

NYWBA

NEW YORK WOMEN'S BAR ASSOCIATION

New York Women's Bar Association

is pleased to join the

Association of Family and Conciliation Courts for

“Shared Parenting and Young Children: The Conundrum”

A renowned group of panelists will share their experience and expertise on this issue and discuss legal, judiciary and mental health perspectives. Panel discussion will be followed by breakout sessions.

- Date:** Friday, Nov. 21, 2014
Time: 8:30 a.m. – 3:15 p.m.
Place: New York City Bar Association,
42 West 44th St. (btw 5th/6th Aves.)
CLE: 5 CLE Credits (*accreditation pending*)
Cost: \$100 for members who register before Nov. 7.
(\$125 after that date.)
(*Free CLE initiative for does not apply.*)
Info: Go to: <http://afccny.org/afcc-ny-events/>.

Attention Law Student Members

NYWBA is proud to join Network of Bar Leaders’

“Bar Association Fair for Law Students”

At this event, law students can network and learn about the benefits of bar membership, available scholarships and fellowships, and mentoring.

- Date:** Friday, Nov. 14, 2014
Time: 3:30 – 6:30 p.m.
Place: MetLife, 1095 Avenue of the Americas
(corner of 42nd St.), NYC
Cost: Free, with raffle prizes
RSVP: Students should RSVP at <http://bit.ly/1nSXjiQ>.

PRESIDENT'S MESSAGE

NOVEMBER 2014

Gratitude and Opportunity

Autumn is always a busy time for the NYWBA. Our keynote event this fall was our September 30 **Installation and Award Dinner**, which was a tremendous success. Guests took part in a fun evening of dim sum and Chinese banquet fare at the Golden Unicorn restaurant in Chinatown. (See article and photos, pp. 4-7.)



Yacine Barry-Wun

I want to personally thank Past President **Hon. Betty Weinberg Ellerin**, who inducted **Jennifer P. Brown**, **Amy B. Goldsmith**, and **Julie Hyman** as Vice Presidents, **Deborah G. Rosenthal** as Treasurer, **Virginia A. LoPreto** as Recording Secretary, **Myra L. Freed** as Corresponding Secretary, and myself as President, alongside NYWBA and WBASNY Directors for 2014-2015. Many thanks to our Dinner Committee chaired by **Myra Freed** and **Michael Appelbaum**, our Journal Committee chaired by **Jo Ann Douglas**, our Executive Director **Karen Lu**, and to all who were involved behind the scenes and at the event for creating a fabulous evening.

I was thrilled to present the Association's **Hon. Florence E. Allen Award** to our honoree, **Roberta A. Kaplan**, who shared her groundbreaking experience representing the rights of same-sex couples to marriage equality before the United States Supreme Court in *U.S. v. Windsor*. We recognized Ms. Kaplan as a leader and trailblazer. In *Windsor*, she used her legal acumen to successfully argue that one of the Defense of Marriage Act's key provisions was unconstitutional by barring legally married same-sex couples from enjoying all benefits of marriage. She also made sure the courts not only saw the legal issues,

(Continued on Page 2)

Upcoming Events (see also "Committee News" on p. 3)

- 11/4 - Int'l Human Rights Committee Mtg. - p. 3
 - 11/4 - Legislation Committee Mtg. - p. 3
 - 11/4 - M&F - Ethics in Dividing Retirement Benefits - p. 2
 - 11/4 - Reproductive Rights Committee Mtg. - p. 3
 - 11/6 - Pre-Retirement Workshop for Attorneys - p. 3
 - 11/6, 11/7 - NAWL 10th Annual General Counsel Institute - p. 8
 - 11/12 - Prof. Ethics Committee Mtg. - p. 3
 - 11/13 - SNL— Consumer Affairs with Judge DeFontes - p. 3
 - 11/13 - Planning For Your Financial & Healthcare Needs - p. 2
 - 11/13 - Consequences of Criminal Convictions - p. 3
 - 11/14 - Bar Assn Fair for Law Students - p. 1
 - 11/15- WBASNY Board of Directors Meeting - website
 - 11/18 Crim. Law Committee Mtg. - p. 3
 - 11/20 - Solo & Small Firm Comm. - Networking Dinner - p. 3
 - 11/21 - CLE - Shared Parenting and Young Children - p. 1
 - 12/8 - Technology Committee Mtg. - p. 7
 - 12/9 - M&F - Leaps and Boundaries - p. 7
 - 12/11 - Solo & Small Firm Comm. - Nurturing Your Practice - p. 7
- Check www.nywba.org for more Meetings, Programs & Events.

