THE TRUE HEROES
By Barry Kamins, President

The name of Charles "Cully" Stimson has begun to fade into history and will be a footnote in the not-too-distant future. As you may remember, Mr. Stimson was the administration's point person for detainee policy for the last year as deputy assistant secretary for detainee affairs. He gained substantial notoriety on January 11th when, during an interview with a local Washington-based station, he expressed dismay that attorneys at many of the nation's top law firms were representing prisoners at Guantanamo Bay, Cuba, and that the firms' corporate clients should consider ending their business ties with those firms. While an almost universal critical response silenced his remarks, unfortunately the policies of the administration with regard to the detainees have not changed over the past five years.

Mr. Stimson, an attorney and former federal and state prosecutor, teaches as an adjunct law professor at George Mason and at the Naval Justice School in Rhode Island. He was also a criminal defense attorney as a JAG officer. In his comments, he expressed his "shock" that attorneys representing prisoners at Guantanamo Bay, Cuba, and that the firms' corporate clients should consider ending their business ties with those firms. While an almost universal critical response silenced his remarks, unfortunately the policies of the administration with regard to the detainees have not changed over the past five years.

What is most disturbing however is the bigger picture. Stimson's comments are only a microcosm of the administration's views and policies with respect to the detainees. First, the administration has continued to characterize the detainees as terrorists (as did Stimson), although there has never been any proof of that assumption. Every study done by the government...

CONTINUED ON PAGE 12

ALBANY IN TRANSITION

On November 7, 2006, Eliot Spitzer was elected in a landslide to become the 58th governor of New York State. Governor Spitzer's election is a rare opportunity for the City Bar: this is the first transition period in the New York State Governor's office in over a decade, and only the second since 1983. Many City Bar committees sought to take advantage of this transition by writing to the Governor, identifying key issues from their perspective that merit the Governor's attention. We note some of those issues below. They represent only some of the issues the Association will be addressing in Albany this year.

Human Trafficking
One of the City Bar's premiere activities is advocacy on behalf of victims of human trafficking. A place where the City Bar's legislative work dovetails with the legal advocacy for trafficking victims by the City Bar Justice Center, the horror and poignancy of this issue cannot be overstated. Human trafficking is one of the great stains on our society, as we have learned through the City Bar Justice Center's advocacy work for trafficking victims. This experience has led the Governor to support strong anti-trafficking legislation. In addition to the law enforcement provisions, the committee stressed the importance of social services for escaped victims, as these services are essential because many victims have absolutely no place to go. The threat of homelessness is indeed one of the most effective means by which traffickers can control their victims.

The Sex and Law Committee also wrote to Governor Spitzer on several other topics, including the right of nursing mothers to express breast milk at work, and...
COMMITTEE REPORTS—MARCH, 2007

As Eliot Spitzer took office as governor, many City Bar Committees wrote to him offering their expertise on pertinent issues in state government. These committees’ work is highlighted in the article on page 1, “Albany in Transition.” Committees writing to the Governor were: the AIDS Committee, Art Law Committee, Corrections Committee, Health Law Committee, Mental Health Law Committee, Civil Rights Committee, Estate and Gift Taxation Committee, Council on Children, Social Welfare Law Committee, Energy Committee, Environmental Law Committee, Animal Law Committee, Sex and Law Committee, Social Welfare Law Committee, and State Affairs Committee.

Environmental Law
Letter to the New York State Department of Environmental Conservation generally supporting the implementation of the Regional Greenhouse Gas Initiative (RGGI) in New York. The letter expresses some concerns that the initiative lacks sufficient detail regarding how the proceeds of the annual auction will be used.

Military Affairs and Justice
Letters to Congress and to Secretary of Defense Robert Gates expressing concern that Executive Branch officials and military personnel have made the representation of Guantánamo detainees difficult by: discouraging the clients from seeking and utilizing legal assistance; intimidating lawyers providing pro bono representation; interfering with the attorney-client relationship; and encouraging clients of the law firms who represent detainees to pressure the firms to drop these cases. The letter focuses on statements made by Deputy Assistant Secretary of Defense for Detainee Affairs Stimson. The United States Supreme Court, the letter states, has made clear that those detained at Guantánamo are entitled to counsel and that the above actions by officials indicate a bias inconsistent with their responsibilities.

Non-Profit Organizations
Letter to the New York State Bar Association offering comments on its Business Law Section’s proposal to revise the New York Not-for-Profit Corporation Law. Though the committee agrees that the Not-for-Profit Corporation Law warrants substantial revision, it does not agree with many of the proposed changes and modifications in the Business Law Section’s proposal.

Professional Responsibility
Comments on the New York State Bar Association’s Proposed Amendments to the New York Code of Professional Responsibility Rules 1.11, 1.12, 2.1, 2.3, 2.4, 4.2, 4.3, 4.4, and 6.1 – 6.5.

Amicus Brief: Muriel Siebert & Co., Inc. v. Intuit Inc. filed with the New York State Court of Appeals. This case, the brief notes, requires the Court to determine whether a corporate “party” within the context of DR 7-104 includes a former employee who had access to attorney-client information about the matter in dispute. In an earlier decision the Court determined that former employees do not fall within the definition of “party” and therefore may be contacted by the opposing counsel without notice to the corporate party’s attorney. The brief urges the Court to follow the same reasoning in this case and not alter the bright line rule that has been in place for over 15 years.

Reports are available on the Association’s website, www.nycbar.org, or by calling 212-382-6624.

THIS MONTH IN CITY BAR HISTORY

The Legal History Committee of the City Bar will be a regular contributor to the Forty-Fourth Street Notes. They will offer us anecdotes and describe key moments from the history of the New York City Bar and the practice of law in New York and beyond.

One Hundred Thirty Years Ago… On March 5, 1877, President Rutherford B. Hayes was inaugurated after the disputed presidential election of 1876—thanks in substantial part to the efforts of William Maxwell Evarts, chief counsel for the Republican Party and first president of the Association of the Bar of the City of New York. Evarts and a team of three colleagues argued before a special electoral commission for four weeks before the commission—on an 8-7 party-line vote—awarded the electoral votes of four disputed states to Hayes, who defeated Democratic candidate Samuel J. Tilden, another founding member of the first city bar vice president of the Association. Evarts was immediately rewarded for his efforts; eight days after his inauguration, Hayes appointed Evarts Secretary of State.

Seventy-Five Years Ago… In the depths of the Great Depression, the Alumni Association of Columbia Law School announced that only five out of 130 third-year students had secured jobs after graduation. In the March 30, 1932, issue of The New York Times, Edward Gluck, a member of the alumni association, admitted that he had begun advising young lawyers to "set up offices and try it on their own" because "[t]here are practically no jobs to be had". Gluck also reported that the few positions available for recent graduates not yet admitted to the bar showed an unfortunate "tendency to cut salary out entirely"—an arrangement law students (rather unsurprisingly) "have not generally expressed a willingness to accept".
in support of the "Healthy Teens Act," a law that would promote an age-appropriate sex education program aimed at reducing unwanted pregnancies and the spread of sexually transmitted infections.

**AIDS**

More than 80,000 New Yorkers have been diagnosed with HIV and AIDS, and it is likely that thousands more are afflicted without realizing it. The Committee on AIDS wrote on several issues that will likely surface in the next legislative session, focusing on improving the quality of life for these New Yorkers.

The AIDS Committee urged Governor Spitzer to work to eliminate rent increases for people living with AIDS in housing subsidized through the federal Housing Opportunities for People with AIDS program, expand education on HIV prevention and transmission, and improve HIV testing and prevention for prison inmates.

**Medicaid for Prisoners**

Four committees co-wrote a memo regarding Medicaid access for prisoners: Corrections, Mental Health Law, Health Law, and Social Welfare Law. The current practice in New York is to terminate Medicaid eligibility for incarcerated people – meaning that they must reapply after release. This process can leave certain people unable to access needed care during long delays – especially critical as releases are often at risk of physical and mental illness and substance abuse. The Committee is pushing for the suspension – rather than the termination – of Medicaid benefits during prison terms that can then be re-activated after release.

**Art Law**

The City Bar Art Law Committee wrote to Governor Spitzer asking for his support for a bill that would allow museums to acquire the title to "undocumented property" – artistic items that have been lent to a museum and subsequently abandoned, left on their doorsteps, or otherwise in the possession of a museum that is unable to determine their proper ownership. The bill the Committee has been advocating eases the management of undocumented property while preserving the rights of the original owners, with particular protections for art that may have been stolen during the Holocaust.

**Public Authorities Reform**

Public authorities have long been a priority for statewide reformers, who criticize their proliferation, unaccountability, enormous debt, and questionable practices. The State Affairs Committee believes that Governor Spitzer should appoint a commission to investigate the manner in which public authorities are created and operated, in the hope that the commission will identify shortcomings and make needed recommendations.

