



NEW YORK WOMEN'S BAR ASSOCIATION

PRESIDENT'S MESSAGE

SEPTEMBER 2020

The NYWBA was sizzling this summer with lots of exciting programs and developments. As our city slowly and cautiously reopened, we continued to provide our members with opportunities to connect with one another, receive CLE credits, keep abreast of the latest developments in the court system, and learn some wellness techniques to promote their mental and physical health – all accessible from the safety of their homes and offices. In June, we welcomed our impressive roster of returning and new Committee Chairs, and throughout the difficult times we are experiencing this year, they have been working hard to carry out our organization's mission with a wide variety of programming to keep us all informed, entertained, and energized.



Amanda B. Norejko

In keeping with our theme of demonstrating that we are a "community that cares," we established two exciting new committees this year. The Human Trafficking Committee will work to raise awareness and fight to eradicate human rights violations that affect victims worldwide as well as in our own city, with women and girls comprising the majority of victims. The Pro Bono and Community Service Committee will help connect our members with opportunities to use their considerable talents and resources to make a difference in the lives of New Yorkers in need. Members who have an interest in these committees can email the Co-chairs at trafficking@nywba.org and probono@nywba.org, respectively.

In June, we launched our popular "Zoom with a Judge" series. To date, we have hosted six fabulous judges for informal conversations with our members. We are grateful to the judges who candidly shared their experiences of adjudicating during the pandemic and offered valuable insights to the attorneys who participated.

For many of our members, the pandemic took a toll on our health, both physically and psychologically. Our Reproductive Rights and Women's Health Committee placed an emphasis on the need to address our members' overall health with Wellness Wednesdays throughout the month of July. This series gave members a chance to learn about breathing and meditation, body movement, how hormones affect energy and brain function, and how to connect with their feminine energy to increase health and vitality.

We continued our tradition of sponsoring the *Martha E. Gifford Summer Program "What It's (Really) Like to Practice Law as a Woman,"* which was presented as a webinar on July 30, 2020. The fabulous and diverse panel of speakers included women leaders with various areas of practice from large law firms to corporations to government to non-profit legal services. The panelists addressed a group of over 150 law students, recent

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*The New York Women's Bar Association
invites you to the*

2020 Annual Membership Reception

Meet the NYWBA Officers, Directors, Committee Chairs, members and prospective members.

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

- Free NYWBA 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 for equality for all persons under the law
- Fun social and networking events

*All registrants will receive a complimentary
cloth face mask by mail.*



After an introduction by NYWBA President **Amanda B. Norejko**, we will breakout into two special sessions (for 30 minutes each) to learn more about NYWBA Committees. New York Women's Bar Association Foundation President **Gretchen B. Schumann** will also speak about the Foundation.

Date *Thursday, September 24, 2020*
Time 6:00 – 7:30 p.m.
Place Via Zoom Conference
Cost Free
Info Email ed@nywba.org
RSVP <https://bit.ly/3gbXodo>

President's Message (Continued from Page 1)

graduates, and newer attorneys, giving them important insights to help them build successful careers. The panel highlighted strategies for addressing racism and sexism in the workplace, finding mentors and sponsors, taking risks to find fulfillment in one's career, and being true to oneself. The panel received positive media attention. Thank you to the organizers, **Victoria Turchetti**, **Hon. Lisa Sokoloff**, and **Martha E. Gifford** for continuing to make this event a success year after year.

On July 31, 2020, many of us joined NYWBA Past President **Elizabeth A. Bryson**, currently serving as Vice President of the National Conference of Women's Bar Leaders, for that organization's annual summit. Women's bar leaders from across the United States gave enlightening and inspiring presentations on a wide range of topics from the statistics on women's representation in the profession to innovative bar association programming to self-care for attorneys. The NYWBA was a Silver Sponsor of the Summit.

In August, we celebrated the 100th anniversary of the 19th Amendment to the United States Constitution, which granted women the right to vote. In celebration of this milestone and in recognition of the people who made it happen, we teamed up with WBASNY and the Chapter Presidents of the Bronx Women's Bar Association, Brooklyn Women's Bar Association, Queens Women's Bar Association, and Staten Island Women's Bar Association for an "EqualITEA with the Presidents" event on August 8, 2020. Over 40 participants attended, including special guest New York State Attorney General Letitia James, who gave inspiring remarks connecting the historical struggle for universal suffrage with current social justice movements.

August 8th also marked the 11th anniversary since our own NYWBA member, **Justice Sonia Sotomayor**, took the oath of office as a United States Supreme Court Justice, becoming the Supreme Court's first Hispanic and Latina Justice. Congratulations, Justice Sotomayor!

Please mark your calendars for our upcoming **Virtual Membership Reception** on **September 24, 2020**. Everyone who signs up for this free event will receive their own official NYWBA cloth face mask. RSVP on our website at www.nywba.org.

