



NEW YORK WOMEN'S BAR ASSOCIATION

presents

LUNCH WITH A JUDGE

featuring

Hon. Faviola Soto

Supreme Court Justice
New York Supreme Court, New York County

Monday, November 14, 2005, 1:00 p.m.

11 Centre Street, Room 1142
(entrance through White Street)

Space is limited and advance registration is required.
To reserve a seat or obtain more information, please contact
Ingrid Castillo at 212-644-4420 x271.

(Note: Pending matters will not be discussed.)

Save the Date

**for another exciting event in
The NYWBA Foundation's
Breakfast Speaker Series**

featuring

LINDA GREENHOUSE

Legal Columnist for *The New York Times* and
Author of *Becoming Justice Blackmun:
Harry Blackmun's Supreme Court Journey*

Friday, December 9

**The Cornell Club
6 East 44th Street
(betw 5th & Madison)**

Look for your invitation in the mail
for another fun and informative
Foundation fundraising event!

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

PRESIDENT'S MESSAGE
REST IN PEACE, ROSA PARKS

November 2005



Photo: Daryl-Ann Saunders

Christina Kallas

Rosa Parks has always been a hero of mine. When she said her famous "no" on December 1, 1955, she was 42 years old, and I was not quite five. When as a teenager I first became aware of her, I was immediately intrigued. What was it that finally made her say "no"? We all have read of what she endured in her life. But what was it that gave her the courage, or temerity, or stubbornness to just say "no" on that particular day?

How often have we witnessed ignorance, prejudice, and malevolence, and walked by with our faces averted? How often have we seen something we felt to be wrong, yet stood silently by? What was it that made this woman take a stand in that way, on that day?

Part of her strength may have come from the people she worked with at the N.A.A.C.P. Perhaps it was significant that she attended an all-girls' school. She herself credited her faith with helping her to do what she felt was right. And she said repeatedly that she was not alone in her struggle, that many people worked to change this country. I'd like to think that our organization is one that nurtures the Rosa Parks of the future.

A small light has gone out in the world. When Rosa Parks was alive, Time Magazine called her one of the twenty most influential people of the twentieth century. Even in death she still makes history: unbelievable though it is, she is the first woman to lie in state in the Capitol.

We can honor her memory. We can support one another in doing what we each believe is the right thing to do. There is legislation to draft and to pass. There are seats in local, state, and national government to fill. We can support one another in these efforts. Working together we are very strong -- sisterhood is powerful.

So, once again, I urge you all to become more active in our organization. We are being asked to consider so-called no-fault divorce legislation, and its impact on families in this state. We are being asked to support an Equal Rights Amendment to the New York State Constitution. We are

Continued on page 5

Nancy Thevenin Speaks about International Arbitration

Brigitte Rajacic, Co-Chair of the International Law and Practice Committee, submitted the following report about a recent presentation co-sponsored by the Committee:

To many in the field of international law, ICC stands for the International Criminal Court. However those in the international business community know there is another and older ICC -- the International Chamber of Commerce. The International Chamber of Commerce is an organization established in 1919 that pioneered the use of arbitration in resolving international business disputes.

On September 20, 2005, the International Law and Practice Committee of NYWBA, in partnership with the Organization of Women in International Trade (OWIT), invited Nancy M. Thevenin to tell us how the International Court of Arbitration of the ICC administers these disputes. Ms. Thevenin is the Deputy Director for Arbitration and ADR, North America, for the ICC Court. Her office is located at the US affiliate of the ICC, the United States Council for International Business (USCIB). In her position as Deputy Director, she is responsible for outreach and promotion of the ICC International Court of Arbitration in the US and Canada.

Ms. Thevenin began her remarks with an introduction of the ICC, emphasizing its long history of promoting trade and investment by facilitating settlement of commercial disputes between international businesses through arbitration. She provided us with statistics about the recent cases administered by the ICC Court. Between January 1, 2004 and January 1, 2005, 561 new requests for arbitration were filed with the ICC. These requests came from 1,682 parties from 116 different countries and independent territories. The amount in dispute exceeded \$1 million in 55% of those new cases. ICC also handles "small claims" cases, usually involving claims of approximately \$50,000. The economic sectors involved run from construction and engineering to finance, IT, health, and pharmaceuticals.