Matrimonial & Family Law Committee Meeting

“How to Avoid Malpractice When Dividing Retirement Benefits”

The meeting will feature *Robert Guarnera*, President of Pension Actuaries, Inc., an actuarial firm specializing in QDRO preparation and pension valuations.

- Date:** Wednesday, Nov. 4, 2014, 6:00 p.m.
- Place:** Law Offices of Virginia A. LoPreto
565 Fifth Ave., 9th Fl., NYC
(enter on 46th St., east of Fifth Ave.)
Note New Location!
- Cost:** Free for Members*
- RSVP:** Email MFChairs@nywba.org.

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

NYWBA Civil Courts Committee

presents

“Have You Planned for Your Further Financial & Healthcare Needs?”

NYWBA’s Civil Courts Committee’s “Civil Court Express Lunch-Time Series” continues in November with *Aviva Pinto* speaking on financial planning and *Elisa Hecht* speaking on long-term health care. A light lunch will be served.

- Date:** Thursday, Nov. 13, 2014
- Time:** 1:00 – 2:00 p.m.
- Place:** New York County Civil Courthouse
111 Centre Street, 12th Floor Boardroom
(Attendees must enter via White Street)
- RSVP:** CivilCourtsChairs@nywba.org
Advance registration is required.

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

NYWBA Students and New Lawyers Committee

presents

“NYC Department of Consumer Affairs with Judge Eryn DeFontes”

Judge Eryn DeFontes will discuss her career — from the film industry to Bronx ADA to adjudicator for the New York City Department of Consumer Affairs. Matters reviewed by Judge DeFontes include debt collection issues, business licensing, and sick leave.

- Date:** Thursday, Nov. 13, 2014
- Time:** 6:00 p.m.
- Place:** Blank Rome LLP
The Chrysler Building, 405 Lexington Ave, NYC.
- Cost:** Free for Members*
- RSVP:** Email snlchairs@nywba.org by Nov. 10.
Space is limited to 12, and RSVP is required.

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

President’s Message (Continued from Page 1)

but also the human consequences, by underscoring the dignity and humanity of Ms. Windsor and her wife Dr. Thea Spyer, the couple at the heart of the case. As a result of her advocacy in Windsor, and the increasing willingness of other courts throughout the U.S. to rely on this precedent, the lives of same-sex couples – and their families – have improved immeasurably in dozens of states. And for that we owe a debt of gratitude to Ms. Kaplan.

At the dinner, I also shared my vision of supporting our colleagues, new and seasoned, in the shifting legal employment market by engaging, supporting, and retaining them as members and by doing what we do best – serving as a great resource for networking, building strong relationships, offering cutting edge continuing legal education, and providing opportunities for professional growth. I also discussed an initiative to raise our Association’s digital profile and presence on the Internet, and to reach out to colleagues and prospective members through the use of digital tools, including social media, such as LinkedIn, Twitter, and Facebook. We will also provide opportunities for members to learn about the substantive law pertaining to the digital world, including the challenges and pitfalls arising from the online presence of clients, jurors, and adversaries.

As we begin November, I am mindful that this is the season of giving thanks. NYWBA is a voluntary Association, and it thrives thanks to the incredible support, and countless *pro bono* hours of its members. I couldn’t have a better support system, starting with Past President *Elizabeth A. Bryson*, who has a great institutional memory, and who provides invaluable insight and support every step of the way. Our new Newsletter Co-Chairs, *Jessica Cygler* and *Alexandra Campbell*, have been doing a fantastic job ensuring the publication of our wonderful Newsletter, which is not a small feat!

