



NEW YORK WOMEN'S BAR ASSOCIATION

NYWBA Healthy Woman Healthy Lawyer Workshop

Please join the NYWBA for the second installment of our *Wellness Series* featuring **Diana Maltz, RN**, sponsored by **Morgan Stanley Wealth Management**. Diana is a professional speaker, health expert, coach and founder of Zest for Life NYC, a business dedicated to helping stressed out professionals stay healthy. Her program will focus on nutrition and how it affects our overall health and wellness. During this hour-long presentation, you will learn:

- How to identify your eating style and how to improve it
- Tips on how to avoid stress eating
- Tools to help you avoid holiday eating temptations

Date: Tuesday, December 1, 2015

Time: 5:30 p.m. – Registration and Refreshments
6:00 – 7:00 p.m. – Program
7:00 – 7:30 p.m. – Q&A and Networking

Place: Morgan Stanley, 1585 Broadway, NYC

Cost: \$25 for members; \$30 for non-members & guests

RSVP: www.nywba.org/WorkshopRSVP

Announcements & Calendar of Upcoming Events

- 11/3– Reproductive Rights & Women’s Health Comm. Mtg. – p. 3
 - 11/4 – Foundation Breakfast Series – p. 6
- 11/4 – Matrimonial & Family Law Comm. Mtg. – p. 3
 - 11/4 – Diversity in Action Bootcamp – p. 2
- 11/10 – Int’l Women’s Rights Comm. Mtg. – p. 3
 - 11/12 – LGBT Comm. Mtg. – p. 3
 - 11/16 – Legislation Comm. Mtg. – p. 3
 - 11/17 – Crim. Law Comm. Mtg. – p. 3
 - 11/17 – Shop & Mingle – p. 2, 3
 - 11/18 – Meet & Greet Cocktail Party – p. 2
- 11/19 – Solo & Small Firm Comm. Mtg. – p. 3
- 11/21 – **CLE:** The Adolescent Brain – p. 3, 6
- 11/24 – Evening of Shopping at MM.LaFleur. – p. 3, 4
 - 12/1 – Healthy Lawyer Workshop Part 2 – p. 1
- 12/1 – Reproductive Rights & Women’s Health Comm. Mtg. – p. 3
 - 12/2 – Matrimonial & Family Law Comm. Mtg. – p. 3
 - 12/8 – Int’l Women’s Rights Comm. Mtg. – p. 3
 - 12/8 – Crim. Law Comm. Mtg. – p. 3
 - 12/9 – Children’s Rights Comm. Mtg. – p. 3
 - 12/10 – LGBT Comm. Mtg. – p. 3
 - 12/29 – Litigation Comm. Mtg. – p. 3

Check www.nywba.org for more Meetings, Programs & Events.

PRESIDENT’S MESSAGE

NOVEMBER 2015

Keeping the Momentum Going and Taking Your Opinion to Heart



Jennifer P. Brown

I am thrilled to report to our members that we have started this year like a shot out of the gate. On October 1st, after months of hard work, the NYWBA launched our new website, and the response has been overwhelmingly positive. I invite all of you to explore our revamped site, including the members only section which will allow you to see back issues of our newsletter, obtain contact information for members only, and in the future will hold more benefits to come.

I am also happy to tell you all that our kick off Workshop for our new Wellness Initiative on **October 6, 2015**, “*Mindfulness for Attorneys*,” with attorney and author **Jeanna Cho** was a resounding success. RSVPs for our second program in the series which will focus on Nutrition on **December 1, 2015** are pouring in, and I hope to see many of you there. Plans are in the works for several follow up programs to continue the Initiative into the new year. Keep your eyes open for more information on our website and in our e-blasts.

