



## New York Women's Bar Association

*invites you to join us in honoring the*

### ***Newly Elected and Appointed Judges of New York County***

*at a Cocktail Reception at*

Nicole's

10 East 60th Street

(between Madison and Fifth)

**Thursday, January 18, 2007**

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

**\$90 in advance; \$99 at the door**

(MC/VISA and Checks Only)

RSVP to Executive Director Christina Kallas  
([info@nywba.org](mailto:info@nywba.org) or 212-490-8202)  
and please put "Judges' Reception RSVP"  
in the subject line.

*The NYWBA warmly thanks  
Signature Bank for its support.*

## ***Save the Date***

**WBASNY Convention 2007**

May 31 - June 4, 2007

*Westin Rio Mar Beach Golf Resort & Spa  
Rio Grande, Puerto Rico*

**For the latest news and information on programs and  
events, check NYWBA online at [www.nywba.org](http://www.nywba.org).**

## **PRESIDENT'S MESSAGE**

JANUARY 2007

### ***Why WBASNY?***

As members of the New York Women's Bar Association (NYWBA), we are also members of NYWBA's parent organization, the Women's Bar Association of the State of New York (WBASNY). With a few exceptions, fifty dollars of your annual NYWBA membership fee goes directly to WBASNY to support its programs. Therefore, you may want to know what WBASNY is all about, and how it benefits you.



Teresa Schiller

WBASNY is the largest statewide bar association dedicated to promoting both the advancement of women in the legal profession and the advancement of women generally.

With a membership base of more than 3,500 women from seventeen chapters, WBASNY provides a network of connections throughout the state. It publishes a handy directory of the names, addresses, and specialties of its members. Moreover, active WBASNY members meet women attorneys from across the state at bimonthly meetings (many of which happen to be held -- conveniently for NYWBA members -- in Manhattan). They caucus at the annual convention (which next will be held in June in sunny Puerto Rico). All WBASNY members can stay connected throughout the year by reading and submitting content to the association's website ([www.wbasny.org](http://www.wbasny.org)) and periodic newsletter. Through these connections, women can find jobs, matter referrals, legal advice, mentoring, and friendships.

WBASNY endeavors to speak out on legislative matters of state and national importance with the strong voice that thousands of united women can provide. For instance, WBASNY President Elaine Avery recently sent a letter to our Congressional representatives to voice opposition to legislation that threatened to deny or limit habeas corpus rights to any person detained under color of authority of the United States government or any of its political subdivisions or agents. Senators Clinton and Schumer responded to the letter with detailed letters of their own, agreeing with the position and thanking WBASNY for speaking out.

WBASNY provides NYWBA members with opportunities for statewide leadership. For example, Elizabeth Bryson, one of our NYWBA members, is currently serving as a secretary for the statewide organization. NYWBA

*Continued on page 2*

## TIL Committee CLE Update

On **Monday, January 22, 2007, from 6:00 PM to 8:00 PM**, Renew Data and the Technology and Internet for Lawyers Committee of the New York Women's Bar Association will present the second annual Fundamental Issues of Electronic Discovery program at Hunton & Williams, LLP, 200 Park Avenue, New York, New York 10166.

This 1.5-hour CLE course will review the technical and legal aspects of electronic discovery, including emerging case law and Federal Rules of Civil Procedure.

### *Topics to be covered:*

**Setting the Stage, Today's Environment** The current state of electronic evidence and its advantages in discovery will be discussed. Emerging case law and risks will be reviewed, as well as the technology behind the recovery and destruction of data. Also examined will be the current regulatory climate, with examples of recent corporate scandals.

**What is Electronic Discovery?** Discoverability of electronic information will be outlined. Typical locations of electronic data and typical storage media will be discussed. Finally, meta-data - the specific problems it can cause, and the consequences for failing to anticipate these pitfalls -- will be discussed.

**Duties Under the Rules of Civil Procedure and the Common Law** This section will cover your obligation to search and produce electronic data, potential deposition issues that may arise, and best practices for planning a discovery response.

**Consequences of Breaching Best Practices** This section focuses on best practices for the requesting and producing parties, and reviews the most common objections to producing electronic evidence, and responses to overcome them.

**Staying Up to Date** We conclude with a section outlining the top sources of current awareness regarding electronic discovery, and reviewing the proposed changes to the FRCP.

