



**NYWBA ANNUAL RECEPTION
FOR MEMBERS AND
PROSPECTIVE MEMBERS**

**Tuesday, October 11, 2005
6 p.m. to 8 p.m.**

Skadden, Arps, Slate, Meagher & Flom LLP
4 Times Square, 37th Floor
New York City
Fee: Complimentary

RSVP (required for security purposes)
to info@nywba.org or 212-490-8202.

*NYWBA acknowledges
with gratitude the generosity of
Skadden, Arps, Slate, Meagher and Flom LLP
for providing the venue and refreshments.*

RECYCLE YOUR USED GLASSES AND HELP SOMEONE ELSE -
SEE THE ARTICLE ON PAGE 3 FOR DETAILS.

New York Women's Bar Association

presents

"SMART WOMEN FINISH RICH"

**Monday, November 7
6:15 p.m. to 8:00 p.m.**

Georgette Klinger Spa
501 Madison Avenue (at 54th), 2nd Floor

Presentations about great ways to protect yourself
fiscally and physically. Refreshments, beauty bags, and
a free financial plan for all! Selected audience members
will receive makeovers and handcream applications.

RSVP by October 28 to Lisa Bauer
(lbauer@proskauer.com)

**For the latest news and information on programs and
events, check NYWBA online at www.nywba.org.**

PRESIDENT'S MESSAGE

October 2005

October 20 is the fourth annual Mediation Settlement Day in NYC, part of the celebration of National Conflict Resolution Month. Bar associations and other organizations will be sponsoring programs concerning mediation, in order to highlight how effective mediation can be in resolving disputes. See www.nywba.org for more details. This is a wonderful opportunity to explore the field (which is still wide open), especially for those interested in it as a career.



Christina Kallas

Photo: Daryl-Ann Saunders

Mediation Defined

Mediation is a process that allows disputants -- as few as two and as many as a roomful -- to discuss their differences, in an environment designed to encourage meaningful communication. The goal is to resolve the dispute, or at least to understand each other's viewpoint, with the help of a mediator. A mediator is trained to facilitate communication between the parties, and to help them achieve their goals, which they set; the mediator does not make judgments or decide the case. Mediation affords participants an opportunity to be heard in a setting intended to be less formal than a courtroom, where the process is more expeditious, less expensive, and more humane than litigation as usual.

Emotions and Disputes

In contrast to litigation, mediation allows people to express emotions. It is, therefore, an ideal mechanism for resolving disputes among people who must continue to work together -- divorcing parents, business partners, family members who cannot agree on the care plan for an elderly parent, employers and employees. I have been a mediator since 1994, concentrating on disputes involving children: custody and visitation, special education, schoolyard conflicts. Mediation so much is that it allows me to observe human behavior, and especially, the potential for acting on our best instincts. I have seen many small miracles occur in mediation: two parents who seemed irrevocably entrenched in bitter opposition finally agree that what is most important is not "being right," but the welfare of their child; a school and a parent agree on what a child needs in order to be successfully educated and come up with a plan to give the child what she needs; two groups of teenage girls agree that they can coexist in their neighborhood without "dissing" one another. These outcomes are possible in negotiation, but more likely when the disputants sit in a room and speak directly to one another, sometimes for the first time in many years; that possibility permeates the entire process, and has potential to transform the lives of the disputants.

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President Christina Kallas' Annual Dinner Speech

By request, we are printing here the remarks made by incoming President Christina Kallas at the Annual Dinner on June 1, 2005:

Good evening ladies and gentlemen. It's a great honor for me to welcome you to our Annual Dinner.

Tonight is a night to celebrate the accomplishments of the past 70 years. For just a few minutes I'd like to do that by focusing on the future. Where do we go from here? How do we build on our accomplishments?

We live in a complicated time, in a complicated place, where change is constant. Fortunately, we have a chief judge who is thoughtful enough to seek our input on matters. This year, for example, through our statewide organization, WBASNY, we made suggestions about how to improve the administration of justice to families, and how to help solo and small firm practitioners practice more effectively. Dozens of us spent untold hours thinking about these matters and others, and writing about them, and testifying about them. We made a difference.