October was a month chock full of CLE programs. On **October 14, 2015**, the **Children’s Rights Committee** held a fantastic CLE program entitled “*Placement Options for Children*.” This lunchtime program at the New York County Family Court was an overwhelming success, attended by members and non-members alike. We believe this to be the first of many lunchtime programs to come for the Children’s Rights Committee, which is thriving under the leadership of **Callie Kramer** and Referee **Monica Shulman**. On **October 15, 2015** the **Criminal Law, Domestic Violence, Elder Law and Family and Matrimonial Law Committees** co-sponsored a CLE program entitled “*Elder Abuse*” at New York Law School, along with the New York Law School’s Impact Center for Public Interest Law, and the New York County Assigned Counsel Panel. **Hon. Deborah A. Kaplan**, the Statewide Coordinating Judge for Family Violence Cases, moderated a dynamic panel of speakers comprised of some of the most distinguished experts in the State on this topic. On **October 21, 2015**, the **Employment and Equal Opportunity for Women** and the **Working Parents Committees** co-sponsored a CLE program with NYCLA’s Women in the Law and Layers in (Continued on Page 2)

President's Message (Continued from Page 1)

Transition Committees entitled **"Tips and Techniques for Reentering the Workforce."** The turnout for this program was exceptional and a true testament to the benefits of our collaboration with other bar associations. On **October 22, 2015**, the **International Women's Rights** and **Employment and Equal Opportunity for Women Committees** co-sponsored a CLE panel discussion with several distinguished speakers, entitled **"Maternity Leave – A U.S. and International Comparison."**

As always, our CLE programs were, and continue to be, free to our members. Also opening these programs up to non-members has helped demonstrate the benefits of NYWBA membership and helped our membership increase. Thank you to all of our Committee Co-Chairs for the hard work and dedication that it took them to put these programs together. You should all be proud of jobs well done!

In addition to our educational programs, the **Events Committee** arranged a private tour of the Museum of the City of New York on **October 21, 2015**. Members received a guided tour of the second and third floor galleries, including the Gilded New York, Folk City and Activist New York exhibits. Following the tour, the group reconvened for cocktails at a nearby bar.

Don't miss out on upcoming events including our Foundation's breakfast speaker series with author and historian **Linda Hirshman** speaking about her new book entitled **"Sisters in Law: How Sandra Day O'Connor and Ruth Bader Ginsburg Went to the Supreme Court and Changed the World"** on **November 4, 2015**, two separate shopping events on **November 17 & 24, 2015**, as well as our Meet and Greet cocktail reception sponsored by WBASNY Preferred Providers of Disability Income Insurance, Jonathan Massey and Michael Sprung of Envision Strategic Financial, on **November 18, 2015**.

Be on the lookout in your email inbox for a survey that you will be receiving in the upcoming weeks. We want to continue this momentum of activity by providing you with CLE and Event options which interest our members. This short questionnaire will help us continue to provide you with programs you love and, hopefully, bring you new ones you will want to attend.

Please remember to check our calendar regularly for the many upcoming programs, meetings and events, as new ones are added frequently. I look forward to continuing to see as many of you as possible at our upcoming events.

Respectfully yours,



NYWBA is proud to co-sponsor

Diversity in Action: Career Bootcamp

Join Ms. JD, Morrision & Foerster LLP and Accenture for a Career Bootcamp event that will cover critical career aspects for aspiring and practicing attorneys. The panel will feature attorneys succeeding in a variety of career paths – firm, in-house, and nonprofit. Come and learn about their different paths and gain advice on how to excel in different legal areas.

Date: Wednesday, Nov. 4, 2015
Time: 5:45 – 8:05 p.m.
Place: Morrision & Foerster LLP
250 West 55th St., NYC
Cost: Free
RSVP: Go to <http://bit.ly/IMVd17M>

Join the NYWBA to Shop & Mingle at the Ben-Amun Showroom!

NYWBA's Program & Events Committee brings you a fun night out of shopping and mingling! Shop stunning costume jewelry at wholesale prices and meet the designer **Isaac Manevitz**. Ben-Amun is also offering shoppers a customizable necklace, a portion of the proceeds will benefit the NYWBA Foundation.

