



NEW YORK WOMEN'S BAR ASSOCIATION

Celebrating Our 75th Year

**The New York Women's Bar Association's
Elder Law and Disabilities Committee**

is pleased to host

**Elizabeth E. Loewy, Assistant District Attorney,
Elder Abuse Division of the
Manhattan District Attorney's Office**

Ms. Loewy will address elder abuse and what practitioners can learn from elder abuse prosecutions, including the recent convictions of Anthony Marshall and his attorney for the financial exploitation of Brooke Astor.

Tuesday, March 9, 2010, 6:30 pm

**at the offices of
New York Life Insurance Company
51 Madison Avenue, 10th Floor,
George Grace Conference Room, NYC
(enter at 44 East 27th Street)**

Light refreshments to be provided.

Space is limited, so RSVP soon by emailing
ED@nywba.org or calling 212-490-8202.

You must be a current NYWBA member to attend this program. Go to www.nywba.org/membership to access our secure online membership form, or email ED@nywba.org to have a membership form sent to you or to inquire about your membership status.

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
The Reality of Elder Care**

MARCH 2010



Donna M. Praiss

Reality TV shows appeal to us because they present a "what if" scenario for the viewer. What if you were stranded on a deserted island? What if you could sing in front of the nation? What if you had the undivided attention of a ballroom dancing champion? What if you had a total makeover by five gay men? These shows provide us with an appreciation of the challenges, risks, endurance, and other skills involved to succeed in these situations. While the shows each follow a script of some sort, the emotional journey and impact on the individual responding to the obstacles presented is what differs from episode to episode. As we relate to some of the participants, the "reality TV stars," we wonder if we would fail or excel given the same task or opportunity. With a better understanding for what is involved after watching season after season, we may feel we are experts or at least wiser at taking on parenting, dog training, or dancing the paso doble.

Over the last year, as I became more involved in the care of my elderly relatives, I often felt that TV cameras should be right behind me, capturing the situations that would shock family reality TV stars Ozzie and Sharon Osbourne. But no reality TV show prepared me for these scenarios. What if your elderly relatives have their telephone service cut off for non-payment? What if they forget how to make pasta? What if they forget their address? What if they fear they are in a foreign country? What if they believe the year is 1963? What if they insist they do not need help? What if their neighbors and co-op insist they do? What if the available rehab unit seems like a shelter? The subject matter may not be as glamorous or cute as babies, celebrities and athletic young bodies, but it can be much more shocking and colorful. The elderly, their caregivers, their family, their neighbors and their community face many challenges, and the solutions for dealing with them are not taught in any course at school. Those struggling with the problems that aging entails are only increasing in number as our population grows and lives longer. It has been said that caregiving isn't about fixing anything. It's about creating a life you can bear, and which, in turn, bears you. How do you assess that at the boardroom table with Donald Trump?

The extended trial this past year of Anthony Marshall, son of Brooke Astor, and his attorney was the closest thing to a reality TV show on the subject of elder care.

Continued on page 2

2009-2010 NYWBA COMMITTEE CHAIRS

STANDING COMMITTEES

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 Employment and Equal
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 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

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Advance the Status of
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 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
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 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.

President's Message continued from Page 1

Celebrities came out on all sides to spotlight the challenges in the media. This month, I hope you will take advantage of our program on March 9, 2010 at 6:30 pm, when Assistant District Attorney Elizabeth E. Loewy, from the Manhattan District Attorney's Office, will speak about elder abuse and what we can learn from the convictions of Anthony Marshall and his attorney. Kudos to Miriam Davidson and Kay Marmorek, Co-Chairs of the Elder Law and Disabilities Committee, for their work on this and other programs to highlight elder law issues.

Elder care is a complex issue likely to affect all of us. It should be the subject of regular TV programming. There are plenty of stories out there that would raise expectations of what can be achieved in improved quality of life for our seniors and tap the potential inside us to enhance that of our own family members, who took care of us for so many years. You too could be a reality TV star or a star in reality to your elders.



