

NYWBA

NEW YORK WOMEN'S BAR ASSOCIATION

The New York Women's Bar Association invites you to join us in honoring our special guests

***The Newly Elected, Re-Elected,
and Newly Appointed Judges of
New York County***

at a **Cocktail Reception**

Tuesday, February 4, 2013, 6:00 to 8:00 p.m.

The Yale Club, 50 Vanderbilt Ave., NYC
(at 44th St., across from Grand Central's west entrance)

Cost: \$75 Members (NYWBA & WBASNY) and
\$90 Non-Members (paid in advance);
\$100 for all if paid at door (space permitting)

Note: **No charge** for NY County Judges who are newly elected, newly re-elected, or newly appointed; for Justices of the Appellate Division, First Dep't; or for New York Court of Appeals Judges

RSVP: Space is limited, so RSVP promptly at www.nywba.org/JudgesReception

We ask that all judges RSVP, even if they are honorees, so we can account for all attendees.

Sponsorship: Law firms, companies, and individuals are invited to make a donation to help support this event at the following sponsorship levels:
Platinum (\$1,000) Gold (\$750) Silver (\$500)

Sponsors will be acknowledged at the event, on our website, and in the NYWBA Newsletter, and they will be entitled to: Platinum - three admissions to the event, Gold - two admissions, Silver / Friend - one admission. (Contributions of \$100 or more are welcome and will be recognized at the "Friend" level.)

Annual Mentoring Circles Open Enrollment and Feb. 3 Reception

NYWBA's Mentoring Circles Program will hold its **Annual Reception** for new and continuing members on February 3, 2014 (see full announcement, p. 5).
Interested in mentoring? Join the Mentoring Circles Program now, during open enrollment (see article, p.5).

PRESIDENT'S MESSAGE

Our Struggling Family Courts

JANUARY 2014



Hon. Jacqueline W. Silberman

As a former New York Supreme Court Justice and administrative judge for matrimonial matters across New York State, I know first hand the importance of the Family Courts in New York. Unfortunately, these courts are burdened with enormous caseloads that are handled by way too few judges and insufficient resources. This means that every day parents and children are left in limbo – there are simply not enough judges to hear them and resolve their issues in a timely or appropriate manner.

NYWBA was founded with the mission to promote the "fair and equal administration of justice." It is imperative that we support the ongoing efforts to cure the ills of the Family Court. To that end, I am pleased that our statewide Women's Bar Association of the State of New York (of which NYWBA is a founding Chapter) has joined the "**Coalition for Family Court Judges**," and that our own member, WBASNY Officer **Amy Saltzman**, has volunteered to serve as WBASNY's Liaison to this group. The Coalition was formed to support the request of the Office of Court Administration to add twenty new judge positions to the Family Courts across NYS. I hope you will help us galvanize support for this important issue.

As I reflect on the passage of another year, I am delighted that 2013 was very productive for the NYWBA. Our Committees have been teeming with activity, offering members countless opportunities to network and learn. Many of these opportunities are available at no cost, thanks to a bequest by our beloved founder and past President, the late Hon. Florence Perlow Shientag, which provides complimentary CLE programs to all paid-up members. (Continued on Page 2)

Announcements & Calendar of Upcoming Events:

- 1/13 – Criminal Law Committee Meeting – p. 6
- 1/14 – Civil Court - Noise Complaints & NYC Nose Control Code – p.5
- 1/14 – Working Parents Meeting - "Brown Bag Lunch" – p.3
- 1/15 – Inside the Partner Track – Women of Color Partners – p.11
- 1/15 – Int'l Human Rights Committee Meeting – p.3
- 1/21 – CLE - Obamacare / ACA - Bklyn WBA & LeClair Ryan – p.7
- 1/23 – Litigation Comm. - Lunch with a Judge - Hon. Arlene Bluth – p.11
- 1/23 – Solo & Small Firm Comm. - New Year's Financial Resolutions – p.3
- 1/25 – WBASNY Board & Committee Mtgs – p.3
- 1/25 to 27 – NYWBA Lawyers needed to judge Mock Trials – p.5
- 2/3 – Annual Mentoring Circles Reception – pp.1, 5
- 2/4 – Reception for Newly Elected, Re-Elected & Appointed Judges – p.1
- 2/5 – M&F - Life After Judgment - Matters in Mat. Post-Judgment Part – p.3
- 2/5 to 7 – "Clients & Counsel: Partnering for Success (DR1)" – p.8
- 2/11 – A Night at the Opera: 'Die Fledermaus' at the Met – p.3
- 2/12 – Inside the Partner Track – Women of Color Partners – p.11
- 2/13 – Students & New Lawyers - Keeping Sanity during Bar Prep – p.10
- 2/27 – Elder Law Comm. - Uniform Adult Guardianship Act – p. 7
- 2/27 – Solo & Small Firm Comm. - Women & Money – p. 3

NYWBA NOMINATIONS COMMITTEE REPORT

At its December 4, 2013 meeting, the *NYWBA Committee on Nominations* nominated the following candidates to serve for the positions and terms stated below.

OFFICERS (2014-2015)

President:	Yacine Barry-Wun
Vice Presidents:	Jennifer P. Brown Julie Hyman Amy B. Goldsmith
Treasurer:	Deborah G. Rosenthal
Recording Secretary:	Virginia A. LoPreto
Corresponding Secretary:	Myra L. Freed

BOARD OF DIRECTORS

Directors – Class of 2014-2017

Michael W. Appelbaum	Susan M. Moss
Elizabeth A. Bryson	Francesca A. Sabbatino
Hon. Laura E. Drager	Hon. Jacqueline W. Silbermann Hon. Sherry Klein Heitler

Director – Class of 2013-2016 (to fill an unexpired term)

Morgan M. Fraser

Directors – Continuing in Office

Leona Beane	Hon. Kelly O'Neill Levy
Dawn M. Cardi	Kay Marmorek
Jo Ann Douglas	Monique McClure
Felice B. Ekelman	Kathryn E. Salensky
Catherine M. Foti	Amy Saltzman
Hon. Judith J. Gische	Victoria A. Turchetti
Patricia Ann Grant	

COMMITTEE ON NOMINATIONS

Class of 2014-2016

Patricia Ann Grant	Hon. Lisa A. Sokoloff
Hon. Kelly O'Neill Levy	Andrea Vacca

Class of 2013-2015 (to fill an unexpired term)

Hon. Jacqueline W. Silbermann

NYWBA MEMBERS OF WBASNY BOARD (2014-2015)

Jennifer P. Brown	Patricia Ann Grant
Elizabeth A. Bryson	Julie Hyman
Dawn M. Cardi	Marjorie Martin
Jo Ann Douglas	Hon. Jacqueline W. Silbermann
Hon. Betty Weinberg Ellerin	Hon. Lisa A. Sokoloff

The elections will be held at the Association's Annual Membership Meeting on April 24, 2014. (See meeting notice, page 3.)