The course is available to both members and non-members of the New York Women's Bar Association. (This is a great opportunity to invite friends who would like to learn more about the Association.)

**Please RSVP by e-mail to Kay Marmorek at [til@nywba.org](mailto:til@nywba.org) by Tuesday, January 16, 2007.** Please include your full name and postal mailing address. The course is free, but space is limited!

The TIL Committee would like to extend its gratitude to Donna Praiss and Hunton & Williams LLP for their support of this program.

We look forward to seeing everyone on January 22, 2007.

### *President's Message continued from page 1*

members Susan Bender, Myrna Felder, Martha Gifford, and Irene Sullivan have served as presidents of WBASNY. Judge Betty Weinberg Ellerin was both a founding member of WBASNY and NYWBA. Judge Ellerin and other NYWBA members lead by serving as voting delegates to WBASNY. Janet Cord, Christina Kallas, and Sue Moss serve as co-chairs of WBASNY committees, and many others serve as committee liaisons.

The statewide association has thirty-eight committees which formulate policies and plan programs. In addition to the active Legislative Committee, which is supported by a legislative consultant, WBASNY has committees that focus on Access to Justice, Children's Rights, Domestic Violence, Equal Opportunity in the Profession, International Women's Rights, and Judiciary and the Courts, to name just a few. WBASNY even provides statewide recognition to its members through the work of its Awards Committee. All NYWBA members are welcome to become involved in WBASNY committees. WBASNY also has a mentoring program, through which senior attorneys are matched with interested 3Ls and first-year lawyers. All NYWBA members are welcome to become involved with this mentoring program as well.

Regardless of your involvement with WBASNY, you are entitled to certain benefits just by virtue of your membership. WBASNY established affinity relationships with several leading companies to provide members with discounts and special offers. Insurance products, car rental discounts, WBASNY consumer and business credit cards, discounts on legal reference materials and services, and health club discounts are just some of the many benefits offered to WBASNY members.

WBASNY also is an accredited continuing legal education provider. Consequently, NYWBA and other chapters are able to offer comprehensive and affordable CLE courses throughout the year.

For more information about WBASNY, please go to its website at [www.wbasny.org](http://www.wbasny.org), or contact WBASNY Executive Director Linda Chiaverini at [info@wbasny.org](mailto:info@wbasny.org). Otherwise, now that you have a better understanding of the benefits of WBASNY membership, take advantage of them and get involved!

*Teresa Schiller*



**NYWBA Foundation Fellowship Report:  
 Profound Career Impact for Fordham  
 Intern at Sanctuary for Families  
 by Jill Waldman**

I was privileged to receive a fellowship from the New York Women's Bar Association Foundation to work at Sanctuary for Families during my second year of law school. Sanctuary for Families is one of New York City's largest and most comprehensive battered women's services organizations. They not only provide legal services, but also run shelters, provide counseling, conduct outreach education, and offer just about every kind of assistance imaginable to women in need.

Before working at Sanctuary for Families, my legal interest was very focused on criminal law. I often found myself advocating for defendants' or ex-offender's rights. I saw this internship at Sanctuary for Families as an opportunity to get a more complete picture of criminal law, and to increase my understanding of victim's experiences and victim's rights. My experience at Sanctuary was all of this and more. From my first day when I helped the executive director prepare a client for trial, I saw firsthand the pain and frustration that victims experience in the criminal justice system. Further, I came to understand domestic violence victims' experiences with family court, benefits, services, and the struggles that they experience in their everyday life.

Sanctuary provided me with an incredible opportunity to work directly with clients. I accompanied them to apply for benefits, helped them to prepare affidavits, and even took one woman and her family to tour a college campus so that her teenage son would be inspired to stay in school. I spoke with women about their struggles to remain independent from their abusers, their financial difficulties, their fight to gain immigration status, and their custody battles. Through my work with Sanctuary's clients, I began to understand the enormously difficult and complex struggle that survivors face in the criminal justice system and beyond.