COMMITTEE NEWS

Elder Law and Disabilities Committee - The next meeting is on March 9th (see announcement on page 1). The following meeting is scheduled for April 13th, with speaker Peter J. Strauss, Senior Counsel in the Business Law practice of Epstein Becker & Green. Mr. Strauss has practiced trusts and estates law and handled estate and guardianship litigation since 1961, and he has extensive knowledge of the legal problems of the aging and persons with disabilities. He was one of the first attorneys in the country to focus on what is now known as elder law. Email kmarmorek@nywba.org to RSVP and obtain location details.

Solo and Small Law Firm Committee - Upcoming meetings are scheduled for 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. The topic for the March 18th meeting is "Should I Go Solo, Should I Expand, Should I Join a Firm." Email SSL@nywba.org to RSVP and obtain locations.

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

Working Parents Committee - The next meeting (brown bag lunch) is scheduled for Wednesday, March 10, 2010 at noon at the law offices of Myra L. Freed, 521 Fifth Avenue, 31st floor, NYC (entrance is on 43rd Street between Madison and Fifth, not on Fifth Ave.). To RSVP, email Christine Harman at christinemharman@yahoo.com.

Other Committees - Other committees also host programs and hold substantive meetings throughout the year, and many are looking for new members.

Celebrating 75 Years!

At our Annual Dinner, to be held on June 10, 2010, we will be celebrating our 75th anniversary.

If you have any archival material, such as photos, announcements or other memorabilia, please contact us at info@nywba.org

REPORT OF THE NYWBA'S COMMITTEE ON NOMINATIONS

At its January 8, 2010 meeting, the NYWBA Committee on Nominations nominated the following candidates to serve for the positions and terms stated below. The elections will be held at the **NYWBA Annual 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

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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 M. Adduci
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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	Donna M. Praiss
Dawn M. Cardi	Amy Saltzman
Jo Ann Douglas	Hon. Jacqueline W. Silbermann
Hon. Betty Weinberg Ellerin	Lisa A. Sokoloff

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, NYC. **The Annual Meeting will be followed by a CLE program on Appellate Practice.**

Members in good standing whose 2009-2010 dues were received by **January 31, 2010** may vote at the Annual Meeting. (By-Laws, Article XIV, Section 1.)

Article XVII, Section 10 of the By-Laws provides that any fifty members eligible to vote at the Annual Meeting may, by a writing delivered to the Corresponding Secretary not less than forty days prior to the Annual Meeting, propose candidates for officer or director positions to be voted on at the Annual Meeting. Such petition must be 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.**

WELCOME NEW MEMBERS

Alton L. Abramowitz	Leslie D. Kelmacher
Kristin J. Ashman	Sarudzayi Pauline Makwande
Delyanne De Alves Barros	Hon. Leah Ruth Marks
Justine Borer	Domenico G. Minerva
Meredith B. Cagan	Emily Morales
Bess Chiu	Nancy Elizabeth Nolan
Caitlin Connors	Moritz C. Schumann
Jane Rawlings Cottrell	Lauren Siber
Sarah M. DeFranco	Jessica Lynne Supernaw
Leah S. Edwards	Thien An Vinh Truong
Sarah Joanne Greenberg	Alexis Maren Wolf
Katie Harrison	Elizabeth Wolstein
Carlene Jadusingh	

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.

Erica Bell	Nancy M. Louden
Daniel Finkelstein	Prof. Maria L. Marcus
Ilene H. Guralnick	Tania M. Pagan
Robert M. Kaufman	Danielle R. Petitti

NOTES ON MEMBERS

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

Congratulations to NYWBA Treasurer **Julie Hyman**, a litigator specializing in matrimonial and entertainment law, on having a case she litigated before the Appellate Division, First Department, featured on the front page of the January 20, 2010 *New York Law Journal*. The case was the "Decision of the Day" in an article by Daniel Wise entitled "Panel Untangles Parties' Mistake Over Ownership Rights." Ms. Hyman extends a special thanks to her mentor on appellate practice, past President Lisa Sokoloff.