President's Message (Continued from Page 1)

Speaking of membership, it is essential that if you haven't yet renewed (or joined!) that you get your NYWBA dues up-to-date as soon as possible (and hopefully by January 31st, when we submit our periodic membership report to WBASNY). We are very close to our goal of having sufficient members so that we will have another vote when we go to WBASNY Board meetings next year. *Won't you join me in reaching out to lawyers you know to recommend that they join the NYWBA, and by making sure your own dues are current? (If you have questions about your member status, email ed@nywba.org.)*

In early February, NYWBA will hold some of our signature annual events. Our cocktail reception to honor newly elected, newly re-elected, newly appointed, and newly elevated judges in New York County will be held on February 4 (see notice, at left). This event, at the Yale Club, is always a huge hit, so RSVP today. On February 3, we will hold our Annual Mentoring Circles Reception (see announcement, p.5). Our award-winning Mentoring Circles Program allows members to develop their networks and professional profiles, while providing mutual support.

There were so many outstanding events in 2013, including practical programs from the Solo and Small Firm Practice Committee on legal branding, marketing, and ethical issues for running your own practice; fun evenings arranged by the Programs & Events Committee organized around wine, fashion, and cultural events like the New York City Ballet (and the upcoming Metropolitan Opera event in February). The Civil Courts Committee's New York Civil Court Express Lunch Series offered useful tips for Civil Court practitioners and also introduced attendees to Court Attorneys in the Civil Court. Thanks to the Litigation Committee's Lunch with a Judge series, members have also had the opportunity to meet and mingle with members of the bench, including federal judges, a New York Surrogate Court Judge, and New York State Supreme Court Justices.

The Trusts & Estates and Elder Law & Disabilities Committees have held numerous programs, including programs on veterans' rights, practicing in the Surrogate's Court, Guardians Ad Litem, training on supplemental and special needs trusts, and Medicaid. The Matrimonial and Family Law Committee has been extraordinarily prolific, presenting to repeatedly full house events on a near-monthly basis, including CLEs, covering all key aspects and current trends in their field. There were also popular Professional Ethics and Discipline Committee programs in the form of game shows. Members were able to attend other programs from the Criminal Law Committee, Reproductive Rights & Women's Health Committee, and the Domestic Violence Committee.

On a personal note, I must thank our CLE Chair **Amy Goldsmith** for her calm and professional assistance to each of the Committees as they endeavor to present cutting-edge programs that comply with the technical CLE requirements imposed by OCA and WBASNY. Last year also brought the decisions in two major Supreme Court cases that made gender-neutral marriage a viable option in the U.S. I couldn't have been prouder that WBASNY served as an amicus in those cases.

There still is much for us to do. We need to protect and preserve reproductive rights and fight those who try to whittle away at *Roe v. Wade*. We need to fight the passage of discriminatory laws in several states that make it harder for minorities to vote through specious "voter ID" requirements, or to try to restrict women's access to birth control, or attempt to ban or severely restrict women's right to choose. Ironically, a Texas District Judge was almost blocked from voting and was flagged for possible "voter fraud" because the name on her voter registration card did not exactly match the one on her driver's license. Organizations such as the NYWBA are uniquely qualified to denounce and shed light on discriminatory legislation or case law. We must continue to work to right these wrongs, and for that we need you to be current and active members.

Wishing you all a wonderful new year!



COMMITTEE NEWS

- **Civil Courts Committee "Express Lunch" – Jan. 14, 1:00 p.m. – "Noise Complaints and the NYC Noise Control Code."** See notice, p.5.
- **Criminal Law Committee Meeting – Jan. 13, 6:15 p.m.** See notice, p. 6.
- **Elder Law & Disabilities Committee CLEs – "Uniform Adult Guardianship Act – What You Need to Know" – Feb. 27, 6:15 p.m.** (see notice, p. 7); **"Life Care – Wishes, Wants & Needs – Hospice and Palliative Care" – Mar. 20; "Retirement Planning (Social Security, Long-Term Care, Medicare" – April** (date pending); **"Article 81 Guardianship Proceedings" – May 1.** (Planning of later months' programs is underway, for updates see website calendar or email ElderLawRSVP@nywba.org).
- **International Human Rights Committee Meeting – Jan. 15, 6:00 p.m.** at Le Pain Quotidien, 81 W. Broadway, NYC - RSVP to IntlChairs@nywba.org. Tentative future meetings on **Feb. 12 & Mar. 12.** Committee is planning a spring program on immigration and a summer CLE.
- **Litigation Committee Program – "Lunch with a Judge featuring Hon. Arlene Bluth" – Jan. 23** (see notice, p.11).
- **Matrimonial & Family Law Committee** meets the first Wednesday of most months. **Feb. 5 Program – "Life After Judgment – Handling Matters in the Post-Judgment Part"; Mar. 5 Program – "Tax Issues in Matrimonial Law Cases (Part II)"** (for details on both programs see website calendar at www.nywba.org). All meetings are held at 6:00 p.m. at Blank Rome, LLP, 405 Lexington Ave. (The Chrysler Building), NYC (no admission after 6:30 p.m.). RSVP at MFrsvp@nywba.org. NOTE: You must be a current member to attend, and M&F programs routinely sell out so RSVP promptly.
- **Mentoring Committee – Annual Mentoring Circles Reception – Feb. 3** (see article and announcement, pp.1, 5).
- **Programs & Events Committee – "A Night at the Opera: 'Die Fledermaus' at the Met" – Feb 11, 7:30 p.m.** at the Metropolitan Opera House at Lincoln Center. Tickets will be \$50 per person (first come, first served) and include a glass of champagne or soft drink. Details will be posted soon on the NYWBA website. To RSVP in advance, email EventsRSVP@nywba.org and send check to NYWBA mailing address.
- **Solo and Small Firm Practice Committee Programs – "New Year's Financial Resolutions" – Jan. 23, 6:30 p.m.** at Reitler Kailas & Rosenblatt, LLC, 885 3rd Avenue, 20th Floor (btw. 53/54 Sts.), NYC; **"Women and Money" – Feb. 27** (location TBA). RSVP for either program at SSFChairs@nywba.org.
- **Students and New Lawyers Committee** meets on the second Thursday of most months at Blank Rome, LLP, 405 Lexington Ave. (The Chrysler Building), NYC. **Feb. 13 Program – "How to Get Organized Early, Prepare for the Bar Exam, and Keep Your Sanity"** (see notice, p.10).
- **Working Parents Committee "Brown Bag Lunch" – Jan. 14, 12:30 p.m.** (see calendar for location); RSVP to WPChairs@nywba.org.

OTHER EVENTS

- **Brooklyn Women's Bar Association / LeClair Ryan CLE on "Obamacare – American Care Act" – Jan. 21, 6:00 p.m.** (see notice, p.7).
- **"Inside The Partner Track" – NYWBA is co-sponsor of this event, presented by Arab American Bar Association – Jan. 15, 6:00 p.m.** (see notice, p.11)
- **Judiciary Reception – Feb. 4, 6:00 p.m.** (see notice, p.1)
- **Mock Trial Event – Jan. 25 to 27 – NYWBA members needed to serve as judges at a major college mock trial event** (see notice, p.5).
- **Women in the Law Committee of DRI – "Clients and Counsel: Partnering for Success" – Feb. 5 to 7** (see notice, p.8)
- **WBASNY Board & Committee Meetings – Jan. 25 – Restricted admission – If you are a NYWBA Delegate to WBASNY Board or a NYWBA representative to a WBASNY Committee, RSVP to info@wbasny.org.** For info about the meetings, go to the NYWBA calendar on our website at www.nywba.org.

