



NEW YORK WOMEN'S BAR ASSOCIATION

PRESIDENT'S MESSAGE

Transform. Recruit. Persist.

As your new President I am setting these three goals and I encourage each of you to join me.

Transform: We are a bar association comprised of hundreds of attorneys, practicing in many fields of law, in law firms of all sizes, the Courts, in-house and not-for profit organizations. Yet, I am aware that the perception is that we predominantly consist of members in one area of law. While there is nothing wrong with having a strong presence of attorneys who practice in a particular field, it should not be to the exclusion of all the other practice areas in which our members (and future members) participate. A new member recently explained that the reason none of the attorneys in her large firm were members is that we do not have programs, CLEs and other events geared towards their practice – defense litigation.

But we do! We have a dynamic litigation committee which puts on programs covering depositions, disclosure, trial skills, and appellate practice, many of which have judges participating. I urge each of you to go on our website (nywba.org) and check out all of our committees which hold regular meetings, programs and free CLE presentations throughout the year. To that end, I have already selected some new co-chairs from diverse areas of the legal practice to spearhead this effort and help transform us into a broader, more practice-diverse bar association.

(Continued on Page 2)

JUNE 2018



Virginia A. LoPreto

Announcements & Calendar of Upcoming Events

- 6/5 – CLE: Surrogacy and New York Parentage Laws – pp. 3, 5
- 6/6 – CLE: The Ethics of Law Firm Collaboration – pp. 3, 6
- 6/12 – **NYWBA Annual Awards and Installation Dinner** – p. 1
 - 6/12 – Civil Courts Comm. Mtg. – p. 3
- 6/18 – CLE: Building Gender Equality and Confronting Bias – pp. 3, 6
 - 6/18 – Legislation Comm. Mtg. – p. 3
- 6/21 – CLE: Visitation for Children of Incarcerated Parents – p. 3
 - 6/26 – International Women's Rights Comm. Mtg. – p. 3
 - 6/27 – Program and Events Comm. Mtg. – p. 3
- 7/19 – What It's Really Like to Practice Law as a Woman – p. 2
 - 7/31 – International Women's Rights Comm. Mtg. – p. 3
 - 9/6 – **NYWBA Membership Reception** – p. 3

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

NYWBA's 2018 Annual Awards and Installation Dinner

The President's Special Award will be presented to

Honorable Rolando T. Acosta
Presiding Justice, Appellate Division, First Department

and

Honorable Deborah A. Kaplan
Administrative Justice, Supreme Court, New York County, Civil Branch

NYWBA's Award of Special Recognition will be presented to

Honorable Karla M. Moskowitz
Associate Justice (ret.), Appellate Division, First Department

Tuesday, June 12, 2018

Three Sixty°

10 Desbrosses Street
Tribeca, New York

Cocktails at 6:00 p.m.

Silent Auction to benefit the NYWBA Foundation and its Grant Programs (including the Betty Weinberg Ellerin Fund)

Dinner and Program at 7:30 p.m.

To RSVP, go to <https://bit.ly/2J4hJBn>

For Sponsorship Opportunities, go to <https://bit.ly/2ERJpXv>

President's Message (Continued from Page 1)

Recruit: Many bar associations promote their experienced, long-standing members, keeping them highly visible, and in important positions. We want to remain young, vibrant and energized. Therefore we have an advisory board – where some of our past presidents, as well as board members who have long been involved with our Association, participate – making room for our younger members to take on leadership roles in our Association. I am looking to recruit and embrace our young attorneys, and provide them with opportunities to network, excel and lead.

