The Call of Committees

PATRICIA M. HYNES, PRESIDENT

In many respects, the core of the City Bar is our committees. Throughout our 138-year history, much of our success in fulfilling our mission to help reform the justice system, increase access to justice and educate the public can be traced back to committee work. Timely as ever, several of our committees have recently issued recommendations to the Obama transition team, as listed briefly inside and in detail at www.nycbar.org.

The beauty of committee work is that even as it serves the public and the profession, it provides great benefits to our members. Ask any City Bar veteran about his or her committee experience, and you’ll see what I mean. I was fortunate to join my first committee while still a young associate. Ten years later, I was surprised, and delighted, to get a call from someone with whom I served on that committee, who wanted to hire me for a very high-profile case. In retrospect, perhaps it’s not so surprising, because we had worked together before—on that committee.

Legislative Roundup

The beginning of a new year brings an opportunity to look back at our accomplishments in Albany and to look forward to what promises to be an interesting 2009 legislative session.

First, the accomplishments. Thanks to the hard work of the City Bar’s committees, the Association played an active role in seeing several important pieces of legislation become law. These new laws will:

• render inadmissible (so long as certain conditions are met) an individual’s prior criminal record in negligent hiring or retention cases
• allow inmates to receive Medicaid coverage upon their release from prison without needing to reapply
• provide that revocable trusts and non-probate assets will no longer be payable to a divorced spouse
• provide museums with statutory guidelines to deal with ‘undocumented property’ and preserve the rights of claimants to recover objects in museums that were lost, looted or sold under duress during the Nazi era
• help to protect the free speech of authors and publishers in New York by making it more difficult to engage in ‘libel tourism’
• establish a procedure for exempting certain statutorily protected income from levy of execution by judgment debtors

continued on p.3
City Bar Recommendations to Obama’s Transition Team

The following is a list of letters and reports written by City Bar committees and councils for President Obama’s Transition Team. The full documents can be found on the homepage of the City Bar website, www.nycbar.org

- “Detention and Trial of Detainees” – Task Force on National Security and the Rule of Law
- “Application of the Federal Death Penalty” – Committee on Capital Punishment
- “Issues Facing Persons Released from Correctional Facilities” – Committee on Corrections
- “Environmental Law Issues Facing New York City” – Environmental Law Committee
- “Legal and Policy Issues Facing Lesbian, Gay, Bisexual and Transgender Persons” – Committee on Lesbian, Gay, Bisexual and Transgender Rights with contributions from the Sex and Law Committee
- “Renewing the Civil Rights Division” – Committee on Civil Rights
- “Regulation of Financial Services” – Committees in the Financial Services area and other related committees
- “Services for At-Risk Children and Families” – Council on Children
- “U.S. Engagement with the International Criminal Court” – Committee on International Human Rights
As a member of a committee, you will attend monthly meetings, but that’s just the beginning. You might find yourself writing a report or a letter on the most important legal topic of the day. You might file an amicus brief in a groundbreaking case or testify at a public hearing on proposed legislation. You might produce an event with leaders from government and the private sector. Your work is likely to reach a wide audience of influential readers, including legislators, public officials and members of other bar associations or organizations that may be interested in City Bar positions. In some cases, committee reports may receive significant media attention and can contribute to your becoming well known in your field.

Committees are also encouraged to undertake public service projects, which may involve producing public information campaigns, training lawyers or lay advocates, developing relationships with schools or working with nonprofits in utilizing their expertise to serve a needy population. See the sidebar on page four for examples of how committee work can intersect with pro bono programs.

If you are looking to network, develop leadership and critical career development skills, expand your knowledge in your practice area or pursue a new interest, there is no better way than to join a committee. See page five for a list of our committees and page four for information on how to join one.

“Your work is likely to reach a wide audience of influential readers, including legislators, public officials and members of other bar associations or organizations that may be interested in City Bar positions.”
Committees for the Public Good: The City Bar Justice Center and Committees

In the course of its work to increase access to justice for low-income New Yorkers, the City Bar Justice Center collaborates with a number of City Bar committees to help staff pro bono clinics as well as to educate and engage the public on important issues. Some examples include:

• Jennifer Kim and Elizabeth Reichard, Directors of the Refugee Assistance Project and Immigrant Outreach Project respectively, have worked closely with the City Bar’s Immigration and Nationality Law Committee on a series of town halls. Last March’s “Immigration Reform: Beyond the Rhetoric,” moderated by Committee Chair Linda Kenepaske and featuring top immigration experts, packed the Meeting Hall. In November, “Report from the Front: Immigration Raids in Postville and at Home,” featured Fr. Paul Ouderkirk, the Iowa pastor known for his work with the families of immigrants arrested in one of the largest workplace raids in U.S. history.

• As a member of the Sex and Law Committee, Suzanne Tomatore, Director of the Immigrant Women and Children Project, helped produce a transition memo for the Obama administration and worked for passage of the New York State Anti-Human Trafficking Law, which passed in November 2007.

• David Gaffner, Director of the Family Justice Projects, is a member of the Legal Services for Persons of Moderate Means Committee, which oversees Monday Night Law. Members of the Matrimonial Law Committee frequently volunteer to provide consultations, brief services and document review at a contested divorce clinic held every second Monday at the Association.

• Lisa Pearlstein, Director of the Legal Clinic for the Homeless, and Alice Morey, Managing Attorney, are members of the Social Welfare Law Committee and have worked with the Committee to organize educational forums on welfare policy issues and to prevent the passage of a bill that would have eliminated benefits for some families receiving welfare.

• Each year, Vivienne Duncan, Director of the Elderlaw Project, works with the Legal Problems of the Aging Committee and Volunteers of Legal Service to organize outreach events on wills, advance health care directives and powers of attorney at senior centers in New York City.

• Carol Bockner, Director of Pro Bono Initiatives, works with the Pro Bono and Legal Services Committee to produce the annual Pro Bono Opportunities Day, upcoming this year on February 10th (see page 8 for details).

Interested in Joining a City Bar Committee?

Committees are comprised of approximately 36 members who serve three-year terms on a rotating schedule. Any City Bar member is eligible to join a committee with just a few restrictions. An individual may only serve on one standing committee at a time, and no more than one member of a firm, law department or institution may be appointed to the same committee. Law student members, while eligible for a one-year appointment, serve as non-voting members.

Applying for a Committee

The application process is quick and simple. Just fill out a brief preference form on the City Bar website (www.nycbar.org). There you will also find a list of the Association’s committees as well as a brief description of each. The Members Only section lists the current members of each committee. Fill out and mail the form below. It is also helpful to submit a resume or bio along with a cover letter expressing your interest in the committee.

Applications are accepted year-round, although the committee chairs generally appoint new members in the spring for terms beginning the following September. The President of the Association, acting on the recommendation of the committee chair, appoints new members, who are notified by mid-summer.

Because membership on a committee is limited, some committees are very competitive, but the majority of committees have openings each year. To increase your chances of membership, consider applying to more than one committee and try to broaden your committee interests beyond your practice area.

If you have questions, feel free to contact our Committee Membership Office at sglazer@nycbar.org or 212.382.6664.

