Lorena Bobbitt when she was appointed to the Federal Bench by the late Senator Edward Kennedy. Judge Gertner explained that she was very emotional at the swearing in ceremony, having lost her father just three days before the ceremony and her mother when she was 30. She told the story of the argument she had with her mother when she told her she would be clerking for a judge, her mother insisting that she take the test to be a toll taker. Judge Gertner explained that she brought her life experiences to her work as a judge, struggling between what the law is and what it should be. She expressed her frustration in having to give mandatory minimum sentences that were required under the law but fundamentally unfair, as well as the extraordinary pressure to close cases. Her next book will discuss our flawed justice system.

As to the state of women in the profession today, Judge Gertner lamented that the large number of women attending law school is not reflected in the upper echelons of the profession, with only 15-20 percent of women serving as partners in law firms, and most of those are non-equity partners, a percentage that has not increased in many years. Women are also leaving the profession, reacting to and anticipating discrimination issues. She stressed that this is totally unacceptable, and that there needs to be institutional support for families. Judge Gertner mentioned the recent Anne-Marie Slaughter/Sheryl Sandberg debate on

working mothers and said that both make valid points. While discrimination against women in the profession is not as stark or blatant now as it was 40 years ago, it is important to keep statistics to identify patterns and document attrition rates of women leaving the profession.

A lively Q&A followed, with the most pointed questions on topics such as juvenile justice and criminal justice reform, some of which were asked by the students from Washington Irving High School's Law and Public Service Program. Judge Gertner also graciously signed copies of her book for attendees.

The Foundation thanks the following firms for generously sponsoring the breakfast: Baker Hostetler LLP; Berke-Weiss & Pechmann LLP; Boies, Schiller & Flexner LLP; Condon & Forsyth LLP; Epstein Becker & Green, P.C.; Katten Muchin Rosenman LLP; and Orrick, Herrington & Sutcliffe LLP.

Anahid (Annie) M. Ugurlayan is a member of the NYWBA Foundation Board of Directors. She is a Senior Staff Attorney at the National Advertising Division.

The New York Women's Bar Association Foundation, Inc. is a 501(c)(3) not-for-profit charity that funds charitable, philanthropic and educational programs to aid women and children. Its mission is to eliminate gender bias and other forms of discrimination from the legal system and legal profession; to promote the social and economic equality, safety and well being of women and children; and to address the unmet legal needs of women and children. For more info, visit the Foundation website at www.nywba.org.

Students & New Lawyers Committee Speaker Series

presents

"How to Get Organized Early, Prepare for the Bar Exam, and Keep Your Sanity"

featuring special guest

Mary Campbell Gallagher, J.D., Ph.D.

Founder and President of BarWrite® and BarWrite Press

When: Thursday, Feb. 13, 2014, 6:00 p.m. *(Due to building security, no admission after 6:30 p.m.)*

Where: Blank Rome LLP, Chrysler Bldg.
(42nd St./Lexington Ave.) NYC

Cost: FREE for members*

RSVP: Email SNLChairs@nywba.org with your name and contact info.

Space is limited, so register by Feb. 12.

* If you are not a current NYWBA member, join or renew using our secure online membership form at www.nywba.org/Membership.

Annual Mentoring Circles Reception

February 3, 2014, 6:00 p.m.

Covington & Burling LLP

New York Times Building, 620 Eighth Ave., NYC
(between 40th / 41st Sts.)

RSVP at www.nywba.org/MentoringCircles

NYWBA's award-winning Mentoring Circles Program allows members at all stages of their careers to join with their peers to foster their personal and professional development. By matching members from different practice areas and life experiences into "circles" that meet throughout the year, participating members benefit from direct mentoring, as they share ideas for meeting challenges in their careers and personal lives in a supportive and encouraging environment.

This year's reception will feature an insightful discussion led by an author who has researched and developed tools and techniques for staying resilient and productive even under chaotic and ever-changing circumstances:

Sharon Melnick, Ph.D.

Author of the Highly-Acclaimed Book
*Success Under Stress: Powerful Tools for Staying Calm,
Confident and Productive When the Pressure's On*

The Mentoring Circles Reception is open at **NO CHARGE** to all *current* members* who have expressed an interest. Register for the Reception at www.nywba.org/MentoringCircles.

