



NEW YORK WOMEN'S BAR ASSOCIATION

Celebrating Our 75th Year

The New York Women's Bar Association supports

A Pro Bono Opportunity to Assist Haitians with Immigration Issues

Help Haitians in the United States who qualify for Temporary Protected Status by participating in a TPS Clinic on February 6, 2010

No immigration law experience is required.

About TPS:

Temporary Protected Status grants foreign nationals the right to remain legally in the U.S. and to work for up to 18 months. Congress has authorized the Department of Homeland Security to grant TPS to individuals from countries whose nationals cannot safely return due to grave disturbances, including natural disasters.

Haitians only have a window of 180 days to apply for TPS, however, and given the large numbers of Haitians living in New York City and the gravity of the situation in Haiti, legal support is urgently needed.

TPS Program Sponsors include:

CUNY Citizenship Now!, The New York City Mayor's Office of Immigrant Affairs, The Legal Aid Society, The New York Immigration Coalition, The CUNY School of Professional Studies, NYWBA, and other groups.

February 6, 2010, 10 am - 5 pm

P.S. 181, 1023 New York Avenue, Brooklyn, NY 11203

To sign up, go to our website: www.nywba.org. If you have any questions, contact Nadine Huggins at nadine.huggins@mail.cuny.edu. If you wish to find out about future sessions, contact Katie Nieljadlik at KANieljadlik@legal-aid.org.

You do not have to be an NYWBA member to participate in this pro bono activity.

For the latest news and information on programs and events, check NYWBA online at www.nywba.org, and on [facebook](#) and [LinkedIn](#).

PRESIDENT'S MESSAGE

FEBRUARY 2010

Helping Hands



Donna M. Praiss

The stories of tragedy and heroics following the earthquake disaster in Haiti last month force us to put our own struggles in perspective and to find a way to help others in need. While the recovery in Haiti requires massive help from doctors, paramedics, police, rescue teams, construction workers and a whole lot of money, there are ways that lawyers are uniquely able to assist in this global effort. One way is to provide immediate legal assistance for Haitians in the United States who qualify for Temporary Protected Status (TPS). CUNY Citizenship Now, the New York City Mayor's Office of Immigrant Affairs, the Legal Aid Society, the New York Immigration Coalition, and the CUNY School of Professional Studies among other advocacy groups are planning TPS application assistance events this month. TPS grants individuals in the United States the right to remain legally and work for up to 18 months. Congress has authorized the Department of Homeland Security to grant TPS to individuals from countries whose nationals cannot safely return due to grave disturbances, including natural disasters such as this. Bar associations are helping out with these relief efforts by organizing fund raising events for various charities, channeling information to members about pro bono assistance programs, and offering legal training to enable any lawyer to provide necessary legal services to a person impacted by this catastrophe. I was pleased to learn that just days after the earthquake in Haiti, the City Bar received an overwhelming response to its TPS webinar and clinic (the webinar can be viewed online at www.lirs.org). With practice, lawyers may become as quick to respond to these calamities as those standing in the rubble.

While New York lawyers have generously donated their time and talents to a host of pro bono programs throughout the city for years, there has never been formal recognition of the value of pro bono activity or incentive for **retired lawyers** to provide pro bono legal services until the new "Attorney Emeritus" status was created by the New York Court System. NYWBA applauds Chief Judge Lippman and the New York Court System for establishing the Attorney Emeritus Program for retired attorneys in good standing who are at least 55 years of age and have practiced law for a minimum of 10 years. An Attorney Emeritus will not be subject to the \$350 attorney registration fee or mandatory CLE

Continued on page 2

REPORT OF THE NYWBA'S COMMITTEE ON NOMINATIONS

At its January 8, 2009 meeting, the NYWBA Committee on Nominations nominated the following candidates to serve during 2010-2011 and for other terms as stated below. The elections will be held at the Association's Annual Membership Meeting on **April 28, 2010**.

OFFICERS (2010-2011)

President:	Gretchen Beall Schumann
Vice Presidents:	Carla P. Vogel Catherine M. Foti Patricia Ann Grant
Treasurer:	Julie Hyman
Recording Secretary:	Yacine Barry
Corresponding Secretary:	Bonnie R. Cohen-Gallet

BOARD OF DIRECTORS

Class of 2010-2013

Dawn M. Cardi	Donna M. Praiss
Myra L. Freed	Amy Saltzman
Kelly O'Neill Levy	Andrea Vacca
Cassandra Porter	

Class of 2009-2012 (to fill unexpired terms)

Jennifer P. Brown	Stephanie Adduci
-------------------	------------------

COMMITTEE ON NOMINATIONS

Class of 2010-2012

Phyllis S. Koffman	Lisa A. Sokoloff
Donna M. Praiss	Andrea Vacca

NYWBA MEMBERS OF WBASNY BOARD (2010-2011)

Jane Bevans	Marjorie Martin
Elizabeth A. Bryson	Amy Saltzman
Dawn M. Cardi	Hon. Jacqueline W. Silbermann
Jo Ann Douglas	Lisa A. Sokoloff
Hon. Betty Weinberg Ellerin	

NOTICE TO MEMBERS - ANNUAL MEETING & ELECTIONS

The Annual Meeting will be held on **April 28, 2010 at 6:00 p.m.** at the offices of New York Life Insurance Company, 51 Madison Avenue (enter at 44 East 26th Street), New York City.

