

NYWBA

NEW YORK WOMEN'S BAR ASSOCIATION

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

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

*including our long-time Director
Hon. Kelly Ann O'Neill Levy
New York County Civil Court*

at a **Cocktail Reception**

**Tuesday, February 22, 2011
The Yale Club, Library
50 Vanderbilt Avenue, NYC**

**Cost: \$40 Members (NYWBA & WBASNY)
\$65 (Non-Members)
(*\$15 surcharge for payment at the door*)**

Note: No charge for New York County Judges who are newly elected, newly re-elected, or newly appointed; and for Justices of the Appellate Division, First Department and Judges of the New York Court of Appeals.

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

PRESIDENT'S MESSAGE

Growth, Education & Advancement

FEBRUARY 2011



Gretchen Beall Schumann

I am pleased to report that the NYWBA now has more than 600 members, a record level of membership at this point in the year. The Association appreciates your support and hopes that you will continue to encourage new members to join us, with half price dues for new members from January 1st through March 31st. We are also fortunate to maintain a high level of representation within our statewide organization, WBASNY, which allows the New York Chapter to impact legislative and other initiatives that are important to our membership.

The upcoming weeks promise to be a busy time for the Association, as we push forward with our mission to advance the status of women in the legal profession. On March 3rd, the NYWBA will co-sponsor its first Continuing Legal Education (CLE) program with the Cornell University ILR School in New York City: "Diversity and Inclusion: Women in Law Firms." This program, which features four panelists with a wide range of expertise and backgrounds, is being spearheaded by the ILR School, and the Association's CLE, Diversity, Advance the Status of Women in the Profession, and Working Parents Committees. The speakers will explore, among other things, fostering retention and promotion of women attorneys at law firms. The Association thanks ILR for providing a venue for this candid dialogue. I also applaud the efforts of other bar associations, including the New York City Bar, which recently published its "2010 Law Firm Diversity Benchmarking Report" tracking partnership and other statistics, including for women and minority attorneys, at more than 80 law firms. Come and be heard on March 3rd – and bring another interested person with you.

This month, the Elder Law Committee sponsored a program on Adult Protective Services, and they have planned another program for March 8th on "Elder Care Management." Thank you to the Elder Law Committee for making these educational opportunities available to our members at no cost.

Don't forget to register for our annual cocktail reception honoring New York County Judges (registration information can be found at left). This event is one

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NYWBA Nominations Committee Report - p. 3

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Elder Care Management Program - March 8 - p. 6

Padilla v. Kentucky CLE - March 2 - p. 8

Issues in Criminal Law CLE - March 17 - p. 10

CLE Program on Diversity and Inclusion - March 3 - p. 10

Recent Developments in Consumer Protection Law CLE - April 6 - p. 10

2010-2011 NYWBA COMMITTEE CHAIRS

STANDING COMMITTEES

By-Laws and Amendments Elizabeth A. Bryson
 Cooperation with Other Bar Assns Hon. Kelly O'Neill Levy
 Employment and Equal
 Opportunity for Women . . . Felice B. Ekelman and Louis Pechman
 Judiciary Bonnie E. Rabin
 Legislation Jane Bevans and Jennifer P. Brown
 Membership Heather K. Leifer and Jessica Ventarola Kane
 Professional Ethics and Discipline Hon. Barbara Jaffe and
 Sarah Diane McShea

Programs, Events and
 Arrangements Diana G. Browne and Donna M. Praiss
 Patrice Ettinger and Jo Ann Douglas (Annual Dinner)
 Publicity / Press Tamara Lannin

SPECIAL COMMITTEES

Advance the Status of Women
 in the Profession Brenda Pomerance and Rachel J. Minter
 Alternate Dispute Resolution Andrea Vacca and Leona Beane
 Archives & History Susan L. Pollet
 Awards Orrit Hershkovitz
 Business Law, Taxation & Bankruptcy Cassandra M. Porter
 and Monique McClure
 Children's Rights & Issues . . . Barbara J. Schaffer and Jill M. Zuccardy
 Continuing Legal Education Yacine Barry
 Criminal Law Isiris I. Isaac and Kathryn E. Salensky
 Diversity Jillian L. Goorevitch and Caitlin I. Somerman
 Domestic Violence Amanda B. Norejko and Laura A. Russell
 Elder Law & Disabilities Miriam Davidson and Kay Marmorek
 Immigration Law Annie J. Wang and Jennifer Durkin
 Intellectual Property Maria L. Palmese
 International Law & Practice Christa M. Bosch and
 Rebecca Adams Hollis
 Investment Management Regulation Carla P. Vogel and
 Allison Harlow Fumai
 Litigation Kathy M. Lynch and Marni Rae Robin
 Long Range Planning Elizabeth A. Bryson and Myra L. Freed
 Matrimonial & Family Law Briana Denney, Sophie Jacobi
 and Hon. Andrea Masley
 Mentoring & Mentoring Circles Andrea Vacca and
 Randy L. Shapiro
 Newsletter Stephanie M. Adduci
 Privacy & Cyberlaw Patrice S. Ettinger
 Pro Bono Gail M. Kempler
 Real Estate Law Donna G. Hopkins
 Reproductive Rights TBA
 Solo & Small Firm Practice Deborah G. Rosenthal and
 Gina T. Danetti
 Students & New Lawyers Stephanie M. Adduci and
 Jane CoCo Cowles
 Summer Program Cassandra Porter and Stephanie M. Adduci
 Technology & the Internet / Website Elizabeth A. Bryson
 and Theresa L. Widmann
 Trusts & Estates Leona Beane and Loretta A. Ippolito
 Women's Health Issues Denise Scott
 Working Parents Christine M. Harman and Melanie A. Chieu

Contact info for NYWBA Committee Chairs, and the names and contact info for our Delegates to WBASNY Committees and our Liaisons to other bar associations, can be found at www.nywba.org/members/committees.shtml. To join a committee, go to 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.