New Mentoring Circles are being formed now (see article, above), so new applicants should submit their information ASAP.**

* Whether you are a long-standing member or are new to the program, **you must be a current member of the Association to participate in the Mentoring Circles Program.** If you are not a current member, join or renew using our secure online membership form at www.nywba.org/Membership.

**If you are not yet part of a circle but would like to be, email MentoringCircles@nywba.org, with your name, mailing address and contact info; bar admission year (or anticipated year); and area(s) of practice.



HAVE YOU RENEWED YOUR MEMBERSHIP FOR 2013-2014?

Go to www.nywba.org and click on "Membership" to access our secure online membership form or contact our Executive Director: ED@nywba.org or 212-490-8202.

**CLE Program presented by NYWBA
Matrimonial and Family Law Committee**

"Basic Tax Issues for the Matrimonial Lawyer - Part 2"

featuring speakers

Joan Lipton

*Partner, Forensic Litigation and
Valuation Services, ParenteBeard, LLC*

Stacy Statkus

*Senior Manager, Forensic Litigation and
Valuation Services, ParenteBeard, LLC*

Hon. Jacqueline W. Silbermann

*Counsel, Blank Rome LLP
(Former Justice of the New York Supreme Court and
Administrative Judge for Matrimonial Matters for New York State)*

Heidi Tallentire, Esq.

Associate, Blank Rome, LLP

Continuation of our must-have primer for matrimonial lawyers! At this second CLE, distinguished panelists will provide additional insights on tax law, income issues, analysis of cash flow, and enhanced earnings calculations. Panelists will provide invaluable tips on how to analyze these issues and utilize them in representing clients and handling applications for child and spousal support.

Date: Wednesday, March 5, 2014

Time: 6:00 p.m. (no one will be admitted after 6:30 p.m.)

Place: Blank Rome, LLP, The Chrysler Building
405 Lexington Ave., NYC (at 42nd St.)

CLE: 2.0 CLE Credits* (1.5 Skills; 0.5 Prof. Practice)

Cost: Free – NYWBA/WBASNY Chapter Members**
\$50 – Non-members***

RSVP: Email MFRsvp@nywba.org with your name, contact info and membership status. (**Note:** Committee programs often sell out; be sure to register early; priority will be given to member** RSVPs.)

***CLE:** New York Women's Bar Association is a founding chapter of the Women's Bar Assn 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:** Members attend NYWBA CLE programs for free and receive registration priority. If you are not a current member, join or renew using our secure online membership form at www.nywba.org/Membership.

*****Financial Hardship Scholarships:** Full and partial scholarships based on financial need are available. For info on the guidelines and to apply, contact CLE Chair Amy. B. Goldsmith at CLE@nywba.org or 212-216-1135. All requests are confidential.

NYWBA Matrimonial & Family Law Committee “Panel Discussion with Matrimonial Court Attorneys” By Shane J. Rosen-Gould

On December 4, 2013, members of the NYWBA Matrimonial & Family Law Committee met with court attorneys from the matrimonial parts in New York County, who provided valuable guidance concerning the rules, procedures and expectations in their judge's parts. Committee Co-Chair **Virginia A. LoPreto, Esq.** moderated the panel discussion, which was held at Blank Rome, LLP.

Joan G. Levenson, Esq. and **Andrew T. Coyle, Esq.** of Hon. Deborah A. Kaplan's part began the discussion by emphasizing the importance of being prepared at the Preliminary Conference (PC) and exchanging all of the required documentation ten days prior to the PC. They further highlighted the necessity of completing discovery and filing the note of issue within six months of the PC.

Danielle Rodriguez, Esq. of Hon. Douglas E. Hoffman's part spoke about Justice Hoffman's role as an Acting Supreme Court Justice and the Supervising Judge of New York County Family Court. Ms. Rodriguez noted that due to the part's unique nature, it is important to ensure all docket numbers are on the Request for Judicial Intervention and to email or fax a courtesy copy of all papers to chambers. She stressed that Justice Hoffman is strict about punctuality and that attorneys should be familiar with the Rules of Evidence and be prepared to make arguments on their objections.

Linda Capitti, Esq. of Hon. Tandra Dawson's Integrated Domestic Violence (IDV) part highlighted that motions to the IDV part must be made by order to show cause. Ms. Capitti suggested that attorneys add up total expenses on statements of net worth and refrain from simply writing, "see tax returns" under the taxes section because then the returns are not certified.

