



# NEW YORK WOMEN'S BAR ASSOCIATION

## *Annual Membership Reception*

**Tuesday, September 28, 2010  
6:00 p.m. to 8:00 p.m.**

at

Skadden, Arps, Slate, Meagher & Flom LLP  
4 Times Square, NYC  
(42nd Street between Sixth Ave & Broadway)

**The Annual Membership Reception  
is *free* and is open to all current  
and prospective\* members.**

RSVP by September 23rd at  
[www.nywba.org/MemberReceptionRSVP](http://www.nywba.org/MemberReceptionRSVP)

\* Attendees who join the NYWBA at the Membership Reception as new members will receive a welcome gift.  
*Limited supply. First come, first serve.*

*Please bring a children's book to the Reception!  
Books collected will be donated to the NYWBA's  
Judge Judith S. Kaye Children's Book Club.*

## **NYWBA CLE PROGRAM**

*"Lawful Source of Income Discrimination  
in Landlord and Tenant Cases and  
New York City Local Laws 10 & 44"*

**Wednesday, September 22, 2010**

(For details, see announcement on page 11)

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

## **PRESIDENT'S MESSAGE** SEPTEMBER 2010

### *The Benefits of Sharing*



Gretchen Beall Schumann

As we approach the last quarter, 2010 is proving to be a landmark year. First, I congratulate Justice Elena Kagan on her confirmation to the Supreme Court of the United States. What a tremendous achievement for the profession, with three women Justices serving concurrently on our country's highest Court (and all three New Yorkers!).

Congratulations also to the Women's Bar Association of the State of New York, and especially to WBASNY's Family and Matrimonial Law Committee and Legislation Committee, and to our corresponding NYWBA Committees, for their Herculean efforts in realizing the passage of legislation authorizing no fault grounds for divorce in New York State (the last state in the Nation to pass no fault). Additional legislation was enacted on maintenance and on interim counsel and expert fees in matrimonial cases. As discussed in Jennifer P. Brown's excellent article in this Newsletter, four new Domestic Relations Laws will begin to be implemented in the coming months. With the changing landscape of Family and Matrimonial practice, guidance and programs on these topics remain critical.

With these historic shifts underway, the Association has remained active, co-hosting its annual Summer Program, "What It's Really Like to Practice Law As A Woman" on June 23rd. The program, co-sponsored by the City Bar and featuring panelists from both the public and private sector - each with diverse, but equally compelling, experiences navigating her career - led me to ponder how membership in a bar association impacts a lawyer's professional journey.

I am frequently asked, "What are the benefits of joining the NYWBA?" While the obvious comes to mind - the sophisticated yet reasonably-priced CLE programs, the fun events like our August 6th gathering at Madison Square Garden to celebrate the WNBA, The New York Liberty and Breast Health Awareness Night, and our upcoming September 28th complimentary Membership Reception - other reasons to join the NYWBA may be less tangible, but no less vital to a lawyer's career.

These include the benefits that we receive from exchanging our professional experiences, sharing legal expertise, and networking. Two immediate ways for members to access these benefits include joining our Mentoring

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**2010-2011 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 and Louis Pechman
- Judiciary . . . . . Bonnie E. Rabin
- Legislation . . . . . Jane Bevans and Jennifer P. Brown
- Membership . . . . . Heather K. Leifer and Jessica Ventarola Kane
- Professional Ethics and Discipline . . . . . Hon. Barbara Jaffe and Sarah Diane McShea
- Programs, Events and
- Arrangements . . . . . Diana G. Browne and Donna M. Praiss
- Patricia Ann Grant and Jo Ann Douglas (Annual Dinner)
- Publicity / Press . . . . . Tamara Lannin

**SPECIAL COMMITTEES**

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

To join a committee, go to our website [www.nywba.org/committee](http://www.nywba.org/committee) choice. 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*

Circles, which kick-off for 2010-2011 on October 14th, and participating in one or more of our 39 Committees.

Whether new to the profession, in transition or having practiced in one area for many years, as we enter this fall, re-energized by the summer months and the strides we have made, please consider what your experiences can offer to others and to the Association - and the insights you are likely to gain in return.



**COMMITTEE NOTES**

The **Matrimonial and Family Law Committee** is looking forward to a great year. The Committee meets at 6:15 p.m. on the third Wednesday of each month (excluding December) at Blank Rome, LLP, located at The Chrysler Building, 405 Lexington Avenue, NYC. We thank Blank Rome for hosting again this year. Our first meeting will be on September 15, 2010 at 6:15 p.m. We will discuss new legislation, including the newly enacted no-fault grounds for divorce, to carefully review and figure out how to put into practice. Please save the date for our fall meetings on October 27, 2010 and November 17, 2010. RSVP for the September meeting by sending an email to Co-Chair Briana Denney at [bd@sladenewman.com](mailto:bd@sladenewman.com). Send any ideas or requests for meeting topics to Co-Chair Sophie Jacobi at [sjacobi@msalaw-ny.com](mailto:sjacobi@msalaw-ny.com).

The **Students and New Lawyers Committee** is very excited for the 2010-2011 membership year. We have a line-up of wonderful events and speakers to assist both students and new lawyers entering the legal profession. The Committee meets from 6-8 p.m. on the fourth Monday of each month (excluding December when we co-host a joint cocktail party with the Business Law, Taxation, and Bankruptcy Committee) at the New York offices of Lowenstein Sandler, 1251 Avenue of the Americas, New York, NY 10020. We thank Lowenstein Sandler and Director Cassandra Porter for providing our meeting space. Our first meeting this year will be held on September 27, 2010, when we will welcome speaker Paramjit Mahli, a legal PR master. October 25, 2010 and November 22, 2010 will round out the meetings for this fall. If you are interested in joining and attending this year's meetings, RSVP to Co-Chairs Stephanie M. Adduci and Jane CoCo Cowles at [SNL@nywba.org](mailto:SNL@nywba.org).

The **Business Law, Taxation, and Bankruptcy Committee** invites you to join our committee this year. The Committee will meet on the fourth Monday of each month (excluding December when we co-host a joint cocktail party with the Students and New Lawyers Committee) at the New York offices of Lowenstein Sandler, 1251 Avenue of the Americas, New York, NY 10020. We thank Lowenstein Sandler & Director Cassandra Porter for hosting our committee this year. Our first meeting will be on September 27, 2010 at 6 p.m. Further meetings for the fall will be held on October 25, 2010 and November 22, 2010. RSVP to Co-Chair Cassandra Porter at [cporter@lowenstein.com](mailto:cporter@lowenstein.com). She and Co-Chair Monique McClure look forward to seeing you there.