This year we will look at proposed legislation regarding no fault divorce, same sex marriage, the New York Equal Rights Amendment. We will study the proposals, we will make recommendations, we will make a difference.

The United States is at war. New York joins Hawaii and Virginia as places where an enemy has attacked us on our own soil. In this war we are sending off our daughters as well as our sons to fight and be killed. We need to be very sure that if we send soldiers off to war, we've exhausted all other means of settling disputes. As lawyers we understand dispute resolution, we understand what the laws are, and the importance of law as the foundation of our global society. We must make a difference.

Sometimes we make a big difference in a quiet way. On Law Day, on Take Our Children to Work Day, and throughout the year, at the Breakfasts sponsored by our NYWBA Foundation, members of this organization speak to children about what it's like to be a lawyer. A few weeks ago I had the privilege of going to P.S./I.S. 223, the Mott Hall School, in Harlem. I spoke to Ms. Hernandez' 'Careers and Life Skills' Class. I want to share with you one of the 41 thank you letters that I received from the seventh grade:

Mott Hall School
131st Street and Convent Ave.
New York, NY 10027
May 12, 2005

Dear Ms. Kallas:

I thank you for coming to my school and giving such a wonderful presentation. I was really honored to meet you, especially someone in the field of law. At first I was not really interested in this, but after listening what a day was like for you I became more interested. I thank you for that.

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Limitations of Mediation

Not all disputes ought to be resolved through mediation. Successful mediation depends upon the desire of the parties to resolve their dispute. Sometimes one party prefers to blame the other party for the problem. A skilled mediator can help a disputant to see that it is counterproductive to blame the other side for 100% of the problem at hand, because you are powerless to solve the problem if you give away all of your power.

Some parties lack the capacity or the desire to speak for themselves. Typically we tell our clients to be quiet, and we speak for them, in ways carefully controlled by codes of evidence and procedure and ethics. In mediation, a party may be able to express her feelings and relate her history, in a way that may reach the other side more effectively than all of our posturing and rhetoric on her behalf. In a mediation, the discussion occurs in a neutral environment, where the power is balanced -- by the mediator, if necessary. In a courtroom, by contrast, you know at a glance that you give up your power to decide to a third person, the one seated on the raised platform.

Do we lawyers dissuade clients from mediating?

Could it be that we lawyers are conveying to our clients that mediation is not the right choice for them? Do we believe that the average person has the capacity to speak out for herself? As lawyers we have been taught to provide zealous representation of our clients, to play the knight in shining armor. "Zealous" means "marked by active interest and enthusiasm," but I often find that lawyers act as if it means "aggressive" or "hostile." Having practiced law for 29 years, I know that being hostile is the least effective way to represent my clients, no matter how zealous I am about it. When I am respectful of the other side, I am far more likely to obtain concessions for my client. Often in our "zealousness" we are disdainful of the other side's viewpoint, which results in missed opportunities for settlement. Respect is as powerful a motivator as is disdain. And respect is the cornerstone of mediation. Mediators are trained to respect the disputants, even if they disagree with the ideas or the decisions of the disputants. But in our culture, respect can be seen as a weakness in negotiation, rather than a strength.

Please - no emotions!

As lawyers we are taught to ignore the client's emotions (that is what therapists are for) and work with the "facts" - as if such a thing were possible when two parties are arguing over who should have "custody" of their child! How often do we lawyers think to ourselves, "If only our clients would listen to us - we are reasonable and could settle this dispute." But that attitude discounts the client's emotional reality and is responsible for many situations in which we think we have negotiated a terrific deal for the client, and cannot understand her refusal to go along with it, or why the deal falls apart later. Mediation puts the responsibility on the parties to come up with a solution that is emotionally acceptable.