Check the NYWBA Calendar at our website (www.nywba.org) for the latest info on meetings, programs & events.

NOTICE TO MEMBERS – ANNUAL MEETING & ELECTIONS

The NYWBA Annual Membership Meeting will be held on **April 24, 2014**, when the President & Treasurer will present reports on the State of the Association and its finances, and the Association will hold elections for Officer, Director, and Delegate positions. (See p.2 for the NYWBA Nominations Committee Report, which includes a list of all open positions, terms of office and nominees, as well as a list of Directors continuing in office.)

Article XIV, Section 1 of the By-Laws provides that only members who are in good standing and whose membership dues were received by **January 31, 2014** may vote at the Annual Meeting.

Article XVII, Section 10 of the By-Laws provides that any fifty members eligible to vote at the Annual Meeting may, by a writing delivered to the Corresponding Secretary not less than *forty days* prior to the Annual Meeting, propose candidates for officer or director positions to be voted on at the Annual Meeting. Such petition must be *received* no later than **March 15, 2014** and must be addressed to Corresponding Secretary Virginia A. LoPreto, New York Women's Bar Association, The Chrysler Building, 132 East 43rd Street, # 716, NYC 10017-4019.

The Annual Meeting and Elections will be held at **Frankfurt Kurnit Klein & Selz, PC**, 488 Madison Avenue, 10th Floor, NYC (btw 51st/52nd Sts). Immediately after the elections, NYWBA will present an Ethics CLE Program (*details to be announced soon*).

WELCOME NEW MEMBERS

Hirra Amin	Rose Ann Magaldi
Lydia S. Antoncic	Lauren N. Mallin
Roberta A. Arnone	Debra L. Mechanick, Esq.
Jennifer A. Becker	Julia C. Papastavridis, Esq.
Alyssa Bigley	Kathryn Scherpf
Esther B. Cajuste	Malaika N. Scott-McLaughlin
Alidia Clagett	Carla M. Seals
Deena M. Crimaldi	Loran Shlevin
Remi D. Flaishman	Francine Shraga
Melissa K. Flores	Anastazia Sienty
Elizabeth K. Friedrich	Alyssa M. Smilowitz
Marin A. Gerber	Nicole Smith
Rebecca Goldstein	Justine Stringer
Katrina M. Goyco	Shauna J. Tesser-Friedman
Justine R. Gray	Laura A. Zaccone
Katelyn Hafner	Olga Zagika
Courtney A. Heizenrader	Alexandra Ziga
Karen R. King	
Jennifer P. Klein	
Ranakdevi Londoner	

as of 01/08/2014

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.

Bettina B. Plevan
Randy L. Shapiro
Francine Shraga
Hon. Leslie Crocker Snyder

as of 01/08/2014

How Does the Housing Part Work? Civil Courts Committee Program Shows Practitioners How to Understand and Navigate the City's Housing Court by *Deborah A. Johnson, with Olivia Sohmer*

On Wednesday, November 13, 2013, the NYWBA Civil Courts Committee presented a lunchtime program at the New York Civil Court, 111 Centre Street, entitled “*How Does the Housing Part Work?*” **Deborah Rand**, Assistant Commissioner in charge of the Housing Litigation Division (HLD) at the Department of Housing Preservation and Development (HPD), led the panel, which included **Lynette Parker**, Supervising Attorney in the Manhattan Housing Litigation Division, and attorneys **Meryl H. Waxman** and **Robin LoGuidice**, both of whom have extensive experience handling landlord/tenant issues in private practice. The well-attended program was conceived by the Committee to address an ever-changing and often confusing area of private and public law for practitioners representing both landlords and tenants.

Before the Housing Part in Civil Court was created, violations of the housing code were handled in criminal court, Ms. Rand explained. During the Lindsay Administration, the state created the Housing Court to specialize in issues concerning the maintenance of housing stock and to resolve disputes between residential landlords and tenants. Section 110 of the Civil Court Act gives extraordinary powers to the housing court for “actions and proceedings involving the enforcement of state and local laws for the establishment and maintenance of housing standards, including, but not limited to, the Multiple Dwelling Law and the Housing Maintenance Code, building code and health code of the administrative code of the city of New York.” N.Y. CCA. Law § 110. The powers of the Housing Court include: the imposition and collection of civil penalties; collection of costs, expenses and disbursements incurred by the City in the correction of a violation; and the issuance of injunctions and restraining orders for the enforcement of housing standards.

Cases brought by the HLD itself may include: 1) heat and hot water cases, where HLD seeks orders directing that heat and/or hot water be provided and maintained, and civil penalties; 2) comprehensive cases, seeking the correction of all outstanding violations in a building, compliance with Vacate Orders/Orders to Repair (these cases often lead to a defense of economic unfeasibility, described below) or with the Alternative Enforcement Program’s (“AEP”) Orders to Correct, and civil penalties; and 3) Access Warrant cases, where HLD seeks a court order for access or compliance with outstanding violations in situations where the owner or its agent has denied HPD or its contractors access to a building to inspect and/or make repairs. HLD also collects money judgments from owners. In many cases, collection entails locat-

ing responsible individuals / companies and taking various steps, such as seizure of accounts and property, to enforce outstanding money judgments.

In Vacate Order cases, the owner often alleges a need for more time to make the repair than the court has given. HPD does not always oppose such a request, especially where the owner has shown why the request is made and the length of additional time sought. In *HPD v. Cham Whang* (Civil Court, Queens County: Housing Part C, 2010), an Access Warrant case was brought by order to show cause to allow HPD to access the building to make necessary repairs. The respondents raised defenses but provided no evidence of having made the repairs. It was found that the building owner had not made the repairs ordered under the AEP Order to Correct, and “the respondents’ primary interest has not been the tenants in occupancy, but in keeping the potential lien costs down to make the building more marketable.” HPD’s order to show cause was granted. In *HPD v. Kelly Street Realty* (Civil Court, Bronx County: Housing Part H, 2009), HPD won full access to make all repairs that it had found necessary, after providing testimony from the construction manager on the project.

The HPD through its Litigation Division also initiates ‘7A’ cases, seeking the appointment of an administrator to manage a building pursuant to Article 7A of the Real Property Actions and Proceedings Law, which provides that an owner may be removed from management and control of a building if its condition constitutes a danger to life, health, and safety.

Certain zoning districts have a special requirement that landlords cannot make alterations to a building without first obtaining a “Certification of No Harassment.” Under local law, owners of single room occupancy (SRO) multiple dwelling must obtain a Certification of No Harassment from HPD before applying to the Department of Buildings (DOB) for a permit to demolish or reconfigure such buildings. This process is intended to ensure that owners do not further their proposed demolition or construction project by harassing tenants into leaving. Similar protection has been extended to the neighborhoods of Clinton, Hudson Yards, West Chelsea and portions of the Garment District in Manhattan, and to Greenpoint / Williamsburg in Brooklyn. HLD investigates to determine whether harassment occurred during the statutory review period. If HPD determines that there is reasonable cause to believe that harassment has occurred, HPD may present the case to the Office of Administrative Trials and Hearings (OATH). A finding of harassment prevents the owner from obtaining a demolition or alteration permit for three years.

