



# NEW YORK WOMEN'S BAR ASSOCIATION

## *Celebrating Our 75th Year*

**ANNUAL MEETING OF THE ASSOCIATION  
and Election of Officers and Directors**

*and*

**ANNUAL APPELLATE CLE PROGRAM**

**“Everything You’ve Always Wanted To  
Know About Appellate Practice:  
But Were Afraid To Ask”**

**Wednesday, April 28, 2010**

**6:00 p.m. – Annual Meeting and Elections**

**6:30 - 8:00 p.m. – Appellate Practice CLE Program**

**At the offices of New York Life Insurance Company  
51 Madison Avenue (enter at 27 East 27th St.), NYC**

The CLE program features distinguished speakers from the Appellate Courts who are uniquely qualified to answer all your questions about appellate practice.

*Past President Myrna Felder, Esq. (Moderator)*

*Hon. David Spokony, Clerk of the Appellate Div., First Dep’t*

*Hon. James E. Pelzer, Clerk of the Appellate Div., Second Dep’t*

*Lauren Holmes, Esq., Asst. Dep. Chief Court Atty, Appellate Div., First Dep’t*

*Matthew Kiernan, Esq., Associate Deputy Clerk, Appellate Div., Second Dep’t*

**MCLE:** 1.5 CLE Credits (Skills).

**Cost:\*** \$35 - Members (NYWBA and WBASNY Chapters);  
\$60 - Non-Members

*(\$25 surcharge for payments received after April 25th!)*

**RSVP:** Go to our website: [www.nywba.org/AppellateCLE](http://www.nywba.org/AppellateCLE).

**Note:** ALL participants MUST pre-register to be admitted by building security. For questions and info, email [AppellateCLE@nywba.org](mailto:AppellateCLE@nywba.org) or call 212-490-8202.

\* **Financial hardship:** Full and partial scholarships based on financial need are available. For more information, contact Yacine Barry, CLE Coordinator ([CLE@nywba.org](mailto:CLE@nywba.org) or 212-490 8202). Requests are confidential.

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

## **PRESIDENT'S MESSAGE Spring Cleaning**

APRIL 2010



*Donna M. Praiss*

If you have not yet taken advantage of the many CLE programs that NYWBA has produced this year through its various committees, you are in luck! We have a number of quality programs yet in store this Spring that I hope you will find valuable for your own professional development or that of a friend.

On April 28th, immediately following our Annual Meeting, where we will vote on new officers and directors of NYWBA and WBASNY, Past President Myrna Felder will lead a dynamic panel in a very practical program on "Everything You Wanted To Know About Appellate Practice But Were Afraid to Ask." So start putting together your list of questions for Myrna and the experts from the Appellate Courts.

Through our programs focused on the judiciary, the courts, and their procedures, we help encourage more women practitioners to consider a career in the judiciary, hoping to some day achieve balance. As we learned last month at the viewing of "Courting Justice" in the Court of International Trade, society benefits in many ways when the judiciary reflects the diversity present in our world -- including human rights and perceptions of competence -- even if gender diversity is not mandated by our own Constitution as it is in South Africa. Please look for our continuing "Lunch with a Judge" series and "Courthouse Tour" CLE programs returning this Spring. I am particularly thrilled to report that our Intellectual Property Committee is planning a tour of the Southern District of New York federal court for you and I expect future tours of the Court of International Trade and the Bankruptcy Court to follow. Welcome aboard all federal practitioners!

The Elder Law program that I previously reported on in March has been rescheduled for April, with Elizabeth E. Lowey, Assistant District Attorney, Elder Abuse Division of the Manhattan District Attorney's Office, speaking on the subject of 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. Don't miss your chance to learn about this serious issue that is sure to impact every one of us with elderly relatives and friends. In May, we are sponsoring a wonderful ethics program -- "Litigating Under the New Ethics Rules: a Close Look at Rule 3.3 (Client Fraud) and Gender Bias in the Courthouse." Get those ethics credits here!

Further CLE credits and lots of fun and relaxation are in store at the WBASNY Annual Convention to be held May 21-23, 2010 in the fresh air of Ellenville, NY.

*Continued on page 2*

## 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, Marni Rae Robin
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](http://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](mailto:President@nywba.org).

### President's Message continued from Page 1

June will be full of social events, as NYWBA sponsors or co-sponsors programs to commemorate our 75th Anniversary and mission beginning with the 7th Annual Caren Aronowitz Unity in Diversity Program organized by the New York State Supreme Court on June 4th, continuing at our Annual Awards Dinner at Capitale on June 10th, and followed by our 15th Annual "What It's Really Like To Practice Law as a Woman in New York City" hosted by the City Bar on June 23rd. We welcome any photos or stories you have to share of women practicing law in New York City over these last 75 years (please send them to [info@nywba.org](mailto:info@nywba.org)). Clean out your desk, files and folders to send them in now!!



## COMMITTEE NEWS

**Domestic Violence Committee** - The next meeting is on April 13th, 6:30 pm to 8:00 pm, at O'Melveny & Myers LLP, Times Square Tower, 7 Times Square, NYC. RSVP to Co-Chair Amanda Norejko ([anorejko@sffny.org](mailto:anorejko@sffny.org)).

**Elder Law and Disabilities Committee** - The next meeting is on April 13th (see announcement on page 7). The following meeting is May 18th, with speaker Peter J. Strauss, Senior Counsel, Epstein Becker & Green. Mr. Strauss has practiced T&E law and handled estate and guardianship litigation since 1961. He has extensive knowledge of the legal problems of the aging and persons with disabilities, and he was one of the first attorneys in the country to focus on elder law. Email [kmarmorek@nywba.org](mailto:kmarmorek@nywba.org) to RSVP and obtain location details.

**Litigation Committee** - Congratulations to Marni Rae Robin as she joins Kathy M. Lynch as Co-Chair of the Litigation Committee (see "Notes on Members," page 3). If you are interested in joining the Committee, send a note to [LitigationChairs@nywba.org](mailto:LitigationChairs@nywba.org).