The Power of Listening

In a courtroom, all communication is directed at the trier of fact. The most powerful aspect of mediation is that it allows people to tell their story and be heard respectfully, often for the first time, without interference from objections and rules of evidence. The most important thing that I do as a mediator is to listen. How many of us know litigants who continue

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Give the Gift of New Eyes at the NYWBA Annual Reception

The NYWBA Annual Reception for members and prospective members will be on Tuesday, October 11, 2005, from 6:00 to 8:00 p.m. at Skadden, Arps, Slate, Meagher & Flom LLP. Thanks to Skadden, Arps' generosity, there will be no fee to attend, and all are welcome.

As a special service project in connection with the Annual Reception, NYWBA will sponsor a drive to benefit those who are served by New Eyes for the Needy, Inc., a New Jersey-based, non-profit volunteer organization which provides the gift of sight across the U.S. and throughout the world. For more information about this organization, go to <http://www.neweyesfortheneedy.org/>.

When you come to the Annual Reception, please bring any or all of the following items:

- used eyeglasses
- nonprescription sunglasses
- jewelry, including costume jewelry, single earrings, and broken chains
- precious metals, such as silverware
- gift items, such as silver, china, crystal, picture frames, and collectibles
- watches (even broken ones)
- hearing aids

We will ship all items that are collected to New Eyes for the Needy. The organization sends reusable eyeglasses to medical missions and international charitable organizations. It recycles other items by selling them in its jewelry store and by sending them to a refinery for scrap metal.

So please join us on October 11, not only for fellowship, but to benefit those who cannot afford proper sunglasses. We hope to "see" you there!

NYWBA is proud to be a cosponsor of the following program: National Conference of Women's Bar Associations and AXA Advisors, LLC

present a

Wine-Tasting, Networking Reception, and Financial Program

Thursday, October 27
6:30 p.m. to 9:00 p.m.

AXA Advisors, LLC
1290 Avenue of the Americas
New York City

\$25 Fee. Please make check payable to:
National Foundation for Women's Bar Associations
and mail to Carole Aciman,
c/o Hughes Hubbard & Reed LLP,
One Battery Park Plaza, New York, NY 10004.

RSVP by October 21 to Celia Rabena (212-837-6992)

NOTES ON MEMBERS

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

The Association sends its best wishes and congratulations to **Amy Halpert** and Philipp Hecker on their engagement. Ms. Halpert is a member of the Association's Board of Directors.

JALBCA Survivors' Circle Reception

for breast cancer survivors in the legal profession

sponsored by

Judges and Lawyers Breast Cancer Alert

Thursday, November 10, 2005

6:00 p.m. to 8:00 p.m.

Simpson Thacher & Bartlett
425 Lexington Avenue
(between 43rd and 44th)

RSVP to (212) 691-0065 or ceceliamarcus@earthlink.net

The Westchester Women's Bar Association

is co-sponsoring a

Dinner/Dance

for

THE HONORABLE SONDR A MILLER

as she bids farewell to the Appellate Division

Wednesday, November 9

6:00 p.m.

Glen Island Harbour Club
Glen Island Park
New Rochelle, New York
\$150 per person

RSVP by October 7, 2005 to Dawn Arnold (914-381-7400)

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to tell their story long after the case is decided. I wonder: would they feel the need to do so if they had felt truly heard by the judge or jury?

Silence

Finally, in mediation-- unlike litigation -- silence plays a role. Litigation -- indeed, our culture - is filled with noise. It affords no opportunity for the participants to sit with the emotions that have been expressed, openly or covertly, and to digest them. We must follow precedent, regardless of how well it fits the emotional reality of these disputants. As a mediator, sometimes the most powerful thing I do is ask a question, and allow the participants to hear their own thoughts in the silence that follows.

Perhaps we would all be better lawyers if we practiced more listening; it is such a lost art in our world. Perhaps if we became better listeners, our clients would be encouraged to communicate more effectively. Think about it. And meanwhile, may you always have someone to listen to you when you speak from the heart.

Christina

NYWBA 70th Anniversary Dinner a Memorable Success!

NYWBA 70th Anniversary Dinner a Memorable Success! The NYWBA hosted our gala 70th Anniversary Dinner on June 1, 2005. The event, attended by more than 400 members of the bench and bar, was held at the Grand Hyatt and featured cocktails at 6:00 p.m. and a dinner at 7:00 p.m. Dinner Committee Co-Chairs Jo Ann Douglas and Diana G. Browne kicked off the dinner with opening remarks and thanked the crowd for attending and for their many generous donations of money and memorabilia which helped to make the dinner so special.