The Alternative Enforcement Program, as amended by the City Council in 2007, dictates more stringent enforcement of repairs for the two hundred worst buildings in the City. The AEP provides HPD with the ability to identify the most distressed multiple dwellings and ensure that violations – and the conditions that caused by the violations – are corrected. An AEP order will usually specify a more comprehensive mandatory repair, as opposed to citing a violation of code. It also allows HPD to place a lien on the property for the cost of repairs.

The constitutionality of the AEP has been challenged and upheld. The panel provided the example of *507 West 170th Street L.P. v. HPD*, 2011 N.Y. Slip Op. 31060(U) (Supreme Court, New York County), where a building owner sued HPD under Article 78 to vacate a correction order, claiming it had made 80% of repairs ordered under the AEP, and that the order itself was arbitrary and capricious. The Court found there was a reasonable basis for the order.

Aggrieved tenants may also bring cases in the Housing Part against building owners for claims of lack of heat or hot water, failure to correct such violations within a prescribed period of time, and for false certification that the violations have been addressed. Section 27-2115 of the Housing Maintenance Code (HMC) empowers the Court to find violations and to issue “Orders to Correct” and civil penalties. *N.Y. ADC. Law § 27-2115*. More than half of the cases against landlords in the Housing Part are brought by tenants or tenant groups, and by statute HPD is brought in as a necessary defendant. In most cases, HPD is looking for the same relief as the tenants: correction of violations and cessation of harassment.

HPD has nearly forty attorneys across the five boroughs in its Housing Litigation Division and must prioritize building-wide and other egregious violations. However, even in cases brought by tenants, HPD is a statutory defendant and the HPD/HLD attorneys are in the courtroom at the HP Part and actively and tenaciously involved in almost every case. As Ms. Parker of the Manhattan HLD said, it is not necessary for litigants to get overly aggressive with the HPD, as HPD does not want to have to go in and make the repairs itself, and so has a shared interest in seeing that if landlords do not effectively dispute the existence of a violation, they are ordered responsible for its correction. If a tenant’s complaint of harassment is found to be frivolous, however, the plaintiff can be required to pay the landlord’s attorney’s fees.

Ms. Rand cited *289 Grand Street Tenants Association, et al. v. Wong’s Grand Realty Corp, et al.*

(Continued on Page 7)

NYWBA Civil Courts Committee

presents

***“Noise Complaints and the
New York City Noise Control Code”***

featuring

Charles Shamoan, Esq., *Assistant Counsel,
NYC Department of Environmental Protection*

Join us at the next NYWBA Civil Court Express Lunch event, which will cover noise complaints and the scope and enforcement options under the New York City Noise Control Code. Speaker Charles Shamoan will provide insights based on his expertise and experience. Current and prospective members are welcome.

- Date:** Tuesday, Jan. 14, 2014, 1:00-2:00 p.m.
- Place:** New York Civil Courthouse, 111 Centre St., 12th Floor Boardroom, NYC
- Cost:** FREE
- RSVP:** CivilCourtsChairs@nywba.org

Due to space limitations, advance registration is required.

**The Non-Profit Empire Mock Trial Association
("EMTA") and NYU Mock Trial**

are pleased to invite NYWBA members to judge

***The Eighth Annual Downtown Invitational
Mock Trial Tournament***

Each year this tournament brings together sixteen of the top collegiate trial advocacy teams. This year's tournament includes Harvard, Columbia, NYU, Virginia, and the defending national champion, Florida State University.

EMTA & NYU Mock Trial rely on local lawyers to serve as volunteer judges to score the competitors in four preliminary rounds and help teach talented, motivated college students about the law. No litigation experience is required, and you can judge in as many or as few of the rounds as you like. If you bring a friend or colleague to co-judge with you, we will even make sure to pair you together in the same round!

- Date:** Saturday, Jan. 25, 2014 to
Monday, Jan. 27, 2014
- Time:** Saturday & Sunday:
10:30 a.m. - 1:30 p.m., 3:00 - 6:00 p.m.
Monday: 9:30 a.m. - 12:30 p.m.
- Place:** Kings County Supreme Court,
320 Jay St., Brooklyn, NY
- RSVP:** Visit <http://www.empiremocktrial.org/site/judge/> for more info and to complete the judge registration form.

**Annual Enrollment Period Now Open for
NYWBA's Innovative Mentoring Circles
Program; Reception Planned for
February 3, 2014**

By Andrea Vacca

NYWBA's award-winning Mentoring Circles Program allows members at all stages of their careers to join with their peers to foster their personal and professional development. By matching members from different practice areas and life experiences into "circles" that meet throughout the year, 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.

Once a year, we open the roster for mentoring circles membership and hold a reception where existing and new mentoring circle members come together and network with members of other circles. The featured speaker at this year's Mentoring Circles Reception on February 3, 2014 is **Sharon Melnick, Ph.D.** (see the Reception announcement below.)

Whether you are a long-standing member or are new to the program, **you must be a current member of the Association to participate in the Mentoring Circles Program.** To join or renew your NYWBA membership, go to our secure online membership form at www.nywba.org/membership. (If you have a question about your membership status or would prefer a paper membership form, contact NYWBA Executive Director Karen Lu as soon as possible at ed@nywba.org.)

Andrea Vacca, Esq., is Co-Chair of the Mentoring Committee. At her firm, Andrea Vacca, P.C., Ms. Vacca works exclusively with clients who are dealing with divorce, separation and other family law issues and helps them amicably resolve their matters using collaborative law principles, settlement and mediation.

***Annual Mentoring Circles Reception
February 3, 2014, 6:00 p.m.***

Covington & Burling LLP

New York Times Building, 620 Eighth Ave., NYC
(between 40th / 41st Sts.)

RSVP at www.nywba.org/MentoringCircles

This year's reception will feature an insightful discussion led by an author who has researched and developed tools and techniques for staying resilient and productive even under chaotic and ever-changing circumstances:

Sharon Melnick, Ph.D.

Author of the Highly-Acclaimed Book
*Success Under Stress: Powerful Tools for Staying Calm,
Confident and Productive When the Pressure's On*

The Mentoring Circles Reception is open at **NO CHARGE** to all *current* members* who have expressed an interest. Register for the Reception at www.nywba.org/MentoringCircles.

New Mentoring Circles are being formed now (see article, above), so new applicants should submit their information ASAP.**

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

**If you are not yet part of a circle but would like to be, email MentoringCircles@nywba.org, with your name, mailing address and contact info; bar admission year (or anticipated year); and area(s) of practice.

Members and Guests Enjoy a Beautiful Fashion Event Under an Early Fall Sky

By Diana G. Browne

On September 25, 2013, NYWBA members and guests enjoyed a wonderful fashion event in a sky terrace in the Financial District. The weather was perfect for an early fall outdoor event, where we mingled and networked, enjoyed wine and hors d'oeuvres, and admired and purchased clothing and jewelry by J & A.

J & A, which graciously hosted the event, is a small company that does business in the United States and in India. It is dedicated to the production of fashionable clothing for American business and professional women. The company is also committed to ethical manufacturing standards and ensuring that women and men in India who produce the clothing can lead better lives and provide educational opportunities for their children.