**Solo and Small Law Firm Committee** - Meetings are scheduled for April 15th at 6:30 pm, May 13th at 8:30 am and June 8th at 8:30 am. Email [SSL@nywba.org](mailto:SSL@nywba.org) to RSVP and obtain locations.

**Matrimonial and Family Law Committee** - The Committee meets on the third Wednesday of the month at 6:15 pm at Blank Rome LLP, 405 Lexington Ave., NYC. We are honored that the Administrative Judge of the NYC Family Courts, Judge Edwina Richardson-Mendelson, will join us on April 21st for a discussion about the Family Court system and her administrative priorities. To RSVP, email Co-Chairs Briana Denney, Sophie Jacobi & Hon. Andrea Masley at [M&F@nywba.org](mailto:M&F@nywba.org) or call Ms. Denney at 212-684-1000.

**Working Parents Committee** - The Committee, which focuses on the issues of working families and promotes the balance of family life and career, will host a brown bag lunch on Wednesday, April 14th at the Law Office of Myra L. Freed, 521 Fifth Avenue (enter on 43rd Street between Madison and Fifth), 31st Floor, NYC. RSVP to Co-Chair Christine Harman (201-704-9109 or [christinemharman@yahoo.com](mailto:christinemharman@yahoo.com)) by April 13th, so your name is on the host's building security list.

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

## NYWBA ANNUAL MEETING & ELECTIONS

The **Annual Meeting** and elections will be held on **April 28, 2010** at 6:00 p.m., and will be followed by a **CLE program on Appellate Practice** (see announcement on page 1).

All members and guests are encouraged to attend. Members in good standing as of **January 31, 2010** may vote at the Annual Meeting. (By-Laws, Article XIV, Section 1.)

## NYWBA COMMITTEE ON NOMINATIONS REPORT

At its January 8, 2010 meeting, the NYWBA Committee on Nominations nominated the following candidates to serve for the positions and terms stated below.

### 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)

Stephanie M. Adduci	Jennifer P. Brown
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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. Silberman
Hon. Betty Weinberg Eller	Lisa A. Sokoloff

## WBASNY COMMITTEE ON NOMINATIONS REPORT

WBASNY President-elect *Debra Weisman Estes* will be installed as President at the Convention on Saturday, May 22, 2010. The WBASNY Committee on Nominations nominated the following candidates for other WBASNY officer positions:

President-Elect:	Teresa Schiller (NYWBA)
Vice Presidents:	Linda Kevins (Suffolk) Maureen E. Maney (Central New York) Karen Richardson (Western New York)
Treasurer:	Donna Frosco (Westchester)
Corresponding Secretary:	Irene Villaci (Nassau)
Recording Secretary:	Andrea Composto (Brooklyn)

## WELCOME NEW MEMBERS

Meytal Albo	Kali Hira
Linda Anne Amato	Jennifer Susan Kozar
Jean Chou	Melineh Ounanian
Melissa G. Ephron-Mandel	Vanessa Pagan
Valdora Estridge	Allison Celeste Pierre
Lynne M. Figman	Marni Rae Robin
Akanksha Gupta	Elizabeth Erin Schlissel
Regina M. Hammer	

## NOTES ON MEMBERS

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

Congratulations and thanks to **Marni Rae Robin** for co-chairing the Litigation Committee. She is Senior Counsel with McCormick & O'Brien, LLP and specializes in securities litigation, arbitration and regulatory defense. She will work with fellow Co-Chair Kathy Lynch and Past President Lisa Sokoloff on continuing the Committee's wonderful programs, such as "Lunch with a Judge" and the Courthouse CLE Tours, as well as developing new events.

Congratulations to **Carole V. Aciman** on being named to the list of *2010 Super Lawyers*. ("Super Lawyers" is a registered trademark of Key Professional Media, Inc. For a list of other members named as 2010 Super Lawyers, see page 2 of the January 2010 Newsletter, available at [www.nywba.org/members](http://www.nywba.org/members).)

Heartfelt condolences to **Betsey Nathan** and **Emily Ruben**, on the recent passing of David Hanhilammi, husband and step-father. David was a writer, theater director and consummate teacher. The NYWBA also extends its deepest sympathy to his children, Kimberly and Kirsti-Liisa, his step-children Ann and A.J., and all their spouses and significant others, John, Dean, Sherry, Willie and Becca, and his grandchildren Molly, Patrick, Eliana, Zev, Emily Anne and John David.

## 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*



## Here's to Thirty Years, Women's Bar Association of the State of New York (WBASNY)!

**By Teresa Schiller**

Pop the cork and raise your glass! WBASNY commemorated its thirtieth anniversary with an elegant reception and dinner at The Water Club in Manhattan on February 24th. More than thirty members of the New York Women's Bar Association (NYWBA) joined fellow WBASNY members and supporters in to celebrate thirty years of service, advocacy, and unity. Many esteemed leaders of the bench and bar made presentations, including Chief Judge Jonathan Lippman, former NYWBA President Hon. Betty Weinberg Ellerin, NYWBA Director Hon. Angela Mazzarelli, former WBASNY President Lenore Kramer, WBASNY President-Elect Deborah Estis, Westchester Women's Bar Association President Deborah Scalise, and Stephen Hoffman, who spoke in memory of his late wife, former WBASNY and NYWBA President Doris Hoffman.

NYWBA had particular reason to celebrate that evening, because it helped to found WBASNY many years ago. As noted in the event's impressive dinner journal, in the late 1970's, then-NYWBA President Joan Ellenbogen and the NYWBA reached out to other regional bar associations to discuss unification. These founders held a convention at Grossinger's Hotel in Liberty, New York, on the weekend of April 18, 1980 to form the organization. More than 120 people attended the convention. Five women's bar associations - including the NYWBA - became founding chapters, and Ms. Ellenbogen became WBASNY's first President.