To put all of this in motion, however, the businesses involved must first include in their contract an agreement to arbitrate using the ICC's Arbitration Rules. The ICC, and by extension the USCIB, recommends the following standard arbitration clause be included in the parties' contracts:

All disputes arising out of or in connection with the present contract shall be finally settled under the Rules of Arbitration of the International Chamber of Commerce by one or more arbitrators appointed in accordance with the said Rules.

More information about the Rules of Arbitration and translations of this clause into more than 23 languages may be found at www.iccarbitration.org. The Rules of Arbitration also serve as a guide through the ICC arbitral process.

The arbitral process starts with the request for arbitration and respondent's answer. The process is supervised by the ICC International Court of Arbitration, headquartered in Paris, France, but the merits of the dispute are decided by the Arbitral Tribunal. Once a Request for Arbitration is filed, the ICC Court makes a non-final determination whether the case is properly

filed with the ICC; however, it is the Arbitral Tribunal that ultimately decides the outcome of the dispute.

The parties themselves decide, *inter alia*, on the number of arbitrators that will make up the Arbitral Tribunal, usually one or three; the language of the arbitration; the place of arbitration, and the law applicable to the arbitration. Once the details are sorted out, the Arbitral Tribunal and the parties draft the Terms of Reference, which is a type of roadmap of how the arbitration is to proceed. Once the Terms of Reference are drafted, the Arbitral Tribunal takes submissions, hears the case, and drafts an Award. The Award is submitted to the Court, and once approved, the Award is sent to the parties.

The local affiliates of the ICC in the country where the parties have chosen to settle the dispute, like the USCIB here in New York, are available to answer questions about the ICC arbitral process. Other duties of the USCIB include managing a database of arbitrators, experts, and mediators for interested parties. Besides arbitration, the ICC provides other dispute resolution services, disseminating rules like the ICC ADR Rules, ICC Rules for Expertise, ICC Rules for Documentary Instruments Dispute Resolution Expertise (DOCDEX), and Pre-Arbitral Referee Procedures. The local affiliates of the ICC also organize various events, such as conferences, for international business communities to explain the benefits of commercial arbitration.

The International Law and Practice Committee would like to thank Ms. Thevenin for her informative presentation and graciousness in answering questions afterward. The Committee would further like to thank OWIT for their support.

Please consider making a donation
to help victims affected by the

HURRICANE KATRINA DISASTER.

Donate to charities like
American Red Cross
(www.redcross.org)

America's Second Harvest
(www.secondharvest.org)

Habitat for Humanity
(www.habitat.org), and

National Foundation of Women's Bar Associations
<http://www.ncwba.org/>

Help make a difference!

CALLING ALL AUTHORS!

We need you
to submit

**articles, notes on members, committee
calendars, and announcements**

for publication in the NYWBA's monthly newsletter.
Please e-mail submissions to newsletter@nywba.org

Ambitious Survey Launching

by Donna Praiss & Brenda Pomerance

The Highlights

You manage what you measure. This is a business adage that reminds managers to focus on what is important. For all of us, it is important to know how women attorneys are doing in their professional lives, as a lens for our own careers.

Welcome to the NYWBA Committee to Advance the Status of Women in the Profession. We propose to obtain statistics concerning women attorneys in New York City: at law firms, bar associations and in government. We aim to gather the same information each year, year after year, so we have a clean measure of progress (or lack thereof). We hope that the legal community will look for our results annually.

You're busy. We'd like you to be a little busier, and help with our Caller Committee. Please contact us (survey@nywba.org or call 212.490.8202) and let us know what is convenient for you (by choice number - yes, you can pick more than one):

Choice 1: you'll call a few firms (no more than 3, we'll tell you where we need help) during February 2006, and encourage them to respond

Choice 2: you'll attend a meeting in late 2005/early 2006, and make some phone calls

Choice 3: you know who at a large firm is responsible for completing surveys, and you'll provide their contact info

Choice 4: you have a media contact that will feature our press release in their publication

Choice 5: (write-in how you want to help)

So now that we're measuring, how are we going to manage? We propose a "carrot" approach: in subsequent years, we will give awards to firms and entities that are helping women succeed. We hope that firms will compete for our awards, which means we will be actively improving the status of women attorneys ... and that's awesome!