In addition to clothing, J & A also has a line of beautiful jewelry, primarily bead necklaces, created in the U.S. The company is owned by the family of member **Ami Prabhu-Mahabaleswara**, including Ami's mother **Aurelia Pais**, who lives in McLean, VA and designs and creates the jewelry, and her mother-in-law, **Jyoti Mahabaleswara**, who lives in Bangalore and oversees production of the clothing. We were honored that Ami's mother, mother-in-law and sister-in law (**Mala Prabhu**) attended the event and acted as charming hostesses. (In accordance with the policies of her employer, Ami is not involved in the business.)

The clothing and jewelry were beautiful, as well as being quite reasonably priced, and attendees enthusiastically purchased many items during the course of the evening. Everyone agreed that the event was a great success and that we should have another fashion event in the future.

Many thanks to J & A and to Ami's family for hosting this lovely evening, and to Ami who was instrumental in the planning. I also want to thank especially **Kay Marmorek**, my Co-Chair of the Programs and Events Committee, for her hard work in making this evening so special, and to Executive Director **Karen Lu** for handling the RSVPs.

The Committee meets regularly to plan events and programs. If you have ideas or would like to join the Committee, contact us at Events@nywba.org.

Diana G. Browne co-chairs the Programs, Events and Arrangements Committee, a Standing Committee established by the NYWBA By-Laws. She is a corporate lawyer in private practice.

NYWBA Newsletters Are Available Online

The current issue of the NYWBA Newsletter, along with past editions (back to 2004), is available online at www.nywba.org/members. As part of our "green" initiative, half of our Newsletters now appear only in an electronic format. The "eNews" editions have the same layout and all of the great articles, photos and announcements as the print editions. You can easily read the eNewsletter on your computer or print it out.

Note: You must have the current user name and password to access the "Members Only" areas of the NYWBA website where the electronic editions of the Newsletter can be found. If you are not yet a member for 2013-2014, please join or renew using our secure online membership form at www.nywba.org/membership. Contact Executive Director Karen Lu (ED@nywba.org) to inquire about your membership status.



Members Judith Rifkin and Susan Jill Hochberg with Board member Myra Freed (l-r)



Programs & Events Co-Chairs Diana G. Brown (left) and Kay Marmorek (Board member, second from right) greet member Ami Prabhu-Mahabaleswara (second from left) and Aurelia Pais, J & A proprietor (& Ami's mother) (far right)

Criminal Law Committee Meeting Monday, Jan. 13, 2014

The NYWBA Criminal Law Committee, chaired by **Fran Hoffinger**, **Isiris I. Isaac**, and **Nicola R. Duffy**, invites current and prospective members to join them at this meeting to kick off the new year. Join in planning programs and events (including CLE programs) and discussing other activities for 2014.

Date: Monday, Jan. 13, 2014

Time: 6:15 p.m.

Place: Hoffinger Law Firm LLP
150 East 58th St., 19th fl., NYC

RSVP: Email fhoffinger@hoffingerlaw.com

Brooklyn Women's Bar Association and
 LeClair Ryan are proud to present a CLE Program

**"Obamacare: The Affordable Care Act
 Overview and Update"**

featuring

Neil K. Ekblom, Esq.

Healthcare Litigation Attorney, LeClair Ryan

Date: Tuesday, Jan. 21, 2014

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

Location: Brooklyn Bar Association

123 Remsen St., Brooklyn, NY

CLE: 2.0 CLE Credits (Prof. Practice)*

Cost: Free - BWBA Members**

\$20 - Members of other WBASNY chapters**

\$90 - Non-members***

(NYWBA free CLE program does not apply.)

RSVP: Email jenfiorentino@aol.com to register.

***CLE:** Brooklyn Women's Bar Association is a chapter of the Women's Bar Association of the State of New York. LeClair Ryan is an accredited CLE provider. The NYS CLE Board has approved the above-listed credit hours for established attorneys only.

****Membership:** To obtain \$20 rate you must be member of NYWBA or another WBASNY Chapter; go to www.nywba.org/Membership to join or renew using our secure online membership form.

*****Financial Hardship Scholarships:** Full and partial scholarships based on financial need are available. To apply, contact BWBA CLE Chair Terri Ciccotto at 646-386-5655. All requests are confidential.

Save the Date!

Thursday, February 27, 2014

NYWBA Elder Law & Disabilities Committee

presents

**"Uniform Adult Guardianship Act
 – What You Need to Know"**

featuring Elder Law & Estate Planning Attorney

Ron Fatoullah, Esq.

Mark your calendars for this cutting edge program! Planning is underway, and details will be available on the website calendar and in the February Newsletter.

Time: 6:15 p.m.

Place: TBA

Cost: No charge for Women's Bar members*

RSVP: To save your spot, email your name, contact info and membership status to

ElderLawRSVP@nywba.org.

***Membership:** If you are not a current member, go to www.nywba.org/membership to join or renew.

Civil Courts Committee Program (Continued from Page 4)

v. HPD and the City of New York (Civil Court, New York County: Housing Part B, 2010) as a case with a happy ending. A building in Chinatown had suffered damage when neighboring buildings succumbed to fire. The DOB and HPD issued vacate orders for the premises. The tenants sought to have repairs made so they could return to their homes. The landlord's primary defense was the economic infeasibility of making the repairs, assessed by comparing the cost of repairing the building to the anticipated value of the restored structure. After much testimony and documentary evidence and years of litigation, including an inspection of the building by the Court, the Court ruled that repairs suggested by the petitioners and HPD were necessary and feasible. Eventually, the repairs were made and everyone, including the tenants and the owners, moved back in.

Responding to participants' questions regarding noise issues, Ms. Rand and Ms. Parker clarified that the Housing Maintenance Code does not deal with noise complaints, which are a Department of Environmental Protection (DEP) issue, and may also fall under the City's Building Code. Noise issues are very tricky to demonstrate, as the alleged violations are rarely continuously apparent or easily identifiable. It is the landlord's responsibility to cure the condition, in order to provide a reasonable, habitable environment and quiet enjoyment. Therefore, if a landlord is on notice of a nuisance caused by a tenant, the landlord may be obligated to send a notice to cure, or even initiate a nuisance holdover. Tenants may seek redress against landlords for unreasonable nuisance in Supreme Court.

During additional Q&A, it was revealed that, generally, landlords cannot sue tenants in the Housing Part for access to their apartments for repairs. However, building owners can sue in Supreme Court, and HPD might get involved if, for instance, a tenant denies access and an Access Warrant is needed.

Finally, if a tenant does not allege a particular violation in a complaint, a participant asked why HPD representatives often ask "what else is wrong in your apartment?" Ms. Rand responded that it is the obligation of HPD to enforce the housing maintenance code and preserve housing stock in New York City. While some people raise unnecessary complaints, more often than not, tenants are scared and only complain about the worst things. She also offered that it is beneficial to the owner to know about all conditions and correct those that could become actual violations.

NYWBA expresses its thanks to the esteemed panel and to Civil Courts Committee Co-Chairs **Hon. Andrea Masley**, Judge of the Civil Court, **Melissa Ephron-Mandel, Esq.**, and **Meryl H. Waxman, Esq.**, for organizing this event.