During her inaugural speech as president of WBASNY, Ms. Ellenbogen spoke about the need for a state women's bar association. She stated that men and women must "be equal participants in influencing those issues and areas which the legal profession is especially equipped to handle. To achieve these goals[,] we must eradicate all sex discrimination, secure truly equal employment opportunity . . . and promote qualified women of influence."

Ms. Ellenbogen later reflected on that historic convention in her October 1980 *President's Message*: "While those who participated in its planning expected it to be an exciting event, no one was prepared for the extraordinary outpouring of good will and enthusiasm for the new venture and the vibrant interaction among those attending." She went on to explain the reasons for unification: "We organized into [WBASNY] to reach out across the state, to communicate with one another, to support each other, [and] to inspire each other. The underlying principle in establishing [WBASNY] was POWER - power to get things done [and] power to realize our objectives in the legislative arena, in the work force, [and] in society at large."

As in the past, WBASNY seeks to use its power to accomplish many of the same objectives that Ms. Ellenbogen and other leaders sought to accomplish. As long as our ultimate objectives remain unrealized, the need for a statewide women's bar association - and the need for leaders like Ms. Ellenbogen, NYWBA and WBASNY - will remain.

*Teresa Schiller is a former President of the NYWBA and currently serves as WBASNY Vice President. She has been nominated to serve as WBASNY President-Elect for 2010-2011.*

## New C.A.R.D. Legislation: Regulated Rates, Notice and Disclosure Requirements

**By Marcy Einhorn**

New credit card reforms intended to level the playing field for consumers took effect on February 22, 2010. With new limits on interest-rate hikes and prohibitions against "universal default," protections for young consumers, and new disclosure requirements, the Credit Card Accountability, Responsibility, and Disclosure Act, P.L. 111-24, or the C.A.R.D. Act, as it is commonly known, is designed to drastically cut into the \$7.5 billion dollars that the six largest credit card companies accumulate annually from credit-card penalty fees each year.

"The C.A.R.D. Act's reforms ... usher in a new era of fairness and transparency in the market," according to Congresswoman Carolyn Maloney, one of the Act's sponsors.

In addition to prohibitions against universal default and interest rate increases on existing balances, the C.A.R.D. Act limits over-limit fees to cardholders, requires payments in excess of the minimum to be applied to the credit card balance with the highest rate of interest first, and prohibits double-billing, or interest on charges that were paid on time.

Young consumers are also protected from many of the marketing and billing practice abuses for which they had been targeted. Credit card companies may no longer offer t-shirts, baseball caps or other give-aways in exchange for a young consumer's agreement to use a card. Young consumers are defined as anyone under 21 years of age. Issuers are now required to obtain the signature of a parent or guardian or other individual who is financially responsible or proof that the applicant has an independent means of repaying any credit extended, before a card may be issued. The Act also requires the card companies to disclose their relationships with schools and universities as a means of aiding enforcement of these new protections.

Billing statements are now also required to be more transparent in the wake of this new legislation. Statements will now not only include minimum payment and negative amortization warnings but must show a hypothetical of how long it will take to pay off a card balance and the total cost savings of paying off a balance with larger than the minimum payment. Statements will also now show toll-free phone numbers for contacting credit counseling agencies.

The Act also contains two additional implementation dates. As of August 20, 2009, card companies are required to give 45 days' written notice to consumers before any interest rate increases or other significant changes to the terms of a credit card account are made. Other changes that became effective on that date include the consumer's right to cancel a card before a rate hike goes into effect without being declared in default and the bank's obligation to send statements to consumers at least 21 days before the due date of any payments.

Later this year, on August 22, 2010, provisions requiring card issuing companies to limit penalty fees to those that are reasonable and proportional and to review and reduce interest rate increases when appropriate will become effective.

*Continued on page 9*



A P R I L 2 0 1 0

# Secretary of State Hillary Rodham Clinton at the UN Commission on the Status of Women -- 15 Years After the Beijing Fourth World Conference on Women

*By Denise Scotto*

On March 13, 2010, U.S. Secretary of State, Honorable Hillary Rodham Clinton, addressed a diverse audience of attendees on the last day of the United Nations Commission on the Status of Women at NY UN Headquarters. In the audience were former U.S. Secretary of State Madeline Albright, U.S. Ambassador for Global Women's Issues Melanne Verbeer, Congresswoman Carolyn Maloney, Mrs. Clinton's daughter Chelsea Clinton, the UN Deputy Secretary-General Dr. Asha-Rose Migiro, the heads of various UN entities, heads of permanent Missions to the UN and a number of NGO representatives from the U.S. and overseas. WBASNY members Denise Scotto and Fay Parris were also in attendance.

Upon entering the conference room, Secretary Clinton received a standing ovation. She acknowledged that this, the 54th session of the UN Commission on the Status of Women, was the 15th Year anniversary of, and an opportunity to review and appraise, the Fourth World Conference on Women held in Beijing, China. She described how 15 years ago, governments agreed by consensus to the groundbreaking Beijing Platform for Action. She referred to her now-famous speech where Women's Rights were acknowledged as Human Rights. The audience went wild with applause.

Secretary Clinton detailed how progress has been made in some areas, but she noted that women still comprise the majority of the world's poor, illiterate and migrant workers, and how violence against women persists in every part of the world in various forms from domestic violence to rape as a war crime to harmful traditional practices.

Secretary Clinton referred to the many global crises, such as the food crisis, the energy and climate crisis and, of course, the financial crisis. She remarked how gender equality and women's empowerment helps women and their families and is a mechanism of international development. She noted that the U.S. is providing funding to assist women globally, through restoring contributions to UNFPA (the United Nations Population Fund) and through PEPFAR (the U.S. President's Emergency Plan for AIDS Relief). She also stated that the U.S. contributed to the passage of UN Security Council Resolutions 1820 and 1888, which concern sexual violence in armed conflict and war. She highlighted the work of NY Times journalist, Nicholas Kristof, and applauded the efforts of other men to take action in advancing the progress of the world's women and girls.