Lindsay Feinberg, Esq. and **Jennifer Sundt, Esq.** of Hon. Laura E. Drager's part emphasized the importance of submitting the part's forms for conference call and adjournment requests. The court attorneys noted that pendente lite motions should include discussions of the temporary spousal maintenance guidelines. Furthermore, they reminded attendees that when citing an area of law outside the matrimonial scope, such as bankruptcy, it is important to come prepared to court with relevant statutes.

Lydia H. Devine, Esq. of Hon. Matthew F. Cooper's chambers reminded attendees that expenses listed on statements of net worth, such as housecleaners, childcare providers, etc., must be on the books. She stated that Justice Cooper prefers for forensic evaluator's testimony to be limited to one day. She also pointed out that testimony regarding unusual sexual activities or proclivities is not useful, unless it actually involves the children in a custody dispute.

Kristin Bebelaar, Esq. and **Seng Yan Sin, Esq.** of Hon. Ellen Gesmer's part stated that when an attorney files an order to show cause asking for immediate relief, they should also ask for a temporary restraining order and be prepared to have their client

come to court. Furthermore, requesting an order for exclusive occupancy without an order of protection is viewed suspiciously because there must be a threat of danger to a person or property. They also reminded attendees that when calling the court, opposing counsel or pro se party must be on the line.

Nancy Hobbs, Esq. of Hon. Lori S. Sattler's post-judgment part emphasized that a breach of contract claim arising from breach of a settlement agreement must state a prima facie case for breach of contract. She further stated that motions should not discuss pre-divorce issues. Ms. Hobbs reminded attendees that counsel fees are more likely awarded if contractually provided for in an agreement, but stated that the part does not usually give large counsel fee awards.

A recurring point noted by multiple court attorneys was the importance of attaching a client's most recent tax return to their statement of net worth and motions for pendente lite support. The court attorneys stated that if no tax returns or at least W2s and 1099 forms are included, there is a presumption that something is being concealed. Transparency is important!

The Committee would like to thank the Court Attorney speakers, as well as Blank Rome, LLP for hosting the event.

Shane J. Rosen-Gould is an associate at Raoul Felder & Partners, P.C., where she practices matrimonial and family law. She is a member of the NYWBA Matrimonial & Family Law Committee and the NYCLA Matrimonial Law Section.



Sanctuary for Families: Fighting Injustice In and Out of the Courtroom by Daksha Bhatia

During the spring 2013 semester, I had the privilege of serving as a Foundation Fellow at the Sanctuary for Families Center for Battered Women's Legal Services (Sanctuary). Sanctuary offers a wide range of services to victims of domestic violence and their children, including direct representation, shelter services, and counseling. I worked on the Economic Justice/Matrimonial Project, and most of my time was spent working on divorce cases and post-judgment enforcement actions. I worked on contested divorces at various stages, as well as on an uncontested divorce (from the client's initial intake to the filing of her Summons with Notice).

I was prepared for some of the issues that arose out of divorce cases, like a batterer refusing to pay child support for example, but others took me by surprise. No two cases were the same, and I had the opportunity to research many interesting issues. I was thrilled (and also nervous) when my supervisor told me to take my research and turn it into the motion that would eventually be filed. Thankfully, her helpful feedback on my drafts allayed my nervousness.

One particularly memorable case was that of a client who was in the process of a custody dispute. Unfortunately, she had been pressured into having a religious divorce ceremony in another country during which an agent was appointed to represent her in lieu of her own appearance. She did not realize that this cere-

mony would include a custody determination, and the judgment from the religious court was in a foreign language. I was asked to find a company that would interpret the document promptly and send us a certified, notarized copy that we could attach to a motion requesting that the New York court not give this judgment full faith and credit. I contributed to the research for this motion, and the court ruled in our client's favor. I was overwhelmed with happiness and a sense of relief. When our client described how she had suddenly lost custody of her children through a document she could not even read, her devastation was clear. Helping women like her fight back and win is exactly why I was eager to intern at Sanctuary.

Aside from the rewarding professional experience, I also enjoyed the positive work environment in terms of the staff members' interactions with each other and with me. Everyone was friendly, supportive and always willing to answer any questions I had. I am grateful for the time I was able to spend at Sanctuary, and will miss the people and clients with whom I worked. This fellowship has taught me so much more than I could learn in a classroom, and I thank the New York Women's Bar Association Foundation for providing me this opportunity.