The Civil Courts Committee is proud to announce that its January program will discuss the issue of noise complaints and the New York City Noise Control Code. Our featured speaker will be **Charles Shamoon, Esq.**, Assistant Counsel, NYC Department of Environmental Protection. The free event will be on January 14, 2014 at 1:00 pm at the Civil Courthouse, 111 Centre St., NYC. For more details, see the event announcement on page 4.

Deborah A. Johnson, Esq. practices commercial litigation in private practice and is member of the Civil Courts Committee. **Olivia Sohmer, Esq.** is a solo practitioner who has volunteered in the Housing Court Help Center and Volunteer Lawyer for the Day programs.

NYWBA wishes to acknowledge the generous gift from

**FOUNDER AND PAST PRESIDENT
 HON. FLORENCE PERLOW SHIENTAG
 (1908-2009)**

Her financial bequest has helped to underwrite the cost of this newsletter and several CLE programs mentioned herein.

Members and Guests Network, Learn, and Enjoy a Great Evening at "Wine 101" – a Wine and Cheese Tasting Event

By *Diana G. Browne*

On October 24, 2013, NYWBA members and guests networked, enjoyed lovely wines and artisanal cheeses, and learned wine basics at "Wine 101" – our second annual wine and cheese tasting event at "Stash," a fun hot spot located on the border between Greenwich Village and Chelsea.

We tasted six wines and a grappa, all produced by the Hudson-Chatham Winery, located in Columbia County between the historic towns of Hudson and Chatham, and presented by the vintners, *Dominique and Carlo DeVito*. The winery has been voted the Capital Region's Best Local Winery, and its wines have won multiple medals and received high scores from *Wine Spectator* and *Wine Enthusiast* magazines.

The wines at our event, all hand-made in small batches from Hudson Valley grapes, ranged from dry whites to full-bodied reds and from sweet wine to dessert wine. The tasting ended with grappa. The wines that we tried included a 2012 Estate Seyval Blanc, a fruity but dry white wine aged with some oak and reminiscent of a chardonnay; a dry white Riesling, which was a touch sweeter than the Seyval Blanc but still crisp and dry with notes of green apple; a 2011 Baco Noir Proprietor's Reserve, a delicious dry red with notes of dark cherry, plum, and vanilla; and a 2011 Field Stone Baco Noir Old Vines, a rich and flavorful red created by aging the wine for an additional eight months in a tank that included stones from the winery's field and additional locally-toasted oak. These dry wines were followed by a sweet Lindenwald White, which tasted of wild grapes; and Highlands Ruby, a dessert wine in a classic port style made with red wine grapes and aged a year or more in French oak. We finished with a Grappa Reserve, which was made by distilling pressed grape skins and then aged in oak for even more complexity of flavor. The wines were very popular, and many attendees purchased bottles to take home, enjoy over the holidays, or give as gifts.

To accompany the wines, we tasted three different Hudson Valley cheeses, including a buttery and dense triple crême Camembert from Old Chatham Shepherding, made predominantly from sheep's milk but also with a bit of cow's milk; Hudson Red, a washed rind cow's milk tomme-style cheese from Twin Maple Farm (the 2012 Gold Medal Winner in the World Jersey Cheese Awards); and pumpkin chevre, a seasonal goat cheese offering from R & G Cheese Makers. We also tasted a horseradish blue cheese spread, made for Hudson-Chatham Winery by a creamery in Saratoga, NY, as well as ginger agave cashews, made by Tierra Farm in Columbia County, NY.

Taking a brief break from tasting and mingling, we were then treated to an enlightening Q & A session in which Dominique and Carlo answered wine-related questions, such as the meaning of tastes when describing wine (such as tobacco, earth, fruits), suggested pairings of wine with holiday meals, and why wines can cause headaches.

The event was held in the perfect space – an elegant night club / lounge / event space called "Stash," located on the lower level below the popular SNAP Sports Bar on 14th Street, with its own discrete entrance.

The space was generously made available to us (at no cost) by proprietors *Jordan Harris* and *Justin McManus*, and by Jordan's cousin *Alan Sclar, Esq.* of Sclar Adler LLP. Many thanks to them, and to Dominique and Carlo DeVito and the Hudson-Chatham Winery, for a very special evening. For further information about the winery, go to www.hudson-chathamwinery.com. For information about the SNAP Sports Bar and the Stash event venue, go to www.snapsportsbar.com.

I also want to thank *Kay Marmorek*, my Co-Chair of the Programs & Events Committee for introducing us to the vintner and for all her hard work in making this

DRI's Women in the Law Committee

proudly presents

"Clients and Counsel: Partnering for Success"

featuring

Pamela B. Burke

General Counsel, CRC Health Group Inc.

Jason R. Groves

Executive Vice President, Medifast Inc.

Jaime Myers

Corporate, Litigation & Public Policy Counsel, Caterpillar Inc.

Patricia E. Ratner

Managing Attorney, Electric Insurance Company

This seminar will help in-house and outside counsel partner with their clients and counsel. It will demonstrate advanced negotiation and mediation techniques and provide perspectives on valuing cases and developing winning strategies. It will also teach attendees ways to develop a personal brand to advance their careers. This seminar features distinguished faculty from around the country, including an Arizona Supreme Court Justice, in-house counsel from some of the most recognized companies in America, experienced trial lawyers, and nationally prominent litigation consultants.

Date: Feb. 5-7, 2014

Location: Firesky Resort, Scottsdale, Arizona

Cost: \$985 – Non-member of DRI

\$755 – DRI Members

\$500 – DRI Members in Government

Free – DRI Members who are In-House

Counsel or Corp./Ins. Claims Executives

(This event is presented by DRI, not NYWBA, so our "free CLE" program does not apply.)

RSVP: For more information and to RSVP, visit

<http://www.dri.org/Event/20140208>

Note: Advanced registration by mail closes 1/17/14; online registration closes 1/31/14

evening such a success. Thanks as well to NYWBA Executive Director *Karen Lu* for handling the RSVPs and finances, and to past President *Elizabeth A. Bryson* for her support with the event announcements.

The evening was very successful. It was well attended, everyone had a great time, and we got some new NYWBA members, as well as new Committee members, as a result of the event.

The Committee meets regularly to plan future events and programs. If you have ideas for other fun evenings or would like to join the committee, please contact us at Events@nywba.org.

Diana G. Browne co-chairs the Programs, Events and Arrangements Committee, a Standing Committee established by the NYWBA By-Laws. She is a corporate lawyer in private practice.

Solo & Small Firm Committee Hosts Program on "How to Start and Grow Your Own Practice"

By Wendy A. Harris

On October 17, 2013, the NYWBA Solo and Small Firm Practice Committee hosted an event entitled "How to Start and Grow Your Own Practice." The event, led by Co-Chairs **Jocelyn L. Jacobson** and **Elisabeth Ames**, provided both new and seasoned practitioners with invaluable tips for setting up and growing their practices.

Ms. Ames provided attendees with a list of twenty-two key considerations relevant to running a successful practice, which fell into the broader categories of: professionalism and collegiality, financial goals and client base, office management and staffing, practice niche, and quality of life. The group discussed the importance for a solo or small firm practice at any stage in their development to think through and revisit these issues. The discussion included concerns faced by both established solo and small firms, as well as newly-formed firms and practices.