Date: Tuesday, Nov. 17, 2015
Time: 6:00 – 8:00 p.m.
Place: Ben-Amun Showroom, 246 W. 38th St.
(btwn. 7th & 8th Aves.) Suite 12A, NYC
Cost: Free for Members & Guests!
RSVP: Email Events@nywba.org

*If you are not a current member, join or renew using our secure online membership form at www.nywba.org/Membership.

***FREE COCKTAIL RECEPTION
Eat, Drink & Mingle***

Please join the NYWBA at a Members only Cocktail Reception sponsored by WBASNY's preferred provider of **Disability Income Insurance: Jonathan Massey and Michael Sprung of Envision Strategic Financial**, specialists in Financial Coaching for Professionals, Business Owners and Entrepreneurs. Mix with your friends and make some new connections.

Date: Wednesday, Nov. 18, 2015
Time: 6:00 – 8:00 p.m.
Place: The Smith, 956 Second Ave., (at 51st St.) NYC
Cost: FREE for current members only. First come, first serve. *Space is limited; advance registration required.*
RSVP: Email NetworkRSVP@nywba.org

*If you are not a current member, join or renew using our secure online membership form at www.nywba.org/Membership.

COMMITTEE NEWS

• The **Children's Rights Committee** is proud to co-sponsor a conference event and **CLE** on **Nov. 21** at Columbia University from 8:45 a.m.-5:30 p.m. entitled **"Health Disparities, Trauma, Disruptive and Criminal Behaviors and the Adolescent Brain."** To register and for more info go to <http://bit.ly/1PD9WLj>. The Committee will meet on **Dec. 9** at 1:00 p.m. at Manhattan Family Court, 60 Lafayette St., 10th Fl. Library, NYC. To RSVP email ChildrensRights@nywba.org. See notice p. 6.

• The **Criminal Law Committee** will hold its monthly meetings on **Nov. 17** and **Dec. 8** at 6:15 p.m. at the Hoffinger Firm, 150 East 58th St., 16th Fl., NYC. RSVP to CrimLawChairs@nywba.org.

• The **International Women's Rights Committee** will hold its monthly meetings on **Nov. 10** and **Dec. 8** from 6:30-7:30 p.m. at Le Pain Quotidien, 81 West Broadway, NYC. RSVP to IntlChairs@nywba.org.

• The **Legislation Committee** will host a conference call on **Nov. 16** at 6:30 p.m. Email Legislation@nywba.org for dial-in info.

• The **LGBT Committee** will meet **Nov. 12** and **Dec. 10** at 5:30 p.m. at The Offices of Brady Klein Weissman LLP, 501 Fifth Ave., 19th Fl., NYC. Email LGBTChairs@nywba.org to RSVP and for more info.

• The **Litigation Committee** will meet on **Dec. 29**. Location TBD. RSVP to LitigationChairs@nywba.org. The Committee presents an evening of conversation, fashion and shopping at MM.LaFleur, on **Nov. 24** at 611 Broadway, #405, (just off W. Houston St.), NYC. (Members & guests are welcome at this event – bring a friend!). For more info email LitigationChairs@nywba.org. See notice p. 4.

• The **Matrimonial and Family Law Committee** will host a meeting entitled **"Interim Financial Applications"** with **Hon. Matthew Cooper** on **Nov. 4** at 6:00 p.m. *Event registration closed.* The committee will also host a meeting **Dec. 2** at 6:00 p.m. entitled **"Basic Evidence at Trial"** presented by **Hon. Lori Sattler** and **Virginia A. LoPreto**. Both meetings will be held at the Law Offices of Virginia A. LoPreto, LLC, 565 Fifth Ave., 7th Fl. Conf. Rm, NYC. RSVP to MFRsvp@nywba.org. *Space is limited; advance registration required.*

• The **Program & Events Committee** presents **Shop & Mingle** on **Nov. 17** from 6:00-8:00 p.m. at Ben-Amun Showroom, 246 W. 38th St. (btwn 7th and 8th Aves.), Suite 12A, NYC. Free for members and guests. For more info email Events@nywba.org. See notice p. 2.