President's Message (continued from Page 1)

of the highlights of our year, and it provides an excellent opportunity for the Association to show its appreciation for those who dedicate themselves to the difficult, but no doubt rewarding, challenges of public service on the Bench. The NYWBA is proud of our new Judge members (please see our "Part I" coverage of the judicial inductions of NYWBA members in this Newsletter on p. 8, as well as in our March Newsletter). I look forward to seeing you there, as we share our congratulations at the Reception.



COMMITTEE NOTES

The **Business Law, Taxation, and Bankruptcy Committee** invites you to join our committee this year. The Committee meets on the fourth Monday of each month at the offices of New York Life Investment, 51 Madison Avenue, New York, NY 10010. We thank NY Life Investment and Director Monique McClure for hosting. Our next meeting will be on February 28, 2011. Upcoming meeting dates: March 28, April 25, and May 23. RSVP to Co-Chair Monique McClure at Monique_mcclure@nylim.com. She and Co-Chair Cassandra Porter look forward to seeing you there.

The **Domestic Violence Committee** will be meeting on February 15, 2011. Meetings begin at 6:30 p.m. and will be held at our new location: Skadden, Arps, Slate, Meagher & Flom LLP, 4 Times Square, NYC (42d St. between Broadway and Sixth Ave). All NYWBA members are welcome. Upcoming meeting dates: March 15, April 12, and May 17. Contact Co-Chairs Amanda Norejko (anorejko@sffny.org) or Laura Russell (larussell@legal-aid.org) with any questions or to join the Committee.

The **Elder Law Committee** invites you to attend our upcoming scheduled events to be held at One Stop Senior Services, 747 Amsterdam Ave. (between 96th and 97th Streets), 3rd Floor, NYC. On March 8, 2011, we will discuss Elder Care Management. (See announcement on page 6.) All members are welcome, and Co-Chairs Miriam Davidson and Kay Marmorek hope you can attend. RSVP to ElderLawRSVP@nywba.org.

The **Matrimonial and Family Law Committee** meets at 6:15 p.m. on the third Wednesday of each month at Blank Rome, LLP, located at The Chrysler Building, 405 Lexington Avenue, NYC. We thank Blank Rome for hosting us again this year. Next meeting: February 16, 2011. Upcoming dates: March 16 and May 18. To RSVP for meetings, send an email to Co-Chair Briana Denney at bd@sladenewman.com. Send ideas and requests for meeting topics to Co-Chair Sophie Jacobi at sjacobi@msalaw-ny.com.

The **Students and New Lawyers Committee** meets from 6 to 8 p.m. on the fourth Monday of each month at New York Life Investment, 51 Madison Avenue, New York, NY 10010. We thank NY Life Investment and Director Monique McClure for hosting. Our next meeting will be on February 28, 2011. Upcoming meeting dates include: March 28, April 25, and May 23. If you are interested in joining the Committee and attending our meetings, RSVP to Co-Chairs Stephanie M. Adduci and Jane CoCo Cowles at SNLChairs@nywba.org.

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NYWBA NOMINATIONS COMMITTEE REPORT

At its December 10, 2010 and January 12, 2011 meetings, the NYWBA Committee on Nominations nominated the following candidates to serve for the terms stated below. The elections will be held at the Association's Annual Membership Meeting on **Wednesday, April 27, 2011.**

OFFICERS (2011-2012)

President:	Patricia Ann Grant
Vice Presidents:	Hon. Jacqueline W. Silbermann Catherine M. Foti Julie Hyman
Treasurer:	Ann E. Gittleman
Recording Secretary:	Yacine Barry
Corresponding Secretary:	Jennifer P. Brown

BOARD OF DIRECTORS Class of 2011-2014

Elizabeth A. Bryson	Susan M. Moss
Hon. Laura E. Drager	Deborah G. Rosenthal
Hon. Phyllis Gangel-Jacob	Gretchen Beall Schumann
Hon. Sherry Klein Heitler	

Class of 2009-2012 (to fill unexpired terms)

Bonnie R. Cohen-Gallet	Amy B. Goldsmith
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COMMITTEE ON NOMINATIONS Class of 2011-2013

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

NYWBA MEMBERS OF WBASNY BOARD (2011-2012)

Jane Bevans	Marjorie Martin
Elizabeth A. Bryson	Donna M. Praiss
Dawn M. Cardi	Amy Saltzman
Jo Ann Douglas	Gretchen Beall Schumann
Hon. Betty Weinberg Ellerin	Hon. Jacqueline W. Silbermann

NOTICE TO MEMBERS – ANNUAL MEETING & ELECTIONS

NYWBA's **Annual Membership Meeting** and elections will be held on **Wednesday, April 27, 2011.**

