Looking out for our Members and the Community

PATRICIA M. HYNES, PRESIDENT

In good times and bad, the New York City Bar looks out for its members and contributes to the greater community. In 1946, a lot of Americans were resuming careers they had put on hold to serve in World War II, including lawyers seeking to return to their profession in a world with promise of an economic boom getting underway. The question was how to connect the returning lawyers to new and emerging opportunities. And so the City Bar, along with the New York County Lawyers’ Association, started the Legal Referral Service to help with career placement.

Again, during the downturn of the early 1990s, the Association invigorated its efforts to help lawyers in transition to enhance their career opportunities. In that process, the City Bar built a series of programs that assist lawyers with their career options.

Today, the Association is continuing its efforts to serve its members in difficult economic times. The Legal Referral Service is greatly expanded and continues to provide opportunities for experienced attorneys to build their practice, as the accompanying article illustrates. We encourage our members to apply to the Service to be included on its panels, because you never know when someone will call looking for your practice area.

The Legal Referral Service

In 1946, the New York City subway cost a nickel, a first-class postage stamp three cents, a gallon of gas 15 cents, and, in its first year of operation, the median fee for the work referred by the Legal Referral Service (LRS) was five dollars.

Today, 11 LRS lawyers and paralegals field up to 700 calls a day, answering in an average of 20 seconds. As they interview and counsel callers—in English, Spanish or almost any language in the world through a real-time telephone translation service—they search

Membership has its Career Benefits

The New York City Bar is acutely aware of the effects the economy is having on our members and law firms across the city. That’s why we’re working to make our existing programs stronger and developing new networking and career development resources to assist all members, from those just starting out to more experienced attorneys who are trying to find a new position or re-enter the profession. The following highlights some of the career development programs currently available at the City Bar.
LOOKING OUT FOR OUR MEMBERS AND THE COMMUNITY: continued from p. 1

We are also enhancing our professional development and career development programs for lawyers in all stages of their careers. A new initiative this year, Young Lawyers Connect, helps lawyers entering the practice to network and learn about the advantages the Association has to offer. In this issue, you will see a list of upcoming events in these areas.

Our commitment to our members is matched by our commitment to all those affected by the economic downturn. The poor will need greater access to legal services, and the City Bar Justice Center will need to increase its ability to provide those services. This creates an opportunity to serve both our members and the public. Lawyers who are seeking to increase their experience and develop their expertise should consider volunteering for the City Bar Justice Center’s pro bono projects, such as the Legal Clinic for the Homeless featured in this issue. In doing so, you will be helping those in need of legal services, whose needs are growing as they bear a disproportional share of the economic misfortune. You will also have a great chance to get training and experience in a new field and develop skills by handling pro bono cases under the direction of the Center’s excellent staff attorneys. One of the great by-products of the pro bono experience is that it benefits a lawyer’s career while helping a client’s life.

Through good times and whatever storms may lie ahead, the Association will continue to serve its members while maintaining its role as a leader in shaping ethical standards and public policy, improving access to justice, and generally doing great work that makes a difference.

Fall Events at the City Bar

Pulitzer Prize-winning journalist Linda Greenhouse (left), with Hon. Ruth Bader Ginsburg and New York City Bar President Patricia M. Hynes on November 18th, when Greenhouse delivered the Justice Ruth Bader Ginsburg Distinguished Lecture on Women and the Law.

Ifikhar Muhammad Chaudhry, who was removed as Pakistan’s Chief Justice by former President Pervez Musharraf and became a symbol of the movement for judicial and lawyer independence in Pakistan, was presented on November 17th with honorary membership in the Association by City Bar President Patricia M. Hynes and Jed S. Rakoff, United States District Judge for the Southern District of New York and Chair of the City Bar Honors Committee.

Flanked by Chief Judge Judith S. Kaye (right) and City Bar President Patricia M. Hynes, New York Governor David A. Paterson addressed a packed Great Hall on December 9th as Chief Judge Kaye received the New York City Bar’s Association Medal.
Other Member Benefits

As a City Bar Member, take advantage of these additional special offers and discounts.

Access Legal Databases Anywhere
- Westlaw forms
- HeinOnline
- Michigan Law Library
- LexisNexis

City Bar Library
- Wireless access
- Computers with free Internet service
- Free access to Westlaw and Lexis
- Low-cost copy services

Small Law Firm Center
- Free attorney workspace and conference room
- Online discussion forum
- Free member postings page
- CLE discounts
- E-newsletter
- Annual symposium

Hold Meetings and Events at the Association
- Special member rate for use of rooms
- Modern amenities and on-site catering
- Accommodate groups of four to 400

Car Rentals
- Avis
- Budget
- Hertz

Financial
- Bank of America Credit Card
- UBS Brokerage Services
- Chase Home Mortgage

Credit Card Processing Services
- The Law Firm Merchant Account

Office Resources
- RPost Registered Emails
- DHL
- FedEx

Website Development & Marketing
- Findlaw

Insurance
- USI Affinity
  (Professional Liability, Workers’ Compensation, Disability Income)
- Marsh
  (Health Savings Accounts, Long Term Care Insurance, Term Life Program, Business Overhead Expense, and more)

For details on all of these products and services, visit www.nycbar.org and click on the Benefits link.

MEMBERSHIP HAS ITS CAREER BENEFITS: continued from p. 1

City Bar Programs and Events

In addition to the hundreds of programs produced each year on a variety of topics, the City Bar has created several targeted and ongoing program series to respond to different segments of the legal community. The series are a great way to build relationships with other attorneys and find the specific resources that are right for you.

The Professional Development Workshop Series: Six breakfast workshops presented by leading consultants and experts aimed at providing mid-level associates with the skills they need to be successful in their careers (see back page for more information)

Young Lawyers Connect – First Thursdays: Monthly social events, such as salsa dancing and sushi making, for young attorneys to expand their professional contacts and be part of a larger community

Break from the Law: A City Bar Initiative for Practicing and Re-entering Lawyers: Six programs developed by the Committees on Career Advancement and Management and Women in the Profession to assist re-entering attorneys; topics include getting ready for the interview process, networking in a social setting and what’s new in technology

The Small Law Firm Luncheon Series: A three-part luncheon series focused on growing your practice through budgeting, marketing and client outreach

Committee on Career Advancement and Management: A variety of programs each year on a range of topics, such as non-traditional career paths, intelligent interviewing and life after the firm

continued on p. 4
Career Counselor Referral Program
Launched this month, the Program provides members with a referral for a one-on-one session with an experienced career counselor. This program is open to all members who are admitted to practice and recent law school graduates. Eligible members can meet with a participating counselor for an initial one-hour session for a fee of just $100.

Continuing Legal Education
Members receive up to 35% off regular prices on CLE programs and products. The City Bar provides 150 live CLE courses annually, ranging from 1.5 to 8 hours, along with online programs, DVDs, books and podcasts. While CLE courses are a requirement of the profession, they are also an excellent way to develop new skills and gain knowledge in a variety of areas. The City Bar Center for CLE is a New York, California and Illinois accredited provider.

Committee Membership
As a member of the City Bar, you can apply to join one of 160 committees, which cover a broad range of practice areas and interests. As a committee member, you will work closely with colleagues from a range of fields and backgrounds in developing programs and reports that frame public debate on pressing legal issues and influence local and national policy.

Pro Bono Opportunities
Volunteer with the City Bar Justice Center and supplement your daily work or keep active while in transition as you assist New York’s most underserved individuals through our various pro bono legal projects. Attorneys may earn one CLE credit for every six hours of eligible pro bono legal service (to a maximum of six pro bono CLE credits per reporting cycle).

Legal Referral Service
The Legal Referral Service, run by the City Bar and the New York County Lawyers’ Association, provides referrals to pre-screened attorneys. (See cover article)
Opportunities to deliver additional value to plan sponsors

The Katz Institutional Consulting Group

Consulting services for 401(k) Plans
Additional consulting services for 401(k) plans include:
- Search for alternative retirement platforms
- Assistance with the development of criteria for selecting service providers
- Evaluation of the relative merits of bundled recordkeeping/investment service providers
- Evaluation of proposals received from prospective service providers
- Coordination with the relationship manager of the retirement platform

- Assistance in evaluating the type and number of investment alternatives
- General employee education and communication
- Investment option search
- Investment performance monitoring

Pension opportunities

401(k) retirement plans are being asked to disclose fees for both investment and plan expenses, and maintain transparency.