## BELOVED FAMILY COURT ATTORNEY REBECCA ROLLAND PASSES AWAY

By Myra L. Freed & Phyllis C. Solomon



Rebecca Rolland, a long time member of our Association, passed away on July 3rd, at age 101. Rebecca was an active member of the Association and our Matrimonial and Family Law Committee for decades, until ill health prevented her regular attendance at events and meetings in the past few years. She was in regular touch with members up until her death. Rebecca found her true passion in the law, working for the New York City Corporation Counsel in Family Court for 20

years, where she was a dedicated and compassionate advocate for those she served. In 1992, when she retired from Corporation Counsel, Rebecca spoke movingly at a party arranged in her honor about how invigorating and important trying to help and restore dignity to families was, despite the difficulties faced in Family Court. Many will remember Rebecca walking to and from her Greenwich Village apartment to work, meetings, and the theatre, no matter what the weather, to the amazement of much younger friends and colleagues. She was a proud graduate of NYU Law School Class of 1929, and in 2002 she was thrilled to be invited to be part of NYU's long-standing graduation ceremony tradition, as the oldest graduate greeting the youngest graduate.

Rebecca was a woman of great class, grace, warmth, and wit. She was devoted to her family, friends, and fellow NYWBA members. She gave so much to so many. She will be remembered with love and a smile, and she will be missed by all who knew her. A celebration of the life of Rebecca Rolland will be held on October 7, 2010 from 12:30 pm - 2:00 pm at the Supreme Court, New York County, 60 Centre Street, NYC. If interested, please RSVP to NYWBA Director Hon. Phyllis Gangel-Jacob at [pgangelj@courts.state.ny.us](mailto:pgangelj@courts.state.ny.us).

*Myra L. Freed is a solo practitioner specializing in matrimonial law. A member of the NYWBA Board of Directors, she had the good fortune to befriend Rebecca Rolland through the Matrimonial and Family Law Committee. Phyllis C. Solomon is an attorney in private practice specializing in family law and trust & estates. She spent many happy and worthwhile hours walking home from Matrimonial and Family Law Committee meetings and other functions with Rebecca Rolland and learning from her.*



## WELCOME NEW MEMBERS

|                          |                      |
|--------------------------|----------------------|
| Laura Anne Adams         | Nicole I. Hyland     |
| Julie Arkush             | Naomi D. Johnson     |
| Diane F. Artal           | Stephanie Kaufman    |
| Kara M. Bellew           | Joseph Korff         |
| Christine Carson         | Simone K. Lelchuk    |
| Jocqueline M. Cheever    | Rachel J. Lin        |
| Diane Cohen              | Allison Marden       |
| Susan Dennehy            | Anat Maytal          |
| Delaine Marie Duncan     | Kathleen Musich      |
| Sara A. Fucci            | Eileen Overbaugh     |
| Francesca L. Fulchignoni | Susan L. Pollet      |
| Elba Galvan              | Stephanie Rodin      |
| Renee Garcia             | Shayna E. Sacks      |
| Rachel E. Gore           | George M. Santana    |
| Lisa Hart                | Caitlin Somerman     |
| Despina Hartofilis       | Sharon Stein         |
| Andrea Hunt              | Stephanie Lynn Torre |

## 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.

|                             |                               |
|-----------------------------|-------------------------------|
| Delyanne De Alves Barros    | Robert M. Kaufman             |
| Susan L. Bender             | Hon. Judith S. Kaye           |
| Laurie Berke-Weiss          | Harold A. Mayerson            |
| Elizabeth A. Bryson         | Norma Z. Paige                |
| Dawn M. Cardi               | Katherine B. Posner           |
| Judith Coulston             | Barbara A. Ryan               |
| Hon. Betty Weinberg Ellerin | Carol A. Schragar             |
| Myrna Felder                | Gretchen Beall Schumann       |
| Catherine M. Foti           | Hon. Felice K. Shea           |
| Martha E. Gifford           | Hon. Jacqueline W. Silbermann |
| Marcia C. Goldstein         | Martha Cohen Stine            |
| Patricia Ann Grant          | Laura M. Twomey               |
| Adria S. Hillman            | Carla P. Vogel                |
| Julie Hyman                 |                               |

### A CELEBRATION

of the life of long-time NYWBA member

**REBECCA ROLLAND, ESQ.**

will take place on

**Thursday, October 7, 2010**

12:30 PM - 2:00 PM

Supreme Court, New York County

60 Centre Street

New York, New York 10007

(the room location will be posted on our website at [www.nywba.org](http://www.nywba.org))

RSVP to [pgangelj@courts.state.ny.us](mailto:pgangelj@courts.state.ny.us)

**All are welcome to attend. RSVP required.**

# ANNUAL GALA CELEBRATES NYWBA'S 75 YEARS

*By Allison M. Surcouf*

On June 10, 2010, the NYWBA held its annual Gala Awards & Installation Dinner, and this year's Gala truly marked the NYWBA's influence and distinction within our profession. Capitale was the perfect venue for the NYWBA to celebrate its 75th anniversary. Walking through the majestic columned entryway, arriving in the grand reception hall, and realizing the prominence of our organization was both awe-inspiring and humbling. Of special note were the limited edition 75th Anniversary rhinestone lapel pins, designed by President Donna Praiss to commemorate our milestone anniversary; they could be seen glittering around the reception hall, worn by proud NYWBA members. Hundreds of members and friends enjoyed fabulous hors d'oeuvres and admired the items displayed for the silent auction.

We were then led into the beautiful dining room, where a delicious four-course meal was served and the awards presentations began. As people took their seats, pictures of our Founders and Past Presidents were projected on a huge screen above the speaker podium, to much applause.

Dinner Chair Patricia Ann Grant served as the host for the evening and welcomed members and guests. She then introduced the Hon. Juanita Bing Newton, who presented the President's Special Award to the Hon. Sherry Klein Heitler, Associate Justice of the Appellate Term in the First Department and Administrative Judge for Civil Matters in the First Judicial District (New York County). Justice Heitler captivated the room with her acceptance speech, detailing her journey through the law, which initially blossomed from her love of Nancy Drew. She gave a heartfelt thank you to her alma mater, Fordham Law School, her mentors, and her husband and children for the essential support they have given to her.

Delivering a moving address to the attendees, outgoing President Donna M. Praiss eloquently described her experiences as NYWBA President and the Association's accomplishments during 2009-2010. She also presented Past President Elizabeth A. Bryson with a beautiful, engraved vase, calling her an "unsung hero" and acknowledging all she has done for the NYWBA over the past few years.

A video montage honoring Founder and Past President Hon. Florence Perlow Shientag (1908-2010) was then presented. Myrna Felder, NYWBA and WBASNY Past President, then took the podium to toast Judge Shientag, our Founders and Past Presidents, and the NYWBA's first 75 years. She noted that Judge Shientag was an extraordinary role model, serving as a Judge of the Domestic Relations Court (what is now the Family Court), as the first woman Assistant U.S. Attorney and federal prosecutor in New York, and as a President, mentor and a substantial financial benefactor of the Association. During her remarks, one could not help but be overcome with the important role in history that the NYWBA has played; a role to which each NYWBA member ultimately contributes.