Article XIV, Section 1 of the By-Laws provides that only members who are in good standing and whose dues for this fiscal year were received by **January 31, 2011** 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 to be voted on at the Annual Meeting. Such petition must be sent to Corresponding Secretary Bonnie Cohen-Gallet, New York Women's Bar Association, 132 East 43rd Street, The Chrysler Building, # 716, New York, New York 10017-4019 and received by or before **March 18, 2011.**

WELCOME NEW MEMBERS

Tiesha S. Burse	Toni N. Guarino
Lucy G. Cheung	Hon. Shlomo Hagler
Alexis L. Cirel	Donna Jane Kassman
Melissa Crane	Leslie Ann Nadelman
Gabrielle LaMarche	Jennifer L. Porcaro
Deyoung	Claire F. Rush
Wendy Francois	Blair Sanzone
Laura E. Gagnon	Margaret C. Thering
Melissa Gonzalez	Melissa Ann Zeigler

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.

Daniel Finkelstein
Ingrid Gherman
Eileen S. King
Betty Lugo

NOTES ON MEMBERS

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

Congratulations to **Susan L. Pollet**, who was appointed as the Chair of the newly formed Archive & History Committee. As part of her new role, Ms. Pollet will interview NYWBA past Presidents and luminaries to produce profiles in our Newsletter and on our website (www.nywba.org/History). These profiles, which commence with an interview of Past President Martha E. Gifford in this Newsletter, will be a welcome addition to our Archives.

Congratulations to member **Laura M. Twomey** on her appearance on NY1's "Money Matters," in which she discussed the importance of having a current will as part of everyone's estate and financial planning.

COMMITTEE NOTES (cont'd)

The **Working Parents Committee** invites you to our monthly brown bag lunch meetings at noon on the second Thursday of each month at MetLife, 1095 Avenue of the Americas, NYC (at 42nd Street). Our February brown bag lunch will be on Thursday, February 10. Future meetings will be held on March 10 and April 7. Meeting topics will include reclaiming your life from our crazy busy world, aging parents, preparing for college, special education. If interested in attending, RSVP to Co-Chair Christine Harman (christinemharman@yahoo.com, 201-704-9109). She and Co-Chair Melanie Chieu look forward to seeing you.

REMINDER

You must be a current, paid-up member for **2010-2011** to continue to receive the NYWBA Newsletter, so be sure to **renew today!**

The NYWBA Foundation Selects the First Feerick Center Fellows

By Annie M. Ugurlayan

The New York Women's Bar Association Foundation is pleased to announce the inaugural NYWBA Foundation Fellows at Fordham Law School's Feerick Center for Social Justice. In May 2010, the Foundation announced a \$100,000 grant to the Feerick Center for Social Justice to fund two fellowships a year for five years for Fordham Law students in financial need to engage in public service work related to women and children's issues in New York. This grant was made possible thanks to the generous gift to the NYWBA Foundation from past **NYWBA President Norma Z. Paige**.

The first fellow is **Donella Green**, a 2L who was born and raised in Merced, California. The second oldest of five children, Ms. Green graduated from the UCLA in 2007, where she double-majored in Philosophy and African-American Studies. As an undergraduate, she was actively involved in various academic support programs and mentorship programs both on the campus and in the greater Los Angeles community, such as the Academic Supports Program, where she served as a peer counselor for minority students on the UCLA campus, and the Academic Advancement Program, where she served as a tutor. At Fordham University School of Law, Ms. Green has been actively involved in the Black Law Student's Association, serving as the Community Service Chair. She is also a staff member of the Environmental Law Review and the Brendan Moore Trial Advocacy Team. Ms. Green also serves as a mentor through the New York City Bar Association's Thurgood Marshall Mentorship Program. During the summer of 2010, Ms. Green worked for the Merced County Public Defender's Office in Merced, California, and next summer she will work for the Public Defender Service of the District of Columbia, in the Trial Division.

The second fellow is **Andrea Vazquez**, a 2L who was born and raised in Kearny, New Jersey. She graduated *cum laude* from New York University in 2009, where she received her B.A. in Politics and was a recipient of the Founder's Day Award. At NYU, Ms. Vazquez worked at University Settlement as a member of AmeriCorps' Jumpstart and spent two years at Manhattan Youth, a non-profit center dedicated to the youth of lower Manhattan. At Fordham Law School, Ms. Vazquez serves as a member of the Domestic Violence Action Center, and during her first year she worked on an uncontested divorce for a survivor of domestic violence. Last summer, Ms. Vazquez was awarded an internship sponsored by the Leitner Center for International Law and Justice and worked in Accra, Ghana at the Human Rights Advocacy Center. Ms. Vazquez mentors a group of 1L law students as a part of the Board of Student Advisors, and she is also a member of the Urban Law Journal.