Our Group can provide assistance to plan sponsors by helping to:
- Negotiate reduced fee structures
- Explore investment options
- Gain access to a growing class of investment vehicles—ETFs

Use of ETFs in a 401(k)
ETFs can allow sponsors to offer another means of exposure to particular markets, indices or sectors. The benefits of ETFs in 401(k) retirement plans include:
- Generally low internal expenses
- Additional exposure across asset classes, market capitalizations and geographical locations
- Easily explained to your plan participants

For a complimentary study and review of an existing plan, please contact:
Jason M. Katz
Senior Vice President—Investments
Advisory & Brokerage Services
Institutional Consultant
UBS Institutional Consulting
212-713-9201 jason.m.katz@ubs.com

Kenji Yoshikawa
Financial Advisor
UBS Institutional Consulting
212-713-9248 kenji.yoshikawa@ubs.com

UBS Financial Services Inc.
1285 Avenue of the Americas, 16th Floor, New York, NY 10019

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Neither UBS Financial Services Inc. nor any of its employees provide legal or tax advice. You must consult with your legal or tax advisor regarding your personal circumstances.

Exchange Traded funds (ETFs) are sold by prospectus, which contains detailed information about an ETF, including its investment objectives, risks, charges and expenses. For a free copy of a prospectus, please contact your Financial Advisor. You should read the prospectus carefully before investing.

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In 2007, approximately 9,000 families stayed in New York City’s homeless shelters each night. It was the worst year for family homelessness in the city’s modern history, and the current economic climate has only made a bad situation worse.

New York City is one of the most expensive urban areas for food in the United States. The New York Times reported in June, 2008, that more than one-third of city residents have trouble affording food. Rising prices force families to make difficult choices between food and other necessities, and because of the skyrocketing cost of transportation, the cost of fresh foods has risen dramatically, inhibiting healthful diets. In the shelter system, where half of all residents are children, the lack of an essential diet has a critically detrimental impact on growth, development and learning. Additionally, the purchasing power of food stamps has declined as the amount in food stamps provided to individuals and families has not matched the rising cost of food.

The Legal Clinic for the Homeless, started in 1991, works with highly skilled attorneys to ensure that homeless New Yorkers are receiving the public benefits they need to cope with the rising prices of daily necessities. The project is staffed by Lisa Pearlstein, the director, Mary Ashby Brown and Jessica Swensen, along with volunteer attorneys. The project primarily assists homeless families and those at risk of homelessness in securing state and federal public benefits, vital tools in poverty prevention and alleviation. Staff and volunteer attorneys offer advice, advocacy and representation on issues such as accessing and contesting denials and reductions of public assistance, Medicaid, food stamps and public housing subsidies.

In many cases, the clients have tried to advocate on their own behalf with little success. Having an attorney or law student advocate for them provides another voice to aid in the process.

“When the welfare agency employees hear there’s an attorney on the other end of the line, they pay more attention,” said Whitney Potts, an associate at Holland & Knight LLP who has volunteered at the Regent Family Residence on the Upper West Side of Manhattan since she was a student at Columbia Law School. The cases often require minimal involvement on the part of volunteer lawyers, but lead to the satisfying and substantial outcome of gaining thousands of dollars in restored or new benefits for clients.

In one case, Ms. M., a Spanish-speaking homeless mother of two—a 19-year-old daughter with Down’s syndrome and acute leukemia and a nine-year-old daughter with severe learning disabilities—came to a Justice Center legal clinic at her shelter. She was desperate for help since the City welfare agency reduced her public assistance benefits from $218 to $109 per month, because she failed to comply with the City’s requirement that public assistance recipients go to workfare appointments and assignments. Ms. M. had attempted to explain to agency employees that she needed to be with her daughter while she was undergoing chemotherapy, but due to language barriers she was not successful. In short order, a volunteer lawyer from Citigroup collected documentation of Ms. M.’s daughter’s medical condition and hospital stays and sent it to top-level City welfare agency administrators, who granted Ms. M. an exemption from participation in the workfare program, raised her benefits to their proper level and restored the benefits that had been cut.

Another key issue for the Legal Clinic for the Homeless is domestic violence. Women who are fleeing domestic violence make up approximately one-third of those served by the project. With the city’s domestic violence shelters often at full capacity, survivors spill over into the regular shelter system. “We expect a rise in domestic violence survivors entering the shelter system as the economy worsens,” noted Pearlstein. “We are able to advocate for
special protections in the public assistance system and housing priorities available to certain domestic violence survivors.”

Prior to meeting a Legal Clinic for the Homeless volunteer attorney, Ms. S. had escaped an abusive husband and ended up at a shelter in Manhattan with her two teenage sons. Ms. S. works 30 hours per week cleaning apartments, and her oldest son works approximately 25 hours per week at a warehouse store. Working poor individuals in the shelter system must apply to the City for an open “single issuance” public assistance case in order to access Work Advantage, a rent-voucher program that moves individuals out of shelters and into their own apartments. When Ms. S.’s pro bono volunteer met her at a legal clinic, Ms. S. had applied five times over the course of five months for an open single issuance public assistance case. Each time, although she kept all of her scheduled appointments, losing many days of pay in the process, the City rejected Ms. S.’s application without notice or good reason. Ms. S.’s pro bono volunteer began working on the case immediately by emailing top-level City administrators who supervised Ms. S.’s welfare center. Within two days, Ms. S.’s public assistance case was in open single issuance status. Her shelter case manager reports that Ms. S. should be receiving her housing voucher within the next week and able to sign a lease for a new apartment.

The success of the Legal Clinic for the Homeless comes from its model of matching law firms, corporate legal departments and law schools with one of eight participating shelters in Manhattan, Brooklyn, Queens and the Bronx. Since two to three attorneys/paralegals from each partnering firm or school attend the clinics, the project is enhanced by a sense of camaraderie as volunteers encourage others to attend and are able to consult one another on cases. Current partners of the Legal Clinic for the Homeless include Alston & Bird LLP; Citigroup, Inc.; Columbia Law School; Cooley Godward Kronish LLP; Dechert LLP; Holland & Knight LLP; Manatt Phelps & Phillips LLP; Merrill Lynch; Reed Smith LLP and Skadden, Arps, Slate, Meagher & Flom LLP. The New York Community Trust also has supported the project by funding a staff attorney to focus specifically on young women in shelters, who are often in greater need of help due to lack of life skills and support systems.

The Legal Clinic for the Homeless staff trains and mentors the volunteers, providing intensive case management and support. At least one staff member attends every clinic with the pro bono volunteers, helping to spot and resolve legal issues. Between August 2007 and July 2008, the Homeless Project staff and volunteer attorneys served 622 individuals and/or families through representation, legal clinics, telephone consultations, community activities and presentations.

If you are interested in volunteering for the Legal Clinic for the Homeless, please contact Jessica Swensen, Project Coordinator, at jswensen@nycbar.org or 212.382.6708.

“We expect a rise in domestic violence survivors entering the shelter system as the economy worsens. We are able to advocate for special protections in the public assistance system and housing priorities available to certain domestic violence survivors.”

— Lisa Pearlstein, Director of the Legal Clinic for the Homeless
Litigating in the Medical Malpractice Parts of the Supreme Court
6 TUesDAY, 8 AM – 9 AM
A panel discussion among experts from the Bench and Bar who sit and practice in the Medical Malpractice Part of the Supreme Court about the procedures and how best to navigate your way when practicing in those parts.

Speakers:
HON. SHEILA ABDUS-SALAAM
Supreme Court Justice, New York County
CARAMIA R. HART
Kopff, Nardelli & Dopf, LLP
JEFFREY M. KIMMEL
Salenger, Sack, Schwartz & Kimmel, LLP

The fee, which includes breakfast, is $10 for members, $15 for non-members. Please register online at www.nycbar.org

Peaches and Daddy
6 TuесDAY, 6 PM – REFRESHMENTS; 6:30 PM – PROGRAM
“Peaches” was a 15-year-old high school dropout who in 1926 married “Daddy,” 51-year-old real estate mogul Edward West Browning. Months later, this tabloid-loving couple headed for divorce court in a lurid, sensational trial.

Attorney Michael M. Greenburg, lawyer and author, discusses his book about them and provides a 21st-century perspective on what has become part of media culture: the celebrity divorce. He is joined by New York Supreme Court Justice Rosalyn Richter, who presides over a matrimonial part in New York County.

Speakers:
MICHAEL M. GREENBURG
Author, Peaches and Daddy
HON. ROSALYN RICHTER
Supreme Court Justice, New York County, Matrimonial Part

Refreshments will be served. Please register at www.nycbar.org

Effective Rainmaking
7 WEDNESDAY, 6:30 PM
How do you attract new clients, build new relationships and develop business in today’s challenging economic climate? Come learn proven and effective business development techniques that any attorney can implement to become a successful rainmaker. You will leave with practical tips on how to market your practice and network effectively with prospective clients. Whether you are a recent graduate or a seasoned attorney, you will leave armed with the knowledge to grow your business successfully.