The chief honorees were the association's founders and past presidents, many of whom attended in person. In some cases, relatives of our foremothers attended on their behalf. After posing for a historical photo, the honorees were praised as a group by outgoing President Elizabeth A. Bryson. Their names were read off by Ms. Bryson and incoming President Christina Kallas. Each honoree was presented with an engraved glass box as a memento of the occasion.

The Dinner Journal was an unprecedented compilation of facts and photographs covering the history of the NYWBA. It included a copy of the 1935 certificate of incorporation of the organization, a photo essay of leaders and honorees, and bios and photos of the presidents from our founding to the present. The Journal was a product of countless hours of documentary, telephone, and internet research and interviews on the part of the Dinner and Journal Committees, who did a superb job.

We presented the President's Special Award to Myrna Felder, renowned matrimonial attorney and past president of both NYWBA and WBASNY. Ms. Bryson praised Ms. Felder for years of extraordinary achievements, saying that her most recent significant contribution was that she had "made an extraordinary difference in the relationship between the state organization and its chapters during the past year." In her acceptance speech, Ms. Felder thanked the association "for the very special accolade," and recalled that once she had joined the association many years before, she had "never looked back."

The Joan L. Ellenbogen Award went to Patricia M. Hynes, Chair of the Board of Directors of The Legal Aid Society and Of Counsel at Milberg Weiss Bershad & Schulman LLP. Sheila Birnbaum of Skadden Arps Slate Meagher & Flom introduced the award and observed that both Ms. Ellenbogen and Ms. Hynes, who had attended college together, were "tough women and outstanding trial lawyers." When accepting the award, Ms. Hynes said of Ms. Ellenbogen that she was "a wonderful force for the rights of women." She also said that she was honored to receive the award from the Women's Bar: "Men give awards. That's nice. But when you get an award from women, that's really something."

Ms. Bryson presented the NYWBA Award of Merit to Clifford Chance US LLP and Condon & Forsyth LLP. She praised Clifford Chance for underwriting the memberships of 80 attorneys and for involving its associates in various NYWBA projects, and Condon & Forsyth for underwriting numerous New York Women's Bar Association Foundation undertakings. Teresa Schiller and Katherine Posner, who each led the efforts of their firms, accepted the awards.

Ms. Kallas made the traditional presentation to outgoing president Bryson, thanking her for her two years of service as president. She praised Ms. Bryson as "truly amazing" for having devoted "countless hours of time to this organization" as well as being "personally supportive." Ms. Bryson addressed the crowd with a summary of highlights of her tenure and expressed thanks for the honor of serving as president.

The Association was pleased to host several WBASNY officers at the event, including WBASNY President Andrea Phoenix, past President Mindy Zlotogura, and President-Elect Elaine Avery, and incoming Presidents of our sister chapters in Brooklyn, Teresa Ciccotto, and Westchester, Jody Fay. Ms. Bryson introduced Ms. Phoenix who addressed the crowd, praising the NYWBA for its active membership on the state level.

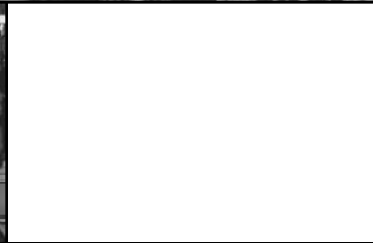
Christina Kallas was formally installed as the NYWBA president for 2005-2006. When introducing Ms. Kallas, Ms. Bryson predicted that she would be an "inspiring and inspired president." In her remarks, Ms. Kallas talked about the importance to society of many of the activities of the Women's Bars, from commenting on proposed legislation to the various mentoring activities we engage in. She admonished the crowd not to minimize the importance of lawyers as role models in society; she spoke movingly of her recent trip to a public school class, and the positive reactions of the students to her visit, where she spoke with them about what it means to be a lawyer.

