



NEW YORK WOMEN'S BAR ASSOCIATION

PRESIDENT'S MESSAGE

JUNE 2022

As we embark upon the New York Women's Bar Association's 88th year, I am honored and humbled to have been elected to serve this Association, following in the footsteps of accomplished and stalwart leaders. I look forward to the year to come, and the many (hopefully in person!) opportunities it will bring to further our mission of advancing the status of women and ensuring the fair and equal administration of justice.



Magnolia D. Levy

The NYWBA mission is as important now as it has ever been. As I write this, the constitutionally protected right women have over their own reproductive health is in jeopardy. And while we know that abortion rights will be directly affected, other essential rights, including same sex marriage and access to birth control, hang by a thread. This is a call to action. NYWBA's Reproductive Rights Committee, led by **Meaghan E. Carey**, **Alexandra King**, and **Lydia Devine**, is on the forefront of answering that call and held a panel discussion **State of the Uterus: If Roe Falls, What is Next for New York** on May 19th on how the recently leaked Supreme Court Decision could affect New Yorkers' right to abortion and to explore what we can do in New York to help all women have access to safe reproductive care.

The reproductive rights crisis comes on the heels of the pandemic, the effects of which have disproportionately affected women as the lion's share of childcare and housework fell on their shoulders. As a result, many women left the workforce or are considering leaving the workforce—particularly in the legal industry. The burn out is real. Law firms and legal organizations should be investing in women and supporting them, enabling those who left the ranks to return, and creating an environment that is more flexible, hospitable, and which recognizes the tremendous value that women bring to the practice of law over the breadth of their careers.

One way we can support women remaining in and/or returning to the law is through the NYWBA's Mentoring Circles Program. The Mentoring Circles Program led by **Melissa Ephron-Mandel** and **Jocelyn L. Jacobson** allows members at all stages of their careers to join with their peers to foster their personal and professional development. Members benefit from direct mentoring as they share ideas for meeting challenges in their careers and personal lives in a supportive and encouraging environment. One of my goals is to reinvigorate this committee and I am call-

(Continued on Page 2)

NYWBA 2022 Annual Awards and Installation Dinner

Awards of Recognition will be presented to

Honorable Tanya R. Kennedy

Associate Justice, Appellate Division, First Department

Honorable Saliann Scarpulla

Associate Justice, Appellate Division, First Department

*The Hon. Florence E. Allen Award
will be presented to*

Honorable Sherry Klein Heitler

*The Doris S. Hoffman Service Award
will be presented to*

Honorable Judith J. Gische

***Magnolia D. Levy will be installed as
2022-2023 NYWBA President***

Incoming Officers to be Installed

Jocelyn L. Jacobson, Vice President

Melissa Ephron-Mandel, Vice President

Sabrina E. Morrissey, Vice President

Lissett C. Ferreira, Treasurer

Vivian Rivera Drohan, Recording Secretary

Morgan F. Mouchette, Corresponding Secretary

Amanda B. Norejko, Immediate Past President

***Thursday, June 16, 2022
Three Sixty°***

10 Desbrosses Street, Tribeca, New York

Cocktails at 6:00 p.m.

Dinner and Program at 7:30 p.m.

For more information and to RSVP, go to

www.nywba.org

President's Message (Continued from Page 1)

ing on our members to join and become a mentor. To collaborate in this effort, please reach out to MentoringCircles@nywba.org.

And of course, if you have any interest in chairing a committee, putting together a program, writing an article, or being considered for our board, please let me know by reaching out to me at President@nywba.org.

I want to acknowledge and express gratitude to **Amanda B. Norejko** for her remarkable service to this Association over the years, and particularly the last two years as our fearless leader. It has been through her dedication, determination, and indomitable spirit that the NYWBA has thrived in spite of the pandemic, transitioning seamlessly to virtual events and programs when in-person options were not available.

As the pandemic ebbed, the NYWBA slowly returned to in-person events. The Programs and Events Committee's in-person event, **The Notorious RBG: The Life and Times of Ruth Bader Ginsburg**, offered a private tour of the New York Historical Society's seminal exhibit on the late Justice Ginsburg. Our first large in-person event, the **Annual Judges Reception** held on March 3, 2022, felt unusually celebratory as colleagues and friends saw each other, many for the first time in two years, and reconnected throughout the evening. The Matrimonial and Family Law Committee's **An Evening With Justices Chesler and Waterman-Marshall** on April 27, 2022 was a big success along with the follow up event **Meet The Judges Part 2! An Evening with the Hon. Ariel D. Chesler and Esther B. Cajuste, Esq.** The NYWBA's **Cycle for Survival: New York** cycling event on Saturday May 21, 2022 to raise money for rare cancer research also offered a chance to gather with friends and colleagues in person for a worthy cause.