Past President Hon. Betty Weinberg Ellerin presided over the installation of the 2010-2011 Officers and Directors, as well as the NYWBA Delegates to the WBASNY Board of Directors. Newly installed NYWBA President Gretchen Beall Schumann

addressed the audience, and her zeal for the coming year was contagious.

NYWBA Foundation President Karen M. Mitchell then spoke and acknowledged the substantial charitable gift to the Foundation made by Past President Norma Z. Paige, which will fund a grant over five years to the Feerick Center for Social Justice at Fordham Law School. John Feerick, former Dean of Fordham Law School, was present and acknowledged this exceptional gift.

Dinner Chair Patricia Grant then took the floor for final remarks. Members and guests continued to mingle after the event, visiting with each other and enjoying a post-dinner buffet of gourmet chocolates. Everyone also received a commemorative 75th Anniversary Journal, which included a detailed review of the Association's history, profiles of our Founders and Past Presidents, and a biography and amazing photos from Founder and Past President Hon. Florence Perlow Shientag's life and career. The Journal also contained profiles of our incoming Officers and award recipient Hon. Sherry Klein Heitler, as well as many personal tributes and legal services advertisements.

The event was a huge success, and the hard work of NYWBA leaders - including Dinner Chair and Director Patricia Ann Grant, Journal Chair and Past President Jo Ann Douglas, 75th Anniversary / Journal History Chairs Past President Elizabeth Bryson and Director Myra Freed, and the members of the Dinner Committee - was clear. Kudos as well to the Auction Committee, chaired by Michael Appelbaum, Virginia A. LoPreto and Director Dawn M. Cardi, as the silent auction successfully raised funds to benefit the Foundation's Hon. Betty Weinberg Ellerin Fellowships.

The NYWBA has had a remarkable first 75 years, and we are looking forward to what the next 75 will bring!

*Allison Surcouf is Co-Chair of the Newsletter Committee and an associate with Condon & Forsyth LLP.*



*Attendees, including incoming President Gretchen Beall Schumann and Past President Harriet Newman Cohen, join in a standing ovation for award recipient Hon. Sherry Klein Heitler.*

# ANNUAL GALA (continued)



*Immediate Past President Donna Praiss presenting award to Past President Elizabeth A. Bryson*



*Hon. Sherry Klein Heitler, the President's Special Award recipient*



*Immediate Past President Donna Praiss, Director Jane Bevans, President Gretchen Beall Schumann, and Events Chair Diana G. Browne*



*Past President and Journal Chair Jo Ann Douglas and Vice President and Dinner Chair Patricia Ann Grant*



*Immediate Past President Donna M. Praiss, Director Carla P. Vogel, and David Vogel*



*Past President Hon. Betty Weinberg Ellerin installs the new directors and officers*



*Hon. Laura E. Drager (NYWBA Director), Hon. Analisa Torres, Hon. Laura Visitacion-Lewis, and Hon. Juanita Bing Newton*



*Past Presidents Irene Sullivan, Madeline C. Stoller, Dianne Abeloff and Andrea Hyde, and Advisory Council member Hon. Sheri S. Roman*



*David German (nephew of Founder, Past President and Benefactor Hon. Florence Perlow Shientag) and Linda German (who has been instrumental in the effort to preserve and archive Judge Shientag's historic photos and papers for the NYWBA)*



*Corresponding Secretary Bonnie Cohen-Gallet and President Gretchen Beall Schumann*



*Committee Chairs Yacine Barry (Director), Stephanie M. Adduci (Director), and Kathy M. Lynch*

# WHAT IT'S REALLY LIKE TO PRACTICE LAW AS A WOMAN

*By Stephanie M. Adduci*

Personal histories and anecdotes led the discussion at this year's *What It's Really Like to Practice Law as a Woman* event held on June 23, 2010 and co-sponsored by the New York Women's Bar Association and the New York City Bar Committees on Law Student Perspectives, Sex and the Law, and Women in the Profession. Affectionately called the "Summer Program" among NYWBA members, *What It's Really Like* is designed to provide guidance and insight for law students, summer associates, interns, law graduates awaiting admission, and lawyers in their first year of practice.

City Bar President Samuel Seymour welcomed the approximately 200 women in attendance to the event with encouragement to all to commit to *pro bono* work. In her remarks, NYWBA President Gretchen Beall Schumann noted the advantages of joining the NYWBA, with its more than 650 members, 39 Committees, and its focus and diligence in promoting the advancement of women in the profession. She also commented on the "valuable information for your career" that the attendees would glean from the presentations by the panelists. Following the remarks of both Presidents, Cassandra Porter, NYWBA Director and Summer Program Chair, introduced the night's moderator, Elaine Wood, who in turn introduced the panelists.

The panel was comprised of a law firm partner and retired judge, a senior assistant district attorney, a not-for-profit director, and a law firm associate. The panelists included: the Honorable Melanie Cyganowski, a partner at Otterbourg, Steindler, Houston and Rosen, P.C. and a former Chief Judge, U.S. Bankruptcy Court, Eastern District of New York; Kelli Muse, a Senior Assistant District Attorney at the Kings County District Attorney's Office; Kara Bellew, Director of the Uncontested Divorce Project at Sanctuary for Families; and Stephanie Aranyos, an associate at Lowenstein Sandler, P.C. Moderator Elaine Wood is a Managing Director of business intelligence and investigations at Kroll Associates.

A common sentiment shared by all the panelists was that MENTORS MAKE A DIFFERENCE! If you are lucky to find a good mentor, make the most of the relationship. Additionally, YOU MUST ADVOCATE FOR YOURSELF. Don't be afraid – everyone gets knocked down ... you just get back up. In addition to mentoring relationships and self-advocating, NETWORKING was also identified as an important tool for every young lawyer's legal career. The panelists stressed that it was important to be out there making your mark.

Sensitive to the current economic climate and the resulting poor job market, all of the panelists in one way or another urged the attendees to take chances. They shared their hard-earned knowledge that you never know where the next opportunity will come from, and it is not always from where you think. Similarly, early in your career you might think that you want to do one thing, and then some development may lead you to somewhere else completely different, yet wonderful. Just as important, you must be willing to adjust your "path" to maximize your opportunities, especially in such a hard market. But, as one panelist cautioned, you also need to have passion for what you do; that passion is critical to your success.

Further sentiments expressed during the program included:

- Don't worry if you have no clue.
- Don't be afraid; have enthusiasm.
- Take chances; you never know what's going to happen.
- Try new things.
- Talk about your experiences.

Don't back down.

Let your haters be your motivators.

Don't let yourself be held back by your life.

It is also important to learn what you don't want to do. It is not always about climbing; sometimes it's about the plateau. It's important to know how to quit a job while maintaining relationships; don't burn bridges.

Get in the door, and prove yourself.

Say yes to everything; yet, don't wait to be asked.

Develop a thick skin.