**Animal Law**

Animal welfare issues rarely get the attention they deserve in the press and in the Legislature, but as the Governor began his term, the Animal Law Committee wrote to bring his attention to a variety of issues. The Committee has called on the Governor to reduce killing of pets based on overpopulation, improve the training procedures for law enforcement to recognize animal cruelty, and improve the protections for animals in domestic violence situations. The last of these protect not only animals but their owners as well, as it is all too common that abusers will threaten pets as well as people.

Furthermore, the Committee pushed for more regulations on hunting and trapping to shield wildlife, and better protections against cruelty for farm animals.

**The Environment**

As more and more dire warnings surface about the state of the environment, ecological issues become more pressing. The Environmental Law Committee wrote to the Governor stressing several proposals. These include improved regulations aimed at reducing greenhouse gas emissions, protections for the State's parkland, and the improvement of the process for the distribution of monies aimed at cleaning up brownfields.

**Estate Tax**

New Yorkers are at a disadvantage compared to residents in most other states due to the structure of the state estate tax law, which precludes New Yorkers from taking advantage of the full federal estate tax exemption. This can factor into retirees leaving New York for other states. The City Bar's Estate and Gift Taxation Committee has written to Governor Spitzer asking that this law be amended by allowing a separate QTIP (qualified terminable interest property) election for state estate tax purposes.

**Civil Rights**

The Civil Rights Committee has a broad and active agenda in Albany, but in writing to the Governor, it focused on the modernization of the State Human Rights Law, focusing on two key points: First, the state should expand the monetary relief available, so that it may include attorneys’ fees, punitive damages, and civil penalties. Secondly, the list of protected classes should be expanded to include gender identity and expression, citizenship or immigration status, source of income, and domestic violence victim status.

**Health Law**

Nationwide, the debate over universal health care is heating up. Neighboring Massachusetts and Vermont have made health coverage widely available, and New Jersey is in the process of doing so as well, along with several other states from across the nation. The City Bar’s Health Law Committee wrote to Governor Spitzer in January asking for him to lead New York toward the same goal, through such steps as removing unnecessary barriers to coverage for those already entitled to public insurance, and providing universal coverage for children.

The Health Law Committee also wrote in support of several other issues, including the Family Health Care Decision Act, prescription drug reform, and the development of electronic health records.

**Council on Children**

The City Bar's Council on Children has identified several policy concerns in its letter to Governor Spitzer, focusing on the challenges facing New York's families. Foremost among these is the fact that thousands of children in New York State are coming into foster care more frequently and staying longer – largely because of the inadequate resources provided to implement 2005 reform legislation. The Council hopes to work with the State to make reforms more effective.

The Council also offered policy recommendations in several other areas, including increasing the number of Family Court judges statewide, allocating additional funds for transitional living centers for youths aging out of foster care, and tracking and assisting undocumented immigrant children in the foster care system.

**Social Welfare Law**

Many extant aid programs in New York contain an "income cliff" – a point where a person rising to a certain earnings level suddenly sees a dramatic reduction in his or her benefits. This creates a disincentive to work, and so the Committee on Social Welfare Law has written to the Governor suggesting several changes that would address this problem. The Earned Income Tax Credit, the Committee believes, is one of the best anti-poverty measures the state has, but suffers from several income cliffs; the Committee argues that these should be eliminated.

Additionally, the Committee’s letter suggests new tax incentives and subsidies to promote the development of affordable housing and new means to facilitate the transition from incarceration to gainful employment. The Committee also argues in favor of the state ensuring that public assistance grants are sustaining for individuals who are physically or mentally unable to work.

* * *

The City Bar looks forward to working with Governor Spitzer in the coming years – and we think that these memos lay the groundwork for our future relationship with the Executive Branch in Albany.
Relevant Investment Strategies in Today’s Market

New York City Bar Members are invited to attend our exclusive seminar

Date and time
Thursday, May 3, 7:00 p.m.

Location
New York City Bar Headquarters, Stimson Room
42 West 44th Street, New York City
(between 5th and 6th Avenues)

Hosted by
Jason M. Katz
Senior Vice President–Investments
Private Wealth Advisor
Advisory & Brokerage Services
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Topics to be discussed:
• Why some investors underperform the market
• Why it's important to have an investment plan
• Potentially enhancing portfolio returns and managing risk through diversification*

Guest Speakers:
Andy Christos, Vice President
Columbia Management
Topic: NY529—Prepare Today For Tomorrow’s Future

Joe Yasinski, Vice President
Eaton Vance
Topic: Investing for the Long Term

Andrew Pizza, Vice President
Ivy Funds
Topic: Great Demand Client Seminar

* Diversification does not assure a profit or protect against a loss in declining markets.

Mutual fund prospectuses may be distributed at the seminar. For more complete information about a fund, including the investment objectives, charges, expenses and risk factors, contact us for a prospectus. The prospectus contains this and other important information that you should read and consider carefully before investing. The value of funds will fluctuate.

This seminar is funded in whole or in part by Columbia Management, Eaton Vance and Ivy Funds.

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1 Thursday, 6-8 pm

**JOB SEARCH NETWORKING AND INTERVIEWING**

This is an interactive workshop that will provide guidance on how to network and interview, and will present ways to take the fear out of those job search processes.

 Speakers:
**LINDA E. LAUFER, J.D.**
Director, Judicial Clerkships and Fellowships, Yale Law School

**CAROL KANAREK, J.D., C.S.W.**
Career Management for Lawyers

Space is limited to 25 people. Registration is necessary. The fee is $10. Please register online at www.nycbar.org

2 Friday, 6 pm

**FRIDAY EVENING CHAMBER MUSIC**

The Lawyers’ Orchestra is pleased to present an evening of French Chamber Music. Debra Takakjian and Ondine Musique will perform works by LeClair, Berlioz, DuParc and Saint Saens.

Eugenia Choi, violin; Aaron Boyd, viola; Jane O’Hara, cello; Amy Synatzske, soprano and Debra Takakjian, piano.

Admission is $10 at the door. For more information, please call (212) 788-1093.

6 Tuesday, 7-9 pm

**THE TRIAL OF SADDAM HUSSEIN: A RETROSPECTIVE**

The trial and executions of Saddam Hussein and his co-defendants have generated significant interest among the press, the legal community and the general public. A panel of experts with substantial knowledge and experience with the case will debate several important issues relating to the trial, including the appropriateness of a national rather than international forum, the fairness of the procedures employed, and the conduct of the executions.

 Speakers:
**MICHAEL SCHARF**
Director, Frederick K. Cox International Law Center, Case Western Reserve University Law School

**ERIC BLINDERMAN**
Proskauer Rose LLP; former Associate Deputy and Chief Legal Counsel to the U.S. Embassy – Baghdad, Regime Crimes Liaison’s Office

**MIRANDA SISSONS**
Head of the Iraq Program, International Center for Transnational Justice

A representative of the Republic of Iraq

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**LAST YEAR’S INAUGURAL GALA WAS SO MUCH FUN, WE DECIDED TO DO IT AGAIN.**

City Bar Justice Center Annual Gala

Wednesday, April 18, 2007

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CRAVATH, SWaine & MOORE LLP

For more information and to reserve tickets, please contact our Gala Office at: 212-249-6188 or jennifer.kunin@verizon.net.

www.nycbar.org
7 Wednesday, Noon-2 pm

WOMEN IN INTELLECTUAL PROPERTY: SPRING SPEED-NETWORKING EVENT AND LUNCH

Looking for a mentor? Have knowledge to share with a mentee? Interested in building a professional network? Or do you just want to get to know more women in the profession? Come to the Spring Speed-Networking Event and Lunch, where you'll meet women attorneys practicing in various intellectual property fields from law firms, corporations, non-profit organizations, academia and the government. Established in March 2006, "Women in Intellectual Property" is a program of ongoing events designed to promote female networking, mentoring and advancement in the field. Stay tuned for our summer 2007 event.

Registration by March 2 is necessary. The fee, which includes lunch, is $25 for City Bar members and $35 for non-members. Please register online at www.nycbar.org.

If you have experience or interest in a particular intellectual property practice area or career path, and did not previously provide that information at the November Women in IP holiday party, please email your class year, practice specialty/sector (e.g., patent litigation/law firm, trademark/in-house, licensing/non-profit, etc.), and interest information to Caren Khoo at caren.khoo@wilmerhale.com by the March 2, 2007, registration deadline.

8 Thursday, 8:30 am - 10 am

PROFESSIONAL DEVELOPMENT BREAKFAST WORKSHOPS

Next Steps: Success Strategies For Mid-Level Attorneys

Workshop III - Acting Ethically: Incorporating Professional Responsibility into Professional Development

This program starts off with a cinematic legal “thriller.” The fact patterns created by some of Hollywood’s best writers and producers serve as the basis to discuss specific ethical concerns relevant to mid-level associates as they progress to partnership, move in-house, to government, or on to other careers in the legal profession. The program will enhance participants’ abilities to:

- Set an example of proper professional conduct when managing others;
- Maintain discretion as well as confidentiality;
- Deal with potential conflicts;
- Address inappropriate client requests;
- Act professionally in difficult situations.