Article XIV, Section 1 of the By-Laws provides that only members of the Association who are in good standing and whose 2009-2010 dues have been received by **January 31, 2010** 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. Any such petition must be sent to Corresponding Secretary Kelly O'Neill Levy, New York Women's Bar Association, 132 East 43rd Street, The Chrysler Building, # 716, New York, New York 10017-4019 and must be received by no later than **March 19, 2010**.

President's Message continued from Page 1

requirements, if at least 30 hours of annual unpaid legal assistance is provided under the auspices of qualified legal services providers, bar associations and court-sponsored volunteer lawyer program. Those qualified may enroll in the Attorney Emeritus Program now by going to www.nycourts.gov and completing a short online form or calling 877-800-0396. Questions about this program should be directed to volunteerattorneys@nycourts.gov. With so many lawyers in New York combined with our baby boomer generation and the need for attorney mentors, this program promises to be a win win win for the public, the profession, and attorneys both junior and "Emeritus."

Donna

New York Women's Agenda (NYWA) Star Breakfast

The 18th Annual NYWA Star breakfast celebrated the extraordinary power of connections and relationships made through the vehicles that NYWA's founder, Elinor Guggenheimer, created and left as a legacy to the world. NYWBA is a member of NYWA and is represented on the board of the NYWA, which has long been dedicated to aligning different female voices to causes that are of particular interest to women and families. Among the 2009 Galaxy Awardees at the breakfast were NYWBA member Honorable Tanya R. Kennedy, who was recognized for her work with Tau Omega Chapter, Alpha Kappa Alpha Sorority, Inc. Each of the Star Award recipients shared with the audience stories of what inspires them to success and service. Dawn Fields, National Program Manager for Colgate's Bright Smiles Bright Futures, said that you cannot thank enough those closest to you and especially your "got your back crew." Gena Lovett, Partner and COO, Alexandra Investment Management LLC, explained that she is constantly awed by the power of a group of thoughtful, committed citizens as she has witnessed through her work with the Junior League of the City of New York.



*NYWBA President Donna M. Praiss
and Jane Fonda*

Jane Fonda was honored with the Elinor Guggenheimer Lifetime Achievement Award, presented by Gloria Steinem. Ms. Steinem's warm and personal introduction of Ms. Fonda gave the audience the perspective of a shy woman in her twenties standing in a theatre line in a red gingham dress being transformed over five decades into an icon for female fortitude, intelligence, and impact. Ms. Fonda reciprocated in her remarks by repeatedly quoting Ms. Steinem's writings for their timeless insights into women and our society. In particular, she seized upon the 2008 election as an illustration of how the media disserves women and the misogyny pervasive in our culture and noted that the fundamental problem is not one of gender but one of consciousness.



Jane On Tax

Exercising Stock Options - Pay Now, Save Later

Paying taxes is not a pleasant thing to think about. In this depressed economy, however, it may be better to pay taxes now than to delay. Interest rates are at an all time low, so it is hardly worth investing, and let's face it - with the budget deficit at an all time high, tax rates may well increase in the future.

There are several reasons why it may be the right time to exercise stock options. First, salaries did not increase for most people this year. In fact, some of us may have seen salary cuts. If you are in a lower tax bracket, the gain from exercising a stock option will be taxed at a lower rate. Second, it was a mixed year for stock growth. Hence, the appreciation may be less this year than it was in other years, so there may be less gain to tax. Finally, once you exercise the option, all future appreciation is taxed at the established capital gains rate.

Rules relating to the taxation of stock options depend on the type of option. Below is a brief summary of the rules applicable to three types of stock.

Incentive Stock Options are tax friendly because no tax is due when they are either granted or exercised, provided the stock is held for at least two years from the grant date and one year from the exercise date. If you sell the stock after this period has lapsed, the gain will be subject to capital gains rates.

Nonqualified Stock Options - When exercised, the entire gain (difference between the amount paid for the option and the fair market value of the stock at the time of exercise) will be subject to ordinary income taxes and FICA. Once exercised, the appreciation in value is subject to capital gain tax rates. While it might be hard to come up with the funds to exercise the options and pay the tax as well, it may be worth it just to save taxes. One strategy is to sell some of the shares and use the proceeds to pay the taxes on the remaining balance.

Restricted Stock is a type of stock that has certain conditions attached to it. A grant of restricted stock is not subject to tax until the restrictions are removed. At that point, the entire appreciation in value is subject to ordinary income tax and FICA. However, you can make an election under the Internal Revenue Code known as a 'section 83(b) election' and pay income taxes and FICA right away. All future appreciation will then be subject to the capital gain tax rate. (Note that this election must be made within 30 days of the grant.)

NOTE: The interpretation of tax law is very fact-specific, and readers should not rely solely on the guidance above. Be sure to consider all personal facts and circumstances and consult with a tax adviser on your individual situation.