Secretary Clinton gave a stirring call to action for representatives of Member States, urging them to work together to take necessary action to pass the Resolutions under negotiation. She asked governments to recommit to making women's empowerment a priority and to accelerate progress for women and girls globally.

*Denise Scotto is the Co-Chair of the NYWBA Children's Rights Committee and serves as the International Federation of Women Lawyers' representative to the United Nations. She was formerly the Social Affairs Officer for the United Nations Department of Economic and Social Affairs.*

## 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.

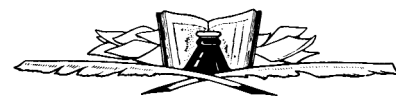
**Tuesday, April 13, 2010, 6:30 pm**

**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 - go to [nywba.org/elder\\_abuse](http://nywba.org/elder_abuse) or call 212-490-8202.

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



*Hon. Hillary Rodham Clinton, U.S. Secretary of State*

## Spotlight on a Firm: Paul, Weiss, Rifkind, Wharton & Garrison

By Cynthia Sheps

*This article is part of our series on law firms that participated in the NYWBA's Survey of Manhattan Law Firms and provided information on their innovative programs to (a) recruit, support and retain women attorneys, (b) support alternate work arrangements, and (c) take other steps to enhance equity and opportunities at the firm.*

Nineteen years ago, Marilyn Sobel, a partner in Paul, Weiss, Rifkind, Wharton & Garrison's corporate practice group, returned to her office from maternity leave after the birth of her twins. Like other women partners, Sobel was faced with juggling the demands of a full-time practice in the office with the demands of newborn infants at home. "It wasn't easy," recalled Sobel. "We did it, but we really hoped that others would do it in an easier way."

Today, a private nursing lounge, an infant transition program (offering new parents opportunities for contact with newborns during the day), emergency back-up childcare (at either a child care center located one-half block from the New York office, or through in-home emergency care), monthly support groups and an alternative work schedule are just some of the "safety net" support systems that await Paul, Weiss attorneys returning from parental leave. "We understand that women face a tough juggling act," explained Sobel, now Chair of the Women's Initiative Committee ("WIC"). "The initiatives the firm has implemented in recent years have helped to retain and promote women lawyers."

In 2005, the firm's Management Committee approved an Action Plan developed by WIC to encourage the retention, support and professional development of the firm's women lawyers. The Plan targeted a two-pronged approach to mentoring women lawyers. One prong is The Sponsors Program, where women associates who received positive fifth-year reviews are carefully paired with a partner advisor from their practice groups who can help support their professional development and career paths in the firm. The second prong includes Women's Networking Groups, which are groups of women counsel and associates of varying levels who are led by at least one woman partner. The Plan also implemented enhanced benefits for associates and counsel with children, including the expanded back up childcare programs. In addition, the Plan expanded the Alternative Work Schedule Program.

The flex-time policy, first introduced in 2000, was changed to the Alternative Work Arrangement policy in 2005. Since then it has grown in popularity with associates and counsel. What makes this program unique is that there are no eligibility requirements. Lawyers can elect to join the program for any reason, not limited to family responsibilities. Currently, approximately 10 percent of associates and counsel (approximately 30-40 per year) and 4 percent of partners (approximately 4-6 per year) participate in the program.

Liza Velazquez, a litigation partner, is one of two associates promoted to partner while on the Alternative Work Schedule Program. "It isn't a mommy track program," explained Velazquez, recalling that only two associates participated in the flex-time program when she joined the program in 2000 as a mid-level associate. "It's not 'of course you can always come back' to full time practice," explained Velazquez. "There isn't just

one model of success here. The more people you see making partner on flex-time empowers other people to embrace the program," noted Velazquez. She married in 2002, had her first child in 2005, made partner in 2006, had her second child in 2009, all while on an 80% alternative work schedule. "Around 2006 the zeitgeist of the world changed and more new parents opted to stay," explained Velazquez, noting the popularity of the program, where today lawyers can choose to work a 65 to 85 percent alternative work schedule.

Julie D'Ambruoso, a fifth-year associate, joined the program two years ago. At that time, D'Ambruoso and her husband had just moved to Connecticut, and she faced a grueling five-hour round trip commute. "The trade off was leaving a job that I was very happy with," explained D'Ambruoso. "When I approached my supervising partner," recalled D'Ambruoso, the partner asked, "What has to happen for you to stay?" Within three days, an alternative arrangement was created to suit my needs."

Each department has an Alternative Work Arrangement partner advisor to ensure that the program is working effectively. The partner advisors do not simply monitor hours. They make sure that the alternative work schedule associates in their departments are receiving appropriate, challenging work assignments and are developing as lawyers. Lawyers have flexibility to structure their schedules in a variety of ways: certain days off per week, per month, or on a transaction-by-transaction basis. There is no predetermined length of time a lawyer can work a reduced schedule.

The Women's Networking Groups are another popular program developed by WIC. Transactional and litigation attorneys are grouped separately, and the groups meet on a regular basis. Such groups have been invaluable for socializing and providing networking support. The group "gives you a chance to meet associates and partners whom you might not know in an informal setting," explained Julie Fink, a fifth-year litigation associate. "It breaks down the hierarchy," added Giulianna Ruiz, a fourth-year associate in the Investment Funds Group. "It gives you a chance to socialize with attorneys that you don't see on a day-to-day basis in an informal setting."

*Continued on page 9*



*Paul, Weiss attorneys: Marilyn Sobel, Julie D'Ambruoso, Giulianna Ruiz and Julie Fink (l-r).*



## Jane On Tax

### Simple Solution - Tax Spending

On a recent Saturday afternoon, I found myself at one of the country's toniest malls, the Americana in Manhasset. Considering the very high unemployment rate and the recession, it could have been a ghost town. But finding a space in the giant parking lot was actually difficult, many of the stores were crowded, and I even had to wait for a salesperson at Tiffany's.