Speaker:
MARY R. CRANE
Mary Crane & Associates

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

12 Monday, 8:30 am

LITIGATION BREAKFAST: PRACTICING IN A MATRIMONIAL PART

Learn the ins and outs of practicing in the New York State Supreme Court’s Matrimonial Part, the legal terms unique to the Matrimonial Part, and the pros and cons of certain strategies.

Moderator:
CYNTHIA B. RUBIN
Flemming Zulack Williamson Zauderer LLP

Speakers:
HON. JOAN LOBIS
Supreme Court Justice, New York County

ALTON ABRAMOWITZ
Mayerson Stutman Abramowitz Royer LLP; Chair, Committee on Matrimonial Law, New York City Bar

The fee for this program is $10. Please register online at www.nycbar.org
Immigration Law Training
Basic • Intensive • One Week

June 4-8, 2007 • Des Moines, Iowa

Designed for private practice attorneys, the seminar provides the knowledge and expertise to begin or enhance a legal immigration practice.

Tuition: $2,500 includes all course materials plus breakfast and lunch each day
Contact: Midwest Legal Immigration Project at (515) 271-5730
Email: immigrationmlip@aol.com
Visit: www.midwestlegalimmigrationproject.com
15 Thursday, 6:30 pm

THE PRESENTATION OF
THE ASSOCIATION MEDAL
TO: ROBERT B. FISKE, JR.
AND ROBERT M.
MORGENTHAU


ted to: The fee is $100 for members, $125 for non-members and $50 for
non-profit or government lawyers. Please register at www.nycbar.org.
For more information please contact Martha Harris at 212-382-6607.

17 Saturday, 8 pm

LAWYERS’ ORCHESTRA:
EARLY SPRING CONCERT

The program will include Berlioz’
Overture to “Benvenuto Cellini,”
Brahms’ Violin Concerto (Brittany
Sklar, Violin, former winner of the
Young Artists’ Competition) and
Elgar’s Enigma Variations. Please
Note: This program will take
place at the Pope Auditorium, 113
W. 60th Street (at Columbus
Avenue), Manhattan.

Admission is $20/$15 (seniors/stu-
dents) and may be purchased at the
door or online at www.lawyersor-
chestra.org. For more information,
please call (212) 788-1093.

20 Tuesday, 6:30 pm

WILL THERE EVER BE A
FEDERAL CHARTER FOR
INSURERS?

A panel of top experts in the
insurance and banking industries
will discuss the present supervisory
and regulatory structure for the
insurance industry, the most
recent efforts and legislation pro-
moting federalization of the indus-
try, and the advantages and disad-
vantages of a federal charter.

Co-Chairs:
WILLIAM P. BOWDEN, JR.
Promontory Financial Group

BRIAN A. SMITH
Smith & Newman LLP

Speakers:
WILLIAM P. BOWDEN, JR.
Promontory Financial Group

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boutiques, in-house corporation counsel and general practice law firms, will speak about their day-to-day work and share their varied career strategies about becoming an IP attorney. This program will particularly address the value of a technical background, entry into the practice, litigation versus prosecution, the patent bar, and defining the practice within areas of specialty. All are welcome to attend.

Please register online at www.nycbar.org

22 Thursday, 9 am – 12:15 pm
A PUBLIC DEBATE: IS THERMAL TREATMENT OF SOLID WASTES GOOD FOR NEW YORK CITY?
Welcome:
CHRISTINE FAZIO
Chair, Committee on Environmental Law, New York City Bar
The Pro Side
Speakers:
NICKOLAS THEMELIS
Director, Earth Engineering Center, Columbia University
JACK LAUBER
New York State Department of Environmental Conservation (retired)
ROBIN DAVIDOV
Executive Director, Northeast Maryland Waste Disposal Authority
The Con Side
BARBARA WARREN
Consumers Union
NEIL SELDMAN
President, Institute for Local Self Reliance
Co-sponsored by:
The Earth Engineering Center of Columbia University
Please RSVP to fazio@clm.com

22 Thursday, 12:30 – 2 pm
SMALL LAW FIRM LUNCHEON
LEVELING THE ELECTRONIC DISCOVERY PLAYING FIELD FOR SMALL LAW FIRMS
Effective December 1, 2006, federal and state courts now permit litigants to demand discovery of their adversaries’ relevant electronic data. All the “big” law firms are already exploiting this powerful discovery tool over their adversaries. Now, small law firms can afford to use this service, too.

Learn about the relevant law and how electronic discovery works.
Moderator:
MARK A. JOSEPHSON, CPA, CFP, CFE
Murray & Josephson, CPAs, LLC
Speakers:
MICHAEL A. GROSS
Vice President, Kryptos Forensics, LLC
DANIEL KALAI
Chief Technology Officer, Kryptos Forensics, LLC
Registration by March 19 is necessary. The fee for the luncheon is $25 for members and $35 for non-members. Please register below or online at www.nycbar.org.

22 Thursday, 7 pm
CONCERT READINGS BY LAWYERS
An evening of script contributions, including excerpts, redactions or adaptations from legal transcripts presented by lawyers.

For more information, please call Peter Dizozza at 917-915-7635 or dizozza600@cs.com.

26 Monday, 6:30 pm
THE QUIET MAJORITY: THE REAL DEAL ON SMALL FIRM PRACTICE
If only 10 percent of attorneys practice in a large firm setting, where are the other 90 percent? A panel discussion aimed at giving law students a glimpse into the world of small-firm practice.

Moderator:
PAULA A. FRANZESE
Peter W. Rodino Professor of Law, Seton Hall University School of Law
Speakers:
MELINDA D. MIDDLEBROOKS
Managing Partner, Middlebrooks Shapiro & Nachbar, P.C.
MERCEDES S. CANO
Proprietor, Law Offices of Mercedes S. Cano
Please register online at www.nycbar.org

March 2007 Registration Form

[ ] Small Law Firm Luncheon: Leveling the Electronic Discovery Playing Field for Small Law Firms – 22 Thursday

The fee for the luncheon is [ ] $25 for members and [ ] $35 for non-members.

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Please return this form to: Meeting Services, New York City Bar, 42 West 44th Street, New York, NY 10036-6689.
Please make checks payable to the Association of the Bar. If registering for additional persons, duplicate this form.

www.nycbar.org
WOMEN OF COLOR ATTORNEYS:
BREAKING THROUGH THE “CONCRETE CEILING”

While there has been extensive research on women and racial and ethnic minorities in the legal profession, few studies have focused specifically on women of color. Evidence suggests that women of color carry a double burden, struggling to overcome the challenges of being female and minority in a profession traditionally dominated by white males.

On January 16, 2007, the Minorities in the Profession Committee hosted *Finding a Voice for Women of Color in Law Firms*, a panel discussion focused on the experiences of women of color at firms and the latest research in this area. The panel, moderated by Maxine Williams, Manager of Diversity Programs at White & Case LLP, featured:

- Charles Bone, Founder and Chairman of Bone McAlister Norton PLLC;
- Paulette Brown, Partner at Edwards Angell Palmer & Dodge LLP and Co-Chair of the *Visible Invisibility* Report;
- Ona Wang, Partner at Baker & Hostetler LLP; and
- Diane Yu, Chief of Staff and Deputy to the President of New York University and former Chair of the ABA Commission on Women in the Profession.

It is particularly fitting that we are having this dialogue in the wake of the recent passing of former Family Court Judge Jane Bolin, the first African American woman in the nation to serve as a judge. Judge Bolin was also the first African American woman to graduate from Yale Law School, to work as a lawyer in the New York City Law Department, and to be admitted to membership of the City Bar. She was a pioneer in the nation’s legal establishment – a role she said she “didn’t think about. My work was my primary concern.” But now, with many more women of color entering and seeking to advance in the profession, the issue is one we should all think about.

Recent studies have shown that women of color are leaving law firms in disproportionately high numbers. The New York City Bar’s 2006 Diversity Benchmarking Report revealed that women of color at signatory firms have the highest departure rates at all levels with the exception of the partnership level. A 2005 NALP study found that 81 percent of women of color associates had left their firms within five years (NALP, 2005). Seeking to gain a better understanding of the reasons why so many women of color are leaving law firms before having the chance to compete for partnership, the ABA Commission on Women in the Profession launched the Women of Color Research Initiative in 2003. In 2006, the Commission released *Visible Invisibility: Women of Color in Law Firms*, which presents the preliminary findings of their research.

**Key Findings:**

- 49% of women of color experienced demeaning comments or harassment compared to 47% of white women, 34% of men of color and only 3% of white men.
- 62% of women of color were excluded from informal and formal networking opportunities compared to 60% of white women, 31% of men of color and only 4% of white men.
- 67% of women of color wanted more and/or better mentoring by senior attorneys and partners compared to 55% of white women, 52% of men of color and only 32% of white men.
- 44% of women of color reported being denied desirable work assignments compared to 39% of white women, 25% of men of color and only 2% of white men.