Finally, September is **Ovarian Cancer Awareness Month**. As you may remember, at this time last year I wrote about my own struggle with this deadly disease. I had hoped to mark this September as one year of living cancer-free, but just a few weeks after the beginning of my presidency, I learned that my cancer had returned. Approximately 80% of women diagnosed with late stage ovarian cancer suffer a recurrence after achieving NED (no evidence of disease) status, usually within 18 months. For survivors like me, medical experts treat the ovarian cancer as a chronic illness to be managed with a variety of treatments designed to slow the regrowth of the cancer. I began a new chemotherapy regimen on June 27th of this year. The outpouring of kindness and offers of assistance from my NYWBA family has been humbling, and I am grateful to the Officers, Directors, and Advisory Council for their generosity and words of encouragement.

I hope to use this health setback as an opportunity to demonstrate that disability and chronic illness are *not* incompatible with leadership. At this time, I am feeling strong in both body and spirit. Despite the personal and collective challenges that this year has brought, I intend to make the most of every moment of it.

Like many of you, I re-watched *Hamilton* over the Fourth of July, and was inspired to think about our history and our place in that narrative. We do not

Wednesday Wellness Series
By Alex King

The **Reproductive Rights & Women's Health Committee** was proud to host its first virtual "**Wednesday Wellness Series**" this summer for our members to connect with each other and recharge during these trying times. There were four workshops in the series. Each workshop was led by **Shannon McNally**, an Integrative Health Practitioner.

In the *Breathwork & Meditation Workshop* (July 8), participants learned three breathwork techniques that can easily be incorporated into their daily lives to energize and center themselves during chaotic times. Shannon then led participants through a guided meditation.

The largest attended workshop was the *Vinyasa Flow yoga class* (July 15) in which participants flowed through a 1-hour yoga class. (See photo below).

On July 22, Shannon led a thought-provoking discussion, *Syncing with Your Hormones*, in which members learned how exercise can impact our hormone health and its relation to brain function. Shannon taught participants how to work with their bodies to optimize energy and brain function.

In the final workshop of the series, *Connecting with Your Feminine Energy* (July 29), participants learned about Yin and Yang and what it means to connect to their Yin, or feminine energy, and how it can increase their health and vitality as women.

All the participants expressed gratitude for each workshop in which they participated. The Reproductive Rights & Women's Health Committee looks forward to putting on more fun and informative programs supporting Women's Health this year!



have to be Founding Fathers (or Mothers) to leave behind an important legacy. What we do every day affects our community and our world for the generations that follow. The work we do today to promote a society that more fully embodies the principles of justice and equality has an important impact on the future. We can each be a tiny droplet that joins together with millions of others to start a stream that eventually carves a fertile valley into the hardest bedrock. Even if we do not live to see the achievement of its full potential, we will leave this world knowing that we did everything we could to move it along the right path.

Amanda

WELCOME NEW MEMBERS

Jayne Bigelsen Rose Marie Cantanno Sarah Casteel Justine Y. Drohan Michael Fenton Cynthia Fisher Tracy Frankel Sally J. Gardiner Alexa M. Ginsberg Spencer Goodson Rebecca Grossberg Sara Hiltzik Jasleen Kaur Theresa J. Kelley Tanya Leach Samantha Lynch Hayley McLaughlin Alexi Ashe Meyers	Katherine Miller Claire Mooney P. Vanessa Outar Kamille E. Perry Nicole E. Price Devon Quinn Morghan L. Richardson Deborah E. Riegel Ashleigh C. Rousseau Alexandria F. Sedlak Genta Stafaj Ashley C. Stromberg Rafael Tassy Malcolm S. Taub Michelle E. Walczuk Kevon Weekes Rebecca Zipkin
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as of 08/18/2020

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.

Alton L. Abramowitz Alison Arden Besunder Jennifer P. Brown Elizabeth A. Bryson Barbara L. Burger Dawn M. Cardi Elizabeth Ciccone Harriet Newman Cohen Janet I. Cord Hon. Laura E. Drager Vivian Rivera Drohan Chad L. Edgar Melissa G. Ephron-Mandel Myrna Felder Lissett Ferreira Patricia Ann Fersch Cynthia Fisher Hon. Lyle E. Frank Myra L. Freed Anthony H. Gair Martha E. Gifford Amy B. Goldsmith Nancy M. Green	Julie Hyman Joanna C. Kahan Elyssa S. Kates Robert M. Kaufman Denise Mortner Kranz Bruce N. Lederman Magnolia D. Levy Robin M. LoGuidice Virginia A. LoPreto Kay Marmorek Karen Greve Milton Sabrina E. Morrissey Amanda Beth Norejko Bonnie E. Rabin Suzanne M. Ratcliffe Hon. Mary V. Rosado Deborah G. Rosenthal Hon. Carol A. Schragger Hon. Jacqueline W. Silbermann Angela G. Tese-Milner Elena Tisnovsky Valerie H. Tocci Jessica L. Toelstedt
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Your Opinion Matters

NYWBA is seeking monthly opinions on legal matters. Please send your op-ed piece to opinions@nywba.org.