Jane CoCo Cowles is Co-Chair of the NYWBA Students & New Lawyers Committee. She received her JD cum laude from Pace Law School and an LLM in taxation with honors from New York Law School. She worked at Ernst & Young and most recently at RSM McGladrey, dealing with a wide variety of tax issues, and was an adjunct professor of international business law at the European School of Economics from 2006-2007. Visit her tax blog at www.taxattorneyinthecity.com.

WELCOME NEW MEMBERS

Judith L. Benkov
Catherine M. Charles
Karen L. Courtheoux
Jeffrey J. Estrella
Lauren Frank
Joan M. Gasior
Elizabeth M. Haag
Jennifer McGrew
Merri C. Moken
Leslie J. Nelson

Natalie M. Newman
Megan J. O'Neill
Maria L. Palmese
Lainie E. Parker
Renee B. Phillips
Yeu Ting Riess
Kelly A. Skalicky
Judith S. Scolnick
Juhu Thukral
Jia Yu

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.

Diane Meyers
Hon. Leslie Crocker Snyder

Ellen R. Werther
Shelley M. Zoler

NOTES ON MEMBERS

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

Allison M. Surcouf recently joined the NYWBA Newsletter Team and is working on generating new content. Allison is a graduate of Emory University School of Law (J.D., 2006) and is currently associated with Condon & Forsyth LLP in its New York office specializing in aviation litigation.

Best wishes to **Jennifer P. Brown** who has recently started her own practice, specializing in matrimonial and family law. Jennifer has almost a decade of experience and can be reached at jenniferpbrownesq@gmail.com or 212-308-7697.

Save the Date!

In honor of International Women's Day, the NYWBA will be co-sponsoring a screening of "*Courting Justice*," a documentary film examining the challenges facing six women judges of the Constitutional Court of South Africa during the transition from apartheid to democracy.

"Courting Justice"

Tuesday, March 9, 2010

Program commences at 6:00 p.m.
at the United States Court of International Trade
(26 Federal Plaza, 4th Floor, NYC)

A reception and discussion with filmmaker Ruth Cowan and international judges will follow. The screening is being hosted by the International Association of Women Judges, the National Association of Women Judges (New York Chapter), the U.S. Court of International Trade and the New York Women's Bar Association.

Check our website at www.nywba.org for event details and RSVP information.

2009-2010 NYWBA COMMITTEE CHAIRS

STANDING COMMITTEES

By-Laws and Amendments Elizabeth A. Bryson
 Cooperation with Other Bar Associations Kelly O'Neill Levy
 Employment and Equal
 Opportunity for Women Felice B. Ekelman, Louis Pechman
 Judiciary TBA
 Legislation Jane Bevans
 Membership Heather K. Leifer, Jessica A. Ventarola
 Professional Ethics and Discipline Hon. Barbara Jaffe
 Sarah Diane McShea
 Programs, Events and Arrangements Diana G. Browne
 Patricia Ann Grant & Jo Ann Douglas (Annual Dinner)
 Publicity / Press Tamara Lannin, Allison Lurin

SPECIAL COMMITTEES

Advance the Status of
 Women in the Profession Brenda Pomerance
 Rachel J. Minter
 Alternate Dispute Resolution Andrea Vacca, Leona Beane
 Awards Amy Saltzman
 Business Law, Taxation and Bankruptcy. Cassandra Porter
 Monique McClure
 Children's Rights and Issues. Denise Scotto
 Continuing Legal Education Yacine Barry
 Criminal Law Isiris Isaac
 Diversity TBA
 Domestic Violence Amanda Norejko, Laura A. Russell
 Elder Law and Disabilities. Miriam Davidson, Kay Marmorek
 Immigration Law TBA
 Intellectual Property Maria Palmese, Marylee Jenkins,
 Dana Kaplan Richter
 International Law and Practice. Christa M. Bosch
 Rebecca Adams Hollis
 Litigation Kathy M. Lynch
 Long Range Planning Elizabeth A. Bryson, Myra L. Freed
 Matrimonial & Family Law Briana Denney, Sophie Jacobi,
 Hon. Andrea Masley
 Mentoring & Mentoring Circles . Andrea Vacca, Randy L. Shapiro
 Newsletter Carla P. Vogel, Anahid ("Annie") Ugurlayan
 Privacy and Cyberlaw. Patrice S. Ettinger
 Pro Bono. TBA
 Real Estate Law TBA
 Reproductive Rights TBA
 Solo and Small Firm Practice Deborah G. Rosenthal
 Gina Danetti
 Students and New Lawyers Stephanie M. Adduci
 Jane C. Cowles
 Summer Program Cassandra Porter
 Technology and the Internet / Website. Elizabeth A. Bryson
 Theresa Widmann
 Trusts and Estates Leona Beane, Loretta A. Ippolito
 Women's Health Issues TBA
 Working Parents Christine Harman

To join a committee, go to our website (www.nywba.org/committeechoice). If you would like to chair a Committee, send a note with your qualifications and contact info to President@nywba.org.