Diane Yu stressed the importance of being proactive in overcoming exclusion. She recounted the experience of a woman of color associate, who after being excluded from informal networking opportunities with other associates, took it upon herself to create her own. By inviting a highly regarded partner to have lunch with a group of associates, the woman went from feeling like an outsider to being the organizer of the most sought after networking event. It is critical for women of color to be bold in their efforts to overcome exclusion and bias in the law firm environment.

Suggestions for Legal Employers:

- Ensure that women of color are included in race and gender diversity efforts, including affinity groups.
- Review all systems in the firm, including recruiting, acceptance and retention rates to assess whether they have a disproportionately negative impact on women of color.
- Track data by race and gender to measure progress, assess the effectiveness of current efforts and develop strategies to address areas that need improvement.
- Make sure assignments are dispersed fairly and that women of color have a fair chance to compete for substantive, meaningful work assignments.

Suggestions for Women of Color:

- Take initiative in developing mentoring relationships, both with women of color role models and across gender lines.
- Produce results – get work done in a timely manner and do it well. Take all assignments seriously, even those that may seem simple or mundane. Take advantage of every opportunity to demonstrate your skills and commitment.
- Be proactive in overcoming exclusion and developing networking opportuni- ties within and outside of the firm.

The study found that women of color are being relegated to low level work assignments, struggling to disprove stereotypes about their ability and commitment to their careers while downplaying their race and gender to fit into the culture of their firms. Many find themselves falling behind other members of their class in terms of experience, which is greatly hindering their advancement potential and contributing to growing gaps in salary.

Women of color feel isolated and marginalized because they are not given the attention, mentoring or networking opportunities needed to develop their career.

While the principal responsibility rests with law firms to establish and maintain cultures that are inclusive and offer fair opportunities to all,

For more information about women of color or upcoming diversity events, please contact the Office for Diversity: Meredith Moore, Director at mmoore@nycbar.org or Elizabeth Kowalczyk, Assistant at ekowalczyk@nycbar.org.
THE LEGAL CLINIC FOR THE HOMELESS AT COLUMBIA LAW SCHOOL

Since the fall of 2005, the Legal Clinic for the Homeless at the City Bar Justice Center has collaborated with students at Columbia Law School to staff a monthly legal clinic at the Regent Family Residence homeless shelter on 104th Street in Manhattan.

While the program's other homeless shelter clinics are staffed by law firm associates, Director Lisa Pearlstein felt that this would be a perfect opportunity to give law students a hands-on opportunity to do real legal work on behalf of disadvantaged clients, while inspiring them to participate in pro bono after they graduate. "If we can get law students excited about pro bono work while in law school, I'm betting they will continue to be committed to this work at their future places of employment," Pearlstein says.

Columbia Law School was a good match since it is one of only a handful of law schools in the country that requires students to participate in pro bono work; Columbia mandates that they perform at least 40 hours of service in order to graduate. Interestingly, most of the students participating in the Legal Clinic for the Homeless have chosen to begin their involvement during their first year, before their hours will even count toward the requirement.

The Clinic has now trained 37 Columbia law student volunteers. They perform initial intakes with homeless clients at the shelter and work on each case from start to finish. Students sharpen their lawyering skills by conducting interviews, researching the relevant federal, state, and local policy regulations, collecting evidence, and representing their clients at fair hearings before New York State administrative law judges. The students tackle issues ranging from challenging improper denials of public assistance, food stamps, and Medicaid, to assisting clients with securing permanent housing.

The Forty-Fourth Street Notes recently interviewed a group of Columbia Law students about their experiences volunteering with the Legal Clinic for the Homeless, and its impact on their commitment to participating in pro bono legal activities in the future.

Why did you decide to get involved with the Legal Clinic for the Homeless at Columbia?

Ken Gerold, 1L: "The Legal Clinic for the Homeless is a great way to help individuals and families dealing with substantial hardships. As a Columbia Law student, I live within several blocks of people who face hunger, crime, and poverty on a daily basis. I hope that by facilitating the disbursement of welfare benefits to those who deserve them, we are making life a little bit easier for severely disadvantaged people."

James Richards, 2L: "Having grown up and studied law abroad, I'd always admired the strong pro bono tradition of the American bar, and the extent to which it pervades practice here, so when presented with the opportunity to do some pro bono work while at Columbia, I jumped at it. Aside from the ethical obligation I feel as a law student to represent those who can't afford yet desperately need legal representation, I also take immense satisfaction from the level of autonomy that the Clinic gives me in working with my clients."

Adam Pulver, 2L: "I purposely wanted to be doing some pro bono work during my 1L year, when I didn't have a ton of time and knew I'd have the highest disillusionment with law school…. Forty hours over the course of four semesters is nothing, but it does force people to stop and think about what it means to be a lawyer, and what their duty is outside of the corporate bar."

Tell us about your first case. What was it like representing a homeless client for the first time?

Amy McCamphill, 1L: "At first I was a little nervous and uncomfortable because I didn't feel particularly qualified to help my client, and I was afraid that she thought the same thing. But I realized that I needed to learn by doing. She was a victim of domestic violence and had been homeless for a few months, but she was receiving only a small amount of food stamps and was having a hard time supporting herself and her toddler. Her applications for more public assistance benefits had been denied, and she didn't fully understand why. I didn't expect to enjoy interviewing my client as much as I did—it was challenging and exciting trying to unravel the facts of her case and build a case theory. She's very likeable, and I think she has a bright future ahead of her. She recently moved into permanent housing and is now attending a work-training program."

Ken G.: "I have been working with the same client throughout the year on a series of issues. She has been through some unspeakable challenges, but because she is such a proud woman, she has struggled with accepting the idea that she needs help. As a result, my client was initially distant and reluctant to work with me. But eventually she saw that I really did want to help, and that there was no shame in accepting benefits that she rightfully deserved. When she finally did receive the benefits, she told me that she could finally purchase a winter coat for her daughter. Her reaction was immensely gratifying, and attests to the ability that we have as law students to do good for others."

What was the most challenging aspect of your first case?

James R.: "I had never met a client for whom I would be primarily responsible face-to-face before, so the experience was a bit daunting. But once I got over the initial nerves and started talking to [my client], I started to empathize with her situation. Meeting [her] gave her issues a human face. She had been sanctioned by the welfare authority for missing a meeting relating to her work assignment. She had never received notice of the meeting as it was sent to Brooklyn, but she lives in

continued on page 12
for its own purposes has concluded that Guantanamo does not house a high number of "terrorists." That is understandable since the administration’s definition of "enemy combatant" includes people involuntarily conscripted into Taliban militias and held there by force. It is no surprise, therefore, that the government has indicated it is planning to bring charges against no more than 10 percent of the detainees.

Acting in the highest tradition of the legal profession, hundreds of attorneys from New York and around the country have volunteered their time to represent the detainees. The attorneys come from large and small firms, and the list includes solo practitioners, criminal defense attorneys, commercial litigators, public defenders, and personal injury attorneys. It is ironic that Attorney General Gonzales recently stated that it has taken commercial litigators, public defenders, and personal injury attorneys. It firms, and the list includes solo practitioners, criminal defense attorneys, commercial litigators, public defenders, and personal injury attorneys. It is ironic that Attorney General Gonzales recently stated that it has taken

The administration initially refused to conduct trials. Subsequently, the administration refused to work with Congress on the issue of the detainees. Only after the Supreme Court struck down the military courts did the President sign a bill, flawed at best, that establishes military tribunals for detainees.

Thus, five years later, attorneys continue to represent clients who were thrown into this legal "abyss" without a fair process to challenge their detention. What should have occurred to Mr. Stimson, but didn’t, is that these attorneys may be the true heroes in this unsettling period of American history.

LEGAL CLINIC FOR THE HOMELESS AT COLUMBIA..... CONTINUED FROM PAGE 11

Manhattan… It’s very frustrating to see someone who’s doing nothing wrong continually have something put in her way for no good reason. People like [my client] have precious little to go on, and when their benefits are erroneously taken away, it postpones their emergence from homelessness, causing much distress and wasting a lot of their time in the process.

What have you learned from your experiences representing homeless clients through the Clinic?

Amy M.: "I am learning both legal skills and substantive public benefits law. For my case last semester, I interviewed my client, developed a case theory, gathered evidence, and presented my theory at an administrative fair hearing. Along the way, I learned a lot about New York welfare law, particularly its procedural aspects. I like how the clinic enables me to develop my skills and legal knowledge while providing much-needed assistance to disadvantaged families at the same time."

James R.: "[The clinic] is an extremely useful education in the lawyering skills that you just can’t learn in a classroom. I think that a successful lawyer doesn’t just get the law right and hope the rest follows, but rather identifies with the client, taking into account both immediate and future concerns, which may or may not be strictly legal and will almost always be defined by individual circumstance. Clients of the Legal Clinic for the Homeless are perfect examples of this. Every action I take is determined by their individual circumstance—the number of children they have, whether or not they’re pregnant, their physical health, even the day that they’re scheduled to move out of the homeless shelter. Assisting them well means making sure that they can eat dinner that night and see their doctor the next day."