Congratulations to the Brooklyn Women's Bar Association and its President Joanne D. Quiñones for their wonderful efforts and success, working with the Brooklyn Bar Association and the Metropolitan Black Bar Association, in raising more than \$11,000 for Haiti at their February 4th fundraiser.

JOIN THE ANNUAL DINNER COMMITTEE

NYWBA is looking for approximately 10-15 volunteers to work with the **75th Anniversary Gala Annual Dinner Committee**. Responsibilities include soliciting advertisements for our dinner journal, soliciting for our auction, record-keeping, proof-reading, preparation of pages in the dinner journal, stuffing and labeling invitations, etc. There is something for everyone! If you are interested in being on the Dinner Committee, please contact Dinner Chair Pat Grant at dinner@nywba.org.

Status of Women in the Law

By Brenda Pomerance

Here are some "fascinating factoids" from an American Bar Association Commission on Women in the Profession publication. Statistics are from 2009, unless otherwise noted:

- 47% of the 43,000 JDs awarded went to women;
- 46% of associates at NALP-ranked law firms were women;
- 31% of the 1.18 million U.S. lawyers were women;
- 25% of the 680 District Court judges were women (25 vacancies);
- 19% of partners at NALP-ranked law firms were women;
- 15% of the Fortune 1000 companies have a female general counsel;
- 24% of solo practitioners in 2000 were women; and
- in 2008, an average female lawyer had a weekly salary that was 80% of the weekly salary of an average male lawyer.

Source: The ABA Commission on Women in the Profession, *A Current Glance at Women in the Law 2009* (Nov. 13, 2009), is available online at <http://www.abanet.org/women/CurrentGlanceStatistics2009.pdf>.

The NYWBA's Survey on the Status of Women at Manhattan Law Firms is available online at www.nywba.org/surveyinfo.

Brenda Pomerance is a solo patent attorney (Law Office of Brenda Pomerance) and is co-chair of the NYWBA Committee to Advance the Status of Women in the Profession, which oversees the NYWBA's Survey of Manhattan Law Firms.

In honor of International Women's Day, NYWBA will co-sponsor a screening of "**Courting Justice**," a documentary examining challenges facing women judges on 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 U.S. Court of International Trade
(1 Federal Plaza, 4th Floor)

Cost: \$10 at the door -- payable to
"National Association of Women Judges"

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.

Experiences at Mock Trial Competition

By Jocelyn Jacobson

In response to an email from the NYWBA seeking volunteer attorneys, I participated as a judge at NYU's Fourth Annual Downtown Invitational Classic event, a mock trial competition for college students across the country. Approximately 20 colleges participated in this year's competition, held at the United States District Court for the Eastern District of New York over the course of three days in January 2010. I judged a session on the second day. Unlike a moot court competition, where students argue an appeal, these college students conduct a full criminal trial in approximately three hours, with opening and closing statements and three witnesses for each side. Each team conducts both direct and cross examinations of the witnesses, who are played by other members of their own teams. The two teams I judged, along with four other New York attorneys, were from NYU and Cornell (though we did not learn their school affiliations until after we had concluded judging them).

I was very excited to be involved and more so after it was over. I witnessed the skill, grace and professionalism in which these college students handled themselves, conducted the questioning and dealt with the exhibits, including an unexpected adverse ruling from the "presiding" judge on an evidentiary issue. While their nerves often showed, it was also clear that many would be great attorneys if they so chose to follow that path, which gave me comfort in the future of our profession. As we more experienced litigators told them, most of them were already better in the courtroom than many of the practicing attorneys we meet in court. I only wish that mock trial competitions had been around when I was a college student.

If you want to get a sneak peek at the future of our profession, and get CLE credits as an added bonus, I recommend checking out the next mock trial competition you are asked to judge.

Jocelyn Jacobson is a litigation partner at Reitler Kailas & Rosenblatt LLC. Her practice is primarily focused on commercial disputes, including contract, trademark, employment, securities and real estate disputes.

SAVE THE DATE

May 11, 2010, 6:00-8:00 pm
2-hour ethics CLE Program

Litigating Under the New Ethics Rules: a Close Look at Rule 3.3 (Client Fraud) and Gender Bias in the Courthouse

Sponsored by the NYWBA Committee
on Professional Ethics and Discipline

Supreme Court, New York County
60 Centre Street, Room 300

Event details and RSVP information to follow.