The 2010-2011 NYWBA Foundation's Feerick Center Fellows will focus primarily on three projects: the Domestic Violence and Consumer Law Project, the CLARO (Civil Legal Advice Resource Office) Program, and the False and Deceptive Advertising Project. The Domestic Violence and Consumer Law Project seeks to enhance and expand capacity among legal and social services providers in order to better address the consumer debt issues of domestic violence survivors. Its works includes supporting regular meetings of a number of working groups; compiling resource guides for legal and social services providers; sponsoring training programs; and developing financial literacy curricula and other

training materials tailored to the needs of very low-income survivors. Mss. Green and Vazquez will be working with Shelly Agarwala, a domestic violence advocate at Staten Island Legal Services and participant in the Feerick Center's Domestic Violence and Consumer Law Project. They will concentrate on conducting research on utility protections for domestic violence survivors, which is part of a project initiated by the New York City Bar Domestic Violence Committee to remedy utility shut-offs and denials of applications due to outstanding arrears. They will also be updating and revising an initial memorandum of law on protections available to domestic violence survivors against utility shut-offs and denials of applications, as well as surveying advocates regarding their experiences working with clients on utility-related problems. Ultimately, they will develop a tip-sheet for New York State advocates regarding utility-related issues for victims of domestic violence, and potentially develop legislative proposals to expand protections for domestic violence survivors. Mss. Green and Vazquez will also assist the Center in its efforts to implement a pilot program to develop limited legal advice clinics for unrepresented domestic violence survivors in consumer debt cases, developing case summaries following the clinics, which the Project will use to develop guidelines and best practices for attorneys handling such cases.

The Civil Legal Advice Resource Office (CLARO) Program provides critically-needed limited legal advice to unrepresented debtor-defendants. Consumer debt collection cases filed in New York City Civil Court have increased exponentially in recent years, tripling between 2000 and 2008, with more than 240,000 total cases in 2009. With this rapid rise in cases, systemic issues such as improper service of process (resulting in a default rate of more than 65%), inadequate documentary proof of claims, and predatory lending terms in credit card agreements all act to disadvantage litigants (many of whom are low-income and significant numbers of whom are elderly and/or female). CLARO programs involve partnerships between law schools and bar associations, coupling volunteer lawyers with volunteer law students.

The Feerick Center helps support CLARO programs in Manhattan and in the Bronx; other local law schools and bar associations operate CLARO programs in Queens and Brooklyn. Mss. Green and Vazquez will help the Feerick Center expand the Manhattan CLARO Program from one weekly evening session to two weekly sessions (one daytime and one evening session), which will assist many litigants who cannot access the Manhattan CLARO Program during its traditional operating hours. They will also attend CLARO sessions, conduct intake interviews with litigants, and observe sessions with volunteer attorneys.

Karen Mitchell, President of the NYWBA Foundation, said, "The Board of the New York Women's Bar Association Foundation is excited to be able to support the important work of the Feerick Center, especially its work on poverty-related issues that often determine the equality, safety, and well-being of women and children. We are delighted at the prospect of the contributions the first named fellows will make to the Center and furthering the mission of the Foundation."

Annie Ugurlayan is a Senior Staff Attorney at the National Advertising Division and a member of the NYWBA Foundation Board of Directors.

NYWBA & WBASNY Past President Martha E. Gifford: An Archival Interview

By Susan L. Pollet



Q: When did you first become involved in the NYWBA, and why did you join?

A: Early in my career, I spent more than a year at my firm's small office in Los Angeles. That office had two female senior associates who were confident, forthright lawyers and individuals, and I enjoyed the close professional and personal associations among us. When I returned to the NYC office in 1980, having practiced law for almost 4 years, I began to feel the isolation of being a woman in a law firm litigation group – and I thought a woman lawyers' group could duplicate the ladies' weekends in Palm Springs that I'd enjoyed with my LA colleagues! I don't remember how I first heard about the NYWBA, but I attended a monthly program meeting. Seeing a new face, a woman introduced herself to me, asked about my interests, encouraged me to join and get involved, and then took me around the room to introduce me to others. That person was Nancy Loudon, who became NYWBA President in 1984-85. That night, I met Katie Law (1990-91 President), Mikki Golar (1991-92 President), and others who are still my friends and colleagues today. I joined because I recognized that the NYWBA offered opportunities to work on legal issues and policy for the benefit of women, and to get to know women lawyers and judges whom I would never meet in my big firm antitrust and litigation practice. The first "off site" event I attended was the 1981 WBASNY Convention in Ellenville, where I met terrific women lawyers and judges from all over the state who were actively committed to improving the status of women under the law and in the legal profession.

Q: What are some of the roles you've had in NYWBA and WBASNY?

A: In the NYWBA, I've worked on the Newsletter Committee, Litigation Committee, the ground-breaking Committee to Advance the Status of Women in the Profession formed by Gina Anderson (to whom we should all be grateful), and currently the Solo and Small Firm Committee. I chaired the Judiciary Committee. Katie Law named me as NYWBA designee to the NY County Democratic Committee's Independent Judicial Screening Committee that reviewed candidates for both Civil and Surrogate's Courts in 1990. I was elected as a Board member, WBASNY Delegate, Vice President (several terms), and then President. With Gina and Toby Pilsner (1993-94 President), I helped to create the NYWBA Foundation, where I am still a Board member and Vice President. As a Past President, I am a member of the NYWBA Advisory Committee.

For WBASNY, I chaired the Nominations and Awards Committees, organized a forum for candidates for the United States Senate at the 1990 Convention, and was elected as Board member, Secretary, Vice President, and President (2001-02). As President, I represented WBASNY to many other organizations, including the group of bar association presidents called together by Chief Judge Kaye to formulate responses to the terrorist attacks of September 11, 2001. I'm a member of the WBASNY Advisory Committee, and I have been working on initiatives to increase the number of women on the federal bench in New York State.