What are your plans for the future, and what effect has your participation in the clinic had on these plans?

Ken G.: "I plan on pursuing a career in corporate law after graduation. This experience has shown me how much good I can do with a law degree. In looking at law firms, the strength of their pro bono programs will certainly be an important factor in my decision. Not only do I want to continue my pro bono work after graduation, but I want to be surrounded by the type of people who enjoy using their law degree for social good."

Adam P.: "I plan on clerking in federal court for one to two years before doing public interest litigation, somewhere around the intersection of public health and civil rights. I think my experience in the clinic has actually helped me to realize that direct services is…not where my strongest skills lie. But I think it has taught me how to interact with clients of different backgrounds and to learn how to be empathetic, while also getting the information I need to do a good job."

Amy M.: "I know I am interested in poverty law… My participation in the clinic has made me more open to a career in legal services, rather than in policy work. I’ve always pictured myself as a researcher or writer, but the clinic has showed me how exciting working with clients can be. Doing pro bono work has greatly increased my awareness of social and economic problems, and transformed my attitude towards poverty studies from a purely academic interest to a more compassionate involvement."
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<td>AN INTRODUCTION TO ANIMAL LAW: CURRENT ISSUES</td>
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<td>HOT TOPICS AFFECTING COOPERATIVES &amp; CONDOMINIUMS 2007</td>
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<td>AN INTRODUCTION TO ANIMAL LAW: CURRENT ISSUES</td>
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<td>VIDEO REPLAY: EMPLOYMENT LAW ESSENTIALS: WHAT NEW YORK PRACTITIONERS NEED TO KNOW ABOUT LEAVES OF ABSENCE, SEXUAL ORIENTATION, DISCRIMINATION, OVERTIME, RETALIATION &amp; MORE...</td>
<td>WHAT EVERY LAWYER SHOULD KNOW ABOUT THE REQUIREMENT DISTRIBUTION RULES</td>
<td>CURRENT ETHICAL ISSUES IN THE PRACTICE OF SECURITIES LAW</td>
<td>SO LITTLE TIME, SO MUCH PAPER™: ORGANIZATION &amp; TIME MANAGEMENT TECHNIQUES FOR LAWYERS</td>
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*This program provides transitional credit for newly admitted attorneys.
ANIMAL LAW

AN INTRODUCTION TO ANIMAL LAW: CURRENT ISSUES

21 Wednesday, 6-9 p.m.

This program will examine a range of current issues in animal law. The subject has been on the rise in law schools, bar associations, private and public practice, and the media. Topics to be addressed are: estate planning issues for companion animals; the rights of animals in housing, including rent-regulated apartments, co-ops and condominiums; the rights of the disabled to have animals assist them. The faculty will also review tort issues including negligence, veterinary malpractice and breeder liability. Licensing issues, humane education, defending activists and a legislative update including wildlife and current issues in ecoterrorism are all on the agenda. In addition, cruelty and farm animal issues, along with dangerous dog laws and liability issues will be discussed.

Program Chair:
DARRYL M. VERNON
Vernon & Ginsburg LLP

Faculty:
FRANCES B. CARLISLE
Law Office of Frances Carlisle
ELINOR D. MOLBEGOTT
Law Offices of Elinor Molbegott
AMY TRAKINSKI
Egert and Trakinski

Live Program: Member $195, Non member $305

CLE credit: 3 credits in professional practice/practice management. This program provides transitional credit for newly admitted attorneys.

BRIDGE THE GAP

16 HOUR BRIDGE-THE-GAP

7 Wednesday & 12 Monday, 9-5 p.m.

Earn all of your annual CLE credits while obtaining invaluable knowledge on a variety of areas. The Bridge-the-Gap programs fulfill a full year’s credit requirements for those that are newly admitted, while providing essential information and credits for more experienced attorneys. This program is particularly distinct in that one day will allow attendees to fulfill all required skills credits and the other day will allow attendees to fulfill all required ethics credits. Attendance on both days will provide the total professional practice/practice management credits required of all newly admitted attorneys. A skilled faculty will guide you through the day-to-day practice of law and cover topics of interest to all attorneys, including legal ethics.

Faculty:
JOSEPH AMMIRATI
Senior Manager
Klein Liebman & Gresen, LLC
HOWARD BENJAMIN
Law Office of Howard Benjamin
JEFFREY CARUCCI
Statewide Coordinator for EFiling
Unified Court System of the State of New York
DOUGLAS H. EVANS
Sullivan & Cromwell LLP
DAVID L. GRESEN
Klein Liebman & Gresen, LLC
AMY HOLZMAN
Guzov Ofsink, LLC
ELLIOIT L. HURWITZ
Chief Commercial Counsel
Chicago Title Insurance Company
MATTHEW S. LERNER
Goldberg Segalla LLP
JOHN M. OLIVIERI
Dewey Ballantine LLP
WILLIAM RAMOS
Principal Court Attorney
To Honorable Dianne T. Renwick
Supreme Court Justice, Bronx County
MICHAEL S. ROSS
Law Offices of Michael S. Ross

Live Program (both days): Member $415, Non-member $665

CLE Credit: March 7 & 12: 16 credits total: 7 professional practice/practice management, 6 skills & 3 ethics. This program provides transitional credit for newly admitted attorneys.

CORPORATE & SECURITIES

NEGOTIATING PRIVATE EQUITY LIMITED PARTNERSHIP AGREEMENTS

22 Thursday, 6-9 p.m.

The program will cover present issues of concern to investors who are considering an investment in a private equity fund. The faculty will examine the competing concerns of general partners/ fund sponsors and how the issues are typically resolved through negotiation.

Program Chair:
GEORGE J. MAZIN
Dechert LLP

Faculty:
JOE BARTLETT
Fish & Richardson PC
JOHN HORNBOSTEL
Assistant General Counsel
AIA Global Investment
KEVIN SCANLAN
Orrick Herrington Sutcliffe LLP
PHYLIS SCHWARTZ
Schulte Roth & Zabel LLP

Live Program: Member $215, Non-member $325

CLE Credit: March 7: 8 credits total: 6 skills & 2 professional practice/practice management.

CLE Credit: March 12: 8 credits total: 5 professional practice/practice management & 3 ethics.
CRIMINAL LAW

THE BASICS OF FEDERAL SENTENCING

15 Thursday, 6-9 p.m.

The U.S. Supreme Court’s decision in United States v. Booker in January 2005 fundamentally changed the practice of federal sentencing in criminal cases. In the landmark decision, the Supreme Court found that the U.S. Sentencing Guidelines were unconstitutional, yet preserved their place in the sentencing process. Judges must now consult with the Guidelines, although the Guidelines are only “advisory” rather than mandatory, raising a host of legal, strategic and ethical issues for all practitioners.

This panel will discuss federal sentencing in the post-Booker era, from the new fundamentals to the cutting edge strategies counsel can now employ given the greater flexibility under the law. The panel includes leaders from the federal bench, prosecution and defense, as well as a noted sentencing specialist. The panel will also focus on the Justice for All Act, a new federal law which permits crime victims broad opportunity to be heard at sentencing and to raise objections to the sentencing procedures, considered one of the most significant and thorny legal developments in federal sentencing since Booker.

Lastly, the panel will discuss the latest developments in the collateral consequences of federal convictions and sentences, providing critical information that every criminal defense attorney needs to know before counseling clients on the sentencing process.

Program Co-Chairs:
KENNETH S. LEVINE
Carter Ledyard & Milburn LLP

ZACHARY MARGULIS-OHNUMA
Law Office of Zachary Margulis-Ohnuma

Faculty:
HON. DENNY CHIN
United States District Judge
Southern District of New York

HERBERT J. HOELTER
CEO
National Center on Institutions and Alternatives

SHARON COHEN LEVIN
Chief of the Asset Forfeiture Unit
United States Attorney’s Office
Southern District of New York

DEBBIE A. MUKAMAL
Director, Prisoner Reentry Institute
John Jay College of Criminal Justice
The City University of New York

HON. JAMES ORENSTEIN
Magistrate Judge
Eastern District of New York

PAUL SHECHTMAN
Stillman, Friedman & Shechtman, P.C.

Live Program: Member $195, Nonmember $305
CLE credit: 3 credits total: 2 professional practice/practice management & 1 ethics. This program provides transitional credit for newly admitted attorneys.

ELDER LAW

MEDICAID & LONG-TERM CARE PLANNING: KEEPING CURRENT WITH THE TIMES

13 & 20 Tuesdays 6-9 p.m.