ANNUAL JUDGES RECEPTION

On January 21, 2010, the NYWBA hosted its annual cocktail reception honoring the newly elected, newly re-elected and newly appointed judges of New York County. The reception, which was held at the stately William's Club in Midtown Manhattan, drew a crowd of more than 125 attendees, including members and esteemed guests eager to toast the honorees.

After enjoying delicious hors d'oeuvres and cocktails, attendees were warmly greeted by NYWBA President Donna Praiss. For the third year in a row, the Hon. Jonathan Lippman, Chief Judge of the State of New York, graciously addressed those in attendance, which included the Presiding Justice of the Appellate Division, First Department and more than one third of the First Department Justices; newly appointed administrative and supervising judges; new justices of the Supreme Court and new judges of the Civil, Criminal and Family Courts. The guests enjoyed the opportunity to personally congratulate all of the honorees and to network with old and new friends.

Many attendees brought children's hats, scarves and gloves, which NYWBA donated to Sanctuary for Families. As always, NYWBA was happy to facilitate this opportunity to make a difference in children's lives.

2010 Judicial Honorees:

Hon. Sheila Abdus-Salaam	Hon. Manuel Mendez
Hon. Lucy Billings	Hon. Juan Merchan
Hon. James D'Auguste	Hon. Jeffrey K. Oing
Hon. Douglas Hoffman	Hon. Edwina Richardson-Mendelson
Hon. Barbara Jaffe	Hon. Rosalyn Richter
Hon. Joan Kenney	Hon. Nelson Roman
Hon. Cynthia Kern	Hon. Jennifer Schecter
Hon. Sherry Klein-Heitler	Hon. Jean Schneider
Hon. Lynn Kotler	Hon. George Silver
Hon. Susan R. Larabee	Hon. Annalisa Torres
Hon. Sallie Manzanet-Daniels	Hon. Maxwell Wiley
Hon. Lawrence K. Marks	



Hon. Jonathan Lippman



Hon. Sherry Klein Heitler



Hon. Angela M. Mazzarelli and Hon. Israel "Russ" Rubin, Retired



Treasurer Julie Hyman; Diana G. Browne, Co-Chair of the Program, Events and Arrangements Committee; and Vice President Gretchen Beall Schumann (l. to r.)

ANNUAL JUDGES RECEPTION (continued)



*Hon. Dianne T. Renwick, Hon. Rolando T. Acosta
and Hon. Lucy Adams Billings (l. to r.)*



Corresponding Secretary Kelly O'Neill Levy and President Donna M. Praiss



Hon. Jennifer G. Schecter



Vice President Gretchen Beal Schumann and Past President Harriet Newman Cohen



*Jennifer P. Brown, President Donna M. Praiss, Treasurer Julie Hyman
and Marjorie Martin (NYWBA Advisory Council)*



Hon. Laura E. Drager, Hon. Helen E. Freedman and Hon. Sheila Abdus-Salaam

SUCCESSFUL CLE PROGRAM SPONSORED BY THE ALTERNATIVE DISPUTE RESOLUTION COMMITTEE

By Leona Beane and Andrea Vacca

On February 3, 2010, the NYWBA presented a Continuing Legal Education Course to a capacity crowd at Blank Rome entitled, "Mediation and Other ADR in the New York Courts." Leona Beane and Andrea Vacca, the co-chairs of the Alternative Dispute Resolution (ADR) Committee, organized the program with the assistance of Yacine Barry, CLE Coordinator. Yacine Barry began the program by introducing the moderator, Hon. Betty Weinberg Ellerin, former Presiding Justice of the Appellate Division, First Department. Judge Ellerin spoke both about her experiences with ADR when she was the Presiding Judge of the New York City Courts and about her current experiences with mediation and arbitration. She introduced the six speakers. The first speaker, Daniel Weitz, ADR Statewide Director of OCA, spoke of the many court-sponsored ADR programs operating throughout the NYC area and the State. Leona Beane spoke about the Mediation Program in the Commercial Division. Michele Silva, a partner at Phillips Nizer, spoke of the Matrimonial Mediation Program and Shelly Rossoff Olsen spoke about the Neutral Evaluation program (known as Mediation I) in New York County. Caroline Antonacci, Special Master, Appellate Division, First Department spoke of the Mediation Program in the Appellate Division. To finish off the evening, Andrea Vacca spoke about the Collaborative Family Law Center and collaborative divorce.