COMMITTEE NEWS

Solo and Small Law Firm Committee - The Solo and Small Law Firm Committee meetings are scheduled to be held February 18 at 6:30 pm, March 18 at 8:30 am, April 15 at 6:30 pm, May 13 at 8:30 am and June 8 at 8:30 am. Please email SSFchairs@nywba.org to RSVP and obtain location announcements.

Matrimonial & Family Law Committee - The Matrimonial & Family Law Committee meets on the third Wednesday of the month at 6:15 pm at the offices of Blank Rome LLP, 405 Lexington Ave., NYC. To RSVP, send an email to Co-Chairs Briana Denney, Sophie Jacobi & Hon. Andrea Masley at M&F@nywba.org or call Ms. Denney at 212-684-1000.

On Wednesday, January 20, 2010, **Judge Matthew Cooper, Joanne Quinones**, Judge Cooper's Principal Court Attorney (and President of the Brooklyn WBA!), and **Joshua Pike**, Judge Cooper's Assistant Court Attorney, joined the Matrimonial and Family Law Committee for a lively discussion on downward modification applications and other post-judgment issues. Judge Cooper, Ms. Quinones, and Mr. Pike were generously open to various questions and they led an insightful and humorous discussion. Everyone enjoyed the meeting and we thank our esteemed guests for sharing an evening with all of us.

Working Parents Committee - The Working Parents Committee focuses on the issues of working families and promotes the balance of family life and career. The Committee will host brown bag lunches generally on the 2nd Wednesday of each month at 12pm. Kickoff meeting is scheduled for Wednesday, March 14th to be held at the office of Morgan Stanley Investment Management, 522 Fifth Avenue, 20th Floor, NYC. Please RSVP to Christine Harman, Committee Chair, no later than the night before so that your name is on the host building's security list. Christine can be reached at christinemharman@yahoo.com and (201) 704-9109.

Other NYWBA Committees - Other committees also host programs and hold substantive meetings throughout the year, and many are looking for new members. If you are interested in joining a Committee or attending a meeting, contact the appropriate Committee Chair (names and contact information are posted at www.nywba.org/committees) or send a note to info@nywba.org.

If you are interested in chairing or forming a Committee, send a note to President@nywba.org to express your interest and provide information about your background and experience in the subject area(s) covered by the Committee.

Save the Date!

The New York Women's Bar Association
 and The New York City Bar Association

Present the 15th Annual Program

What It's Really Like to Practice Law as a Woman

Wednesday, June 23, 2010, 6:00 p.m.

New York City Bar, 42 West 44th St.

Reception to follow.

Additional event details and RSVP information will be on the NYWBA website (www.nywba.org) and upcoming newsletters.

NYWBA LAUNCHES ON FACEBOOK AND LINKEDIN

By Tamara Lannin

In January, the NYWBA officially established groups on the social networking websites of Facebook and LinkedIn. Both of these websites serve as networking tools and ways to relay information about the NYWBA. The LinkedIn *Group* is open exclusively to NYWBA members and can facilitate discussions among members. By contrast, the Facebook *Page* is open for anyone to see, contains basic information about the NYWBA and serves as free advertising for the NYWBA. The Facebook *Page* also contains information on how vendors can advertise in our monthly newsletter. The Facebook *Group* is open to members of the NYWBA and publicizes selected NYWBA events as well as to educate prospective members about the rewards of membership. Launching the NYWBA on these social networking sites not only brings the NYWBA into the 21st Century but serves as a free marketing tool to generate new memberships.

Both websites allow various privacy settings. For example, in the NYWBA Facebook *Group*, only select people can post messages on the Group wall, which will help control the content associated with the group. On LinkedIn, non-members will only be able to read a public description of the group and will not be able to see a list of the group members.

Both Facebook and LinkedIn allow members to adjust their privacy settings as they see fit. For example, on Facebook, members can allow anyone (even people with whom they have no connection) to see their personal profile and photos or, alternatively, can restrict their information and photos to be visible only to those they have specifically requested or accepted as "friends." It is important to note that whenever people post material online, they do so at their own risk. Generally, each individual must consider his or her own reputation and privacy settings.

A. Facebook -- How to Join the NYWBA Facebook Group and/or Become a Fan of the NYWBA Facebook Page:

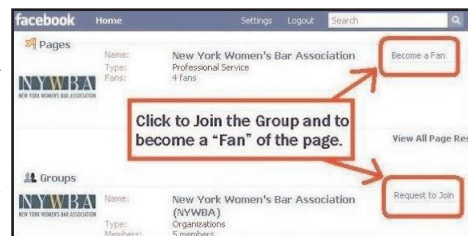
1) Be a Facebook member. In order to join a group on Facebook, you must be a member of Facebook. To join, go to <http://www.facebook.com>. Enter your information in the appropriate fields and click on the button labeled "Sign Up." Once you join, you can build your profile page, add friends, join groups and adjust your privacy settings as you see fit.



2) Search for NYWBA. Locate and click on the search field in the top right corner (the white rectangle adjacent to the magnifying glass). Within that field, type "New York Women's Bar Association" and either press "Enter" or click the magnifying glass. (Note that if you search for "NYWBA," you will find the Group, but not the Page.)