Persist: Last year my firm's NYWBA Journal ad quoted Senate Majority Leader McConnell's comment to silence Senator Warren: "Nevertheless, she persisted!" At the time, it appeared as if a sleeping giant – women throughout the world – had been awakened. Since then we have been energized by the backlash against women's rights, mobilized by the numbing statistics of intimate partner violence and emboldened by #MeToo and #TimesUp. Despite this energy, we live in a country where equal pay for equal work is not the norm; we are an outlier among developed countries when it comes to paid medical and family leave; 1 in 3 women are victims of intimate violence and the numbers are higher among transsexual and bi-sexual women. Our voices are muted in state and federal government. According to Eleanor's Legacy, an organization dedicated to the recruitment, training, and election of women in office, women comprise only 29% of the NY State Assembly, 22% of the NY State Senate and 21% of the US Senate. In this circumstance, parity is not likely to be reached until 2117.

When it comes to the legal profession the numbers are no less stark. While men and women have been attending law school in roughly equal numbers for at least the last 20 years, women make up less than 30% of the non-equity and equity partners.

We need to harness the energy and take on leadership roles in order to get the job done, and done right. We at the NYWBA are poised to do this together: transform, recruit and persist.

I thank everyone for their hard work in planning our **Annual Awards and Installation Dinner** at 360° on **June 12, 2018**, including all of our sponsors, donors, volunteers, members, and our Executive Director, **Karen Lu**. I look forward to sharing this special event with you, as we honor **Hon. Rolando T. Acosta** and **Hon. Deborah A. Kaplan**, recipients of the President's Special Award, and **Hon. Karla M. Moskowitz**, with the Award of Special Recognition.

I am truly honored to serve as President of the NYWBA and am poised to hit the ground running, picking up where our outgoing President, **Myra L. Freed**, left off, and continuing the efforts of our past Presidents who have dedicated their time, energy and commitment to this Association, helping to advance the status of women.

"It's up to the women." — Eleanor Roosevelt

Virginia

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 many of our CLE programs.

**NEW YORK WOMEN'S BAR ASSOCIATION
 and NEW YORK CITY BAR ASSOCIATION**

present

The Martha E. Gifford Summer Program

***“What It’s (Really) Like To
 Practice Law As A Woman”***

Law students, summer associates, summer interns, new attorneys, and recruiting coordinators are invited to hear an outstanding panel of attorneys share their experiences in government, large firms, small firms, non-profit organizations and in-house law departments and discuss the issues that significantly affect women lawyers just entering the profession.

Speakers TBA

Date: *Thursday, July 19, 2018*

Time: 6:00-7:30 p.m. - Program
 7:30-8:30 p.m. - Networking Reception

Location: *The New York City Bar Association*
 42 West 44th Street (btwn 5/6 Aves), NYC

Sponsors: Law firms, companies and other employers are asked to consider making a \$500 donation to help defray event costs. Sponsors will be acknowledged at the event, on the NYWBA website and in the NYWBA Newsletter.

Cost: **FREE** for summer associates, interns, law students and junior attorneys.

RSVP: Link will be available shortly.

For questions or to make a donation to support the program, contact SummerProgram@nywba.org.



Outgoing President Myra L. Freed passes the 1941 President's Gavel to Incoming President Virginia A. LoPreto at the Board Meeting on May 9, 2018.

WELCOME NEW MEMBERS

Robert Basile
 Jacqueline E. Cistaro
 Lorena M. Jiron
 Sandra Langolf
 Esther Portyansky

Amanda M. Reynoso-Palley
 Monique Robotham
 Abigail Z. Schlaff
 Jeanette Westphal
as of 05/23/2018

NOTES ON MEMBERS

Congratulations to **Hon. Mary Kay Vyskocil** on her Presidential appointment to the Federal District Court.

Board Member **Leona Beane**, co-chair of Trusts & Estates and ADR Committees, is co-chairing and speaking at the New York State Bar Association's program, "*Advantages of Mediation in Resolving Wills, Trusts, Estates and Adult Guardianship Matters*" on June 14, 2018 at Pace Law School in White Plains, NY.

Congratulations to **Hon. Judith J. Gische** on being awarded the Champion of Justice Award at the Awards of Distinction: Journey to Justice Breakfast on May 10.

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

SAVE THE DATE!