Yes! I would like to serve on a City Bar Committee

Name ___________________________ Date __________

Here is my order of committee preferences (see list on next page)

1. ____________________________
2. ____________________________
3. ____________________________

Business (please send mail here) □

Office ________________
Street ____________________________
City/State/Zip ________________

Phone ________________ Fax ________________
Email ____________________________

Home (please send mail here) □

Street/Apt ____________________________
City/State/Zip ____________________________

Please return form to: Membership Department, New York City Bar 42 West 44th Street, NY, NY 10036 or fax to 212.382.6760 or apply online at www.nycbar.org
### New York City Bar Committees, Councils and Delegations

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www.nycbar.org
Final Rounds of the 59th Annual National Moot Court Competition
2 MONDAY – 5 THURSDAY, 5 PM & 8 PM (M–W); 4 PM & 8 PM (TH)
The 59th Annual Moot Court Competition presents two issues not previously addressed by the United States Supreme Court: First, does Section 2 of the Religious Land Use and Institutionalized Persons Act exceed Congress's power under the Fourteenth Amendment and violate the establishment Clause? And, second, does the Individuals with Disabilities Education Act limit tuition reimbursement only to children who have received public special education and related services through attendance at a public school?

Presented in conjunction with: American College of Trial Lawyers

Friday Evening Chamber Music
6 FRIDAY, 6 PM
Violinists David Sheng and Lear Janiv, violist Ellen Butters, cellist Larissa Koehler and pianist Alok Dutt will perform the Brahms Piano Quintet in F minor. Tenor Frank Martinez will join the quintet for Ivor Gurney's Ludlow and Teme. Mr. Martinez will also perform selected Brahms songs with pianist Jason Hart.
Suggested donation is $10 at the door. For more information, please e-mail chambermusic@nycbar.org

Small Law Firm Breakfast: When Work is Just a Grind
Effective Stress Management for Solos and Small Firms in Today's Economy
10 TUESDAY, 8:30 AM – 10 AM
Certainly clients can be extremely demanding, and some partners can be too. But many lawyers are slaves as well to their own unrelenting work ethic and sense of perfectionism. If you’re working all the time, you can’t stop worrying about work even when you’re off duty, and you can’t delegate because you can’t find dependable help, it’s definitely time for a change. Come to discuss and brainstorm with the Director of the Lawyer Assistance program and a solo practitioner, who will help you start to tackle internal factors that may be adding to your stress level and draining the fun out of life.

Speakers: Alla Roytberg, Director, Small Law Firm Center, NYC Bar; Eileen Travis, Director, Lawyer Assistance Program, NYC Bar
Registration by February 3 is necessary. The fee for this program, which includes breakfast, is $15 for members, $20 for non-members. Attendance is limited to 30 people. Please register online at www.nycbar.org

Public Affairs Luncheon
10 TUESDAY, NOON – 2 PM
The Public Affairs Luncheon Series features speakers who address matters of public interest and enable members of the City Bar to network, socialize and participate in discussions. The Luncheons are open to the public.
Speaker: Fred Siegel, Professor, The Cooper Union; Columnist, New York Post; Author, The Future Once Happened Here: New York, Los Angeles, Washington and the Fate of Big City America
Topic: New York and National Politics

Luncheon Chair: Jerome R. Rosenberg
Luncheon Vice-Chair: Emily Campbell
Registration by February 6 is required to guarantee admission. Registrations received after February 6, 2009 are subject to availability. The fee, which includes lunch, is $30. You may also fax your registration to 212.869.2145, or register online at www.nycbar.org.
FEBRUARY 2009 REGISTRATION FORM

☐ Small Law Firm Breakfast
10 Tuesday
The fee, which includes breakfast, is $15 for members, $20 for non-members

☐ Public Affairs Luncheon
10 Tuesday
The fee, which includes lunch, is $30

☐ Small Law Firm Management Lunch
10 Tuesday
The fee, which includes lunch, is $25 for members, $50 for non-members

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

☐ Financial Planning During a Down Economy
19 Thursday
The fee, which includes refreshments, is $15 for members, $25 for non-members

Name
Number of Reservations

Company

Address

City
State
Zip

Phone

Email

Total Enclosed $

Please charge to my: ☐ 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
for City Bar Members!

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 06089. All benefits are subject to the terms and conditions of the policy. Policies underwritten by Hartford Life and Accident Insurance Company detail 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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Underwritten* by: THE HARTFORD
Administered by: MARSH

DBA in CA: Seabury & Smith Insurance Program Management • CA License #0633005 • ©2009 Seabury & Smith Insurance Program Management • 777 S. Figueroa St, Los Angeles, CA 90017 • 888-882-2269 • www.MarshAffinity.com • NYCBar.Insurance@marsh.com • 12/08
Marsh is part of the family of MMC companies, including Kroll, Guy Carpenter, Mercer, and the Oliver Wyman Group (including Lippincott and NERA Economic Consulting).
Small Law Firm Management Lunch
Session Three: Succession Planning in the Small to Medium Sized Law Firm
10 TUESDAY, 12:30 PM – 2 PM
Succession planning: the activity that everyone loves to avoid. And it’s easy to avoid it and the thorny emotional and substantive issues connected to it because there is usually nothing urgent, at least nothing that we can anticipate. This seminar will describe the important role that succession planning plays in assuring firm continuity and avoiding disruptions. Using a case study, we also will provide participants with tools for overcoming resistance to succession planning, including their own, and for framing succession issues in the most productive manner.

Note: This luncheon program is tailored specifically to the needs of Small Firms rather than Solo Practitioners.

Presenters:
Frank Schneiger, PhD, President, SK Associates; James Kearney, Senior Vice President, SK Associates

Panelists:
Mindy Stern, Schoeman Updike and Kaufman LLP; Todd Pickard, Balber Pickard Maldonado and Van Der Tuin, PC

Registration by February 3 is necessary. The fee, which includes lunch, is $25 for members, $50 for non-members. Attendance is limited to 20 participants. Please register online at www.nycbar.org

The Art of Schmoozing
Networking Made Easy for Law Students and Recent Law School Graduates
11 WEDNESDAY, 6:30 PM – 8 PM
Do you dread the idea of walking into a room full of strangers and introducing yourself? Would you describe yourself as shy? Does the mere mention of the word “networking” make you tremble? Do you collect business cards and never follow up? If so, this program is for you! Come hear a panel of experts discuss the art of networking and how to build professional relationships that will be invaluable throughout your career. A reception will follow and light refreshments will be served.

No fee required. Please RSVP to Jodi Savage at lspchairman@yahoo.com

Professional Development Workshop Series—The Essentials
Client Relationships
12 THURSDAY, 8:30 AM – 10 AM
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 clients’ needs. This program will teach attorneys to become an invaluable resource for clients by understanding their goals, anticipating underlying concerns and communicating solutions effectively.

Participants will learn to:
• Ask the “right” questions and listen effectively
• Develop clients’ trust to convey that clients’ goals are in line with their own
• Generate confidence

Speaker:
Diana Hird, Principal, Hird Associates

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

Break from the Law: A City Bar Initiative for Practicing and Re-entering Lawyers
Getting Back in the Game: Lawyers Who Took Time Away from Practice
Tell What You Need to Know to Re-enter the Profession
12 THURSDAY, 11 AM – 12:30 PM
This program will feature panels who have successfully re-entered the profession after taking a break from the practice of law. The panelists and moderator will share their stories and tips for the job search process, including how best to position yourself for success. The program will be useful not only for lawyers currently taking a break from the practice of law, but also for those contemplating taking a break in the future. Law graduates who initially opted not to practice law, but are now seeking to do so, will also find this program of interest.