The Details

Here are the topics that we will survey:

1. The number of lawyers in various levels (partner, equity partner, associate, full-time, part-time), how many are parents, and women.
2. The gender of the Managing Partner of the New York City office.
3. The number and gender of the lawyer-administrators in the firm (e.g., Managing Partner, Management Committee Members, Executive Committee Members, Percentage Committee Members, Practice Group Heads).
4. The number and gender of attorneys currently working under alternative work arrangements, and those who progressed to partner after working under those arrangements.

When we receive the completed surveys, we will tally the results, and publish them.

NOTES ON MEMBERS

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

The Association offers its condolences to **Hon. Sherry Klein Heitler** on the death of her father, Hon. Alvin F. Klein. Donations in his memory may be made either to the U.S. Holocaust Memorial Museum, Development Department, 100 Raoul Wallenberg Pl., S.W., Washington, DC 20024, (202) 488-6188, or the East 55th Street Conservative Synagogue, 308 E. 55th St., New York, NY 10022

WELCOME NEW MEMBERS

*Julanne Allen
Yasmine Lahlou
Carolyn Miller
Erica Sattler
Elizabeth A. Sherwin
Vanessa Vazquez*

SUSTAINING MEMBERS

With their generous contributions, our 2004-05 sustaining members make it possible for us to accomplish so much more. We honor and thank them for their support:

*Susan L. Bender
Ann Berman
Sheila L. Birnbaum
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Adria S. Hillman
Loretta A. Ippolito
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Hon. Betty Weinberg Ellerin*



Our survey is not duplicative of other surveys. No one else has a yearly focus solely on women attorneys in New York City; that is our niche. We are proud to be responding to Chief Judge Judith Kaye's challenge at the recent seminar "Women Attorneys: Lives in the Balance" by creating an action plan.

You joined NYWBA for a reason. We hope that being of service in this survey will help you fulfill your goal in joining us, and that you will meet a few new friends as a consequence of your involvement. The committee's next meeting concerning the survey project will be December 13, 2005 at 6:30 PM at 200 Park Avenue, 52nd floor. Please RSVP to survey@nywba.org so that we have your name for the security team. Thanks for your support.

THE MEMBERSHIP COMMITTEE GETS SOCIAL

On October 11, 2005, the NYWBA's reception for prospective, new, and current members was held at the offices of Skadden, Arps, Slate, Meagher & Flom. Once again, this annual membership event was held in the beautiful Skadden conference center room with a wall of windows overlooking Times Square. In a week when wet weather prevailed over dry, low dark clouds hovered threateningly but did not deliver on their promise of rain. The prospect of bad weather did not deter attendance as the largest number of both prospective and current members in the history of this event turned out to meet and mingle. The lights of the city peeked through the clouds, as our guests feasted on an expanded menu (sushi, cheeses and fruit, guacamole and terra chips, and Italian style antipasto, along with those famous Skadden cookies, beer, wine, and soda).

Numerous members of the judiciary attended, including our board member, Acting Supreme Court Justice Laura Drager, Supreme Court Justice Doris Ling-Cohan, Supreme Court Justice Richard Braun, candidate for Supreme Court Martin Schulman, Acting Supreme Court Justice Lucy Billings, Civil Court Judges Arthur Engorin, Ellen Gesmer, and Jeffrey Oing, as well as Housing Court Judge David B. Cohen. We were also happy to be joined by candidate for Civil Court, Tanya Kennedy.

The biggest increase in attendance at the reception came from law students and young attorneys eager to learn about mentoring, or to facilitate their search for a job. Kudos to the co-chairs of the Students and New Lawyers Committee, Audrey E. Weinberger and Ariel D. Chesler, for inducing so many potential members to attend.

Courthouse procedures were on the minds of the young attorneys and law students who attended. Accordingly, tours of the courthouses will be the next events geared towards young associates and law students. Do you know where motions are called in Supreme Court, how to answer a calendar call, where to bring an ex parte application or where to request a file or purchase an index number? If you or someone you know or work with wants to know, join us for a courthouse tour. Please check our website (www.nywba.org) for scheduled dates.

Once again we will be having our annual reception in January for newly-elected judges. Consult our website for location, time, and date.

If your firm or government agency would like to know more about the Women's Bar, please call our Executive Director Arlene Stock at 212-490-8202 to set up a meet-and-greet.



WEB CITES

This month we share some general reference tools for locations, phone numbers, and more.