Are your elderly family members or friends concerned about paying for the exorbitant costs of long term care? Is there a way to ensure that they receive quality long-term care while having the opportunity to preserve assets for their loved ones? Is the answer Medicaid, Medicare, Long-Term Care Insurance? What must be done to make the costs of long-term care affordable and what steps can clients take to maximize asset preservation in the face of long term care costs? What if the client is incapacitated? A panel of experts in elder law will address these timely topics at this two-part seminar. Although both sessions are applicable to both seasoned and less experienced attorneys, we are offering the option to attend one or both sessions. Save by attending both.

Program Chair:
MATTHEW J. NOLFO
Law Offices of Matthew J. Nolfo

Faculty:
RUSSELL N. ADLER
Epstein Becker & Green PC

VALENCIA J. BOGART
Director, Evelyn Frank Legal Resources Program
Selfhelp Community Services, Inc.

DAVID GOLDFARB
Goldfarb Abrandt Salzman & Kutzin LLP

IRA SALZMAN
Goldfarb Abrandt Salzman & Kutzin LLP

Live Program (both evenings): Member $375, Non-member $515
Live Program (per evening): Member $195, Non-member $305
CLE Credit: March 13 & 20: 6 credits in professional practice/practice management. These sessions provide transitional credit for newly admitted attorneys.

EMPLOYMENT LAW

VIDEO REPLAY: EMPLOYMENT LAW ESSENTIALS: WHAT NEW YORK PRACTITIONERS NEED TO KNOW ABOUT LEAVES OF ABSENCE, SEXUAL ORIENTATION DISCRIMINATION, OVERTIME, RETALIATION & MORE...

27 Tuesday, 9-12 p.m.

Whether you are a general practitioner, an in-house generalist, or a full time employment lawyer, you should not miss this program. This program is a practical survey of the latest developments in four core areas of employment law that are rife with traps for unwary New York lawyers: parental and medical leaves; sexual orientation and gender identity discrimination; minimum wage and overtime rules; and whistleblowing and retaliation. The faculty, some of the New York’s top employment law practitioners, will give you essential tips about sometimes thorny issues that cannot be ignored.

Program Chair:
JUSTIN M. SWARTZ
Outten & Golden LLP

Faculty:
TARIK F. AJAMI
Outten & Golden LLP

ALPHONSO DAVID
Staff Attorney
Lambda Legal

www.nycbar.org
ALAN M. KORAL
Vedder Price Kaufman & Kammholz PC

JILL L. ROSENBERG
Orrick, Herrington & Sutcliffe LLP

PEARL ZUCHLEWSKI
Kraus & Zuchlewski LLP

Co-sponsored with the New York State Bar Association, Labor and Employment Law Section

Live Program: Member $195, Non-member $305

CLE credit: 3 credits in professional practice/practice management. This video replay does not provide transitional credit for newly admitted attorneys. In accordance with the CLE Board’s revised Regulations and Guidelines, 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.

ETHICS
ARE YOU IN COMPLIANCE WITH THE NEW ATTORNEY ADVERTISING RULES? PRACTICAL & ETHICAL INSIGHTS

14 Wednesday, 6-9 p.m.

The new attorney advertising rules took effect on February 1, 2007. These rules govern lawyer advertising in New York, and have generated substantial comment and some controversy. This program will focus on the new rules and what you can and cannot do. A panel of experts will discuss how the new rules have changed the current landscape and what attorneys ought to be doing to assure compliance.

Program Co-Chairs:
DAVID G. KEYKO
Pillsbury Winthrop Shaw Pittman, LLP

EDWARD M. SPIRO
Morvillo, Abramowitz, Grand, Iason, Anello & Bohrer, P.C.

Faculty:
JOE CALVE
Chief Marketing Officer
Proskauer Rose LLP
Board Member
NY Chapter of Legal Marketing Association

MARK S. OCHS
Chief Counsel
Committee on Professional Standards

JAMES W. PAUL
Clifford Chance US LLP

JEFFREY T. SCOTT
Sullivan & Cromwell LLP

Live Program: Member $235, Non-member $345

CLE credit: 3 credits in ethics. This program provides transitional credit for newly admitted attorneys.

ETHICS FOR THE TRADEMARK PRACTITIONER

27 Tuesday, 6-8 p.m.

This program will focus on ethical issues common to trademark and unfair competition law practitioners. A panel of experts will examine issues such as proper behavior during investigations and protecting privileged information when interacting with third parties and in-house clients.

Program Chair:
AMANDA C. SAMUEL
Trademark & Copyright Attorney
Colgate-Palmolive Company

Faculty:
MICHELLE V. FRANCIS
Senior Vice President & Deputy General Counsel
News Corporation/News America

DANA R. METES
LeBouef, Lamb, Green & MacRae LLP

MARK N. MUTTERPERL
Fulbright & Jaworski LLP

JAMES B. SWIRE
Arnold & Porter LLP

Live Program: Member $225, Non-Member $335

CLE Credit: 2 credits in ethics. This program provides transitional credit for newly admitted attorneys.

FAMILY LAW
DIVORCE IN NEW YORK IN THE 21ST CENTURY . . . “WHO GETS WHAT & HOW MUCH?”

13 Tuesday 9-12 p.m.; 12:15-1:45 lunch & analysis

An expert panel comprised of attorneys and ASA’s (American Society of Appraisers) will take you through a step-by-step analysis (with expert testimony and cross-examination) of a New York City matrimonial dispute involving a number of assets. Included will be a behind-the-scenes “prep session” with plaintiff’s and defendant’s counsel before trial. As a special
feature the program will conclude with a lunch, at which time the presiding Judge of the Mock Trial, Justice Jacqueline Silbermann of the New York State Supreme Court, will announce the valuation decisions. There will be an analysis of the decision-making process, as well as commentary on the style of each of the experts and counsels for the plaintiff and the defendant. This will be an invaluable opportunity to learn first hand from the tested and experienced valuation and litigation experts who are familiar with the New York State Supreme Court and who specialize in the unique challenges of valuation testimony in Matrimonial Disputes in New York City today.

Program Co-Chairs:
RONALD M. GOLD
New York State Certified General Real Estate Appraiser, ASA

ALTON L. ABRAMOWITZ
Mayerson Stutman Abramowitz Royer LLP

Mock Trial Participants:
Presiding Judge:
JUSTICE JACQUELINE W. SILBERMANN
Deputy Chief Administrative Judge
for Matrimonial Matters
Administrative Judge
Supreme Court, Civil Branch

Attorneys:
IRA E. GARR
Law Offices of Ira E. Garr PC
ELYSE GOLDWEBER
Goldweber, Lauriello, & Epstein LLP
MICHAEL STUTMAN
Mayerson, Stutman, Abramowitz & Royer LLP

Appraisers:
ELIOT BERRY, ASA
Eliot W. Berry & Co., Inc
Real Estate Valuations
MARTIN A. GREENE, CPA/ABV, ASA
Director of Business Valuations
Anchin, Block & Anchin LLP
JOSHUA LAND
Principal Appraiser
JOAN A. LIPTON, CPA/ABV, PH. D
Managing Director
Lazar Lipton Valuation Services, LLC
CHARLES ROSOFF, ASA
Appraisal Services Associates
BERNARD SENCER, ASA, AAA
Sencer Appraisal Association, Inc

ROBERT SIMON, CPA/ABV, ASA
President
Robert Simon Fine Art

Co-sponsored with the New York City Chapter of the American Society of Appraisers

Live Program: Member/ASA $175, Non-member $285
CLE credit: 4½ credits total: 3½ skills & 1 professional practice/practice management. This program provides transitional credit for newly admitted attorneys.

INTERNATIONAL LAW

UNDERSTANDING THE DO’S & DON’TS OF HOW TO DO BUSINESS IN THE MIDDLE EAST

8 Thursday, 6-9 p.m.

With the Muslim population now estimated to be over one billion, and more and more governments reaching back to Islamic legal precepts to govern their domestic and cross-border affairs, understanding the Do’s and Don’ts of Shari’a, Islamic law, is becoming an essential tool for global businesses. Yet, with six schools of law (4 Sunni and 2 Shi’a), and...
accelerating trends both toward harmonizing Islamic law with post-Enlightenment Western law and rejecting those very same westernizing precepts in favor of fundamentalist early Islamic strictures, this is not an easy task. This program will include presentations on the history and basic elements of Islamic law as well as advanced discussions of the latest developments in so-called Shari’a-compliant financings.

Program Chair:
ROBERT E. MICHAEL
Robert E. Michael & Associates

Faculty:
ABED A W AD
Law Office of Abed Awad
Adjunct Professor, Rutgers Law School

BERNARD FREAMON
Director
Seton Hall Law School Program for the Study of Law in the Middle East

WILLIAM VAN ORDEN GNICHTEL
Member of NY & MA Bar Associations
Foreign Legal Consultant to Saudi Arabia

PROFESSOR HAIDER ALA HAMOUDI
Associate-in-Law
Columbia Law School

MOHAMED SAAD LAHLOU
Lahlou & Co. Law Firm

MICHAEL J.T. MCMILLEN
Dechert LLP

WASIM B. SALIMI
Attorney at Law

PROFESSOR JOSEPH TANEGA
Course Director LLM Corporate Finance Law
University of Westminster School of Law

Live program: Member $195, Non member $305

CLE credit: 3 credits in professional practice/practice management. This program provides transitional credit for newly admitted attorneys.