I'm a tax attorney, so before my visit to the mall, I was thinking about the economy and how someone could even think of cutting taxes when the deficit is sky-high and growing larger. Then, the issue of resolving the deficit came to me - the solution is a value-added tax, or a VAT, which is similar to a national sales taxes. The average shopper, particularly the ones who frequent high-end malls, would barely notice.

Most European countries have adopted the VAT. To mention a few, the Netherlands, France and Switzerland have a VAT. In fact, the United States is one of the few countries that does not have a VAT. Economists argue that an efficient tax is one that covers a broad base and is simple to administer. A VAT applies to the general public, so it has a broad base. Furthermore, unlike an income tax, it is not filled with credits and deductions that can lead to tax shelters. The VAT need not impact low-income earners if there are exemptions for basic necessities like food.

When the government needs to raise money quickly, a VAT is an effective tool. To understand how, here is a simple example.

Let's assume that Orange Grove sells oranges to Juice Company for \$1. Juice Company sells orange juice to Supermarket for \$2.50. Supermarket sells orange juice to Customer for \$5. If you now apply a VAT with a rate of 10%, Orange Grove sells the oranges to Juice Company for \$1.10, and it then remits \$0.10 to the government. Juice Company sells the orange juice to Supermarket for \$2.75, and then it remits \$0.25 to the government. Juice Company gets a credit for the \$0.10 it paid to the Orange Grove. Supermarket sells the orange juice to Customer for \$5.50, and then it remits \$0.25 to the government. Supermarket gets a credit previously remitted to the government by Orange Grove and Juice Company.

The burden of the 10 percent VAT is distributed over the production chain with the Orange Grove paying \$0.10, Juice Company \$0.15 and the Supermarket \$0.25. Assuming all parties are compliant, the government collects \$0.50 on the sale of a \$5 item. Furthermore, if one party in the chain fails to comply with the tax law, the government does not lose out on 100% of the tax.

The burden of the VAT is ultimately passed on to the consumer. However, it will be less of a pinch than other measures. While on a per item basis the increase may seem negligible to some, it is an increase that will add up. However, I think most consumers would prefer a VAT to adding more complexities to an already convoluted income tax code.

*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](http://www.taxattorneyinthecity.com).*

## Giving Time for the Haiti Relief

*By Allison Surcouf*

Last month I volunteered with NYWBA and CUNY Citizenship Now! to assist undocumented Haitians who have been in the U.S. since the devastating earthquake on January 12, assisting them to apply for Temporary Protected Status (TPS). TPS allows undocumented aliens of nations designated by Department of Homeland Security to remain in the U.S. temporarily because they cannot return to their home country due to a natural disaster. There were nearly 200 applicants and, seemingly, just as many volunteers.

The TPS paperwork is so complicated, even for a practicing attorney, that during my six hours at the clinic I helped only three applicants prepare the complicated application, but they were grateful for the assistance. The first young woman asked me if she would be able to sponsor her younger cousin, who was not yet twenty years old, and the cousin's newborn baby to come to the U.S.; since the hurricane, the two have been homeless. I was particularly moved by the next applicants, a young mother and her two children, as the mother bore the same name as my maternal grandmother-Marie Solange. (My mother's family had emigrated to Haiti, before settling in New Orleans.) I left the clinic feeling a common bond with the women I assisted, despite the vast differences in our lives. I hope to continue to find time to assist in other pro bono matters, as the experience was both rewarding and fulfilling.

*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. She can be reached at [asurcouf@condonlaw.com](mailto:asurcouf@condonlaw.com).*



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## Courting Justice: International Women's Day at the Court of International Trade

By Rebecca Adams Hollis

On March 9, 2010, NYWBA joined the International Association of Women Judges, the National Association of Women Judges' New York Chapter, and other women's organizations from across New York State, as a contributing sponsor of the "International Women's Day Reception" at the Court of International Trade in downtown Manhattan. This reception was followed by a screening of *Courting Justice*, a film documenting the experiences of six women judges in post-apartheid South Africa. Attendees at this program, which coincided with the 54th session of the UN Commission on the Status of Women, included international women judges from the Democratic Republic of Congo and South Korea; Chief Judge Jane Restain from the U.S. Court of International Trade; and Ambassador Meryl Frank, recently appointed U.S. Ambassador to the United Nations Commission on the Status of Women.

At the reception, Ambassador Frank addressed initiatives and issues from the 54th session of the Commission on the Status of Women, including the prevalence of violence against women in political office and the session's emphasis on the shared experiences among participants internationally. Following the reception, the film *Courting Justice* was screened in the Court's Ceremonial Court Room.

This documentary film profiles six of the first female judges to be appointed to the Constitutional Court of South Africa after the end of apartheid. These women were chosen by filmmaker Ruth Cowan as representative of a racial and geographic cross-section of the first women judges to serve in South Africa.

These women judges were appointed to further the mandates of human rights and racial and gender equality in the judiciary promised by South Africa's post-apartheid Constitution. Ms. Cowan uses the film to explore the role these women have played in the comprehensive and dramatic transformation of South Africa's legal system, and the challenges they have faced as some of the first women to enter this male-dominated profession. The film provides an intimate glimpse into challenges they faced in balancing this grave responsibility to their country's legal system with their personal responsibilities.

The screening was followed by comments by Ms. Cowan, a political scientist who has focused on the rule of law in the newly democratic South Africa. She shared her inspiration for the film and anecdotes about her travels to South Africa and moving interactions with the dynamic women judges.

The Hon. Kung-A Yon of the Seoul High Court in South Korea, currently a visiting scholar at Columbia University also spoke to the group about her experience as a judge in South Korea, including the increased rights that her judiciary has afforded to women and the cultural and institutional transformations that have inspired this increased equality in her country.

You can read more about the film *Courting Justice*, and arrange for a screening, at [www.wmf.com](http://www.wmf.com).