Moderator:
Debbie Epstein Henry, Founder/President, Flex-Time Lawyers LLC

Speakers:
Rhonda Crichlow, Novartis Pharmaceutical, Executive Director of Philanthropy & Community Development; Stephanie L. Jones, Vice President & General Counsel, WEA Enterprises, Inc.; Robin F. Singer, Office of Legal Services, New York City Department of Education; Robin Wilcox, Kramer Levin Naftalis & Frankel LLP

The fee is $15 for members, $25 for non-members. Please register online at www.nycbar.org
Small Law Firm Luncheon:
Effective Technology for the Small Law Firm

*Things to Consider Before—and After—Launching a Web Site*

12 THURSDAY, 12:30 PM – 2 PM

Could your website benefit from an update? Not sure if your website is helping you achieve your business goals? In this luncheon seminar you will gain insights on web techniques that law firms are now embracing to help grow their business and recruit qualified talent.

**Moderator:**
Mark Josephson, CPA, CFP, CFE, Murray & Josephson, CPAs, LLC

**Speaker:**
Robert Algeri, Great Jakes Marketing Company

Sponsored by Lexis/Nexis

Registration by February 9 is necessary. The fee, which includes lunch, is $25 for members, $35 for non-members. Please register on page 7 or online at www.nycbar.org

City Bar Contemplative Lawyers Group

17 TUESDAY, 7 PM

Please join us at our monthly meeting, where we will be continuing our series of presentations on “Emotional Intelligence in Law Practice.” The meeting will include guided mindfulness meditation practice and a talk by Robert Chender, who is a certified mindfulness meditation teacher and attorney. There will be time for questions and discussion after the talk. No meditation experience is necessary—everyone is invited.

**Moderator:**

Speaker:
Robert Chender, certified mindfulness meditation teacher and attorney

Sponsored by South African Constitutional Court Justice Albie Sachs

12 THURSDAY, 6 PM

A long-standing champion of human rights, Justice Sachs sits on one of the most progressive courts in the world. He was appointed to that position by President Nelson Mandela in 1994. Justice Sachs will speak about the South African experience, the Constitutional Court and his recently published book: *Art and Justice: Artwork of the South African Constitutional Court.*

**Speaker:**

Hon. Albie Sachs, Justice, South African Constitutional Court

Please register online at www.nycbar.org.

Financial Planning During a Down Economy

19 THURSDAY, 6:30 PM – 8 PM

Don’t let these turbulent economic times create more anxiety and uncertainty in your life! Take control of your personal finances by attending this program and learning about what you can do to protect your finances and to create a personal financial plan that makes sense in this down economy.

**Speakers:**


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

Books at the Bar

*Unholy Business: A True Tale of Faith, Greed and Forgery in the Holy Land*

25 WEDNESDAY, 7 PM

Nina Burleigh will discuss the eccentric characters and high-tech archeological fraud she uncovered researching her latest book, *Unholy Business.* In 2002, an ancient limestone box called the James Ossuary was trumpeted on the world’s front pages as the first material evidence of the existence of Jesus Christ.
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<td>8:30 AM – 10 AM Small Law Firm Breakfast</td>
<td>6:30 PM – 8 PM The Art of Schmoozing</td>
<td>8:30 AM – 10 AM Professional Development Workshop Series—The Essentials</td>
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## CLE Courses

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<td>9 AM – 1 PM What Healthcare Entities Need to Know About Compliance with the FCPA 4.0 credits*</td>
<td>9 AM – 11 AM Lawyers in Transition: Moving From One Sector into Another 2.0 credits*</td>
<td>9 AM – 11 AM Lawyers in Transition: Moving From One Sector into Another 2.0 credits*</td>
<td>6 PM – 9 PM New York Civil Practice Update 3.0 credits*</td>
<td>6 PM – 9 PM Everything You Always Wanted to Know About USERRA But Were Afraid to Ask: Veterans’ Rights &amp; Employers’ Obligations 3.0 credits*</td>
<td>9 AM – 12 PM Accounting for Lawyers 3.0 credits*</td>
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<td>9 AM – 5 PM Day 2 Basic Mediation Training 31.0 credits* (all 4 days) 6 PM – 9 PM Starting Your Own Firm 3.0 credits*</td>
<td>9 AM – 5 PM Day 3 Basic Mediation Training 31.0 credits* (all 4 days) 6 PM – 9 PM Starting Your Own Firm 3.0 credits*</td>
<td>6 PM – 9 PM The Intersection of Criminal &amp; Immigration Law: What You Don’t Know May Hurt Your Client 3.0 credits*</td>
<td>6 PM – 9 PM Current Legal Ethical Issues 3.0 credits*</td>
<td>9 AM – 5 PM Day 1 Best of Bridge-the-Gap: Corporate &amp; Litigation 8.0 credits* Day 2 on 2/27</td>
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<td>6 PM – 9 PM Legal Consequences of the Market Collapse: The Ongoing Fallout 3.0 credits*</td>
<td>6 PM – 9 PM Surviving the Residential Real Estate Closing: Better Than Reality TV 3.0 credits*</td>
<td>9 AM – 5 PM Day 2 Best of Bridge-the-Gap: Corporate &amp; Litigation 8.0 credits*</td>
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*The program provides transitional credit for newly admitted attorneys
**CLE COURSES**

**ADR/ARBITRATION/ MEDIATION/NEGOTIATION**

**Basic Mediation Training: Conflict Resolution Theory & Techniques**

23 & 24 MONDAY & TUESDAY, 9 AM – 5 PM

MARCH 2 & 3 MONDAY & TUESDAY, 9 AM – 5 PM (must attend all four days)

A four-day course on the theory and skills of basic mediation, covering essential techniques and procedures of mediation in lecture, exercises and small group role-plays. Topics to be covered include getting the mediation process started, organizing the discussion, generating movement, overcoming barriers to an agreement, concluding the mediation and other practice issues. Certificates of completion will be issued at the conclusion of the program. This program is geared toward law school graduates and attorneys at any level who have an interest in learning to mediate, but it is also appropriate for non-lawyers. Attendance at all four days of the program is required.

Registration is limited to 48 people.

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

**Lead Trainers:**

Carol B. Liebman, Clinical Professor, Columbia Law School;

Dina R. Jansenson, Mediator/Arbitrator, JAMS, Flemming Zulack Williamson Zauderer LLP

**Credit:** 31.0 total; 22.0 skills, 6.5 PP & 2.5 ethics*

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**Becoming a Mediator: Why it May be Right for You and How to Get Started**

More and more, mediation is growing as an accepted alternative in the administration of justice. With the rising costs of litigation, a greater number of individuals and businesses are discovering the benefits of mediation as a quick and effective solution. Indeed, mediation is on the rise in areas such as estate disputes, workplace conflicts and even mortgage foreclosures and renegotiations—making it a particularly timely specialty.

Whether you are looking for an alternative career, fulfilling volunteer work or something to do when you retire, becoming a mediator could be an excellent addition to your repertoire as a legal professional. The process is rewarding as you creatively find unique ways to help individuals see different points of view and reach resolutions.