Speaker:
MARK MARAIA
Maraia & Associates, Inc.

Registration by January 5 is necessary. The fee is $15 for members, $25 for non-members.

Forum: Promoting Diversity Among Labor and Employment Arbitrators
7 WEDNESDAY, 7 PM
This forum will address the under-representation of minorities among labor and employment arbitrators. We will discuss the obstacles to becoming an arbitrator and what has and can be done to address the problem. Interested parties, including labor and employment practitioners, arbitrators and ADR organizations, are invited to participate in a constructive dialogue on these issues.

Speakers:
HOMER C. LARUE
Arbitrator
ROBERT T. SIMMELKJAER
Arbitrator
MAYRA BELL
General Counsel, New York City Office of Labor Relations

Eddie Demmings
Former General Counsel, AFSCME, DC37

Please register online at www.nycbar.org

Young Lawyers Connect — First Thursdays Series
Salsa Dance Class
8 THURSDAY, 6:30 PM – 8:30 PM
Dust off your dancing shoes and join us for a night of salsa, perfect for anyone who made meeting new people or learning to dance a top priority for the New Year. Enjoy light food and beverages, meet new people and learn to dance the salsa with top-ranked Latin ballroom dancer Kevin Lee. Don’t be intimidated—no dance experience necessary.
Kevin Lee has placed top-three in Latin Dance and performed at the International Hustle and Salsa Competition in Miami, Florida. He has also performed at the South Street Seaport Latin Festival in New York City.

And yes, we know that January 8th is technically the second Thursday of the month, but did you really want to go dancing on January 1st?

The fee is $15 for members, $30 for non-members. Please register online at www.nycbar.org or call 212.382.4723.

**We will not be able to offer refunds. Please sign up if you are ready to learn to dance.**

Twentieth Century Traveler: The Life and Perilous Times of the Hon. Bentley Kassal, Judge, Assemblyman, Harvard Rugby Champion, World War II Veteran, Photographer, World Traveler to 158 countries and Children’s Advocate

9 FRIDAY, 7 PM – RECEPTION; 8 PM – PERFORMANCE

The Entertainment Committee presents “Twentieth Century Traveler” honoring Judge Bentley Kassal, 91, Judge of the New York Appellate Division, First Department (retired), Assemblyman, Harvard Rugby Champion, World War II Veteran, Photographer, World Traveler to 158 countries and Children’s Advocate. David Rosenberg and John Gardner will serve as Masters of Revels. A wine and cheese reception will precede the performance.

There is no fee, but please register at www.nycbar.org. For further information, please contact Peter William Dizozza, Chair, Entertainment Committee, at 917.915.7635 or dizozza600@ci.com.

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Professional Development Workshop Series – The Essentials Managing Your Career

15 THURSDAY, 8:30 AM – 10 AM

In order for attorneys to progress in their careers, they must create a personal strategy to achieve success. Attorneys need to look ahead and assess their short-, mid- and long-term professional and personal goals. This program will help attorneys establish priorities, formulate career goals and develop an individualized and strategic action plan while exploring ways to meet professional and personal objectives.

Participants will learn to:
- Retain their drive and ambition
- Create tangible steps and realistic goals
- Stay focused on those goals and avoid distractions

Speakers:

KATHLEEN BRADY
Principal, Brady & Associates Career Planners, LLC

CAROL KANAREK, JD, MSW
Career Management for Lawyers

1.5 transitional/non-transitional NY MCLE practice management credits will be granted. Fee and registration information is available at www.nycbar.org

See back page for more information on the 2009 Professional Development Workshop Series.

Small Law Firm Luncheon: Effective Technology for the Small Law Firm

Accessible Anywhere, Any Time

15 THURSDAY, 12:30 PM – 2 PM

Technology exists to help you stay accessible, productive and reachable by clients anytime, anywhere. In this luncheon seminar you will learn some of the tools that are available for ubiquitous accessibility, along with potential pitfalls.

Moderator:

MARK JOSEPHSON, CPA, CFP, CFE
Murray & Josephson, CPAs, LLC

Speaker:

DAVID J. ROSENBAUM
Real-Time Computer Services, Inc.

Registration by January 12 is necessary. The fee, which includes lunch, is $25 for members, $35 for non-members. Please register on page 11 or online at www.nycbar.org

Friday Evening Chamber Music

23 FRIDAY, 6 PM

Nina Basescu (violin), Bernadette Jentsch (piano) and Peter Mole (cello) will play a Mozart piano trio.

Suggested donation is $10 at the door. For more information, please e-mail chambermusic@nycbar.org

Will Compliance with International Law Make Us More Secure? Advice for the New Administration

27 TUESDAY, 6:30 PM

Lawyers have a tendency to believe that more law is generally good and that greater adherence to law is always better. In no area is this presumption timelier or more hotly contested than in national security. Over the past seven years, the Association has been working with special fervor to improve U.S. laws affecting national security and to ensure compliance with them and with international law. With the inauguration of the new Administration, the Association is pausing to ask the most basic question — Will compliance with international law make us more secure? Among the topics to address are whether the current international legal regime is adequate to provide security and, if not, can it be reformed to do so; whether working with international organizations will provide more security; and what are the costs of complying?

Speakers:

SCOTT HORTON
Columbia Law School, Harper’s Magazine

ELISA MASSIMINO
CEO & Executive Director, Human Rights First
Break from the Law: A City Bar Program Series for Practicing and Re-entering Lawyers

Making Your Intentions Known: How to Network in a Social Setting

29 THURSDAY, 6 PM – 8 PM

After time away from the profession, it can be difficult to communicate with confidence that you are ready to re-enter the workforce. This program will provide practical tools and techniques for networking in a social setting, including how to segue from casual conversation to business topics, how to hone a message about yourself and your capabilities and how to tell brief anecdotes that convey your substance without bragging. A cocktail reception will follow where participants can practice their networking skills.

Presenter:
JAY SULLIVAN
Partner, Exec/Comm

The fee is $15 for members, $25 for non-members. Please register online at www.nycbar.org

Navigating Your Career through Troubled Waters — How to Turn Crisis into Opportunity

29 THURSDAY, 6:30 PM – 8:30 PM

The panelists will describe their current experiences practicing law in these economically trying times and will provide some practical insight into navigating your career, whether in private practice or in an in-house context.

Moderator:
LISA S. LIM
Agency Attorney, New York City Housing Authority Law Department
JANUARY 2009 REGISTRATION FORM

☐ Litigating in the Medical Malpractice Parts of the Supreme Court
6 Tuesday
The fee, which includes breakfast, is $10 for members, $15 for non-members

☐ Small Law Firm Luncheon
15 Thursday
The fee, which includes lunch, is $25 for members, $35 for non-members

☐ Effective Rainmaking
7 Wednesday
The fee is $15 for members, $25 for non-members

Name
Number of Reservations
Company
Address
City State Zip
Phone
Email
Total Enclosed $

☐ Mastercard ☐ Visa ☐ American Express
Card Number Exp. Date
Signature

Please return this form to: Meeting Services, New York City Bar, 42 West 44th Street, New York, NY 10036-6604. Please make checks payable to the Association of the Bar. If registering for additional persons, duplicate this form.

New Term Life Insurance Program

City Bar members can now apply for a traditional term life program with some exciting new enhancements or a 10, 15 or 20 year term policy which helps lock in lower rates.

Under the new traditional program, members and their spouses, (under age 60), may apply for up to $1,000,000. A new Ability Plus Benefit is included that pays $1,000 per month for up to 24 months provided the cognitive impairment or inability to perform two or more ADLs has lasted for at least 30 consecutive days.

For more information on these plans, please call Marsh at 888-882-2269, e-mail NYCBar.Insurance@marsh.com or visit www.MarshAffinity.com.