NYWBA Annual Membership Cocktail Reception

Meet the Officers, Directors, Committee Chairs, NYWBA members and prospective members at this complimentary cocktail reception.

Join with your colleagues and friends, network, and discover the many benefits of NYWBA membership, including:

- Member discounts at NYWBA's exciting CLE courses
- Committees to enhance your knowledge of substantive areas of the law and help address important legal and social issues
- Legislative and legal efforts to promote the fair and equal administration of justice and to help fight against attempts to compromise the rights of women and equality for all persons under the law
- NYWBA's highly-praised "Mentoring Circles" program
- Fun social and networking events

Date: Thursday, September 6, 2018
Time: 6:00 – 7:45 p.m.
Place: Skadden, Arps, Slate, Meagher & Flom LLP
 4 Times Square, NYC
Cost: Complimentary
RSVP: Link will be available shortly. Check our website for updates.

COMMITTEE CALENDAR

Advance Status and **Diversity Committees** present a **CLE: Building Gender Equality and Confronting Bias** on **June 18** at 6:00 p.m. at Bloomberg LP, 731 Lexington Ave., NYC. 1.5 CLE credits (including 1 credit in diversity and inclusion.) Free to NYWBA Members. For more info email AdvanceStatus@nywba.org. See notice p. 6.

Children's Rights Committee and the Appellate Division, First Dept. present a lunchtime **CLE: Visitation for Children of Incarcerated Parents** on **June 21** from 1:15 - 2:15 p.m. at the NY County Family Court, 60 Lafayette St., 10th Floor Library, NYC. See notice p. 3.

Civil Courts Committee will meet **June 12** at 1:00 p.m. at the Civil Courthouse, 111 Centre St., NYC. RSVP CivilCourtsChairs@nywba.org.

International Women's Rights Committee will meet **June 26** and **July 31** at 6:30 p.m. at Le Pain Quotidien, 85 Broad St., NYC. To RSVP email IntlChairs@nywba.org.

Legislation Committee will host its monthly meeting on **June 18** at 6:15 p.m. at Cardi & Edgar LLP, 2 Park Ave. 19th Fl., NYC. For conference call info or to RSVP contact Joseph Caputo at 212 481-7770 or jcaputo@cardiedgar-law.com by June 14.

LGBT and **Women's Health and Reproductive Rights Committees** present a **CLE: Surrogacy and New York Parentage Laws, Time for a Change?** moderated by **Hon. Ellen Gesmer** on **June 5** at 6:00 p.m. at LoPreto + Levy, LLP, 565 Fifth Ave., NYC. For info and to RSVP, email Reproductiverights@nywba.org. See notice p. 5.

Program & Events Committee will meet **June 27** at 6:00 p.m. at the offices of Kirkland & Ellis, 601 Lexington Ave., NYC. RSVP events@nywba.org. RSVP and ID are required for admission to the building.

Solo and Small Law Firm Practice Committee together with Women Owned Law present a **CLE: The Ethics of Law Firm Collaboration** on **June 6** at 6:00 p.m. at the American Arbitration Association, 150 East 42nd Street, 17th Fl., NYC. 1.5 Ethics Credits. Free for Members, \$50 for Non-Members. For more info email CLE@nywba.org. See notice p. 6.

Appellate Division, First Department and
The NYWBA Children's Rights Committee
 invite you to a *Lunchtime CLE*

Visitation for Children of Incarcerated Parents

Speakers:

Jeremy Robins, Echoes of Incarceration
Andrew Mandel, LC SW-R, ACS CHIPPS
Jane Silfren, Esq., The Children's Center, Bedford Hills
 Correctional Facility/Hour Children
Tanya Krupat, Osbourne Center for Justice Across Generations

Date: Thursday, June 21, 2018, 1:15 - 2:15 pm
Place: NY County Family Court
 60 Lafayette Street, 10th Floor Library, NYC
CLE: One (1) professional practice credit
RSVP: Email ChildrensRights@nywba.org

Presenters: Echoes of Incarceration, ACS CHIPP Program, The Children's Center of Bedford Hills Correctional Facility/Hour Children, and Osbourne Center for Justice Across Generations.