My work at Sanctuary for Families also provided me with invaluable research and writing experience, particularly on international custody and family law. Most of Sanctuary's clients are recent immigrants, and a good deal of their legal issues involves international custody issues. I wrote many memoranda and legal briefs about different aspects of international family law, such as South African publication divorce, the Hague Convention, and the UCCJEA. Notably, I wrote a series of summaries of recent decisions on the Hague Convention as it relates to international parental kidnapping and exceptions for domestic violence victims. These summaries were used in Fordham University's Annual Domestic Violence Conference. Additionally, one of the conference participants, Judge Cathy Serrette from Maryland, read my summaries and requested permission to use them in a training that she was conducting for Maryland judges. I am honored that the New York Women's Bar Association Foundation allowed me to have such a potentially far-reaching effect on international domestic violence policy.

**NOTES ON MEMBERS**

*Has something noteworthy happened to you or another member? Send us your news at [newsletter@nywba.org](mailto:newsletter@nywba.org).*

Congratulations to **Martha A. Gifford** who will be recognized by the New York State Bar Association Anti-Trust Law Section next month. Antitrust Law Section will present its Service Award to Meg at the Annual Dinner of the Section on January 25, 2007. The award recognizes a member of the Section who has provided extraordinary service to the work of the Section, to the antitrust law profession, or in the development of antitrust law. Meg is a former Chair of the New York State Bar Association Antitrust Law Section and is currently a member of the Executive Committee of the Section.

***Save the Date For Our Ninth Event!***

**The NYWBA Foundation's  
 Breakfast Speaker Series**

*featuring*

Margaret Heffernan  
 Author of **The Naked Truth:  
 a Working Woman's Manifesto** and  
**How She Does It: How Women Entrepreneurs  
 are Changing the Rules of Business Success**  
 (January 2007 Release)

**Friday, February 2, 2007  
 The Cornell Club, New York**

*Look For Your Invitation In The Mail  
 For Another Exciting Foundation Fundraising Event*



My experience as a NYWBAF Fellow has had a profound impact on my career. Not only has it deepened my understanding of victim's rights, it has sparked my interest in a wide range of issues, such as immigration and international law. I am incredibly grateful to the New York Women's Bar Association Foundation for this opportunity to discover more about the kind of lawyer I want to be.

## NYWBA Foundation Breakfast with Speaker Lynn Sherr

The NYWBA Foundation held its eighth successful breakfast in the Author Speaker Series that was introduced in June 2004, with a presentation by Lynn Sherr, well-known for her in-depth segments on 20/20, and author of the recently released book, Outside the Box: A Memoir.

Kathy Posner, President of the Foundation, welcomed everyone to the breakfast and then turned the podium over to Linda Fairstein, former Manhattan ADA and bestselling author of mysteries loosely based on her experiences as head of the District Attorney's Sex Crime Unit, and the first speaker in the Foundation's Speaker Series, to introduce Lynn Sherr.

Lynn's book, Outside the Box: A Memoir, provided the basis for her presentation about her experiences as a woman in journalism in general, and television news specifically. Entering the field at a time when editors told her very directly, "We don't hire girls," she persevered and finally not only was admitted to the industry, but became an award-winning journalist with ABC News, where she has worked since 1977 -- for the last twenty years with 20/20.

In a very personal and often humorous presentation, Lynn shared with the audience some of the difficult challenges she faced in the early days of her career in TV journalism, where at that time there were no female anchors and women reporters were covering the less-than-serious stories. Lynn told of how she stayed true to her dream of being a real journalist and kept pushing for the meatier stories.

In time she got her wish and in addition to covering elections, politics, and breaking world news, in 1981, just as the shuttle program was gearing up, Lynn was sent to cover the space program. Over the next five years, she covered almost every shuttle mission and was able to go through some of NASA's training programs and get to know many of the astronauts. When speaking of the disastrous Challenger mission in January 1986, Lynn told the audience how sometimes breaking news can catch you by surprise and can be difficult to report. She had gotten to know these astronauts and, feeling the personal loss, still had to go on the air and report about it to a shocked and grieving nation in a professional way.

Lynn told the audience of a particularly touching story she did on a young woman with anorexia. Thinking it was going to be a short piece, she soon realized the potential of the story and it was made into a one-hour special as one of the early stories about a condition which impacts the lives of so many young women.

Outside the Box is not just a memoir of Lynn's career; she also spoke of some of the personal aspects that she recounted in her book. Lynn grew up in Philadelphia and spoke of her TV debut on American Bandstand. She shared with us the joy of a loving marriage and the devastation of loss when her husband died of lymphoma, leaving her, as she says, a single stepmother, and alone to face her own fight with colon cancer shortly after.