NOTES ON MEMBERS

The NYWBA congratulates the **Honorable Rosalyn H. Richter** on her retirement from the Appellate Division, First Department and thanks her for her many years of service to the court system. Justice Richter began serving on the New York City Criminal Court from 1990 to 1996. She then served as Acting Supreme Court Justice, Bronx County Criminal Term in 1997 before becoming Supervising Judge of the Bronx Criminal Court from 1998 to 2000. In 2000, Justice Richter became an Acting Supreme Court Justice presiding over felony criminal matters in New York County. She was elected as a New York Supreme Court Justice in 2002 and presided over a general civil IAS part, guardianship matters and a matrimonial part until she was appointed as a Justice of the Appellate Division, First Judicial Department, where she served from 2009 through July 2020.

On August 3, 2018, Justice Richter received the Dan Bradley Award, the National LGBT Bar Association's highest honor, in recognition of her path-breaking legacy of service. On January 31, 2020, Justice Richter was presented with the Ruth G. Schapiro Memorial Award, which honors a New York State Bar Association member who has made a noteworthy contribution to the concerns of women through pro bono services, writing, service to bar associations or community organizations or other such endeavors.

The NYWBA wishes the best of luck to Justice Richter in her future endeavors.

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

The New York Women's Bar Association

invites you to Zoom with a Judge

Featuring:

Honorable Tandra Dawson
 Integrated Domestic Violence Court,
 New York County

Discussion Facilitator: ***Morgan F. Mouchette***

Wednesday, September 9, 2020, 5:00 p.m.

*Participation will be limited
 to 20 NYWBA members only*

For more info, go to <https://bit.ly/31XPa3C>

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.

EqualTEA with the Presidents

By *Amanda B. Norejko*

The 19th Amendment to the United States Constitution, which granted women the right to vote, was ratified on August 26, 1920. In commemoration of the 100th anniversary of the 19th Amendment, the NYWBA teamed up with WBASNY and our sister chapters from the Bronx Women's Bar Association, Brooklyn Women's Bar Association, Queens Women's Bar Association, and Staten Island Women's Bar Association to host a Zoom discussion of the history of women's suffrage, titled "EqualTEA with the Presidents."

On August 8, 2020, WBASNY's President, **Joy A. Thompson**, Bronx Women's Bar Association President, **Miguelina Camilo**, Brooklyn Women's Bar Association President, **Natoya McGhie**, New York Women's Bar Association President, **Amanda B. Norejko**, Queens Women's Bar Association, President **Soma Syed**, and Staten Island Women's Bar Association President, **Rosa Tragni** introduced themselves, spoke about their chapters, and co-presented a slide show about the women's suffrage movement in the United States.

The slide show provided a lot of history and all of the presidents provided historical anecdotes about the women's suffrage movement from the Seneca Falls women's rights convention in 1848 to the ratification of the 19th Amendment. Slides included historical photos from public demonstrations, posters in favor and against women's suffrage, and bill-signing ceremonies after state ratifications. The presentation highlighted eerie parallels between the past and the present with the influenza pandemic in 1918 that affected planned rallies of the suffrage movement, the looming election at that time, and the overwhelmed health care system. The often-underestimated role played by women of color in the suffrage movement was discussed, as well as the barriers to voting faced by women of color due to racially discriminatory laws that continued after the passage of the 19th Amendment.

The discussion was supplemented by additional interesting facts and observations contributed in the Zoom chat by some of the over 40 participants in the virtual audience. The event was fortunate to have a special guest, New York State Attorney General **Letitia James**, who gave inspiring extemporaneous remarks demonstrating her deep knowledge of history and connecting the historical struggle for universal suffrage with current social justice movements.

The presidents paid homage to the current women Justices of the United States Supreme Court, who were all sworn in as Justices in the month of August (**Justice Elena Kagan** on August 7, 2010; **Justice Sonia Sotomayor** on August 8, 2009, and **Justice Ruth Bader Ginsburg** on August 10, 1993). Justice Sotomayor is a long-standing member of the NYWBA.

The presentation concluded with a discussion of unfinished business such as the Equal Rights Amendment (ERA), something WBASNY is taking an active role in reviving. WBASNY has a committee dedicated to the support of the ERA on a federal and state level and also hosted an informative CLE on the issue last year. The importance of voter registration and participation in the 2020 census were also emphasized. National Voter Registration Day is September 23rd and the deadline to complete the census is September 30, 2020.

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

Voting Rights – A Non-Partisan Discussion of Current Challenges on the Road to the 2020 Elections

Speaker:

Eliza Sweren-Becker, Counsel,
Democracy Program, Brennan Center
for Justice at NYU School of Law

Moderated by **Annie M. Ugurlayan**,
Treasurer, NYWBAF

Wednesday, September 16, 2020

6:30-7:30 p.m.

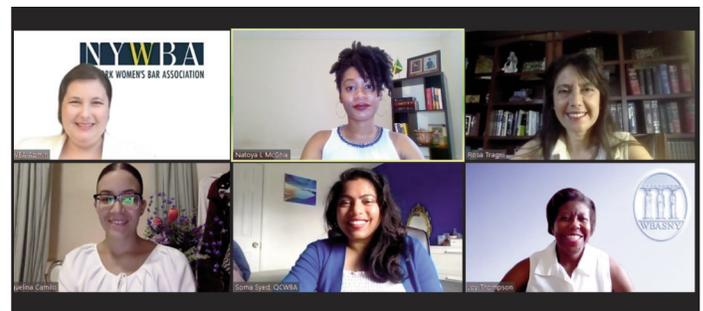
via Zoom

Cost: \$25

All proceeds will benefit the
NYWBAF and its projects.