Never count something out.

Women need to work.

Once the panel discussion concluded, a wine and cheese networking reception was held. Attendees mingled with the panelists and moderator, as well as with experienced attorneys from the City Bar and from the NYWBA (including members of the Board of Directors, former and current Presidents, and Committee Chairs), and with each other. All around the reception room, panelists were surrounded by a throng of attendees. As I roamed the room in my capacity as both a Co-Chair of the Students & New Lawyers Committee and a new NYWBA Director, I spoke with a number of attendees who showed great interest in joining the Association and becoming active members as a result of the event. When asked about the program they had just attended, the attendees spoke in glowing terms of the panelists and the experiences and knowledge that they had shared. All expressed great interest in returning for next year's program.

Thank you to Cassandra Porter and her Summer Program Committee; to panelists Melanie, Kelli, Kara, and Stephanie, as

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*President Gretchen Beall Schumann (second from left) and Summer Program Chair Cassandra M. Porter (far right) with speakers Stephanie Aranyos, Kara Bellew, Kelli Muse and Hon. Melanie Cyganowski and moderator G. Elaine Wood (l-r)*

# Myths about Mentoring (and Why You Should Care)

By Jezra Kaye

With the Mentoring Circles Reception this fall, the NYWBA advances one of its most powerful and practical initiatives: Mentoring Circles. The program, which is open to all NYWBA members, will bring together women from every field and level of experience to mentor and learn from each other.

As men have known for generations, mentoring is one of the simplest and most effective ways to increase your career success. So why don't more women take advantage of it?

These Mentoring Myths are partly to blame:

## Myth #1: Mentoring is for Junior Attorneys

Once upon a (recent) time, mentoring was about guiding the young. This is no longer the case. Today's "seasoned" professionals have more to learn from their junior colleagues than ever before, as I recently discovered when a young woman sitting next to me at a conference showed me how to tweet!

In this world of second careers, an experienced attorney in transition may also find that a savvy younger colleague is the perfect person to "show her the ropes" as she moves from corporate to elder law or to environmental litigation, or from the public to the private sector, or from industry to a solo practice.

Whatever your level of experience, mentoring rewards those who give as well as those who receive. Through mentoring others, you solidify *your* knowledge, making you, in effect, a mentor to yourself!

As Katherine B. Posner, Esq.<sup>1</sup> a partner at Condon & Forsyth LLP, says, "Not only has my NYWBA mentoring circle afforded me the opportunity to get to know some amazing, interesting and fun women attorneys, it has given me the chance to (finally!) share some of the things I have learned over the years and to learn from the stories and experiences of the other women in my group. It has also reinforced for me the importance of teamwork in all aspects of our lives - something that I try to remember and pass along every day."

## Myth #2: Women Already Have Mentors

If only!

In a presentation on *Eliminating (Gender) Bias from Law Firm Evaluations*,<sup>2</sup> Roberta Liebenberg and Linda Bray Chanow noted that women do not get the same quality of mentoring as their male colleagues, *even when they are mentored by the same person!*

Even more troubling, they pointed out that women often *don't realize* that they're not being mentored!

How can this be?

1. Katherine B. Posner, Esq.'s practice is concentrated in the areas of aviation litigation and insurance. She is the Immediate Past President of the NYWBA Foundation.

2. Roberta Liebenberg, Esq., a senior partner at Fine, Kaplan and Black, RPC, is Chair of the American Bar Association's Commission on Women in the Profession. Linda Bray Chanow, Esq., former Associate Director of the University of California at Hastings College of Law's Project on Attorney Retention is now Executive Director of the University of Texas, Austin's Center on Women in the Law.

The explanation offered by Chanow and Liebenberg is that women may not know what mentoring is. When asked what their mentors do for them, women often report that their "mentors" give them direction or critique their work - in other words, that they supervise!

Men, on the other hand, easily identify a mentor as someone who takes an active interest in the development of their careers, and cite actions such as giving them political advice, talking regularly about their goals over dinner, and showing them the ropes to get ahead.

Even today, it seems that many women don't realize the extent to which some of their male colleagues are being *groomed* for success by mentors.

## Myth #3: Mentoring Should "Just Happen"

Why do male attorneys receive the benefits of mentoring, while women so often lag behind? One reason is, *men ask for it*, as they ask for so much else!

In their book *Ask For It*,<sup>3</sup> Linda Babcock and Sara Laschever recount how, in the mid-1990's, Linda set out to discover why male graduate students at Carnegie Mellon University were teaching their own courses, while women were not.

The answer? Men had *asked* to teach, while women were *waiting* for someone to ask them.

Since then, study after study has confirmed that this "asking gap" is responsible for a significant amount of the benefit that men receive at work; and, is equally responsible for women not receiving such benefits.

Susan Smith Blakely, author of *Best Friends at the Bar: What Women Need to Know About a Career in the Law*, counsels that, "Having a mentor ... is critical to your success and upward mobility in a law firm. However, typically, law firms do not give enough attention to mentoring, and *it will be up to you to make sure that you get it.*"<sup>4</sup>

## Don't Wait to be Asked!

In addition to joining a NYWBA Mentoring Circle, you can find mentors at every level -either among your colleagues, or elsewhere in your professional sphere. Here are the steps to securing a mentor:

### 1. First, *choose your mentor*

The choice is yours, so be sure to aim high. Identify someone, male or female, who is well-respected, who has power to exercise in your area, and who you find compatible.

*Continued on page 12*

3. Linda Babcock and Sara Laschever, *Ask for It*, (Bantam Books (a Division of Random House), 2008).

4. Susan Smith Blakely, Esq., *Best Friends at the Bar: What Women Need to Know About a Career in the Law* (Aspen Publishers (Wolters Kluwer imprint), 2009) (emphasis added).

## NYWBA's Family Court Tour CLE a Success

*By Bonnie Cohen-Gallet and Judith Rifkin*

*On June 22, 2010, the NYWBA sponsored an informative program offering an inside view of the New York County Family Court. Judges and court personnel who hold key roles in this immensely busy institution spoke to participants about the procedures, protocols, and goals of the New York Family Court. This three-credit CLE program, entitled "New York County Family Court-Tips from the Inside," was held at the Family Courthouse located at 60 Lafayette Street in Manhattan.*

Supervising Judge of the Family Court of the City of New York, Judge Edwina Richardson-Mendelson, was the first speaker. She welcomed the participants to the courthouse and explained her role as the Supervising Judge. She discussed both the numerous different categories of cases handled in Family Court, as well as the enormous caseload handled each year in the Family Court. Judge Richardson-Mendelson also distributed the "Plan for Family Court," which delineates goals for the future of the Family Court. She invited the attendees to consider expanding their practice to include representation of individuals who have matters before the Family Court.