I am grateful beyond measure to immediate past NYWBA President *Jacqueline W. Silbermann*, who after two terms has left us with a healthy and thriving Association. I am continuing several of her initiatives, including a significant one, which is appointing a President’s Liaison to NYWBA Committee Chairs. I am thankful that Vice President *Amy Goldsmith* has assumed this important role. I’ve also asked her to serve as my Liaison to the NYWBA Delegates to WBASNY, and she will be keeping the Board and me informed and updated about all relevant developments and news. Each of the Officers listed above have been invaluable as I transitioned into the role of President. I am also tremendously indebted to our exceptional Board of Directors and our Committee Chairs, which have been instrumental in keeping the Association both competent and competitive.

I am especially proud that NYWBA Judiciary Committee completed reviews of the candidates for judiciary positions on the New York County Civil Court and the New York County Supreme Court. The Board met on October 29 and finalized the ratings of these candidates, which were then released in advance of the November 4 elections. Congratulations to Co-Chairs *Jocelyn Jacobson*, *Amanda Norejko*, and *Francesca Sabbatino*, and the entire Judiciary Committee. Ms. Jacobson also represented NYWBA on the WBASNY Judiciary Committee that screened and rated candidates nominated by the NYS Commission on Judicial Nominations for a vacancy on the New York Court of Appeals. This is a historic term, as our Association will participate in three such screenings in 2014-2015.

Finally, we all owe a debt of gratitude to Executive Director *Karen Lu*, who performs nearly all of the administrative functions for the NYWBA, is incredibly responsive, and always makes us look good. We look forward to seeing you at our upcoming events listed in this Newsletter. Here’s wishing you a Happy Thanksgiving Season!

Yacine

COMMITTEE NEWS

- The **Alternative Dispute Resolution Committee** and **Litigation Committee** are planning a CLE for March 2015 on *“Mediation in the Commercial Division and the Southern District of New York.”* Email ADR@nywba.org and/or Litigation@nywba.org for more info, or to join either committee.
- The **Civil Courts Committee** is continuing its Express Lunch Series at the New York County Civil Court house on **Nov. 13** from 1:00 p.m. to 2:00 p.m. (See notice, p. 2).
- The **Criminal Law Committee** and **NYC Criminal Court Gender Fairness Committee** presents "Collateral Consequences of Criminal Convictions" on **Nov. 13** at 1:00 p.m. at 100 Centre St., Jury 2, 5th Fl. The Criminal Law Committee will also hold its monthly meeting on **Nov. 18** at 6:15 p.m. at the Hoffinger Firm, 150 East 58th St., 16th Fl. RSVP: hfoffinger@hoffingerlaw.com.
- The **Elder Law & Disabilities Committee** presents *“Pre-Retirement Workshop for Attorneys presented by the SAVVY Retirement Team”* on **Nov. 6** at 5:30 p.m. at Tarter Krinsky & Drogin LLP, 1350 Broadway, NYC. (See notice, p. 3.) RSVP: ElderLawChairs@nywba.org.
- The **International Human Rights Committee** will hold meetings on the first Tuesday of each month going forward. The first meeting will be **Nov. 4** at 6:00 p.m. at Le Pain Quotidien at 81 West Broadway. To RSVP email IntlChairs@nywba.org.
- The **Legislation Committee** will meet on **Nov. 4** at 6:00 p.m. at the offices Cardi & Edgar LLP, 2 Park Ave., 19th Fl., NYC. RSVP to tmarrisa@cardiedgarlaw.com.
- The **Litigation Committee** and **Alternate Dispute Resolution Committee** are planning a CLE for March 2015. (See note above under ADR Committee.)
- The **Matrimonial & Family Law Committee** will meet **Nov. 4** at 6:00 p.m. for a program presented by Robert Guarnera entitled *“How to Avoid Malpractice when Dividing Retirement Benefits.”* (See notice, p. 2.) The Committee will also meet on **Dec. 9** at 6:00 p.m. for a program hosted by Hon. Ellen Gesmer and Kristin Bebelaar entitled *“Leaps and Boundaries—How to Avoid Professional and Ethical Dilemmas in Zealously Representing your Client.”* All meetings will now take place at 565 Fifth Ave. (entrance on 46th St. btwn 5th Ave. and Madison Ave.). (See notice, p. 7.) RSVP to MFRsvp@nywba.org.
- The **Professional Ethics & Discipline Committee** will meet **Nov. 12** and **Dec. 17** at 6:00 p.m. at Frankfurt Kurnit, 488 Madison Ave. (btw 51st/52nd St.), 10th Fl., NYC. To RSVP and for more info, email EthicsChairs@nywba.org.
- The **Reproductive Rights & Women's Health Committee** will meet on **Nov. 4** from 6:30 to 8:00 p.m. at Rottenstreich & Ettinger LLP, 222 East 41st St., 22nd Fl., NYC. RSVP: ReproductiveRights@nywba.org.
- The **Solo & Small Law Firm Committee** will hold a networking dinner meeting on **Nov. 20** at 6:30 p.m. Restaurant to be determined. The location will be emailed to members of the committee and to anyone who RSVP's. The Committee will meet **Dec. 11** at 8:30 A.M. on the topic *“Nurturing You and Your Practice: Newsletters, Blogs and Spas”* at the Law Offices of Wendy Harris, 25 Broadway, 9th Fl., NYC. (See notice, p. 7.) For info on either event and to RSVP, email SSFChairs@nywba.org.
- The **Students and New Lawyers Committee** presents *“NYC Department of Consumer Affairs Judge Eryn DeFontes”* on **Nov. 13** at 6:00 p.m. at Blank Rome, LLP, 405 Lexington Ave. (The Chrysler Building). Email SNLChairs@nywba.org to RSVP. (See notice, p. 2).
- The **Technology & Internet for Lawyers Committee** will meet on Monday, **Dec. 8** (see notice, p. 7). RSVP to TechChairs@nywba.org.