LAW FIRM PRACTICE MANAGEMENT

TAKING YOUR FIRM TO THE NEXT LEVEL: RECENT DEVELOPMENTS EVERY ATTORNEY IN A SMALLER LAW FIRM NEEDS TO KNOW

7 Wednesday, 6-9 p.m.

This program will explore how to take your current law practice to the next step. Issues to be discussed include: how to find your "niche" from small law firm practitioners who have done it; exploring the latest changes proposed by the Report of the Commission to Examine Solo and Small Firm Practice with members of the Commission itself; a look at promoting your practice in the wake of the new ethical rules for attorney advertising; how you can meet the challenges of sustaining the growing client base without running into trouble by receiving valuable information from the New York Lawyers’ Fund for Client Protection.

Program Co-Chairs:
RICHARD ROTH
The Roth Law Firm, PLLC

ALLA ROYTBerg
Law Offices and Mediation Center of Alla Roytberg

Faculty:
MICHAEL J. KNIGHT
Deputy Counsel
NYS Lawyers’ Fund for Client Protection

GLENN LAU-KEE
Koo Larrabee Lau-Kee & Lane LLP

PROFESSOR HARVEY MARKOVITZ
President
HBM Associates, Inc.
Professor of Direct Marketing
Zicklin School of Business
Baruch College

TIMOTHY O’SULLIVAN
Executive Director & Counsel
NYS Lawyers’ Fund for Client Protection

Live Program: Member $195, Non-member $305

CLE credit for three programs: 6 credits in professional practice/practice management. This program is a part of a series. The other two programs are: Business Development and Client Relations, Friday, February 16 8:30-11 a.m. and Interpersonal Management & Motivation, Thursday, April 12 8:30-11 a.m.

CLE credit per program: 2½ credits in professional practice/practice management for March 14 and April 12, ½ credits in professional practice/practice management for February 16. This program provides transitional credits for newly admitted attorneys.

NEXT GENERATION MANAGEMENT TRAINING SERIES:

LAW FIRM FINANCIAL MANAGEMENT (Second Session)

14 Wednesday, 8:30-11 a.m.

This program is designed to provide training for lawyers who want to participate or are participating in the financial management of their firm. Modern law firm financial reporting and forecasting tools will be discussed. The comparative value and application of the tools will be highlighted as well as cost control methods and compensation planning techniques. The session will conclude with a roundtable discussion of the topics covered and ideas for immediate application will be offered. Panelists will consist of managing partners, law firm executive directors and selected members of the Association of Legal Administrators who are experts in these topics.

Program Chair:
HARVEY S. FEUERSTEIN
Chairman, Executive Committee
Herrick, Feinstein LLP

Faculty:
BARRY JACKSON
Executive Director
Davis & Gilbert LLP

PHILIP VETH
Director of Finance
Thacher Proffitt & Wood LLP

Co-Sponsored with the NYC chapter of the Association of Legal Administrators

Live Program: Member $195, Non-member $305

CLE credit per program: 6 credits in professional practice/practice management. This program is a part of a series. The other two programs are: Business Development and Client Relations, Friday, February 16 8:30-11 a.m. and Interpersonal Management & Motivation, Thursday, April 12 8:30-11 a.m.

CLE credit per program: 2½ credits in professional practice/practice management for March 14 and April 12, ½ credits in professional practice/practice management for February 16. This program provides transitional credits for newly admitted attorneys.
Save 15% by registering or purchasing tapes/CDs/DVDs/materials for both days.

SO LITTLE TIME, SO MUCH PAPER™:

ORGANIZATION & TIME MANAGEMENT TECHNIQUES FOR LAWYERS

30 Friday, 9-4:30 p.m.

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.

Program Instructor:
MEG SPENCER DIXON
Principal, Spencer Consulting

Co-sponsored with ALI-ABA

Live Program: Member $350, Non-Member $450

CLE credit: 7 credits total: 4½ professional practice/practice management & 2½ skills. This program provides transitional credit for newly admitted attorneys. This program is approved for MCLE credit in other MCLE jurisdictions.

LEGAL WRITING

WRITING FOR PRACTICAL EFFECT

8 Thursday & 9 Friday, 9-12:30 p.m.

Lawyers often assume their writing has to be difficult to read because their raw material is complex. That’s wrong. Even the most complicated material can be turned into clear, forceful prose, and even the most impatient audience can be persuaded to pay attention to your writing. This two-part seminar will focus on the rhetorical, organizational and stylistic skills you need to write clearly and persuasively — and to establish your credibility in the face of demanding audiences. The first morning will focus on organizational issues, and the second on writing effective paragraphs and sentences. (You may attend either session alone, although we recommend attending both.) The program will be relevant to all types of expository and persuasive legal writing, but will not address the drafting of contracts and similar formal documents.

Program Instructor:
STEVE ARMSTRONG
WilmerHale LLP

Live Program (both sessions): Member $375, Non-member $515

Live Program (per session): Member $195, $305

CLE credit both sessions: 7½ credits in skills. This program provides transitional credit for newly admitted attorneys.

CLE credit per session: 3½ credits in skills. This program provides transitional credit for newly admitted attorneys.

LITIGATION

TRIALS OF THE CENTURY

23 Friday, 9-4:30 p.m.

There can be no better education and entertainment than to be seated in the front row of the Los Angeles County Court House on August 15, 1912, as Clarence Darrow, America’s greatest trial attorney, rises to give his most memorable closing argument.
Now you have a front row seat. Listen, learn, and enjoy!

Using actual film footage, re-creations, photos, and verbatim trial transcripts, this unique program offers an unforgettable educational experience. See excerpts from the O.J. Simpson trial, hear Clarence Darrow cross-examine William Jennings Bryan in the Scopes “Monkey Trial,” view the cross-examination of Herman Goering at the Nuremberg trials, and listen to Clarence Darrow’s closing argument in the Leopold and Loeb trial. Learn the ethics of dealing with difficult witnesses and counsel from the Lindbergh Kidnapping trial. Each example is followed by a practical discussion of the lessons from the masters that you can apply to improve your own skills as an advocate.

Program Instructor: TODD WINEGAR
Co-sponsored with ALI-ABA

Live program: Member $350, Non-member $450

CLE credit: 7 credits total: 6 skills & 1 ethics. This program provides transitional credit for newly admitted attorneys. This program is approved for MCLE credit in other MCLE jurisdictions. Credit breakdown for other jurisdictions will be available at the program.

NONPROFIT ORGANIZATIONS

FORMING & ADVISING CHARITABLE ORGANIZATIONS: UNDERSTANDING & COMPLYING WITH FEDERAL & STATE LAWS

16 Friday, 9-5 p.m.

These programs, which will be useful to both experienced and newly admitted attorneys, provide an overview of New York State and federal law governing the formation and operation of nonprofit, charitable organizations and the administration of charitable assets. The faculty will address the general rules governing tax-exempt status for 501(c)(3) organizations, the mechanics of forming a New York nonprofit and obtaining tax-exempt status, the obligations and duties of nonprofit officers, directors, and trustees, the rules governing solicitation of charitable contributions (and the deductibility of such contributions), and the New York Attorney General’s role in overseeing charitable organizations. They will also examine the special rules which apply to private foundations and the support test for determining whether an organization is or is not a private foundation. In addition, there will be thorough analysis of the numerous provisions in the federal Pension Protection Act of 2006 applicable to charitable organizations.

The April program, Forming & Advising Charitable Organizations: The Basics & Beyond, will be held on Friday, April 13 from 9-5 p.m.

The March and April programs are discrete. Although by attending both you will receive a thorough and complete understanding of forming a charitable organization and the applicable rules concerning these organizations, it is not mandatory that you attend both. However, if you do you will receive a 20% discount off of the April program – a savings of up to $99.

Program Co-Chairs: PATRICIA J. DIAZ Loeb & Loeb LLP

DAVID G. SAMUELS Duval & Stachenfeld LLP

PIETRINA SCARAGLINO Associate General Counsel New York University School of Law

Faculty for March 16:

IAN J. BENJAMIN Goldstein Golub Kessler LLP

JULIA CHU Director of Philanthropic Services UBS Trust Company, NA

CAROLYN T. ELLIS Assistant Attorney General & Section Chief NYAG Charities Bureau

DOUGLAS H. EVANS Special Counsel Sullivan & Cromwell LLP

PAUL GELLMAN Assistant Attorney General & Section Chief NYAG Charities Bureau

ELIZABETH GUGGENHEIMER Deputy Executive Director Lawyers Alliance for New York

JEFFREY D. HASKELL Senior Vice President, Tax & Legal Affairs Foundation Source

MICHAEL S. KUTZIN Goldfarb Abrandt Salzman & Kutzin LLP

MICHAEL A. LEHMANN Manatt Phelps & Phillips LLP

PAMELA A. MANN Law Offices of Pamela A. Mann, LLC

KEVIN MATZ White & Case LLP

SPEAKER TO BE ANNOUNCED New York Attorney General’s Charities Bureau

JEAN L. TOM Patterson Belknap Webb & Tyler LLP

M. ANTOINETTE THOMAS Carter Ledyard & Milburn LLP

Co-sponsored: New York County Lawyers’ Association

Live program: Member $365, Nonmember $495

The fee for the April 13th program is $365 for members and $495 for non-members. If you attend both days you will save 20%, reducing the total fee from $730 to $657 for members and from $990 to $891 for non-members.