The first step to becoming a mediator is to undergo basic mediation training, typically between 25 and 40 hours in length. You will learn the skills needed to mediate through lectures and interactive exercises in which you will mediate hypothetical cases and receive feedback from experienced mediators. The City Bar Center for CLE is offering Basic Mediation Training: Conflict Resolution Theory & Techniques on February 23 & 24 and March 2 & 3 (please see listing on this page for more details). The program offers 31 CLE credits. To register, call 212.382.6663 or go to www.nycbar.org.

Complete list of mediation and alternative dispute resolution courses offered by the City Bar Center for CLE this winter and spring:

- **Basic Mediation Training: Conflict Resolution Theory & Techniques**
  - Mondays & Tuesdays, February 23 & 24 and March 2 & 3, 9 AM – 5 PM, 31.0 credits

- **Selected Ethics Issues in Mediation & Settlement Negotiations**
  - Tuesday, March 24, 6 PM – 9 PM, 3.0 credits

- **Gain The Edge!® Negotiation Strategies for Lawyers & Business Professionals**
  - (Co-sponsored by ALI-ABA)
  - Friday, April 17, 9 AM – 4:30 PM, 6.5 credits

- **Introduction to Collaborative Law**
  - (Co-sponsored by the New York Association of Collaborative Law Professionals)
  - Thursday, May 14, 6 PM – 9 PM, 3.0 credits

- **Securities Arbitration & Mediation Hot Topics 2009: The Program for Attorneys, In-House Counsel, Experts, Arbitrators & Mediators**
  - Tuesday, June 9, 9 AM – 12 PM, Luncheon 1 PM – 2 PM, 3.0 credits

- **A Mediation Career: Getting Started**
  - Wednesday, June 17, 6 PM – 9 PM, 3.0 credits

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice
Best of Bridge-the-Gap:
Corporate & Litigation
20 & 27 FRIDAY, 9 AM – 5 PM

Earn all of your annual CLE credits while obtaining invaluable knowledge in a variety of areas. This program will bring together the most exceptional segments and speakers from past Corporate & Litigation Bridge-the-Gap programs. Come and hear from practitioners that past attendees rated highly for an update on corporate law and litigation techniques. Experienced attorneys will find this program to be a very convenient way to earn credits and get the latest information.

Attendance on both days will provide the total annual professional practice/practice management skills and ethics credits required of all newly admitted attorneys.

Save by registering for both days!

Faculty:
Alexandra Duran, MSW, CSW, JD, Career Transitioning; A. Michael Furman, Furman Kornfeld & Brennan LLP; Hon. Gerald Lebovits, Judge, New York City Civil Court, Housing Part & Adjunct Professor of Law, St. John’s University School of Law; Hon. Edward W. McCarty, Nassau Supreme Court; Matthew I. Menchel, Kobre & Kim LLP; Kenneth M. Moltner, Bressler, Amery & Ross, P.C.; John F. Nash, Sullivan Papain Block McGrath & Cannavo P.C.; Michael S. Ross, Law Offices of Michael S. Ross; Gary J. Simon, Hughes Hubbard & Reed LLP; William C. Wright, Epstein Drangel Bazerman & James, LLP

Credit: February 20 & 27: 16.0 total: 7.0 PP, 6.0 skills & 3.0 ethics
Credit: February 20 or 27: 8.0 total: 3.5 PP, 3.0 skills & 1.5 ethics*

Counseling the Board of Directors During the New Age of Activist Shareholders
3 TUESDAY, 8:30 AM – 12:45 PM

At this program, a panel of experts will discuss various issues and legal considerations that should be considered when counseling the Board of Directors of a public corporation, with particular attention given to how a Board should respond to demands for changes made by an activist shareholder. Panel discussions will provide an overview of the goals of activist investing and the tools employed by activists to accomplish them, as well as the latest strategies and defensive mechanisms used by public corporations to facilitate their interactions with activist investors. The program will also consider the duties and responsibilities of the Board when confronted with an activist investor and provide suggestions on how independent directors can do their job most effectively. Finally, an overview will be provided of the 2008/2009 proxy season.

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

Program Chair:
Jared L. Landaw, Senior Managing Director and General Counsel, Barington Capital Group, L.P.

Keynote Speakers:
Roel Campos, Former Chairman of the SEC, Cooley Goeward Kronish LLP; Martin Lipton, Wachtell, Lipton, Rosen & Katz

Faculty:
William D. Anderson, Jr., Managing Director, Goldman, Sachs & Co.; Richard C. Breeden, Former Chairman of the SEC, Breeden Partners; Professor Charles M. Elson, Edgar S. Woolard, Jr. Chair & Director, John L. Weinberg Center for Corporate Governance, University of Delaware; Bruce H. Goldfarb, President & CEO, Okapi Partners; Phillip Goldstein, Principal and Co-Founder, Bulldog Investors; Keith E. Gottfried, Blank Rome LLP; David A. Katz, Wachtell, Lipton, Rosen & Katz; Roy J. Katzovicz, Chief Legal Officer, Pershing Square Capital Management, L.P.; Michael J. Maimone, Greenberg Traurig LLP; Brian L. Schorr, Chief Legal Officer, Trian Fund Management, L.P.; Steven Seiden, President, Seiden Krieger Associates; Daniel S. Sternberg, Cleary Gottlieb Steen & Hamilton LLP; Leo E. Strine, Jr., Vice Chancellor, Delaware Court of Chancery;

Raymond S. Troubh, Director of various companies; Marc Weingarten, Schulte Roth & Zabel LLP; Christopher L. Young, Director of M&A Research, RiskMetrics Group, Financial Research and Analysis

Credit: 4.5 PP*

Legal Consequences of the Market Collapse: The Ongoing Fallout

25 WEDNESDAY, 6 PM – 9 PM

This program will focus on the impact the meltdown in the financial markets has had on private funds. Areas to be covered include changes in the regulation of short sales, changes in prime brokerage and counter party issues, managing fund liquidity and investor redemptions, limited partner defaults, prospects for the regulation of credit default swaps and prospects for new regulatory initiatives in Europe and in the U.S., particularly under a new administration.

Program Chair:
George J. Mazin, Dechert LLP

Credit: 3.0 total: credit breakdown to be determined*

ESTATE PLANNING

5 THURSDAY, 6 PM – 9 PM

Whether you are drafting, handling administration or litigating trusts and estates in New York, you are going to have to deal with assets and persons in different jurisdictions. For the uninitiated, this course will introduce you to some of the major differences between the laws of New York and those of Florida, New Jersey, Delaware and Connecticut. For the more experienced practitioner, the course will

*This live program provides New York & California transitional/non-transitional credit to all attorneys. Credit abbreviations: PM=practice management; PP=professional practice
include updates on recent statutory amendments and developing case law. Among the issues addressed will be differences among the states in terms of tax schemes, whether it might be worthwhile to advise your client to change her domicile for planning purposes, who is entitled to notice of probate, what evidence is admissible to determine the intent of a testator or settler, whether the Dead Man’s Statute will influence your litigation and much more. Hands-on practitioners with experience in New York and other states will guide you through the morass and take your questions.