Q: What do you consider the NYWBA's most important accomplishments?

A: If you read the chapter history told in our recent Annual Dinner Journal (which we all should do), you realize how difficult it is to identify just a few highlights out of the constant accomplishments of this Association. A few of my personal picks: the creation of WBASNY, which NYWBA's Joan Ellenbogen accomplished with others around the state, because without WBASNY no women's bar association in New York could have had the impact on legislation, policy, and the judicial system that we have had; passage of the rape shield law, which revolutionized that part of the criminal law that treated women with institutionalized contempt; our success in encouraging and supporting so many members and other women to become judges, changing the face of the state courts in Manhattan; leadership actions to improve women lawyers' professional status, including the Mentoring Conference for legal employers and publication of *The Lawyer's Guide to Mentoring*; 15 years of our ground-breaking program "What It's Really Like to Practice Law as a Woman"; and our Mentoring Circles program - no other bar association in NY State has been so innovative in this area.

Q: How has NYWBA changed since you first became President?

A: The NYWBA necessarily reflects our profession, including its economic pressures. As a result, the most evident change I've seen is that lawyers contribute less time to bar associations, including ours, than they once did, and that makes it more difficult to undertake significant programs that require ongoing work, travel, writing, and advocacy. One thing that hasn't changed, is that we are fortunate to continue to have the devotion of individual officers and members who have a passion for our issues. Another significant change, for the better, is that the membership has become even more diverse in terms of our professional backgrounds. We have been able to maintain our leading voice on issues of matrimonial and family law and domestic violence, while we have increased the strength of our voice on professional issues generally.

Q: Tell us about your career, and how being a woman impacted your career?

A: There were almost no senior women whom I knew in the practice of antitrust law when I was a young lawyer, and not very many in general litigation practice. Most of the senior men in the antitrust practice were not comfortable treating a young woman as a protégé, so it was difficult to get as involved as I would have liked in all aspects of the practice from the beginning. However, I joined the Antitrust Division of the U.S. Department of Justice in 1982, where there was a better representation of women, and I got terrific front-line experience. When I went back to a law firm, being a woman with prosecutorial experience made me stand out in the antitrust field. Although there are now many more women in that area of practice, ironically, I think my reputation was enhanced because of the perception of clients and other counsel that, as a senior woman antitrust practitioner, I was in a select group. In one other respect, I believe that being a woman has recently had a

Martha E. Gifford (continued from page 5)

tremendous effect on my career. Like many other women, I have become more open-minded over the years to what constitutes professional success and satisfaction, and that attitude, combined with the invaluable support I've had from my colleagues in the Women's Bar, helped me make the decision to start my solo practice.

Q: What were the biggest challenges you faced as a woman attorney in a big firm?

A: As a young lawyer, the biggest challenge was the difficulty of finding role models and, more importantly, mentors who could provide guidance, pointers, or direct support. Like so many other women in law firms in the 1970's and '80s, especially in male-dominated practice areas, I encountered reactions that ranged from indifference (not a benign attitude, as any law firm associate who wants to get ahead knows) to hostility. There were exceptions - colleagues who dealt with me based on my ability and who sought to promote me. However, there were many meetings when male colleagues constantly interrupted my remarks, and more than a few occasions when clients I was meeting for the first time asked me to get coffee. It was, and is, difficult enough to succeed in the legal profession; but, as women, my peers and I often carried burdens that male lawyers did not. Humor and a healthy subversive attitude helped, as did my friends and colleagues in the Women's Bar.

Q: What advice would you give new women attorneys today?

A: There is still no substitute for doing the best work possible, and frankly, putting in as much time as you can. But it is also still true, for many if not most women, that excellent professional work is not enough to reach their goals. Seek out mentors, both men and women, and add new mentors as your professional goals evolve. Rely on your friends and colleagues for support, but as Gina Anderson wrote in the NYWBA Newsletter years ago, be responsible for evaluating your own progress on a regular basis, and ask yourself whether you enjoy what you are doing and can see the likelihood of positive development. Read some of the many excellent books on women lawyers and managers. Engage constructively with your employer to organize your practice to permit flexibility. Create your own definition of success, and if your current practice is not satisfactory, make a change inside or outside of the organization.

Q: What functions do you think the NYWBA should serve in the future?

A: We still have important work to do in legislation and advocacy on issues that are important for women, especially the legal aspects of economic security and health care. We must continue and escalate our ground-breaking work on professional advancement for women lawyers. The ABA Commission on Women in the Profession has written practically about strategies for improving the number and success of women in law firms. Other bar associations have not used these and other resources effectively to push firms to do better, but we should do so. The low representation of women in the federal judiciary in the state is a continuing problem that the NYWBA can impact by identifying prospective nominees, working through WBASNY to create relationships with

our U.S. Senators, and advocating for our members. NYWBA should also continue to offer a forum for women lawyers and judges to support each other personally and professionally. As I wrote last year in memory of our founder Hon. Florence Perlow Shientag, "She always reminded us that collegiality and devotion to the interests of women are critical for our progress as individuals and as a profession."

Q: What are your personal next steps in life?