Judge Douglas Hoffman, Administrative Judge of New York County Family Court, gave a brief historical overview of the evolution and development of the Family Court, which was originally established in the 1800's. An early focus of the court was to rehabilitate juveniles who had committed criminal offenses. Over the course of time, the court's jurisdiction expanded. In 1962, the state legislature established the statutory authority for the current Family Court, which now hears matters including child abuse and neglect, termination of parental rights, adoption, guardianship, custody, visitation, cases involving domestic violence, foster care, proceedings involving "persons in need of supervision" ("PINS"), spouse and child support, and related issues.

The third speaker, Chief Clerk of the Family Court of the City of New York Peter Passidomo, Esq., gave a thorough presentation of the types of cases most civil practitioners encounter in Family Court, including a detailed overview of how a private practitioner would proceed in Family Court when handling a support or custody case. Having previously served as Chief Support Magistrate of the State of New York, he gave great insights into the procedures of a support proceeding. Chief Clerk Passidomo then discussed how to file a petition for custody and/or visitation matters. He explained where each of the Petition Rooms is located, and he gave a historical perspective about why support and custody matters are decided by separate fact-finders. Lastly, he discussed the interplay between Supreme Court and Family Court, including matters where a divorce was filed and/or finalized in Supreme Court but the parties have pending Family Court cases. A question and answer period followed, giving participants the opportunity to ask procedural questions.

Judicial Hearing Officer Hon. George Jurow, a retired Family Court Judge, explained the role of the JHO and how the JHOs can help move a case to a prompt and proper resolution. He also delineated the method by which an individual becomes a Judicial Hearing Officer. He explained that a rigorous battery of

tests is mandated by the Office of Court Administration even for retired members of the Judiciary who wish to serve as JHOs.

Catherine Friedman, Esq., who is the Citywide Coordinator of mediation programs and the Parents and Children Together (P.A.C.T.) program, spoke about P.A.C.T. and the benefits it offers to Family Court litigants. She explained how participants in the program can have their custody and visitation matters referred for mediation, as well as how mediation can help resolve Family Court cases in a less adversarial manner. She also gave an overview of the Family Court P.A.C.T. program.

Rosina Taffuri, Deputy Chief Court Counsel of the New York City Family Court, then discussed the Family Court Volunteer Lawyer Program, which trains attorneys in Family Court matters. In return, trained attorneys volunteer to staff an office in one of New York City's Family Courts for a day. The volunteer attorneys are available to help litigants through the Family Court process and procedures. She also discussed how the Family Court strives to be accessible to low income litigants. Among other resources, the Family Court offers many informational brochures, and self-represented litigants can seek help from the Petition Room, where a clerk will help them draft their petitions.

As is true in criminal cases, low income litigants in Family Court are entitled to court-appointed counsel, known as the Panel of Counsel for Children and Parents, for certain types of cases, including custody, termination of parental rights, child protective hearings, juvenile delinquencies, domestic violence (family offense), and child support (where a respondent may face incarceration for a willful violation). Rosemary Riviuccio, Esq. is an attorney in private practice who accepts assignments from the court as an '18-b' attorney pursuant to County Law Section 18-b, to represent indigent litigants who qualify for legal representation in these matters. Ms. Riviuccio, an experienced Panel member, offered tips and strategies in order to zealously represent the indigent clients an 18-b panel attorney would be assigned to represent.

Following the speakers, program participants were taken on a tour of the Family Courthouse. They met Judge Lori Sattler in her courtroom, where Judge Sattler generously gave her time to discuss the types of cases that she hears. She discussed the role of the Judge in Family Court proceedings, and she took questions about what she expects of litigants and attorneys in her courtroom. She also provided an inside look at the beginning of a case, explaining what happens when a case is filed in the Petition Room. The discussion then continued to include an overview of how cases are handled in Family Court and the differences that a practitioner may encounter between practicing in the matrimonial parts of the Supreme Court and Family Court. Judge Sattler recommended that litigants and attorneys should be prepared, and she noted that family court dealings can be very "seat-of-the-pants," so strong preparation and initiative (such as agreeing to a stipulation and writing it yourself in the courthouse) is critical.

*Continued on page 12*



## 2010 Annual WBASNY Convention at Honor's Haven

*By Amy Saltzman*

This year, the Annual Convention of the Women's Bar Association of the State of New York ("WBASNY") was held at the Honor's Haven Resort and Spa in Ellenville, New York. The NYWBA contingent had a wonderful time attending CLE programs, networking, golfing, and shopping among the various vendors present at the event. We also enjoyed tai chi, wellness workshops, and the beautiful countryside that surrounds this Catskill resort, nourishing mind, body and soul over the weekend. On Friday evening, WBASNY participants from every Chapter across New York State proudly enjoyed the presentation of WBASNY's annual awards to deserving recipients. These awards included the very first Honorable Judith S. Kaye Access to Justice Award, which was presented to one of our long-standing members and current NYWBA Vice President, the Hon. Jacqueline W. Silbermann.

WBASNY created this award in late 2008 in honor of New York State's first female Chief Judge of the Court of Appeals, Hon. Judith S. Kaye, who has retired from the Court but remains active in private practice. This award honors a WBASNY member who is a current or former state or general public-sector employee, such as a member of the judiciary, who demonstrates the core values to which former Chief Judge Kaye steadfastly adhered, ensuring equal access to justice is carried out, through service, good will, and professionalism. Upon learning of the creation of this award, the NYWBA Board of Directors immediately nominated Justice Silbermann to become the very first recipient honored with this impressive award.

As NYWBA Past President Donna Praiss wrote in support of the nomination, "Justice Silbermann is particularly deserving of the first annual Judith S. Kaye Access to Justice Award because it is well-known throughout New York State that she championed our court system's ability to resolve matrimonial cases fairly, efficiently, and cost-effectively, and she worked closely with Chief Judge Kaye over the years to promote their shared values and ideals with mutual admiration. Every word in the description of the nominee deserving the Judith S. Kaye Access to Justice Award aptly describes our nominee, former Justice Jacqueline W. Silbermann."

On Saturday evening, WBASNY installed its officers for 2010-2011, including NYWBA Past President Teresa Schiller. After the installations, new WBASNY President Deborah Weisman Estis spoke eloquently about the mission and future of WBASNY and the important contributions of each Chapter's membership. Attendees were also thrilled to hear a wonderful keynote speech from Kathleen Durham, Executive Director of the Eleanor Roosevelt Center at Val-Kill, New York. Ms. Durham kept the audience's rapt attention as she told fascinating stories about Eleanor Roosevelt and shared some of her wit, wisdom and extraordinary accomplishments.

As always, the Annual WBASNY Convention was a wonderful experience, enjoyed by all who attended. We encourage everyone to attend next year.