Rebecca Adams Hollis is the Co-Chair of the NYWBA's International Law and Practice Committee.



Members of NYWBA and WBASNY chapters with filmmaker Dr. Ruth Cowan in the Ceremonial Court at the Court of International Trade



Members of NYWBA and WBASNY chapters with U.S. Ambassador to the United Nations Commission on the Status of Women, Hon. Meryl Franks.

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See event details and RSVP information on our website.

## Mat Committee Tackles Immigration Law Issues

*By Sophie Jacobi*

At its March meeting, the Matrimonial and Family Law Committee was fortunate to have two knowledgeable speakers discuss the cross section between immigration law and family and matrimonial law. Careen Shannon, of Counsel at Fragomen, Del Rey, Bernsen & Loewy, LLP, the world's largest law firm specializing in immigration and nationality law, provided an enlightening presentation regarding nonimmigrant (temporary) visa categories, the marriage-based green card application process, self-petitions for permanent residence pursuant to the Violence Against Women Act (VAWA), and the potential impacts of a separation or divorce, an arrest, a conviction, a guilty plea of any kind, or an Order of Protection on a non-citizen's eligibility for permanent residence. Also highlighted at the meeting were immigration issues affecting children. Aryah Somers, a KIND fellow attorney at The Door, a youth services organization in New York, who represents unaccompanied children in their deportation proceedings, shared with the group the history of children as dependents in the immigration system. She explained how the law has changed over the last twenty years to allow children to secure legal immigration status independent of their parents or guardians through Special Immigrant Juvenile (SIJ) status, VAWA petitions and T and U visas for victims of trafficking. She also detailed how the New York Family Court system is playing an integral role in helping non-citizen children in special circumstances become eligible for permanent residence.

We thank the speakers for taking time to share their breadth of knowledge and passion with us. We all learned some important facets of immigration law that we will take into account when working on our own family and matrimonial cases.

*Sophie Jacobi is associated with Mayerson Stutman Abramowitz, LLP and specializes in matrimonial & family law. She received her JD from Loyola University Chicago and is Co-Chair of the NYWBA Matrimonial & Family Law Committee.*

### **Paul, Weiss - Firm Profile** (continued from Page 4)

Noting the success of the Alternative Work Schedule Program and other WIC initiatives, Sobel said, "we have a growing number of women associates with kids or without kids and we can create a work environment that suits their needs."

The firm has been pleased by the growing interest in the program among its lawyers and has reaped recruitment advantages by filling key lateral roles with experienced lawyers, including mothers with young children who joined the firm on a reduced-hours basis. Lateral women hires have appreciated the socializing and networking aspects of the women's networking groups as they provide invaluable professional and personal support upon joining the firm.

The next challenge, Sobel explained, is to broaden the focus of WIC to promote women outside the workplace. Her goal is to implement more programs connecting women partners and clients in order to promote the rainmaking power of women partners.

*Cynthia Sheps is an Adjunct Professor of Law at the Lawyering Skills and Legal Writing Center, Benjamin N. Cardozo School of Law.*

## Paying the Price for the Economic Crisis - A Recent Oxfam Report Highlights How Women and Children Suffer the Most

*By Annie M. Ugurlayan*

Last year, Oxfam International, a group of non-governmental organizations from over 100 countries working to fight poverty and injustice worldwide, issued a report "Paying the Price for the Economic Crisis."<sup>1</sup> The report highlights the impact of economic crises in one sector - export manufacturing, which has been hit especially hard by the global economic crisis, although the ramifications apply across many sectors.

According to the report, women comprise a substantial majority of export processing jobs (e.g., in the garment industry). The statistics are staggering - women in 33 countries, nearly half in sub-Saharan Africa, are extremely vulnerable to the impact of the global economic crises resulting in increased infant and child mortality, less schooling for girls, and reduced earnings. *Id.* at 4. Indeed, women in export manufacturing jobs are oftentimes the first to lose their jobs, jobs that are critical to supporting their families and their home countries. *Id.* at 4-5. Severance pay is rare in many countries, and since many women are migrant workers, they have few, if any, rights to unemployment insurance or cash benefits. *Id.* at 5-6. Worse yet, female migrant workers who are laid off can become the targets of sex traffickers. *Id.* at 6.

Regular employment is more often than not replaced with casual or contract employment in many countries across Asia and Latin American, according to statistics by the International Labor Organization that the ratio of women forced into insecure jobs is greater than that for men and that women are responsible for 22 percent of the global gender pay gap. *Id.* at 8. The end results are increased illness and malnourishment, with little or no access to adequate medical care, and children (especially girls) that cannot go to school due to the cost. *Id.* at 4. The report concludes that it is imperative for governments to act rapidly to protect women and children from the effects of the global economic crisis. *Id.* at 10.

*Annie Ugurlayan is a Senior Staff Attorney at the National Advertising Division. She is a Co-Chair of the Newsletter Committee.*

1. <http://www.oxfam.org/sites/www.oxfam.org/files/paying-the-price-for-global-economic-crisis.pdf>.

### **C.A.R.D. Legislation** (continued from Page 4)

For now, credit cardholders with complaints about compliance with the C.A.R.D. Act have to thread their way through the website of the Kansas City Federal Reserve Bank to file a complaint, since regulation and oversight of each card issuer is divided between several federal agencies, depending on the charter of the bank that issued the card. The creation of a Federal Consumer Protection Agency would add teeth to the enforcement of this much-needed legislation.