Daksha Bhatia is a law student in her final year at Fordham University School of Law.

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CLE Program presented by NYWBA
Elder Law & Disabilities Committee
**“Uniform Adult Guardianship Act
– What Your Need to Know”**

featuring

Ron Fatoullah, Esq.

Elder Law & Estate Planning Attorney

Taking responsibility for another person’s health and financial well-being is a serious commitment. Join us at this primer on the law concerning adult guardianships. **Ron Fatoullah**, who was instrumental in initiating the legislation from its inception, will provide an overview of the law and its application.

- Date:** Thursday, Feb. 27, 2014
- Time:** 6:15 to 7:30 p.m.
- Place:** Tarter Krinsky & Drogin LLP, 1350 Broadway, NYC (btw 35th/36th Sts; host Amy Goldsmith)
- CLE:** 1.0 CLE Credits* (*Prof. Practice*)
- Cost:** Free – NYWBA/WBASNY Chapter Members** \$35 – Non-members***
- RSVP:** Email ElderLawRSVP@nywba.org with your name, contact info and membership status.
(*Note: Priority will be given to member** RSVPs.*)

***CLE:** New York Women's Bar Association is a founding chapter of the Women's Bar Assn 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:** Members attend NYWBA CLE programs for FREE and receive registration priority. If you are not a current member, join or renew using our secure online membership form at www.nywba.org/Membership.

*****Financial Hardship Scholarships:** Full and partial scholarships based on financial need are available. For info on the guidelines and to apply, contact CLE Chair Amy. B. Goldsmith at CLE@nywba.org or 212-216-1135. All requests are confidential.

Mark Your Calendars!

Reproductive Rights & Women’s Health Committee Meetings

The Reproductive Rights & Women’s Health Committee meets the second Thursday of each month (Sept to June). The Committee’s next meetings are scheduled for **Thursday, Feb. 13** and **Thursday, March 13**, both at 6:30 to 8:00 p.m. at Rottenstreich & Ettinger, 150 E. 58th St., 21st Fl., NYC.

All members & prospective members are welcome. RSVP to ReproductiveRights@nywba.org.

Foundation Fellow Supports Victims of Domestic Violence While Interning at inMotion
by Alpheus Anayo Mbah

I was a recipient of the NYWBA Foundation grant for a Fellowship at inMotion Inc. during the spring of 2013. I had learned about inMotion at a NYU Public Interest Law Center job fair conducted for the LL.M. students during the fall of 2012. I am a native of Nigeria, and I have always been interested in protecting the rights of women and children. During the job fair, I learned that inMotion does amazing work to protect women and children who are victims of domestic violence. Immediately, I became interested in working with inMotion and contributing to their mission to provide *pro bono* legal services to these clients in the areas of family and matrimonial law and immigration law.

inMotion handles a variety of legal matters including contested and uncontested divorce, child and spousal support, order of protection, child custody and visitation, and immigration-based services (such as filing U-Visa Petitions and Self-Petitions under the Violence against Women Act). inMotion conducts training sessions throughout the year for its staff attorneys, as well as for its *pro bono* attorneys, fellows and volunteers.

While I have previously handled domestic relations matters, inMotion afforded me the opportunity to obtain an in-depth experience in these types of cases. My responsibilities included conducting legal research in divorce cases, preparing memoranda of law, drafting divorce papers, drafting VAWA Self Petitions and U-Visa Petitions, conducting telephone intakes and client interviews, attending client meetings, providing preliminary legal information to clients during the telephone intake and observing court proceedings with inMotion attorneys. I felt a great sense of satisfaction in conducting telephone intake calls, as they gave me the opportunity to directly assist clients in dire need of assistance.

Another significant aspect of my experience at inMotion was the legal research I conducted. My research focused on complex and novel areas of domestic relations law. For instance, I researched whether equitable estoppel can be invoked as a defense to denial of paternity in a child support proceeding, and when it is appropriate to substitute the evidence of a child with that of his/her attorney. This work rekindled my interest and curiosity in family and matrimonial law. I am confident that this experience will assist me in my legal career.

inMotion is a unique organization and deserves the support of and encouragement from individuals and organizations alike. My Fellowship also gave me insight into the workings of non-profit organizations and deepened my understanding of public interest law practice. Above all, it revealed to me the value and the need for attorney volunteers in New York State.