*Amy Saltzman is a member of the NYWBA Board of Directors, a WBASNY delegate, and a family law practitioner.*



*Hon. Jacqueline W. Silberman (right) receives the inaugural Judith S. Kaye Access to Justice Award at WBASNY Convention from WBASNY Awards Chair Hon. Arlene Hahn*



*Honoree Hon. Jacqueline Silbermann, Elizabeth Bryson, Jo Ann Douglas, and Past WBASNY & NYWBA President Myrna Felder*

## 2010 Annual WBASNY Convention (continued)



- NYWBA Members at the 2010 WBASNY Convention - Front row (seated): NYWBA Director Hon. Jacqueline W. Silbermann, NYWBA President Gretchen Beall Schumann (2010-2011), President Donna M. Praiss (2009-2010), Past NYWBA President Hon. Betty Weinberg Ellerin, Past NYWBA & WBASNY President Myrna Felder. Second row (standing): Past NYWBA President Elizabeth Bryson, Bonnie Rabin, Past NYWBA President Jo Ann Douglas, Past WBASNY President Susan Bender, Patricia Hennessey, NYWBA Director Dawn Cardi, NYWBA Director Amy Saltzman, Past President of Brooklyn Women's Bar Assn. Hon. Deborah Kaplan, Past NYWBA President Harriet Newman Cohen, Corresponding Secretary Bonnie Cohen-Gallet. Third row (standing): Past NYWBA and WBASNY President Martha E. Gifford, NYWBA Director and WBASNY Committee Chair Susan M. Moss, Hon. Lori Sattler, Advisory Council Member Marjorie Martin, Stephen Hoffman, Janessa Trotto, Past President of Brooklyn Women's Bar Assn. Hon. Nancy Bannon



NYWBA Director Dawn Cardi, WBASNY Officer & NYWBA Past President Teresa Schiller, NYWBA Director & Past President Elizabeth Bryson, NYWBA Advisory Council Member Marjorie Martin, and Past NYWBA & WBASNY President Martha E. Gifford attending the Installation Dinner at the WBASNY Convention



WBASNY Convention Keynote Speaker Kathleen Durham, Executive Director of the Eleanor Roosevelt Center at Val-Kill (left) seated with the incoming WBASNY Officers Teresa Schiller (NYWBA Past President) and Maureen Maney (Past President of the Central New York Women's Bar Association)



WBASNY Amicus Chair Alayne Katz and NYWBA Past President and WBASNY Amicus Committee Member Elizabeth Bryson



2009-2010 NYWBA President Donna Praiss and NYWBA Director Dawn Cardi at the Convention Installation Dinner

**NYWBA CLE PROGRAM**

***“Lawful Source of Income Discrimination in Landlord and Tenant Cases, and New York City Local Laws 10 & 44”***

This exciting CLE program will discuss recent developments in landlord / tenant law that affect a landlord’s right to refuse rental assistance from lawful sources made on a tenant’s behalf.

- Date:** Wednesday, September 22, 2010
- Time:** 5:30 PM – 6:00 PM (Registration),  
6:00 PM – 7:00 PM (Program)
- Location:** New York Civil Court, 111 Centre Street,  
12th Floor Conference Room, NYC
- Presenter:** Isiris I. Isaac, Esq., Associate Court Attorney,  
New York Civil Court\* and Co-Chair of the  
NYWBA Criminal Law Committee
- CLE:** 1 CLE Credit (Professional Practice)\*\*
- Cost:** \$10.00\*\*\* (Special discount price; many thanks to  
NYWBA for underwriting costs of this program.)
- RSVP:** Send an email to [isirisisaac@gmail.com](mailto:isirisisaac@gmail.com).  
All participants MUST pre-register to be admitted.  
Space is limited, so register ASAP!
- Note:** You do not have to be a member to attend this program.  
*(NYWBA Membership is open to lawyers, judges, law students  
and law graduates. To access our secure online membership  
form, go to [www.nywba.org/membership](http://www.nywba.org/membership), or email  
[ED@nywba.org](mailto:ED@nywba.org) to have a membership form sent to you.)*

\* Notice: Ms. Isaac appears as a presenter at this program in her personal capacity. Any views or comments expressed during the program are hers alone and should not be attributed to the Court or to any Judge or Court personnel.

\*\* CLE Accreditation: NYWBA is a founding Chapter of the Women’s Bar Association of the State of New York, which is an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established attorneys and as transitional credit for newly-admitted attorneys. NOTE: CLE materials may be provided in an electronic format.

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

**~ REMINDER ~**

Don't forget to RENEW your membership for 2010-2011!

*It's easy ...*

If you haven't renewed already, go to [www.nywba.org](http://www.nywba.org) and click on "Membership" to access our secure online membership form.

**NOTES ON MEMBERS**

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

Congratulations to the 2010-2011 Officers and Directors who were installed on June 10, 2010 at the 75th Anniversary Gala Awards and Installation Dinner, including new Board of Directors members **Jennifer P. Brown**, a matrimonial and family law solo practitioner, and **Stephanie M. Adduci**, Co-Chair of the Students and New Lawyers Committee, the Newsletter Committee, and the Summer Program Committee. It is with sad hearts that we share the resignation of **Carla Vogel** as 1st Vice President, due to the demands of her new position as Senior Vice President and Chief Compliance Officer for the Energy and Infrastructure Group of Trust Company of the West. Director **Patricia Ann Grant** will assume the role vacated by Ms. Vogel. The **Hon. Jacqueline W. Silbermann** will step into the role of 3rd Vice President in Ms. Grant’s place. Justice Silbermann’s position on the Board of Directors will be filled by **Monique McClure**, a Director and Associate General Counsel of New York Life Investment Management. The NYWBA wishes Ms. Vogel the best of luck in her new position, and we are thrilled that she will continue her involvement with the Association.

Congratulations to **Jennifer Durkin** on joining **Annie Wang** as Co-Chair of the Immigration Law Committee. Ms. Durkin is a graduate of the University of California at Los Angeles School of Law. She is a member of Yee Durkin & Puri LLP and has been practicing immigration law exclusively since 1999.

Check out NYWBA Past President **Laurie-Berke Weiss’** recent publication in the June 15, 2010 *New York Law Journal*: “Trade Secrets and the Computer Fraud and Abuse Act.” The CFAA provides a civil claim by employers against unauthorized employee misappropriation or destruction of electronic information. The article can be viewed at: <http://www.law.com/jsp/nylj/PubArticleNY.jsp?id=1202462754581&slreturn=1&hblogin=1>. Ms. Berke-Weiss represents businesses, partnerships, not-for-profit corporations and individuals in connection with employment issues, commercial disputes and transactions, and personal concerns, and is a member of Berke-Weiss & Pechman LLP.

On May 31, 2010, **Hon. Dennis E. Milton**, United States Bankruptcy Judge for the Eastern District of New York passed away. Judge Milton graduated Fordham Law School and was appointed to the U.S. Bankruptcy Court in 2001. He is survived by NYWBA Past President **Karen Greve Milton**, Circuit Executive for the U.S. Court of Appeals for the Second Circuit. The NYWBA extends its condolences to Ms. Milton and the Milton family. Donations in memory of Judge Milton may be made to Regis High School, 55 East 84th Street, New York, NY 10028.