• The **Reproductive Rights & Women's Health Committee** will hold its monthly meetings on **Nov. 3** and **Dec. 1** at 6:30 p.m. at Rottenstreich & Ettinger, LLP, 222 E 41st St., NYC. To RSVP email ReproductiveRights@nywba.org.

• The **Solo & Small Law Firm Committee** will host a dinner meeting on **Nov. 19** at 6:30 p.m. Location TBD. For more info email SSFChairs@nywba.org.

The **Student and New Lawyers Committee** is co-sponsoring an event with the Cardozo Leadership Association of Women entitled **"Intersectionality in the Legal Field"** **Nov. 17** at 6:30 p.m. at Benjamin N. Cardozo School of Law, 55 Fifth Ave., 5th Fl. Faculty Lounge, NYC. RSVP to SNLChairs@nywba.org. See notice p. 3.

NOTES ON MEMBERS

Our deepest condolences on the passing of our colleague, **Cynthia Rubin**.

Congratulations to member, Bronx Family Court Referee **Sue Levy** on being honored at the annual dinner of the Bronx Women's Bar Association.

Our deepest condolences to member, **Hon. Lisa Sokoloff**, on the passing of her stepmother, Hillary Sokoloff.

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

NYWBA Students and New Lawyers Committee
Co-sponsors with the Cardozo Leadership Association of Women

"Intersectionality in the Legal Field"

Date: Tuesday, Nov. 17, 2015

Time: 6:30 p.m.

Place: Benjamin N. Cardozo School of Law
55 Fifth Ave., 5th Fl. Faculty Lounge, NYC

Cost: Free for Members*

RSVP: Email SNLChairs@nywba.org

*If you are not a current member, join or renew using our secure online membership form at www.nywba.org/Membership.

SUSTAINING MEMBERS

With their generous contributions, Sustaining Members make it possible for us to accomplish so much more. We honor and thank them for their support.

Elkan Abramowitz
Susan L. Bender
Linda A. Fairstein
Christine M. Harman
Eileen S. King
Harold A. Mayerson

Domenique Moran
Ben B. Rubinowitz
Hon. Felice K. Shea
Rosalie J. Trigona
Laura M. Twomey

WELCOME NEW MEMBERS

Florina Altshiler
Beth Beller
Rachel Bevans
Samantha E. Delao
Chelsea Donenfeld
Tova Ferstenberg
Erina Fitzgerald
Gabriella Formosa
Karla A. Fortis
Alexis B. Gordon
Diana Hamar
Talia L. Haynes
Donna M. Henken
Gillian C. Holland
Sierra Kresin

Rebecca Lomazow
Joleena Louis
Sylvia E. Perez
Amanda L. Perry
Danielle Pomeranic
Jaclyn Quiles
Christine Rafin
Natalie L. Reeves
Stephanie M. Sherry
Hilary F. Simon
Emily Smith Ewing
Karen D. Steinberg
Stephanie Trager
Rachel D. Trickett
Ashley M. Viruet

as of 10/22/2015

Developments at the NYC Commission on Human Rights by *Vivianna Morales*

On September 24, 2015, the *NYWBA's Employment and Equal Opportunity for Women Committee* hosted *Hollis Pfitsch*, the Deputy Commissioner of the Law Enforcement Bureau of the New York Commission on Human Rights. Standing in for Commissioner Carmelyn P. Malalis, Ms. Pfitsch spoke about the new Commissioner's initiatives and shared tips for practitioners appearing before the Commission.

Under Commissioner Malalis, the Commission is emphasizing community outreach as a top priority. Ms. Pfitsch highlighted the unique statutory mandate of the Commission, charged with not only enforcing the New York City Human Rights Law ("NYCHRL"), one of the most comprehensive human rights' laws in the country, but also with educating the public and fostering community relations. Consistent with that mandate, the Commission has placed an emphasis on meeting with community advocates, a first for the Commission, as well as providing free trainings on recent amendments to the NYCHRL at its Community Service Centers.