*Hartford Life and Accident Insurance Company, Simsbury, CT 06080. All benefits are subject to the terms and conditions of the policy. Policies underwritten by Hartford Life and Accident Insurance Company. Policy exclusions, limitations, reduction of benefits and terms under which the policies may be continued in force or discontinued. AGL-1832 • #36862

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**12**
6 PM – 9 PM
Subprime Market Meltdown: The Criminal Prosecutions Begin
3.0 credits*

**13**
6 PM – 9 PM
Use of Data, Information & Credit Reports in Housing Court
3.0 credits*

**14**
6 PM – 9 PM
Estate Planning Primer: Everything You Need to Know About Estate Planning. But Were Afraid (or Didn't Think) to Ask
3.0 credits*

**15**
6 PM – 8:45 PM
Estate Planning Primer: Everything You Need to Know About Estate Planning. But Were Afraid (or Didn't Think) to Ask
3.0 credits*

**16**
9 AM – 12 PM
Securities Reporting: Best Practices
3.0 credits*

**17**
9 AM – 12 PM
Securities Reporting: Best Practices
3.0 credits*

**18**
9 AM – 12 PM
Super Search Engine Strategies
3.0 credits
1 PM – 4 PM
Investigative Research Strategies
3.0 credits

**20**
6 PM – 9 PM
The Complexities of Buy-Sell Agreements: Drafting & Preparing Made Simple
3.0 credits*

**21**
6 PM – 9 PM
Discovery Techniques in Matrimonial Cases
3.0 credits*

**22**
9 AM – 12 PM
Women in Negotiation: Practical Tips to Strengthen Your Negotiation Skills (For You and Your Clients)
3.0 credits

**23**
6 PM – 8:30 PM
Electronic Discovery: Identifying, Retrieving, Producing & Preserving E-Documents
2.5 credits*

**24**
6 PM – 8:15 PM
Electronic Discovery: Identifying, Retrieving, Producing & Preserving E-Documents
2.5 credits*

**25**
6 PM – 8:45 PM
Ethical Issues in the Practice of Real Estate: What Every Attorney Must Know When Handling a Transaction
3.0 credits*

**27**
9 AM – 12:30 PM
Women in Negotiation: Practical Tips to Strengthen Your Negotiation Skills (For You and Your Clients)
3.5 credits

**28**
6 PM – 8:30 PM
Introduction to International Law
2.5 credits*

**29**
6 PM – 8:15 PM
Talk Your Way to the Top of the Profession! Public Speaking for Lawyers
8.0 credits*

*The program provides transitional credit for newly admitted attorneys
**ADR/ARBITRATION/ MEDIATION/NEGOTIATION**

**Video Replay**

**Women in Negotiation: Practical Tips to Strengthen Your Negotiation Skills (For You and Your Clients)**

27 TUESDAY, 9 AM – 12:30 PM

Do you feel your negotiation skills can be improved? Are you as effective at the negotiation table or in day-to-day negotiations as you would like to be? Using interactive discussions and humor, this program, based on characteristics of effective negotiators, will introduce you to the perceived differences between men and women in communicative preferences, attitudes towards conflict, negotiating styles and ways of processing information. The program, led by highly effective negotiators and mediators, will provide you with practical tips on how to prepare for negotiation and identify the most important aspects of persuading someone else to agree. It will also expose gender-specific behaviors that undermine power in negotiation and teach you to equalize perceived power imbalances. You will learn how to apply these skills to everyday situations for you and your clients, as well as how to use negotiating opportunities to continually improve your skills. Men are encouraged to attend.

**Program Co-Chair:**

MARGARET L. SHAW
Mediator/Arbitrator
JAMS

PAMELA R. ESTERMAN
Sive, Paget & Riesel

**Faculty:**

**STEPHANIE MORSE-SHAMOSH**
Director
UBS Financial Services, Inc.

**Faculty:**

**DINA R. JANSENSON**
Flemming Zulack Williamson Zauderer LLP
Mediator/Arbitrator, JAMS

**PROFESSOR CAROL B. LIEBMAN**
Clinical Professor
Columbia Law School

**HON. KATHLEEN A. ROBERTS (RET.)**
Mediator/Arbitrator
JAMS

**Video Replay (includes materials):**
Member $225, Nonmember $335

**CLE credit:** 3.5 credits total: 3.0 skills & 0.5 professional practice. This video replay does not provide transitional credit to newly admitted attorneys.

**CORPORATE & SECURITIES**

**Securities Reporting: Best Practices**

16 FRIDAY, 9 AM – 12 PM

This program is an overview of the various SEC reporting forms and recent SEC trends and developments, including how to prepare a Form 10-K, Form 10-Q, Form 8-K and a proxy statement. Current trends in shareholder proposals, how companies are handling the new proxy statement and corporate governance initiatives, developments in executive compensation disclosure, best practices related to officer certifications under Sarbanes-Oxley, compliance officers’ duties and trends in board-level issues will also be covered. In addition, you will learn the pros and cons related to repricing underwater stock options. New disclosure trends related to climate change and environmental impact as well as difficult market conditions and credit issues will be discussed.

**Program Co-chairs:**

N. ADELE HOGAN
White & Case Hogan LLP

NORMAN D. SLONAKER
Sidley Austin LLP

**Faculty:**

JOSEPH FLOYD
Vice President
Huron Consulting Group

**Program Co-chairs:**

N. ADELE HOGAN
White & Case Hogan LLP

NORMAN D. SLONAKER
Sidley Austin LLP

**Faculty:**

**BRUCE H. GOLDFARB**
President and Chief Executive Officer
Okapi Partners LLC

**RICHARD F. Langan, Jr.**
Managing Partner & CEO
Nixon Peabody LLP

**LINDA E. RAPPAPORT**
Shearman & Sterling LLP

**MARK A. RHODES**
Director & Associate General Counsel
Citigroup Global Markets, Inc.

**ANN ROBERTSON**
Senior Counsel
First Solar

**Live Program (includes materials):**
Member $225, Nonmember $335

**CLE credit:** 3.0 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

**The Complexities of Buy-Sell Agreements: Drafting & Preparing Made Simple**

21 WEDNESDAY, 6 PM – 9 PM

Most attorneys represent companies that have two or more owners, or individuals who own interests in businesses. Preparing a buy-sell agreement, or the buy-sell provisions of a partnership, LLC or shareholders’ agreement, involves complex issues of
corporate and business law, tax law, estate planning, accounting and insurance, as well as ethical considerations. This course will cover these aspects of buy-sell agreements. The panel includes corporate, tax and estate planning attorneys, as well as an accountant and an insurance professional.

Program Chair:
BRUCE D. STEINER
Kleinberg, Kaplan, Wolff & Cohen, P.C.

Faculty:
MARTIN H. ABO, CPA/ABV, CVA
Abo and Company, LLC

CAROLYN LLOYD-COHEN
CLU, ChFC, AEP, AIF
Preferred Pensions LLC

ISABEL MIRANDA
Law Offices of Isabel Miranda, LLC
Of Counsel, GluckWalrath, LLP

HAROLD I. STEINBACH
Steinbach & Associates, P.C.

Live Program (includes materials):
Member $225, Nonmember $335

CLE credit: 3.0 credits total: credit breakdown to be determined. This live program provides New York & California transitional/non-transitional credit to all attorneys.

ESTATE PLANNING

Estate Planning Primer: Everything You Need to Know About Estate Planning, But Were Afraid (or Didn’t Think) to Ask

14 WEDNESDAY, 6 PM – 9 PM

Estate planning attorneys are not the only practitioners who need to understand trusts and estates issues. Such issues arise in virtually every matter from corporate to real estate to matrimonial cases. This program will provide non-estate planning attorneys with a basic understanding of estate planning and insurance issues in order for you better to serve your clients’ needs.

Program Instructor:
DAVID K. LEITNER
Troutman Sanders LLP

Live Program (includes materials):
Member $205, Nonmember $315

CLE credit: 3.0 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

CRIMINAL

Subprime Market Meltdown: The Criminal Prosecutions Begin

12 MONDAY, 6 PM – 9 PM

The subprime market meltdown is finally spilling into the criminal courts as prosecutors announce new indictments and arrests. Charges run the gamut from mortgage origination fraud, in which the alleged victims are homeowners and financial institutions, to fraud in the inner sanctums of major hedge funds, in which the alleged victims are investors in fixed-income security funds. A panel of experts will discuss these cases and the viability of the Government’s legal theories. The panel will also address how targets and defendants can best defend against these allegations and the regulatory and civil litigation that will accompany or follow these charges.

Program Chair:
MICHAEL C. MILLER
Steptoe & Johnson LLP

Faculty:
DANIEL J. HORWITZ
Dickstein Shapiro LLP

WILLIAM F. JOHNSON
Chief Securities and Commodities Fraud Task Force
United States Attorney’s Office, SDNY

BARRY W. RASHKOVER
Sidley Austin LLP

Live Program (includes materials):
Member $205, Nonmember $315

CLE credit: 3.0 credits total: credit breakdown to be determined. This live program provides New York & California transitional/non-transitional credit to all attorneys.