To register go to <https://bit.ly/3iQBDBz>

For more information email
nywbaf@gmail.com



What It's (Really) Like to Practice Law in New York as a Woman

By Megan Gorman

The only way women are going to break the glass ceiling in the legal world is to break it together. That is exactly what happened at a New York Women's Bar Association and New York City Bar Association co-sponsored panel event on July 30, 2020. The *Martha E. Gifford Annual Summer Program: What's It's (Really) Like to Practice Law as a Woman*, held via Zoom, was moderated by **Elizabeth Gorman** and featured **Jasmine Archer, Anita Bowen, Myra Guevara,** and **Dana Kaufman**. At this event, a diverse and accomplished panel of attorneys shared their knowledge and experiences confronting issues female attorneys often encounter. The event was attended by over 150 law students, college students, recent law graduates, and new attorneys.

The panel highlighted that there are different paths to achieve success. Myra Guevara, a law clerk at Cadwalader Wickersham & Taft LLP who is awaiting admission to the bar, shared her unconventional story: she took off six years between college and law school to work at a non-profit organization. She believes that it is not necessary to go directly from college to law school and that for some people it might be beneficial to take time, gain work experience, and figure out exactly what you want before starting law school. Dana Kaufman, Supervising Housing Attorney at Sanctuary for Families, did not take a break but she did choose an unconventional path. She left corporate law to work for a non-profit. She took a risk to find happiness and fulfillment in her career. Both women emphasized the ability to create their own path, plot their future, and achieve success their own way and on their own timeline.

Many attorneys on the panel shared their experiences of being mistaken for court reporters rather than attorneys and how this assumption affected them. Jasmine Archer, Assistant Corporation Counsel for the New York City Law Department, shared her observation that some male attorneys and litigants behaved differently towards her depending on the gender of the judge. Curiously, men would be more cordial and respectful when the judge was male than if the judge was female. This gender bias in the courtroom is an issue that should be addressed with our members in the judiciary.

The moderator, Elizabeth Gorman, a partner at Milber Makris Plousadis & Seiden LLP, said that women attorneys have to prove their value by putting in the long hours and hard work to gain respect in the workplace. Anita Bowen, a partner at Fabiani Cohen & Hall LLP, agreed that once you put in the work, you can be confident that you deserve a raise or a higher position at your firm and have the credibility to ask for it. She advised the audience to be true to themselves, but also to employ a measured approach to addressing bias in the workplace.

Other issues addressed included defining mentors and sponsors and explaining how to find them, skill building, and responding to harassment and bullying on the job.

The panelists spoke about addressing self-doubt, an affliction that is less likely to plague male attorneys. The panel used their experience and knowledge to empower young women to enter the legal field with confidence. They shared the bad and the good experiences of being an attorney and left the audience inspired to begin their new careers armed with valuable knowledge about what to expect and strategies to achieve their own version of success.

Megan Gorman is a college student and summer intern to the Honorable Lisa A. Sokoloff.

I've Copied My Friend, Opposing Counsel, On This E-Mail

By Gabriella Formosa

My first job out of law school was at a matrimonial firm that focused exclusively on mediation and the practice of Collaborative Law. We did not litigate. My boss was a leader in the "non-litigation world," and I would often accompany her to various mediation trainings that she hosted. She opened each training by talking about her frustration with the litigation model. "I always tried to settle," she said, "but I ran into the same problem every time—the other lawyer." It was only after I left her practice and began litigating myself that I realized how true that statement was.

Having mediated many divorces, I was no stranger to petty digs, scathing e-mails or screaming matches. In the mediation world, that type of nastiness came from one spouse and was directed at the other; however, in the litigation world, I was appalled to find that the abhorrent behavior previously perpetrated by divorcing spouses was now perpetrated by opposing counsel and was directed at me!

To be clear, I am not talking about "zealous advocacy" on the part of an adversary. I am talking about when an adversary hangs up on you, or gets in your face in the hallway of 60 Centre Street, or starts an e-mail with, "HOW DARE YOU COLLUDE WITH YOUR CLIENT TO HIDE DOCUMENTS" when your discovery response is accidentally missing some statements. (Yes, all of those are real life examples). I am talking about behavior that is not advocacy at all because it does absolutely nothing to serve the interests of a client. I am talking about behavior that does just the opposite.

Our divorcing clients hire us because, for one reason or another, they cannot come to an agreement on their own. Maybe they don't trust each other. Maybe every conversation devolves into a screaming match. Maybe they can't recognize the flaws in their positions. Whatever the reason, they hire lawyers with the assumption that we will be able to do the negotiating that they cannot. So when we, as lawyers, become so enmeshed with our clients that we begin to emulate their dynamics (the distrust, the anger, the inability to see the other's point of view), how on earth are we helping? The answer is, we aren't.