Speaking to the younger people in the audience, in particular the young women from Washington Irving High School Law and Public Service Program, whose attendance is made possible by friends of the Foundation who purchase an extra ticket, Lynn said that while she was committed to her career and worked hard to reach her goals, "It is easy to forget that there is more to life than a career." She added that she often had to work at finding the right balance.

The audience was enthusiastic in their response to Lynn's presentation and spent another twenty minutes asking questions about how she overcame some of the obstacles placed before women wanting to break into journalism and how she sees the industry today. There was some discussion about the blending of hard news and entertainment on some of the networks, and what network news should be covering in light of the growing popularity of all-news cable stations.

Foundation Board Member Marian Burnbaum, director of the Law and Public Service program at Washington Irving High School, commented, "It is good for these young women to hear what it was like twenty years or more ago for women who were their age now trying to break into professions that were formally considered a man's job. It is too easy to take for granted that today young women have a much broader spectrum of careers to choose from."

The next Breakfast in the Foundation's Speaker Series will be held on February 2, 2007, at the Cornell Club, featuring Margaret Heffernan, whose new book, How She Does It: How Women Entrepreneurs are Changing the Rules of Business Success, is being released in January. Please watch for your invitation in the mail or contact Kathy Posner at 212-894-6730 or [kposner@condonlaw.com](mailto:kposner@condonlaw.com) for more information.

### GET MORE INVOLVED IN THE NYWBA!

We are looking for attorneys from all backgrounds and all disciplines to get more involved with projects such as the following:

helping to host CLE programs,  
working on committees,  
helping to boost membership,  
and joining our board.

Please e-mail NYWBA President Teresa Schiller  
at [president@nywba.org](mailto:president@nywba.org)  
about your interests and availability.

*We're always looking for new talent and ideas!*

## Violence against Children -- December 6 Program Summary

by Denise Scotto

On December 6, the Children's Rights Committee together with the law-related education committee of the New York County Lawyers' Association held an evening program entitled, "Violence against Children: From the Global to the Local." Speakers included representatives affiliated with the United Nations system, NY advocacy organizations, as well as two high school students.

The program began with an overview of the recently released United Nations report regarding violence against children. Denise Scotto explained how this study was mandated by the UN General Assembly in order to provide a global overview of the scope of the problem, to detail the various kinds of violence youngsters face, and to provide recommendations for prevention and response. The definition of a child is one below the age of eighteen years. The definition of violence is "all forms of physical or mental violence, injury and abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse."

The UN report describes that violence against children, like violence against women, is pervasive. It occurs in every country, cutting across class, education, income, ethnic origin, and religion -- being unreported and under-recorded. Violence against girls and boys results in severe human rights violations and hampers their development while at the same time causing dysfunction in societies.

Violence against children occurs in different contexts and in many settings, from that of the home and family, to schools and educational settings, to institutional settings and the justice system, to work environments and the community.

According to an International Labour Organization (ILO) representative, there is little data on violence against children workers and in the majority of countries, million of children are working illegally. ILO Convention 138 precludes children under the minimum age of employment from being in the workplace. However, due to poverty, negative cultural attitudes particularly toward girls, and demand by business, youngsters are working, being pressed into debt bondage, and exploited.

The ILO has identified some categories of illegal work as the "worst forms of child labour," and therefore as violence against children. The largest employment category for girls under sixteen years is domestic work, which often takes the form of unregulated employment, and sometimes servitude or slavery. In these situations, youngsters are rarely able to protect themselves from employers and from being punished, humiliated, neglected, and subjected to sexual abuse. The ILO representative explained the IPEC action strategy with an aim to eliminating child labor, building upon various ILO Conventions.

Marian Birnbaum, member of both NYWBA and NYCLA, presented two students from Washington Irving High School,

where she is currently an educator. A debate team member, Gauisha Plaza, read a poem written by a freshman for the evening's panel regarding the foster care system. It was powerful and had a significant effect upon the audience. She was followed by Andrew Geathers, a senior member of the debate team. He discussed how he and members of his class became familiar with the issues of child soldiering, trafficking in children, and conditions of living in places where there is armed conflict. He related how the students felt these youngsters were robbed not only of a childhood, but of a life, and that he and his classmates considered themselves lucky, despite their own very real personal hardships. These youths were both impressive and their presentations showed how with opportunity, education, and an enabling environment, youngsters are resilient, they can overcome their hardships, and they can empathize and take action on behalf of others.