SEEKING RETAIL TENANTS

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To learn more about Plaza Mews’ commercial units, please contact Cypress Hills Local Development Corporation at (718) 647-2800 at ext. 105. You can also visit our website for more information: www.cypresshills.org

A PROJECT DEVELOPED BY THE CYPRUS HILLS DEVELOPMENT CORPORATION

Cypress Hills Local Development Corporation
625 Jamaica Avenue Brooklyn, New York 11208-1203
Ph 718. 647.2800 Fax 718. 647.2805
**ETHICS**

**Ethics in the Electronic Age:**
Be Careful When Using That Cell Phone, BlackBerry, Blog, Social Network…

15 THURSDAY, 6 PM – 8:45 PM

Using technology to communicate with clients, the court and the public is a necessary part of a lawyer’s job. But incorrectly using these tools can lead to disaster, particularly when it comes to client confidences and secrets. This program will address common mistakes that lawyers have made with cell phones, speaker phones, voicemail, e-mail and wireless handheld devices like BlackBerrys. Additionally, the program will address new means of sharing documents with the court system, with guidance on how to use these systems ethically and efficiently. Finally, the audience will learn about how the next generation of Internet communications (e.g., blogs and social networks) carry with them even greater risks to go with their benefits.

**Program Chair:**
**JEREMY R. FEINBERG**
Statewide Special Counsel for Ethics
NYC Office of Court Administration

**Faculty:**
**JEFREY E. CARUCCI**
Statewide Coordinator for EFiling
NYC Office of Court Administration

**DAVID A. LEWIS**
Proskauer Rose LLP

**HON. JACQUELINE W. SILBERMANN (RET.)**
Of Counsel
Blank Rome LLP
Former Deputy Chief Administrative Judge for Matrimonial Matters and Administrative Judge, Supreme Court, New York County

**Live Program (includes materials):**
Member $245, Nonmember $355

**CLE credit:** 3.0 credits in ethics. This live program provides New York & California transitional/non-transitional credit to all attorneys.

**Ethical Issues in the Practice of Real Estate: What Every Attorney Must Know When Handling a Transaction**

26 MONDAY, 6 PM – 8:45 PM

A vast majority of attorneys, whether in a small or large firm, will be involved in a real estate transaction in the course of their practice. There are a great many ethical pitfalls which one may fall into while handling a real estate transaction. Some of these ethical issues are obvious and others are far more difficult to recognize. This updated course will examine in detail day-to-day ethical issues that confront real estate attorneys and the general practitioner. Special emphasis will be given to conflicts of interest, the holding of escrow monies and title issues.

**Program Chair:**
**GEORGE R. MAZEL**
Hankin & Mazel, PLLC

**Faculty:**
**NEIL B. GARFINKEL**
Abrams Garfinkel Margolis Bergson, LLP

**ARTHUR W. GREIG**
Attorney at Law

**Live Program (includes materials):**
Member $245, Nonmember $355

**CLE credit:** 3.0 credits in ethics. This live program provides New York & California transitional/non-transitional credit to all attorneys.

**FAMILY LAW**

**Discovery Techniques in Matrimonial Cases**

22 THURSDAY, 6 PM – 9 PM

A prominent faculty of seasoned matrimonial attorneys will examine three discovery techniques/procedures that are regularly misunderstood. The faculty will first discuss the use of private investigators for obtaining information and how that information translates into lawful evidence. Next they will examine the use of third-party subpoenas and the proper method of issuing such subpoenas, e.g., when is a judge’s signature necessary and how do you get a commission? Finally, they will address preclusion and resolution motions, what they look like and when each is appropriate. This program is geared to attorneys of all levels of experience.

**Program Chair:**
**JUDITH WHITE**
Ira E. Garr P.C.

**Faculty:**
**ROBERT Z. DOBRISH**
Dobrish Zeif Gross & Wrubel LLP

**IRA E. GARR**
Ira E. Garr P.C.

**JOSEPH T. MULLEN**
Private Investigator
J.T. Mullen Company, Inc.

**Live Program (includes materials):**
Member $195, Nonmember $305

**CLE credit:** 3.0 credits total: 1.5 professional practice & 1.5 skills. This live program provides New York & California transitional/non-transitional credit to all attorneys.

**INTELLECTUAL PROPERTY/INTERNET**

**Video Replay**

The Cybersleuth’s Guide to the Internet: Super Search Engine Strategies for the Legal Professional

20 TUESDAY, 9 AM – 12 PM

Do lawyers have a “duty to google?” In a recent decision, the court was incredulous that plaintiff failed to “google” the missing defendant as part of his due diligence process and upheld the defendant’s claim of insufficient service of process. Effective Internet searching may now need to become part of every lawyer’s due diligence routine. At this seminar, attendees will learn the best search engine strategies (including advanced search features at Google and other search engines) that will assist them in meeting their research obligations. These search engine strategies also serve as the essential
building blocks for conducting effective research at other Web sites.

Attendees will receive a copy of Carol Levitt and Mark Rosch’s recently revised 330-page book, The Cybersleuth’s Guide to the Internet, IFL Press, 2008 – a $59.95 value! This book is utilized for both “Cybersleuth’s Guide to the Internet” programs and attendees of both programs will receive only one book.

Program Co-Instructors:
CAROLE LEVITT
President
Internet for Lawyers

MARK ROSCH
Vice President
Internet for Lawyers


Video Replay (includes materials):
Member $195, Nonmember $305

CLE credit: 3.0 credits in professional practice. This video replay does not provide transitional credit to newly admitted attorneys.

Video Replay
The Cybersleuth’s Guide to the Internet: Investigative Research Strategies for the Legal Professional

20 TUESDAY, 1 PM – 4 PM

A lawyer’s research involves much more than just finding cases and statutes, and whether you’re a transactional lawyer looking for information on a company, a consumer attorney tracking down a defective product, a matrimonial attorney searching for a spouse’s assets, or a litigator looking for a missing witness, the Internet can be an indispensable source of information.

Nationally recognized Internet trainers and authors of The Cybersleuth’s Guide to the Internet will show you how to find and use specific Web sites to unearth factual and investigative information FREE (or at low cost!) on the Net. Instead of first turning to experts, consultants, skip tracers and private investigators, seminar attendees will quickly learn how to be their own Cybersleuth.

Attendees will receive a copy of Carol Levitt and Mark Rosch’s recently revised 330-page book, The Cybersleuth’s Guide to the Internet, IFL Press, 2008 – a $59.95 value! This book is utilized for both “Cybersleuth’s Guide to the Internet” programs and attendees of both programs will receive only one book.

Program Co-Instructors:
CAROLE LEVITT
President
Internet for Lawyers

MARK ROSCH
Vice President
Internet for Lawyers


Video Replay (includes materials):
Member $195, Nonmember $305

CLE credit: 3.0 credits in professional practice. This video replay does not provide transitional credit to newly admitted attorneys.

INTERNATIONAL LAW

Introduction to International Law

28 WEDNESDAY, 6 PM – 8:30 PM

The current and recent past Presidents of the American Society of International Law (ASIL), an international practitioner and professor respectively, are offering a primer on international law. The purpose of the course is to provide practicing lawyers who did not study international law in law school with a basic overview and to refresh the memories of those who did. The focus will be on concepts, sources, actors and specialized practices of international law, with particular attention to the application of international law in U.S. law, including in key U.S. Supreme Court cases. The aim overall is to assist law firm practitioners in better advising clients in the increasingly international commercial world. This course is co-sponsored by ASIL, the leading international law society worldwide.

Co-sponsored by: American Society of International Law (ASIL)

Program Co-Instructors:
PROFESSOR JOSÉ E. ALVAREZ
Hamilton Fish Professor of International Law and Diplomacy & Executive Director of the Center on Global Legal Problems Columbia Law School

LUCY REED
Freshfields Bruckhaus Deringer, LLP

Live Program (includes materials):
Member $175, Nonmember $285

CLE credit: 2.5 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

This program will not be taped. You will only have the chance to see it live.

LITIGATION

Electronic Discovery: Identifying, Retrieving, Producing & Preserving E-Documents

29 THURSDAY, 6 PM – 8:15 PM

Today’s Internet environment is rife with challenges of complex networked environments, outsourced IT vendors, lax document retention policy enforcement, the risk of spoliation sanctions and new obstruction crimes for mishandling digital data. Attorneys needing to identify data to preserve, review and produce, in the most cost-effective way, will benefit from this program. The presentation will cover how to identify the relevant electronic data within a client’s IT system; the methods and strategies for preserving and producing documents and e-mail from computers, servers, removable media and backup tapes; and the role of computer forensics in electronic discovery. Key legal issues surrounding the duty to preserve evidence, including the recycling of backup tapes, the backdrop of criminal obstruction laws and new amendments to the Federal Rules of Civil Procedure will be addressed, along with real case examples on problems to avoid in electronic discovery.
Program Co-Instructors:
ERIC M. FRIEDBERG
Co-President
Stroz Friedberg, LLC

JENNIFER R. MARTIN
Vice President
Stroz Friedberg, LLC

Live Program (includes materials):
Member $195, Nonmember $305

CLE credit: 2.5 credits in professional practice. This live program provides New York & California transitional/non-transitional credit to all attorneys.