The Commission's Enforcement Bureau is shifting focus away from initiatives that may target smaller respondents, such as discriminatory job postings. Rather, the Commission is focusing on employers that screen applicants for criminal history in violation of the newly passed Fair Chance Act, which goes into effect on October 27, 2015. Like other so-called "Ban the Box laws," the ordinance prohibits employers from inquiring about an applicant's criminal record until after a conditional offer of employment is made. If the employer does inquire post-offer and decides to retract the offer, the employer is required to provide a written copy of the inquiry, analysis, and supporting documentation to the applicant. The Commission is also concentrating on the Stop Credit Discrimination in Employment Act, which took effect on September 3, 2015. This ordinance prohibits most employers from checking applicants' credit histories to determine job worthiness. The Commission has issued interpretative guidance on the Stop Credit Discrimination in Employment Act and will do the same for the Fair Chance Act while also offering training for those potentially affected by these amendments to the Human Rights Law. Both laws will then go through a rule making process thereafter.

The Commission has also added a new position whose sole focus will be on Commission initiated investigations. The Commission will also assess civil penalties more aggressively. But, in an effort to prevent recidivist offenders, the Commission will reduce civil penalties if a respondent demonstrates compliance as well as promotes the NYCHRL. The Commission has also recently

reopened its office for mediation and conflict resolution and will offer neutral in-house mediators where appropriate.

Deputy Commissioner Pfitsch encouraged attorneys to use the NYCHRL and keep in mind its broad applicability and unique standards. She also encouraged defense attorneys to counsel their clients to use the Commission's resources to ensure compliance with the important changes to the NYCHRL. Looking ahead, there are currently ten to fifteen bills going through the City Council that may affect the NYCHR, so stay tuned to the Commission's website for the latest updates for future developments.

Vivianna Morales is an Associate at Pechman Law Group PLLC where she represents employers and employees in labor and employment matters.



NYWBA's Litigation Committee

*presents an evening of
 conversation, fashion and shopping at*

MM.LaFleur!

- Date:** Tuesday, Nov. 24, 2015
- Time:** 6:30 p.m.
- Place:** MM.LaFleur, 611 Broadway, #405
 (just off W. Houston St.), NYC
- Cost:** Free for Members & Guests!
- RSVP:** Email LitigationChairs@nywba.org

*If you are not a current member, join or renew using our secure online membership form at www.nywba.org/Membership.

Networking 101



On October 13, the Students and New Lawyers Committee hosted its first event of the year "Networking 101."

Report from NYWBAF Fellow at Sanctuary for Families By Karen Ansong

I had the opportunity to intern with Sanctuary for Families' legal department during the Fall of 2014 and Spring of 2015. During the fall semester, I worked primarily on public assistance matters. With the public assistance team, my duties consisted of contacting potential clients assigned to me on referral notices and assisting them in resolving any issues with their Public Assistance (PA) grants. All our clients were victims of domestic violence and some came directly from the Sarah Burke House, Sanctuary's transitional shelter in the Bronx.

One client with whom I worked with was a 22-year-old mother of a 2-year-old boy living in the Sarah Burke House. She had been wrongfully sanctioned on her public assistance grant in July because the Human Resource Administration (HRA) wrongfully found that she had been unemployed. HRA later realized its mistake and restored her benefits, but they refused to pay for her childcare for July through September. After interviewing her, I applied for a hearing on her behalf to receive retroactive benefits.

My preparation for the hearing included collecting the client's paystubs to prove that she had been working before and during the period for which she was sanctioned. I requested HRA's evidence packet showing the activity on the client's case and why she was sanctioned. I also made sure to update the client on her case. On the last day of my externship, I attended the hearing with the client and my supervisor. We won the case, and our client will be receiving her lost assistance of \$40 a day for childcare for the period of July through September.