The Hon. Betty Weinberg Ellerin swore in Ms. Kallas and the following officers, taking a moment to talk about the accomplishments of each: Vice President Lisa A. Sokoloff, Vice President Teresa Schiller, Vice President Jo Ann Douglas, Treasurer Laura M. Twomey, Recording Secretary Lisa A. Bauer, and Corresponding Secretary Kay Marmorek.

Judge Ellerin swore in the following NYWBA Board members: Elizabeth A. Bryson, Hon. Laura Drager, Hon. Phyllis Gangel-Jacob, Amy E. Halpert, Hon. Sherry Klein Heitler, Phyllis S. Koffman, Hon. Angela M. Mazzarelli, Susan M. Moss, Donna M. Praiss, and Andrea Vacca.

The following NYWBA members were also installed as Directors of the WBASNY: Lisa Bauer, Jane Bevans, Jo Ann Douglas, Hon. Betty Weinberg Ellerin, Martha E. Gifford, Amy E. Halpert, Christine M. Harman, Christina Kallas, Phyllis S. Koffman, Marjorie A. Martin, and Teresa Schiller.

Heartfelt thanks go to the Dinner Committee chaired by Diana G. Browne and Jo Ann Douglas, and the Journal Committee chaired by Jennifer Brown and Jo Ann Douglas. Dinner Committee members included Ruth Bernstein, Elizabeth A. Bryson, Myra L. Freed, Bonnie Cohen-Gallet, Christina Kallas, Anna Lewis, Andrea Masley, Aileen J. T. Paraguya, Sylvia E. DiPietro, Lisa A. Sokoloff, Phyllis Solomon, Andrea Vacca, and Elise A. Yablonski.



A Foreign Intern's View of New York Practice

NYWBA President Christina Kallas's summer intern Areti Karathanasi provided the following report about her experiences in New York this past summer:

Originally from Greece, I am a German law school graduate, having completed law school at the University of Cologne in 2003. My summer internship at the Law Office of Christina Kallas is part of a two year-practical period that law school graduates must complete prior to taking the equivalent of the New York bar exam. The practical period also included clerkship rotations with a judge, a district attorney, an administrative agency, and a law firm. This internship -- my final rotation -- is a three-month elective during which I chose to come to the United States in order to learn about U.S. law.

This was my first visit to New York and I had a really good time. But I want to be honest. My first impression of Manhattan was terrible. I hated the crowded streets, the stench, and the noise. I was stunned at this asphalt desert. Everywhere there were skyscrapers, thousands of people, thousands of cars, thousands of cabs, heat, and humidity. Unfortunately this is one side of New York.

But the city also has another side. I remember that it was the ninth of August when I fell in love with the city. Ms. Kallas and I attended a diversity networking event hosted by Paul, Weiss at the Rainbow Room at Rockefeller Center. When I looked out of the windows from above, I knew that I would come to love this city. And I do.

I have had wonderful personal experiences in New York, and I have gained a great deal of experience as a female lawyer in New York as well.

First of all, there is nothing you cannot find in New York, and you hear more languages spoken here than almost anywhere else on the planet -- English, Spanish, German, Chinese, Indian, you name it! New York really is a melting pot. All that ethnicity translates into an adventurous eater's dream. You can dine on Thai, Peruvian, Indian, Brazilian, Greek, Guyanese, Colombian, and so many other ethnic foods. But you do not only dine -- you feel the atmosphere of these countries in the restaurants, and it is possible to believe that you are actually there.

The most important thing you find in New York is hospitality and friendliness. New Yorkers are very friendly. If you do not know the way, just ask and you will receive a friendly explanation. Besides giving directions, people engage you in conversation, and ask where you come from. It is really hard to hide the European and to imitate the New Yorker accent. So your accent betrays that you are a visitor. But it is not unusual to be in New York and to hail from somewhere else. The feedback is really positive; people welcome you to New York. My mentor, Ms. Kallas, was afraid that 9/11 could have changed the city and the people in New York. I did not know the city or the people before 9/11. But in 2005, four years after 9/11, I have found people to be friendly, open to strangers, and hospitable.