Sexual Harassment and Discrimination in the Workplace

By Fran Hoffinger and Jessica Horani

On April 18, 2018, approximately 100 people attended a CLE program on Sexual Harassment and Discrimination in the Workplace, sponsored by the NY Criminal Court Gender Fairness Committee and the Assigned Counsel Plan for the First Department in conjunction with the NYWBA Criminal Law Committee. **Hon. Heidi Cesare**, a New York County Criminal Court judge, co-chair of the NY Criminal Court Gender Fairness Committee, and member of the NYWBA Criminal Law Committee, moderated the standing room only program, which took place at the New York County Courthouse at 100 Centre Street during the lunch hour. The featured speakers were **Sherrill Spatz, Esq.**, Inspector General for the Unified Court System, and **Kay-Ann Porter Campbell, Esq.**, Managing Inspector General for Bias Matters for the Unified Court System.

The Office of the Inspector General or IG handles approximately 300 active complaints of sexual harassment and discrimination each year in addition to racial, religious, and other forms of discrimination, as well as charges of fraud and corruption in the courthouses. These complaints may be brought against court staff, attorneys, judges and any other employees of the court system and all are governed by the same rules and standards. A hotline has been set up to receive complaints which can also be made by writing to the Office of Managing Director for Bias Matters. The IG's office also encourages individuals to go through the Chief Clerk's office to make complaints if they feel comfortable doing so, and the Office's website has a complaint form as well.

The office, which at present has four attorneys and six investigators in New York City, plus a separate upstate investigator, investigates all complaints of bias under Title VII including race, gender and national origin. It also investigates the additional prohibited areas under the NY State Executive Law and NY City Human Rights Law which include gender identification and expression, domestic violence status, and genetic status. Once the office gets a complaint it is reviewed and a determination is made as to whether to conduct a formal or informal investigation of the allegations. Sexual harassment complaints are usually investigated formally.

The IG has subpoena power and surveillance authority and if it conducts a formal investigation, it will interview witnesses and then the subject, who may have an attorney or union representative present at the interview. At the end of the investigation, the office prepares a confidential report (which it does not share with the complainant or subject) and sends it to the Chief Administrative Judge who makes the final determination. The complainant and the subject receive a letter about the determination and both have the right to agree or disagree with the findings.

If the determination results in a recommendation of discipline, the subject may request an Administrative Hearing, at which he or she has a right of confrontation, although he or she may not be given access to all the records from which the Chief Judge made the determination. A subject's noncompliance with the investigation may lead to a referral to the Disciplinary Committee for an attorney, and the statute of limitations is generally 18 months. The standard of proof to substantiate allegations is "clear and convincing."

If the allegations are substantiated about an attorney in private practice, the matter can be referred to the Disciplinary Committee, Grievance



(l. to r.): Hon. Heidi Cesare, Kay-Ann Porter Campbell, Esq., Sherrill Spatz, Esq.

Committee, and/or to a prosecutor's office. If the subject is a judge and the complaint is substantiated, the judge may be referred to the Judiciary Commission. Even if the charges are unsubstantiated, there may still be a recommendation for additional education, such as a course or CLE on civility or sexual harassment.

The hotline number is 646-386-3507 or toll free at 1-877-2 END BIAS (1-877-236-3242) and a copy of the complaint and instructions for filing it can be found at <http://www.nycourts.gov/CAREERS/diversity/pdfs/SHarassmenthandbook.pdf>. Additional information about the IG's office may be found at <http://www.nycourts.gov/Admin/ig/contactus.shtml>.

Fran Hoffinger, Esq. is a partner at The Hoffinger Firm, PLLC, specializing in criminal defense, and a co-chair of the NYWBA Criminal Law Committee. *Jessica Horani, Esq.*, also a co-chair of the NYWBA Criminal Law Committee, is a staff attorney in the Special Litigation & Juvenile Defense Unit of the New York County Defender Services.