PUBLIC SPEAKING

Talk Your Way to the Top of the Profession! Public Speaking for Lawyers

30 FRIDAY, 9 AM – 5:15 PM

This intensive and entertaining program will use lectures and demonstrations to improve your speaking skills. Learn the essentials of knowing your audience, selecting a topic, gathering information, developing your speaking style, using humor, conquering fear, creating an image, handling questions and much more. As a special feature, the afternoon will include volunteer speaking demonstrations from four attendees, each of whom will present a three-minute talk and be critiqued by fellow attendees as well as the instructors. These volunteer talks, which will be interspersed with the afternoon lectures, will illustrate the techniques and nuances of delivery, speaking voice and style. The afternoon session will be a learning experience for the volunteers, who will receive skill-sharpening suggestions in a non-threatening environment, and for the other attendees who will learn by participating in the critiques. Take advantage of this risk-free setting to polish your speaking skills, become a better orator and deliver more effective networking and marketing presentations.

Co-sponsored by: ALI-ABA

Program Co-Instructors:
CONRAD TEITELL
Cummings & Lockwood

WHITNEY NORTH SEYMOUR, JR.
Solo Practitioner

Live Program (includes materials):
Member $375, Nonmember $475

CLE credit: 8.0 credits in skills. This live program provides transitional/non-transitional credit to all attorneys. This program is approved for MCLE credit in other MCLE jurisdictions. This program will not be taped. You will only have the chance to see it live.

REAL ESTATE

Use of Data, Information & Credit Reports in Housing Court

13 TUESDAY, 6 PM – 9 PM

In today’s information age, data is easily bought, sold and reported. NYC Housing Court data is available on the open market and easily accessible. More and more, the reporting of housing court data is becoming a problem for both tenants and landlords. Landlord-tenant attorneys often are not aware of their obligations, rights or options with regard to the reporting and use of this data. This training will explore the difference between credit reports and tenant screening reports, both of which report housing court data and how the court tracks this data. It will provide practitioners with an overview of their obligation and their client’s obligation under the Fair Credit Reporting Act and the dangers of not being in compliance with this law. Practitioners also will learn ways to help clients avoid being reported in the first place, removing data from the reports and correcting inaccurate data. This expert panel also will explore how the court is tracking judgments and what the implication of this tracking is for clients.

Program Chair:
LOUISE SEELEY
Executive Director
City-Wide Task Force on Housing Court, Inc.

Faculty:
CAROL ALT
Assistant Deputy Chief Clerk
Civil Court of New York

ERNESTO BELZAGUY
First Deputy Chief Clerk
Civil Court of New York

JAMES B. FISHMAN
Fishman & Neil LLP

WILLIAM WHALEN
Supervising Attorney
DC 37 Municipal Employees Legal Services Plan

CLAUDIA WILNER
Staff Attorney
NEDAP (Neighborhood Economic Development Advocacy Project)

Live Program (includes materials):
Member $175, Nonmember $285

CLE credit: 3.0 credits total: 2.5 professional practice & 0.5 ethics. This live program provides New York & California transitional/non-transitional credit to all attorneys.

DID YOU KNOW...

...that members have free access to LexisNexis and Westlaw in our library? You’ll need your Login and Password to access these features. Call the Membership Department at (212) 382-6665 to get yours!

www.nycbar.org
and browse their database of 600 lawyers, whose specialties are broken down into 30 categories and 120 subcategories. “Right of Sepulcher” was one specialty that came up on a recent day.

All of this activity is tracked on two screens in the office of Allen J. Charne. The affable Brooklyn native has run the LRS since the early 80s, when it was reorganized and expanded following a report by Judith Kaye, a City Bar Executive Committee member at the time.

The LRS offers callers a way to connect with lawyers who are insured and pre-screened for suitability and experience on their particular issue, as well as someone to talk to if they are not satisfied with how their case is being handled. Of all the calls the LRS receives, most do not lead to referrals to lawyers. In these instances, LRS counselors assist callers by providing basic legal information; by referring callers to the City Bar Justice Center, Monday Night Law, other bar association clinics or government agencies; or by just helping callers understand that their problem may not call for a legal remedy.

Over the years, the LRS, which is a joint project of the New York City Bar and the New York County Lawyers’ Association, has become known not just for its efficiency in managing a high volume of cases, but for the newsworthy nature of some of the cases themselves. As something of a “legal first responder,” the LRS has been involved with tragedies like the Happy Land Fire and the TWA and other plane crashes in New York City.

In 2001, its experience in handling 100,000 calls per year enabled the LRS to help manage the enormous call volume as the City Bar Justice Center responded to 9/11 by organizing free legal services for victims. As it happened, just months prior to 9/11, the LRS acquired the legal referral website iLawyer.com, and after 9/11 put it to work on behalf of victims. LRS also set up an emergency website for referrals and sorting out conflicts. For its contribution, the LRS was honored with the ABA’s Cindy A. Raisch Award in 2002.

Over the years, some LRS-referred cases have been in the news because they’ve involved a name, such as Leona Helmsley when she fired and evicted her chef while he was on vacation without regard to his tenant rights. The LRS is also known within the legal community for successfully referring cases no lawyer had previously wanted to take. The World Yacht case, in which waiters claimed their banquet tips were being illegally kept by the cruise line, was won by a small firm in the New York Court of Appeals after it had been turned down repeatedly by other firms.

Sixty years of legal calls in New York City inevitably involve cases that are out of the ordinary, although they are more often than not described by clients at intake as naturally as if they were describing a routine problem in, say, Surrogate’s Court. We’re thinking of the gentleman who came in soaking wet on a sunny day, reporting that aliens had abducted him and dropped him into the East River. Or the woman who thought her neighbor’s dog might have gotten her goat pregnant. While those matters were not referred, the LRS hopes the initial consultation was helpful in some way.

Charne attributes much of the LRS’s success to its rigorous application process. “By maintaining high standards for the lawyers we work with, as well as for our lawyers and paralegals who do the client intake, we ensure that our referrals benefit clients and that more of the lawyers who work with us will be retained,” Charne said.

How the Legal Referral Service Works

The City Bar’s Legal Referral Service provides referrals to experienced attorneys whose qualifications are carefully reviewed with regard to specific areas of law. Callers can call the hotline either at 212.626.7373 (English) or 212.626.7374 (Spanish) between the hours of 8:30 a.m. and 6:00 p.m. Monday through Friday, submit their phone number online to receive a call, or fill out a written request for a referral online. All calls and online submissions are confidential. There is no charge for a conversation with an LRS counselor, or for a referral to an attorney. Clients referred to a lawyer are entitled to an initial half-hour consultation, which is free if related to an injury due to an accident or a faulty product, medical negligence, worker’s compensation or Social Security claim. If the call is about any other legal problem, a half-hour consultation with an experienced lawyer will cost $35. If further consultation with or representation by the lawyer is required, the fees to be paid for the attorney’s services are agreed to between the client and the lawyer.

APPLICATION PROCESS

Lawyers who want to apply for a legal referral panel can download application materials at the City Bar website, www.nycbar.org. The application form contains information about the requisite experience, writing sample and interview process. All panel members are required to carry professional liability insurance.

For application materials, a FAQ and other information, please visit http://www.nycbar.org/LRS/index.htm.

Interested attorneys who have questions about the application process can contact Clara Schwabe, Managing Attorney, at 212.382.6715 or Allen Charne at 212.382.6775.
CIVIL RIGHTS
Report expressing support for City Council Intro. No. 826, the Access to Reproductive Health Care Facilities Act, which would balance the protection of protesters’ rights to peaceful expression against the rights of clinic patients, doctors and other staff to access and deliver health care services without being subjected to threatening harassment or physical assault. The bill would amend New York City law by eliminating the current requirement that prosecutors must prove that protest activities are undertaken with the specific intent to prevent a patient from obtaining, or clinic staff from rendering, reproductive health care services; expanding the definition of protected premises to include the parking lots, driveways, entryways and exits of reproductive health care facilities; clearly defining prohibited conduct as obstructing clinic access, including by unwanted physical contact, threatening physical harm, or physically damaging or interfering with the operations of a clinic; and prohibiting the following and harassing of any individual within 15 feet of a reproductive health clinic.