At first I felt lost in the big city, but things changed when someone explained the geography to me. It is so easy to

discover Manhattan -- but you have to know that there is an East and a West side and that 5th Avenue is the borderline. It took me six weeks to learn this; it would have been better to know this from the start! Now I can find nearly every place in Manhattan. And I felt safe everywhere. I went to lower Manhattan, Midtown, the Upper West Side, the East Side, Inwood, and the Bronx. I discovered Queens and Brooklyn, and I am still alive. I read in a travel guide that the areas above 96th Street in Manhattan are not the best, and the recommendation was to avoid these areas. But this is a fairy tale. I went nearly everywhere in New York and nothing bad happened to me.

As a lawyer, I learned that nothing is more important than NETWORKING. I attended several networking events and they were amazing. Everyone talks to each other, and nothing is more important at these events than business cards. We doled out our business cards like candies to children at Halloween. It is really hard to imagine how people can remember the faces and the names on the business cards after such an event. But it seems to work somehow.

I was impressed as I saw that -- if you are a member of the Women's Bar -- when you have a legal problem, you have the option to call a colleague and ask for help. There is a great deal of cooperation among members.

I also found out that a New York lawyer's day starts very early. It is nothing special to have a meeting at 8:00 a.m. and to finish the day at 9:00 p.m. (or later). When do New York lawyers sleep, relax and rest? But as everyone knows, New York is "the city that never sleeps." Based on these hours it is not unusual to take a nap in the subway. But be careful not to use your neighbor's shoulder as a pillow.

Novelist and essayist E. B. White wrote 50 years ago:

New York is the concentrate of art and commerce and sport and religion and entertainment and finance, bringing to a single compact area the gladiator, the evangelist, the promoter, the actor, the trader, the merchant. It carries on its lapel the unexpungeable odor of the long past, so that no matter where you sit in New York you feel the vibration of great times and tall deeds, of queer people and events and undertakings. New York is nothing like Paris; it is nothing like London; and it is not Spokane multiplied by sixty, or Detroit multiplied by four. It is by all odds the loftiest of cities.

This characterization of New York remains accurate today. And though the grandeur and importance of New York have not changed, the city is in a constant state of flux. New York is diversity; New York is fun; New York is the CUTTING EDGE.

A great thank you to Ms. Kallas and all of her Women's Bar colleagues, and a great thank you to New York.

WBASNY Screens Supreme Court Justice Nominee John Roberts

NYWBA Vice President Teresa Schiller participated with chapter representatives from across the state in the WBASNY judicial screening process for Supreme Court Justice Nominee John Roberts. She and the other members of the WBASNY Judiciary Committee divided up and summarized opinions authored by Judge Roberts in the District of Columbia Court of Appeals, and then had a teleconference on September 8, 2005 to discuss his writings. Based on the committee's consensus, Judiciary Committee Co-Chairs Joan McNichol and Marjorie Lesch volunteered during the teleconference to draft a press release for WBASNY's issuance. Below is the statement issued by WBASNY:

The Women's Bar Association of the State of New York (WBASNY) is the largest bar association in the country specifically dedicated to promoting the status of women in society and in the legal profession. WBASNY has a reputation for addressing difficult legal issues and for promoting the fair and equal administration of justice. Our evaluation of the qualifications of the Honorable John Roberts, nominee for the position of Chief Justice of the Supreme Court of the United States, was limited to a review of the nominee's judicial decisions. We did not review the nominee's writings as an advocate for the government as the nominee had an ethical obligation to argue the government's position regardless of his personal beliefs.

Accordingly, after extensive meetings, discussions and review of the judicial decisions of the Honorable John Roberts, we have found the nominee to be qualified to serve as Chief Justice of the Supreme Court of the United States. However, given the mission of our organization, it is our hope that Judge Roberts, if confirmed, will continue in the tradition of the Court and uphold the advances made in the area of reproductive rights and in the protection of the rights of women, minorities and the disadvantaged. Moreover, if confirmed as Chief Justice, it is incumbent upon this nominee to demonstrate effective leadership and to provide a collegial atmosphere where all points of view are recognized and considered.