NOTES ON MEMBERS

Lydia S. Antoncic, Co-Chair of the Legislation Committee, will be running the TCS New York City Marathon on November 2nd for the Marfan Foundation in memory of her ex-husband Rich Ciacci. NYWBA wishes her well.

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

WELCOME NEW MEMBERS

Maria Amor	Julie Lee
E. Michelle Andrews	Olivia S. Lee
Franklin S. Bonem	Michelle Lee
Emily Borich	Leslie Leutwiler
Yi-Jen Chang	Helen M. Maher
Constance J. Christie	Kaela Mahon
Angela R. Cruz	Poppy Markou
Shauntel Cumberbatch	Stephanie E. McGregor
Vivian Dole	Iva Rukelj
Carolyn Fakury	Sarika Saxena
Mara Festoff	Jordana Shenkman
Maria E. Ficalora	Joslyn Smith
Devan Fogle	Vita Trujillo
Kathrine M. Frank	Toniann Tuccio
Michelle Freudenberger	Kathleen Turley
Dyan L. Gershman	Jossity Vasquez
Meagan Gordon	Alina Vengerov
Joanna C. Kahan	Svenja Wachtel
Tanya W. Khan	Shaina Weissman
Katherine Klimusko	Nora T. Wheeler
Carly A. Krasner	Elizabeth N. White
Abbye Lawrence	Pamela Young

as of 10/17/14

SUSTAINING MEMBERS

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

Laurie Berke-Weiss Ivy I. Cook Linda A. Fairstein
as of 10/17/14

NYWBA Elder Law & Disabilities Committee

presents

“Pre-Retirement Workshop for Attorneys, presented by the SAVVY Retirement Team”

NYWBA's Elder Law and Disabilities committee will host a workshop with speakers **Camille A. Cosco**, **Christine M. McCabe**, CLTC, and **Vivian P. Gallo**.