I'm sure there are some of you reading this who are thinking, "But Gabriella, we are in an adversarial profession!" "We are litigators!" and my personal favorite, "We have clients to represent!" And to that I would put forth the radical concept that, especially in matrimonial litigation, kindness is not weakness. It is strength.

I recently had the pleasure of representing "the difficult client" in a divorce litigation. It was a long marriage and the parties had been separated for over a year. My client was a high earner and most, if not all, of the marital wealth was amassed due to his earnings. He also had earned quite a bit of money during the period of separation and was staunchly opposed to the Domestic Relations Law's view that all of this money was marital. He did not want to share it. Oh, and he also wanted a million-dollar separate property credit that he couldn't prove.

Opposing counsel, a well-respected attorney and partner at her firm, could have told me to "F off." She could have resorted to the pejorative phrase that is hurled at young lawyers far too often ("I've been practicing law since before you were born!") and proceeded to tell me that I must not under-

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Law Practice Management Tips and Advertising Ethics During the Pandemic By Julie Hyman

As the coronavirus pandemic continues to impact the country, lawyers and law practices have not been immune to its effect. In July, the New York Women's Bar Association held a CLE which discussed how law firms and lawyers are adapting during these challenging times. The CLE featured three presenters, Divorce and Family Lawyer **Julie Hyman**, of Julie Hyman P.C., **John Wright**, Vice President of Sales at the online marketing firm Scorpion, and **Nicole Hyland**, a partner at Frankfurt Kurnit Klein & Selz. The CLE focused on law practice management tips, marketing and ethics issues during the pandemic.

Julie Hyman began by discussing how her unique background as a child actress and her experience building her solo practice from the ground up prepared her for the pandemic. Hyman discussed her approach to networking, which provided her the business and community support she has used to create a thriving practice out of a luxury hi-rise office with river views above her home in the Bronx.

The connections Julie made through networking gave her access to essential business services and resources necessary during the pandemic including Paycheck Protection Program guidance, lines of credit and insurance. Even in the best of times, Julie discussed how important it is to have a good relationship with a business bank, accountant, and health insurance broker, who know the ins and outs for lawyers in solo practices and small firms.

Next, John Wright, who heads up the family law division at Scorpion, spoke about how, in his experience, family lawyers have reached a point in the pandemic where they can find opportunities to bring in new clients. He noted that there was a more than 20% increase in "family law," or family-law related Google searches in June, compared with data from a year earlier. Mediation and spousal support stats also revealed some "mind-blowing" figures, Wright continued. Searches on the term "mediation," alone grew 760% since last year.

The more immediate data, as revealed by his team, showed searches dropped during a two or three month lull when people wondered, "what is normal?" However, the numbers changed when there was a 12% jump in searches for "divorce lawyer" from June 14 to June 21, and an 8% jump during the same time for "family law."

Wright called this the "green light stage," when his team regularly relayed this important data to clients to help them seize on the potential for new business. "We've already gone past normal levels, even going into a historically slow time," he added, referring to summer months, and he further pointed out that the uptick in the numbers are also an "anomaly."

Wright shared three fundamental principles that law practices should observe during the pandemic.

The first is, "Branding and Creative." This refers to how a practice develops its unique website, social media and advertising, as well as content strategy, search engine optimization, social and content marketing.

The second is, "Smart Technology." This is technology that helps firms bring in profitable cases or ones that firms want to work on. Marketing firms like Scorpion, provide "smart advertising systems" that can allocate ad spending on social media platforms like Facebook and Instagram that drives in the most business for a client.

The final fundamental is having a "Team of Experts" available, because the jobs at hand cannot be done by just one person.

Finally, Nicole Hyland, a partner at Frankfurt Kurnit Klein & Selz, spoke about five tips for ethical internet marketing. She pointed out that the focus on internet marketing is greater during the pandemic lockdown period since law firms are unable to engage in their routine, in-person networking and other social activities on which they previously relied.

The first tip was, "Know your jurisdiction." Firms have to ask where they are looking for clients and understand that advertising rules may vary from jurisdiction to jurisdiction.

The second tip was, "Don't rely on non-lawyer consultants." Noting that fellow presenter John Wright would agree, Hyland warned against failure to have a lawyer review all advertising to ensure compliance with the rules. "It will not be a defense later if you are accused of violating advertising rules," to say a firm relied on its consultant.



The third tip was to "Substantiate Your Claims." She provided an example of a firm's site that had ethical "issues." One example, a firm claiming it was "the best," raised a red flag because the term is a comparative statement that needs to be substantiated. She also pointed out the site's use of the word "experts," which is similar to "specialist," and cannot be used under New York's ethics rules.

The fourth tip was, "Don't accidentally convert content marketing into attorney advertising." This referred to communications, blogs, or speaking engagements that show a firm's expertise, which are permissible as long as they qualify as advertising that requires compliance.