A: I expect to continue my legal practice in antitrust defense and counseling, work that challenges and sustains me, as long as clients want my assistance. I will also continue my slowly ongoing effort to reduce the time that I spend on the practice, though I don't have a date for actual retirement - one of my clients regularly warns me that I can't retire before she does. My husband and I hope to spend more time at our home in Maine and to become active members of the community there. In an earlier life, I was very active in local politics and volunteer work, and I've done some community work with the Brooklyn YWCA. I'd like to renew that sense of responsibility to a community, to continue volunteering for my college, and to have more time for my friends and family.

Susan L. Pollet is the Chair of the new NYWBA Archive & History Committee. She is the Coordinator of the New York State Parent Education and Awareness Program for the NYS Office of Court Administration. Look for more of Ms. Pollet's archival interviews of NYWBA Past Presidents, Officers, and Directors in future Newsletters and on our website (www.nywba.org/History).

**NYWBA and its Elder Law Committee
are pleased to announce a program on
Elder Care Management**

Use of a care manager and the care management process will be discussed in this program, which will explore the role of the care manager in assessing the elder's needs, enlisting and supervising needed services (financial, health aides, meal program) and entitlements (e.g. rent increase exemption). Private care management services and the non-profit equivalent for needy elderly clients will also be addressed.

Speakers:
*Florence Lynch, Director of the Care Management Program, One Stop Senior Services and
 Sheila Fallik, Sheila Fallik & Associates, Geriatric Care Management Services*

Date: Tuesday, March 8, 2011
Time: 6:00 pm (Reception),
 6:30 pm (Program)
Location: One Stop Senior Services,
 747 Amsterdam Ave., 3rd Floor, NYC
 (between 96th and 97th Streets)
Cost: Free – All members are welcome.
RSVP: To register, send an email to
ElderLawRSVP@nywba.org.

Check our website, www.nywba.org, for details.

Women in the Boardroom: How to Get on Corporate and Non-Profit Boards, and What to Do When You Get There

By Donna M. Praiss

In November 2010, the organization Women in the Boardroom presented a dynamic panel of women involved in for-profit and non-profit board service, to a packed ballroom at the Grand Hyatt. NYWBA was a supporting organization for the program, and we participated in the networking session that followed in the Grand Hyatt lobby.

The speakers offered their unique view of the talents valued by boards, as well as their practical experience on issues ranging from compensation to being heard in the boardroom. The bottom line? In order to become a member of a board, it is important to know someone who currently serves on that board. With such a connection, when a board opening occurs, your name can be thrown into the hat of eligible candidates. To be of interest to a board, a necessary experience to highlight or cultivate is a demonstrated responsibility for profits and losses (P&L).

Susan Engle, CEO of Portero Luxury, an Internet retailer, was formerly president and CEO of Champion Products, a marketer of athletic apparel. She currently serves on the for-profit boards of Wells Fargo and SuperValu, the private company board of Coolibar, and the non-profit board of The Acting Company in NYC. Ms. Engle shared that the first board is the toughest to get on, but one of the greatest benefits of board service is the top-tier networking opportunities it provides. Most boards limit members to serving on no more than two boards at one time. Companies typically look to CEOs of other companies to serve on their board, as well as people who understand their industry and are able to advise on growth strategy.

Meesha Rosa, Director, Corporate Board Services & Marketing Operations at Catalyst, coordinates communications with corporate board governance organizations and associations in conjunction with Catalyst's Corporate Board Services, which focuses on the advancement of women into the corporate boardroom through candidate assessment and preparation. Ms. Rosa invited all to subscribe to the electronic newsletter of Catalyst (go to www.catalystwomen.org and click on "Newsroom"). Catalyst is made up of corporate, not individual, members, but anyone can subscribe to its newsletter.

Barrie Berg, CEO of the Americas for ?What If! Innovation, an innovation consulting company, and Managing Director at Golden Seeds Fund LP, was formerly a consultant at Booz Allen Hamilton and serves on the small cap board of EMAK and the private board of Ford Models, Inc. Ms. Berg shared that public and private board experience teaches you how to manage a business and hire executives, and especially the questions to ask. Information technology has also been an important issue for boards, according to Berg.

Marie Wilson, President and Founder of The White House Project, an advocacy group and voice on women's leadership, and former President of the Ms. Foundation, served as modera-

NYC Family Court and Chief Clerk Peter Passidomo

By Sophie Jacobi

On January 19, 2011, the Matrimonial and Family Law Committee was honored to have the Chief Clerk of the New York City Family Courts, Peter Passidomo, speak with us about the Family Court system. Mr. Passidomo has been in his position for about 18 months, and he has already instituted positive changes that impact litigants, practitioners, and the Judiciary. His unique background - having worked in private practice and in the court system as a court attorney and Support Magistrate - clearly provides him with special insights and perspective on how to better the Family Court experience for everyone who passes through one of the New York City Family Courts on a given day.

Some of the changes that Mr. Passidomo has implemented include: the creation of Family Court "Help Centers"; a technology expansion, including electronic check-in for attorneys; geographical changes to the Richmond County Family Court; planned architectural changes to the Bronx Family Court (coming later this year); and a new, organized file for each Family Court case. Mr. Passidomo impressed us with his sensitivity to the high emotional and financial toll that litigating in Family Court has on the people who seek its assistance, and his willingness to listen to our concerns and comments about how to make Family Court even more user-friendly. We thank him for taking time to spend the evening with us, and we appreciated his candor and sincerity.