Date: Thursday, Nov. 6, 2014
Time: 5:30 - 8:30 p.m.
Place: Tarter Krinsky & Drogin LLP
 1350 Broadway, NYC (btw. 35th & 36th Sts.)
Cost: Free for Members*
RSVP: Email ElderLawChairs@nywba.org.

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

NYWBA Kicks Off 80th Anniversary Year with 2014 Installation & Award Dinner – Dim Sum and Fun!

by Jessica Cygler

A capacity crowd of members and distinguished guests assembled on September 30, 2014 at the Golden Unicorn restaurant in Chinatown for NYWBA's 2014 *Installation and Award Dinner*. At the event, we kicked off our 80th Anniversary with the installation of our 2014-2015 Officers and Directors and our NYWBA Delegates to the Women's Bar Association of the State of New York Board. New President **Yacine Barry-Wun** also presented the **Hon. Florence E. Allen Award** to distinguished trailblazing attorney **Roberta A. Kaplan**.

The event began with a lively cocktail hour featuring passed "dim sum" hors d'oeuvres and cocktails, and then transitioned into a traditional style Chinese banquet, with Peking Duck appetizers, followed by an abundance of chicken, seafood and vegetable dishes, plus special options for Kosher and vegetarian diners.

Incoming Corresponding Secretary and Dinner Co-Chair **Myra Freed** welcomed the crowd and introduced Immediate Past President **Hon. Jacqueline W. Silbermann**, who provided a brief "State of the Association" address. Judge Silbermann, who served as President with distinction for two years, mentioned many highlights of her most recent term, including our record-shattering increase in membership at the local and statewide level, our initiative to provide free CLE to all members thanks to a bequest by past President and Founder **Hon. Florence Perlow Shientag**, and our many exciting programs, events and initiatives. More details about the Association's efforts in 2013-2014 were provided in the wonderful commemorative Dinner Journal. Justice Silbermann closed by thanking the Officers, Directors and Committee Chairs for their vision, commitment and accomplishments.

Hon. Jeffrey K. Oing then provided a lively introduction for incoming President **Yacine Barry-Wun**, who currently serves as Special Counsel for Housing Court Initiatives to **Hon. Fern A. Fisher**,



Hon. Jeffrey K. Oing and President Barry-Wun

Deputy Chief Administrative Judge for New York City Courts and Director of the New York State Courts Access to Justice Program. In this role, she is the director of three court-based volunteer programs in the Housing Part of the Civil Court of the City of New York. Previously, she clerked for Justice Oing as a Legal Fellow and then joined the New York County Civil Court as a Court Attorney. Prior to that, Ms. Barry-Wun worked as a Legal Consultant and Project Manager on technical assistance and training projects with the International Law Institute in Washington, D.C. Early in her career, she served as a legal advisor on immigration and administrative law issues in a local government agency in Lausanne, Switzerland, and gained professional experience through legal internships with international organizations, including the International Criminal Tribunal for Rwanda in Arusha, Tanzania. A native of Switzerland, Ms. Barry-Wun's native language is French, and she is fluent not only in English, but also in German, and is proficient in Spanish. Justice Oing noted that she is smart, creative, and accomplished, and he provided amusing anecdotes from when she worked for him. Prior to her election as President, Ms. Barry-Wun served as First Vice President and in other Officer positions, and as a member of the Board of Directors, as Chair of the CLE Committee, as a NYWBA Delegate to the WBASNY Board of Directors, and as the President's Liaison to the NYWBA Committee Chairs.

Ms. Barry-Wun then introduced our honoree, **Roberta A. Kaplan**, and presented her with one of NYWBA's most prestigious awards – the **Honorable Florence E. Allen Award**. A distinguished litigator and a zealous and effective advocate for equal rights, Ms. Kaplan is best known for her representation of Edith Windsor before the U.S.