During the spring semester, I assisted my supervisor in completing the Public Assistance Pro Bono training manual that the Sanctuary office has been preparing since the Fall of 2014. The purpose of the manual is to train volunteer lawyers, especially those from private firms, to work on public assistance cases. Last fall, my research assignments consisted of creating an overview of welfare and public assistance in New York, which would become the introduction to the training manual. My assignments during this semester consisted of verifying the law on various public assistance issues, updating the directories and contact information for various government agencies, and ensuring that any changes to the manual were reflected in the table of contents. I also received research and writing assignments in which I summarized or rewrote certain sections of the manual. Ultimately, it was my job to ensure that the office had a legible digital version of each page of the manual accessible to the attorneys for reference. I also had a number of housing-related assignments. They included client and witness interviews, research, writing, and direct advocacy on behalf of our clients at various government agencies, specifically the New York City Housing Authority (NYCHA). I drafted a Motion to Dismiss a landlord/tenant eviction case and worked on a lawsuit for a tenant who's landlord failed to provide heat to her apartment. I interviewed possible witnesses and determined whose testimony would be most effective in court.

I also assisted a victim of domestic violence in filling out and request a VAWA (Violence Against Women's Act) lease bifurcation. This VAWA lease bifurcation application would allow her to receive housing assistance separately from her abusive husband, and eventually evict him from the housing unit. One of my last assignments took me out of the office to assist a mother and her two teenage daughters trace a money order they had mailed to their landlord as rent, just days before they received notice that a different corporation would be taking over their apartment building. I visited the post office with the family and helped them trace the money order. After acquiring the appropriate forms and guiding them through the process, it was gratifying to see the relief on their faces as they realized they would be able to trace their money and get the value returned to them.

(Continued on Page 7)

Splitting The Baby In Two: Legislating Shared Custody By Lydia S. Antoncic

Notions about which custody arrangements are in the "best interests of the child" may be headed for some major revamping. For some time there has been a presumption that a child needs a "home base" and that "alternating physical custody" could "further the insecurity and pain frequently experienced by the young victims of shared families."¹ Part of this belief comes from society's mistaken view that divorced families are somehow "broken" and result in maladjusted children. However, psychological studies over the last thirty years are concluding the opposite, and find that children in joint physical custody arrangements are better adjusted than those in sole-custody arrangements, and on par with children in intact families.² One explanation for this is that any maladjustment usually stems from the absence of both parents in a child's life.

Recent studies teach us that identifying a child's attachment to her mother and/or father requires different measures.³ For example, secure attachment to the mother is usually identified in matters relating to sensitivity, or who the child turns to when in distress. Attachment to the father, however, occurs when a father provides security to the child while also encouraging exploration and play, teaching the child how to effectively regulate stress. Identification of these differences has emphasized the importance of having both parents participate in their child's emotional development.

A number of state legislatures are taking note and creating a presumption in favor of joint physical custody arrangements. While New York has no such presumption, all that could change. S2382-201, if enacted, would create a shared parenting presumption in New York. The bill would amend Domestic Relations Law §240(1) and Family Court Act §654 and establish an order of preference in awarding custody of a minor, with the first preference being shared custody (unless the parties agree otherwise), followed by custody to either parent.

The purpose of the legislation, according to the bill's legislative memo, is to insure that "both parents share in the care and upbringing of their children." The bill's legislative memo cites to psychological studies (including 38 state sponsored projects and reports from the National Institute of Mental Health) indicating that children of all ages benefit from the full participation of both parents, and that arrangements that effectively exclude one parent interfere with a child's normal development. The memo notes that although nothing in current law prohibits awarding shared parenting, courts rarely do so. In fact, only a handful of New York courts have awarded shared parenting.⁴ Women's groups have historically opposed shared custody legislation⁵ likely because statistically women are usually awarded primary physical custody.⁶ However, given recent passage of the Marriage Equality Act, it's time to reexamine these positions.