At our next meeting on February 16, 2011, we will be discussing how to issue spot and address equitable estoppel in family law cases. We will be joined by at least one of the Children's Law Center's appellate attorneys, who regularly tackle equitable estoppel issues in paternity and same-sex cases, and by Peter Sherwin, Esq., a partner at Proskauer Rose LLP, who represents a litigant in the case *Matter of H.M. v. E.T.*, which addresses the issue of equitable estoppel in same-sex families. Please join us for this very interesting roundtable discussion.

Sophie Jacobi is associated with Mayerson Stutman Abramowitz, LLP and specializes in matrimonial and family law matters. She received her JD from Loyola University - Chicago in 2003.

tor for the panel. She encouraged all present to play up their involvement in new ventures and programs without feeling guilty about it. Women generally undervalue their experience. It is all about confidence in yourself.

In closing the program, Sheila Ronning, CEO and President of Sharp UpSwing, summed up successful board service with three directives: "Show Up, Stand Up, Speak Up."

Women in the Boardroom has a Linked-In Group for active discussions about how to get on a board and other issues concerning the boardroom experience.

Donna M. Praiss is a Past President, Director, and Co-Chair of the NYWBA's Events and Programs Committee. She is currently Of Counsel at Michelman & Robinson LLP, where she counsels clients in the chemical and pharmaceutical industries on patent matters.

NYWBA Members Inducted into Judgeships: Part I

By Jo Ann Douglas and Patricia Ann Grant

November was a thrilling month for the New York Women's Bar Association as we saw the election of several of our members to new judicial posts. We are so proud to be able to share the excitement of their subsequent inductions with our readers. We invite you to join us at our Annual Judiciary Reception to be held on February 22, 2011, where we will honor all of the newly elected, newly re-elected, and newly appointed judges in New York County (see pg. 1 for the program details). Please note that December-January judicial induction coverage will continue in the March NYWBA Newsletter; be sure not to miss it as we honor all of our NYWBA Judiciary members.

The first induction, held on December 16, 2010, was that of the **Honorable Kelly O'Neill Levy**. Throughout her 16-year tenure as Court Attorney for NYWBA Board Member Hon. Sherry Klein Heitler, Judge Levy repeatedly demonstrated her exceptional dedication to public service. She has been a committed NYWBA Board member and Officer, a past President of the Brehon Irish-American Law Society, and sits as Vice President of the Network for Bar Leaders. Most important, our newly inducted Judge of the Civil Court of the City of New York is *mère extraordinaire* of remarkable twins.

Judge Levy's induction was standing room only – and for good reason. The impressive array of speakers all echoed our own feelings about Judge Levy. Every speaker lauded her intelligence, warmth, respect, pride, and most important of all – her fairness. The ceremony, chaired by Justice Heitler, was inspiring for its warmth and love. The roster of speakers was testimony to the esteem in which Judge Levy is held: Justice Fern Fisher, Deputy Chief Administrative Judge for New York City Courts; Hon. Scott Stringer, Manhattan Borough President; Hon. Danny O'Donnell, Assembly Member; Hon. Laurence G. Hirsch, Former Democratic State Committeeman; Hon. Keith L.T. Wright, Assembly Member and County Leader; and Hon. Eric Schneiderman, Attorney General of the State of New York. Justice Heitler's glowing comments about Judge Levy concluded the induction ceremony.

Judge Levy's family was in attendance, some coming from as far away as Ireland! Her husband, Harlan Levy, recently selected by the new Attorney General to be his First Deputy Attorney General, and their twins all glowed as Judge Levy was sworn in by none other than her mother, retired Judge Joan O'Dwyer. Kelly, everything everyone said about you was true – and we are delighted and happy to share you with the Civil Court. We know you will do us proud! *Comhghairdeas*, Kelly!

Everyone was still buzzing about Judge Levy's induction when another member took his rightful place as a Justice of the Supreme Court of New York County. On December 21, 2010, **Hon. Jeffrey K. Oing**, Supreme Court Justice and member of the NYWBA, the Asian American Bar Association of New York, the Jewish Lawyers Guild, and numerous other organizations, was sworn in. His induction, held in the Rotunda of the New York County Supreme Court building, was a spectacular affair. So many speakers lauded his accomplishments, including one speaking in Chinese. While many attendees did not understand

the Chinese words, the message was clear from the response of the Chinese-speaking members of the audience. Despite the language difference, we knew what was being said; speaker after speaker regaled us with Justice Oing's accomplishments and skills, none of which came as a surprise to his NYWBA friends and colleagues. After the induction ceremony, Justice Oing invited all his guests to a most sumptuous banquet at Grand Harmony Restaurant. Justice Oing, we wish you all the best and then some. 所有最优秀的。

The following evening, yet another NYWBA member, **Hon. Leticia Maria Ramirez**, was inducted as a New York County Civil Court Judge. Her induction was warmly officiated by the Hon. Fern Fisher, in a beautiful ceremony. Judge Ramirez's large and loving family joined the many other celebrants, including many judges and lawyers, who watched joyfully as Judge Ramirez was sworn in.

Judge Ramirez's career path is particularly inspiring. She began as a Court Officer, who attended law school at night, while working and raising her family. She then served as a Court Attorney in the Civil Court for many years. She brings to her new position experience, commitment, intelligence, a strong work ethic, and a keen sense of justice and good will. Judge Ramirez, *buena suerte* to you. We, the people, have found that *suerte* with your election.