Each of the speakers provided useful information about how each program works and discussed ethical issues they have encountered. The speakers answered numerous questions from the audience, and interest was so great that the audience asked to ignore the scheduled break and continue right through to 8:30 pm. Many in the audience thanked the chairs for presenting this program, and the evaluations were very positive. The program even brought in several new members to the NYWBA.

The NYWBA thanks Blank Rome for generously providing its largest conference room and helping to make the program such a success.

Leona Beane and Andrea Vacca are Co-Chairs of the NYWBA ADR Committee and members of the Board of Directors. Ms. Beane specializes in Wills, Trusts, Estates & Guardianship, and serves as a Mediator and Arbitrator. Ms. Vacca is a certified Family and Divorce Mediator and a Collaborative Law Attorney. She also Co-Chairs the NYWBA Mentoring Circles Program.



Caroline Antonacci, Shelly Rossoff Olsen, Andrea Vacca, Hon. Betty Weinberg Ellerin, Leona Beane, Michelle Silva, Daniel Weitz

Report from New York Women's Bar Association Foundation's inMotion Fellow

by Ashley Teele

During my 2L year, I interned with inMotion, a dynamic organization that provides legal services to low-income women in New York City. This allowed me to obtain hands-on experience and apply my academic knowledge to real life situations. As a New York City native, I have a strong commitment to community-based organizations that provide assistance to underprivileged New Yorkers, particularly those that provide access to legal resources.

I worked with two other legal interns from area law schools in assisting the organization's talented legal staff. During the semester, we sat in on meetings with clients, conducted intakes for prospective clients, and conducted legal research for staff attorneys. It was very satisfying to get experience in matrimonial law, as well as to confront legal concepts in a real-world setting. The environment was nurturing, and we were encouraged to ask questions. I was delighted by the amount of substantive work that I performed that would have a direct effect on inMotion clients, such as interpretation of pertinent legal issues, and drafting memos that would be used in client cases.

Among other projects, I worked with an extern from White & Case on a client case that required the review and organization of medical documentation that was critical to the client's allegations and which was scheduled to be reviewed by the court. In addition, I attended tutorials on how to aid clients in divorce proceedings. Unfortunately, the semester concluded before I was able to file a divorce proceeding for a client, but the information imparted during the tutorials was very interesting and will be quite useful in the future. I also conducted intakes for women who had contacted inMotion to obtain information on retaining counsel. Intake consisted of asking the individuals a series of questions to ascertain eligibility and to define the types of legal issues that they were confronting. These interactions provided a unique opportunity to work one-on-one with prospective clients and have a direct role in identifying legal issues and analyzing potential claims.

Finally, my role at inMotion included transferring information about prospective clients from paper intake forms to the organization's electronic database, thereby enabling inMotion lawyers and staff to keep track of clients' cases. Inputting this data gave me the opportunity to see the types of cases and legal issues inMotion handles and provided a better understanding of the proceedings and documents that may occur in these cases. In addition to formal assignments, much of what I learned at inMotion was through informal conversations with attorneys and staff about the family court system, which one cannot obtain in a law school classroom.

Looking back on my experience at inMotion, my only wish is that I could have devoted more time to the organization, as the 10-12 hours a week that I spent was not enough to become fully immersed in the environment and my cases. The experience reminded me how important it is to remain committed to what interests you, both in and out of the legal field. I hope to work with inMotion in the future. I cannot fully express my appreciation for the opportunities provided by this Fellowship, and I thank the New York Women's Bar Association Foundation for creating and underwriting the inMotion fellowship program.

Ashley Teele is a 2L at New York University School of Law and a graduate of Pomona College.