Various states and countries have recognized the benefits of an "equal" or shared residential custody preference.⁷ Under the proposed New York bill, where shared parenting is being considered, both parties would be required to submit a proposed parenting plan. Where shared parenting is disputed, the party requesting sole custody would have the burden of proof to demonstrate that shared parenting is not in the child's best interests. If a court concurs, it must state the reasons for not awarding shared parenting in its decision.

People often get divorced because they disagree on things like different parenting styles or preferred activities, which force them to grow apart. Their children, however, have a right to be exposed to these differences to better understand their parents as well as themselves. Aside from benefitting children, a shared parenting presumption would greatly reduce costly custody litigation and re-litigation. A child needs the active involvement of both parents, and with

(Continued on Page 7)

NYWBA's Children's Rights Committee

is proud to co-sponsor a conference event and CLE program with the NYSPA Division of Neuropsychology, Pediatric Neuropsychology Committee & Teacher's College, Columbia University entitled:

"Health Disparities, Trauma, Disruptive and Criminal Behaviors and the Adolescent Brain"

This one day interdisciplinary conference examines: neurobiological development and developmental changes in adolescent cognitive competence and behavioral self-control; the impact of biopsychosocial trauma upon developing executive functions; appropriate treatment and criminal justice system responses to adolescent disruptive and criminal behaviors; and, policy implications for juvenile justice system reform.

Keynote speakers:

Dr. Laurence Steinberg & Dr. Kirkland Vaughans

Featured Special Guests and Panel Moderators:

Hon. Jane Pearl, Kathleen DeCataldo, Hon. Judith S. Kaye

Date: Saturday, Nov. 21, 2015

Time: 8:45 a.m. - 5:30 p.m.

Place: Columbia University, 120th and Broadway, NYC

MCLE: 8 CLE Credits *

Cost: \$115 (\$125 after 11/1/15; \$140 on site)

RSVP: Go to: <http://bit.ly/1PD9WLj>

*CLE: *8 CLE Credits pending in accordance with the NYS CLE Board

The New York Women's Bar Association Foundation, Inc.

Invites you to join us for breakfast with

Linda Hirshman

Social and legal historian and author of *Sisters in Law: How Sandra Day O'Connor and Ruth Bader Ginsburg Went to the Supreme Court and Changed the World.*

The new book tells the story of how the personal and professional relationship of Justices O'Connor and Ginsburg on the Supreme Court made more change than either could have dreamed of achieving alone.

Date: Wednesday, November 4, 2015

Time: 8:00 - 9:30 a.m.

Place: The Cornell Club, 6 East 44th St., NYC (btwn. Fifth and Madison)

Cost: \$85* per person (\$90 at the door)

RSVP: <http://bit.ly/1V5Izgw>; note, space is limited.

Info: Email kmm32@Cornell.edu

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Grandparents: Four Tips for Spending on Your Grandkids

By Michael B. Salmon

Many grandparents spend cash on their grandkids – whether by chipping in on tuition bills, purchasing special treats or simply buying holiday gifts and helping with day-to-day expenses. Many seniors say that creating a financially secure life for themselves and their family is an important goal. As a grandparent, it can be hard to find a balance between supporting (and spoiling) your grandkids while ensuring you don't run short on funds to reach your own financial and retirement goals. Here are four tips to keep it all in check:

1. Know what you can afford. No matter how much you enjoy splurging on your grandkids, your financial security should remain your first priority. There are many unknowns in retirement, including your longevity, fluctuation of the markets and the impact of inflation on purchasing power. Spend and gift within your means to maintain your own financial health in the future.

2. Determine if you're giving or loaning. If you're giving a gift, understand current federal tax rules, which are based on the calendar year. In 2015, you can give up to \$14,000 to each family member before the federal gift tax is applied. And make certain the recipient knows it's a gift for their own tax purposes, and so there is no uncertainty about whether or not they need to pay you back. If you are loaning money to a grandchild, be very specific about the terms and repayment, and consider having a written document that both parties sign and date. This can help safeguard your financial situation and ensure both of you are on the same page – now and in the future.