In-person congratulations were also extended to NYWBA Past President **Virginia A. LoPreto** and long time board member and former NYWBA Officer **Hon. Laura Drager** (Ret.) who, on May 5, 2022, were honored at the FamilyKind 10th Anniversary Gala. Virginia received the FamilyKind Service Award and Judge Drager received The Honorable Sondra M. Miller Award. These are honors that are well deserved indeed.

The NYWBA continues to be unflagging in its commitment to provide free CLE offerings to our members. Recent CLEs have included the Pro Bono and Community Service Committee's April 5, 2022 CLE: **Applying an Equity Lens to Pro Bono**, the May 5, 2022 CLE, **Computer Tech Skills Every Lawyer Needs to Know** held by the Solo and Small Firm Practice, Student and New Lawyers and Civil Courts Committees, and **Re-Thinking Careers in Post Pandemic World Discussion** presented by the Litigation and Students and New Lawyers Committees on May 10, 2022, and **The Ethics of Pro Bono Practice**, held by the Pro Bono and Community Service Committee on May 26, 2022, to name a few.

The first event during my term is the annual program that NYWBA created and now co-sponsor with the New York City Bar on **"What It's REALLY Like to Practice Law as a Woman,"** on July 19, 2022, where our distinguished panel of women lawyers will provide insights and guidance to hundreds of law students and junior attorneys just starting their legal careers. I thank the incomparable **Hon. Lisa A. Sokoloff** and **Martha E. ("Meg") Gifford** together with NYWBA members **Melissa F. Glassman**, **Ernestine J. Mings**, and **Crystal R. Villaseñor**, for organizing this tremendous program once again this year.

WELCOME NEW MEMBERS

David J. Doyaga
Rachel N. Friedman
Mariah S. Genis
Catharine A. Grad
Shanna Kaminski
Natalie Krodel
Lindsey Laveaux
Natalie S. Maier

Anna Mikhaleva
Alexandra Reese
Jacqueline Sailer
Kelly R. Schwab
Elizabeth Shamahs
Lauren F. Wyler
Carolyn Ye

as of May 24 2022

Save-the-Date

**The Martha E. Gifford
Summer Program
"What It's (Really) Like
To Practice Law As A Woman"**
July 19, 2022

Your Opinion Matters

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

As we kick off the new term, I also encourage everyone to join or to renew their NYWBA membership. Our membership year begins on June 1 and I urge you to enlist your colleagues to renew their membership or to join as new members. It is through our numbers that we can make a difference in advancing the status of women in the legal profession and in society at large.

I thank everyone for their hard work in planning our **Annual Installation & Awards Gala** on June 16, 2022 at Tribeca 360°, where Awards of Recognition will be presented to the **Hon. Tanya R. Kennedy** and **Hon. Saliann Scarpulla**. The Florence E. Allen Award will be presented to **Hon. Sherry Klein Heitler**, and The Doris S. Hoffman Service Award will be presented to **Hon. Judith S. Gische**.

I also want to extend the heartiest of congratulations to incoming President of the Women's Bar Association of the State of New York, **Deborah G. Rosenthal**, Past-President of NYWBA. I look forward to working together.

And, as always, I am ever grateful to the incredible **Karen Lu** without whom we certainly could not manage to do it all. I look forward to seeing the NYWBA Officers, Board of Directors and WBASNY Delegates, sworn in to kick off the 2022-2023 year.

I look forward to working with all of you in the year to come.

Magnolia

COMMITTEE CALENDAR

Animal Rights Committee meeting by Zoom on **June 6** at 6:00 p.m. RSVP animallaw@nywba.org.

Criminal Law Committee in-person social gathering (rescheduled from May because of thunderstorms) will be held on **June 13** starting at 6:15 p.m. CrimLawChairs@nywba.org for location information and to RSVP.

Elder Law Committee "Lunch & Learn" will be held by Zoom on **June 14** from 1:00 p.m. – 2:15 p.m. RSVP elderlawchairs@nywba.org.

INTERESTED IN LEADING A COMMITTEE?

Members interested in leading a committee should e-mail president@nywba.org! Please include **all committees** in which you are interested in serving.