I will always value working with inMotion, and in particular I am grateful to my supervisors for their guidance, and for the constant support I received from the inMotion Intake Specialist. I would like to express my profound gratitude to the New York Women’s Bar Association Foundation for giving me the opportunity to contribute to the rights of women and children and furthering my lifelong dream.

Alpheus Anayo Mbah received her LL.M. in May 2013 at New York University School of Law.

The Stock Market Reaches New Highs – Now What? by Michael Salmon

If you've had money invested in the stock market in 2013, you're most likely pleased with the results. It's rare that major stock indexes, like the benchmark Standard & Poor's 500, generate returns in excess of 20 percent in a single year, as they did in 2013. In fact, the S&P 500 reached a new all-time high, which is a major milestone.

Like many investors, you may be asking, can the upward ride that stock investors have enjoyed since 2009 continue? It's a question that nobody can answer with certainty. We know that over time, stock markets are unpredictable and do move up and down, sometimes in dramatic fashion. As an investor, you always need to be prepared for periodic market swings. Even more important than determining what's next for financial markets is to understand your own perspective as an investor.

Questions to ask today – Here are some of the key questions you should ask and issues you should consider as you think about what to do with your investments in 2014:

• **Now that the stock market has reached a new record, am I happy with how much I have invested in stocks?** During the severe market downturn in 2008, many investors took money out of stocks, and not all of that money came back. Have you been a participant in this market rally to the extent you would like to be? Whether the answer is yes or no, you may want to meet with a financial advisor to talk about the steps you can take to make investment decisions based on your financial goals and risk tolerance.

• **Should I consider selling my stock positions given the market's recent strong run?** This question is related to "timing" the market. Trying to choose the right time to buy or sell can be difficult, even for professionals who invest for a living. That said, because stocks have been performing well, you may want to consider rebalancing your investment portfolio as the recent surge could have increased the stock weighting of your overall portfolio. Stocks can be part of almost any asset allocation model, but how much and what type to own varies for everyone. The decision to make changes to your portfolio should be centered on your own needs, goals and risk tolerance. Think about your long-term goals and what you hope to accomplish before making any significant changes.

• **Couldn't a major economic or world event cause a big decline in the stock market?** This is always a concern for investors. Nobody can predict when the next market downturn will occur. By the same token, few predicted that the stock market would soar in 2013. Surprises can happen in either direction. This is why you need to maintain a well-diversified portfolio designed to help you achieve your long-term goals. Although diversification doesn't guarantee a gain or prevent a loss, it can help to mitigate the effects of volatility on a portfolio. Markets will move up and down over time, and on occasion, significant events may cause more dramatic shifts in stock prices. A long-term plan is important to help you achieve your ultimate goals.

• **How do I know what's the right move to make with my equity portfolio now?** There is no single right answer for every investor. You need to assess your personal circumstances – most notably the amount of time you have to keep your money invested before reaching specific goals and the degree of market fluctuation you can live with in your portfolio.

Making your decisions about the stock market based on what works for you in the long-term will make it easier to weather short-term concerns. It may be beneficial for you to consult with an investment professional to help you reach your financial goals.



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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Solo & Small Firm Practice Committee presents

“Women & Money”

Join Co-Chairs **Jocelyn L. Jacobson** and **Elisabeth Ames** as the Committee provides invaluable advice on helpful and practical tips for starting and growing a solo or small practice. Existing and prospective members* are welcome. Don't forget to bring your business cards!

- Date:** Thursday, Feb. 27, 2014
- Time:** 8:30 A.M.
- Place:** **Reitler Kailas & Rosenblatt, LLC**
885 3rd Ave., 20th Fl. (btw. 53rd/54th Sts), NYC
- Cost:** Free
- RSVP:** Email SSFrsvp@nywba.org with your name, contact info and membership status

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

NOTES ON MEMBERS

Warm congratulations to member **Nicole I. Hyland** for being named a partner of Frankfurt Kurnit Klein & Selz, P.C. Ms. Hyland's practice focuses primarily on legal ethics, professional responsibility, and legal malpractice. She is Co-Chair of the NYWBA and WBASNY Ethics Committees, and she was recognized as a New York area "Rising Star" in the 2013 edition of *Super Lawyers*."