BE YOUR OWN ADVOCATE

By Jezra Kaye

It's easy for women attorneys to feel discouraged about their prospects. This economy has been disastrous for many -- but even before the crash last year, progress toward parity seemed to have stalled. The Bureau of Labor Statistics reports that, from 2002 to 2008, the median salary of full-time women attorneys was just 75% that of men. The relentless push for billable hours that marks the law's shift from profession to business seems to only be getting worse. And NYWBA's *Survey of Manhattan Law Firms*¹ notes that "[a]lthough women have constituted nearly 50% of all law students for more than two decades... women still constitute only 35% of full-time attorneys at Manhattan law firms and only 17% of equity partners."

Yet even in this climate, there are women attorneys who thrive. While they can't single-handedly change the current culture, they've engaged with it effectively enough to create the careers (and earn the rewards) they want.

What do these women know -- and do -- that allows them to succeed on their own terms? One quality that I believe they share is an ability to speak about the law, their ideas and their accomplishments with clarity, authenticity and ease.

The ability to present yourself powerfully is not a discretionary skill. It impacts your status within your firm and the likelihood that others will want to "keep you happy" by granting (or at least seriously considering) your requests for promotions, raises, flexibility or plum assignments.

Start by Losing the "Girl Talk"

In a recent focus group, an accomplished woman attorney told me that, while she loves mentoring young women, she's frustrated by the occasional tendency of even confident and successful women to:

- Apologize ("I'm really sorry about this... really sorry...")
- Ask permission ("Would it be OK with you if I...?")
- Emotionalize ("I feel like it would be a good idea to..." or "I'm worried about...")
- Explain themselves ("I would have finished sooner, but my son was sick and then my boiler broke and after that I came down with the flu and...")
- Hedge ("It's sort of like..." or "That's pretty much what I think.")
- "Pre-amble" ("I know you're really busy and this probably isn't a good time for me to be interrupting, but if you happen to be able to take a few minutes...")
- Undersell themselves, their ideas and their accomplishments ("I didn't do all that much" or "I don't know as much about this topic as some of you, but...").

With diligent practice, each of these "verbal ticks" can be replaced with the all-purpose habit of **saying exactly (and only) what you mean, as directly and concisely as possible**. While that advice clearly falls into the "easier said than done" category, it's something we can all work toward improving.

Every time you **state** your point (rather than explaining, implying, apologizing, etc.), you:

- Raise the odds of being understood
- Increase your credibility
- Convey your professionalism, and
- Prepare for your next career move

Many women know that they should dress for the job they want, rather than the job they have, and the same is true for how you speak. The words you choose, the topics you address, the tone of your voice, the eye contact you make with listeners—all these things convey, in a non-verbal and risk-free way, that you take yourself seriously, are up to the task at hand, and plan to succeed professionally, on your own terms.

1. NYWBA Survey of Law Firms with Manhattan Offices (2007), available online at <http://www.nywba.org/surveyinfo>, page 3.

Jezra Kaye is a speaker coach and communications consultant who shows women how to highlight their achievements and ask for what they want. To make suggestions for this column or discuss coaching services, send a note to jezra@yourownadvocate.com.

Check out job postings on the NYWBA website:

http://new.nywba.org/job_postings/.

To post a job opening, please contact:

info@nywba.org.



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My Experience As An Ellerin Fellow

By Annie Nazarian

Receiving a Justice Betty Weinberg Ellerin Fellowship has been the most enriching experience of my law school career. It gave me the opportunity to work during the fall 2009 semester with the Honorable Carol Edmead, an excellent judge and a wonderful person, and her law clerks, Elenor Reid and Joy Thompson, who are as hard-working and motivated as the Judge herself. The Fellowship allowed me to see the inner workings of the New York State court system and exposed me to litigation in different areas of the law. My workload consisted mostly of drafting orders and opinions, but I was also able to observe the judge's communications with attorneys during hearings and conferences. Everyone in the judge's chambers was friendly and helpful, supportive of my educational pursuits, and willing to accommodate my demanding law school schedule. Additionally, the Justice and her clerks took their mentoring roles seriously and were always willing to take the time to answer my questions. My understanding of the litigation process was enhanced significantly, and the wealth of knowledge that I gained from the overall experience was extensive.