REAL ESTATE

BASICS OF MORTGAGE FORECLOSURE & BEYOND

19 Monday, 6-8:15 p.m.

Foreclosures are on the rise. Bruce J. Bergman, author of the treatise Bergman on New York Mortgage Foreclosures, will discuss what you need to know to successfully and efficiently handle...
a mortgage foreclosure action and how to avoid pitfalls inherent in the process. Receive a thorough primer on mortgage foreclosures in New York from the person who literally “wrote the book.” Goals, procedures, strategies and issues will be explored, along with “hot topics” including predatory lending and non-judicial foreclosure. This updated program will also include a discussion of The Home Equity Theft Prevention Act. Whether you are beginning to practice foreclosures or are an experienced practitioner who desires to refresh your knowledge of the important aspects in this burgeoning field of law, this program is not to be missed.

Program Co-Instructors:
BRUCE J. BERGMAN
Berkman, Henoch, Peterson & Peddy, P.C.
KENNETH M. MOLTNER
Bressler, Amery & Ross PC

Live Program: Member $195, Non-member $305

CLE credit: 2 credits in professional practice/practice management. This program provides transitional credit for newly admitted attorneys.

HOT TOPICS AFFECTING COOPERATIVES & CONDOMINIUMS 2007

26 Monday, 6-9 p.m.

This program will provide practitioners with an overview of important issues affecting cooperatives and condominiums, including updates on recent case law and legislation and a consideration of current issues facing cooperative and condominium boards and owners.

Program Chair:
DALE J. DEGENSHEIN
Cantor Epstein & Degenshein LLP

Faculty:
ANDREW P. BRUCKER
Schechter & Brucker, P.C.

MICHAEL T. MANZI
Balber Pickard Battistoni Maldonado & Van Der Tuin PC

EVA C. TALEL
Stroock & Stroock & Lavan LLP

ANTHONY M. VASSALLO
Attorney at Law

Live Program: Member $215, Non-member $325

CLE credit: 3 credits in professional practice/practice management. This program provides transitional credit for newly admitted attorneys.

TAX & ACCOUNTING

WHAT EVERY LAWYER SHOULD KNOW ABOUT THE RETIREMENT DISTRIBUTION RULES

28 Wednesday, 9-12:30 p.m.

Many of your clients have accumulated a considerable amount of wealth in their retirement accounts. With proper planning, retirement assets can be preserved for decades for the benefit of your client and his/her family.

The instructor will analyze in detail the many rules that you need to know in order to take full advantage of the IRS retirement distribution rules.

This seminar will help you understand the estate planning strategies and income tax techniques that are available in order to protect your clients’ retirement assets. Using practical examples, this seminar will go beyond the basics and supply you with proven strategies that can help preserve these assets.

Given the substantial balances in these accounts, the need to integrate retirement assets into an estate plan has never been more important. This program will

Put your trust in…

Escrow Organizer accounting software offers an easy-to-use and cost-effective solution for managing the receipts and disbursements of client funds.

Some of the many features of Escrow Organizer:
- Multiple bank accounts and unlimited client accounts
- Real time balances
- Reduces paper work
- Simplified check printing
- Monthly bank reconciliation
- Detail on-screen, printed reports, text and “CSV” files
- Microsoft Windows and network compatible

It’s the ideal solution for accurately recording client funds.

A free evaluation copy is available at our web site:
www.escroworganizer.com Email: info@escroworganizer.com
Toll Free: 877 674-6312 Phone: 631 265-8305
Registration

Advance registration is advised for live programs & 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.

Tapes are sold with the accompanying written materials from the program. Program materials can be purchased separately from the program. (CLE credit may not be given for materials only.) Mandatory NYS sales tax is included in the purchase price for tapes and materials. All sales of tapes, CDs, DVDs and materials are final. Please allow 3-5 weeks after the program date for your order to be processed.

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 at (212) 869-4451.

Refunds and program credits are not available for the purchase of tapes, CDs, DVDs, course materials or online programs. 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.

These programs are presented under the auspices of the CLE Committee, Valerie L. Fitch, Chair, and the City Bar Center for Continuing Legal Education.

Scholarships are available. Please call (212) 382-6663 for an application.

Is there a program you would like to attend or a speaker you would like to hear? Please contact the City Bar Center with your suggestions.

Nominees Named

The following candidates have been nominated by the Executive Committee for election to five positions on the 2007-2008 Nominating Committee. Ballots will be sent to the membership. Those elected will be announced at the Annual Meeting of the Association on May 15. Pursuant to By-law XXIII, other nominations must be posted no later than April 9, 2007.

Preeta Bansal
Terry Brown Clemons
Robert Fiske, Jr.
E. Leo Milonas
Sara Moss
Russell Neufeld
Carlos Ortiz
Milton Williams, Jr.
Richard Wolf
Mary Marsh Zulack
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<th>Topic</th>
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<td><strong>ARE YOU IN COMPLIANCE WITH THE NEW ATTORNEY WRITING FOR PRACTICAL EFFECT</strong></td>
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<td>Live Program (both days):</td>
<td>$415</td>
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<td>Audio/CD/DVD/Videotapes:</td>
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<td>Materials</td>
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<td><strong>THE BASICS OF FEDERAL SENTENCING</strong></td>
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<td><strong>REGISTER FOR BOTH: SAVE 15% on 2nd program!</strong></td>
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Kicking off the City Bar’s 2007 Professional Development Breakfast Workshops, Kathleen Brady of Brady & Associates Career Planner, LLC, speaking to an audience of more than 100 young attorneys on "Knowing Your Options/Controlling Your Destiny," urged participants to define success for themselves and then set their own course.

The first step, says Brady, is to ask yourself what does success look like? It is different to everyone. For some it may mean being content with your life, for others it may mean achieving some measurable accomplishment or leaving a legacy or having a positive impact on those around you. Once you have your goals defined, says Brady, you can begin moving toward those goals by following this five-step success formula.

I. Know what you want

Understand how career development fits into your life, Brady advises. Be aware that over time your career goals will change and different things will take priority in your life. In your twenties and early thirties you are just beginning to commit to an occupation, and perhaps to a life partner and are looking to future advancement. In your late thirties and early forties, says Brady, you may begin to think about what is next and are more concrete about what it is you want both in your career and in your personal life. In your late forties and fifties, often now with significant experience under your belt, you may readjust your career and life goals again.

II. Focus on your assets

Brady suggests conducting a career/life audit. Ask yourself what are your abilities, what are you good at and remember, says Brady, not to be too humble. To help you determine your abilities start by benchmarking your achievements, successful projects and things you are proud of. This means writing them down on a piece of paper. Start doing this as early in your career as possible, suggests Brady, so two, three, four years down the road you won’t have to ask yourself, What is it exactly that I have done over the years?

III. Stay connected

Be in career-building mode at all times, advises Brady, not just when you don’t like your job. Pay attention inside your firm, read the newsletters, walk the halls now and then, talk to fellow associates and be in the loop. Also pay attention outside your firm. You can do this, suggests Brady, by attending at least three functions every three months. This can mean going to a CLE course, a bar association committee meeting or an alumni event.

Stay apprised with what is going on in the world of work by being aware of the trends in your area of practice and which firms seem to be hiring. This may sound time consuming, remarks Brady, but really it should not take more than 15 minutes a week.

Find out what opportunities are offered outside your firm. Get involved in the bar association or your law school by going to programs and asking how you can volunteer. By participating in these events you will be building your network and expanding the pool of people you can turn to for career advice. Perhaps one day they may present an opportunity that helps you reach one of your career goals.

Next, develop an action plan by asking yourself which of these goals can I accomplish this year, which in the next five years. Then ask yourself what am I going to do to make this happen. Once you write it down, says Brady, a goal can become a lot more real. Remember, says Brady, as you implement your action plan be flexible. At different times in your life different aspects of your life may take priority.

V. Be patient

Finally, says Brady, be patient. Planning and moving ahead in your career takes time. Experiences or transitions you don’t expect may arise and delay or alter the course of your plan. Just remember, says Brady, you can control your own career destiny if you are prepared, patient and flexible.

For more information on the Professional Development Breakfast Workshops and a complete schedule of upcoming sessions, please visit www.nycbar.com.