FamilyKind's 10th Anniversary Gala

was held on May 5, 2022

at The Explorers Club. They honored NYWBA Past President **Virginia A. LoPreto** with the *FamilyKind Service Award*



and long-time NYWBA Director **Hon. Laura E. Drager (Ret.)** with *The Honorable Sondra M. Miller Award*



Save-the-Date

Diversity Equity & Inclusion Committee
Equity In Action Speaker Series with
Judge Waterman-Marshall

June 23, 2022 at 6:00 pm

NYWBA's Animal Law and WBASNY's
Environmental Law Committees
present a CLE Program:

The Elephant in the Zoo(m): Should Non-Humans and Natural Resources be Considered "Persons" Under the Law?

On May 18, 2022, the New York Court of Appeals heard the habeas corpus petition involving "Happy the Elephant" and considered whether she is a person under the law. Recent legal efforts in the environmental field have asked similar questions as to natural resources, such as lakes. Join us for a thoughtful discussion on these issues, and the potential climate change and biodiversity repercussions to future generations should these efforts fail.

Speakers: *Courtney Fern*, Director of Government Relations and Campaigns, The Nonhuman Rights Project and *Terry Lodge, Esq.*, Law Office of Terry Jonathan Lodge

Moderator: *Mariann Sullivan*, Adjunct Professor of Animal Law at Cornell Law School and Co-Host of the Our Hen House podcast

Date: June 20, 2022
Time: 6:00 p.m. to 7:30 p.m.
Location: Zoom Webinar
CLE: 1.5 Areas of Professional Practice
Cost: Free – NYWBA and WBASNY Members
\$25 – Non-members**
RSVP: Before June 15, 2022 to
animallaw@nywba.org
Info: If you have any questions, please contact
cle@nywba.org.

*CLE Credits: 1.5 Areas of Professional Practice. 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 New York State CLE Board for the above-listed credit hours for experienced attorneys (those admitted to the New York Bar for more than 2 years) and as transitional credit hours for newly admitted attorneys. Please be advised that, in accordance with the New York State CLE Board Regulations and Guidance, while newly admitted attorneys are encouraged to participate in diversity programs, only experienced attorneys may earn credit in the Diversity, Inclusion and Elimination of Bias category of CLE credit.

** Free to NYWBA and WBASNY members, as well as members of the public not seeking CLE credit. \$25 for non-members. 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.

IN MEMORIAM



It is with great sadness that we inform you of the passing of **Marjorie E. Karowe**, WBASNY Past President.

Marjorie Karowe was a founding mother and the second President of WBASNY (1982-84). In 1982 when she became President of WBASNY, Marge made it her mission to expand the young organization, then comprising primarily downstate chapters, into a truly statewide organization by encouraging ten more chapters

outside of the metropolitan area to join. During her tenure as President, Marge served on the New York Task Force on Women and the Courts which issued the first comprehensive study of the pervasive discrimination which faced women as attorneys, as litigants, and as judges in the New York State Court system. After her presidency Marge continued to serve WBASNY on the Board of Directors, as Chair of the Statewide Legislative Committee and as coordinator of the first statewide CLE program. In addition, she was a Charter Member of the New York State Bar Association, Labor Law Section, on the Editorial Board for its publication "Public Sector Labor and Employment Law", and Chair of the Committee on Pension, Welfare Benefits and Related Plans.

During her legal career, Ms. Karowe served on many statewide and departmental legal committees such as the Judicial Nominating Committee for the Court of Claims, the Judicial Screening Committee for the Appellate Division, Third Department, the Advisory Committee on Equal Opportunity to the Commissioner of Education, and the Advisory Committee on Civil Practice. She was an adjunct professor at Albany Law School as well as Cornell University's School of Industrial and Labor Relations, and the Union College Graduate School. She was also the recipient of several awards relating to her activities in support of women in the legal profession including Jean M. Coons Award from the Capital District Women's Bar Association, the Marilyn Menge Award from WBASNY, the Hoffman Medal from WBASNY, and the Kate Stoneman Award from Albany Law School.

From her early involvement in the Women's Movement of the 1960's, through the founding of WBASNY, through her years of law practice, and the years beyond, the advancement of women in our profession and the equality of women everywhere were a major concern of her heart, and a deep and abiding commitment to family was the bedrock of her life.

Our deepest sympathies are extended to Marjorie's entire family at this very difficult time.

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.

Predatory Marriages: Lunch and Learn

Predatory marriages are difficult and expensive situations for the elderly and their families to resolve. Stories abound about the "sweetheart swindle," which is one form of predatory marriage, where a stranger identifies a lonely, wealthy person, and then sets up meetings for the purpose of either "helping" or requesting help. The pattern continues over time, so that the lonely person creates a "relationship" with the swindler and eventually loses his or her fortune. The National Academy of Elder Law Attorneys (NAELA), of which I am a member, is hosting a virtual Lunch & Learn program on Predatory Marriages on **June 15, 2022**. I will be attending. If you are interested in NAELA or want to register for this program, go to naela.org.