As an Ellerin Fellow, I had the opportunity to work directly on several motions filed with the court. These motions included procedural issues such as motions to transfer venue, to reargue, to impose sanctions and to compel arbitration, and as a result I became much more familiar with New York's procedural laws. I also worked on several motions to dismiss that involved more substantive issues, such as the scope of complaints under New York State's whistleblower statute for medical practitioners and what actions are considered retaliatory under the statute. Justice Edmead made sure to give me meaningful research assignments that were challenging, and as a result, I greatly improved my legal research, writing, and judgment skills.

On the first day of my fellowship, after meeting with the judge's clerks to learn about the position and what was expected of me, I was handed memoranda from opposing parties on a motion to reargue a decision in their case. Ms. Reid told me to analyze the motion and to draft a proposed order. I was immediately intimidated and was not sure if I knew how to analyze that case. I remember thinking, Am I qualified to do this? After nervously reading the memoranda, I began to read the cases each party had cited. Eventually, after asking Ms. Reid about a million questions, I was able to draft an order. Although the process remained challenging throughout the entire semester, my apprehension and nervousness subsided with each order and opinion I drafted. As I conducted my research, Ms. Reid was always available to answer my questions, guide me and teach me how to focus on the important legal issues in each case. She and Justice Edmead gave me extensive feedback on my written work and explained their edits.

A typical day during my fellowship included reading the parties' memoranda on the motion to which I was assigned, researching the cited cases and doing any additional research necessary to help the judge reach a decision. By reading and researching opposing briefs, I learned the art of persuasive writing and saw how good organization, strong arguments articulated through clear writing, and proper supporting documentation can affect the outcome of a motion or an entire case. Justice Edmead and her clerks taught me how to chart the moving party's argument and the opposing side's response to that specific argument and to

organize the background information and facts relied on by each party in order to effectively analyze the opposing arguments. I also improved my own persuasive writing and speaking skills and became better prepared to give status updates to the judge's clerks.

Law school students are constantly discussing how almost all cases settle before trial. Although only a tiny percentage of cases go to trial, I was surprised by the extraordinary number of pending cases that make up Justice Edmead's caseload. Even more surprising to me was how familiar Justice Edmead and her clerks were with the details of each case. Each case, no matter how large or small, was handled with the same high standard of professionalism and care.

I want to thank the New York Women's Bar Association Foundation for sponsoring the Ellerin Fellowship and allowing me to have such a wonderful opportunity. My fellowship experience with the Honorable Carol Edmead has been, by far, the most rewarding and enjoyable experience in my law school career. Going into chambers was an interesting and enjoyable learning experience, far different from learning in a classroom. Aside from invaluable insights into the inner workings of the judicial process, I established invaluable personal relationships with the Justice and her clerks that were the highlight of my clerkship experience.

Annie Nazarian is a 3L at New York University School of Law and a graduate of UCLA.

VOLUNTEERS NEEDED --

NYWBA Survey of Manhattan Law Firms

The Committee to Advance the Status of Women is seeking volunteers to contact law firms and to help coordinate Survey initiation and completion. Committee also needs volunteers to write Spotlight columns, highlighting how law firms support their women attorneys (several firms have volunteered to be profiled).

Anyone interested should contact Brenda Pomerance at 212-245-3940 or survey@nywba.org.

SAVE THE DATE!

The New York Women's Bar Association

75th Anniversary Gala and Annual Dinner

Honoring

HON. SHERRY KLEIN HEITLER

Administrative Judge, New York County Supreme Court with the President's Special Award

and

HON. FLORENCE PERLOW SHIENTAG

(1909-2009), Founder, Past President and Benefactor

June 10, 2010, 6 PM

Capitale, 130 Bowery, NYC

Invitation to follow

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. Submissions should be proofed and cite-checked, and NYWBA retains 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 submission questions and/or if you are interested in joining the Newsletter Committee.

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