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I consider you as a hero because a hero doesn't have to have super powers to be one, they just have to help others, and you truly achieve that.

Sincerely,
Cynthia Vargas

Today starts our new membership year. You each have a membership application on your chair. Those of you who are members, please renew your membership. Those of you who are not members, please join us. Those of you who are busy, working, taking care of children or parents, doing charitable work, if you can't spare the time right now to do more than send in your dues, we appreciate your contribution. And those of you who are looking to make a difference, who are willing to roll up your sleeves, please become active in one of our committees. Because we are going to make a difference.

So enjoy the rest of your evening, and get home safely, because starting tomorrow, we all have work to do.

Thank you.

LUNCH WITH JUDGE PAUL G. FEINMAN

Continuing with the "Lunch with a Judge" program, on September 15, 2005, a group of our members had lunch with the Honorable Paul G. Feinman in the room behind his courtroom at 80 Centre Street. The mood was relaxed and informal as those participating gathered around a large table and listened to Judge Feinman's views from the bench. He spoke at length about the Final Report of the Committee on the Jury Trial Project, which he termed a "must read" for any litigator. (For more information about the Jury Trial Project, visit the project's website at www.nyjuryinnovations.org or follow for the article by Judge Feinman in an upcoming newsletter.) Judge Feinman considers himself fortunate to have been selected as a participating judge on the project. He discussed some of the committee's ultimate recommendations, which included greater use of detailed substantive preliminary instructions to the jury before opening statements, providing a copy of the written charge to the deliberating jury, allowing counsel a short preliminary statement before voir dire, permitting jurors to take notes and providing them with note-taking materials, and allowing jurors to submit written questions. Judge Feinman also related his experiences as a pilot judge testing the various innovations as well as his views of the recommended innovations since the final report was issued.

Judge Feinman spoke about some of the changes he has instituted in his City Part, since he was assigned to one of New York County's three City Parts. While some of the City Part Judges, both past and present, either do not require oral argument or only require it occasionally, as a general rule, Judge Feinman requests oral argument on all motions as to which opposition has been filed. Arguments on summary judgment motions will be used as an opportunity to discuss settlement, and the Judge requests that parties appearing be authorized to enter into settlement negotiations. Oral arguments of motions and conferences are held on Wednesdays. Judge Feinman likes to stagger appearances so that attorneys need not wait for hours for their opportunity to appear before him. He does not routinely issue defaults against attorneys who appear late, and asks that counsel remain in communication with each other and the Part Clerk if they are going to be delayed. Regarding the supervision of discovery, Judge Feinman prefers that the parties work out disputes regarding deposition dates among themselves, and that they only contact chambers if an adjournment will seriously jeopardize the rights of a party or the ability of the parties to stay in compliance with the discovery cutoff date. To that end, he requests that attorneys deal with each other in a civil and courteous manner, recognizing that one day, the attorney being asked to grant an adjournment or accommodation may be the one seeking it. He prefers to become involved only where there has been evidence of continuing default or contumacious behavior. Asked about his pet peeves, Judge Feinman did not really seem to have any, except with regard to the use of the water pitchers, which OCA provides. After numerous messy accidents, especially during trials, the Judge now requests that all attorneys who want water bring their own bottles with caps.

Please check our website (www.nywba.org) for upcoming "Lunches with Judges." If there is a judge you would like to see featured, please write to us at info@nywba.org.

Newsletter Deadline and Contact Information

Submissions must be sent to the Newsletter Committee by the **10th** of the month for publication in the following month's newsletter. Please email articles, notes on members, committee calendars, and any other announcements to **Teresa Schiller, Esq.**, tel. no. 212-878-3003, email newsletter@nywba.org.

NYWBA List Serve

The NYWBA List Serve provides up-to-the-moment information concerning events, programs, and job announcements through email. Please email us at info@nywba.org if you have an announcement you would like to post on the list serve or if you would like to be added to the list serve.

Have you changed your address, firm, phone number or other information? Please call 212-360-7055 or send an email to "info@nywba.org" with the updated information. This will help us keep you informed and our records up-to-date.

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