It's Time to Renew Your Membership

If you have already renewed, THANK YOU!

If you haven't, it's time to RENEW your membership for 2018-2019.

The NYWBA fiscal year is **June 1 to May 31**. Be sure to renew your membership and enjoy all NYWBA benefits, including FREE NYWBA CLE PROGRAMS, our award-winning Mentoring Circles, networking events and Committee meetings, access to the "Members Only" sections of our website, access to our Newsletters online, and other benefits.

Save paper & mailing costs and expedite your renewal by using our secure online membership form at <http://membership.nywba.org>. You can also email Executive Director Karen Lu (ED@nywba.org) to confirm your member status or request a paper membership form by email.

Screening: *The Judge* By Alexandra Douglas

On Tuesday May 8th, the International Women's Rights and Diversity Committees hosted a screening of *The Judge*, a new documentary that follows the life—and rulings—of **Judge Kholoud Al-Faqih**, the first female judge to sit on a Shari'a Court in the Middle East. The film offered an intimate portrait of Judge Kholoud's journey as a lawyer in the West Bank, her relationships with her judicial colleagues, her tireless fights for women's rights and justice, and her frequent drop in visits with clients, friends, and families. The unique access that the filmmakers had to the courts allowed for an in-depth look at the practical applications of Shari'a Law in the domestic lives of Palestinian citizens, and, notably, the impact of those laws on the lives of women.

While the screening itself was plagued by technological difficulties (thank goodness for subtitles), the packed room of attendees took the frustrations in stride, listening attentively to our talented speaker, **Ms. Amal Oummih**, while waiting for the film to begin, and engaging in nuanced discussion over the concepts she raised. In her lecture, Ms. Oummih—an experienced litigator with extensive experience of the application of Islamic Law in American Courts, and, through various United Nations postings, in the development and modernization of Islamic law in multiple contexts—provided critical background to our understanding of the application of Shari'a Law in the film. One point that Ms. Oummih stressed was the concept in Shari'a that all behavior not explicitly forbidden by the Qur'an was permitted—and, importantly, that nothing in that religious text prohibited women in judicial roles. This precept, known as "al-halal," came up several times throughout the course of the film, and was often used as justification by the many people supporting the appointment of Judge Kholoud and her female colleagues.

The success of this event was due in large part to our impressive roster of co-sponsors. Many thanks to our host, Blank Rome LLP, and to WBASNY's International Women's Rights Committee, the Arab American Bar Association, the Muslim Bar Association of New York, the National Association of Women Judges, and the Honorable Debra A. James who delivered remarks on behalf of the Honorable Tanya R. Kennedy, President, NAWJ.

Please visit www.thejudgefilm.com for more information about *The Judge*.

Alexandra Douglas is an associate in the complex commercial litigation group at Schlam Stone & Dolan LLP, and a 2015 graduate of Benjamin N. Cardozo School of Law.

NYWBA's LGBT and Women's Health & Reproductive Rights Committees

present the following CLE Program:

"Surrogacy and New York Parentage Laws, Time for a Change?"

With Speakers:

Alexis Cirel
Denise Seidelman
Nina Rumbold

Moderated by **Hon. Ellen Gesmer**,
 Appellate Division, First Judicial Department

Date: Tuesday June 5, 2018, 6:00 p.m.

CLE: Credit pending*

Place: **LoPreto + Levy, LLP**
 565 Fifth Ave., NYC

Cost: Free for NYWBA members

Info &

RSVP: Email ReproductiveRights@nywba.org

* CLE credit pending: NYWBA is an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established attorneys and as transitional credit hours for newly admitted attorneys.



Past President **Myra L. Freed** with NYWBA member, **Jamie Rosen**, at Hofstra Law School's 2018 Outstanding Women in the Law Awards and Dinner, on April 24, 2018. Myra was a Commitment to Women in the Law Leadership Honoree and Jamie was an Emerging Leader Honoree. Jamie is an Associate at Abrams Fensterman in Lake Success, NY.