Kinda Serafi, Senior Policy Associate of the Children's Defense Fund in New York, discussed the intersection of violence against children and health. Her current work is advocating for health insurance coverage for children because there are an estimated 384,000 children and teens under nineteen years living in families in New York State who are uninsured. More than two-thirds of them are currently eligible for public health insurance, and they are not enrolled. She related that her hope is for Governor-Elect Spitzer to take up the CDF NYS legislative proposal so that all children living in New York State will be insured and assured access to healthcare, treatment, and services.

The final speaker, Regina Ritcey, an attorney and mediator with the New York City Family Court's Child Permanency Mediation Program and employed by the New York Society for the Prevention of Cruelty to Children, described the success of the mediation program. It is an alternative form of dispute resolution used in the course of a child protective case in Family Court in all boroughs except Staten Island to resolve conflicts or to remove barriers to the resolution of the case. It provides an opportunity for all adults who are important in the youngster's life to come together in an informal but structured setting to express their concerns and share their ideas about the best interests of the youngster. There is a strong emphasis on what steps need to be taken to preserve and strengthen the family and to ensure the safety of the child.

All speakers discussed the importance of the legal process as a significant positive tool for the reduction and elimination of violence against children. In addition, they agreed that violence against children globally and in New York is a complex issue which requires more than a legal response, rather, a multi-disciplinary solution.

Please contact Denise if you are interested in being part of the Children's Rights Committee as we move forward and develop further events regarding the issue of violence against children globally and locally.

## Medical Marijuana in New York State

by Susan Guercio

In 1996, California passed Proposition 215, exempting patients and their caregivers from prosecution for the possession and cultivation of marijuana when needed for personal medical purposes, and when the marijuana was recommended by a doctor. There had been substantial anecdotal evidence that the use of marijuana alleviated pain, appetite loss, muscle spasm and symptoms of other medical conditions for which there are no similarly effective pharmaceuticals available. However, there was little to no research to support those anecdotal reports. After California made this bold move, the Drug Czar, Barry McCaffrey, asked the Institute of Medicine (IOM) to study medical marijuana and issue a report. The IOM published their report in 1999 and concluded that cannabinoid-based drugs might be useful for pain relief, nausea, and appetite stimulation.<sup>1</sup>

Since that time, ten more states have passed similar laws making the use of medical marijuana legal. Those states are Alaska, Colorado, Hawaii, Maine, Montana, Nevada, Oregon, Vermont, Washington, and, most recently, Rhode Island. This past November, South Dakota rejected a medical marijuana measure by a vote of 52% - 48%.<sup>2</sup>

New York State Assembly Member Richard N. Gottfried (D) first introduced a medical marijuana bill to the New York State Assembly in 1997 and by the 2005-2006 legislative session, his bill had forty-three co-sponsors. In 2005-2006, Senator Vincent Leibell (R) sponsored a medical marijuana bill in the State Senate.<sup>3</sup> It is anticipated that these bills will be introduced to the NY Legislature again in 2007.

While the passage of state laws allowing the production, use, and distribution of marijuana for medical purposes protects patients from state prosecution, there is no protection for patients from criminal prosecution by the federal government under the federal Controlled Substance Act. (CSA) 21 USC §801 et seq. Since the CSA classifies marijuana as a Schedule 1 controlled substance, that is, a substance with no currently accepted medical use, it cannot even be prescribed by a physician.<sup>4</sup> Its manufacture, distribution or possession is a federal crime. The conflict of law between the federal statute and California state law finally came when California residents and medical marijuana patients (Raich) sued to have the Controlled Substance Act declared unconstitutional when applied to the intrastate manufacture and possession of marijuana for medical purposes in California. In 2005, the U.S. Supreme Court upheld the position of the federal government in Gonzales v. Raich, 545 U.S. \_\_\_\_\_, 125 S. Ct. 2195, Slip Op. 03-1454 (2005). Relying on Wickard v. Filburn, 317 US 11, the Supreme Court ruled that Congress' power to regulate interstate markets for medicinal substances included drugs produced and consumed locally. The Court concluded that the prohibition of marijuana was a valid exercise of federal authority under the Commerce Clause and declared that Congress had a rational basis for concluding that the production of marijuana for local, personal consumption has a substantial effect on supply and demand in the national ket. This ruling essentially gives carte blanche to the DEA to arrest patients, confiscate their personal marijuana supply, and close down the medical marijuana production and

distribution systems that provided the drug to patients, regardless of state law.