CRIMINAL JUSTICE OPERATIONS
Report recommending that Section 440.10 of the Criminal Procedure Law, which governs motions to vacate judgments, be amended to allow all ineffective assistance of trial counsel claims (IAC claims) to be raised on collateral review: first, because some IAC claims are subject to reasonable disagreement as to whether they are reviewable on the record, defendants can be unfairly subjected to procedural bars if they choose the wrong forum; second, the trial court, which presided over the trial, is often in a better position to make the first assessment of trial counsel’s performance; third, the current scheme requires piecemeal litigation of IAC claims that are, in part, record based and, in part, non-record based; and fourth, when trial counsel serves as counsel on appeal, a defendant effectively waives any IAC claims that are based on the record. The proposed amendment would encourage that IAC claims be brought in the preferable forum, prevent piecemeal litigation and avoid causing defendants who have the same lawyer at trial and on appeal to forfeit IAC claims. The report includes suggested draft legislation.

CRIMINAL LAW
Report expressing support for A.4552, which would permit the conditional sealing of certain drug and marijuana convictions. Conditional sealing of the designated convictions will allow many New Yorkers the opportunity to secure housing, employment, education and vocational training that would otherwise be unavailable by virtue of convictions. The report offers two suggested amendments to the bill: first, to permit the disclosure of the sealed record to Family Court or any other court that may be dealing with any issues regarding the care, custody or visitation of children where the petitioner is involved, and second, to allow a person to reply in the negative to the question “Have you ever been convicted of a felony or misdemeanor?” where the only convictions on the person’s record have been conditionally sealed.

ENVIRONMENTAL LAW
Comments to the New York State Department on Environmental Conservation on the Department’s Draft Guide for Assessing Energy Use and Greenhouse Gas Emission in Environmental Impact Statements. The comments commend DEC in moving forward on addressing climate change and taking a leadership role in developing regional programs that could serve as a model nationally, while offering a number of suggested changes.

ESTATE AND GIFT TAXATION
Letter to the IRS providing comments on the proposed revenue ruling regarding the estate, gift, generation-skipping transfer and income-tax issues that are associated with the establishment and administration of trust companies that are family-owned or controlled (private trust companies). The letter makes a number of suggestions for clarification, including that the IRS’s objective of confirming certain tax consequences of the use of a private trust company that are not more restrictive than the consequences that could have been achieved by a taxpayer directly can best be attained if the Service’s guidance is limited to transfer tax issues.

FUTURES AND DERIVATIVES REGULATION
Letter to the Federal Trade Commission offering comments on a proposal by the FTC regarding market manipulation and false information. The letter commends the Commission’s commitment to promulgating a clear legal standard for market manipulation while offering a number of comments, including: the proposed rule should clarify the intent element that would apply to the instance of frauds deemed to be market manipulation; the effect of allegedly manipulative conduct on market prices can in some circumstances be relevant to the determination of a violation; and the Commission should refrain from asserting jurisdiction over Commodity and Futures Trading Commission-regulated commodity futures transactions and prices.
President

Letter to the FDIC urging that IOLTA (Interest on Lawyer Trust Accounts) be covered by the Temporary Liquidity Guarantee Program (TLGP) regardless of the amount in the account. This program provides insurance to certain deposit accounts regardless of amount. The letter argues that IOLTA accounts should be covered because they are, in effect, non-interest bearing accounts and because not to include them would greatly reduce a private, widely accepted stream of funds that support legal services for society’s most needy.

Professional Responsibility

Report proposing amendments to the Judiciary Law Sections 475 and 475-a (collectively, the “Lien Law”), which govern an attorney’s ability to attach a charging lien to a client’s monetary recovery. As currently written, the Lien Law only permits an attorney to attach a charging lien to a client’s recovery in an “action, special or other proceeding in any court or before any state, municipal or federal department, except a department of labor.” The report argues that the Lien Law should be expanded to permit an attorney to file a charging lien for services performed pre-litigation in arbitration proceedings, and proposes new language.

Science and the Law

Report on the status of the Persistent Vegetative State Law in New York State. The report sets forth what the law is in New York State with regard to the withdrawal of medical and support care for persons with persistent vegetative state (PVS) and evaluates the relevant medical guidelines, case law and statutes on the topic. The report also makes recommendations for needed legislation and urges that New York State enact the Family Health Care Decisions Act, which would authorize surrogate decision-making by persons close to individuals afflicted with a PVS who have failed to sign an advance directive or healthcare proxy.

Nominees for City Bar Officers & Committees

The following candidates have been nominated for the City Bar’s various officers and committees. Those elected will be announced at the Annual Meeting of the City Bar on May 19, 2009. Pursuant to By-law XXIII, other nominations must be posted no later than February 6, 2009.

President
Patricia M. Hynes

Vice Presidents
Sheila L. Birnbaum
Barry A. Cozier
Barbara S. Gillers

Secretary
Sheila S. Boston

Treasurer
Donald S. Bernstein

Executive Committee
Class of 2013
Michael H. Byowitz
Elizabeth Donoghue
Debra L. Raskin
David E. McCraw

Audit Committee
Robert J. Anello
Allan L. Gropper
Daniel F. Kolb
Christopher L. Mann
Marsha E. Simms


Executive Committee Members
Classes of 2011 & 2012

Andrew Mandell is an Assistant Deputy Commissioner at the New York City Human Resources Administration, Family Independence Administration, counseling on social services and municipal law matters. He previously served as the General Counsel to the New York City Department of Mental Health, Deputy General Counsel to the New York City Employees’ Retirement System and as an attorney for the New York State Mental Hygiene Legal Service. At the City Bar, Mr. Mandell formerly chaired the Mental Health Law and Science and the Law Committees, and served as a member on the New York State Bar Association House of Delegates. He is also a member of the Board of Directors of the Douglaston Civic Association.

Deborah Masucci is Vice President in the Office of Dispute Resolution in the Litigation Management Division of AIG Commercial Insurance. Prior to joining AIG, she held management positions at JAMS and FINRA. She is a former Chair of the City Bar’s Arbitration Committee and a former member of the International Commercial Disputes Committee. She is a member of the Executive Committee for the International Institute for Conflict Prevention and Resolution and a member of the Executive Committee and Co-chair of the ADR Committee for the Federal and Commercial Litigation Section of the New York State Bar. Ms. Masucci also is a member of the American Bar Association’s Dispute Resolution, Litigation and Business Law Sections.

Mark Morril is Senior Vice-President, Deputy General Counsel of Viacom Inc., whose businesses include MTV Networks, Paramount Pictures and BET. Mr. Morril is in charge of the day-to-day management and supervision of the Viacom Corporate Law Department, with responsibility in diverse areas of the parent company and its operating businesses, including litigation, intellectual property, real estate, benefits and international legal matters. He was previously a Vice President of the City Bar Justice Center and served as Chair of the Committee on Professional and Judicial Ethics. Mr. Morril also serves on the boards of the Educational Alliance and the Legal Action Center; the Executive Committee of the UJA/Federation Entertainment, Media and Communications Division; and the Strategic Litigation Committee of the U.S. Chamber of Commerce’s National Chamber Litigation Center.

Lynn K. Neuner is a member of Simpson Thacher & Bartlett LLP’s Litigation Department. Her trial and litigation experience covers several areas, including insurance coverage, securities, Lanham Act and false advertising disputes, and general commercial matters. She has presented numerous oral arguments in federal and state court as well as participated in two cases argued before the United States Supreme Court: Matsushita Electric Industrial Co., Ltd. v. Epstein and PGA Tour, Inc. v. Martin. She has served as a member of the City Bar’s Federal Courts Committee. She has also tried a centi-million dollar insurance coverage action on behalf of Travelers Casualty and Surety Company and a multi-million dollar personal injury case on behalf of New York City.

Benito Romano is a partner in the Litigation Department and Chair of the White Collar Criminal Defense Practice Group of Willkie Farr & Gallagher LLP. Mr. Romano specializes in complex criminal and civil litigation in all phases leading to trial, including criminal and regulatory investigations. He serves as a member of the Magistrate Selection Panel for the Southern District of New York and serves as Chairman of the Board of Trustees of the state Interest on Lawyer Account Fund (IOLA). Mr. Romano also served as United States Attorney, representing the United States in all criminal and civil court proceedings in the Southern District of New York.