In bringing together those with substantial experience and those just starting or considering a solo practice, the event effectively served as a platform for participants to share strategies for building a successful practice. Some of the key points that emerged from those discussions are outlined below.

- **Fees and Billing:** The group discussed pricing and billing concerns, such as setting billing rates and/or retainer amounts, when to discount fees, and the pros and cons of working on contingency. Suggestions included discounting bills if a client pays within 30 days, in order to encourage timely payments; and showing all discounts on a bill, including for work done but not charged to the client. Attendees also discussed when or whether to work on contingency, or perhaps to use a hybrid contingency / fee arrangement so that the client pays something as the case proceeds, and thus has less incentive to let a case continue indefinitely. One participant shared her practice of crediting any consultation fees to the retainer, so that there is an incentive for the client to retain her after that consultation.

Several participants expressed having difficulty in asking for a large retainer or to pay the attorney's "full" undiscounted billable rate (an issue that, although not unique to women lawyers, tends to raise its head frequently). Some practitioners resolve the issue by instituting a practice of waiting a day after an initial client meeting, and confirming the rate by email, before having a follow-up discussion.

- **Marketing and Advertising:** The participants discussed creative ways to advertise and reach a wider client base. In addition to more typical forms of networking, such as using LinkedIn and referral services, participants suggested hosting non-legal events at the lawyer's or firm's offices. For example, an employment law attorney could hold a seminar on how to write a resume, or how to review one. Another option is to hold a client networking party to introduce clients who share similar professions and/or interests. Using non-traditional ways of fostering client goodwill reminds clients of the attorney's skills, availability, and the fact that she always has their interests in mind.

The group also discussed whether and in what circumstances client endorsements may be helpful in marketing, and whether they are permitted under the ethical rules. The group agreed that a longer discussion of the governing rules is warranted, and that the Committee should consider organizing a potential CLE program on this topic.

- **Office Space and Staffing:** It was noted that for those starting out, a virtual office, and the ability to use temporary staff working at a remote location, may be the most economical way to meet administrative and staffing needs. Others have utilized a co-working arrangement, sharing office space with other solo practitioners or with a small firm, which has the benefit of allowing for shared costs, as well as offering collegiality. For those with a more established practice, each should consider when it is appropriate to begin hiring a more permanent staff as the business grows.

- **Professionalism/Collegiality:** Finally, the group discussed ways to grow professionally by supporting and participating in the legal community. Specific ideas included providing volunteer legal services (after receiving appropriate training, such as from a non-profit or bar association) in order to grow an area of practice, participating in conferences as a speaker, and finding mentors (such as through the NYWBA Mentoring Circles Program). Solo practitioners can also find informal support groups through bar associations or by sharing office space with other solos.

This was a very exciting event. Attendees walked away with new, realistic, and achievable ways to grow and support their solo and small firm business. Congratulations to the Co-Chairs for organizing this terrific program.

Wendy A. Harris, Esq. is a member of the Solo and Small Firm Committee and the founding member of Wendy Harris Law, PLLC, where her practice focuses on family, matrimonial, and elder law; civil litigation/arbitration; and white collar defense for individuals and companies.

NOTES ON MEMBERS

Warm congratulations to member **Nicole I. Hyland** for being named a partner of Frankfurt Kurnit Klein & Selz, P.C. Ms. Hyland's practice focuses primarily on legal ethics, professional responsibility, and legal malpractice. She is Co-Chair of the NYWBA and WBASNY Ethics Committees, and she was recognized as a New York area "Rising Star" in the 2013 edition of *Super Lawyers*."

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

HAVE YOU RENEWED YOUR MEMBERSHIP FOR 2013-2014?

Go to www.nywba.org and click on "Membership" to access our secure online membership form or contact our Executive Director (ED@nywba.org or 212-490-8202).

Everyone Appreciates a Good Story – Matrimonial & Family Law Committee presents “Lunch with Judges”

By Cheryl Stein, Esq.

On November 7, 2013, the Matrimonial & Family Law Committee hosted a “Lunch with Judges” featuring panelists **Hon. Lori Sattler**, **Hon. Laura E. Drager**, **Hon. Douglas E. Hoffman**, and **Hon. Sherry Klein Heitler**. These judges graciously fielded questions from Committee members over lunch at the New York Supreme Court, 60 Centre Street, NYC.

It was a rainy and overcast day. The kind of afternoon when hiding out at the theatre for a few hours to catch a well-executed film or curling up with an absorbing book is alluring. It was a fitting day for the judges to divulge that they too appreciate a good story – our clients' stories, within the rubric of our work, under all weather conditions, and not just as an escape or during downtime.

Many of us are drawn to matrimonial and family law for its human qualities. It is about people and their stories. The judges advised us to hone and better develop our story-telling skills. Judge Drager urged us to give more thought to presentation and think about what we want and need to prove to prevail in our motions and at trial. Attorneys who focus just on executing well-prepared examinations, or who decide to put the other spouse on the stand first (without considering the impact on the flow of the story), often will have murky, disjointed, and fragmented presentations. At trial, we ought to tell a compelling and persuasive story, with all relevant issues, bearing in mind that the critical audience is the finder of fact, and not our clients. Judge Sattler pointed out that when writing a decision, Supreme Court judges have to fluidly tell a story and explain their rationale to the Appellate level. We would be wise to follow suit and incorporate this practice when seeking home runs in the lower courts.

On the subject of ensuring more effective and winning client representation, Judge Drager stated that in making temporary maintenance applications, it behooves us to regard the statute as a starting point. She implored us to make calculations and arguments based on actual incomes and the immediacy of day-to-day expenses, and to give persuasive arguments as to why judges should deviate from the statutory guidelines. Broad brush strokes and simplistic arguments that “She needs money” or “He doesn't have money” are trite, unconvincing, and not going to fly!

Attorneys raised a number of issues regarding “protecting the children” and maintaining their anonymity. The judges responded that they publish very few decisions. While the dearth of publishing is largely attributable to lack of time and resources, they often refrain from publishing to prevent identifying information from being revealed. That being said, the courtrooms and minute books are open to the public.

Attorneys also expressed a desire to see stricter, more uniform requirements regarding forensic reports, with which the judges whole-heartedly concurred. This is especially critical when there are *pro se* litigants. Judge Sattler reported that she routinely sees *pro se* litigants who attach forensic reports to their papers, which she makes them take off. An attorney then recounted the ghoulish experience of having a *pro se* litigant tape a forensic report to a courthouse stairway.

On the issue of moving cases along and obtaining closure for clients, there was much discussion about the reality that many spouses go to extraordinary lengths to continue their dysfunctional relationships. The judges noted that it is shocking how many parents cannot do joint custody, repeatedly returning to court and backing up the Post-Judgment Part on a weekly basis. For many, mediation is a good solution, but for a small group of people (whom the judges can often spot a mile away), it is as if they bear genetic markers for conflict, with the court as their select destination, time and time again. In effect, they pitch their tents there and proclaim, “We are here to stay!” As I listened to these remarks, I recalled a senior partner at a law firm who kept all the seats in his office, except his own, excruciatingly hard and uncomfortable, in hopes of ensuring that no one stayed too long. Somehow, I don't think that even harder, less chiropractic-friendly court benches would keep these folks away!