She provided examples, including a tweet, "Case finally over, unanimous verdict! Celebrating tonight," which, at first glance, did not come across as advertising. In New York, she added, the tweet would probably need a "prior results" disclaimer.

In another tweet, a lawyer wrote, "Another great victory in court today! Client is delighted! Who wants to be next?" Hyland noted that the first two sentences are turned into an advertisement by the third, requiring adherence to the applicable ethics rules.

Hyland's fifth and final tip was to make sure you know whether your advertising is an advertisement or a solicitation. She recommended knowing the differences and referred to the multipage New York state solicitation rule.

Solicitation is an advertisement made by an attorney that targets a specific person or group for the purpose of retention of the lawyer or firm, and for the purpose of "pecuniary gain." This is different from a proposal, Hyland said, and by comparison, an advertisement is not always a solicitation.

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Networking 201, Pandemic Edition By Melissa Glassman and Claire Mooney*

Networking can be intimidating, but now more than ever it is essential for the incoming class of lawyers. Melissa Glassman and Claire Mooney, Co-Chairs of the Students and New Lawyers Committee, share their thoughts and experiences navigating the world of networking.

What is your approach to networking in general?

Melissa Glassman: I have always been a big fan of networking. It has helped me find my path in the field of law and specifically helped me decide which type of law to pursue. I truly believe that networking is one of the most important, if not the most important, component to a career, especially to a career in law. So much of our profession is based on relationships and our ability to have conversations with people we otherwise would not.

I believe it is extremely important to have an “elevator speech.” I don’t necessarily think it should be a memorized monologue, however, I do think it is important to have a minute or two of content that references your interests and experience. This “elevator speech” helps others, especially people who may not have ample amounts of time to chat, to learn a lot about you in a short amount of time. It is also good to talk with people about things other than law, such as their families or recent vacations they have taken. This helps you create a personal connection with people on very relatable topics.

Finally, I am a big believer in the opportunity to “shadow” someone in the field. I spent many days during my time in law school “shadowing” attorneys at their offices or in court. This not only helped me continue to build upon a relationship with attorneys, but it also helped me discover which fields of law I enjoyed and wanted to further pursue.

The most important piece of advice I can give regarding networking is to BE YOURSELF! Act professionally even while being casual. Remember to discuss topics other than those related to work and school and try to connect with people on a personal level. There is truly no right or wrong way to network and remember if you do not have a lot of confidence, fake it ‘til you make it.

Claire Mooney: For many years I struggled to network, but I have improved at it by making the process my own. Large group settings like cocktail parties don’t work for me because I get too anxious and I tend to lose focus while trying to make small talk. I become overwhelmed and then feel guilty about wasting people’s time. So I thought about the positive relationships I have in my life and considered how I can connect with people without feeling self-conscious about the process.

I realized that networking can just mean building relationships with people, and good relationships can happen through a series of positive interactions. So when I want to network with someone, I think about how I can bring value to them -- by asking a question about a subject they enjoy, sharing that I am concerned about the same things they are, or just by giving them a chance to talk about themselves in a positive way.

What is an elevator pitch and why do I need one?

MG: An elevator pitch is something that is often taught at business school. Although I wasn’t specifically taught about the elevator pitch in law school, I created one. An elevator pitch is a 1-3 minute statement that includes where you go/went to law school, what field you are most interested in, why you are interested in that field and, most importantly, the experience you have had in that field.

CM: You will inevitably be asked by someone at some point what you do, and it is helpful to have an answer to that question that you feel good about. Think about everything you do. Then condense it into a few sentences about your skills and goals in language which is relatable and accessible to others.

How can I network during the pandemic?

MG: To be completely honest, trying to network during a pandemic is extremely difficult, but it can be done!

My advice would be to attend the NYWBA Zoom meetings, which include lectures and committee meetings in an array of fields. That is a great time to “meet” people in a virtual environment and at the end feel free to check out the NYWBA website to find the members’ contact information. It is also always great to ask questions so that other attorneys recognize your interest.

Visit the NYWBA website and explore the many committees available to all NYWBA members. By becoming a committee member you will be included in all upcoming event emails and will be able to meet other attorneys who work in the field(s) in which you are most interested.

We hope to hold an event for the members of the Students & New Attorneys Committee which will focus on “How to Network.”

Of course, feel free to reach out to myself or Claire to further discuss networking tips.

CM: Networking during the pandemic can be awkward, but making connections and finding commonalities can also help combat feelings of isolation. You can use online networking formats to your advantage especially if, like me, you do not enjoy small talk. I find that it’s helpful to reach out to people by email or LinkedIn, point out an interest or experience that you have in common (like an alma mater or interest in a certain practice of law), and ask for a chance to hear their perspective.

Always start out with a friendly yet deferential tone, and be brief but clear that you are requesting a conversation. I also find it helpful to offer to connect by phone, zoom, or email, whichever is the other person’s preference. It helps to convey respect for the other person’s time.

That sounds like a lot; where is a good place to start?

MG: First, take a deep breath because this is a lot to take in, but know that we are here to support you in your networking journey. Check out the NYWBA website, see which committees look interesting and sign up to receive their emails. Then just sign up for one of the upcoming zoom events and enjoy!