*Mentoring Continued from Page 7*

**2. Second, show them what you've got**

If you don't already work with this person, try to get on one of their cases, even if this means volunteering a limited amount of your time; then, try your best to knock their socks off!

**3. Now tell them what you need**

"Would you be my mentor?" is too broad, and can scare over-worked people. Instead, make your request specific, either as to subject or setting:

"Jane, may I talk to you sometime about whether I need more overseas experience? Your perspective would be invaluable."

- or -

"Therese, would you be willing to sit down with me for an hour to talk about career development? Maybe after work next Tuesday?"

**4. Set up the next step**

Now that you've begun a relationship, don't leave its future development to chance! You can deepen the commitment by:

- Thanking your mentor for her time (in writing);
- Asking her permission to "ask" again; and, most importantly,
- Keeping her informed about how you've put her insights to work!

At every level of your career, a mentor can enhance your professional success. So find a mentor ... become a mentor ... and keep your mentoring circle strong!

*Jeza 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 jeza@yourownadvocate.com.*

***Family Court CLE Continued from Page 8***

Assistant Deputy Chief Clerk of New York County Family Court Joseph Radice escorted the participants through the maze of the Family Court, and gave a brief tour of some of the offices and rooms that practitioners need to be familiar with, such as the Petition Room and the Record Room. The clerks of the Petition Room also took time out of their busy days to talk with participants about how to file a petition.

The NYWBA warmly thanks the Family Court speakers who made the program a success. A special thank you is extended to Barbara DeMayo, Esq., the Coordinator of Special Projects for New York City Family Court, without whom the program would not have been possible.

*Bonnie Cohen-Gallet is a Court-Attorney Referee in NYC Family Court and Corresponding Secretary of the NYWBA. Judith Rifkin is a sole practitioner who handles a wide variety of matters involving corporate, real estate, foreclosure defense and family law.*



**Save the Date**  
**MENTORING CIRCLES**

The NYWBA's Mentoring Circles Program allows members at all stages of their careers to join with their peers to foster their personal and professional development. Participating members benefit from direct mentoring as they share ideas for meeting challenges in their careers and personal lives in a supportive and encouraging environment.

**The Annual Mentoring Circles Reception**

will be held on

**October 14, 2010**  
**6 PM to 8 PM**

*This program is open to all 2010-2011 members.\**

**RSVP to [Mentoring@nywba.org](mailto:Mentoring@nywba.org).**

The Reception allows members who have not previously participated in a Mentoring Circle to learn about the program. It also allows new members of Mentoring Circles to meet other members of their circle, and allows current mentoring circle participants to share their experiences and learn from others' progress.

If you are not yet part of a Mentoring Circle but would like to join, send an email to [Mentoring@nywba.org](mailto:Mentoring@nywba.org).

Check our website ([www.nywba.org](http://www.nywba.org)) or look for our newsletter announcement next month for the location.

*\*If you are not yet a member for 2010-2011, go to [www.nywba.org/Membership](http://www.nywba.org/Membership) to sign up, or send an email to [ED@nywba.org](mailto:ED@nywba.org) to have a membership form sent to you.*

**MANY THANKS TO OUR "SUMMER PROGRAM" SPONSORS**

We express our thanks to the following firms whose sponsorship made this year's **What It's Really Like to Practice Law as a Woman** program possible:

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# NYWBA on the "Court" with the New York Liberty!

*By Sadia Graham*

On Friday, August 6, 2010, the New York Women's Bar Association hosted its annual New York Liberty basketball event. In attendance to watch the NY Liberty play their WNBA Eastern Conference rivals, the Washington Mystics, were: the Hon. Robert Reed, Family Court, Bronx County; the Hon. Debra Silber, Supreme Court, Kings County; and Women's Bar Association Chapter Presidents Joanne D. Quiñones of the Brooklyn Chapter, Delores Gebhardt of the Westchester Chapter, and Gretchen Schumann of the New York Chapter. Other Women's Bar members (including Past Presidents), their families, and friends rounded out the party.

After greeting old friends and meeting new ones, we were escorted through the concrete hallways that surround the playing floor of Madison Square Garden and were arranged into two lines for the ... fan tunnel! We were instructed on how to be a motivating force for the players - think cheerleading without the pom poms or fancy footwork - and then we walked onto the court amid fans, officials, and murmurs of "make us proud" from MSG employees. We stood for a moment, basking in the lights and surrealism of lawyers on the court. Suddenly, there they were, the Liberty players, trotting between us and giving each of us a high five, while we cheered at the tops of our lungs. The players were all very tall and very cool.

For this game, the New York Liberty teamed up with the Breast Cancer Research Foundation for the season's Breast Health Awareness Night, presented by Delta Air Lines. The Breast Cancer Research Foundation's (BCRF) mission is to support finding successful prevention techniques and ultimately a cure for breast cancer, and a portion of the proceeds from ticket sales,

as well as various fundraising activities throughout the game, benefitted that mission. This was the third year that the Liberty and BCRF have teamed up for Breast Health Awareness Night. In honor of the event, the Liberty wore white and pink uniforms to symbolize breast cancer awareness, rather than their usual white, blue, and orange.

As part of the pre-game festivities, a special ball ceremony took place, and Delta employees who were all breast cancer survivors were presented with pink and white basketballs. Liberty Guard Cappie Pondexter also received a commemorative ball to celebrate the 3,000th point of her career. While guest DJ Sophie Fatale kept the crowd energized with her wheels of steel, we noshed on frankfurters, pizza, and popcorn.

The Mystics took the lead early in the first quarter with a score of 19-16. The second quarter saw the Liberty pull ahead 40-26, and it was all over for the Mystics from then on. Maddie, the Liberty's mascot (named after their home court), wore her crown and an identical pink and white uniform, as she led the crowd in rousing cheers of L-I-B-E-R-T-Y! During the third quarter, Maddie made our section her unofficial headquarters, mugging for the camera and bringing many of us to our feet with boisterous exuberance. By that time, the Liberty was showering the Mystics with three pointers, led by Pondexter and Leilani Mitchell, also a guard, and widened the lead to 57-40. The NY Liberty kept their momentum until the end and capped the evening with an 85-77 win.

*Sadia Graham is in private practice. She is a member of the Board of Directors of the Brooklyn Women's Bar Association.*



*NYWBA attendees on the Madison Square Garden court for a "fan tunnel" to welcome the NY Liberty players.*



*Maddie, the NY Liberty Mascot, spent lots of time with the NYWBA attendees.*



*NYWBA members, families, and friends gather in the restricted hallways under Madison Square Garden before the game.*

## NYS Enacts New Family Law Legislation - including "No Fault Divorce" - Thanks to Leadership and Lobbying of Women's Bar

*By Jennifer P. Brown*

This summer has seen major changes in the world of Family Law in New York, with the Governor signing into law four groundbreaking pieces of legislation. The following is a brief outline of the new legislation.