Sabrina E. Morrissey

NYWBA FOUNDATION

THE NEW YORK WOMEN'S BAR ASSOCIATION FOUNDATION, INC. IS THE CHARITABLE ARM OF THE NEW YORK WOMEN'S BAR ASSOCIATION

The NYWBA created the New York Women's Bar Association Foundation, Inc. (NYWBAF) in 1995. Its goals are: (1) to eliminate gender bias and other forms of discrimination from the legal system and legal profession, (2) to promote the social and economic equality, safety and well-being of women and children, and (3) to address the unmet legal needs of women and children. The Foundation is a 501(c)(3) not-for-profit charitable organization which supports and funds charitable and philanthropic programs to aid women and children throughout Manhattan and beyond.

Fellowships funded by the NYWBAF provide law students with the opportunity to gain valuable training, experience, and professional connections while assisting in the important work of organizations that provide free legal services. To support fellowships like this, you can donate to the Foundation by contacting info@nywbaf.org or visiting <https://nywbaf.org>.

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 **2022-2023**.

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 our Newsletters online, and other benefits.

Renew online using our secure online membership form at www.nywba.org/membership. You can also email Executive Director Karen Lu (ED@nywba.org) to confirm your member status or request a paper membership form by email.

“Less Is More” Parole Reform Takes Effect

By Jessica Horani

The **NYWBA Criminal Law Committee** hosted **Lorraine McEvilley**, Director of the Parole Revocation Unit at the Legal Aid Society at our March 21, 2022 virtual meeting, to share with the membership some key points of the recent “Less is More” parole reform. Given time constraints, Director McEvilley gave a broad strokes presentation of the new reform, as summarized below, while alerting the members that there is more to look into regarding these important new reforms.

The genesis of the Less is More parole reforms, which amended Executive Law Article 259(i), came about as a result of historically harsh parole laws in New York State. New York sent more people back to prison for what are considered “technical” violations than any other state, and more parolees back to prison for drug treatment than all other states combined. It was in reaction to these significantly punitive responses to non-substantive parole violations that the new law was born. As McEvilley explained, the new law is transformative when it comes to technical parole violations and how they are handled. Although there are some additional due process protections built into the reform for substantive violations; the new law does not affect much else for those types of violations. McEvilley stressed this difference for those who might be concerned that the reforms go too far or are too lenient with respect to reoffending individuals.

One subtle but key change to the law which affects parolees and practitioners is the change to the location of the parole revocation hearings. Previously handled at the correctional facilities at Rikers Island, the hearings are now being moved to the actual courthouses. This change in venue provides greater transparency of the proceedings and will allow a parolee’s family members and other interested parties to attend. It will also allow all stakeholders to become more knowledgeable about the parole matters affecting individuals under supervision, rather than remaining in the dark.

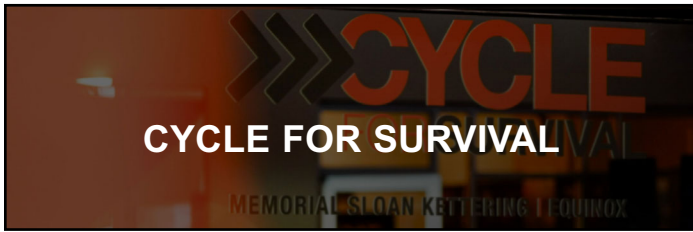
As for substantive changes to the law, “Less is More” now requires the Court to consider the “least restrictive reasonable sanction,” and the range of available sanctions is now dependent on the distinction between technical and non-technical violations. For example, for minor technical violations such as curfew violations or a positive drug test (with certain exceptions), incarceration is no longer an option as a parole violation sanction. There are also limits on the amount of time that can be imposed for those technical violations where incarceration is still allowed. There, the possible sentences are capped at 7, 15, and 30 days. These limits on incarceration do not affect the non-technical violations. The reforms neither alter nor reduce the amount of time a parolee may face for a non-technical violation, such as sustaining a new criminal charge.

Notice procedures for parolees accused of violations have also been changed by “Less is More.” The new notice of violation was described as akin to a desk appearance ticket in that the notification gives the parolee the chance to go to their parole office upon receipt of a notice of violation and potentially remain out of custody for the parole violation hearing. On technical violations, a parole warrant will only be issued after a notice of violation if the violation is subject to incarceration and 48 hours have passed since the hearing date without the parolee reporting. If the technical violation is one for which no incarceration is authorized as a sanction, then no warrant can issue for the parole violation but the parolee may be subject to what is essentially a default judgment if they fail to show. When addressing a parolee’s failure to report to parole as a violation, the reform now has a specific definition for absconding which requires an intentional avoidance of supervision.