The Raich decision has led many to assume that the federal law invalidates the state law and prevents the states from executing their medical marijuana programs. However, the Supreme Court in Raich did not hold the state laws to be unconstitutional and therefore those state laws are still valid under state sovereignty. Under the principle of state sovereignty, the federal government may not coerce a state to enforce federal law nor may it force states to adopt or repeal certain laws. Printz v. United States, 531 US 898, 935 (1997); New York v. United States, 505 U.S. 144 (1992). The practical effect of state sovereignty on medical marijuana laws is that the state and local law enforcement cannot be compelled to assist the federal officials in enforcing the federal statute. Without the help of state and local police, the enforcement of the federal law is very difficult. Additionally, the Attorneys General for the States of Alaska, California, Colorado, Hawaii, Maine and Montana have gone on record as stating that the US Supreme Court's ruling in Gonzales v. Raich does not affect their states' medical marijuana laws.<sup>5</sup> Recently, a California Superior Court judge refused to overturn California's medical marijuana laws. Judge William R. Nevitt, Jr. ruled that state law enforcement officials are not obligated to arrest and prosecute people who violate federal laws. "The law is clear," he said, "The federal government cannot force the state of California to arrest and prosecute medical-marijuana patients."<sup>6</sup>

The Supreme Court's decision in Gonzales v. Raich was based solely on the Commerce Clause and did not address state sovereignty issue, did not rule on whether the federal prosecution in medical marijuana states violated patients' fundamental due process right, and it did not determine if patients could raise the medical necessity defense. These issues will probably be raised in the future as the Medical Marijuana movement attempts to provide broader protection for patients in need of this type of medication.

In an effort to further elucidate the legal issues raised by New York States' proposed Medical Marijuana legislation, The New York City Bar Association is sponsoring a symposium on *Medical Marijuana in New York*, Wednesday, February 7th from 6:30 to 9pm. The featured panelists in this discussion will be Richard N. Gottfried, Chair, New York State Assembly Committee on Health, and sponsor of medical marijuana legislation; Susan N. Herman, Esq., Centennial Professor of Law and Constitutional Law Scholar, Brooklyn Law School, Karen O'Keefe, Esq., Assistant Director of State Policies for the Marijuana Policy Project, and Robert A. Raich, Esq., Counsel for respondents in Gonzales v. Raich, 125 U.S. 2195 (2005), and United States v. Oakland Cannabis Buyers' Cooperative, 532 U.S. 483. The event will be moderated by Eric E. Sterling, J.D., President, The Criminal Justice Policy Foundation, Washington, D.C. The event is free of charge, and open to the public.

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## JOB ANNOUNCEMENTS

**Administrative Law Division – NYC Law Department, Part-Time Opportunities for Law Students:** The Administrative Law Division of the New York City Law Department seeks applications from second-year day and second- or third-year evening law students for two part-time Student Legal Specialist (“SLS”) positions. Pursuant to a special student practice order, Student Legal Specialists gain invaluable litigation experience through preparing pleadings, conducting discovery, interviewing witnesses, arguing motions, and possibly conducting small trials, under the direct supervision of an attorney. The successful candidate for the first SLS position will assume direct responsibility for litigating special proceedings in State Supreme Court seeking to amend or issue birth or death certificates from commencement to disposition. The responsibilities of the SLS include contacting clients and adversaries, drafting pleadings, and making court appearances for oral argument. Additionally, the SLS may be assigned to handle Article 78 proceedings challenging the determinations of various administrative agencies of the City of New York. The successful candidate for the second SLS position will assist with the prosecution of violations of the New York City Administrative Code. The SLS will investigate cases, draft pleadings and respond to motions, research legal issues, and have considerable contact with client agencies. The SLS may also argue motions in court and may be assigned to handle Article 78 proceedings challenging the determinations of various administrative agencies of the City of New York. Applicants must be highly motivated individuals who possess excellent organization, research, and communication skills, as well as a genuine interest in litigation. The SLS position requires twenty hours per week. Full-time employment may be available during the summer session. The hourly salary for the positions ranges from \$15.98 to \$20.77 per hour, depending upon the number of law school credits earned. Student Legal Specialists may be eligible for health and union benefits, and vacation and sick leave accrual. To be eligible for the SLS positions, the successful candidate must be currently enrolled in law school, have completed twenty law school credits, and be a New York City resident within ninety days of appointment as an SLS. The SLS position terminates upon graduation from law school. Interested students should submit a resume, law school transcript, two writing samples, and a list of three references to The New York City Law Department, Office of Legal Recruitment, 100 Church Street, Sixth Floor, New York, NY 10007.