3. Talk about it. Many people tend to shy away from discussions about money and finances with their family. If you would like to help support your grandchildren or save for their future goals like college or a down payment on a home, be sure to communicate this with their parents. This can help your adult children do a better job with their own financial planning. For example, if the parents of your grandchild know how much you are expecting to contribute to their child's education, they may be able to decrease the amount allocated to a 529 Plan and invest more toward other goals, such as their own retirement.

4. Establish boundaries. Even if you want to help your grandchildren financially, depending on their situation, it may not be appropriate to do so, or to repeatedly provide support. Everyone appreciates help, but if your grandchild needs to learn financial independence, there can be value in letting them live within their own means. Keep in mind the smart — and sometimes tough — financial lessons you learned as you made your own way as a young adult, and the pride that came with successfully overcoming challenges.

If you want to provide financial support to a family member, but haven't incorporated it into your overall financial plan, consider consulting a financial professional. He or she can help you evaluate your financial needs and goals and create a strategy. A clear and realistic understanding of your own financial picture can help you identify how much you can comfortably give and stay on track with your own goals.

Michael B. Salmon, is a Financial Advisor with Ameriprise Financial Services, Inc. in New York, NY. He specializes in fee-based financial planning and asset management strategies and has been in practice for 18 years. To contact him you can email him at michael.b.salmon@ampf.com.

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NYWBAF Fellow (Continued from Page 5)

I am grateful to the New York Women's Bar Association Foundation for allowing me to have this learning experience over two semesters. I have learned a great deal through this externship that I believe has prepared me for my internship with the Legal Aid Society's Immigration Unit. I hope not only to build on the skills I have gained over the past few months through this fellowship, but also to improve them as I work to help bring quality legal services to those who need it.

Karen Ansong is a 2016 J.D. Candidate at Fordham University School of Law.

Custody (Continued from Page 5)

the exception of cases involving domestic violence or severe acrimony, shared parenting is almost always in a child's best interests.

Lydia S. Antoncic is a sole practitioner representing private litigants in family and matrimonial proceedings. Lydia represents children in neglect, custody, and other family court proceedings and is also a trained mediator.

1. *Braiman v. Braiman*, 44 N.Y.S.2d 584, 378 N.E.2d, 407 N.Y.S.2d 449 (1978), citing, Foster & Freed, Law and the Family New York, s 29:6A (1978 Supp.).
2. Bauseman, Robert, *Child Adjustment in Joint-Custody Versus Sole-Custody Arrangements: A Meta-Analytic Review*, 2002 Journal of Family Psychology, Vol. 16, No. 1, 91-102.
3. Pruet, M.K., McIntosh, J.E. Kelly, J.B. (2014). *Parental separation and overnight care of young children Part I: Consensus through theoretical and empirical integrations*, Family Court Review, 52(2), 256-262.
4. *Hardy v. Figueroa*, 128 A.D.3d 824, 9 N.Y.S.3d 140, 2015 N.Y.Slip.Op. 04128 (2d Dep't 2015)(holding that the child would benefit from equal amounts of time with each parent); See also, *Margaret MC v. William JC*, 41 Misc.3d 459, 972 N.Y.S.2d 396 (Orange Cty. 2012)(awarding shared physical custody with alternating weeks).
5. http://www.nownys.org/archives/leg_memos/oppose_a00330.html.
6. *Custodial Mothers and Fathers and Their Child Support: 2011*, <https://www.census.gov/prod/2013pubs/p60-246.pdf> (18.3% of fathers are custodial parents).
7. See, West's Ann.Cal.Fam.Code § 3040; See also, *In the Interests of Children*, National Family Law Section, Canadian Bar Association, pp. 8-10 (June 2010) (referencing statutes in Belgium, Denmark and Australia that state a preference for shared residential custody); *Children Need Both Parents Even After Divorce*, National Review, May 18, 2015 (discussing Wisconsin's legislative presumption that shared parenting is in the child's best interests).

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