*The NYWBA thanks
our good friends*

**JANE & JEFFREY SACKHEIM
OF DIAMOND REPORTING**

*for their support of
our History Project.*

The NYWBA acknowledges the support
from our Gold Sponsor of the
2018 Annual Awards & Installation Dinner
held at Three Sixty° on June 12, 2018.

Baker Tilly Virchow Krause, LLP

**NYWBA's Solo and Small Firm Committee
and Women Owned Law**

present a CLE Program:

The Ethics of Law Firm Collaboration

Speakers:

Nicole Hyland, Esq.

Frankfurt Kurnit Klein & Selz PC

Kaylin Whittingham, Esq.

Whittingham Law

Moderator:

Kyle-Beth Hilfer, Esq.

*Solo practitioners and law firms often collaborate on
client projects. What are the ethical mandates associat-
ed with such collaborations?*

Date: June 6, 2018

Time: 6:00 p.m. to 9:00 p.m.

Place: American Arbitration Association
150 East 42nd St., 17th Floor, NYC

CLE: 1.5 Ethics Credits*

Cost: Free – NYWBA Members**
\$50 – Non-members

RSVP: <https://bit.ly/2qFuGKc>

Info: Email CLE@nywba.org

*CLE Credits: 1.5 Ethics Credits: The New York Women's Bar Association is an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established attorneys and as transitional credit hours for newly admitted attorneys.

** Free NYWBA members, \$50, non-member: Full and partial scholarships based on financial need are available. For info on the guidelines and to apply, contact CLE Co-Chairs **Amy B. Goldsmith, Elizabeth Shampnoi** or **Ariel Chesler** at cle@nywba.org or Amy at 212-216-1135. All requests are confidential.

***NYWBA's Advance Status Committee
in conjunction with the Diversity Committee
presents a CLE Program:***

***Building Gender Equality
and Confronting Bias***

With Speakers:

Audrey Roofeh,

CEO, Mariana Strategies PLLC

Dr. Laura Quiros,

Adelphi University, Associate Faculty

Hon. Margaret A. Chan,

Acting Justice, NY County Supreme Court,
Civil Div.

Date: Monday, June 18, 2018

Time: 6:00 p.m.

Place: Bloomberg LP
731 Lexington Ave., NYC

CLE: 1.5 credits (including 1 credit in
Diversity and Inclusion)*

Cost: Free – NYWBA Members

Info: E-mail AdvanceStatus@nywba.org

RSVP: <https://bit.ly/2s1tFgW>

*CLE Credits: 1.5 Credits: The NYWBA is an accredited CLE provider. Approval of CLE credit is pending in accordance with the requirements of the NYS CLE Board for the above-listed credit hours for established attorneys and as transitional credit hours for newly admitted attorneys.

NYWBA Annual Meeting & Elections, April 26, 2018



President Myra L. Freed gives the annual report of the Association.



NYWBA Foundation President Gretchen Beall Schumann provided members with an update on 2017-2018 Foundation grants and activities.



Past President Elizabeth A. Bryson guided members through the NYWBA and WBASNY elections and the passage of proposed amendments to the NYWBA By-Laws.



Treasurer Jean J. Han presented the annual report on the Association's finances.

NYWBA would like to thank all the law firms and companies who help us and our mission, by hosting meetings and programs, sponsoring events and CLE programs, and supporting the important work their firm members perform for us, including:

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Tarter Krinsky & Drogin

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The Hoffinger Firm

and many others

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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 (Chairs **Alexandra Campbell and Dana E. Heitz**) 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 newsletternywba@gmail.com. Submissions should be proofed and cite-checked, and NYWBA retains the usual editorial discretion to omit or edit all contributions. Send an email to newsletternywba@gmail.com if you have questions or are interested in joining the Newsletter Committee.

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