David A. Schulz heads the New York office of Levine Sullivan Koch & Schulz, LLP, a media law boutique. Mr. Schulz has a trial and appellate practice representing news organizations in defamation, privacy, newsgathering, copyright and related First Amendment matters. A lecturer at Columbia Law School, Mr. Schulz has served on the New York Committee on Open Government and as a consultant for the Open Society Justice Initiative. Mr. Schulz previously chaired the City Bar’s Communications and Media Law Committee and has served on the Judiciary Committee and the Committee on State Courts of Superior Jurisdiction. He began his legal career at Rogers & Wells, which later merged with Clifford Chance, and headed the media litigation group at that firm until 2003.

Jane Sherburne is Senior Executive Vice President, General Counsel and Corporate Secretary of Wachovia Corporation. In addition to managing Wachovia’s legal department, Ms. Sherburne has responsibility for compliance and government relations. Prior to joining Wachovia, Ms. Sherburne served in various capacities at Citigroup, most recently as General Counsel of Citi’s Global Consumer Group, with responsibility for a global legal department with over 800 employees worldwide. Ms. Sherburne also was a partner at the Washington law firm of Wilmer, Cutler & Pickering, specializing in litigation, crisis management and congressional investigations. She interrupted her practice at Wilmer from 1994 to 1997 to serve as Special Counsel to the President with responsibility for investigations into ethics matters.
### JANUARY 2009 CLE REGISTRATION FORM

**Subprime Market Meltdown: The Criminal Prosecutions Begin**  
**January 12**  
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**Use of Data, Information & Credit Reports in Housing Court**  
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**Estate Planning Primer: Everything You Need to Know About Estate Planning, But Were Afraid (or Didn’t Think) to Ask**  
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**Ethics in the Electronic Age: Be Careful When Using That Cell Phone, BlackBerry, Blog, Social Network…**  
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**Securities Reporting: Best Practices**  
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**Video Replay: The Cybersleuth’s Guide to the Internet: Super Search Engine Strategies for the Legal Professional**  
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**The Complexities of Buy-Sell Agreements: Drafting & Preparing Made Simple**  
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**Discovery Techniques in Matrimonial Cases**  
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**Ethical Issues in the Practice of Real Estate: What Every Attorney Must Know When Handling a Transaction**  
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**Video Replay: Women in Negotiation: Practical Tips to Strengthen Your Negotiation Skills (For You and Your Client)**  
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**Introduction to International Law**  
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**REGISTRATION**  
Advance registration is advised for live programs and video replays. An additional fee of $25 will be charged for registrations received later than 3:00 p.m. one business day prior to the program. For more information or to register for a program: visit our website at www.nycbar.org, call 212.382.6663, fax 212.869.4451 or mail your registration to: City Bar Center for CLE, New York City Bar, 42 West 44th Street, New York, NY 10036.

**CANCELLATIONS & REFUNDS**  
For live programs and video replays, refunds and program credits are available provided cancellation is made in writing and received by the City Bar Center prior to the program.  
A $35 administrative fee will be charged for all refunds. The cancellation fee will be deducted directly from the refund. For program credits, no administrative fee will be charged. Program credits must be used within one year of the original program date. Cancellations must be in writing, faxed to the City Bar Center, 212.869.4451. Refunds and program credits are not available for the purchase of tapes, CDs, DVDs, course materials or online programs. Scholarships are available. Please call 212.382.6663 for an application. Certificates for attending a program are given out and signed by a CLE staff member at the end of the program. You are responsible for keeping a copy of the CLE certificate for your own records. An administrative fee of $10 will be charged for replacement CLE certificates.

**CLE CREDIT INFORMATION**  
CLE credit applies to New York and California (for live programs only). Illinois credit differs and ethics credits are pending.

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**Proof of Registration**  
Certificates for attending a program are given out and signed by a CLE staff member at the end of the program. You are responsible for keeping a copy of the CLE certificate for your own records. An administrative fee of $10 will be charged for replacement CLE certificates.

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All registrations must be prepaid by either credit card or a check made payable to: City Bar Center for CLE or New York City Bar.

**Name**

**Address**

**City**  
**State**  
**Zip**

**Phone**

**Total Enclosed $**

**Please charge to my:**  
- [ ] Mastercard  
- [ ] Visa  
- [ ] American Express  
**Card Number**  
**Exp. Date**

**Signature**
Professional Development Workshop Series: The Essentials

In 2005, the New York City Bar created the Professional Development Workshop Series to address the needs of mid-level attorneys as they progress in their careers. Due to the success of the previous three series, the New York City Bar will launch its fourth annual workshop series on January 15th. These six programs, presented by top consultants, will teach valuable skills and address the shifting responsibilities and expectations of attorneys who progress to partner, move in-house, into government or on to other careers in the legal profession. Workshops begin at 8:30 a.m. and are free to members and attorneys from sponsoring firms. There is a $60 administrative fee per workshop for non-members. Programs will offer transitional/non-transitional NY MCLE credits.

MANAGING YOUR CAREER*

THURSDAY, JAN 15, 8:30 AM – 10 AM
Kathleen Brady and Carol Kanarek, JD

In order for attorneys to progress in their careers, they must create a personal strategy to achieve success. Attorneys must look ahead and assess their short-, mid- and long-term professional and personal goals. This program will help attorneys establish priorities, formulate career goals and develop an individualized and strategic action plan while exploring ways to meet professional and personal objectives.

MANAGING EFFECTIVE LEGAL TEAMS*

THURSDAY, MAR 12, 8:30 AM – 10 AM
Jay Sullivan, JD

Attorneys will fill a variety of roles throughout their careers, even during the same assignment. While working on one project, attorneys can find themselves managing junior associates, paralegals and administrative staff while at the same time taking direction from a senior attorney. Participants will develop the necessary skills to manage their team, including the ability to build consensus and delegate effectively.

CLIENT RELATIONSHIPS*

THURSDAY, FEB 12, 8:30 AM – 10 AM
Diana Hird, JD

Being a successful attorney depends not just on a superior understanding of the law, but also on building a strong relationship with clients. This is achieved by having a firm understanding of client needs. This program will teach attorneys to become an invaluable resource for clients by understanding their goals, anticipating underlying concerns and communicating solutions effectively.

COMMUNICATION, PRESENTATION AND ORAL ADVOCACY SKILLS***

THURSDAY, JUN 11, 8:30 AM – 10 AM
Becca Diaz Bonilla, JD

Presentation skills are vital for associates, whether they are conducting a meeting, engaging with senior partners, working with clients, negotiating a deal or arguing a case. The ability to deliver information with poise and command is essential for instilling confidence and establishing oneself as a skilled attorney. In this program, attorneys will learn to enhance advocacy skills and demonstrate competence and authority to achieve desired results.

BALANCING ZEAL, SUCCESS AND ETHICS IN A LAW FIRM SETTING**

TUESDAY, APR 21, 8:30 AM – 10:15 AM
Jack Marshall, JD

Law firm practice creates fertile soil for ethical missteps. As attorneys progress into more senior roles, they often face new ethical challenges, including the everyday pressures of pleasing clients and partners, building a record of success and coping with demanding clients. This program explores the kinds of law firm practice situations that are most likely to contain ethical pitfalls for mid-level to senior associates, and provides useful tools and engaging problems to help lawyers recognize them and deal with them ethically and effectively when they occur.

THE ART OF NEGOTIATION***

THURSDAY, MAY 14, 8:30 AM – 10 AM
John Richardson, JD

Associates use negotiation skills every day during their legal careers. Mastery of negotiation techniques plays a significant role in determining one’s level of professional success. This program will teach attorneys how to motivate team members, master persuasion techniques and hone crucial skills for dealing with clients and colleagues.

COMMUNICATION, PRESENTATION AND ORAL ADVOCACY SKILLS***

THURSDAY, JUN 11, 8:30 AM – 10 AM
Becca Diaz Bonilla, JD

Presentation skills are vital for associates, whether they are conducting a meeting, engaging with senior partners, working with clients, negotiating a deal or arguing a case. The ability to deliver information with poise and command is essential for instilling confidence and establishing oneself as a skilled attorney. In this program, attorneys will learn to enhance advocacy skills and demonstrate competence and authority to achieve desired results.

Sponsoring Firms: Akin Gump Strauss Hauer & Feld LLP • Cadwalader, Wickersham & Taft LLP • Chadbourne & Parke LLP • Davis Polk & Wardwell • Epstein Becker & Green, P.C. • Patterson Belknap Webb & Tyler LLP • Proskauer Rose LLP • Shearman & Sterling LLP • Skadden, Arps, Slate, Meagher & Flom LLP • Weil, Gotshal & Manges LLP • WilmerHale LLP • Winston & Strawn LLP

To register, please visit www.nycbar.org, or call 212.382.4723