**New York City Law Department, Commercial & Real Estate Litigation Attorneys:** The Commercial & Real Estate Litigation Division of the New York City Law Department seeks attorneys to represent the City in highly visible, exciting, and complex commercial litigation, and in the prosecution and defense of similarly challenging and often important disputes concerning the use and re-development of City real property. Division attorneys represent the City and its agencies in disputes involving numerous and diverse contractual arrangements touching upon virtually every function of City government, ranging from contracts with private companies to build or repair the City’s infrastructure, to leases of important public properties, to contracts for all types of goods and services. We handle disputes in state and federal courts and before administrative tribunals, including multi-million dollar matters as well as matters raising novel legal questions and analytical, investigative, and strategic challenges. Hardworking and independent-minded individuals who wish to assume substantial responsibilities in a collegial and supportive environment are strongly encouraged to apply. Strong research and writing skills are required. Trial experience is a plus. To apply for these positions, please submit a cover letter, resume, and law school transcript to Director of Legal Recruitment, New York City Law Department, 100 Church Street, New York, NY 10007.

### *Medical Marijuana continued from page 6*

#### Endnotes:

1. Janet E. Joy, Stanley J. Watson, Jr., and John Benson, Jr., (Editors), *Marijuana and Medicine: Assessing the Science Base*, Institute of Medicine, National Academy Press, Washington, DC.
2. Marijuana Policy Project, Report on 2006 elections.
3. Medical Marijuana Developments since 1997, Marijuana Policy Project.
4. It can, however, be recommended by a doctor, Conant v. Walters, 309 F. 3d 629 (9th Cir. 2002), cert. denied, 540 U.S. 946 (2003).
5. Vince Marrone, New Yorkers for Compassionate Care Position Paper, quoting official press releases, newspaper articles or letters from the individual Attorneys General; letter from Oregon’s General Counsel to Public Health Director dated June 17, 2005, stating the Oregon law requires registry identification cards, Oregon State Dept. of Human Services continues to be responsible for maintaining a program as prescribed by Oregon law, and since the Oregon act remains valid, there is no reason to alter current procedures.
6. Jeff McDonald, The San Diego Union-Tribune, S.D. judge hands victory to medical marijuana advocates, December 7, 2006 (internet access)

## COMMITTEE CALENDAR

The next meeting of the **Matrimonial Law Committee** is scheduled for **January 11, 2007, at 6:15**. Our guest speaker will be Jim McElligott the “Clerk-in-Charge” of the Matrimonial Support Office. He will speak to us about getting our papers filed and the ten most-seen mistakes. For more information, please contact the committee chairs.

## Newsletter Deadline and Contact Information

Submissions must be sent to the Newsletter Committee by the **10th** of the month for publication in the following month's newsletter. Please email articles, notes on members, committee calendars, and any other announcements to **Diana Ceccacci, Esq.**, tel. no. 718-229-4932, email [newsletter@nywba.org](mailto:newsletter@nywba.org).

## NYWBA List Serve

The NYWBA List Serve provides up-to-the-moment information concerning events, programs, and job announcements through email. Please email us at [info@nywba.org](mailto:info@nywba.org) if you have an announcement you would like to post on the list serve or if you would like to be added to the list serve.

Have you changed your address, firm, phone number, or other information? Please call 917-748-5039 or send an email to "[info@nywba.org](mailto:info@nywba.org)" with the updated information. This will help us keep you informed and our records up-to-date.

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