CM: Just set aside a few minutes a week to start conversations. Over time, it starts to come naturally -- and then eventually you find that people are seeking to network with you!

* My views are my own and not those of UAW/ALAA 2325.

Melissa Glassman and Claire Mooney are Co-Chairs of the NYWBA Students and New Lawyers Committee.

Formosa (Continued from Page 5)

stand the law if I thought my client could keep any piece of his post-separation earnings. If she had, that would have opened the door for me to tell her that her client was an entitled housewife who was all too happy to spend thousands of dollars on a yoga retreat while my client slaved away at the office. Requests for Judicial Intervention would have been filed. Motion papers would have been exchanged. Hundreds of thousands of dollars would have been spent. We would probably still be litigating.

But instead, we talked to each other like human beings. More importantly, we talked to each other like two people trying to solve a problem, not like two people who were divorcing. In the end, we came to a creative settlement through a series of phone calls and 4-way meetings. Our clients were happy. We both agreed that with a different lawyer on the other side, that outcome might not have been the case.

Months later, I faced an issue on another matter. I needed advice but I didn't think that any of my associate peers had the experience to help me out. I reached out to the opposing counsel from the aforementioned case. She took the time to talk to me and give me her opinion. We were colleagues first, adversaries second.

That concept can, and should, apply to all of our cases, especially the most litigious. Before the pandemic, I had a case that started with an order of protection. My adversary and I were candid with each other. She thought my client was using the order of protection to gain an advantage in the custody litigation. I thought her client was an abuser. We presented our arguments and points of view to each other and when we couldn't agree (or, more accurately, when our clients couldn't agree) we had a hearing. Not one nasty email was exchanged. Now, we are negotiating the child support piece of the case. My client may be angry at her husband's ridiculously low offer, and I may call opposing counsel out in this newsletter article for supporting that offer (Girl, if you're reading this, you gotta come up!), but I will never send her an email in all caps or insult her intelligence or raise my voice to her. And I know she'll be just as respectful to me. And guess what? We will still be litigators. We will still zealously advocate for our clients. We will still stand strong if we think the other's offer is unfair. We just won't be A-holes while we're doing it.

Gabriella Formosa is an associate at Greenblatt Law, a boutique matrimonial firm in Manhattan.

Law Practice Management (Continued from Page 6)

Prohibited solicitations include when they happen in person, by telephone, and by real-time messaging, including text messages. Permitted solicitations exist, but they are regulated. These include emails and flyers, as long as they follow the rules. And sometimes, a website can be regarded as a solicitation.

She concluded with a bonus tip on trade names. Changes in the rule now allow law firms to use trade names for branding purposes.

You can contact Julie Hyman by email at jhymanesq@gmail.com or visit her website at www.juliehyman.com.

You can contact John by email at john.wright@scorpion.co (not .com)

You can contact Nicole Hyland at nhyland@fkks.com or visit her law firm's blog at professionalresponsibility.fkks.com.

Tribute to Hon. Walter M. Schackman

The NYWBA mourns the loss of the Honorable Walter M. Schackman, retired New York County Supreme Court Justice, who passed away on August 16, 2020, at age 94. He is survived by his wife of 69 years, Dulcie, sons Paul and Bruce, and son-in-law Ed Sikov. He was predeceased by his son Daniel.

Judge Schackman served as a civil court judge from 1973 to 1976, then as a Justice of the Supreme Court from 1976 to 1996. Judge Schackman served as the sole matrimonial judge for New York County when there was only a single judge assigned to handle matrimonial matters. Attorneys who appeared before him found a judge who cared about each case, never raised his voice or embarrassed a lawyer or litigant, and was equally adept at settling and trying a case.

He was a World War II Navy veteran, and a graduate of Syracuse University Law School (J.D. 1950) and New York University School of Law (LL.M. 1960). He retired as a Justice of the Supreme Court (NY), and thereafter worked as counsel to Davis & Gilbert LLP.

The family requests donations in his memory be made to The Rogosin Institute, 505 East 70th Street, New York, NY 10021, an independent, not-for-profit treatment and research center with facilities throughout New York City that treat patients with kidney disease, including dialysis and kidney transplantation; lipid disorders; and hypertension.

Judge Schackman will be remembered as a beloved colleague, mentor, and friend.

**NYWBA Litigation and Civil Courts
Committees present a CLE Program:**

***Electronically Stored Information:
Authentication and Admissibility (Part II)***

Speaker:

Hon. Saliann Scarpulla

Supreme Court, New York County,
Commercial Division

Date *Thursday, September 10, 2020*
Time 6:00 p.m.
Place via Zoom conference
CLE 1 credit, Professional Practice
Cost Free – NYWBA & WBASNY Members
 \$25 – Non-members**
Info Email LitigationChairs@nywba.org.
RSVP <https://bit.ly/2Q1ywdF>

* CLE Credits: 1 credit, Professional Practice: 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.