Supreme Court in the landmark case of U.S. v. Windsor, which struck down provisions of the Defense of Marriage Act that had barred marriage equality to same sex couples. Since the Supreme Court's decision in Windsor, state and federal courts have upheld the rights of same sex couples to marry in dozens of states. In her remarks, Ms. Kaplan spoke about the background of less successful earlier cases on same sex marriage in other courts, and the importance in Windsor to not only brief and argue the legal issues, but



Incoming President Yacine Barry-Wun presenting the Hon. Florence E. Allen Award to Roberta A. Kaplan (l-r)

also to make sure the Justices understood the fundamental human dignity of her client's 40-plus year relationship with her partner and the importance to them of their ability to marry and have precisely the same rights and obligations as other married couples. She noted the significance of national and international changes in attitudes toward same-sex marriage, and credited that growing acceptance as a key factor in driving the shift in the law. She predicted this is an irreversible trend, and with continued advocacy that same sex couples will have the right to marry and receive all of the benefits of marriage across the entire U.S.

It is particularly fitting that Ms. Kaplan received this award, which was established by the Association in 1967 in honor of Hon. Florence Ellinwood Allen (1884-1966). After serving as a suffragette and advocate for the rights of women and immigrants in New York City, Judge Allen graduated from New York University Law School in 1913 and went on to have a distinguished legal career in her home state of Ohio. She was the first woman to serve as an Assistant County Prosecutor in Ohio, the first woman to be elected to a judgeship anywhere in the U.S., the first woman to serve on any state's highest court, the first woman appointed to any federal court of general jurisdiction, and the first female Chief Judge of a federal Circuit Court of Appeals. Ms. Kaplan, who also hails from Ohio, certainly qualifies for this honor, as the award recognizes "trailblazers in the profession and extraordinary leaders who further our mission to ensure the fair and equal administration of justice."

Hon. Betty W. Ellerin then installed the NYWBA Officers, the members of the NYWBA Board of Directors, and NYWBA's Delegates to the Board of the Women's Bar Association of the State of New York, which was followed by Ms. Barry-Wun's Incoming President's Address. Ms. Barry- (Continued on Page 5)

2014 Installation & Award Dinner (con't.)

Wun spoke about her strong connection to the NYWBA, citing the atmosphere of inclusiveness and the fact that the organization is large enough to have involvement in many areas of the law, while small enough to give members opportunities for leadership roles. These are some of NYWBA's key strengths in attracting, supporting and promoting talented women in the profession. She encouraged members to become involved with the Association, noting how the difficult job market affects both new attorneys who are having difficulty landing their first jobs, as well as experienced attorneys who find themselves "in transition." These changes in the profession have particularly impacted women attorneys, who are often in the lower rungs of law firm practice and are commonly the first to be laid off or denied opportunities. NYWBA and WBASNY are critical to supporting these women attorneys, fostering the talents of students and new lawyers, and identifying systemic challenges in the legal profession and ways to make the profession more equal and fair to women.

Finally, Ms. Barry-Wun spoke of a new NYWBA initiative that she is spearheading this year, which is to promote the organization and its events through social media. This initiative will help the Association reach junior attorneys who already use social media in their daily lives, help more established members learn how to leverage social media (such as Facebook, Twitter and LinkedIn) to grow their practices, and train attorneys on social media tools and the ethical and evidentiary concerns that can arise through the use of social media by attorneys and their clients. More information on these initiatives will be announced in future Newsletters and on our website (www.nywba.org).

Dinner Co-Chair and Director **Michael W. Appelbaum** closed out the evening with final remarks, including thanking the hard-working Co-Chairs and members of the Dinner and Journal Committees, our remarkable Executive Director **Karen Lu**, and everyone who made the evening such a huge success.

Jessica Cygler is Senior Court Attorney to the Hon. Michael L. Katz in Kings County Family Court. She is also Co-Chair of the NYWBA Newsletter Committee and a member of the Matrimonial & Family Law Committee.