3) Join the Group and/or Become a Fan. After you search for "New York Women's Bar Association," you should see both the NYWBA Page and the NYWBA Group in your search results. To the right of the NYWBA Page, you will see a link with the words "Become a Fan." Simply click on that link to become a "Fan" of the NYWBA. Back in your search results, to the right of the NYWBA Group, you will see a link with the words "Join this group." Simply click on that link to join the Group.



B. LinkedIn -- How to Join the NYWBA Group on LinkedIn:

1) Join LinkedIn. In order to join the NYWBA Group on LinkedIn, you must first be a member of LinkedIn. To join, go to <http://www.linkedin.com>. Then enter your information in the appropriate fields and click the button labeled "Join Now." Once you join, you will have an opportunity to setup your profile.



2) Locate the NYWBA Group. Within LinkedIn, at the top of the page, you will see a collection of links with labels such as "Home," "Profile," "Contacts," and "Groups." Click on the link titled "Groups." Next, you will see a white text box sitting between the word "Groups" and a magnifying glass. Click on the text box, type "New York Women's Bar Association" or "NYWBA," and then either press "Enter" or click on the magnifying glass.



3) Request to Join the NYWBA Group. Among your search results, you will see the NYWBA Group. To the right of the group description will be a link with the words "Join this group." Click on that link to enter your request to join the group. Upon verification of your current membership, you will automatically be added to the NYWBA Group. (This verification process may take anywhere from a few minutes to a few days.)

If you have any questions about this article or the NYWBA's presence on Facebook or LinkedIn, contact Tamara Lannin, Esq., at tamaralannin@yahoo.com. Ms. Lannin is Co-Chair of the NYWBA Publicity Committee and has created both the Facebook and LinkedIn Groups to effectively represent the NYWBA in the up and coming world of digital social media.

Spotlight on A Firm: Gibbons P.C.

By Jiayi Jiang

NYWBA Spotlight is a column that features the experiences of different law firms in supporting their female lawyers. We hope these experiences will help your firm in understanding how to best support its female lawyers.

According to a study published in *The National Jurist*, tough economic times have propelled law firms to expand women's initiatives such as work life balance to entice and retain talent. Gibbons P.C. is a law firm that has reached higher stratospheres because of the success of its women's initiatives. The firm's philosophy is that its women's initiatives benefit its women, the firm itself, and the larger community in which we all live.

Nineteen years ago, when Kim Catullo, Administrative Director of Gibbons' NYC office, first started at Gibbons there were few female partners. Today, Kim, along with several female attorneys, sits on the executive committee. Gibbons' female partners make up 14% of the total partner population. *Working Mother* magazine has rated Gibbons as a best law firm three years in a row and Gibbons became only the third law firm to receive the prestigious Catalyst Award. Behind these statistics are actual stories reflecting Gibbons' commitment to its women's initiatives. Lucy Emhardt, an associate in the intellectual property department, spoke of the firm allowing her time to partake in the National Association of Women Lawyers conference. Myriam Rastatter, an associate in the corporate department, spoke of how the work life balance program allowed her to work and take care of her family after the birth of her daughter.

Ghillaine Reid, a director in the business and commercial litigation department, spoke about how Gibbons' women's initiatives are "for women but not just women." In fact, the firm's women's initiatives have included clients. Clients and Gibbons' attorneys meet in conferences to discuss female perspectives of the business world. Gibbons' work life balance program allows all of its attorneys to take a 3/5 schedule for up to one year that requires 60% of full-time, which equals 105 hours per month. Attorneys can also take a 4/5 schedule for an unlimited period of time that requires 80% of full-time, which equals 140 hours per month.

Another key part of Gibbons' women's initiatives is mentorship. Members of its mentorship program are divided into groups of 7 to 8 that cut across practice areas. These mentorship groups meet as often as they like to discuss career or personal topics. Looking toward the future, Gibbons plans to expand its women's initiatives. Recognizing the success of its mentorship program, Gibbons will extend its mentoring program into the community via a "dress for success" program and other community service projects.

Jiayi Jiang is a third year student at Brooklyn Law School and a member of the NYWBA Committee to Advance the Status of Women in the Profession. Jiayi welcomes comments and suggestions at Jiayi.jiang@brooklaw.edu.



Gibbons Directors and senior level executives at the 2009 Catalyst Awards Conference and Dinner, at which the firm was honored for its innovative, successful Women's Initiative.



In 2006, the new class of attorneys promoted to Directors and Counsel at Gibbons P.C. entirely comprised women, including women on reduced hours schedules.



Gibbons is a proud sponsor of the Susan G. Komen Race for the Cure and numerous other women-focused charitable organizations.

Mark Your Calendar!
**NYWBA Annual Awards
 & Installation Dinner**
June 10, 2010
Capitale
130 Bowery, New York City

New York Women's Bar Association Foundation Breakfast Featuring the Honorable Judith S. Kaye

By Christina Kallas and Marian Burnbaum

On Wednesday, December 2, 2009, the New York Women's Bar Association Foundation was honored to have as guest speaker at its latest fundraising breakfast the Honorable Judith S. Kaye, recently retired Chief Judge of the New York Court of Appeals, and currently Of Counsel at Skadden Arps Slate Meagher & Flom LLP. Judge Kaye's timely topic was "Turning Crisis into Opportunity."