In those situations where a parole warrant is authorized and executed against a parolee the parole recognizance hearing will be held at the criminal court arraignment or typically within 24 hours of the arraignment. The recognizance hearing mimics a bail hearing but the only possible outcomes are the parolee’s release or remand. Although no actual bail may be set for a parole matter, the Judge may set non-monetary conditions upon release. Given the change of venue for these hearings to occur at the criminal court arraignment, criminal court judges have been receiving training regarding the new law and its application. Defense attorneys who are assigned to represent a client at criminal court arraignment will also need to be familiar with the reforms as they will be expected to represent the client on the parole recognizance hearing when it occurs at the arraignment as well. For parole hearings occurring after arraignment, the Legal Aid Society’s Parole Revocation Unit will continue their prior representation.

For decades, parole matters were a niche subspecialty of the criminal law which many practitioners consciously avoided and whose proceedings occurred outside of any courtroom with disproportionate sanctions to many parolees. The “Less is More” parole reform brings the proceedings into new light, requires the attentive involvement of more parties and provides a respite for those who would have faced more severe sanctions for technical violations while still maintaining the ability of the Courts to impose serious sanctions on non-technical violations.

Jessica Horani is a co-chair of the NYWBA Criminal Law Committee. She is an attorney in the Special Litigation and Juvenile Defense Units of New York County Defender Services, having worked previously as a public defender in Miami-Dade County and in private practice in NYC. She also currently serves on the Board of the New York State Association of Criminal Defense Lawyers as a Vice President.



On May 21, the NYWBA participated in Cycle for Survival and raised \$3,000 for Memorial Sloan Kettering to Beat Rare Cancers. 100% of every dollar supports pioneering research and lifesaving clinical trials led by Memorial Sloan Kettering Cancer Center (MSK), the world's oldest and largest private institution dedicated to revolutionizing our understanding and treatment of cancer. Within six months after the close of fundraising each year, the money raised by Cycle for Survival riders and donors goes directly to MSK doctors and scientists, fueling bold ideas and breakthroughs.

The NYWBA team consisted of **Karen Lu**, Executive Director of the NYWBA and member, **Melissa Cefalu**, NYWBA member, **Heather Strum**, **Lindsay Rosenthal**, **Stephanie Hochman**, **Eric Strum**, **Tarren Feinberg**, and was led by team captains and NYWBA members, **Melissa F. Glassman** and **Crystal R. Villaseñor**. The four-hour ride took place at Wollman Rink in Central Park. Despite the 90 degree weather, hundreds of people came together in the hopes that no one has to hear "you have cancer and it has no cure." The music was lively, the speeches were inspiring and the energy was contagious.

Melissa was honored to be asked to ride "Jenn's Bike," a bike placed in the front row that is dedicated to one of the event's founders, Jennifer Goodman Linn, who lost her battle to cancer in 2011, after a 7-year battle. Melissa rode Jenn's bike in memory of all those who have lost their battles, including her Aunt, Cousin and some of her dearest colleagues' parents whose lives were cut short.

The ride was a huge success and we look forward to the 2nd Annual NYWBA Cycle for Survival Team to take place in 2023 when we will ride again in 2023 to raise money for such an important cause.

We are especially grateful for all of those who donated to the NYWBA.

Thank you for your support!

Melissa G. & Crystal

This year Cycle for Survival raised \$24,553,770 for rare cancer research and the fundraising is ongoing. If you have not yet done so please consider donating to the NYWBA team:

https://secure2.convio.net/mskcc/site/TR/CycleforSurvival/CycleforSurvival?pg=team&fr_id=3774&team_id=76388.





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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 **Jennifer Branca, Katelyn M. Brack, Elizabeth Friedrich & Olivia Sohmer**) 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.

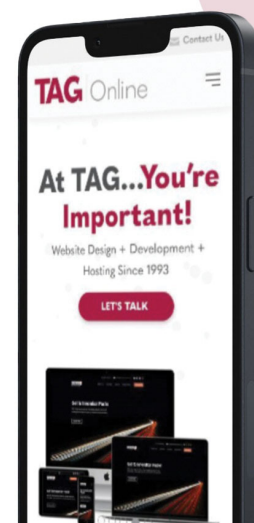
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