We welcome our new judges and their diversity. We continue to look forward to great things from each. Please check next month's Newsletter for additional induction coverage of our judge members.

Jo Ann Douglas is a Member of the NYWBA's Board of Directors, as well as a Past President. Patricia Ann Grant is a Vice President of the NYWBA and served as the Chair of this year's Membership Reception. She is a member of the law firm of Grant & Appelbaum, P.C., specializing in family law.

**NYWBA and its Immigration Law
and Criminal Law Committees**
are pleased to invite you to a CLE

**“Why Padilla v. Kentucky Matters in
Your Criminal Defense Practice”**

Speakers:

Shulamit Rosenblum Nemec,
Assistant District Attorney for Kings County

Immigration Attorney **Linda Kenepaske**,
Law Offices of Linda Kenepaske, PLLC

and

Criminal Defense Attorney **James Harris**,
M & J Harris Associates, LLP

Date: Wednesday, March 2, 2011

Time: 6:30 – 9:00 pm

Location New York Law School,
185 West Broadway, Room W202, NYC
(bet. Leonard & Worth Sts.)

Send questions to Immigration Law Committee Co-Chair Jennifer Durkin at jdurkin@durkin-puri.com. Check our website, www.nywba.org, for more details.

NYWBA on Broadway

By Elizabeth A. Bryson

NYWBA members and guests enjoyed a night on Broadway on January 2, 2011, when they attended the final performance of *Women on the Verge of a Nervous Breakdown*. Based on Pedro Almodóvar's internationally acclaimed 1988 film, this blockbuster musical featured performances by Broadway stars Patti LuPone, Brian Stokes Mitchell, Sherie Rene Scott, and Laura Benanti. The wild and funny musical addressed love, loss, desire, and the meaning of life. It was particularly appropriate for our members, since it involved matrimonial and family law, court proceedings, a lawyer involved with a client's husband, and other plot twists. There were many wonderful moments, including a heart-wrenching song performed by Patti LuPone and a hysterical performance by Laura Benanti as a goofy femme fatale. A wonderful time was had by all who attended. Many thanks to Donna M. Praiss and Diana G. Browne, Co-Chairs of the Programs and Events Committee, for arranging the event.

NYWBA had originally arranged to attend the musical on January 11th, but at the last minute the producers announced that the show would be closing. In response to this announcement, Ms. Praiss contacted the 57 members who had signed up for tickets on the original date, and notified them of the opportunity to see the final show on January 2nd. Unfortunately, quite a few people were unable to change their plans, so ticket refunds were sent out. The Programs and Events Committee are on the lookout for another appropriate Broadway show, so that NYWBA members and guests will have another opportunity to attend.

Elizabeth A. Bryson is a litigator and appellate attorney in Manhattan. She is a Past President of NYWBA (2003-2005) and has served as an Officer and Director of both NYWBA and WBASNY. She currently serves as an NYWBA Director and co-chairs the WBASNY By-Laws Committee and the NYWBA By-Laws, Long-Range Planning, and Technology & the Internet for Lawyers Committees.



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Hon. Rita Mella

Padilla and its Application

Shalini Deo, Esq.

and

Prosecutorial Duty to Truth

Elba Galvan, Esq.

Date: Thursday, March 17, 2011

Time: 6:00 – 7:30 pm

Location: 111 Centre Street, 12th Floor Boardroom
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Notes: *CLE Accreditation: NYWBA is a founding chapter of the Women's Bar Association of the State of New York, an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established and newly admitted attorneys.

**** Financial Hardship Scholarships:** Full and partial scholarships based on financial need are available. For info, contact Yacine Barry, CLE Coordinator: NYWBA, 132 East 43rd St., The Chrysler Bldg, #716, New York, NY 10017-4019 (CLE@nywba.org or 212-490 8202). All requests are confidential.

*****You do not need to be a member to attend this program. NYWBA Membership is open to lawyers, judges, law students, and law graduates. To join or renew, go to www.nywba.org/membership to access our secure online membership form, or email ED@nywba.org to have a form sent to you.**

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Meredith Moore, Director of Global Diversity
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and

Brande Stellings, Esq., VP Advisory Services,
Professional Service Practice, Catalyst

Date: Thursday, March 3, 2011

Time: 6:00-8:30 pm

Location: Cornell University ILR Conference Center,
16 E. 34th St., 6th Floor, NYC

Cost: \$95 (includes light refreshments)

CLE: 2.5 credits Professional Practice
(Transitional and Non-transitional)

RSVP by February 25, 2011

For more information, and to register, go to
www.ilr.cornell.edu/law/events.

Mark Your Calendar!

**NYWBA's Business Law, Taxation, and
Bankruptcy Committee** invites you to save the date
for an exciting CLE Program

**"Recent Developments in
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April 6, 2011

Details are being finalized now for this program, which will
feature Dora Galacatos, Senior Counsel at Fordham Law
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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 member benefits - join committees, network, participate in mentoring circles, attend our signature events, and get CLE credits at our innovative and compelling programs at a significantly reduced cost. It's easy to join or renew - go to www.nywba.org/Membership to access our secure online membership form.

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

Newsletter and Advertising Information

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

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