Judge Kaye spoke to the audience briefly about her own life experiences. Her informal and candid style captivated the audience. She recounted with great humor how originally she set out to be a journalist, but found that women reporters were limited to covering "society" news. Having discovered a new interest in the law, she attended law school, only to find that she had picked yet another profession where women were routinely not hired. And the rest is history - or perhaps more accurately, "herstory."

Judge Kaye was most interested in responding to audience questions. The Foundation has extended an ongoing breakfast invitation to the young women of Washington Irving High School's Law and Public Service House, and they were especially happy to oblige her. One student asked the Judge about her advice to young women considering their career options. Judge Kaye responded that they should be positive, which she acknowledged is not always the easiest thing to do, adding "Don't be intimidated, and never give up." Judging from her life story, it looks as if that's quite sound advice.

Another student, who introduced herself as "a future Manhattan District Attorney," asked for advice about how to best fill that role and Judge Kaye replied, "prepare to live a long life."

Judge Kaye also discussed her decision to continue to practice after retiring from the bench. She felt that the best way for her to use her talents and abilities was to do so in conjunction with the resources of her new firm. Judge Kaye's new role will enable her to bring together many of the people who hold senior positions in government and the private sector to effectuate meaningful changes in the lives of people who need help - particularly children. She outlined her ultimate goal, saying, "Wouldn't it be great if every child everywhere had at least one person who really cared about what happened to her?" The audience responded with resounding applause.

While Judge Kaye expressed her pleasure at speaking before the Foundation audience, picking out many of her colleagues and friends in the audience, she was most delighted by the presence of the Washington Irving students. Judge Kaye spent time with the students after the conclusion of her remarks and graciously encouraged them to stay in touch with her.

The members of the New York Women's Bar Association and Board members of the New York Women's Bar Association Foundation have generously sponsored each student's attendance at the breakfasts by purchasing tickets to the Foundation's Fundraising Breakfasts on their behalf. Twelve

students attended the breakfast, the largest turnout of students to date. The students who attended the breakfast were chosen for their academic performance and their interest in the law.

Led by NYWBA member Marian Burnbaum under the direction of Executive Principal Bernardo Ascona, the Law and Public Service House is one of the small learning communities within Washington Irving High School, a Title I public high school in Manhattan which attracts students from every borough. The focus of the Law and Public Service House is to give students a working knowledge of and appreciation for the structures of government, the United States Constitution and various legal specialties. The students receive practical training through debate, mock trial, the Model United Nations program, mentoring and internships. The students and staff work with a variety of organizations, such as Cleary Gottlieb Steen Hamilton LLP, the Manhattan District Attorney's Office, Cardozo Law School, Fordham University School of Law, the Justice Resource Center, NYCLA, and, of course, the New York Women's Bar Association Foundation. The program has made a long-lasting impression on the students, many of whom have gone on to study at the nation's finest colleges.

For information on the Foundation's next breakfast, or to make a donation to the Foundation, please visit the Foundation website at www.nywbaf.org.

Christina Kallas and Marian Burnbaum are members of the Board of Directors of the New York Women's Bar Association Foundation.



L to R: Karen M. Mitchell, President, New York Women's Bar Association Foundation, Inc.; The Hon. Judith S. Kaye; and Katherine B. Posner, Former President, New York Women's Bar Association Foundation, Inc.

Europe's Groundbreaking Decision Regarding Violence Against Women: *Opuz vs. Turkey*

By Denise Scotto

On June 9, 2009, the European Court of Human Rights issued a groundbreaking decision concerning violence against women. In *Opuz vs. Turkey*, the court held that the Turkish government violated three articles of the European Convention on Human Rights and failed to take steps to protect victims/survivors of repeated instances of domestic violence. It also noted that the failure of a government to address gender-based domestic violence is a form of discrimination under the Convention, affirming and strengthening CEDAW (The Convention on the Elimination of All Forms of Discrimination Against Women).

The facts of the case demonstrate a pattern by the Turkish local authorities in South East Turkey of not taking action against violence committed in the marital relationship. Since 1995, when Mr. and Mrs. Opuz married, Mrs. Opuz and her mother suffered the regular and intensified abuse of Mr. Opuz. The abuse included physical attacks, such as knife-stabbings and hitting Mrs. Opuz and her mother with a car, as well as continued death threats.

Both Mrs. Opuz and her mother filed complaints with the local prosecutor's office who initially initiated criminal charges. When the women withdrew their complaints in fear of Mr. Opuz' retaliation, the local court dismissed the charges. Subsequently, the local prosecutor's office charged Mr. Opuz, and he was issued a monetary fine for knife assault.

Finally, in 2002, Mr. Opuz succeeded in killing his mother-in-law by shooting her with a gun in the plain view of a passer-by. Although Mr. Opuz was convicted and sentenced to life in prison, the local court shortened the sentence to 15 years on the grounds of "good behavior" during trial. On appeal by Mr. Opuz, the lower court released him rather than keeping him in custody.