*Marcy Einhorn has been a member of the NYWBA for more than a decade. Marcy is developing legal literacy programs for consumers and can be contacted through her website, [www.whattodowhencreditorssue.com](http://www.whattodowhencreditorssue.com).*

## SUNY ALBANY RELEASES IMPORTANT STUDY THAT FINDS SURPRISINGLY LOW NUMBER OF WOMEN ON FEDERAL COURTS

By Martha E. Gifford

Women lawyers and judges in Manhattan have enjoyed a steadily increasing representation on the local state courts, as well as the regular appointment of women to the bench of the Federal District Court for the Southern District of New York, over the last 10-15 years. Currently, the Chief Judges of the SDNY and of the Federal Court of International Trade, also located in Manhattan, are women. We may assume that women have made similar progress throughout New York.<sup>1</sup> Surely, at the federal level throughout the country, women must be well represented -- didn't Presidents Clinton and Bush sharply increase their appointments of women over previous levels? However, despite an increase in the rate of appointment of women to the federal bench since 1992, there are, in fact, far fewer women in the federal judiciary than there should be given the very substantial number of well-qualified women lawyers in public and private practice or on state courts.

A recent news story about a nomination made by President Obama outside of New York illustrates the surprising reality. On March 17th, the Senate confirmed Rhode Island Superior Court Justice O. Rogerie Thompson to the U.S. Court of Appeals for the First Circuit. Although the First Circuit is the smallest federal appellate court, there have been women in significant numbers on the bench and in practice throughout its jurisdiction for decades. In Massachusetts, for example, 37 percent of all state court judges are women. Yet Judge Thompson, 58, is only the second woman, and the first African-American judge, to serve on the Court of Appeals for the First Circuit.

The Center for Women in Government & Civil Society at the State University of New York at Albany has released its *Report on Women in Federal and State-Level Judgeships*, available at [http://www.albany.edu/news/release\\_8760.php](http://www.albany.edu/news/release_8760.php). This report provides statistics that fill out the picture suggested by the situation in the First Circuit, namely that women have not been nominated and confirmed to the federal bench in the numbers that one would expect.<sup>2</sup> Although women comprise more than 50 percent of the population and more than 45 percent of law school graduates since the 1980's, *only 22 percent of federal judges are women. In the Northern District of New York, no woman serves as either an Article III Judge (i.e., on the District Court) or as a federal Magistrate Judge; and in the Western District of New York, no woman serves as an Article III judge.*

WBASNY has taken a strong position regarding the need for more women on the federal bench and has focused strongly on the two upstate New York districts. WBASNY's members include dozens of lawyers and judges who are well qualified to serve on the Federal trial bench. A statement issued publicly by WBASNY quoted the Report: "The gender gap cannot be attributed to the lack of women who are qualified to serve on the bench, but is the result of a lack of opportunity and access afforded to women." The WBASNY release stated further: "In both of these [Northern and Western] districts and throughout New York State, eminently qualified female candidates stand ready to serve our country with distinction." In an article in the *Rochester Daily Record*,<sup>3</sup> the current president of the Greater Rochester Association of Woman Attorneys (GRAWA - a WBASNY Chapter), wrote that the dispro-

portionately high representation of women on family court benches raises several questions: "Are women being stereotyped by voters as being more capable of adjudicating only certain types of matters, such as family law? Are women being stereotyped by their political parties as being more electable for only certain types of offices? How do women fare in elected versus appointed positions?"

Senator Charles Schumer, as the senior New York Senator of the President's party, proposes individuals for appointment to the Federal courts in New York to the President after review of candidates by his judicial selection committee. WBASNY should consider adopting various strategies to increase the opportunities for women to be recommended by the committee. These strategies could include the following: presenting Senator Schumer with a list of women to serve on the selection committee who are both knowledgeable about the Federal courts and familiar with women who are qualified for those courts; working with Senator Kirsten Gillibrand (a WBASNY member when she was in private practice) to intervene with Senator Schumer for participation by WBASNY in the recommendation process and for the nomination of more women; developing a list of WBASNY members who are interested in being considered for the Federal bench; offering seminars with experienced speakers on "how to become a Federal judge," such as the seminars that WBASNY chapters have presented for many years regarding state court positions<sup>4</sup>; and developing other support for qualified women lawyers and state judges who wish to be considered for nomination.

WBASNY's statement continued: "Such disparity [in the proportion of women and men on the Federal bench] needlessly calls into question our nation's promise of equal citizenship and public confidence in the fairness of our judicial system." Now is the time for our political representatives, who control access to the Federal judiciary, to take strong steps to ensure that women are named to those courts in numbers representative of their participation in the profession. As WBASNY has said: "We urge President Obama to seize this opportunity to convert proclamations into progress and to shatter the glass ceiling in upstate New York by nominating more women to the federal judiciary."

Martha E. Gifford, who has a solo practice specializing in antitrust law, is a former President of NYWBA and WBASNY.

1. Actually, New York is tied with Arizona as having only the 14th highest share of women in state judgeships, at 30.5 percent, unexpectedly lagging behind states such as South Carolina, Hawaii and Montana. Vermont has the highest share of women in state judgeships, at 40.2 percent.

2. The Center for Women in Government & Civil Society provides women's leadership development and is an academic research center and a policy think tank that generates knowledge and provides analysis on issues facing women and girls. The study used two sources: the 2010 edition of "The American Bench: Judges of the Nation" produced by Foster and Lang, and data provided by the Federal Judiciary History Office.

3. [http://findarticles.com/p/articles/mi\\_qn4180/is\\_20100210/ai\\_n49589281/](http://findarticles.com/p/articles/mi_qn4180/is_20100210/ai_n49589281/).

4. GRAWA will host a panel in the spring, intended to discuss and support women's access to the judiciary.



## New York Divorce Law: Time for a Change

*By Stephanie M. Adduci*

New York State's divorce law, Section 170 of Article 10 of the Domestic Relations Law, unlike that of any other state in the country, does not allow no-fault divorce - New Yorkers, with limited exceptions, currently must claim that one party is "at fault."

However, the time is quickly approaching when this could change. By the end of this current Legislative Session (scheduled to end in June), there could be a vote on A. 9753 - a "no fault" divorce amendment to New York's current divorce law. If passed by the Assembly, the bill would then move on for Senate approval.