WBASNY President Irene V. Villacci, NYWBA President Barry-Wun, and NYWBA Director Hon. Kelly O'Neill Levy



2014 Installation & Award Dinner (con't.)





Matrimonial & Family Law Committee

presents

“Leaps and Boundaries – How to Avoid Professional and Ethical Dilemmas in Zealously Representing Your Client”

Hon. Ellen Gesmer, Justice of the New York Supreme Court, and **Kristin Bebelaar, Esq.**, her Principal Court Attorney, will address myriad issues that arise in matrimonial and family law practice, such as representing clients with whom we are personally and/or financially involved, receiving electronic and social media evidence from clients about their spouses, instructing clients to record conversations or videotape exchanges of the children, and what it really means to sign the Rule 130 statement.

Date: Tuesday, Dec. 9, 2014

Time: 6:00 p.m.

Place: Law Offices of Virginia A. LoPreto
565 Fifth Ave., 9th Fl., NYC
(enter on 46th St., east of Fifth Ave.)

Note New Location!

Cost: Free for Members*

(This is not a CLE program.)

RSVP: Email MFChairs@nywba.org

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

Technology & the Internet for Lawyers Committee

Join Us! The Committee is working on a number of exciting initiatives for the NYWBA relating to social media (such as LinkedIn, Facebook and Twitter); enhancements to the NYWBA website; and initiatives to provide member education on technology issues. It welcomes members to join the Committee and participate. The next meeting will be in December.

Date: Monday, Dec. 8, 2014

Time: 6:30 p.m.

Place: Sullivan & Cromwell, 125 Broad Street, 37th Fl., NYC

Cost: Free for Members*

RSVP: Email TechChairs@nywba.org

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

Solo & Small Law Firm Practice Committee *presents*

“Nurturing You and Your Practice: Newsletters, Blogs and Spas”

Date: Thursday, Dec. 11, 2014

Time: 8:30 a.m.

Place: Law Offices of Wendy Harris, 25 Broadway, 9th Fl., NYC

Cost: Free for Members*

RSVP: Email SSFChair@nywba.org

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

Facebook - Get the Picture? Discovery and Admissibility of Online Evidence
by Elyssa Slutzky



On Wednesday, October 8, 2014, our member **Steven Dyki, Esq.**, of Russo & Toner LLP, gave a fascinating hour-long presentation at the Civil Court Express Lunch Series, **"Facebook - Get the Picture? Discovery and Admissibility of Online Evidence."** The luncheon was a packed event, well attended by judges, practitioners and court

attorneys representing all fields of the law. During his presentation, Mr. Dyki discussed the importance of using social media as a tool to thoroughly and properly represent a client. Mr. Dyki explained how use of social media, including Facebook, Google+, Twitter, LinkedIn and Pinterest can aid attorneys in the defense and/or prosecution of an action or proceeding. In fact, many times an attorney can use social media to search for "smoking gun evidence." According to Mr. Dyki, social media may readily provide voluminous information about a party, including a party's personal history, demographic, pictures and other current events. Mr. Dyki also reminded us that an investigation of the party's spouses, relatives and friends, through the use of social media, might also turn up useful and relevant information. Although not all information gained from the use of social media is in the form of admissible evidence, once the information is obtained, an attorney may develop a strategy, including using the obtained information for other discovery that is not Internet based.

Aside from gathering documents, an attorney may also want to use the knowledge gained through the use of the Internet to expand and/or narrow the line of questioning during a deposition, bill of particulars, or other discovery documents. Social media is an extremely powerful tool, considering that 829 million people use Facebook daily; there are 300 million users of Google+ monthly; 300 million users of LinkedIn; 70 million users of Pinterest; and 300 billion Tweets have been sent as of October 2013.

Although social media can be very useful to gather information about a party to an action and/or proceeding, we must all be mindful that our computer is always watching us as well. Every keystroke is recorded and it is extremely difficult to delete the contents of your computer and/or those that are relayed to a social media site. In fact, there are experts that can piece together a hard drive even after the hard drive has been dismantled or smashed into pieces. Therefore, always be mindful of what you put out to the world because in today's times, it can be found, and it will be used!

Elyssa Slutzky is a Court Attorney to the Honorable Anne Katz and Event Reporting Coordinator for the New York Women's Bar Association's Civil Courts Committee.