Program Chair:  
David J. McCabe, Willkie Farr & Gallagher LLP

Faculty:  
Amy B. Beller, Miller & O’Neill;  
Mark E. Haranco, Wiggin and Dana LLP;  
George W. Kern, Principal & Senior Trust Officer, Bessemer Trust Company of Delaware, N.A.;  
Joseph C. Mahon, Cooper Levenson April Niedelman Wagenheim

Credit: 3.0 PP*

**ETHICS**

Current Legal Ethical Issues  
19 THURSDAY, 6 PM – 9 PM

Join us to hear this nationally renowned ethicist and well-regarded speaker address current issues of legal ethics. This program will address the new New York Rules of Professional Conduct. These Rules, effective April 1, 2009, replace the New York Code of Professional Responsibility, adopted in 1970 and amended from time to time over the years. While many of the new rules incorporate existing code provisions, other rules introduce important changes to the duties and authorities of New York lawyers. These will change the way New York lawyers (and their firms) may or must practice. The changes include new duties to tribunals (more demanding than in most other states and a reversal of the Code provisions), new exceptions to the duty of confidentiality, expanded duties to keep clients informed about their matters and several new provisions on conflicts of interest, which will be the most consequential changes for many New York lawyers. The discussion will stress the differences from the Code (and some of the similarities) and the differences between the new Rules, on one hand, and on the other, the ABA Model Rules and the rules in the majority of U.S. jurisdictions. As always, audience questions and comments will be encouraged.

This program will not be available on tape. You will only have the chance to see it live.

Program Instructor:  
Professor Stephen Gillers, Emily Kempin Professor of Law, New York University School of Law

Credit: 3.0 ethics*

**HEALTHCARE**

Avoiding Danger in International Business Practices: What Healthcare Entities Need to Know About Compliance with the FCPA

9 MONDAY, 9:30 AM – 1 PM

Recently there have been an increasing number of investigations and charges against pharmaceutical, biotech, medical device and other healthcare-related businesses by the federal government for potential violations of the Foreign Corrupt Practices Act (FCPA). Their international exposure, numerous foreign contracts and other dealings with persons deemed to be “foreign officials” under the FCPA have made businesses in this sector a focus for the Department of Justice and the Securities and Exchange Commission. These investigations have led to multilingual dollar settlements and reputational damage for various multinational entities that have engaged in conduct that had the appearance of corruption.

This program will provide a variety of perspectives—from government counsel, forensic accountants, outside counsel and in-house specialists—about the shifting landscape of FCPA enforcement and how to comply more effectively with the FCPA through various “best practices.” The program will focus on issues affecting pharmaceutical and life sciences industries. It will be appropriate for counsel and compliance officers from both larger businesses with compliance programs already in effect and smaller companies that wish to understand better their anti-corruption compliance obligations under the FCPA. It will also be of interest to a general audience interested in recent developments in FCPA enforcement.

Program Chair:  
Linda A. Malek, Moses & Singer LLP

Faculty:  
Gary Giampetruzzi, Assistant General Counsel, Deputy Compliance Officer, International Investigations and Programs, Pfizer Inc.;  
Mark F. Mendelsohn, Deputy Chief, Fraud Section, Criminal Division, United States Department of Justice;  
Abraham Y. Skoff, Moses & Singer LLP;  
Joseph A. Spinelli, Co-Founder and Chief Operating Officer, Daylight Forensic & Advisory LLC

Credit: 4.0 total: credit breakdown to be determined*

**IMMIGRATION LAW**

The Intersection of Criminal & Immigration Law: What You Don’t Know May Hurt Your Client

18 WEDNESDAY, 6 PM – 9 PM

The intersection of criminal and immigration law is becoming more and more critical to attorneys practicing in both fields. This program will present a discussion of the immigration consequences of criminal offenses and convictions, and how criminal and immigration lawyers can work together in a criminal case to protect a client from the effects of a criminal conviction. The speakers will discuss strategies for protecting the client at every stage of the criminal process: investigation, consultation, plea and sentence.

Program Chair:  
Linda M. Kenepaske, Law Offices of Linda M. Kenepaske

Credit: 3.0 ethics*

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Everything You Always Wanted to Know About USERRA But Were Afraid to Ask: Veterans’ Rights & Employers’ Obligations

12 THURSDAY, 6 PM – 9 PM

The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) is the federal law that establishes the rights and responsibilities of members of the Armed Forces, the National Guard and Reserve, commissioned corps of the Public Health Services, and their employers. The law applies to all public and private employers in the United States, including federal, state and local governments, regardless of size. USERRA prohibits discrimination and often mandates reemployment and retention when employees serve or have served in the uniformed services. Congress provided the statutory authority for investigating alleged violations of USERRA to the U.S. Department of Labor (DOL). If DOL finds that an employer has likely violated the law, DOL may refer the case to the U.S. Department of Justice for legal action against the employer, or the individual can in some circumstances bring a private lawsuit under the Act. A panel of experts drawn from plaintiff and employer-side attorneys and from veterans’ groups will discuss the basics of navigating this law, as well as developing trends in the law and changes under the recent Veterans’ Benefits Improvement Act of 2008.

Program Co-Chairs:
Epifanio Castillo, Jr., Castillo Associates LLP; Maia Goodell, Vladeck, Waldman, Elias & Engelhard, P.C.

Faculty:
Daniel A. Friedman, Assistant Director, U.S. Department of Labor, Veterans’ Employment and Training Service; Kevin G. Lauri, Jackson Lewis LLP; Danielle Rosen, Corporate Counsel, Pfizer, Inc.

Credit: 3.0 PP*

So Little Time, So Much Paper™: Organization & Time Management Techniques for Lawyers

2 MONDAY, 9 AM – 4:30 PM

Of all the elements you have to work with, none is more precious than time. You have invested years learning the substance of the law. Now you can invest a few hours to learn the principles of organization and time management, and how to apply them every day to do more work in less time.

In this intensive, fast-paced seminar, you will learn hundreds of ideas, techniques and strategies for managing time, projects, paper and people (including yourself). This solution-oriented seminar presents productivity-enhancing techniques that are practical and workable in the real world of too little time, too much paper, demanding clients and constant challenges.

Attend this seminar and learn how to:
• Work more productively on your own and in teams
• Keep track of projects, assignments, ideas and things to do
• Handle paperwork efficiently and prevent backlogs
• Handle unimportant interruptions efficiently, yet diplomatically
• Maximize your time
• Set goals that are both inspiring and realistic
• Implement a personal time management improvement program that can continue to increase your productivity over the long run

This program will not be taped. You will only have the chance to see it live. This program is approved for MCLE credit in other MCLE jurisdictions. If you attended this program in the past you may not be permitted to apply the CLE credit for this program to fulfill your current CLE requirements.

Credit: 2.0 total: 1.5 PM & 0.5 ethics*

Lawyers in Transition: Moving from One Sector into Another

10 TUESDAY, 9 AM – 11 AM

This program will discuss some of the issues involved in both looking for a new job and changing jobs. Some of the topics to be discussed include how to use headhunters properly; the challenges of moving from outside counsel to inside counsel, inside counsel to private practice, from one company to another and from one firm to another, and from government to private practice and private practice to government; mining your contacts; keeping clients happy while you are moving; what you can disclose and when, and other ethical issues.

Program Chair:
David G. Keyko, Pillsbury Winthrop Shaw Pittman LLP

Faculty:
Richard H. Block, Mintz Levin Cohn Ferris Glovsky & Popeo PC; Jon Lindsey, Managing Partner, Co-Leader, NY, Partner Practice Group, Major, Lindsey & Africa

Credit: 7.0 total: 4.5 PM & 2.5 skills*

Starting Your Own Firm: Is it Something You Should Think About & Prepare For?