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

NYWBA wishes to acknowledge the generous gift from
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Her financial bequest has helped to underwrite the cost of this newsletter and several CLE programs mentioned herein.

Matrimonial and Family Law Committee presents

“Post Judgment Blues”

Join us for this bird's eye look at that happens to spouses after they have resolved their divorce and related issues, but somehow end up back in court. Why? How does it happen? Does it ever end? If you have to be there, is there a right or wrong way? These and other pertinent questions will be answered and addressed by our distinguished post-judgment jurists:

Hon. Lori S. Sattler

Hon. Matthew F. Cooper

Date: Wednesday, Feb. 5, 2014

Time: 6:00 p.m. (no one will be admitted after 6:30 p.m.)

Place: Blank Rome, LLP, The Chrysler Building
405 Lexington Ave., NYC (at 42nd St.)

Cost: Free – NYWBA/WBASNY Chapter Members*

RSVP: Email MFRsvp@nywba.org with your name, contact info and membership status.*

(*Note: Committee programs often sell out; be sure to register early.*)

* *Note: Due to space limitations, advance registration is required, and ONLY current members will be admitted (so if you haven't renewed your membership 2013-2014, do so before the meeting using our secure online membership form at www.nywba.org/Membership.)*

Programs & Events Committee presents

***“A Night at the Opera:
‘Die Fledermaus’ at the Met”***

Strauss's sparkling comedy returns in a glittering new English language production from director Jeremy Sams (The Enchanted Island) and Tony Award nominated playwright Douglas Carter Beane (Rodgers and Hammerstein's Cinderella). This hilarious evening of mistaken identity and romantic mischief, set around a glamorous New Year's Eve ball in turn of the century Vienna, stars Broadway favorites Paulo Szot (South Pacific), Danny Burstein (Follies) and Betsy Wolfe (The Mystery of Edwin Drood) alongside a cast of opera's brightest stars. Plus, every ticket comes with a glass of champagne or non-alcoholic beverage of your choice.

Date: Tuesday, Feb. 11, 2014

Time: 7:00 p.m. – Meet in Lobby for Ticket Distribution
7:30 p.m. – Performance

Place: Metropolitan Opera House at Lincoln Center,
NYC (Broadway at 63rd St.)

Cost: \$50 per ticket

RSVP: Email Events@nywba.org with your name, contact info and membership status, and send payment(s) by check to New York Women's Bar Association, 132 East 43rd Street, #716, The Chrysler Building, New York, New York 10017-4019

Note: Tickets are limited and are 'first come / first served', so RSVP and send your check today!

DRI's Women in the Law Committee

proudly presents

***“Clients and Counsel:
Partnering for Success”***

featuring

Pamela B. Burke

General Counsel, CRC Health Group Inc.

Jason R. Groves

Executive Vice President, Medifast Inc.

Jaime Myers

Corporate, Litigation & Public Policy Counsel, Caterpillar Inc.

Patricia E. Ratner

Managing Attorney, Electric Insurance Company

This seminar will help in-house and outside counsel partner with their clients and counsel. It will demonstrate advanced negotiation and mediation techniques and provide perspectives on valuing cases and developing winning strategies. It will also teach attendees ways to develop a personal brand to advance their careers. This seminar features distinguished faculty from around the country, including an Arizona Supreme Court Justice, in-house counsel from some of the most recognized companies in America, experienced trial lawyers, and nationally prominent litigation consultants.

Date: Feb. 5-7, 2014

Location: Firesky Resort, Scottsdale, Arizona

Cost: \$985 – Non-member of DRI

\$755 – DRI Members

\$500 – DRI Members in Government

Free – DRI Members who are In-House

Counsel or Corp./Ins. Claims Executives

(*This event is presented by DRI, not NYWBA, so our “free CLE” program does not apply.*)

RSVP: For more information and to RSVP, visit <http://www.dri.org/Event/20140208>

Note: Advanced registration by mail closes 1/17/14; online registration closes 1/31/14



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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 membership 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 (Chair Kelly Schneid, Member Pearl Pari, and Board Liaison Elizabeth Bryson) 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. Send an email to newsletter@nywba.org if you have questions or are interested in joining the Newsletter Committee.

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