NYWBA and the Matrimonial & Family Law Committee thank these distinguished judges for participating in this terrific program.

- **Hon. Laura E. Drager** is an Acting Justice of the New York Supreme Court and sits in a Matrimonial Part in New York County. She is also a long-time member of the NYWBA Board of Directors.
- **Hon. Sherry Klein Heitler** is a Justice of the New York Supreme Court and serves as Administrative Judge for Civil Matters in the First Judicial District. She is also a long-time member of the NYWBA Board of Directors.
- **Hon. Douglas E. Hoffman** is an Acting Justice of the New York Supreme Court for Bronx County and Supervising Judge of the Family Court of the City of New York, New York County.
- **Hon. Lori Sattler** is an Acting Justice of the New York Supreme Court and sits in a Matrimonial Part in New York County. She is also a Co-Chair of the NYWBA Matrimonial & Family Law Committee.

Cheryl Stein, Esq. is a sole practitioner with offices in Manhattan and Brooklyn whose practice focuses on matrimonial and family law, litigation, and mediation. She is a member of the NYWBA Matrimonial & Family Law Committee.

Students & New Lawyers Committee Speaker Series

presents

“How to Get Organized Early, Prepare for the Bar Exam, and Keep Your Sanity”

featuring special guest

Mary Campbell Gallagher, J.D., Ph.D.

Founder and President of BarWrite® and BarWrite Press

- When:** Thursday, Feb. 13, 2014, 6:00 p.m. (Due to building security, no admission after 6:30 p.m.)
- Where:** Blank Rome LLP, Chrysler Bldg. (42nd St./Lexington Ave.) NYC
- Cost:** FREE for members*
- RSVP:** Email SNLChairs@nywba.org with your name and contact info. Space is limited, so register by Feb. 12.

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

NYWBA Litigation Committee *presents*

**"Lunch with a Judge"
Meet Honorable Arlene Bluth**

Judge of the New York City Civil Court

Date: Thursday, Jan. 23, 2014

Time: 1:00 p.m. *(Event will begin promptly; be sure to allot sufficient time to get through court security.)*

Location: Judge Bluth's Courtroom, New York Civil Court, Courtroom 136, 80 Centre St., NYC

Cost: Program is **FREE**, but space is limited, so please send your RSVP promptly. *Priority will be given to NYWBA and WBASNY Chapter members.**

RSVP: **RSVP no later than Jan. 20.** Send name and contact info to LitigationChairs@nywba.org. *(If you have to cancel, let us know so we can release your seat.)*

NOTE: Unfortunately, no food is permitted in the courtroom, so this will be a discussion rather than a "luncheon." **Discussion of pending cases at this event is prohibited.**

*While you do not have to be a member to attend, go to www.nywba.org/membership to join or renew to ensure you can attend. If you are a member of another WBASNY Chapter, please indicate that in your RSVP.

Arab American Bar Association presents

Inside "The Partner Track"

co-sponsored by NYWBA

Join us for a conversation with **Helen Wan**, Associate General Counsel at the Time Inc., division of Time Warner Inc. and author of "The Partner Track," a novel about a young Asian American woman poised to become the first minority female partner at a prestigious global firm, and how diversity, difference, politics, and 'outsider' status impact the careers of talented young people of color as they ascend the corporate ladder.

Joining Ms. Wan and reflecting on their own experiences are women of color who are partners at some of New York's top firms, including:

Adrienne Eason Wheatley

Partner at Latham & Watkins LLP

Manisha Sheth

Partner at Quinn Emanuel Urquhart & Sullivan LLP

Samaa Haridi

Partner at Weil Gotshal & Manges LLP

Rosevelie Marquez Morales

Partner at Harris Beach PLLC

Joyce Xu

Partner at Simpson Thatcher & Bartlett LLP

Date: Wednesday, Jan. 15, 2014, 6:00 to 8:30 p.m.

Place: New York Law School (Auditorium)

185 West Broadway, NYC

RSVP: Go to the NYWBA Website Calendar (www.nywba.org) for details and RSVP info

Sell-Out Crowd for "Basics of Surrogate's Court Proceedings and the Role of Guardians Ad Litem"

by Leona Beane

NYWBA was proud to co-sponsor an excellent CLE program last fall – "Basics of Surrogate's Court Proceedings and the Role of Guardians Ad Litem." This event was presented by the New York State Bar Association's Trusts and Estates Law Section Diversity Program on September 17 & 24, 2013 and provided 6.5 CLE credits.

Hon. Rita Mella, Surrogate of New York County, served as Moderator. The speakers included extraordinary attorneys and jurists, with extensive experience in this field, particularly with respect to the roles and responsibilities of Guardians ad Litem ("GAL"):

- **Anne Bederka, Esq.**, Greenfield Stein & Senior, LLP
- **Shalini Deo, Esq.**, Principal Law Clerk to Hon. Rita Mella
- **Michele Lippa Gartner, Esq.**, Office of Court Administration
- **Hon. Lee Holzman**, Former Surrogate, Bronx County
- **Michael Mariani, Esq.** and **Julie Min-Chayet, Esq.**, Fiduciary Trust International
- **Peter Schram, Esq.**, Schram & Graber, P.C.
- **Zenith T. Taylor, Esq.**, Law Offices of Zenith T. Taylor

Topics covered included:

- Part 36 Rules of the Chief Judge
- Basis & Need for GAL Appointments
- Roles and Responsibilities of a GAL
- Proceedings in which a GAL May be Appointed
- GAL Appointment Process
- GALs in Probate Proceedings
- "17-A Guardians"
- GAL Accountings
- Public Administrator Accountings
- Kinship Hearings & Withdrawal Proceedings
- Compromise and Accounts
- GAL Ethical Issues & Considerations

The written materials were excellent and contained many sample GAL reports. Everyone who attended both evenings was eligible to receive a certificate certifying compliance for appointment as a Guardian Ad Litem in the Surrogate's Court. Among the attendees were more than 80 people from numerous minority bar associations, which was particularly impressive given the importance of ensuring minority representation in GAL appointments.

The speakers were very informative, teaching attendees about Surrogate's Court proceedings. We hope to participate in more programs of this type in the future.

Leona Beane, Esq. concentrates her practice in the areas of trusts and estates, guardianships, and alternative dispute resolution, including mediation and arbitration. She is also a member of the NYWBA Board of Directors, Co-Chair of the Trusts and Estates Committee, and Chair of the Alternate Dispute Resolution Committee.



NEW YORK WOMEN'S BAR ASSOCIATION

A Founding Chapter of THE WOMEN'S BAR ASSOCIATION OF THE STATE OF NEW YORK

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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 membership 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 to access our secure online membership form.

Current members should send updated address and contact information to 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 (Chair Kelly Schneid, Member Pearl Pari, and Board Liaison Elizabeth Bryson) 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. Submissions should be proofed and cite-checked, and NYWBA retains the usual editorial discretion to omit or edit all contributions. Send an email to newsletter@nywba.org if you have questions or are interested in joining the Newsletter Committee.

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