24 TUESDAY, 6 PM – 9 PM

Do you have what it takes to start your own firm? Was your decision to start a law firm based on a drastic career change or circumstances beyond your control? What is your game plan, and how are you planning to face the current downturn in the economy? If you’re thinking of going

“So Little Time, So Much Paper” is a trademark of Spencer Consulting and its principal, Margaret Spencer Dixon.

Co-sponsored by ALI-ABA

Program Instructor:
Margaret Spencer Dixon, Principal, Spencer Consulting

Credit: 2 M OnDAY, 9 AM – 4:30 PM

So Little Time, So Much Paper™: Organization & Time Management Techniques for Lawyers

2 MONDAY, 9 AM – 4:30 PM

Of all the elements you have to work with, none is more precious than time. You have invested years learning the substance of the law. Now you can invest a few hours to learn the principles of organization and time management, and how to apply them every day to do more work in less time.

In this intensive, fast-paced seminar, you will learn hundreds of ideas, techniques and strategies for managing time, projects, paper and people (including yourself). This solution-oriented seminar presents productivity-enhancing techniques that are practical and workable in the real world of too little time, too much paper, demanding clients and constant challenges.

Attend this seminar and learn how to:
• Work more productively on your own and in teams
• Keep track of projects, assignments, ideas and things to do
• Handle paperwork efficiently and prevent backlogs
• Handle unimportant interruptions efficiently, yet diplomatically
• Maximize your time
• Set goals that are both inspiring and realistic
• Implement a personal time management improvement program that can continue to increase your productivity over the long run

This program will not be taped. You will only have the chance to see it live. This program is approved for MCLE credit in other MCLE jurisdictions. If you attended this program in the past you may not be permitted to apply the CLE credit for this program to fulfill your current CLE requirements.

Credit: 3.0 PP*

Lawyers in Transition: Moving from One Sector into Another

10 TUESDAY, 9 AM – 11 AM

This program will discuss some of the issues involved in both looking for a new job and changing jobs. Some of the topics to be discussed include how to use headhunters properly; the challenges of moving from outside counsel to inside counsel, inside counsel to private practice, from one company to another and from one firm to another, and from government to private practice and private practice to government; mining your contacts; keeping clients happy while you are moving; what you can disclose and when, and other ethical issues.

Program Chair:
David G. Keyko, Pillsbury Winthrop Shaw Pittman LLP

Faculty:
Richard H. Block, Mintz Levin Cohn Ferris Glovsky & Popeo PC; Jon Lindsey, Managing Partner, Co-Leader, NY, Partner Practice Group, Major, Lindsey & Africa

Credit: 7.0 total: 4.5 PM & 2.5 skills*

Starting Your Own Firm: Is it Something You Should Think About & Prepare For?

24 TUESDAY, 6 PM – 9 PM

Do you have what it takes to start your own firm? Was your decision to start a law firm based on a drastic career change or circumstances beyond your control? What is your game plan, and how are you planning to face the current downturn in the economy? If you’re thinking of going

“So Little Time, So Much Paper” is a trademark of Spencer Consulting and its principal, Margaret Spencer Dixon.

Co-sponsored by ALI-ABA

Program Instructor:
Margaret Spencer Dixon, Principal, Spencer Consulting

Credit: 2 M OnDAY, 9 AM – 4:30 PM

So Little Time, So Much Paper™: Organization & Time Management Techniques for Lawyers

2 MONDAY, 9 AM – 4:30 PM

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Credit: 3.0 PP*
out on your own, there are a multitude of issues to consider, including whom your clients will be, whether to specialize or diversify to address economic conditions, and what your letter of engagement should contain. Among the topics to be discussed are:

• Taking personal and financial inventory before you launch
• Determining the minimum budget requirement to start a practice
• The advantages and disadvantages of commercial leases, subleases and virtual office spaces
• How to market your services and yourself
• Tax and ethical considerations
• How to think like an entrepreneur rather than an academic

These issues and more will be discussed in a CLE session by panelists who have their own solo or small firm practices. Come learn, network, get useful ideas and CLE credits.

Program Chair:
Olivera Medenica, Wahab & Medenica LLC

Faculty:
Damien Matthew Bosco, Bosco Law firm, LLC; Deborah G. Rosenthal, Rosenthal, Attorneys at Law PC; Richard A. Roth, Richard A. Roth, The Roth Law firm PLLC; Alla Roytberg, Law Offices and Mediation Center of Alla Roytberg; Jeremy M. Saland, Crotty Saland LLP

Credit: 3.0 total: 2.5 PP & 0.5 ethics*

LITIGATION

New York Civil Practice Update
11 WEDNESDAY, 6 PM – 9 PM
A panel of leading authorities will provide an update on recent developments and trends in New York State practice, including Highlights from 2008, Court of Appeals Roundup, New Statutes, Disclosure Developments, Motion Practice and Evidence & Calendar Practice.

Program Chair:
David Paul Horowitz, Ressler & Ressler & Law Office of David Paul Horowitz

Faculty:
Professor Richard T. Farrell, Brooklyn Law School; David L. Ferstendig, Law Offices of David L. Ferstendig, LLC; Brian J. Shoot, Sullivan Papain Block McGrath & Cannavo P.C.

Credit: 3.0 PP*

REAL ESTATE

Real Estate Workouts:
Restructuring the Problem Loan in the New World of Banking
9 MONDAY, 6 PM – 9 PM
Real estate loan workouts have started, but in an entirely new world. Lenders may no longer exist or may be a federal agency buying bad loans. In 2009, lawyers and bankers trying to complete a loan workout will face new challenges resulting from the drastic changes in the commercial real estate finance industry. A panel of lawyers and lenders will discuss those challenges and share their views concerning the successful completion of a loan restructuring in the current marketplace. The panelists will also discuss the aspects of the traditional real estate finance industry that have not survived the turmoil of 2008 and the new players in the market going forward.

Program Chair:
Richard A. Nardi, Loeb & Loeb LLP

Faculty:
James T. Freal, Senior Vice President, Asset Recovery Group, KeyBank National Association; William C. McCahill, Partner, AREA Property Partners; Scott A. Weinberg, Partner, DLA Piper LLP

Credit: 3.0 total: 2.0 PP & 1.0 skills*

Surviving the Residential Real Estate Closing: Better Than Reality TV
26 THURSDAY, 6 PM – 9 PM

Did you ever wonder what actually happens at a residential real estate closing? Or, having participated in a few, do you now want to become more adept at anticipating and preventing problems before closing, or troubleshooting at the closing table when unanticipated situations arise? Are you worried about representing yourself or a family member or friend at an upcoming closing? Here is your chance to “eavesdrop” on mock co-op and house closings conducted by seasoned practitioners. Bring your sense of humor to this informative yet entertaining program.

Program Chair:
Mindy H. Stern, Schoeman Updike & Kaufman, LLP

Faculty:
Marvin N. Bagwell, Bagwell & Associates Title Agency LLC; Nancy Ann Connery, Schoeman Updike & Kaufman LLP; Therese Guadagno, Therese Guadagno & Associates; Matthew J. Leeds, Ganfer & Shore LLP; Gerard J. Picaso, Gerard J. Picaso, Inc.; Alan B. Reis, Reis Cooper LLP; Cathy Taub, Senior Vice President & Associate Broker, Stribling & Associates Ltd.