After her mother was killed, Mrs. Opuz sought relief before the European Court of Human Rights. She argued that the Turkish government violated various articles of the European Convention on Human Rights such as: Article 2-the right to life; Article 3-the prohibition of torture and inhumane treatment for the murder of her mother and her own anguish and suffering; and the violations of Articles 2 & 3 prompted a violation of Article 14 (prompted by violations of Articles 2 & 3)-the prohibition of discrimination. Other significant arguments by Mrs. Opuz included that there was a failure to protect her and her mother in spite of a clear and known pattern of violent abuse and death threats. The local authorities' attempts to safeguard her and her mother demonstrated a widespread practice of gender-based discrimination in Turkey in legal institutions and society at large.

The court rejected the Turkish government's arguments that Mrs. Opuz failed to exhaust domestic remedies and proceeded to review the legal and factual context of the case, thus deciding it on its merits. The court found Turkey's applicable domestic criminal code to be unrealistic and that the Turkish government violated Article 2 for the death of Mrs. Opuz's mother, Article 3 in failing to adequately protect Mrs. Opuz and Article 14 for not properly protecting Mrs. Opuz's other Convention rights. The court cited to CEDAW and other regional statements relating to gender-based violence.

Significantly, the court allowed the submission of evidence from the Diyarbakir Bar Association, a local NGO (non-governmental organization), and Amnesty International. Statistics and accounts of domestic violence in South East Turkey. Among the information presented were evidence of the failure of police to properly investigate claims and unreasonable delays in judicial proceedings in domestic violence matters. This critical information clearly demonstrated women's reality in Turkey which the court found intolerable.

The *Opuz* decision acknowledges that domestic violence is a serious societal problem and requires European governments to protect women from it. Legal recourse through the Convention will hold governments accountable. With this judgment, governments are now put on notice that they should review their laws, reform law enforcement policies, pursue criminal proceedings, conduct effective criminal proceedings and develop human rights education/training in the area of domestic violence and gender-based violence.

Moreover, this case is a key tool for women's rights defenders as well as for members of the CEDAW Committee of experts in their efforts to combat domestic violence.

Denise Scotto is a Co-Chair of the NYWBA's Children's Rights Committee. She is the UN Representative for the International Federation of Women Lawyers & International Federation of Women in Legal Careers. She is also the Former Social Affairs Officer UN Department of Economic & Social Affairs.

New York's Child Support Program - Structure and Advocacy Strategies for Low-Income Families

By Brooke Richie

On December 16th, 2009, the Resilience Advocacy Project ("RAP"), with the support of the NYWBA, conducted a Continuing Legal Education (CLE) course called "New York's Child Support Enforcement System and its Implications for Low-Income Families." The course, which is part of RAP's CLE Training Series, provided a description of the federal Child Support Enforcement Program, as well as the legal and administrative structure of the program at the New York State and New York City levels. In addition to a structural overview of the program, the course provided background concerning the ways in which the child support program impacts low-income families in particular. Participants engaged in discussions about the actual implementation of program rules and shared effective advocacy strategies and responses to common challenges faced by low-income custodial and non-custodial parents. The course, which was held at the offices of Skadden Arps, offered 3 Professional Practice transitional and nontransitional credits. For more information about additional programs offered by the Resilience Advocacy Project, check their website at www.resiliencelaw.org.

Brooke Richie is the Executive Director of the Resilience Advocacy Project, a child and youth advocacy organization that develops and implements innovative advocacy approaches to ending intergenerational poverty.

Networking Strategies Highlighted at the Recent Meeting of NYWBA's Solo and Small Law Firm Committee

By Deborah G. Rosenthal and Gina T. Danetti

On January 14, 2010, the NYWBA's Solo and Small Law Firm Committee met at the office of Amy G. Goldsmith of Gottlieb, Rackman & Reisman, PC to discuss small firm networking strategies. Attending the meeting were practitioners from all fields of law, such as Estate and Tax Planning, Anti-Trust, Elder Law, Commercial Litigation, White Collar Crime, Business, Real Estate, Child Abduction, Matrimonial and Family Law. The discussion highlighted many different types of effective networking, such as always having business cards handy, creating a firm website, identifying your target client/audience, joining business and attorney networking groups, joining a committee at a local bar association, publishing articles on your area of expertise in various media, speaking publicly with groups that attract your target audience, local radio and television shows (i.e. WCBS Business Breakfast), community groups, religious groups, etc.

The Committee would like to extend its thanks and appreciation to Amy G. Goldsmith and her firm, Gottlieb, Rackman & Reisman, PC, for hosting the meeting.

Deborah G. Rosenthal and Gina T. Danetti are Co Chars of the NYWBA's Solo and Small Law Firm Committee.

"Lunch with a Judge" - Hon. Barbara R. Kapnick

By Allison Surcouf

As part of the "Lunch with a Judge" program series sponsored by the NYWBA, on January 14, 2010, Hon. Barbara R. Kapnick, Justice of the Supreme Court, New York County, Commercial Division, hosted a brown-bag lunch in her courtroom at 60 Centre Street. Justice Kapnick described her winding career path through the New York judiciary and her experience transitioning to the Commercial Division from the General Part of the Supreme Court. She also entertained questions from the group and some of the topics included mediation, big versus small firm litigation and the role of gender in our profession. Justice Kapnick and her Principal Court Attorney, Michael L. Katz, provided practice pointers, such as tips for brief writing. In addition, Judge Kapnick emphasized the importance of proof-reading, as well as a Table of Contents, in any brief. She also suggested the Court is more inclined to be persuaded by the arguments in a concise brief.