NYWBA is a proud co-sponsor of the
National Association of Women Lawyers
10th Annual General Counsel Institute

program entitled

"Strategic Leadership: Developing Expertise and Skills to Enable and Empower Yourself and Others in the 21st Century"

GCI is a dynamic and cutting edge program for in-house counsel from across the nation and from diverse employers - corporations, non-profits, government, academia and the military. It provides a unique opportunity for in-house attorneys to share experiences in an intimate and collegial atmosphere, and for its attendees to learn from women who have made it to the top and those who are well on their way.

In recognition of its 10-year anniversary, GCI has invited 10 General Counsels to appear as part of the program, sharing their experiences and what it takes to lead an in-house legal department in 2014. We have two GC Keynote addresses, with **Brad Smith** of *Microsoft* appearing on Thursday, November 6th, and **Sandra Leung** of *Bristol-Myers Squibb* speaking on Friday, November 7th. In addition, the audience will learn about topics of utmost importance to general counsels and their organizations in nine substantive workshop sessions. We also will hear from **Susan Colantuono**, CEO of *Leading Women*, who will speak about the *"Missing 33% of the Career Success Equation for Women,"* and **Rebecca Halstead**, CEO and Founder of *STEADFAST Leadership* and Brigadier General, U.S. Army (Retired).

- Date:** Nov. 6 & 7, 2014 (Thursday & Friday)
- Time:** Nov. 6 - 8:30 a.m. to 6:00 p.m.
Nov. 7 - 9:00 a.m. to 3:30 p.m.
- Place:** **Intercontinental Hotel**
300 West 44th St., NYC
- Register:** **Registration limited to in-house counsel.**
Register online at *nawl.org*.
- Note:** This event is not presented by NYWBA, and our free CLE program does not apply.

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 many of our CLE programs.

Have you renewed your Membership for 2014-2015?

The NYWBA fiscal year is June 1 to May 31, which means that the 2014-2015 membership year started on **June 1st**. To renew, go to www.nywba.org/membership or contact our Executive Director (ED@nywba.org or 212-490-8202) to have a renewal form sent to you.

2014 MEMBERSHIP RECEPTION, A TERRIFIC SUCCESS!

by Carly A. Krasner

On September 18, 2014, the NYWBA held its annual Membership Reception to provide members and prospective members the opportunity to meet and network with each other and the newly elected NYWBA Officers, Directors, and Committee Chairs. The event, which was held at Skadden, Arps, Slate, Meagher & Flom LLP was a terrific success, with more than 150 members and prospective members in attendance.

Reception Co-Chair **Jennifer P. Brown** introduced the **Hon. Judith S. Kaye**, a long-time NYWBA member and former Chief Judge of the State of New York, and NYWBA President **Yacine Barry-Wun** welcomed the attendees and thanked our generous sponsors. Membership Co-Chair and Director **Michael W. Appelbaum** spoke to the importance of NYWBA membership and its promotion of women in the legal field.

Throughout the evening, the guests mingled, networked, and learned more about the NYWBA over hors d'oeuvres and wine.

In addition to thanking our sponsors, the NYWBA thanks Reception Co-Chairs **Jennifer P. Brown** and **Magnolia D. Levy**, NYWBA Director **Morgan Fraser**, Membership Co-Chair and Director **Michael W. Appelbaum**, NYWBA Past President and Director **Elizabeth A. Bryson**, Skadden, Arps, Slate, Meagher & Flom LLP, and all of the members who worked to make this event a resounding success.

We would separately like to thank everyone who donated a children's book to the NYWBA's Hon. Judith S. Kaye Children's Book Club. More than 115 books were donated, and they were sent to various locations of the SafeHorizons Children's Center in the Family Court system.

Carly A. Krasner is an associate at McLaughlin & Stern, LLP where she specializes in matrimonial and family law and commercial litigation.



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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.

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Submissions must be sent to the Newsletter Committee (Chairs Kelly Schneid, Alexandra Campbell and Jessica Cygler), 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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