Credit: 3.0 skills*

TAX & ACCOUNTING

Accounting for Lawyers
13 FRIDAY, 9AM – 12 PM

No matter an attorney’s specific area of practice, the ability to read and understand basic financial information adds value to delivering high-quality services to clients. Accounting for Lawyers is designed for all lawyers who need and want to gain a clearer understanding of accounting and financial statements and the use of such information in real-life practice situations. Offering both traditional step-by-step instruction on the basics of financial statements, as well as an in-depth, practical case study, the course offers the practicing lawyer the skills to read and interpret accounting and financial statements as they may apply to diverse professional matters.

Program Instructors:
Sandy Cheshire, Director, Operations & Strategy, AIG Domestic Claims Inc.; Shari Helaine Lichtman, Attorney & CPA, Litigation and Professional Education

Credit: 3.0 total: 2.5 PP & 0.5 ethics*
CIVIL RIGHTS
Report to the Obama Transition Team re: Reviewing the Civil Rights Division. The report says that recently the Civil Rights Division of the Justice Department has strayed away from its original objective of enforcing civil rights legislation and urges that the new administration work to restore the Division’s original objective, choose experienced and effective leaders, reset the priorities of the Division through thoughtful selection of areas of emphasis and the development of resources that have the greatest impact, depoliticize the hiring of new attorneys and enhance the Division’s law enforcement mission by making key legislative changes.

INTERNATIONAL HUMAN RIGHTS
Letter to the Prime Minister of India expressing condolences for and solidarity with the people of India and those visitors terrorized by the November 2008 attacks in Mumbai.

LESBIAN, GAY, BISEXUAL AND TRANSGENDER RIGHTS
Report expressing support for S.1342/A.2856, the Healthy Teens Act, which would establish a grant program to bring comprehensive, age-appropriate and medically accurate sexuality education, taught by qualified professionals, to New York schools. In addition, the report recommends that New York’s Education Law be amended to require the teaching of sex education in public schools and that the curricula be evidence-based, medically accurate and sensitive to the needs and experiences of LGBT youth.

Follow-up report reiterating support for A.3496, Dignity for All Students Act (DASA), which would prohibit harassment and discrimination against students in school based on actual or perceived race, color, national origin, ethnic group, religion, religious practice, disability, sexual orientation, gender (including gender identity and expression) and sex. The report also notes reservations regarding an alternative bill introduced in August 2008, by the Senate Committee on Rules, the Safe Schools for All Students Act, S. 8739, which employs an overly broad standard that invites the punishment of constitutionally protected speech and expression and weakens the incident reporting provisions of DASA.

PROFESSIONAL AND JUDICIAL ETHICS
PROFESSIONAL RESPONSIBILITY
Comments on the ABA’s proposed amendment to Model Rule 1.10, which would allow law firms to “screen” laterally hired attorneys as a way of easing the effects of the imputation of conflicts rules. Though in favor of the idea of a screening rule, the report argues that the proposal should not include a written notice requirement nor should it require (1) a description of the screened lawyer’s prior representation, the screening procedures employed and the firm and screened lawyer’s compliance with the rules; (2) notification to the former client that “review may be available before a tribunal;” (3) an undertaking by the firm to respond promptly to written comments from the client regarding screening procedures and (4) certifications of compliance with the rules at reasonable intervals, upon the former client’s written request. The comments conclude by noting that while the proposed Rule 1.10 has deficiencies, it is a sufficient improvement over the current rule to warrant support even if the committees’ recommendations are not adopted.

Nominees Named
The following candidates have been nominated by the Executive Committee for election to five positions on the 2009-2010 Nominating Committee. Ballots will be sent to the membership. Those elected will be announced at the Annual Meeting of the City Bar on May 19, 2009.

- Hon. Rolando T. Acosta
- David M. Brodsky
- Hon. George Benjamin Daniels
- Beth L. Kaufman
- John S. Kiernan
- Susan J. Kohlmann
- Victor A. Kovner
- Bettina B. Plevan
- Karla Grace Sanchez
- Elpidio (P.D.) Villarreal

PRESIDENT
Letter to President-Elect Obama offering suggestions on how to handle the detention, treatment and trial of terrorism suspects and follow the rule of law. Since September 11, 2001, the letter notes, certain United States policies have disregarded the rule of law and human rights. The letter urges that the President-Elect work to implement policies that balance civil liberties and national security, and makes specific recommendations in that regard.
• permit all victims of domestic violence, including nonqualified aliens, to be eligible for emergency residential services
• enable anyone in an intimate relationship with their abuser to be eligible for a family-court order of protection
• prohibit manufacturers and contract testing facilities from using traditional animal test methods for product safety testing when there is a validated and recommended alternative
• provide minors charged with prostitution the opportunity to receive essential social services, including safe housing, rather than face prosecution and jail time

Our hopes for the upcoming session remain high, but must be tempered by two key changes from last year. First, the State’s budgetary crisis—as detailed by Governor Paterson in his December 16th budget presentation—will loom over any piece of legislation that calls for new money to be spent. And second, it may take some time for the new Senate leaders, committee chairs and staff members to settle in. As you are probably aware, the Senate moved, by a very close margin, from a Republican majority to a Democratic majority after the November elections. After some fits and starts during the months of November and December, Senator Malcolm Smith was elected Majority Leader and the Democrats officially took control of the Senate on January 7th, the first day of the 2009 legislative session. This creates a two-house Democratic majority in Albany for the first time in over 40 years. Some observers believe that having one party control both houses of the legislature will ease the Albany gridlock, while others worry about the dilution of checks and balances. It remains to be seen what the impact of the change in leadership will be. Majority Leader Smith, in his acceptance speech, suggested that the Senate will engage in an unprecedented bipartisan approach to lawmaking and rules reform, stating, “there are no more Democrats or Republicans in this house.”

Looming over all of this is New York’s fiscal crisis. On December 16th, more than one month early, Governor Paterson released his Executive Budget, which is designed to eliminate the largest budget deficit in the state’s history: a $1.7 billion current-year shortfall and a $13.7 billion 2009-10 deficit. And, in his January 7th State of the State address, the Governor once again made it clear that, as far as he is concerned, the State will be in for a severe belt-tightening.

In light of these developments, how should the Association approach the upcoming legislative session? With a fair dose of reality and patience. That is, in considering and creating 2009 legislative agendas, the committees should be keenly aware of Senate happenings and the budget deficit. Absent a compelling reason, bills that require new spending will likely not move this year. However, it is not all bad news: the fiscal crisis (coupled with changes in the Senate) may present an opportunity to advance legislation that does not have a negative fiscal impact on the State or perhaps offers the chance for increased cost savings or revenue generation over the long term. At the same time, we must continue to support legislation and advocate for programs that serve the most fundamental needs of New Yorkers.

With that in mind, here’s a sampling of bills (in no particular order) that committees have been supporting. Although they will be subject to the usual wrangling and political negotiations, these bills may have the added benefit of being fiscally neutral or even positive, a point we should always make whenever we can:
• The Anatomical Gift Act, which would help facilitate organ donation
• The Family Health Care Decision Act, which would allow surrogates to make end-of-life decisions for incapacitated persons
• GENDA, which would prohibit discrimination on the basis of gender identity and expression
• Various bills advocating and facilitating alternative dispute resolution
• Governor Paterson’s budget proposal to amend the Human Rights Law to allow for the imposition of penalties in non-housing discrimination cases
• A no-fault divorce bill
• Bills that address the spike in consumer debt cases filed in Civil Court
• Bills that ease the transition of ex-offenders into the workplace
• The Marriage Equality bill, which would extend the rights of marriage to same-sex couples
• The Reproductive Health and Privacy Protection Act, which would codify Roe v. Wade as a matter of state law
• Bills that provide protections to victims of domestic violence
• Bills that will help prevent unnecessary pain and suffering of animals
• Various court restructuring proposals
• The Uniform Fraudulent Transfer Act, which would modernize New York’s existing fraudulent conveyance statute
• Proposals to reform the Rockefeller Drug Laws

The above list includes just some of the topics our committees are addressing. Here’s hoping that despite the obstacles, 2009 will provide some positive results in Albany.