A useful collection of links to phone, map, and e-mail directories is found at API, American Press Institute, <http://www.americanpressinstitute.org/content/4023.cfm>. For an excellent overall reference on newsworthy topics and resources for research, editing, and more, see the API Journalist's Toolbox, <http://www.americanpressinstitute.org/toolbox>.

If you need a business or personal address or listed phone number, you are likely to find it at <http://www.switchboard.com> or <http://www.whitepages.com>.

If you know an address but need the ZIP Code or the ZIP+4 code, visit the U.S. Postal Service, <http://www.usps.com>.

If you know a phone number, you can find its owner and address through the Reverse Phone Directory, <http://www.reversephonedirectory.com>.

You can calculate the number of days between any two dates (such as today and your birthday) at <http://www.timeanddate.com/date/dateadd.html>. See the homepage, <http://www.timeanddate.com>, for global time-zones; past, present, and future calendars (including major holidays in many countries); and similar resources.

To find restaurants, hotels, shops, etc. in a particular neighborhood, and then read available reviews of them, see <http://newyork.citysearch.com>. Choose the appropriate tab above the search-box near the top of the webpage.

Remember that you can use search-engines such as <http://www.google.com>, <http://www.altavista.com>, and <http://www.webcrawler.com>. You can also visit websites for legal professionals, such as <http://www.findlaw.com> and <http://www.law.cornell.edu>.

Please send comments and suggested websites to techcolumn@nywba.org. We appreciate your contributions.

~ Gerry Fifer

We intend this as a service to our members. As with all research tools, you should use your judgment in assessing the accuracy and completeness of the information you find on the Internet.

Pro Bono Net (www.probono.net)

The one-stop online resource for lawyers serving the public good invites members to sign up for free membership.

This fall, please spread the word and urge colleagues to sign up as well.

COMMITTEE CALENDAR

The **Working Mothers' Committee** is ready to get off to a great start on **November 15th, 12:00 - 2:00 p.m.**, at the offices of Myra Freed, 521 Fifth Avenue, 31st Floor, 212-889-7184.

The **Trusts and Estates Committee** will meet on **Thursday, November 17th, at 6:00 p.m.** at the offices of Willkie Farr & Gallagher LLP, 787 Seventh Avenue (bet. 51st and 52nd Streets), in Conference Room 38C. Guest speaker Charles Groppe will speak about "How Not To Run a Trust Company," discussing recent court decisions on fiduciary and trustee liability. New members are welcome, and all members of the NYWBA are invited. To assist with lobby security, please RSVP to Annette Piazza at 212-728-8334 or apiazza@willkie.com.

The **Technology and the Internet for Lawyers Committee** will meet on **November 29th** at Kaye Scholer, 425 Park Avenue, hosted by Cassandra Porter. Please RSVP to Kay Marmorek at 646-386-4661 or til@nywba.org.

The **Committee to Advance the Status of Women** will meet on **December 13th at 6:30 p.m.** at Hunton & Williams, 200 Park Avenue, 52nd Floor. RSVP to survey@nywba.org.

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about to engage in a multi-year effort to survey New York employers, to reward those who treat women with dignity, and to let people know about those who give only lip-service to equality for women lawyers. If your focus is beyond our city and state, the United Nations has a Working Group on Women, Peace, and Security that would like to see the promise of Security Council Resolution 1325 fulfilled all over the world.

There is a lot of work to do if you are so inclined. If it's food for thought that you want, our meetings and events, which fill the calendar well into the future, offer something for everyone. We are continuing our Lunch with a Judge Series. We are planning a new program, starting next summer, to introduce new lawyers to local court procedures, such as calendar calls. Our committees are up and running: see the calendar in this issue, and be sure to check our website for the latest information. Our Foundation is having another in its Breakfast Speaker Series on December 9. We are completing plans for a CLE program How to Work a Room. Our Judges' Reception tentatively scheduled for January 18, 2006 will again be a highlight of the year. Our Women's History Month celebration on March 7, 2006 promises to be lots of fun, and free, to boot!

So honor Ms. Parks, and yourself. Get more involved. Do one small thing -- it could make a big difference.

Peace.

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 212-490-8202 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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NEW YORK WOMEN'S BAR ASSOCIATION

551 Fifth Avenue, Suite 3025, New York, New York 10176

(212) 490-8202 • Fax (212) 687-4016 • info@nywba.org

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