The NYWBA is grateful to Justice Kapnick and Michael Katz for graciously hosting us to a delightful and educational experience. Special thanks to Lisa Sokoloff, NYWBA past President, for coordinating the "Lunch with a Judge" program series.

Allison M. Surcouf is an associate with Condon & Forsyth, LLP. Her practice includes representing foreign and domestic air carriers and other clients in aviation accident litigation, airline claims, commercial litigation, and commercial transactions.



Facing, from left: Kathy Lynch (who introduced Justice Kapnick), Michael L. Katz (Justice Kapnick's Principal Court Attorney), Hon. Barbara R. Kapnick, and Clara Flebus (Justice Kapnick's Commercial Division Law Clerk).



Diamond

Reporting & Legal Video

Serving the legal community since 1980

Court Reporters ♦ Interpreters
Videographers ♦ Videoconferencing
Covering New York & New Jersey

Certified Woman-Owned Business Enterprise (WBE)
 Tel: 718.624.7200 ♦ 877-624-EBTS ♦ www.diamondreporting.com
DEPO CENTERS: Manhattan ♦ Brooklyn ♦ Queens ♦ Bronx ♦ Staten Island
 Mineola ♦ White Plains ♦ Hackensack, NJ ♦ Marlton, NJ

We Want Your Ad!



With a monthly circulation of more than 1,000 in the NYC Metro Area, the NYWBA newsletter is a great place to advertise.

Ads must be submitted by the 10th of the month for publication in the following month's Newsletter. Please email newsletter@NYWBA.org with questions or to submit ad.

Advertising Rates Per Issue	
Full Page:	\$500
½ page:	\$300
¼ page:	\$180
Business card:	\$100

(10% discount with payment for three or more issues)

NYWBA Membership Information

We thank our current members for their continued support and involvement, and we look forward to welcoming new and renewing members. Take advantage of our many member benefits - join committees, network and 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 and click on "Membership" to access our secure online membership form.

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

Newsletter and Advertising Information

Submissions must be sent to the Newsletter Committee by the **10th** of the month for publication in the following month's newsletter. Please submit articles, announcements, upcoming event programming, photos and committee or member news to newsletter@nywba.org. We retain the usual editorial discretion to omit or edit all contributions. Please call Carla Vogel at 201-679-6739, Annie Ugurlayan at 212-705-0105 or Allison Surcouf at 212-894-6863 with any questions.

Are You Satisfied With Your Website?

TAG
online is a One Stop Shop for all your website needs:

- ✓ Website Design
- ✓ Redesign and Updates
- ✓ Reliable Hosting
- ✓ Blog
- ✓ LinkedIn, Facebook & Twitter
- ✓ Email Newsletter
- ✓ E-Commerce
- ✓ Search Engine Advice
- ✓ Responsive Customer Service

Contact Amy at 973-783-5583
sales>tagonline.com • www.tagonline.com

We are the Official Website Provider for the
NEW YORK WOMEN'S BAR ASSOCIATION

Visit our website at www.nywba.org

- President**
Donna M. Praiss
- Vice Presidents**
Gretchen Beall Schumann
Catherine M. Foti
Carla P. Vogel
- Treasurer**
Julie Hyman
- Recording Secretary**
Bonnie R. Cohen-Gallet
- Corresponding Secretary**
Kelly O'Neill Levy
- Board of Directors**
Yacine Barry
Leona Beane
Jane Bevans
Elizabeth A. Bryson
Dawn M. Cardi
Jo Ann Douglas
Hon. Laura E. Drager
Myra L. Freed
Hon. Phyllis Gangel-Jacob
Patricia Ann Grant
Hon. Sherry Klein Heitler
Randi S. Isaacs
Kay Marmorek
Hon. Angela M. Mazzarelli
Susan M. Moss
Cassandra M. Porter
Amy Saltzman
Teresa Schiller
Hon. Jacqueline W. Silberman
Lisa A. Sokoloff
Andrea Vacca
- NYWBA Delegates to
WBASNY Board**
Susan L. Bender
Jane Bevans
Elizabeth A. Bryson
Dawn M. Cardi
Jo Ann Douglas
Hon. Betty Weinberg Ellerin
Marjorie A. Martin
Amy Saltzman
Gretchen Beall Schumann
Lisa A. Sokoloff
- WBASNY Vice President**
Teresa Schiller

NEW YORK WOMEN'S BAR ASSOCIATION

132 East 43rd Street, #716, New York, New York 10017-4019
(212) 490-8202 • Fax (877) 282-1462 • info@nywba.org

ADDRESS SERVICE REQUESTED

PRESORTED
FIRST CLASS MAIL
US POSTAGE
PAID
TERMINAL PRINTING
COMPANY
07102