If you would like further information about the work of the Legislative Affairs Department, please contact Maria Cilenti, Legislative Director, at 212.382.6655 or mcilenti@nycbar.org.
February 2

So Little Time, So Much Paper™: Organization & Time Management Techniques for Lawyers

Member Nonmember

Live Program (includes materials): $375 $475
Materials only (no CLE credit): $105 $135

Counseling the Board of Directors During the New Age of Activist Shareholders

February 3

Member Nonmember

Live program (includes materials): $235 $345
Materials only (no CLE credit): $105 $135


February 5

Member Nonmember

Live Program (includes materials): $215 $325
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

Avoiding Danger in International Business Practices: What Healthcare Entities Need to Know About Compliance with the FCPE

February 9

Member Nonmember

Live Program (includes materials): $215 $325
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

Real Estate Workouts: Restructuring the Problem Loan in the New World of Banking

February 9

Member Nonmember

Live Program (includes materials): $215 $325
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

Lawyers in Transition: Moving From One Sector Into Another

February 10

Member Nonmember

Live Program (includes materials): $205 $315
CDs (includes materials): $225 $275
Videotapes (includes materials): $275 $335
DVDs (includes materials): $315 $375
Materials only (no CLE credit): $105 $135

New York Civil Practice Update

February 11

Member Nonmember

Live Program (includes materials): $195 $305
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

Everything You Always Wanted to Know About USERRA But Were Afraid to Ask: Veterans’ Rights & Employers’ Obligations

February 12

Member Nonmember

Live program (includes materials): $215 $325
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

Accounting for Lawyers

February 13

Member Nonmember

Live program (includes materials): $205 $315
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

The Intersection of Criminal & Immigration Law: What You Don’t Know May Hurt Your Client

February 18

Member Nonmember

Live Program (includes materials): $175 $285
CDs (includes materials): $365 $435
Videotapes (includes materials): $435 $505
DVDs (includes materials): $475 $565
Materials only (no CLE credit): $105 $135

Current Legal Ethical Issues

February 19

Member Nonmember

Live Program (includes materials): $265 $375
Materials only (no CLE credit): $105 $135

Best of Bridge-the-Gap: Corporate & Litigation

February 20 & 27

Member Nonmember

Live Program (includes materials): $445 $605 (both days)
CDs (includes materials): $395 $535 (per day)
Videotapes (includes materials): $485 $605 (per day)
DVDs (includes materials): $595 $725 (per day)
Materials only (no CLE credit): $235 $355 (both days)

Basic Mediation Training: Conflict Resolution Theory & Techniques (Must attend all four days)

February 23 & 24 and March 2 & 3

Member Nonmember

Live Program (includes materials): $1,545 $1,845
Materials only (no CLE credit): $105 $135

Starting Your Own Firm: Is it Something You Should Think About & Prepare For?

February 24

Member Nonmember

Live Program (includes materials): $175 $285
CDs (includes materials): $365 $435
Videotapes (includes materials): $435 $505
DVDs (includes materials): $475 $565
Materials only (no CLE credit): $105 $135

Legal Consequences of the Market Collapse: The Ongoing Fallout

February 25

Member Nonmember

Live Program (includes materials): $225 $335
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

Surviving the Residential Real Estate Closing: Better than Reality TV

February 26

Member Nonmember

Live Program (includes materials): $215 $325
CDs (includes materials): $335 $405
Videotapes (includes materials): $405 $475
DVDs (includes materials): $445 $535
Materials only (no CLE credit): $105 $135

REGISTRATION

Advance registration is advised for live programs and video replays. An additional fee of $25 will be charged for registrations received after 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 and 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 $15 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.
Introducing the City Bar’s New Career Counselor Referral Program

The legal profession has changed dramatically over the last decade. No longer is it the norm that your first job out of law school is the job you have for the next 30 years. More and more lawyers are moving through multiple jobs and professions during their careers. Some, unfortunately, are being forced to move by the economy. In order to navigate these transitions, many will seek the assistance of a career coach—someone who can help them think about their goals and develop a plan of action.

While many attorneys may be able to utilize career development tools through large firm employers, others who are working in smaller firms or solo practices may not have access to such resources. In addition, some attorneys may be reluctant to seek help at their firm and prefer to go outside to maintain anonymity.

For these reasons, the New York City Bar is pleased to announce the launch of the Career Counselor Referral Program. The program assists members by offering one-on-one counseling sessions with an experienced career counselor at a reduced rate. City Bar members are eligible to meet with a participating counselor for an initial session (50 to 60 minutes as determined by the counselor) for a fee of just $100.

Counselors are able to help members with issues including improving client relationship skills, creating business development plans, preparing resumes/cover letters, networking, building interviewing and negotiation skills, evaluating offers, managing transitions (e.g. junior associate to senior associate or senior associate to junior partner), improving management skills, and addressing time management and work/life balance.

For more information about the Career Counselor Referral Program or to fill out a counselor referral request form, please visit the Your Career section of the City Bar website, www.nycbar.org.

UPCOMING CAREER DEVELOPMENT & NETWORKING EVENTS AND CLE COURSES
(For more information, see listings inside)

2 MONDAY, 9 AM – 4:30 PM
CLE: So Little Time, So Much Paper™: Organization & Time Management Techniques for Lawyers

5 THURSDAY, 6:30 PM – 8:30 PM
Young Lawyers Connect – First Thursdays Series – Wine Tasting at Landmarc, Time Warner Center

10 TUESDAY, 8:30 AM – 10 AM
Small Law Firm Breakfast: When Work is Just a Grind – Effective Stress Management for Solos and Small Firms in Today’s Economy

10 TUESDAY, 9 AM – 11 AM
CLE: Lawyers in Transition: Moving from One Sector into Another

11 WEDNESDAY, 6:30 PM – 8 PM
The Art of Schmoozing: Networking Made Easy for Law Students and Recent Law School Graduates

12 THURSDAY, 8:30 AM – 10 AM
Professional Development Workshop Series – The Essentials: Client Relationships

12 THURSDAY, 11 AM – 12:30 PM
Break from the Law: A City Bar Initiative for Practicing and Re-entering Lawyers – Getting Back in the Game: Lawyers Who Took Time Away From Practice Tell What You Need to Know to Re-enter the Profession

12 THURSDAY, 12:30 PM – 2 PM
Small Law Firm Luncheon: Effective Technology for the Small Law Firm

17 TUESDAY, 7 PM
City Bar Contemplative Lawyers Group

19 THURSDAY, 6:30 PM – 8 PM
Financial Planning During a Down Economy

24 TUESDAY, 6 PM – 9 PM
CLE: Starting Your Own Firm: Is it Something You Should Think About & Prepare For?