On August 15, 2010, Governor Patterson signed three bills, the first, and most exciting of which, is A9753A/S3890, colloquially known as the "no fault divorce bill," which has been the Women's Bar's top legislative priority for several years. The signing of this legislation simultaneously brought New York into the modern world along with every other State in the Union, and sounded the death knell to a long history of forced perjury in New York divorce matters. Additionally, new section 7 was added to Domestic Relations Law (DRL) 170, which allows a divorce to be granted in New York on the basis of one party's testimony that the marriage has been "irretrievably broken" for a period of 6 or more months. The legislation includes safeguards, however; no judgment of divorce may be entered by the Court until all other issues of the divorce (support, child custody, distribution of property, attorney's fees, etc.) have been resolved either by agreement or by decision(s) of the Court. These safeguards helped to quell the fears of those who have long advocated against no fault divorce out of fear that it would allow husbands to run out on long-term marriages, leaving their wives without support or property. The amended DRL 170 will become effective 60 days from the date that the legislation was signed and will apply to all cases commenced on or after that date.

A companion bill to the no fault divorce legislation, is the controversial maintenance reform legislation (A10984B/S8390). This bill provides for a formulaic approach to determining temporary maintenance while a matrimonial action is pending, something akin to the Child Support Standards Act formula, and is applicable up to a cap of \$500,000 of the greater earning spouse's income. As with the Child Support Standards Act, the maintenance reform legislation provides a list of factors the Court can use to deviate from the formula, provisions for deviations for "low-income" families, and the ability for parties to "opt out" of the application of the formula by a properly executed written agreement.

A10984/S8390 adds seven factors for the Court to consider in making maintenance determinations (both temporary and final) to the current twelve factors. These are the same factors that the Court is directed to consider in making any orders that deviate from the temporary maintenance formula.

Finally, A10984/S8390 sets forth a directive for a comprehensive review of the State's maintenance laws. The goal of this legislation is to ultimately create predictability and uniformity to an area of law that has historically been fraught with uncertainty and forced expensive litigation. With the exception of the research aspect of the bill, which becomes effective immediately, the new law will only apply to cases started on or after the 60 days following the signing of the bill.

The final piece of legislation that impacts Family Law practitioners is A7569-A/S04532A, which was signed by Governor Patterson on August 15, 2010. This legislation amends DRL 237 & 238 and creates a rebuttable presumption that the monied spouse in any kind of matrimonial action, modification action, enforcement action, or action for equitable distribution shall pay the legal and expert fees of the non-monied spouse, and that applications for same may be made at any stage of the proceedings. The new law becomes effective 120 days from the date the bill was signed.

Previously, on July 15, 2010, the Governor signed bill A08952/S5570-A, known as the "Low Income Support Obligation and Performance Improvement Act,"<sup>1</sup> modifying relevant portions of the DRL and Family Court Act (FCA) to set forth "a substantial change in circumstances" as a basis for modification of an existing Order of Child Support. In addition, the bill confers automatic standing to seek a modification of an existing child support order if (1) more than 3 years have elapsed since the time that the existing Order was entered, or (2) either party's income has increased or decreased by at least 15% since the entry of the prior Order, provided any decrease in income was involuntary and that party has made diligent attempts to secure employment commensurate with his or her education, ability, and experience. The bill further provides that incarceration (other than incarceration for willful failure to pay child support) shall not be a bar to a finding that a substantial change in circumstances to warrant a modification of child support exists.

This bill also creates a new FCA Section 437-a, which grants the Court the ability to order an unemployed child support payor who is not on SSI or SSD to seek employment, participate in job training, employment counseling, or other programs designed to lead to employment. The provisions of the bill modifying the DRL and FCA become effective 90 days from the date the bill was signed.

Congratulations to WBASNY and the many Women's Bar Chapters across the State, including most especially the NYWBA, for their leadership that led to these legislative victories. Sweeping change has been long overdue in this area, but now, as practitioners, we are left with the questions as to how the new laws will be applied and what effect they will have on caseloads in the Supreme Court Matrimonial Parts and in Family Court.

1. In addition to modifying the DRL & FCA, this bill provides for related amendments to the Tax Law and Social Services Law.

*Jennifer P. Brown is a member of the NYWBA Board of Directors, a Co-Chair of the NYWBA Legislation Committee, and a NYWBA delegate to the WBASNY Legislation Committee. Ms. Brown has a solo practice specializing in the areas of family and matrimonial law and is Of Counsel to Butterman and Kahn, a boutique matrimonial, family, and general litigation practice.*

## SAVE THE DATE

The Solo and Small Law Firm Committee and the Technology and the Internet for Lawyers Committee invite you to a special program:

### Using Your Website to Build Your Practice

October 19, 2010  
6 pm to 8 pm

Details will be announced in the October Newsletter and on our website ([www.nywba.org](http://www.nywba.org)).

## REMINDER

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



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## What It's REALLY Like Continued from Page 6

well as our moderator Elaine; and to our co-sponsors. We also express our thanks to the following firms whose underwriting sponsorship made the program possible - Platinum level donors: Debevoise & Plimpton LLP; Lowenstein Sandler PC; Paul, Hastings, Janofsky & Walker LLP; Paul, Weiss, Rifkind, Wharton & Garrison LLP; and Wachtell, Lipton, Rosen & Katz. Gold level donors: Milbank, Tweed, Hadley & McCloy LLP and Strock, Stroock & Lavan LLP.

*Stephanie M. Adduci co-chairs the Students and New Lawyers Committee, the Newsletter Committee, and the Summer Program Committee. She is also a member of the NYWBA Board of Directors.*



## Concerned About the Status of Women in the Profession? Want to Get Involved? Need Experience to Add to Your Resume?

The **Committee to Advance the Status of Women in the Profession** is preparing the next edition of the **NYWBA Survey of Manhattan Law Firms** and needs volunteers for this urgent project. Volunteers will call 3 to 5 firms to identify the correct person to receive a survey invitation and remind the firms to complete the survey promptly.

The Committee is also seeking assistance to review and make recommendations for updates to the NYWBA website pages dedicated to the NYWBA Survey and other surveys on the status of women lawyers.

If interested, email your contact info to Co-Chairs Brenda Pomerance and Rachel Minter at [survey@nywba.org](mailto:survey@nywba.org).

Check out job postings on the NYWBA website:  
[http://new.nywba.org/job\\_postings/](http://new.nywba.org/job_postings/).  
To post a job opening, please contact  
[info@nywba.org](mailto:info@nywba.org).

## 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, participate in mentoring circles, attend our signature events, and get CLE credits at our innovative and compelling programs at a significantly reduced cost. It's easy to join or renew - go to [www.nywba.org/Membership](http://www.nywba.org/Membership) to access our secure online membership form.

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

## Newsletter and Advertising Information

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

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