Presently, there are six grounds for divorce in New York State. Ground one concerns the "cruel and inhuman treatment of the plaintiff by the defendant" (10 N.Y. DOM REL §170(1)) defined as "conduct of the defendant [that] so endangers the physical or mental well being of the plaintiff as renders it unsafe or improper for the plaintiff to cohabit with the defendant." *Id.* Ground two provides that there must be the "abandonment" of the plaintiff by the defendant "for a period of one or more years." *Id.*, §170(2). Ground three allows the plaintiff a divorce if there has been a "confinement of the defendant in prison for a period of three or more consecutive years after the marriage ...." *Id.*, §170(3). Ground four allows a divorce where there has been the "commission of an act of adultery." *Id.*, §170(4). Such "acts of adultery" include "sexual intercourse, oral sexual conduct or anal sexual conduct" and must be "voluntarily performed by the defendant, with a person other than the plaintiff after the marriage of plaintiff and defendant." Grounds five and six are variations of each other, in that they both require that the spouses "live separate and apart" for a period of "one or more years." Ground five requires that this separation be "pursuant to a decree or judgment of separation" (*Id.*, §170(5)), whereas ground six requires that the separation be "pursuant to a written agreement of separation, subscribed by the parties thereto and acknowledged or proved in the form required to entitle a deed to be recorded" (*Id.*, §170(6)).

The "no fault" divorce amendment, currently under consideration, is an attempt to add a seventh cause of action for a divorce in New York. The primary sponsor of this bill (A. 9753) is Assemblymember Jonathan Bing of the 73rd Assembly District in Manhattan. Although, not the original sponsor,<sup>1</sup> Assemblymember Bing has campaigned on its behalf, gathering approximately 60 colleagues to sign on as additional sponsors.

A. 9753 seeks to allow for a "no fault" divorce where "the relationship between husband and wife has broken down irretrievably for a period of at least six months"<sup>2</sup> and "one party has so stated under oath." Of course, there are certain determinations that must be made prior to the granting of a "no fault" divorce. *Id.* (Assembly Memo). Namely, the "economic issues of equitable distribution of marital property, the payment or waiver of spousal support, the payment of child support, the payment of counsel and experts' fees," as well as familial issues such as "custody and visitation with the infant children of the marriage." *Id.* (Assembly Memo). Once these issues have either been resolved between the parties or determined by a court, a divorce judgment may be entered.

The bill, as drafted, also allows for the existence of "exigent circumstances" to trump the initial determination of financial and familial issues, and negate the six-month waiting period. Such circumstances would be assessed on a case-by-case basis, thus providing for a "judicial flexibility," according to Assemblymember Bing. He believes such flexibility to be necessary, as there are cases of "significant domestic abuse, for example" that may create a situation that requires expedited action to end the marriage.

"Currently," states Assemblymember Bing, "New York State requires an accusatory act" be alleged, "which sometimes results in one or both parties perjuring themselves." He says that the bill is "looking for a non-adversarial option" for the divorce process. Such a process can work to the "benefit of women, especially those that suffer from domestic abuse, as well as for the benefit of the children of the marriage." Additionally, when other states amended their laws to include a "no fault" divorce provision, there was a "direct correlation," highlights Mr. Bing, "where female suicide rates and instances of domestic abuse both decreased."

There is some opposition to the bill. Some dissenters make the religious argument that the bill acts to promote divorce, a sinful action. Others argue that a change to New York's current divorce law is unnecessary. Some question whether the availability of no fault divorce would actually benefit women, particularly victims of domestic violence. Others argue that it would be sufficient to simply shorten the current one-year separation period under the current fifth and sixth ground for divorce under N.Y. DOM REL §170(5) and 170(6).

The Women's Bar Association of the State of New York (WBASNY) has been working to support the enactment of a no fault divorce option for several years and has addressed each of the opposition arguments. Members of the NYWBA have been leaders in WBASNY's efforts to enact a no fault option.

WBASNY has voted to support A. 9753. When asked, Assemblymember Bing stated that WBASNY lobbyist Sandra Rivera has been a "great asset," and that the "entire WBASNY leadership acted as the main catalyst" for the potential success of the bill. To those who argue that it would be sufficient to simply to shorten the time that divorcing spouses have to live apart under a separation agreement or decree, WBASNY's support memo states that while the amendment providing a shorter wait period is necessary and desirable, it is "often not a suitable alternative for all divorcing litigants"<sup>3</sup> to wait for one or more years for a divorce. Furthermore, "the fault grounds for the divorce have little or nothing to do with the resolution of support, custody, and equitable distribution," which means that the bill will "in no way bar women from presenting the facts of domestic violence." *Id.* (WBASNY Memo).

According to WBASNY President Cynthia Schrock Seeley, WBASNY "has been working closely with Assemblymember Bing and other relevant legislators" to help make the no fault divorce option a reality for New Yorkers. "WBASNY supports this bill, and we believe that the opposition of this particular bill often argues incorrect or misleading information," says President Seeley.

Both Assemblymember Bing and WBASNY believe the time has come for New York to join the rest of the country in offering a "no fault" divorce option. Hopefully, the Legislature will agree with them and vote "yay" when A. 9753 comes to a vote in the next few months, thereby bringing New York one important step closer to becoming a true "no fault" divorce state.

*Stephanie M. Adduci is a Co-Chair of the NYWBA Students & New Lawyers Committee.*

1. Former Assemblymember Adam Bradley was the original sponsor of the bill, which was known at that time as the "Bradley bill." Mr. Bradley left the Assembly when he became Mayor of White Plains, New York.

2. See A09753: Memo at [http://assembly.state.ny.us/leg/?default\\_fld=&bn=A09753%09%09&Summary=Y&Memo=Y](http://assembly.state.ny.us/leg/?default_fld=&bn=A09753%09%09&Summary=Y&Memo=Y).

3. See WBASNY's Memo of Support (published at [www.wbasny.org](http://www.wbasny.org)).

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