** Free NYWBA members, \$25, non-member: Full and partial scholarships based on financial need are available. For info on the guidelines and to apply, contact CLE Co-Chairs at cle@nywba.org or 212-216-1135. All requests are confidential.

Shady Ladies of Paris -- A Zoom Fundraiser for the New York Women's Bar Association Foundation

By: *Annie M. Ugurlayan*

We all need a little escape from the stresses of daily life during a pandemic. What better antidote than a trip back in time to 16th - 19th Century Paris and a glimpse into the ladies who graced its High Society? Led by **Professor Andrew Lear**, a leading scholar on the history of sexuality who has taught at Columbia, NYU and Harvard, over 40 NYWBA and NYWBAF Board Members and friends learned about royal mistresses and courtesans who have been immortalized in paintings and sculptures in the Louvre and the Musée d'Orsay, respectively. These women did not hide in the shadows, exercising influence over their lovers and society.

Royal mistresses were the women with whom kings most often found love, since marriage was largely a business transaction designed to produce children and merge political dynasties. Professor Lear showed us neoclassical artwork from the Louvre celebrating Diane de Poitiers, the mistress of King Henri II, shown alongside Diana the goddess of the hunt. Henri did not hide his love for Diane, who was 20 years his senior, as seen in the insignia on the Chenonceau Castle, which included "H," "C" (for Catherine of Medici, his wife) and "D," and their unified signature "Henridiane," the "Brangelina" of their day. We learned about Gabrielle d'Estrées, the mistress of King Henri IV, who solidified her status by bearing Henri many sons as well as one of the most famous mistresses of all -- Madame de Pompadour, King Louis XV's mistress of 19 years. The painting of Madame de Pompadour shows her surrounded by books and a globe signaling that she is an intellectual. In fact, she ran King Louis XV's patronage of the arts.

While not a mistress or a wife legally, Josephine, the better half of Emperor Napoleon Bonaparte, had a scandalous past (including imprisonment during the French Revolution alongside her first husband, an aristocrat) but was instrumental in Napoleon's ascension to Emperor since they needed to get "married" (or at least symbolically to appease the Pope). They were forever immortalized in Jacques-Louis David's painting in the Louvre.

Courtesans grace the halls of the Musée d'Orsay, the home of impressionist paintings. Courtesans were considered high-end sex workers who received gifts (never money) in exchange for their "services." They were seen as patrons of the men they served. Think of Violetta in "La Traviata" or "Gigi." Courtesans existed in societies around the world, from China to Spain. Professor Lear showed us paintings by artists such as Toulouse-Lautrec and Edouard Manet. The interpretations of courtesans varied, from depictions of them wearing their sumptuous outfits, to the more raw and suggestive. One of the most famous ones was Alphonsine Plessis, the real "Dame aux Camellias," the book written by Alexandre Dumas fils (or son of Alexandre Dumas). She was Dumas' lover as well as that of Franz Liszt. Shockingly, these impressionist painters were largely unknown at that time and not highly regarded but that all changed during WWI when, thanks to the Bloomsbury Group (English writers and intellectuals), they became well-known.

Professor Lear answered many questions during the presentation which made it all the more engaging. Many thanks to Professor Lear for helping us escape the pandemic doldrums and learn about French High Society and the colorful women who shaped it. Thanks also to NYWBAF Board Member, **Diana Browne**, who went on the real life Shady Ladies of Paris tour in Paris, and NYWBA Director **Kay Marmorek**, for organizing this event. All proceeds will benefit the NYWBAF's projects.

MARK YOUR CALENDARS!

The NYWBA Introduces:

FINANCIAL FITNESS SERIES

The NYWBA recognizes the serious economic impact of the COVID-19 pandemic on our members. Women have suffered a proportionally greater impact on their finances, with women accounting for 55% of the 20.5 million workers who became unemployed in April, compared to a 13% unemployment rate for men. Women face a wage gap, are more likely to interrupt their careers to care for children and aging or sick relatives, and experience many additional challenges when saving for retirement. Studies have shown that women continue to fall behind in their financial confidence and education. This year, the NYWBA will host a series of webinars aimed at empowering our members with the knowledge to help them achieve financial fitness.

The first webinars in our Financial Fitness Series will be:

Women, Wealth and Well-Being

Presented by:

Ameriprise Financial Services, LLC

September 17, 2020 and September 22, 2020

4:00 p.m. to 5:00 p.m.

and

Bridging the Working Women Retirement Income Gap

Presented by:

Prudential Advisors

September 30, 2020

1:00 p.m. to 2:00 p.m.

CENSUS 2020

The NYWBA urges all members to submit their responses to the 2020 Census, which are due by **September 30, 2020**.

The Census determines New Yorkers share of federal funds for health care, education, housing, economic development, and transportation as well as our congressional representation for the next decade.

Your Census response can be submitted online, by mail, or by phone. For more information on how to make sure you are counted, visit <https://2020census.gov>.

Save the Date

*The NYWBA Litigation Committee
 will present a CLE on the new Title IX rules*

October 22, 2020, 6-8pm

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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 **Gabriella Formosa**, **Jennifer Branca** and **Katelyn M. Brack**) 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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